

Regular Meeting

Unadopted Meeting Minutes

Call to Order

The meeting was called to order at 6:00 p.m.

Roll Call

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

Pledge of Allegiance

Trustee Proctor led the Pledge of Allegiance.

Approval of Minutes

IT WAS MOVED BY Trustee Vaive and seconded by Trustee Proctor that the minutes of the November 14, 2022, Regular Board of Trustees meeting be adopted.

Roll call vote:

Ayes: Buck, Vaive, Abood, Proctor, Hidalgo, Mathews
Nays: None
Absent: Thomas

The motion carried.

Additions/Deletions to the Agenda

The following additions/deletions were made to the agenda:

- A letter of support for Trustee Vaive to run for the ACCT Board of Directors.

Limited Public Comment Regarding Agenda Items

There were no Public Comments.

Linkage Planning/Implementation

President Report

President Robinson presented the December 2022 President's report to the Board.

Action Items – Consent Agenda

The following items were presented under the consent agenda:

- A. ~~2023 Audit Committee Meeting Calendar (REMOVED)~~
- B. 2023 Regular Board of Trustees Meeting Calendar
- C. Request for Proposal
 - 1. Community Education and Workforce Development (CEWD) Training Materials and Supplies Pool

IT WAS MOVED BY Trustee Vaive and seconded by Trustee Mathews that the Consent Agenda, removing the 2023 Audit Committee Calendar, be approved.

Roll call vote:

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

Nays: None

Absent: Thomas

The motion carried.

Action Item – 2023 Audit Committee Meeting Calendar

IT WAS MOVED BY Trustee Vaive and seconded by Trustee Mathews that the 2023 Audit Committee Calendar be approved.

Trustee Mathews requested that the February date be moved to the 13th due to the 2023 ACCT National Legislative Summit.

Roll call vote:

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

Nays: None

Absent: Thomas

The motion carried.

Monthly Monitoring Report

The following Monitoring Reports were presented:

1. Academic Master Plan 2022 - 2023
2. Financial Statements Publications
3. Monthly Financial Statements
4. Monthly Public Safety Report

Policy Development

Trustee Proctor presented his following policies as a first read:

OCCUPATIONAL AND ENVIRONMENTAL SAFETY

I. Purpose

To provide a safe workplace and educational environment for employees and students. The college will maintain an Occupational and Environmental Safety Program that follows the safety and environmental requirements issued by Michigan Occupational Safety and Health Administration (MIOSHA) and Michigan Department of Environment, Great Lakes, and Energy (EGLE).

II. Scope

This policy applies to employees, students, visitors, volunteers, contractors, and vendors.

Executive Leadership, administrators, and supervisors' commitment to occupational and environmental safety is essential to ensure the development, implementation, and maintenance of an effective occupational and environmental safety program.

III. General

This policy identifies the components necessary for the development, implementation, and maintenance of a comprehensive occupational and environmental safety program.

A. Occupational and Environmental Safety Program Elements:

The following elements are consistent with MIOSHA guidelines and provide a systematic approach to implementing and sustaining an occupational and environmental safety program.

1. Management Commitment

This policy confirms management's commitment to provide resources and make reasonable efforts to identify hazards and establish controls to prevent injuries and hazardous conditions.

2. Employee Involvement

Employees contribute to the college's overall safety culture. As such, the college encourages and supports employee participation and involvement in occupational and environmental safety programs.

3. Worksite Analysis

Divisions, departments, and programs conduct worksite analysis in order to identify and eliminate existing or potential hazards. Continual analysis and review of program elements and systems provide improvement opportunities.

4. *Hazard Prevention and Control*

Divisions, departments, and programs elimination of identified hazards or establishment of controls through substitution, engineering, administrative procedures, and personal protective equipment (PPE).

5. *Safety and Health Training*

Students, employees, visitors, and volunteers need to receive adequate training on hazards associated with their tasks and related protective measures.

B. Occupational and Environmental Safety Department

There is an established department of Occupational and Environmental, Safety within the Administrative Services Division for the purpose of developing and coordinating programs, processes, procedures, and activities within the college. The department shall have a dedicated Director of Occupational and Environmental Safety.

C. Program Safety Manager (PSM)

PSMs are charged with leading their programs, departments, or divisions in complying with applicable state and local regulatory occupational and environmental safety requirements.

D. Safety Committee

Safety Committees may assist in the development of safe work practices and procedures, perform area inspections, and host activities that enhance the program, department, or division safety programs.

E. Standard Operating Procedures

Procedures associated with the occupational and environmental safety program will be outlined in a standard operating procedure located on the college's shared drive.

IV. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Executive Director of Administrative Services or designee.

I. Purpose

~~The purpose of this policy is to address concerns where a consensual relationship exists between a Faculty member and his or her student or a supervisor and his or her subordinate. The type of consensual relationship addressed by this policy is one of a romantic or sexual nature.~~

To determine when consensual relationships at the College are prohibited; when consensual relationships must be disclosed; and the necessary steps that must be taken to address such issues.

II. Scope

This policy applies to all College employees, including temporary, interim, and specialized professional services employees, and volunteers, as well as Board members. This policy also applies to independent contractors who have a direct supervisory relationship to with any College employees or students.

III. Definitions (MOVED TO GENERAL SECTION)

- A. ~~Consensual relationship: One entered into willingly by both parties, free of any coercion.~~
- B. ~~Romantic relationship: One characterized by displaying or expressing erotic love or strong affection.~~
- C. ~~Sexual relationship: One involving sexual contact of any degree.~~
- D. ~~Direct Supervision: Is defined as a direct line of authority no matter how far removed (an employee who reports to a Manager who reports to a Director who reports to the Vice President is in a direct line of authority to the Vice President).~~
- E. ~~Line of authority: As indicated on the official organization chart.~~

IV. General

~~Employees and supervisors are expected to be fully aware of their professional responsibilities in consensual workplace relationships and avoid apparent or actual conflict of interest, favoritism, or bias. Romantic and sexual relationships between a faculty member and his or her student or between a supervisor and his or her subordinates are full of the potential for exploitation. The respect and trust accorded a faculty member by his or her student or a supervisor by his or her subordinate, as well as the power exercised in an academic or evaluative role, makes voluntary consent by the student or subordinate suspect, even when both parties initially have expressed consent. The development of a romantic or sexual relationship renders the faculty member or supervisor and the College vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between faculty members and students, and between supervisors and subordinates under his or her direct supervision; and vulnerable to~~

~~charges of sex discrimination if the faculty member or supervisor affords unwarranted favorable treatment to the student or subordinate. As such, romantic and sexual relationships between faculty and his or her student (i.e. there is some current academic nexus between the faculty member and student, or such a nexus has existed within the preceding four months), and between a supervisor and his or her subordinate under his or her direct supervision are prohibited and must be avoided. Violation of this policy is considered professional misconduct and may be grounds for discipline, up to and including termination.~~

~~If a romantic and/or sexual relationship exists or develops between a faculty member and his or her students; or between a supervisor and his or her subordinates under his or her direct supervision, there must be prompt disclosure of the relationship. The faculty member or supervisor should provide written notification to Human Resources as soon as the faculty member or supervisor becomes aware of an actual or potential prohibited conflict of interest based on a consensual relationship (e.g., a student's enrollment in a class section assigned to the faculty member or an individual's candidacy for a position under the supervisor's direct supervision). Failure to comply with these disclosure requirements constitutes a violation of policy and may be grounds for discipline, up to and including termination.~~

~~Upon receipt of the written disclosure, College leadership will determine the best course of action to avoid or eliminate the conflict of interest. This will most often consist of making alternative arrangements for supervision of the subordinate or education of the student. Employees who disclose relationships in conformance with this policy will not be subject to discipline based on the existence of a consensual relationship.~~

Consensual romantic, intimate, and/or physical relationships between a supervisor and an employee or between employees and students of the College may result in claims of sexual harassment, even when both parties appear to have consented to a romantic, intimate, and/or sexual relationship.

The power differential inherent in such relationships may compromise the subordinate's free choice. When those in authority abuse or appear to abuse their power in a relationship, trust, and respect in the college community are diminished.

Due to the potential for perceived or actual conflicts, such as favoritism, abuse of power, or personal conflicts from outside the College environment, which can be carried into the daily relationships, employees and students must follow this policy.

Below is a non-exhaustive list of examples where consensual relationships are prohibited:

Employee relationships with students

- 1) Employees must maintain professional relationships with students over whom they have any responsibility including, teaching, counseling, advising, coaching, or supervision.*
- 2) Even if both parties consent, or appear to have consented to a romantic, intimate, and/or sexual relationship, such relationships are prohibited.*

Employee relationships with other Employees

- 1) Supervisors must maintain professional relationships with employees in their direct supervision, indirect supervision, reporting chain, and where implied authority exists.
- 2) Employees that have influence over others due to their roles which require them to facilitate meetings, lead committees, provide training, schedule courses, oversee selection committees, and participate in peer review committees must also maintain professional relationships with employees over whom they have influence or implied authority.
- 3) Even if both parties consent, or appear to have consented to a romantic, intimate, and/or sexual relationship, such relationships are prohibited.

A. Definitions

- 1) Consensual romantic, intimate, and/or sexual relationship: One entered willingly by both parties, free of any coercion that is one of an intimate, romantic, or sexual nature.
- 2) ~~Romantic relationship: One characterized by displaying or expressing erotic love or strong affection.~~
- 3) ~~Sexual relationship: One involving sexual contact of any degree.~~
- 2) Direct or Indirect Supervision, Authority, or Influence (hereafter referred to as "supervisor" for purposes of this policy): ~~Is defined as a~~ A direct line of authority no matter how far removed (an employee who reports to a ~~Manager~~ Supervisor who reports to a Director who reports to the Vice President is in a direct line of authority to the Vice President). A person who has indirect supervision, authority, or influence to make or recommend decisions or actions is someone who, while not a Direct Supervisor, has authority or influence over the hiring and supervision and other terms and conditions of employment. For example, someone in Human Resources who may have an impact on job evaluations, compensation and benefit adjustments, investigations, or discipline. Another example is someone who makes class scheduling assignments.
- 3) ~~Line of authority: As indicated on the official organization chart.~~

In all cases in which a romantic, intimate, and/or sexual relationship exists or develops between employees wherein a supervisor-subordinate, or employee-student relationship as defined by this policy exists, it is the obligation of the supervising employee or employee providing student services to disclose the relationship immediately to Human Resources, in writing, to allow the College to determine how to mitigate concerns of impropriety or conflict of interest. Upon receipt of the written disclosure, the College will determine the best course of action to avoid or eliminate the conflict of interest. This will most often consist of making alternative arrangements for supervision of the subordinate or education of the student. Employees who

immediately disclose relationships in conformance with this policy will not be subject to discipline based on the existence of a consensual relationship.

Employees who believe they are treated or evaluated unfairly because of such a relationship may also file a complaint with Human Resources

Students may contact the Student Compliance Office if they think a violation of this policy has occurred.

All employees are reminded of their responsibilities under the following:

- *Employment of Relatives Policy*
- *Prohibited Sex or Gender-Based Discrimination, Harassment, and Sexual Misconduct Policy*
- *Standard Operating Procedure, Interactions with Enrolled Relatives*

V. Responsibility

Responsibility for the interpretation and administration of this policy is delegated to the Executive Director of Human Resources or his/her designee.

~~VI.~~ Waiver

~~The Board may waive this policy by resolution of the Board through a recommendation of the President.~~

Linkage Planning/Implementation

Chair's Report – Request Letter for Trustees

Trustee Vaive requested a letter of support to run for the ACCT Board of Directors.

IT WAS MOVED BY Trustee Buck and supported by Trustee Hidalgo that a draft letter is prepared for Trustee Vaive to submit to the ACCT Board of Directors for her candidacy.

Roll call vote:

Ayes: Abood, Hidalgo, Proctor, Buck, Vaive, Mathews
Nays: None
Absent: Thomas

The motion carried.

Board Members Report – Foundation Board Report

Trustee Mathews provided a brief Foundation Board update.

Unfinished Business

There was no Unfinished Business.

New Business

New Business for January 2023

- A. Oath of Office
 - 1. Ryan Buck
 - 2. Angela Mathews
 - 3. Robert Proctor
- B. Chair's Report
 - 1. Conflict of Interest Disclosure Statement
 - 2. Review of the Annual Board Planning Cycle
- C. Board Reorganization
- D. 2023 – 2024 Board Committee Assignments

Public Comment

There was no Public Comment.

Board Comment

Trustees Vaive, Mathews, and Abood made Board comments.

Closed Session

There was no Closed Session.

Adjournment

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

Ayes: Abood, Buck, Hidalgo, Mathews, Proctor, Thomas, Vaive
Nays: None
Absent: Thomas

The motion carried.

The meeting adjourned at 9:16 p.m.

 Submitted,

Executive Assistant & Liaison to the Board
Benita Duncan