

**EAST CENTRAL COLLEGE
BOARD OF TRUSTEES MEETING
Thursday, July 16, 2020**

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order at 12:03 p.m. by Board President Ann Hartley. Other Board members present were Joseph Stroetker, Prudence Johnson, Cookie Hays, Eric Park and Audrey Freitag. Also present were President of the College Jon Bauer; Administrators –Vice President of Academic Affairs Robyn Walter, Vice President of External Relations Joel Doepker, and Interim Vice President of Student Development Paul Lampe; Faculty - Associate Professor, Health Information Management Stephanie Buchholz; Other Staff – Executive Director of Institutional Effectiveness Michelle Smith, Human Resources Director Wendy Hartmann, Foundation Executive Director Bridgette Kelch, Instructional Design Specialist Karen Klos, Communications & Marketing Director Gregg Jones, Financial Services Director Annette Moore, Executive Assistant to the President Bonnie Gardner, Foundation Specialist Angie Siebert, Human Resources Generalist Kim Aguilar, Multimedia Specialist Amanda Studdard, Executive Administrative Assistant to the Vice President of Student Development Megan Elbert, Executive Administrative Assistant to the Vice President of External Relations Hannah Domino, and Professional Staff President Jenny Kuchem

Also present were Kristen Dragotto from the *Missourian* and Kate Nash from Tueth, Keeney, Cooper, Mohan & Jackstadt.

The meeting was held via Zoom due to the current COVID-19 pandemic and social distancing orders. The Zoom link was included on the published agenda.

APPROVAL OF AGENDA: Each item on the consent agenda shall be deemed to have been duly approved with the same validity as if each action were separately moved, seconded and adopted.

Motion: To **approve** the agenda for the July 16, 2020 meeting of the Board of Trustees.

Motion by Prudence Johnson; Seconded by Joseph Stroetker; Carried Unanimously

***APPROVAL OF MINUTES:** The Board approved the minutes of the June 8, 2020 regular meeting and the July 2, 2020 special meeting of the Board of Trustees.

TITLE IX REGULATIONS UPDATE: Kate Nash provided an update on recent changes to Title IX regulations. She noted that because ECC receives federal financial assistance, the College must comply with Title IX. Ms. Nash shared a brief history of the legislation and stated that the final regulations were released on May 6 and must be implemented by August 14. Most of the changes relate to required procedures regarding the institutional response to sexual harassment. The College is required to designate an employee specifically titled as Title IX Coordinator and must have grievance procedures in place. The new regulations will necessitate changes to the College's policies and procedures. For Title IX, sexual harassment is defined as (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (quid pro quo); (2) a hostile work or educational environment; or (3) sexual assault, domestic violence or stalking as defined by the Clery Act. If an issue does not meet that definition, it cannot be addressed under the institution's Title IX policy but could be addressed under other policies.

A formal complaint must be filed by the complainant or the Title IX Coordinator. If the alleged conduct occurs outside the United States, does not meet the Title IX definition of sexual harassment, and/or does not occur in the context of an education program or activity, the College must dismiss the formal complaint. There are now specific requirements regarding information to be included in the notice provided to the respondent, which must be written. Once a formal complaint is filed, the parties have a right to an advisor of their own choosing.

There is also a requirement to have a live hearing with cross examination. The institution must provide an advisor for the purpose of conducting the cross examination if the individual does not have one. The person conducting the investigation cannot be the person who makes the decision at the hearing. The investigator and the decision maker also cannot be the Title IX Coordinator. The institution must gather all evidence and both parties have a right to inspect the information. Evidence that is deemed not relevant must be excluded as determined by the decision maker. The decision must be written, and there are specific requirements for what must be in the decision. There can be an informal resolution, but both parties must agree to it. An informal resolution is not allowed for allegations of an employee sexually harassing a student.

Next steps will include an update of existing policies, identification of individuals who will be involved in enforcing the Title IX policy, training, and posting of materials. In response to Board questions, Ms. Nash noted that the decision maker in the hearing could be a panel or a third party and that there is a requirement for an appeal process. The appeal would go to an administrator, which could be the president or a vice president. Any individual can sue the College if he or she feels the situation has not been addressed.

PURCHASE PRE-AUTHORIZATION: Dr. Bauer explained that the audio-visual equipment in the lecture hall needs to be replaced prior to the beginning of fall semester. This is a space that can be utilized to provide social distancing for larger classes. Since the project is not grant funded, it is not covered under the authorization provided at the June meeting. The normal bid process is being followed and submissions will be reviewed to determine the lowest/best bid. A report on the expenditure will be provided at the August meeting.

Motion: To **authorize** President Jon Bauer to accept the lowest and best bid for the upgrade of audio-visual equipment in classroom HH286, to be funded with CARES Act monies.

Motion by Joseph Stroetker; Seconded by Audrey Freitag; Carried Unanimously

FY21 BUDGET: Dr. Bauer reviewed the proposed budget for FY21. Revenue assumptions include withholding of two months of state aid payments, a 10% enrollment decline, and a 2% increase in local tax revenue. He noted that general revenue consists of about 41% local taxes, 32% tuition and 27% state aid. There are additional federal funds that will be disbursed to colleges during the year through the Governor's office; however, most have restrictions on their use. These include:

- Governor's Emergency Education Relief Fund (GEER) - \$221,601 for ECC, which will be placed in the general fund and can be used for expenses related to remote learning and general operations. These funds cannot be used to offset administrative salaries or for lobbying. The College must report how this money has been allocated.
- COVID Relief Fund – Up to \$518,014 for ECC, which can be used for COVID mitigation/response and reopening to students. These expenses will have to be submitted and approved for reimbursement.

- Technology – Up to \$113,500 for ECC to be used for costs associated with remote learning, broadband, a learning management system, public Wi-Fi, etc. These expenses will also need to be submitted and approved for reimbursement.

Additional funds coming directly from Washington, DC through the CARES Act are available for COVID mitigation/response as well as support of remote learning. A total of \$825,661 was made available in March and can be used through March 2021. One-half of these funds must go directly to students. It is also possible there will be additional federal stimulus funds available. The higher education sector has made the case that offset of the loss of state funds is a primary concern. However, these new funds could be as restrictive as prior funding.

Expense assumptions include no salary increases for employees, employee furloughs totaling a 5% payroll deduction, a hiring freeze with exceptions approved by the president (and Board if the employee is issued a contract). Salary increases will be re-examined by November 1 pending a change in the revenue picture. Salaries & benefits are the largest share of the expense budget.

Total revenue is estimated at \$17.3 million with approximately \$16.8 million in expenses. The estimated \$543,846 in revenue over expenses will serve as a contingency against further state withholdings and will also be used to cover unforeseen expenses. In response to questions from the Board, Dr. Bauer noted that (1) the large increase in scholarships for FY21 reflects the fact that not all scholarships were included in the FY20 budget, (2) the increase in contracted services is due to an incorrect budget projection in FY20, and (3) the reduction in the “gifts and grants” line is due to receipt of over \$300,000 from state tax credits in FY20 that were a one-time inflow of cash.

Motion: To **approve** the general operating budget for FY21 as presented.

Motion by Eric Park; Seconded by Audrey Freitag; Carried unanimously

COLLECTIVE BARGAINING AGREEMENT: Dr. Bauer commended the work of the ECC-NEA and administrative teams in reaching agreement in a difficult year where discussions began with how raises would be structured and ended with the addition of an article about structuring furloughs. He noted the furlough article includes creative ways to meet the 5% salary reduction target while minimizing the impact to students’ education. The agreement also recognizes the additional work of faculty to develop alternative means for delivery of instruction with a fall and spring stipend for work outside of normal contract hours. Those stipends will be funded with federal COVID funds.

Motion: To approve the negotiated Collective Bargaining Agreement with the ECC-NEA regarding salary, benefits and working conditions for the 2020-2021 fiscal year.

Motion by Joseph Stroetker; Seconded by Prudence Fink Johnson; Carried unanimously

BANK RESOLUTION: With Dr. Park’s appointment as Board treasurer, action is needed to authorize names on the United Bank of Union accounts.

Motion: To **approve** the following Board members and East Central College employees as authorized signers on United Bank of Union accounts as outlined in the authorization resolution attached:

Carl J. Bauer, ECC President
Annette Moore, ECC Director of Financial Services
Eric Park, ECC Board of Trustees Treasurer

Motion by Audrey Freitag; Seconded by Prudence Johnson; Carried unanimously

REPAIRS TO BRIDGE BETWEEN BUESCHER HALL AND SHOOK STUDENT CENTER: Dr. Bauer reminded the Board that concrete pieces had fallen from under the decking this summer on the bridge connecting Buescher Hall and Shook Student Center. This concrete landed near the side entrance of the student center. The damage has been evaluated by an engineering firm and a couple of contractors. While the bridge is not structurally damaged, the repair is estimated to be about \$100,000 and will take about 30 days to complete. The project will be bid and, if needed, the Board may be called together for a special meeting to approve the contract. These costs will be submitted to the state as a part of the College's maintenance and repair budget; it is expected that half the cost will be reimbursed by the state. The College's portion of the expense will be paid from the campus improvement fund.

***PERSONNEL:** The Board **approved** the appointment of Brittany Yoakum as Nursing Instructor, effective August 17, 2020 with an annual salary of \$48,714.

OTHER: Dr. Bauer noted that the electronic sign has now been installed at the campus entrance and expressed his appreciation to the ECC Foundation for this gift.

ADJOURNMENT:

Motion: To **adjourn** the July 16, 2020 public Board of Trustees meeting at 1:40 p.m.

Motion by Cookie Hays; Seconded by Joseph Stroetker; Carried Unanimously.

President, Board of Trustees

Secretary, Board of Trustees

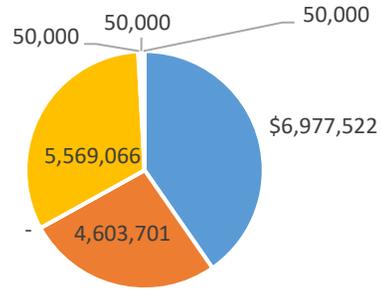
**Interim Budget
East Central College
FY21, General Fund**

Revenues:	Budget FY21	FY20 Budget	YTD (5/30/20)	FY19 Actual
Local Revenue	\$ 6,977,522	\$ 6,700,000	\$ 6,803,955	\$ 6,674,993
State Revenue	4,603,701	5,257,661	4,382,100	5,127,367
Federal Revenue	-	-	425	6,270
Tuition and Fees	5,569,066	6,501,424	6,198,240	5,486,538
Interest Income	50,000	55,078	76,624	96,728
Gifts and Grants	50,000	387,925	404,408	51,246
Miscellaneous Revenue	50,000	75,000	49,896	129,695
Transfers-Interfund & Indirect	-	-	7,264	(66,475)
Transfer Federal Programs	-	-	-	-
Total Revenues	17,300,289	18,977,088	17,922,912	17,506,362

Expenses:				
Salaries	9,700,002	10,359,668	8,810,270	9,940,897
Benefits	3,119,464	3,475,779	3,024,958	3,523,773
Contractual Services	930,000	691,367	854,469	912,546
Current Expenses	800,000	1,343,505	697,527	788,768
Travel	175,000	253,123	157,436	170,455
Property & Casualty Insurance	202,000	202,000	198,771	200,191
Vehicle Expense	15,000	16,640	5,909	7,797
Utilities	628,507	571,370	415,367	609,197
Tele/Communications	225,855	225,855	193,122	267,464
Miscellaneous	400,000	588,678	348,937	401,058
Foundation Paid Expense	2,000	-	2,447	-
Clearing Account	1,000	-	-	-
Scholarship Expense	75,000	11,200	71,163	74,752
Faculty Development	10,000	25,000	10,893	25,000

Instit. Match for Grants	75,000	74,100	32,662	58,141
Commitment to ABE	20,000	20,000	-	20,000
Instit. Commit.to Fine Arts	6,175	6,175	-	6,500
Instit. Commit.to Word & Mot	3,040	3,040	-	-
Capital	50,000	15,527	84,857	27,871
Interfund Transfers	18,400	18,400	-	-
Debt Princ & Interest	300,000	272,657	264,323	53,633
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Total Expenses	16,756,443	18,174,084	15,173,111	17,088,043
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Revenue over Expenses	\$ 543,846.09	\$ 803,004.00	\$ 2,749,801.00	\$ 418,318.59
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General Revenue



- Local Revenue
- Tuition and Fees
- Miscellaneous Revenue
- State Revenue
- Interest Income
- Gifts and Grants
- Federal Revenue

General Fund Expenditures

