

**EAST CENTRAL COLLEGE
BOARD OF TRUSTEES EMERGENCY MEETING
Friday, March 20, 2020**

CALL TO ORDER: The emergency meeting of the Board of Trustees was called to order via Zoom/conference call at 11 a.m. by Board President Ann Hartley. Other Board members present for the meeting via conference call were Joseph Stroetker, Prudence Johnson, Cookie Hays, Eric Park and Audrey Freitag. Also present were President of the College Jon Bauer; Administrators – Interim Vice President of Academic Affairs Robyn Walter (via Zoom) and Vice President of External Relations Joel Doepker; Other Staff – Director of Communications & Marketing Gregg Jones, Instructional Design Specialist Karen Klos, and Executive Assistant to the President Bonnie Gardner, as well as numerous other employees via Zoom.

APPROVAL OF AGENDA:

Motion: To **approve** the agenda for the March 20, 2020 meeting of the Board of Trustees.

Motion by Cookie Hays; Seconded by Eric Park; Carried Unanimously

PRESIDENTIAL AUTHORITY DURING PANDEMIC: Dr. Bauer noted that the meeting was being held via conference call to be consistent with Center for Disease Control (CDC) guidelines on public gatherings. He explained that the administration has been actively managing the work of the college and making decisions. Existing policies provide some authority and latitude but do not cover all situations. The memo provided to the Board prior to the meeting outlines five provisions where Board authority is needed:

- (1) The authority to provide ten days of emergency leave for current full-time employees to be available prior to the federal leave authorized to go into effect on April 2;
- (2) The authority to pay part-time staff for up to ten days for hours they would have been scheduled to work if the college would have been open (currently part-time employees are not paid during a closure);
- (3) The authority to close campus, if needed, as a result of an emergency (policy does not cover emergency closures; this will be added later as a permanent policy change);
- (4) The authority to assign employees to work from home to limit the numbers on campus;
- (5) Presidential authority to enact personnel or student policies as needed to address an emergency for a period of 90 days (an extension would need to be authorized if needed beyond the 90 days).

Concern was expressed about possible abuse of the ten days of leave since there is no definition regarding “minor child”; older children can care for themselves and do not require parental supervision. Dr. Bauer noted that the language is consistent with federal emergency leave and the supervisor approving the request for leave will be responsible for determining need and mitigating abuse of the policy. The emergency leave would be administered using the same approval process as currently used for normal leave.

It was noted that the change in policy related to working from home has no additional hard costs, but will result in productivity and opportunity costs. There is no way to estimate the number of employees who will use this policy.

The Board asked about the process for developing the emergency measures. Dr. Bauer responded that he developed the recommended measures. The development of these measures was informed by discussions with the vice presidents, Paul Lampe (representing VP Martin), Doug Houston for IT, Gregg Jones for PR, and Tot Pratt for facilities; input from faculty leadership; discussions with the community college presidents statewide; discussions with the chief academic officers statewide; regular review of CDC and federal directives; and employee concerns expressed to supervisors. Dr. Bauer and Vice President Walter met with the faculty association prior to the Board meeting and each administrator has been in contact with their employees. Every effort has been made to keep employees informed as the situation evolved.

Motion: To **authorize** the following emergency measures related to the COVID-19 pandemic, including: (1) ten days of paid emergency leave for full-time employees following the usual process for granting FMLA or vacation days, (2) up to ten days of pay for part-time employees should the college close as a result of the pandemic, (3) authority for the president to close the campus if needed as a result of an emergency, (4) authority to assign employees to work from home, and (5) authority for up to 90 days for the president to enact emergency student and personnel policies as necessary, as presented in a memorandum to the Board of Trustees dated March 20, 2020.

Motion by Prudence Johnson; Seconded by Audrey Freitag; Carried Unanimously.

Dr. Bauer indicated that college leadership will be meeting at noon to develop implementation guidelines for employees and will communicate to the campus this afternoon since employees will leave for spring break at the close of the day. Spring break will be extended by one week in compliance with the CDC guideline emphasizing 15 days to stop the spread and the Franklin County Commission order prohibiting gatherings of more than ten people. Campus will reopen on April 6 rather than March 30. Faculty have been preparing to move to remote instruction. Consideration will be given to extending the semester if that seems reasonable and is feasible. A directive will be issued that employees who wish to work from home should request that permission from their supervisor; this is consistent with the other institutions across the state.

The Board agreed to move the next meeting to Monday, April 13, 2020 via conference call. The meeting will begin at 5:30 p.m. and will have a limited agenda.

ADJOURNMENT:

Motion: To **adjourn** the March 20, 2020 public Emergency Board of Trustees meeting at 11:32 a.m.

Motion by Cookie Hays; Seconded by Eric Park; Carried Unanimously.

President, Board of Trustees

Secretary, Board of Trustees

BOARD MEMORANDUM

To: Board of Trustees

From: Jon Bauer, Ph.D.

Date: March 20, 2020

Re: Emergency Measures, COVID-19 Pandemic

This memorandum outlines several emergency measures that will enable East Central College to take action as a result of the COVID-19 pandemic. As you know, mitigation measures to slow the spread of the disease have resulted in unprecedented closures and other changes that have affected each of us. The leadership team and I have made several decisions related to the pandemic, within the authority provided by institutional Policies and Procedures. These decisions include (a) moving instruction to on-line or remote platforms for the remainder of the semester, (b) cancelling public events and large gatherings scheduled for the campus, (c) restricting public access to our facilities, and related administrative actions.

However, there are some measures for which there is no administrative authority. Our framework for decision-making over the past few weeks has involved asking several questions:

- What are the relevant CDC guidelines?
- What is best for our students?
- What is best for our employees?

Clearly, this is new territory. I am proposing emergency authority from the Board of Trustees for a period of 90 days, to include the following measures:

1. Ten days (80 hours) of paid emergency leave to be made available for current, full-time employees in the case of an employee who is unable to work due to the need to care for a minor if the child's school or childcare facility has been closed or is unavailable due to the pandemic. This leave would be made available immediately, and would be used in conjunction with existing federal leave, or personal/vacation/sick leave provided by the college. New federal legislation provides for some additional leave, but that law does not go into effect until April 2. Policy 5.30 (Paid Leave Benefits) does not provide for leave such as this.
2. Authorization to pay part-time employees for up to 10 days (not to exceed 40 hours) of work as otherwise scheduled, should the college close as a result of the pandemic. Currently, part-time employees are not paid if the college is closed. The sudden and unexpected nature of the pandemic has created significant economic uncertainty. This

measure will provide some stability for part-time employees if we need to close for a period of time. Policy 5.30 applies only to full-time employees.

3. Explicit authority to close the campus if needed as a result of an emergency. Current policy (5.28, College Holidays, and 5.30.10, Inclement Weather) only identifies the president's authority to close the campus to holidays and/or weather conditions.
4. Authority to assign employees to work from home in order to limit the number of individuals on campus but continue college operations. There is no provision in existing policies for employees to work from home, yet public health objectives include limiting the number of people working in close proximity to others.
5. Authority, not to exceed 90 days without express board reauthorization, to enact other student or personnel policies necessary to meet public health objectives as a result of the pandemic. Any and all emergency policies enacted as a result of this measure shall be reported to the Board of Trustees as soon as possible, and shall remain in effect no longer than 90 days without express board action

The provision for authority not covered by the first four measures is strictly to provide some administrative latitude to act quickly and decisively in response to the state of emergency. We have learned over the last two weeks that (a) it is impossible to know in advance every action that may be needed to combat the spread of the virus, and (b) these actions are often necessary on very short notice. At the same time, this emergency authority is crafted in a way to ensure that it is not open-ended or that its effects persist indefinitely. Any action taken under this authority must be clearly related to the pandemic and its potential effect on students or employees.

As mentioned, these are unprecedented times. Consequently, the measures requested are extraordinary. They are proposed after a great deal of consideration and with the interests of our students, employees, and other stakeholders in mind.

We may identify some long-term policy changes that should be considered as a result of this experience. The authority for emergency closures is one example. Any change in policy that is intended as a permanent change would be brought to the board separately. The measures proposed herein are intended to provide the administrative authority in the short-term to act in the best interests of the college and the community.