

<u>MINUTES</u>	<u>REGULAR</u>	<u>MEETING</u>
<u>HELD</u>	<u>May 26</u>	<u>2009</u>

The regular meeting of the Hocking College Board of Trustees was held Tuesday, May 26, 2009, at the Inn at Hocking College.

Board members present were: Mr. Van Cardaras, Dr. Jack Cline, Dr. Alan Geiger, Mr. J. Thomas Hill, Mrs. Patricia Light, Mr. Joe Murtha, and Mr. Larry Willard.

Administrators attending were: Dr. John Light, president; Sue Chiki, dean school of business and information; Larry Coon, dean school of natural resources; Dr. Larry Dukes, interim executive administrator; Dr. Roxarine DuVivier, senior vice president; Dr. J. William Hill, senior vice president; Neil Hinton, associate dean, school of industry; Jerry Hutton, dean alternative energy institute; Laura Kreider, director human resources; Dr. Judy Maxson, provost and senior vice president; Dr. Roy Palmer, senior vice president; Dr. Molly Weiland, dean school of nursing; and Cindy Baden, board secretary.

Also attending was Kim Forbes-Powell, Access Center coordinator.

#### **CALL TO ORDER**

Mr. Willard, board chair, called the meeting to order.

#### **MINUTES OF MEETING**

Dr. Geiger moved, seconded by Dr. Cline, that the minutes of the April Board meeting be approved as presented,

Voting Yes: Dr. Cline, Dr. Geiger, Mr. Hill, Mrs. Light, Mr. Murtha, and Mr. Newlon.

Voting No: None.

#### **UPDATE ON PRESIDENTIAL SEARCH**

Mr. Willard has been in contact with Dr. Erickson, and just received a copy of the contract today. He asked that the Board go into executive session at the end of the meeting to discuss the contract.

## **PERSONNEL COMMITTEE**

### **Faculty/Staff Relationships with Students**

The personnel committee met May 15. The committee is recommending that the Board approve the Policy on Faculty/Staff Relationships. Dr. Geiger suggested that next year, the policy be expanded to include other relationships.

Mrs. Light moved, seconded by Dr. Cline, that the policy on faculty/staff relationships be approved.

Voting Yes: Dr. Cline, Dr. Geiger, Mr. Hill, Mrs. Light, Mr. Murtha, and Mr. Newlon.

Voting No: None.

### **RESOLUTION 2009-21**

#### **HOCKING COLLEGE POLICY ON FACULTY/STAFF RELATIONSHIPS WITH AND SEXUAL HARASSMENT OF STUDENTS**

##### **I. INTRODUCTION**

The policies and procedures of Hocking College are established to preserve the academic mission of the College. Sexual harassment and improper relationships with students by those with supervisory authority over that student undermines that mission. Faculty members have substantial authority over students' grades, progress and future employment.

Accordingly, amorous or sexual relationships between students and faculty members necessarily involve a disparity in power. Such a disparity in power makes coercion possible, even where there is no explicit or intended threat, because considerations of the instructors' authority may influence a student's consent to a relationship. Additionally, the termination or initiation of such relationships may lead to sexual harassment or be characterized by conduct that may be perceived as sexual harassment.

Similarly, College employees other than members of the faculty may also be in positions of power, authority, or trust relative to students. These involvements may include student evaluations, disciplinary sanctions, recommendations, employment, finances (including, but not limited to financial aid), judgments related to academic status,

enrollment or matriculation. Thus, amorous or sexual relationships with students by staff are subject to the same dangers as faculty relationships.

In addition to the dangers inherent in inappropriate relationships between faculty/staff and students, sexual harassment is also contrary to the standards of the College's community. Sexual harassment diminishes an individual's dignity and interferes with equal access to educational opportunities at the College.

Because of these very real dangers to the academic mission of the College, improper relationships with students and sexual harassment of students by faculty and/or staff members will be treated as major violations of College policy, as further described in this Policy. Such conduct will subject faculty and staff to disciplinary action up to and including suspension and/or dismissal.

## II. DEFINITIONS

A. **Sexual Harassment.** Sexual harassment refers to any unwanted and unwelcome sexual attention, advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's status in a course, program, or activity, or of employment by a faculty member;
2. Submission to or rejection of such conduct is used as a basis for decisions affecting the individual;
3. Such conduct has the purpose or effect of unreasonably interfering with the individual's work, academic performance, or educational experience or creating an intimidating, hostile, or offensive environment for work or learning.

Sexual harassment can include a number of prohibited activities including, but not limited to, (a) physical assault; (b) subtle or overt pressure for sexual favors accompanied by implied or overt threats concerning one's job, grades, or letters of recommendation; (c) inappropriate display of sexually suggestive objects, pictures, or computer images; (d) direct propositions of a sexual nature; (e) or a pattern of conduct that would cause discomfort or humiliate a reasonable person to whom the conduct was directed.

Examples of the latter category of sexually harassing acts include unwelcome touching, pinching, patting, or brushing against another's body. The use of sexually abusive language including remarks about a person's clothing, body, bodily movement, or sexual activities, are also examples of a pattern of conduct that would cause discomfort to a reasonable person. Finally, unwelcome and unwanted teasing and joking of a sexual nature can be deemed harassment based upon the totality of the circumstances.

B. **Improper Amorous or Sexual Relationship.** An **improper, amorous or sexual relationship** includes any sexual relationship, dating relationship, or romantic pursuit between a faculty member and a student or between a staff member and a student where the faculty or staff member has supervisory authority over the student. Whether the relationship is consensual or not is irrelevant to whether an improper, amorous or sexual relationship exists.

C. **Supervisory Authority.** A faculty or staff member has **supervisory authority** over a student if the faculty or staff member has responsibility for the teaching, evaluation, grading, supervision, advising, coaching, mentoring, or counseling of the student in the course of carrying out his/her responsibilities as a professional educator or a staff person. Supervisory authority can exist on or off campus and in curricular, co-curricular or extra-curricular activities.

D. **Faculty Member.** A **faculty member** is any employee of the College whose duties include teaching. This includes, but is not limited to, all full-time and part-time tenured faculty, non-tenured faculty, adjunct instructors, and teaching assistants.

E. **Staff Member.** A **staff member** is an employee of the College who is not a faculty member.

### III. PROHIBITED CONDUCT

A. No faculty or staff member may have an improper, amorous or sexual relationship with any student.

B. No faculty or staff member shall engage in sexual harassment of any student.

C. Any student, faculty member or staff employee who knowingly makes a false report of sexual harassment or an improper, amorous or sexual relationship under this Policy will be subject to disciplinary action. In the case of faculty or staff members, that disciplinary action includes, but is not limited to, suspension or dismissal. In the case of a

student, the false report would constitute dishonesty as discussed in the Student Guide and would subject the student to the sanctions described for violation of Code I and/or Code II offenses as described in the Student Guide.

D. No one shall suffer penalty or retaliation, including any actions that may dissuade a reasonable person from making out or supporting a charge, for reporting an improper, amorous or sexual relationship or sexual harassment that violates this Policy. Any person found to have engaged in retaliatory conduct will be subject to disciplinary action.

#### **IV. ENFORCEMENT**

Any student who has knowledge of, or has been subject to, an improper, amorous or sexual relationship or sexual harassment is encouraged to report that conduct to the Dean of Students, the appropriate department head or the Human Resources Department promptly. Prompt reporting is encouraged so that the College is better able to investigate the alleged conduct while memories are still fresh and remedial action is still effective. Any person receiving a complaint of conduct violating this Policy is expected to promptly notify the President of that complaint.

Any faculty or staff member who learns of an improper, amorous or sexual relationship or of sexual harassment of a student must report that information to the Human Resources Department or an appropriate department head. Failure to report as required by this policy is grounds for disciplinary action against the faculty or staff member. No person who has received a complaint of conduct violating this Policy, or who otherwise knows of such conduct, should attempt to investigate or respond to that complain on his or her own.

Upon receiving a complaint of sexual harassment, the Human Resources Director will conduct an investigation of the allegation. The investigation will permit both the complainant and the accused an opportunity to provide a description of the events at issue, as well as witnesses who might support their respective positions. The investigation will also include a review of any applicable documentation that might be relevant to the allegations. Upon concluding the investigation, the Human Resources Director, in consultation with the President and others as appropriate, will determine whether any disciplinary action should be taken, and if so, what level of discipline is appropriate.

Upon receiving a report of an improper, amorous or sexual relationship, the Human Resources Director, in consultation with the

President and others necessary or advisable, will determine whether acceptable alternative arrangements may be made that will remove the supervisory authority of the faculty/staff member vis-à-vis the student. The alternative arrangements should avoid negative consequences for the student. If acceptable alternative arrangements cannot be made, the improper, amorous or sexual relationship cannot continue.

The President may, if the President deems it helpful or necessary, appoint a special committee to provide advice and input regarding the administration of this Policy. Each appointee to this committee shall have a minimum of five years experience at the College and will serve at the President's pleasure.

Any faculty or staff member disciplined under this Policy shall be entitled to utilize any grievance process available to him or her. This includes the grievance and arbitration procedure under the collective bargaining agreement, if applicable to the faculty or staff member, or the grievance procedure outlined in the College's Employee Handbook.

## V. ACADEMIC FREEDOM

Nothing in this Policy is intended to limit or diminish faculty members' pursuit of legitimate academic instructional goals. If the conduct that is the basis for a complaint under this Policy occurred in the course of instruction, the investigation of the complaint will take into account any appropriate, reasonable, and accepted pedagogical goals of the faculty member.

### **Multi-Year Contracts**

The Board has suggested that multi-year contracts be eliminated. Two proposals were suggested, annual contracts or at will contracts. This covers management staff and confidential staff.

It was suggested that a caveat be included that, at the Board's discretion, multi-year contracts may be extended to staff.

Concern was raised about budget availability and the ability to reduce contract lengths and percentages, change assignments, and change job titles. It is felt that higher education will not be spared in future budget cuts.

The committee recommended that multi-year contracts be eliminated and that administrative and confidential staff be employed at will. It was noted that evaluations are an important component for continuation of employment.

Dr. Geiger moved, seconded by Mr. Cardaras that administrative and confidential staff be at will employees.

Voting Yes: Dr. Cline, Dr. Geiger, Mr. Hill, Mrs. Light, Mr. Murtha, and Mr. Newlon.

Voting No: None.

### **RESOLUTION 2009-22**

WHEREAS, the Hocking College Board of Trustees does not feel multi-year contracts are in the best interest of Hocking College; and

Whereas, the Board wishes to eliminate the issuance of multi-year contracts; and

Whereas, the Board recognizes that some Administrative and Confidential Staff are currently on multi-year contracts;

*THEREFORE, BE IT RESOLVED:* by the Hocking College Board of Trustees, that, with the exception of the President, administrative and confidential staff contracts/appointments will be at will, with the expectation that the contract will be continued until terminated. At the Board's discretion, multi-year contracts may be extended to staff.

The administration, under the direction of the President, will develop an evaluation system for Appointment of Administrative and Confidential Staff contracts. The evaluation system will consider technological changes, program viability, personnel needs of the college, as well as the college's ability to place an employee in a different position as the need arises.

The continuation of any contract is contingent upon satisfactory evaluation of the employee and budget availability.

Current multi-year contracts for administrative and confidential staff will be honored. No additional multi-year contracts will be issued.

This resolution supersedes Resolution 89-02, Issuance of Extended Contracts, and any amendments thereof.

## PRESIDENT'S REPORT

### Continuity Reports

The Board will receive three additional continuity reports on the Energy institute, external boards and associations, and efficiency and budget suggestions. Dr. Light is going through the completed reports the Board has already received for second thoughts and some revisions.

Dr. Light indicated that he has had several conversations lately regarding maintaining the mission of the college. He noted that on the President's List, 74% live more than 30 miles from campus; 86% live closer to another two year college than Hocking College; 13% are out of state.

## INTERIM EXECUTIVE ADMINISTRATOR REPORT

Dr. Dukes reported that a SWOT analysis was performed by staff on May 6, and results are being analyzed. He noted the Board should have a summary prior to the next Board meeting.

### Semester Conversion

A committee is currently working on a semester conversion plan. Dr. Dukes recommended that the Board approve a resolution to move from quarters to semesters. Dr. Geiger asked about the cost. Dr. Dukes noted he did not have that information at this time. Dr. Geiger also asked about a drop off in student enrollment. A transition plan is being developed which will be shared with staff and students. Dr. Geiger asked to go on record as approving the switch to semester, and asked for regular updates and cost estimates. Mr. Willard asked for the rationale in moving to semesters. Dr. Dukes felt it was to ease transition and transfer and is a part of the University System of Ohio. Mrs. Light noted it was an opportunity for the college to review textbook use and costs and restructure the curriculum.

Dr. Maxson distributed a quarters to semesters guide sheet which included a transition guide with assumptions, conversion constraints and conversion principles. A transition task force has been convened which is representative of the college community to create a framework for the transition process. The task force will be asked to provide recommendations on a coordinated approach for the conversion.

## BUDGET

Dr. Hill noted nothing unusual in his monthly report for April. Overall spending has increased, but the college remains in budget.

Dr. Hill distributed a revised budget report which provides more detailed information than his old report, but is easier to read and understand.

Mr. Hill moved, seconded by Mr. Murtha, that the April budget report be approved as submitted.

Voting Yes: Dr. Cline, Dr. Geiger, Mr. Hill, Mrs. Light, Mr. Murtha, and Mr. Newlon.

Voting No: None.

## Continuation Budget

Dr. Hill distributed a continuation budget which is mirror of the revised budget approved by the Board in January. Board members had received a copy in their packets earlier. Dr. Hill asked that the Board approve the continuation budget.

It was noted the budget committee has approved a change in the management staff/confidential staff insurance plan which will save the college a significant amount of money.

Mr. Murtha moved, seconded by Dr. Geiger that the proposed continuation budget be approved.

## RESOLUTION 2009-23

### HOCKING COLLEGE CONTINUATION BUDGET

INCOME - BUDGET	CONT BUDGET FISCAL 09-10
TUITION, FEES & OTHER STUDENT CHARGES	
TUITION	\$ 13,316,331
GENERAL SERVICE FEE	\$ 5,874,040
OTHER STUDENT FEES	\$ 4,566,905
TOTAL TUITION, FEES AND OTHER STUDENT CHARGES	\$ 23,757,276
STATE APPROPRIATIONS & INSTRUCTIONAL SUBSIDY	\$ 17,536,901
STATE GRANTS & CONTRACTS	\$ 132,793

<b>PRIVATE GIFTS, GRANTS AND CONTRACTS</b>	\$ 10,000
<b>SALES &amp; SERVICES</b>	\$ 916,900
<b>OTHER SOURCES</b>	
INVESTMENT INCOME	\$ 20,000
ROTARY & MISC INCOME	\$ 250,700
<b>TOTAL OTHER SOURCES</b>	\$ 270,700
<b>TOTAL CURRENT REVENUES</b>	\$ 42,624,570
<b>AUXILIARY FUNDS</b>	
BOOKSTORE OPERATIONS	\$ 2,035,000
THE INN & RHAPSODY	\$ 1,275,000
RESIDENCE HALLS	\$ 3,714,375
DINING SERVICES	\$ 1,710,720
HOCKING HILLS TRAVEL	\$ 650,000
LAKE SNOWDEN	\$ 223,470
<b>TOTAL AUXILIARY FUNDS</b>	\$ 9,608,565
<b>RESTRICTED FUNDS</b>	
TECH PREP PROGRAMS	\$ 290,041
ACDJS COMPUTER	\$ 50,000
PERKINS	\$ 174,522
PERRY JOB & FAMILY WIA YOUTH	\$ 49,944
WORK STUDY	\$ 219,890
SUPPORT SERVICES	\$ 267,986
TALENT SEARCH	\$ 226,600
S.E.O.G.	\$ 175,269
PELL	\$ 7,000,000
AJ&FS POST SECONDARY	\$
FEDERAL DIRECT LOANS	\$ 18,000,000
US DEPT OF ED SMART GRA	\$ 50,000
TECHNICAL EDUC. EQUIP	\$ 196,000
LOAN FUND	\$ 8,000
PHEAA	\$ 1,000
OBOR FIN. AID PROGRAMS	\$ 2,437,000
RESTRICTED SCHOLARSHIP FUND	\$ 600,000
STUDENT ORGANIZATIONS	\$ 80,000
ARC GRANT	\$ 75,000
<b>RESTRICTED FUNDS TOTAL</b>	\$ 29,901,252
<b>AGENCY FUNDS</b>	
SEPTA ADULT EDUCATION	\$ 32,500
SEPTA TITLE I	\$ 22,000
SEPTA JUDICIAL	\$ 1,900,000

INTERNATIONAL FIELD STUDY	\$ 1,200,000
<b>TOTAL AGENCY</b>	<b>\$ 3,154,500</b>
ENDOWMENT FUND	\$ 120,000
<b>PLANT FUNDS &amp; CAPITAL FLOW</b>	<b>\$ 7,250,000</b>
<b>TOTAL REVENUE BUDGET</b>	<b>\$ 92,658,887</b>
<b>EXPENSE - BUDGET</b>	<b>FISCAL 09-10</b>
FACULTY & PROFESSIONAL STAFF	\$ 17,579,213
SUPPORT STAFF	\$ 5,689,422
STUDENT WAGES	\$ 716,008
LEGAL CONTRACT SERVICES	\$ 441,000
STAFF BENEFITS	\$ 8,005,320
PAYROLL EMPLOYER EXPENSE	\$ 325,000
SUPPLIES & LAB FEE ALLOCATIONS	\$ 2,775,635
TRAVEL & PROF DEVELOPMENT	\$ 921,333
UTILITIES	\$ 1,162,369
REPAIRS & RENTALS	\$ 796,321
MARKETING & PROMOTION	\$ 296,831
OTHER & MISC EXPENSE	\$ 962,108
STUDENT AID & AUXILIARY TRANSFERS	\$ 1,560,689
EQUIPMENT & CAPITAL PURCHASES	\$ 225,961
PLANT FUND	\$ 1,000,000
CONTINGENCY	\$ 167,360
<b>TOTAL GENERAL FUND</b>	<b>\$ 42,624,570</b>
<b>AUXILIARY FUNDS</b>	
BOOKSTORE OPERATIONS	\$ 2,035,000
THE INN & RHAPSODY	\$ 1,275,000
RESIDENCE HALLS	operations and debt service \$ 3,714,375
DINING SERVICES	\$ 1,710,720
HOCKING HILLS TRAVEL	\$ 650,000
LAKE SNOWDEN	\$ 223,470
<b>TOTAL AUXILIARY FUNDS</b>	<b>\$ 9,608,565</b>
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**AGENCY FUNDS**

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INTERNATIONAL FIELD STUDY	\$ 1,200,000
<b>TOTAL AGENCY</b>	<b>\$ 3,154,500</b>
<b>ENDOWMENT FUND</b>	<b>\$ 120,000</b>
<b>PLANT FUNDS &amp; CAPITAL</b>	<b>\$ 7,250,000</b>
<b>TOTAL EXPENDITURE BUDGET</b>	<b>\$ 92,658,887</b>

It was noted the budget committee has approved a change in the management staff/confidential staff insurance plan which will save the college a significant amount of money.

Dr. Hill distributed Senate Bill 6 ratios. He noted that within the next two-three years, most of the debt will be taken off the college's books through capital funds. Hocking College has a composite score of 3.10 for FY 2008. A composite score of or below 1.75 for two consecutive years would result in a campus being put on fiscal watch.

**MEETINGS AND DATES**

Ms. Baden noted the following meetings and dates:

• June 3

Trustee Video conference

3-5 p.m.

June 14	Commencement	10:30 a.m. 2:30 p.m.
June 23	June Board meeting	

## **ADMINISTRATIVE REPORTS**

Mr. Hutton noted the bio-testing lab at Logan will be the State testing lab. The new building is on schedule. A ribbon cutting will be held October 2.

Mr. Coon noted that Wild Ohio will be on campus to shoot a segment at the Inn which will promote natural resources and culinary arts programs at the college.

Dr. Palmer noted the spa at the Inn is about 90% complete and welcomed Board members to tour the facility,

## **EXECUTIVE SESSION**

Mrs. Light moved the Board of Trustees adjourn into executive session to consider the appointment and/or employment of a public official. The motion was seconded by Dr. Cline.

The motion was unanimously approved by roll call vote.

The Board adjourned into executive session at 5:33 p.m.

## **RETURN TO REGULAR SESSION**

The Hocking College Board of Trustees reconvened at 5:55 pm on Tuesday, May 26, 2009, at the Inn at Hocking College. Cindy Baden called the roll:

Board members present: Mr. Cardaras, Dr. Cline, Dr. Geiger, Mr. Hill, Mrs. Light, Mr. Murtha, and Mr. Willard.

Dr. Geiger offered a resolution in support of the employment of a new President for Hocking College. The motion was seconded by Mr. Hill.

## **RESOLUTION 2009-24**

WHEREAS, the Hocking College Board of Trustees wishes to hire an individual for the position of President of the College.

RESOLVED, the Hocking College Board of Trustees approves the terms of an employment contract negotiated between the chairman of the Board of Trustees and Dr. Ron Erickson for the position of President of Hocking College.

The motion was unanimously approved by roll call vote.

Dr. Erickson will be on campus June 15<sup>th</sup>. A welcoming party will be planned for him in Nelsonville, Perry, and Logan sometime after July 1.

## **ADJOURNMENT**

Mr. Willard moved the meeting be adjourned. Following the meeting, Board members attended the President's List dinner, honoring the top students at the college.

Cynthia Baden  
Cynthia Baden  
Board Secretary

Larry Willard  
Larry Willard  
Board Chair