

OWENS COMMUNITY COLLEGE
REGULAR MEETING OF THE BOARD OF TRUSTEES
SEPTEMBER 16, 2014 ~ MINUTES

A meeting of the Board of Trustees was held in the Board Room, Administration Hall, on the Owens Community College Toledo Campus.

Call to Order – Chair Rich Rowe called the meeting to order at 12:36 p.m. and directed the record to show the meeting was held in accordance with the Ohio Revised Code, Chapter 3358 and the policies of the Board of Trustees.

Roll Call – Roll call was taken, and the following members were present: Mary Beth Hammond, Srinivas Hejeebu, Ronald McMaster, Edwin Nagle, Rich Rowe and Thomas Uhler (6).

Approval of the Minutes of the Board of Trustees – The minutes of the August 5, 2014, regular meeting were reviewed. The Chair declared the minutes approved as circulated.

President's Report – President Mike Bower presented his activity report for August and September. He commented on appointing a team to review the textbook process and that he received Trustee Nagle's concerns of which he will provide information when the data is compiled. President Bower recognized Thomas Perin, Associate Vice President, Institutional Effectiveness, and Paul Adams, Professor and President, Owens Faculty Association, for their support of the faculty professional development sessions on student engagement. He commented on reviewing aviation facilities for the potential development of an academic collaboration with Bowling Green State University. He commented on traveling with Trustee Nagle and members of the administration to Pittsburgh to meet John R. Block, Publisher and Editor, on discussion of the College's mission, higher education and economic development. Trustee Nagle commented on Mr. Block's knowledge of the College and the necessity of building relationships. President Bower closed his report with a brief update of the search process to fill the Executive Director, Institutional Advancement position, and he recognized Brian Paskvan, Executive Director, Workforce and Training for his presentation to the Regional Growth Partnership.

Associate Vice President of Academic Affairs Report – Denise Smith, Associate Vice President of Academic Affairs, commented on partnering opportunities with Toledo Public Schools in scholarships, transfer options and the honors program; the University of Toledo in criminal justice; and Bowling Green State University in exercise science. She shared the success of the 90.72 percent pass rate of the registered nursing graduates who passed the NCLEX-RN national exam on the first attempt and of the 100 percent pass rate of the practical nursing graduates who passed the NCLEX-PN national exam. She closed her report with recognizing 71 student volunteers who completed 100 hours of service and 37 student, faculty and staff volunteers who completed 110 hours of service in Toledo during the United Way Days of Caring in September. Additionally, Professor Richard Myers' English 091 class provided and served a spaghetti dinner to 40 residents of Fountain Square apartments.

Treasurer's Report – Laurie Sabin, Vice President/Treasurer, commented on tuition revenue and reductions in expenses to preserve the fiscal year 2015 budget net income. She commented that Clark, Schaeffer, Hackett and Company auditors are progressing and will be on site at the end of September to complete the financial audit for the College, the Foundation and grants. She reported that the website redesign project has completed the discovery and strategic phases, and the vendor, iFactory, recently presented strategic recommendations to the College. The vendor will continue through the architect and design phases to develop the overall look and feel of the website. The website redesign project is expected to be completed by May 2015.

RECOMMENDATIONS OF THE PRESIDENT TO THE BOARD OF TRUSTEES

Employment of Non-Bargaining Unit Personnel:

RESOLUTION 2014-09-16-05

BE IT HEREBY RESOLVED that the recommendation of the President to employ the following persons, in compliance with Affirmative Action Guidelines established by the College, be approved by the Board of Trustees:

NAME: Emily Bressler
ADDRESS: Curtice, OH
EDUCATION: Master of Arts, with a major in Business Administration, from Tiffin University; Bachelor of Arts, with a major in Interdisciplinary Studies, from the University of Toledo
EXPERIENCE: Eight years of experience in student accounts
ASSIGNMENT: Advocate

NAME: Bailey Davis
ADDRESS: Perrysburg, OH
EDUCATION: Master of Arts, with a major in School Counseling, from Gardner-Webb University; Bachelor of Arts, with a major in Communications Studies, from Gardner-Webb University
EXPERIENCE: Eight years of experience in higher education
ASSIGNMENT: Advocate

NAME: Anne LaPlante
ADDRESS: Perrysburg, OH
EDUCATION: Master of Education, with a major in Higher Education Administration, from Tiffin University; Bachelor of Science, with a major in Business Administration, from Bowling Green State University
EXPERIENCE: Two years of experience in financial aid
ASSIGNMENT: Advocate

NAME: Lori Maynard
ADDRESS: Lindsey, OH
EDUCATION: Bachelor of Arts, with a major in Business Administration, from Tiffin University
EXPERIENCE: Twenty-seven years of experience in surgical technology
ASSIGNMENT: Program Manager, Surgical Technology Program

NAME: Timothy Miesse
ADDRESS: Strongsville, OH
EDUCATION: Juris Doctor, with a major in Law, from Ohio Northern University; Bachelor of Arts, with a major in History, from Baldwin-Wallace College
EXPERIENCE: Thirty years of experience in higher education
ASSIGNMENT: Chair, Business Technologies

Mr. Uhler made a motion to approve the resolution, which was seconded by Mr. Nagle. Following a voice vote, the motion was adopted.

RESOLUTION 2014-09-16-01

BE IT HEREBY RESOLVED that the recommendation of the President to employ the following persons, in compliance with Affirmative Action Guidelines established by the College, be approved by the Board of Trustees:

NAME: Ian Soper
ADDRESS: Waterville, OH
EDUCATION: Master of Arts, with a major in Rehabilitation Counseling, from Bowling Green State University; Bachelor of Arts, with a major in Psychology, from Ohio Northern University; Bachelors of Arts, with a major in Sociology, from Ohio Northern University
EXPERIENCE: Ten years of experience as a rehabilitation counselor
ASSIGNMENT: Adaptive Technology Specialist

NAME: Linda Wirick
ADDRESS: Curtis, OH
EDUCATION: Associate of Applied Business, with a major in Legal Assisting Technology, from The University of Toledo
EXPERIENCE: Sixteen years of experience as a legal specialist
ASSIGNMENT: Legal Assistant, General Counsel

Dr. McMaster made a motion to approve the resolution, which was seconded by Mr. Uhler. Following a voice vote, the motion was adopted.

Employment of Bargaining Unit Personnel:

RESOLUTION 2014-09-16-06

BE IT HEREBY RESOLVED that the recommendation of the President to employ the following persons, in compliance with Affirmative Action Guidelines established by the College, be approved by the Board of Trustees:

NAME: Terry Ferguson
ADDRESS: Sylvania, OH
EDUCATION: Bachelor of Science, with a major in Natural Resources and Enforcement, from University of Toledo
EXPERIENCE: Twenty-nine years of experience working as a supervisor park services/patrol
ASSIGNMENT: Police Officer

NAME: Heather Zisko
ADDRESS: Maumee, OH
EDUCATION: Bachelor of Applied Health Science, with a major in Health Care Administration, from Bowling Green State University
EXPERIENCE: Five years of experience working as a medical assistant
ASSIGNMENT: Instructor, Medical Assisting Program

Mr. Nagle made a motion to approve the resolution, which was seconded by Dr. McMaster. Following a voice vote, the motion was adopted.

RESOLUTION 2014-09-16-02

BE IT HEREBY RESOLVED that the recommendation of the President to employ the following persons, in compliance with Affirmative Action Guidelines established by the College, be approved by the Board of Trustees:

NAME: Cheryl Paeth
ADDRESS: Gibsonburg, OH
EDUCATION: Doctor of Philosophy, with a major in Occupational Therapy, from Creighton University; Bachelor of Liberal Arts, with a major in Biology and Psychology, from Dana College
EXPERIENCE: Ten years of experience as an occupational therapist
ASSIGNMENT: Instructor, Occupational Therapy Assistant

NAME: Andrea Shiffler
ADDRESS: Northwood, OH
EDUCATION: Graduate of Bishop Verot High School
EXPERIENCE: Eleven years of experience as a dispatcher
ASSIGNMENT: Dispatcher

Ms. Hammond made a motion to approve the resolution, which was seconded by Mr. Uhler. Following a voice vote, the motion was adopted.

Policy Recommendations:

- Amendment of 3358:11-4-17 Anti-discrimination and Harassment Policy

RESOLUTION 2014-09-16-04

WHEREAS, Owens Community College strictly prohibits discrimination based on protected classes including sexual harassment, sexual assault, dating violence, domestic violence and stalking; and

WHEREAS, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, has been substantively amended by the Violence Against Women Reauthorization Act; and

WHEREAS, the United States Department of Education, Office of Civil Rights, continues to provide guidance to higher education institutions regarding obligations under Title IX; and

WHEREAS, through convening the Campus Safety Compliance Team, the College endeavored to 1) ensure clarity of the application of the 3358:11-4-17 Anti-discrimination and Harassment Policy; and, 2) update associated procedures; and

WHEREAS, in coordination with the 3358:11-4-17 Anti-discrimination and Harassment Policy and Procedures, the Campus Safety Compliance Team has provided comprehensive guidance, resources and protocols for addressing incidents of sexual misconduct by drafting the Title IX/Sexual Misconduct Procedures; and

WHEREAS, the Campus Safety Compliance Team and General Counsel with the President recommend the amendment of said policy to ensure that the most effective guidance, policy statements and educational and support resources are available to students and employees with respect to discrimination, sexual harassment and sexual violence on college campuses:

- 3358:11-4-17 Anti-discrimination and Harassment Policy

WHEREAS FURTHERMORE, the amended 3358:11-4-17 Anti-discrimination and Harassment Policy and the new Title IX/Sexual Misconduct procedures shall be filed with the Ohio Legislative Service Commission;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees amends 3358:11-4-17 Anti-discrimination and Harassment Policy (Appendix II);

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Secretary to the Board of Trustees to file said policy and procedures with the Ohio Legislative Service Commission.

Mr. Uhler made a motion to approve the resolution, which was seconded by Mr. Nagle. Dr. Natalie Jackson, General Counsel, was called upon, which she commented that the resolution and related information is a result of an on-going campus-wide commitment to maintaining a safe and dignified learning and working environment. She stated that last December, the College convened the Campus Safety Compliance Team, which provided review and proposed amendments of the Anti-discrimination and Harassment Policy and the associated procedures to ensure clarity of application and process in view of the Violence Against Women Act amendments to the Clery Act and the recent Title IX guidance from U.S. Department of Education. The team's effort also includes drafting the Title IX/Sexual Misconduct Procedures that 1) reaffirm the College's policy prohibiting sexual misconduct, 2) specifically define the prohibited conduct, 3) delineate internal and external avenues for reporting incidents of sexual misconduct, 4) clearly describe the internal investigation process (including adjudication, sanctions, notification and appeal), 5) outline the rights of each party throughout the internal investigation process, and 6) inform students and employees of the many on-campus and community-based support services available to those impacted by sexual misconduct. Following a voice vote, the motion was adopted.

- Amendment of 3358:11-5-03 Payroll Policy

RESOLUTION 2014-09-16-03

WHEREAS, the Vice President, Human Resources and General Counsel reviewed the listed employment policy for legal compliance and current practice and with the President recommend the amendment of said policy:

- 3358:11-5-03 Payroll Policy

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees amends 3358:11-5-03 Payroll Policy (Appendix I);

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Secretary to the Board of Trustees to file said policy with the Ohio Legislative Service Commission.

Dr. McMaster made a motion to approve the resolution, which was seconded by Ms. Hammond. Following a voice vote, the motion was adopted.

Recognition(s) by the Board of Trustees:

RESOLUTION 2014-09-16-08

WHEREAS, medical assistants are multi-skilled allied health professionals who perform a wide range of administrative and clinical roles with skill, dedication and loyalty; and

WHEREAS, medical assistants are the central figures in promoting and maintaining cooperative and successful relationships between patients and physicians; and

WHEREAS, medical assistants are vital members of the health care delivery system and make a substantial contribution to the quality of health care in the United States;

NOW, THEREFORE, BE IT HEREBY RESOLVED upon the recommendation of the President, the Board of Trustees proclaims October 20-24, 2014 and the third full week of every October as Medical Assistants Recognition Week at Owens Community College in appreciation of the Medical Assisting program students, faculty, staff and alumni.

President Bower read the recognition and provided program information. Ms. Hammond made a motion to approve the resolution, which was seconded by Mr. Nagle. Following a voice vote, the motion was adopted.

RESOLUTION 2014-09-16-07

WHEREAS, William E. Takacs has been a member of the Owens Community College Board of Trustees since October 23, 2008; and

WHEREAS, Mr. Takacs has faithfully carried out his fiduciary responsibilities in accordance with the Ohio Revised Code, and he has served the College with distinction for six years, including:

- Served as a member of the Board of Trustees Student Life Committee since inception, 2011
- Supported the Owens Community College Foundation and the Owens Faculty Association Scholarship Endowment Fund

WHEREAS, the President and the Board of Trustees profoundly thank Mr. Takacs for serving Owens Community College with his heart, values and social conscience, while representing the interests of the State of Ohio;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees conveys its appreciation to Mr. Takacs.

Dr. McMaster read the recognition. Mr. Uhler made a motion to approve the resolution, which was seconded by Dr. McMaster. Chair Rowe commented of Mr. Takacs insight and his excellent representation of the Board, and he noted that he and Vice Chair Talmage will present a nominal gift to Mr. Takacs in the near future. Following a voice vote, the motion was adopted.

Statements and Comments by Members of the Board of Trustees – Chair Rowe commented that for those trustees with terms expiring September 21, 2014, the Governor’s Boards and Commissions Office is working on trustee appointments through the 60-day grace period.

Chair Rowe commented on his conversation with Bowling Green State University Board of Trustees Chair on having board members network when the BGSU Board convenes in December.

EXECUTIVE SESSION

Chair Rowe announced an executive session for discussion of matters of pending or imminent litigation, collective bargaining, for the sale of property and for personnel, specifically for the President’s annual performance review. Ms. Hammond made a motion to adjourn to executive session as specified. Mr. Uhler seconded the motion, and the Chair called for a roll call vote. Roll Call: Mary Beth Hammond, yea; Srinivas Hejeebu, yea; Ronald McMaster, yea; Edwin Nagle, yea; Rich Rowe, yea; and, Thomas Uhler, yea (6).

Upon return from executive session, roll call was taken and the following members were present: Mary Beth Hammond, Ronald McMaster, Edwin Nagle, Rich Rowe and Thomas Uhler (5).

REGULAR REPORTS

Monthly Reports to the Board of Trustees – Members of the Board of Trustees were issued copies of the regular reports of the Associate Vice President, Academic Affairs, Vice President/Treasurer, Interim Executive Director of College Development, Vice President, Enrollment Management and Student Services, Vice President, Human Resources and Administration, and from the Office of the President: the Associate Vice President for Institutional Effectiveness.

Adjournment – As there was no further business to come before the Board of Trustees, Chair Rowe declared the meeting adjourned.

APPENDIX I
Amendment of Payroll Policy

3358:11-5-03 Payroll policy ~~policies~~.

- (A) Purpose. Owens ~~Community College~~ community college employees will be paid on a biweekly basis.
- (B) Timesheets. Non-exempt staff are paid on the basis of a biweekly timesheet maintained by the employee and authorized by the immediate supervisor. Some non-exempt staff, because of the nature of their position, will be required to use a time clock in lieu of filling out a timesheet.
- (1) Overtime. There may be occasions when a supervisor may request an employee to work beyond the normal hours. In such cases, the non-exempt employee shall ~~earn~~ work overtime only when authorized by the appropriate supervisor. For those approved hours beyond forty (or thirty-seven and a half hours for those employees waiving breaks) ~~(37.5)~~ during the week, the employee shall be paid at 1.5 times the normal rate. An employee who elects compensatory time shall do so in accordance with established procedure ~~and who elects compensatory time shall do so in accordance with established procedure~~ and may not accumulate more than sixty hours of compensatory time at any one time. Compensatory time ~~which from employment with the college, whichever happens first,~~ shall have the accumulated hours paid in cash at 1.5 ~~time~~ times the normal rate of pay.
- (2) Missed work. The employee is expected to account for missed days or periods such as paid sick leave, paid vacation, unpaid leave or other circumstances which may prevail.
- (3) Flex-time. Exempt and non-exempt staff will be allowed to flex their work schedules in accordance with established procedure.
- (C) Payroll deductions.
- (1) Federal tax. Federal income taxes are deducted from each biweekly paycheck on the gross salary of the employee.
- (2) State tax. The employee will pay state taxes on gross salary earnings.
- (3) City tax. City tax is deducted from the paychecks. If the community in which an employee resides has a city or village income tax, the employee should complete a city tax form and submit it to the human resources office.
- (4) Medicare tax. Anyone hired or rehired on or after April 1, 1986, is required by the federal government to have 1.45 per cent deducted from their payroll check for medicare. (The college also pays an additional 1.45 per cent to medicare for each employee hired or rehired on or after April 1, 1986.)

- (5) School district tax. If an employee's school district levies a tax, this tax will be deducted from the employee's gross pay.
- (6) Annuities. College employees are able to make contributions to plans providing annuities through payroll deduction. If an employee is interested in participating in such a plan ~~an annuity~~, contact the human resources office for a listing of approved ~~annuity companies~~ providers.
- (7) Contributions. The college also provides a payroll deduction program for employees to make contributions to college-designated organizations ~~United Way, Community Shares, or the Owens State Community College Foundation~~ community college foundation.
- (8) Ohio deferred compensation program. The college provides for payroll deduction for employees participating in the Ohio deferred compensation program.
- ~~(9) U.S. savings bonds. The college provides for payroll deduction for employees to purchase United States savings bonds.~~

(D) Pay schedule/check distribution.

- (1) Pay schedule. Fridays, every other week, are the scheduled pay dates.
- (2) Check distribution. Individual payroll checks may be picked up ~~at the bursar's office on Thursday preceding a pay date after four thirty p.m.~~ Checks may also be included in a departmental pay batch group from three p.m. to five p.m. and continuing on Friday from eight a.m. to noon after which time the checks will be mailed. ~~Checks, which have not been picked up by three p.m. on Friday of a pay week, will be placed in the mail and sent to the employee's home.~~ Changes to this schedule may occur and will be communicated to ~~all~~ employees.
- (3) Direct deposit. With direct deposit, an employee's pay will be automatically deposited in their account on payday. Employees may review and print an electronic ~~will receive~~ a pay stub, which shows their earnings, taxes, and deductions.

Effective date: ~~_____~~ October 8, 2002

Daniel R. Hauenstein

Certification

September 24, 2002

Date

_____ Promulgated under: RC Sec. 111.15

_____ Statutory authority: RC Sec. 3358.08

_____ Rule amplifies: _____ RC Sec. 3358.08

_____ Prior effective dates: March 5, 2002

APPENDIX II
Amendment of Anti-discrimination and Harassment Policy

3358:11-4-17 Anti-discrimination and harassment policy.

- (A) Purpose. Owens community college strongly opposes and will not tolerate harassment or discrimination on the basis of age, color, disability, national origin, race, religion, sex, sexual orientation, gender identity, military status, or veteran status. This prohibition extends to discrimination or harassment, based on the protected classes, including the creation of an intimidating, hostile or offensive working or learning environment. Sexual misconduct, sexual assault, dating violence, domestic violence and stalking are forms of sexual harassment prohibited by this rule.
- (B) The college recognizes all employees and students should be able to work and learn in safety and dignity and should not have to endure insulting, degrading or objectionable treatment. Any individual who files a complaint or participates in an investigation shall be protected from any form of retaliation arising out of the filing of the complaint or participation in the investigation.
- (C) Discrimination and harassment are illegal. This rule and ~~the~~ associated procedures are not intended to impair or limit the right of anyone to seek a remedy available under state or federal law. This rule may in some respects exceed the requirements of applicable law. However, this rule will not be enforced so as to infringe upon rights of the first amendment of the United States Constitution, including academic freedom.
- (D) Application. This rule and ~~the~~ associated procedures are applicable to all aspects of college operations and programs. It applies to all college students and employees, including student-employees, administrators, faculty and staff (bargaining and non-bargaining unit members) as well as to visitors or guests on campus to the extent that there is an allegation of harassment or discrimination made by them against college students or employees. It also applies to all third-party vendors, contractors, subcontractors, and others who do business with the college. Such prohibition extends to off campus conduct or the online/virtual environment if the conduct is in connection with college operations or a college-sponsored program and poses an obvious and serious threat of harm to students or employees, or may have the effect of creating a hostile work and/or educational environment.
- (E) Reporting. Any person who believes he or she has been a victim of discrimination or harassment is strongly encouraged to pursue relief by reporting the discriminatory or harassing behavior to the appropriate individual(s). Reports can be made directly to the chief diversity officer within the office of equal opportunity and inclusiveness officer or designee who is serving as the affirmative action officer under the federal statutes of Titles VI, VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Vocational Rehabilitation Act of 1973. Alternatively, a victim grievant may report the behavior to the director of human resources, the dean of student life ~~director of student life and community standards~~, or any vice president/~~vice provost~~, dean, chair, director or department head, including the ~~college chief of police~~ officers with the department of public safety.

- (F) Any ~~employee-administrator~~, as designated in paragraph (C) of this rule, who has received a report or who has knowledge of discrimination or harassment must promptly inform the chief diversity officer within the office of equal opportunity and inclusiveness officer. The said officer will be available to respond to any questions or concerns regarding this rule and associated procedures.
- (G) Action. Each report of discrimination or harassment will be promptly and impartially investigated. Interim measures to prevent continued discrimination/harassment during the complaint investigation will be considered and implemented as deemed appropriate. If the college determines by a preponderance of the evidence ~~there is reasonable cause to believe~~ that a violation has occurred, the college will take action to provide appropriate relief to the grievant ~~victim~~ and steps will be taken to prevent future discrimination/harassment and remedy discriminatory effects. This may include disciplinary action against the accused as outlined in applicable student and employee conduct and disciplinary rules, procedures and guidelines as well as associated procedures implemented pursuant to this rule.
- (H) Compliance. The office of equal opportunity and inclusiveness office ~~is~~ the college's designated office for compliance with federal statutes including: Titles VI, VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, Age Discrimination in Employment Act of 1967, Pregnancy Discrimination Act of 1978, Age Discrimination Act (students), Executive Order 11246, Sections 503 and 504 of the Vocational Rehabilitation Act of 1973, and Vietnam Era Veterans' Readjustment Act of 1974, and regulations of the office of federal contract compliance program.
- (I) Implementation. The vice president, human resources and the ~~associate vice provost~~, vice president, enrollment management and student services will jointly implement procedures and forms, which are consistent with the provisions of this rule and applicable law.

Effective date:

 Certification

 Date

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	6/24/2010, 11/26/2011