

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of Agenda
- V. Public Comment
- VI. Consideration of Minutes for Meeting held on May 23, 2023
- VII. COMMITTEE REPORTS
 - A. Board Policy (I. Guzman, Chair)
 1. Approval of the Reaffirmation of Accommodative Services Policy (Res #2023-34)
 2. Approval of the Reaffirmation of Workplace Violence Prevention Policy (Res # 2023-35)
 3. Approval of the Revised Academic Integrity Policy (Res # 2023-36)
 - B. Finance & Facilities (S. Appel, Chair)
 1. Approval of Amended Resolution for 2023-24 Proposed Operating Budget (Res # 2023-37)
 2. Approval of the Five-Year Capital Project Plan for the period of 2023-2028 (Res # 2023-38)
 3. Approval of Bid Awarded to Horizon Striping, LLC (Res # 2023-39)
 - C. Personnel and Community Relations (A. Flesland)
 1. Approval of Professional Staff Title (Res # 2023-40)
 2. Approval of Board Meeting Dates for the 2023-24 Academic School Year (Res #2023-41)
- VIII. Report of the Student Trustee
- IX. Report of the Chairperson
- X. Report of the President
- XI. Other Business
- XII. Date of Next Meeting – **August 22, 2023**
- XIII. Adjournment

DUTCHESS COMMUNITY COLLEGE
Minutes
Board of Trustees Meeting
May 23, 2023

Trustees Present: Mr. Michael Francis Dupree, Chair; Ms. Sheila Appel, Mr. Frank Castella, Mr. Stephen Caswell, Ms. Darrah Cloud, Ms. Angela Flesland, Ms. Linda Pratt, and Dr. Peter Grant Jordan, President

Absent: Mr. Ibis Guzman, Ms. Lisa Gharthey

I. The meeting was called to order at 7:25p.m. by Chairperson Dupree.

II. Roll Call by Ms. Ponticello, quorum present.

III. Approval of Agenda:

Upon motion made by Mr. Castella, seconded by Ms. Appel, voted on and duly carried, the agenda was approved as distributed.

IV. Public Comment

There were no requests to address the Board.

V. Consideration of Minutes of Meeting held on April 25, 2023:

Upon motion made by Ms. Flesland, seconded by Ms. Cloud, voted on and duly carried, the minutes were approved as distributed.

VI. COMMITTEE REPORTS

Chairperson Dupree noted for the minutes that all of the resolutions that are presented to the Board for approval are reviewed and discussed at committee meetings prior to the Board meeting.

A. Academic & Student Affairs (D. Cloud)

Ms. Cloud provided the Board with a summary of items discussed at the last Academic & Student Affairs Committee meeting held on May 9, 2023.

1. Approval of Amendment to the Academic Calendar to include Juneteenth as a Federal Holiday (Res. #2023-27)

D. Cloud offers the following resolution and moves its adoption:

BE IT RESOLVED, that, based upon the recommendation of the President of the College, the attached amendment to the Five-year Academic Calendar for 2022-2023 through 2025-2026, to include Juneteenth as a Federal Holiday which shall be made part of the official

minutes of this meeting, is hereby approved.

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Seconded by L. Pratt

Motion Carried Unanimously

B. Board Policy (S. Caswell)

Mr. Caswell provided the Board with a summary of items discussed at the last Board Policy Committee meeting held on May 10, 2023.

1. Approval of Reaffirmation of Equal Employment Policy (Res. #2023-28)

S. Caswell offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review, the Policy Committee has determined that the Equal Employment Policy should be reaffirmed and remain in effect, now, therefore be it

RESOLVED, that, based upon the recommendations of the Policy Committee, the aforementioned Equal Employment Policy is hereby reaffirmed and is to remain in effect, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by S. Appel
Unanimously

Motion Carried

2. Approval of Revised Mandated Training Policy (Res. #2023-29)

S. Caswell offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review and input from the members of the Board of Trustees, the Policy Committee has determined that the Policy on Mandated Training needs to be revised, now, therefore, be it

RESOLVED, that, based upon the recommendation of the Policy Committee and review by the Board of Trustees, the revised policy on Mandated Training, which is attached and shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and, be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by A. Flesland

Motion Carried Unanimously

C. Finance & Facilities (S. Appel, Chair)

Ms. Appel provided the Board with a summary of items discussed at the last Finance & Facilities Committee meeting on May 15, 2023.

1. Approval of Audit for Fiscal Year 2021-2022 (Res. #2023-30)

S. Appel offers the following resolution and moves its adoption:

WHEREAS, the Dutchess Community College Board of Trustees has a responsibility to conduct business according to prudent, professional, and accepted practices, and

WHEREAS, the Financial Statements of Dutchess Community College for the fiscal year ending August 31, 2022 were reviewed by the outside auditing firm of Bonadio & Co. LLP, and

WHEREAS, in the opinion of the independent auditors, the financial statements of the College conform with generally accepted accounting practices in all respects, and

WHEREAS, the Board Finance and Facilities Committee has reviewed the audit and recommends that the Board of Trustees accept the audit for fiscal year 2021-2022, and

WHEREAS, the members of the Board of Trustees have received copies of the audit for review, now, therefore, be it

RESOLVED, that, based upon the recommendation of the Finance and Facilities Committee, the Board of Trustees hereby accepts the independent auditor's report for the fiscal year 2021-2022.

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Seconded by F. Castella

Motion Carried Unanimously

- 2. Approval of 2023-2024 Tuition Fee Schedule and Refund Policy (Res. #2023-31)

S. Appel offers the following resolution and moves its adoption:

WHEREAS, a Tuition and Fee Schedule and Refund Policy are prepared each year following the guidelines of the State University of New York, and

WHEREAS, the Board of Trustees reviews the Tuition and Fee Schedule and the Refund Policy as part of the annual budget process, and

WHEREAS, it is necessary for the Board of Trustees to approve these fees each year, now, therefore, be it

RESOLVED, that the Tuition and Fee Schedule and the Refund Policy for fiscal year 2023-2024, which are attached and shall be made part of the official minutes of this meeting, are hereby approved.

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Seconded by A. Flesland

Motion Carried Unanimously

- 3. Approval of Operating Budget for Fiscal Year 2023-2024 Budget (Res. #2023-32)

S. Appel offers the following resolution and moves its adoption:

WHEREAS, the Annual Operating Budget Request of Dutchess Community College for the period September 1, 2023 through August 31, 2024 has been developed in accordance with guidelines furnished by the State University of New York, and

WHEREAS, the requirement for operating expenditures has been determined to be \$65,443,844 now, therefore, be it

RESOLVED, that the Operating Budget for Dutchess Community College for the fiscal year September 1, 2023 through August 31, 2024, in the amount of \$65,443,844 with anticipated funding from the County of Dutchess by appropriation from fiscal year 2024 of \$17,459,414, is hereby approved.

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Seconded by L.Pratt

Motion Carried Unanimously

D. Personnel & Community Relations (A. Flesland, Chair)

Ms. Flesland provided the Board with a summary of items discussed at the last Personnel & Community Relations Committee meeting held on May 11, 2023.

1. Approval to terminate employment of Employee # Axxxx9387 (Res. #2023-33)

A. Flesland offered the following resolution and moved its adoption:

WHEREAS, in accordance with Article IX of the Agreement between Dutchess County and the Civil Service Employees Association, Inc., the President of Dutchess Community College (“Charging Party”) preferred charges of misconduct against Employee #Axxxx9387 (“Employee”) dated July 19, 2022; and

WHEREAS, the Board of Trustees (“Board”) appointed the Hearing Officer, Ira Lobel, to render an advisory opinion after conducting a disciplinary hearing on the charges; and

WHEREAS, by letter dated September 15, 2022, the Employee was notified that a disciplinary hearing pursuant to Section 75 of the Civil Service Law would be held on October 4, 2022; and

WHEREAS, the Employee requested and was granted two adjournments of the disciplinary hearing; and

WHEREAS, the disciplinary hearing was held on November 29, 2022, at which time the Hearing Officer heard testimony and received other evidence from the Charging Party and from the Employee; and

WHEREAS, the Charging Party and the Employee submitted legal briefs to the Hearing Officer in support of their respective positions; and

WHEREAS, the burden of proving misconduct is on the Charging Party; and

WHEREAS, the Board has reviewed the record in this matter, including the transcript of the hearing, the exhibits introduced into evidence at the hearing, the respective legal briefs submitted by the Charging Party and Employee, and the Report and Recommendations of the Hearing Officer;

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts the Findings and Recommendation in the Report and Recommendations of the Hearing Officer, including the determination that the Employee is guilty of the charges of misconduct and specifications two, three, four, and five, and

determines that the Hearing Officer's recommendation of the finding of guilt was based upon the substantial evidence in the record; and

BE IT FURTHER RESOLVED, that the Board concludes that the penalty of dismissal from service, effective immediately, is the appropriate sanction and adopts the Hearing Officer's penalty recommendation for the reasons set forth within his Report and Recommendations; and

BE IT FURTHER RESOLVED, that the Board hereby directs the President of Dutchess Community College or his designee to take whatever steps are necessary to inform the Employee of this determination, and to file the necessary documents with the Dutchess County Department of Civil Service.

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Seconded by S. Appel

Motion Carried Unanimously

VII. Report of the Chairperson

Chairman Dupree spoke on successful college-wide highlights for the month of May 2023.

VIII. Report of the President

President Jordan thanked the Board and community for working so hard on getting this years' graduating class ready for commencement. He discussed ending the school year with two Town Hall meetings that included presentations on the budget and strategic plan in effort to create transparency.

President Jordan closed out his report by discussing the visit to the Fishkill Campus on May 8, 2023 with the Taiwanese Delegation to tour the Mechatronics Lab. He discussed the successful visit and the feedback received from the delegation.

IX. Other Business

S. Appel thanked Susan Rogers and the college community for all of the hard work on the Middle States reaccreditation.

S. Appel thanked Joia Ponticello for her help with keeping the Board prepared at all times.

X. Date of Next Meeting

The next meeting of the Board of Trustees will be held on July 25, 2023 at 7:00 p.m.

Adjournment

There being no further business to discuss, a motion was made by Ms. Appel, seconded by Ms. Pratt, voted on, and duly carried, to adjourn the meeting. The meeting adjourned at 7:52 p.m.

Respectfully submitted,

Joia Ponticello
Executive Assistant

RESOLUTION NO. 2023-34

Board of Trustees, Dutchess Community College
July 25, 2023

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review, the Policy Committee has determined that the Accommodative Services Policy should be reaffirmed and remain in effect, now, therefore be it

RESOLVED, that, based upon the recommendations of the Policy Committee, the aforementioned Accommodative Services Policy is hereby reaffirmed and is to remain in effect, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by _____

Accommodative Services Policy

Dutchess Community College is committed to diversity, inclusion, and accessibility. This includes ensuring equal access and participation for individuals with disabilities. The College adheres to the Americans with Disability Act (ADA) and Section 504 of the Rehabilitation Act, which require an institution of higher education to provide reasonable accommodations to qualified individuals with a documented disability, provided that accommodation does not create an undue hardship.

It is the policy of Dutchess Community College to provide equal access for all qualified persons, including students and employees; to prohibit discrimination; and to ensure that all documentation/information regarding the individual's disability will be kept confidential. Pertinent information about a student's diagnosis or accommodations will be shared solely on a need-to-know basis.

It is the responsibility of the President of the College to ensure appropriate procedures are developed and fairly implemented.

RESOLUTION NO. 2023-35

Board of Trustees, Dutchess Community College
July 25, 2023

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review, the Policy Committee has determined that the Workplace Violence Prevention Policy should be reaffirmed and remain in effect, now therefore, be it

RESOLVED, that, based upon the recommendations of the Policy Committee, the aforementioned Workplace Prevention Policy is hereby reaffirmed and is to remain in effect, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by _____

DUTCHESS COMMUNITY COLLEGE

WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT

Pursuant to the Workplace Violence Protection Act (NYS Labor Law § 27-b), Dutchess Community College (College) is committed to creating and maintaining a working and learning environment where violence or threats directed toward any member of the College community are not tolerated. Additionally, the College will regularly evaluate risk factors for workplace violence on campus and in all College buildings and facilities.

The College has developed this policy statement to promote the safety and well-being of its employees. Threats, threatening behavior and acts of violence against employees by other college employees, contractual workers, students, visitors, vendors, relatives or other third parties on college premises, will not be tolerated.

This policy statement is to be shared with, and made available, to all employees. The College will take every reasonable effort to prevent incidents of workplace violence. The College will continually develop its workplace violence prevention program, which includes training related to workplace safety and reducing workplace violence.

All violent acts and threats of violence are strictly prohibited, and any threat or violent act should be taken seriously. It is the responsibility of each college employee who has been subjected to, or has witnessed, a violent act or threat of violence, or believes that a serious violation of the College's violence prevention policy exists to report such behaviors to College Security, a Supervisor, or College administration. Employees are responsible for respecting the rights of their co-workers.

All incidents of violence will be investigated promptly and thoroughly, and the nature of the complaint shall be kept confidential to the extent reasonably possible to conduct a thorough investigation. Retaliation against any employee for filing a good faith complaint or participating in an investigation is strictly prohibited.

Students, employees and visitors to the campus who commit or threaten to commit acts of violence are subject to disciplinary action and/or civil or criminal prosecution as appropriate. For purposes of this policy statement, violence and threats of violence include, but are not limited to: any physical assault, any physical or verbal threat, stalking, bullying, or behavior or act which is interpreted by a reasonable person to carry the potential:

- To harm or endanger the safety of others
- To result in an act of aggression
- To willfully destroy or damage property

This policy statement is applicable to all College employees, students, vendors and their employees, campus visitors, volunteers and College-affiliated individuals.

Nothing in the College's Workplace Violence Prevention Policy or Program shall preclude a person from also contacting and initiating a complaint with an outside agency or the Commissioner of Labor.

RESOLUTION NO. 2023-36

Board of Trustees, Dutchess Community College
July 25, 2023

_____ offers the following resolution and moves its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review and input from the members of the Board of Trustees, the Policy Committee has determined that the policy on Academic Integrity needs to be revised, now, therefore, be it

RESOLVED, that, based upon the recommendation of the Policy Committee and review by the Board of Trustees, the revised policy on Academic Integrity, which is attached and shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and, be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by _____

Academic Integrity Policy

Dutchess Community College is committed to the principles of honesty, integrity, and ethical behavior. It is expected that students will recognize these values and adhere to all aspects of student conduct and academic honesty inside and outside of the classroom.

Academic dishonesty in any form is regarded by the College as a breach of academic ethics and may result in disciplinary action.

Academic dishonesty includes, but is not limited to, the following:

- Cheating on examinations
- Plagiarism: the representation of another's ideas or writing as one's own. Examples include:
 - presenting all or part of another person's published work as something one has written;
 - paraphrasing or summarizing another's writing without proper acknowledgement (citation);
 - representing another's artistic or technical work or creation as one's own.
- Willingly collaborating with others in any of the above actions which result(s) in work being submitted which is not the student's own.
- Submitting work containing any content that was generated by an Artificial Intelligence bot or website when not explicitly directed to do so by the instructor.
- Stealing examinations, taking electronic images, falsifying academic records and other such offenses.
- Knowingly permitting another student to use one's work or cheat from one's examination.
- Submitting work previously presented in another course without permission of instructor.
- Unauthorized duplication of computer software.
- Unauthorized use of copyrighted or published material.

If, based on substantial evidence, an instructor deems that a student is responsible for a violation of the Academic Integrity Policy, the instructor may take the following actions:

- The instructor may require that the student repeat the assignment or examination, or
- The instructor may give the student a failing grade for the assignment or examination, or
- The instructor may give the student a failing grade for the course.

As an institution of higher education, it is incumbent on the College to ensure that students understand and uphold the highest standards of academic honesty and that there be accountability in cases where students repeatedly violate those principles. In order to build an intellectual culture of academic integrity and ensure that students learn appropriate behavior in their academic endeavors, faculty and staff who judge that a student intentionally violates the Academic Integrity Policy shall report said violation to the Office of Academic Affairs.

The Office of Academic Affairs, in consultation with faculty and staff, will be responsible for developing and implementing appropriate academic administrative reporting procedures, educational interventions, disciplinary actions, and appeal processes.

Students' right to privacy will be upheld, and all students shall have the right to appeal any action that results from this process.

Attachment to Board of Trustees Resolution #2020-31, dated February 25, 2020

RESOLUTION NO. 2023-37

Board of Trustees, Dutchess Community College
July 25, 2023

_____ offers the following resolution and moves its adoption:

WHEREAS, the Board of Trustees voted on and approved the proposed Annual Operating Budget for Fiscal Year 2023-2024 by resolution # 2023-32, and

WHEREAS, the College President recommends a revision in the previously approved local sponsor funding request from the County of Dutchess, and

WHEREAS, the Annual Operating Budget Request of Dutchess Community College for the period September 1, 2023 through August 31, 2024 has been developed in accordance with guidelines furnished by the State University of New York, therefore, be it

RESOLVED, that the amended Operating Budget for Dutchess Community College for the fiscal year September 1, 2023 through August 31, 2024, in the amount of \$65,443,844 with a reduction in anticipated funding from the County of Dutchess by appropriation from fiscal year 2024 of \$17,123,656, is hereby approved.

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Seconded by _____

RESOLUTION NO. 2023 -38

Board of Trustees, Dutchess Community College
July 25, 2023

_____ offers the following resolution and moves its adoption:

WHEREAS, the County of Dutchess and the State University of New York require the submission of a project list and estimated costs of capital construction and improvement projects for a five-year period, and

WHEREAS, the educational, administrative and support needs for rehabilitation, preservation and improvement of facilities have been reviewed through the Academic and Facilities Master Plan, Our Next 10, and the Master Plan recommended the specific projects and priorities as indicated on the attached list, now, therefore, be it

RESOLVED, that the campus facilities projects listed on the attached document, which is to be made part of the minutes of this meeting, are hereby approved as Dutchess Community College's Five-year Capital Projects Plan for the period 2024-2028.

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Seconded by _____

_____ offers the following resolution and moves its adoption:

WHEREAS, the Parking lot Striping and Marking has been determined to be necessary to maintain a safe environment, and

WHEREAS, bids for the Parking Lot Striping were duly advertised and requested for the Parking Lot Striping and Marking, and

WHEREAS, bids were received as a result of the solicitation and were publicly opened and read aloud at 3:00 pm, on March 22, 2023, and

WHEREAS, vendors provided bid prices as shown on the tabulation sheet attached to this resolution, and

WHEREAS, the low bid received meets the required specifications, now, therefore, be it

RESOLVED, that the bid received for the Parking Lot Striping, Base Bid Lot "E" with Option 1 Lot "D" and Option 2 Lot "A", in accordance with the specifications, be awarded to Horizon Striping, LLC. Wappingers Falls NY, in the amount of \$17,850.00.

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Seconded by _____

RESOLUTION NO. 2023-41

Board of Trustees, Dutchess Community College
July 25, 2023

_____ offers the following resolution and moves its adoption:

BE IT RESOLVED, that, based upon the recommendation of the President of the College, the attached list of Board Meeting dates for 2023-2024, which shall be made part of the official minutes of this meeting, is hereby approved.

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Seconded by _____

RESOLUTION NO. 2023-40

Board of Trustees, Dutchess Community College
July 25, 2023

_____ offers the following resolution and moves its adoption:

WHEREAS, it has been determined that, to meet the needs of the College, the following new titles need to be created:

Coordinator, Mechatronics Programming (full-time)

WHEREAS, Section 35 of the Civil Service Law requires that title determination of positions in the professional service be made by the Board of Trustees, now, therefore, be it

RESOLVED, that, approval is hereby given to create the aforementioned title of Coordinator, Mechatronics Programming (full-time).

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Seconded by _____

**Dates for Board Materials
and
Board Meetings**

2023-2024

<u>Due Date for Agenda Items</u>	<u>Board Mailing Dates</u>	<u>Board Meeting Dates</u>
9/11	9/19	9/26
10/9	10/16	10/24 *
11/27	12/4	12/5
1/8	1/15	1/23
2/12	2/19	2/27
3/11	3/19	3/26 *
4/8	4/16	4/30
5/13	5/21	5/28
7/8	7/16	7/23
8/12	8/20	8/27
9/9	9/17	9/24
10/7	10/15	10/22
11/25	12/3	12/10

Workshop meetings are held on the same day as the Board meetings (usually at 6:00 p.m.).

Board meetings are normally held at 7:00 p.m. Exceptions: October* (or November)* and March*.

*On these months, the Board has dinner with student leaders at 5:00 p.m.; the Workshop will be from 6:15 to 7:30 p.m.; and the Board meeting will begin at 7:30 p.m.