

LANSING COMMUNITY COLLEGE
BOARD OF TRUSTEES
March 21, 2022

Regular Meeting
Adopted Meeting Minutes

Call to Order

The meeting was called to order at 6:19 p.m.

Roll Call

Present: Abood, Buck, Hidalgo, Mathews, Meyer, Proctor, Vaive
Absent: None

Pledge of Allegiance

Trustee Abood led the Pledge of Allegiance.

Resolutions and Special Recognitions

Trustee Proctor read the following in remembrance of Former Trustee Dr. Melvin M. Villarreal:

Our colleague and friend passed away on Feb. 15, 2022, and served this Board and the LCC Community from 1989 to 2000. Dr. Villarreal moved to the Lansing area in 1972 from Texas, where he was a teacher and coach. He was an education administrator for the Lansing School District for many years, was involved with the Capital Quality Initiative, and served as a volunteer deputy for the Eaton and Ingham County Sherriff Departments. Among his many accomplishments, he was most proud of his work establishing the Literacy Coalition across Michigan. He joined Mt. Hope Church in 2012 and remained a member until his passing. He is survived by his wife of 41 years, Lee, four children, six grandchildren, six great-grandchildren, and many other relatives and friends.

Trustee Mathews read the following in remembrance of Former Trustee, Erik Olaf Furseth:

Our colleague and friend passed away on Feb. 28, 2022, at 91. He served this Board and the LCC Community from 1981 to 1993. Proud of his Norwegian ancestry, he refused to speak English as an elementary student in Cleveland and had to repeat the first grade because of this. An outstanding athlete, Mr. Furseth earned a full scholarship for football at Michigan State College where he also played basketball. After college, Mr. Furseth fulfilled his ROTC commitment and served in the Air Force as an air traffic controller. He returned to Lansing and became a radio personality, and eventually the station manager at WILS. For many, he will be forever

known as the Voice of the Spartans. His MSU career spanned 50 years for football, basketball, and an occasional hockey event. He is survived by his wife of 32 years, Lynn, four children, nine grandchildren, four great-grandchildren, and many other relatives and friends.

Approval of Minutes

Trustee Hidalgo stated that as of January 1, 2022, the OMA no longer allows a person with a medical condition to attend or participate in a Board meeting remotely. He stated his remote attendance at the last meeting was due to health issues and would like the minutes to reflect that he did not make up the quorum at the February meeting. He also asked that the minutes reflect his absence from voting. He asked the college attorney, Scott Dwyer, if his abstention from voting would affect the actions taken at the February meeting. Scott replied no.

IT WAS MOVED BY Trustee Hidalgo and seconded by Trustee Thomas that the minutes of February 21, 2022, Regular Board of Trustees meeting, with corrections, be adopted.

Roll call vote:

Ayes: Proctor, Mathews, Thomas, Vaive, Hidalgo, Abood, Buck

Nays: None

Absent: None

The motion carried.

Additions/Deletions to the Agenda

The following additions/deletions were made to the agenda:

- Trustee Proctor asked if the Employee Personnel Files and Sick Leave be removed from the consent agenda.
- Trustee Abood asked that the RFP Downtown Campus (DTC) Facilities Storage Building.

Limited Public Comment Regarding Agenda Items

There were no Public Comments.

Linkage Planning/Implementation

Community Linkage – President’s Report

President Robinson presented the March 2022 President’s report to the Board. After the President’s report, the Trustees participated in reciting and signing the “We’re Better than THAT Pledge”.

“I pledge to stand up to all forms of hate, racism, bigotry, and bullying. I will speak against all intolerance based on race, ethnicity, sexuality, gender, religion, ability, or any other factor. I will work together with my LCC campus partners to create safer, more inclusive communities for us all.”

Trustee Abood stated that he supported this symbolic gesture and was grateful that everybody is taking the pledge. He stated that the Board was presented with data that showed LCC’s pay Equity of women making 97 cents for every dollar. He asks what the Board has done to fix the pay gap and that the Board should ask the administration to fix the gap. He stated that the Board should direct the President to present a report showing how the 97 cents gap was calculated. Trustee Abood stated that no employee should come to work knowing they’re making less than somebody else because they are not a part of a protected class. He said if the data isn’t true the college should announce it and if the data is true the Board needs to fix it. Trustee Abood further stated that 15% of LCC’s population doesn’t deserve to get pulled over 2 and a half times more.

IT WAS MOVED BY TRUSTEE by Trustee Vaive and seconded by Trustee Hidalgo that a Board workshop on Pay Equity and the Pay Gap be approved.

Roll call vote:

Ayes: Abood

Nays: Hidalgo, Thomas, Vaive, Mathews, Buck, Proctor

Absent: None

The motion failed.

IT WAS MOVED BY TRUSTEE by Vaive and seconded by Trustee Abood that the Board directs the administration to prepare and submit a report on Pay Equity and the Wage Gap within 2 weeks be approved.

Roll call vote:

Ayes: Thomas, Abood, Hidalgo, Vaive, Buck, Mathews, Proctor

Nays: None

Absent: None

The motion carried.

Trustee Vaive stated that she would like to move to direct the administration to prepare a monthly policing report on what type of engagement the LCC police officers are having and how many tickets they are writing. She stated this is a report that can be added to the Board’s monthly monitoring reports.

IT WAS MOVED BY Trustee Vaive and seconded by Trustee Abood that the Board directing the administration to present a monthly police report to the Board be approved.

Trustee Abood stated that it can be a simple report that states how many citations were issued, how many arrests, the percentage of white, the percentage of black, etc.

Trustee Proctor stated that he would support the motion.

Trustee Mathews stated that if the Board is going to support the motion it is important that the Board lets public safety know that the board supports them.

Trustee Thomas stated that she was in support, but the Board holds everyone accountable across the board. She expects everyone to do their job and do it appropriately.

Trustee Buck stated that he supports transparency, he supports accountability, and supports LCC employees. He stated that he agrees with Trustee Mathews and does not want to send LCC's public safety officers the wrong message by doing this so quickly. He stated to be clear for the record, he supports transparency and holding law enforcement accountable, but will be voting no because this motion is premature. He stated that the Board can come back in April with a formalized agenda item and have a robust conversation.

Roll call vote:

Ayes: Mathews, Abood, Thomas, Vaive, Hidalgo, Proctor

Nays: Buck

Absent: None

The motion carried.

Action Items – Consent Agenda

The following items were presented under the consent agenda:

- A. College Policies
 - ~~1. Employee Personnel Files (REVISED) (Removed)~~
 - 2. Just Cause - (REVISED)
 - ~~3. Sick Leave (REVISED) (Removed)~~
- B. Cooperative Agreement
 - 1. Tool Boxes and Badge System
- C. Invitation to Bid
 - 1. Campus-Wide Parking Lots Restoration 2022
- D. Request for Proposal
 - ~~1. Downtown Campus (DTC) Facilities Storage Building (Removed)~~
- E. Sublease between Lansing Community College (LCC) and Capital Area Michigan Works! (CAMW), Addendum #6

IT WAS MOVED BY Trustee Hidalgo and seconded by Trustee Vaive that the Consent Agenda, removing the Employee Personnel Files Policy, Sick Leave Policy, and the RFP for Downtown Campus (DTC) Facilities Storage Building be approved.

Roll call vote:

Ayes: Vaive, Proctor, Buck, Mathews, Thomas, Hidalgo, Abood

Nays: None

Absent: None

The motion carried.

Action Item – Employee Personnel Files & Sick Leave Policy

Trustee Proctor made the following edits.

Employee Personnel Files:

III. General

Separate files are maintained for confidential medical records related to FMLA or other employee leaves, ADA accommodation requests, MIOSHA records, and Worker's Compensation records. ~~and related.~~ These files are not part of the official personnel record.

Sick Leave:

III. General

8. In cases where an employee frequently claims personal illness or when ~~his/her~~ their ability to perform assigned duties appears to be impaired, the College may require a medical or psychological statement certifying that the employee is capable of performing ~~his/her~~ their assigned duties. When such a medical or psychological statement is required, the physician or psychologist will be selected and paid by the College.

IT WAS MOVED BY Trustee Proctor and seconded by Trustee Vaive that the Employee Personnel Files and Sick Leave policies, with corrections, be approved.

Roll call vote:

Ayes: Thomas, Hidalgo, Buck, Proctor, Abood, Mathews, Vaive

Nays: None

Absent: None

The motion carried.

Chair Buck requested that the Board take a 5 minutes recess and return at 7:41 p.m.

Action Item – RFP Downtown Campus Facilities Storage Building

IT WAS MOVED BY Trustee Buck and seconded by Trustee Vaive that the RFP Downtown Campus Facilities Storage Building be approved.

Trustee Abood asked for clarity on the temporary storage building constructed on the ADM parking lot.

The administration stated that the RFP is to prepare a new site and construct a temporary storage building in the parking lot at 515 Capitol Avenue.

Trustee Hidalgo stated that he thought the price was high for a temporary structure.

Roll call vote:

Ayes: Abood, Buck, Mathews, Vaive, Proctor, Thomas

Nays: Hidalgo

Absent: None

The motion carried.

Monthly Monitoring Report

The following Monitoring Reports were presented:

1. FY2023 Estimate of Taxes and Appropriation Necessary
2. Monthly Financial Statements
3. New Technical Careers Course Fees for Fall 2022

Policy Development

Trustee Proctor presented the following revised policies as a first read:

EQUAL EMPLOYMENT OPPORTUNITY

I. Purpose

Lansing Community College is committed to providing equal employment opportunities for all persons regardless of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran's status, or other status as protected by law, or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.

II. General

~~A. Faculty and staff promoted and transferred based on their qualifications and ability to perform without regard to race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.~~

~~B. All other personnel actions, including, but not limited to compensation, employee benefits, terms and conditions of employment, staff reduction, promotion will be administered without regard to race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.~~

~~C. No employee of Lansing Community College shall:~~

~~1) Fail or refuse to hire, recruit, or promote; discharge; or otherwise discriminate against a person with respect to employment, compensation, or a term, condition, or privilege of employment because of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.~~

~~2) Limit, segregate, or classify an employee or applicant for employment in a way that deprives or tends to deprive the employee or applicant of an employment opportunity or otherwise adversely affects the status of an employee or applicant because of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.~~

~~D. Lansing Community College prohibits retaliation or reprisals against any individual because she/he has filed a complaint or report, participated in an investigation, or otherwise opposed unlawful discrimination.~~

~~III. Responsibility~~

~~Responsibility for the interpretation and administration of this policy is delegated to the Equal Opportunity Officer and the Executive Director of Human Resources.~~

EQUAL OPPORTUNITY AND NONDISCRIMINATION

I. Purpose

~~Lansing Community College is an educational institution that embraces and promotes diversity, equity and inclusion in all aspects of its operations.~~

Lansing Community College is committed to providing **To provide equal opportunity equal employment opportunities and equal education for all persons and to prohibiting discriminatory practices based on** ~~regardless of~~ race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran's status, or other status as protected by law, or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position or ~~that is unrelated to the person's ability to participate in educational programs, courses, services or activities offered by the~~ College.

II. Scope

This policy applies to employees, applicants for employment, students, and persons applying for admission to the college, ~~vendors~~ **contractors**, visitors, volunteers, or any person or entity engaged in business or seeking to engage in business with the College.

III. General

~~The College is an educational institution that embraces and promotes diversity, equity, and inclusion in all aspects of its operations.~~

A. Equal Employment Opportunity

1. ~~Employees shall be selected, promoted, and transferred based on their qualifications and ability to perform without regard to race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position.~~
2. ~~All other personnel actions, including, but not limited to compensation, employee benefits, terms and conditions of employment, and staff reduction, will be administered without regard to race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information unrelated to the person's ability to perform the duties of a particular job or position.~~
3. ~~No employee of the College shall:~~
 - a. ~~Fail or refuse to hire, recruit, or promote; discharge; or otherwise discriminate against a person with respect to employment, compensation, or a term, condition, or privilege of employment because of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military~~

status, veteran status, or other status protected by law or genetic information unrelated to the person's ability to perform the duties of a particular job or position.

- b. Limit, segregate, or classify an employee or applicant for employment in a way that deprives or tends to deprive the employee or applicant of an employment opportunity or otherwise adversely affects the status of an employee or applicant because of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information unrelated to the person's ability to perform the duties of a particular job or position.*

B. Equal Educational Opportunity

No student or applicant for admission to any of the College's educational programs or services shall be discriminated against on the basis of race, color, sex, age, religion, national origin, creed, ancestry, height, weight, sexual orientation, gender identity, gender expression, disability, familial status, marital status, military status, veteran status, or other status protected by law or genetic information unrelated to the person's ability to participate in educational programs, courses, services or activities offered by the College.

C. No Retaliation

The College prohibits retaliation or reprisals against any individual because the individual has filed a complaint or report about, participated in an investigation of, or otherwise opposed unlawful discrimination.

IV. Responsibility

*Responsibility for the interpretation and administration of this policy is delegated to ~~the Equal Opportunity Officer and the Executive Director of Human Resources~~ **or designee and the Director of Legal Services and Risk Management or designee.***

ETHICS AND STANDARDS OF CONDUCT FOR EMPLOYEES

I. Purpose

*As a Community College and public entity, Lansing Community College's (the "College") successful operation and reputation is built upon the ethical conduct of our employees. The goal of this policy is to promote a safe, orderly, efficient, and effective educational institution with an ideal work climate for all employees while ensuring that employees act in a manner that merits the continued trust and confidence of the public. To that end, it is necessary **To prescribe certain behaviors relative to the type of educational climate and workplaces that are safe, orderly, efficient, and effective and to specify prohibited conduct conducive to excellence.***

II. Scope

This policy applies to all College employees.

III. General

A. ~~Ideal Behaviors (Positive Role Model)~~ **Employees are expected to exhibit the behaviors listed below:**

1. Being dependable and accountable.
2. Demonstrating respect toward others, through courtesy, patience, and acceptance of differences.
3. Applying good judgment in ~~your~~ **their** work.
4. Maintaining a high standard of truthfulness and honesty.
5. Exhibiting a ~~strong and~~ positive work ethic.
6. Establishing high standards of service and quality.
7. ~~Supporting the College's commitment to community service.~~
8. Creating an environment that promotes personal/professional learning.
9. Encouraging creativity **and** innovation, ~~and intelligent risk taking.~~
10. **Cooperating in any investigation.**
11. ~~Supporting a trusting environment.~~
12. ~~Looking for opportunities to serve each other.~~
13. Encouraging and contributing suggestions for **continuous** improvement.

B. **Prohibited Conduct and Behaviors**

~~Generally, employees recognize that conduct that is inconsistent with common values of society and decency is inappropriate in the work environment. While Lansing Community College recognizes that the statements listed above as required behaviors, together with common values of society and decency, are sufficient notice for the majority of employees, others may appreciate further guidance. To provide employees guidance regarding some detail of those actions, conduct, or behaviors that violate the College's policies, and common values of society, or generally accepted standards of and decency, the College has created a list of examples of prohibited conduct and behaviors, and that list is available [here](#), on the LCC.edu website along with this policy. A listing of every conceivable example of unacceptable conduct or behavior is not possible; thus, this listing should not be considered exhaustive of conduct or behaviors that may violate this policy. Consequently, Additionally, some conduct or behaviors there are some offenses, though not listed, that would be are so clearly wrong that no specific reference is necessary. The supplement to the Standards of Conduct policy can be found here:~~

IV. Responsibility

Responsibility for the interpretation and administration of this policy and the establishment of procedures governing ethics and standards of conduct for employees is delegated to the Executive Director of Human Resources or ~~his~~**her** designee.

Student Complaints

I. Purpose

To authorize and direct the establishment of procedures for tracking complaints filed by students pertaining to matters over which the college has control or authority.

II. Scope

This policy applies to those units of the College which are involved in receiving, resolving, and/or tracking student complaints of various types.

III. General

The College is committed to handling formal complaints from students in a timely manner regardless of the type of complaint. The complaint tracking procedures established pursuant to this policy shall be reviewed regularly for the purpose of evaluating the effectiveness of the procedures.

IV. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Dean of Student Affairs or designee.

VETERANS/DEPENDENTS IN-STATE TUITION

I. Purpose

To ensure compliance with Section 1005 of the Isakson and Roe Veterans Healthcare and Benefits Improvement Act of 2020 (PL 116-315), which is an update to Section 3679(c) of title 38, United States Code, including PL 115-251, also known as the Veterans Access, Choice, and Accountability Act of 2014 (Choice Act) which requires the Department of Veteran Affairs to disapprove programs of education for payment of benefits under the Post-9/11 GI Bill (Chapter 33), and Montgomery GI Bill-Active Duty (Chapter 30), and Veterans Readiness and Employment (Chapter 31) at public institutions of higher learning if the schools charge qualifying veterans and dependents tuition and fees in excess of the in-state rate.

II. Scope

This policy is effective August 1, 2021, and applies to any qualifying veteran and ~~qualifying~~ dependents of veterans (children/spouses).

III. General

~~The U.S. Department of Veterans Affairs established new requirements to ensure that our Nation's recently discharged Veterans, and their eligible family members, would not have to bear the cost of out-of-state charges while using their well-deserved education benefits. The State of Michigan submitted policy language which was approved and adopted by the VA for public institutions of higher education that offer VA approved programs.~~

To remain compliant and approved to receive VA's GI Bill programs funding, schools must charge in-state tuition and fee amounts to "covered individuals." A "covered individual" is defined in Section 1005 of Public Law 116-3154 as:

- A veteran who lives in the state in which the institution of higher learning is located, ~~(regardless of his/her formal state of residence)~~, and enrolls in the school, regardless of when they discharged from military service.
- A spouse or child using transferred benefits who lives in the state in which the institution of higher learning is located ~~(regardless of his/her formal state of residence)~~, and enrolls in the school, regardless of when the military member ~~is~~ discharged from military service.
- A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the state in which the institution of higher learning is located ~~(regardless of his/her formal state of residence)~~, and enrolls in the school, regardless of when the military member died in the line of duty.
- A spouse or child using benefits under Chapter 35 Survivors' and Dependents Educational Assistance Program who lives in the state in which the institution of higher learning is located, regardless of their former state of residence, and enrolls in the school, regardless of when the military member died in the line of duty or when the individual became eligible to receive the benefit.

Any individual using VA Educational Assistance Benefits ~~for a VA approved program~~ under either Chapter 30, Chapter 31, Chapter 33, ~~Chapter 35~~, or the Fry Scholarship and lives in the State of Michigan while attending ~~the College Lansing Community College~~, regardless of his/her formal state of residence, and regardless of when they or the military member was discharged from military service will ~~be charged~~ pay in-state tuition rates for all VA approved programs.

IV. Responsibility

The responsibility for the interpretation and administration of this policy is delegated to the Registrar or designee.

Linkage Planning/Implementation

Committee Reports – Audit Committee Update

Trustee Proctor stated that the Audit Committee met to approve the Trustee's travel expenses for the ACCT National Legislative Summit.

Committee Reports – Foundation Board Update

Trustee Mathews gave the following Foundation Board Update:

- The LCC Foundation has partnered with Lansing Promise to start a new scholarship entitled the Lansing Gap Scholarship, for those that qualify for H.O.P.E. or Lansing Promise but are unable to complete a FASFA.
- Last week the Foundation was notified of the passing of a Legacy Society member, who just included the LCC Foundation in their updated estate plans. Their gift will be “slightly less” than \$250,000.
- Cathy Zell stated that the Foundation wanted to thank Trustee Proctor publicly for introducing a prospective couple a couple of years ago. This couple has donated \$30,000 scholarship dollars next week. They will be awarded with the others on April 1st, and this brings the lifetime giving of this couple to over 160,000 dollars since March 2020.

Unfinished Business

There was no Unfinished Business.

New Business

New Business for April 18, 2022

- A. Consent Agenda – Action Item
 - 1. New Technical Careers Course Fees for Fall 2022
- B. Monthly Monitoring Reports
 - 1. Monthly Financial Statements

Public Comment

Eva Menefee: Eva Menefee addressed the Board regarding the declining enrollment of LCC’s Native American students.

Board Comment

Trustee Vaive stated she was happy to see the suicide hotline in the bathroom and that it is a very important point the college is making. She mentioned that the Fledge, near Sparrow hospital, is offering community support Fridays at 6:00 p.m.

Trustee Mathews stated that what Eva expressed was important and that her comments reminded her back of slavery and all the atrocities that happened and what continues to happen to her people. She stated that we must be sensitive to each other. She stated that we must be mindful that other cultures are suffering too. Trustee Mathews talked about Ukraine and asked if LCC has Ukraine students on campus? She asked if anyone had asked how they are doing or any staff members with connections to family in Ukraine. She stated that we must be sensitive to what has happened to all cultures. Trustee

Mathews thanked the college for the “We’re Better than that Campaign” and that she was honored to be with everyone that was in the room.

Closed Session

IT WAS MOVED BY Trustee Mathews and seconded by Trustee Thomas that the Board enters into a Closed Session under Section 8(e) of the Open Meeting Act to consult with the Lansing Community College’s legal counsel regarding trial or settlement strategy in connection with specific pending litigation, namely Curtis Sanford Jr. v. Lansing Community College.

Roll call vote:

Ayes: Hidalgo, Vaive, Mathews, Buck, Proctor, Thomas, Abood

Nays: None

Absent: None

The Board entered into a closed session at 8:35 p.m.

The Board returned to the open session at 9:47 p.m.

Roll call:

Present: Abood, Buck, Hidalgo, Mathews, Proctor, Thomas, Vaive

Absent: None

Adjournment

IT WAS MOVED by Trustee Mathews and seconded by Trustee Vaive that the meeting be adjourned.

Ayes: Abood, Buck, Hidalgo, Mathews, Proctor, Thomas, Vaive

Nays: None

Absent: None

The motion carried.

The meeting adjourned at 9:51 p.m.

Submitted,


Executive Assistant & Liaison to the Board
Benita Duncan