

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