



Ratified at July 17, 2024 meeting

**Board of Trustees Meeting
June 26, 2024**

Minutes of the meeting of the Board of Trustees of Westchester Community College held on Wednesday, June 26, 2024, at 2:30 PM in the Student Center Event Room.

Trustees Present:

Dr. LeRoy Mitchell, Chairperson, Deborah Raizes Vice Chairperson, Clara Carnot, Susan Gerry, Esq., Hon. John Nonna, Dr. Gregory Robeson Smith, Yolanda Howell, Secretary to the Board of Trustees.

Trustees Excused:

Dr. Norman Jacknis, Vice-Chairperson, Robin Bikkal, Esq., Sergio Serratto, Hon. Lyndon Williams.

Cabinet Members Present:

Dr. Belinda S. Miles, President, Dr. Vanessa Morest, Provost and Vice President, Academic Affairs, Brian Murphy, Vice President and Dean of Administrative Services, Dolores Swirin Yao, Vice President and Dean, External Affairs, Executive Director, WCC Foundation, Tere Wisell, Vice President and Dean, Community Education and Workforce Development, Garrett McAlister, Acting Vice President, Information Technology, Dante Cantú, Vice President of Student Access, Involvement & Success, Ben Naylor, Chief of Staff & Vice President of Strategic Affairs.

Call to Order

Chairperson LeRoy Mitchell called the meeting to order.

The Chairperson convened an Executive Session under provisions of Section 105 of Article 7 of the Public Officers Law to discuss personnel matters.

Motion to go into Executive Session to discuss personnel and legal issues.

****Motion: Nonna/Gerry – all in favor**

Motion out of Executive Session

****Motion: Nonna/Gerry – all in favor**

Back in Session

Ratification of Minutes

Trustee Robeson Smith made a motion seconded by Trustee Nonna to ratify the minutes of the May 15, 2024, Board meeting. The motion passed.

INFORMATION AND DECISION

A. President's Report

Dr. Belinda S. Miles reported:

VP Brian Murphy and I attended the Chancellor's State of the University address last month. The Chancellor's policy agenda included the following items:

- SUNY ASAP Replication
- Modernizing Seamless Transfer between community colleges and four-year institutions
- Expanded resources for mental health supports and healthcare workforce training
- SUNY WCC is expected to receive \$350k in support for healthcare workforce training and \$100k for mental health support.

Commitment Day (5/31)

We hosted 125 newly admitted students in our annual event celebrating our new students and introducing them to pathways and programs at the institution. We have held this event since 2021, and it is so important for us to continue to build these types of strong connections to our students.

WDCE Completion Ceremony (6/5)

We honor our WDCE students each year who complete their programs. This year, nearly 900 students completed programs, spanning approximately 56 diverse fields such as healthcare, construction, historic preservation, GED programs, JobStar, Digital Arts, Pleasantville Lab School, and TESOL, among others.

EOC Graduation (6/13)

Westchester EOC achieved a 101% enrollment rate with 659 students this program year. Of the 352 completers, 168 were in vocational programs and 18 obtained GED credentials, with students earning 131 national and state certifications. Thank you to the Foundation for making scholarships available to students who choose SUNY WCC.

Volunteer Lunch (6/6)

This special event celebrates the invaluable contributions of our hundreds of volunteers to the College, who this past year donated more than 1,500 hours of service to the institution. Attendees included volunteers from across the College's diverse programs including the Collegium, Native Plant Center, conversation partners, and academic tutors. And our special honorees were the members of our Physical Plant department.

SUNY ASAP/ACE Meeting. We hosted the State University of New York system as well as 25 other SUNY campuses for a one-day conference surrounding replication of the ASAP/ACE models. Nearly 100 people attended the David Swope Student Center. The program, originally founded in 2007 at six CUNY community colleges, is known for its comprehensive wraparound support services, including intensive, personalized academic advising, and its commitment to covering tuition and textbook costs, campus fees, transportation, and various other expenses that remain after students receive financial aid.

- Our programs were featured in this year's **Westchester County Association SKILLS magazine** – which focuses on workforce development initiatives and career pathway opportunities throughout the region. Included in this issue:
- our P-Tech programs, where students earn a high school degree and no-cost Associate's degree in six years while engaging in work-based learning opportunities with local businesses (building skills);
- A feature on our wonderful Robert R. Wiener Cybersecurity Center and our cybersecurity program and how it is preparing our students for in-demand, high paying jobs.
- An industry outlook on Advanced Manufacturing which highlighted our Certified Production Technician (CPT) certificate program (industry outlook: advanced manufacturing).

As part of our mission and strategic planning, we partner and collaborate with the Business Council of Westchester, Westchester County Association, Westchester-Putnam Workforce Development Board, and other industry organizations – to respond to the needs of our diverse regional labor market.

Enrollment:

- **Summer sessions** – two sessions are underway and remaining sessions start June 27 and August 2. Additionally, Workforce Development and Community Education summer classes are well underway.
- **Summer enrollment** is 3,838 a 6.3% increase compared to Summer 2023 during the same time. We also see a 13.5% increase among full-time students and a 7.5% increase in FTEs.

- **Registration underway for credit fall sessions** – classes starting September 3 and 21 and October 21 and 28. Workforce Development and Community Education fall registration begins July 8.
- **Fall enrollment** is 3,110 a 9.9% increase compared to Fall 2023 during the same time. We also see a 20.4% increase among full-time students and a 14.0% increase in FTEs.

Updates

- Stewardship Response Team - SFP Resolutions Update
 - Fall is at 92%
 - Spring is at 70%
 - Summer - we have 16 Pell disbursements and four Scholarships and one direct loan.

B. Board Chair's Report

Trustee Mitchell reported:

- At the request of Trustee Raizes, we sent out two documents from the Westchester Community College Foundation that were discussed at their last meeting.
- Advocacy
 - We should continue advocacy with the State and our local representatives.
- NYCCT Conference
 - October 3 – 5, Saratoga Springs, NY
- ACCT Leadership Conference
 - October 23 – 26, Seattle, Washington
- National Level
 - There was a question regarding the increase in Pell and the projected increase in enrollment, will there be enough money to satisfy Pell in the coming years? We have been assured that funding is expected to be proficient for the fiscal year 2029.
 - Currently there are hearings on the Federal Workforce Innovation and Opportunity Act (WIOA), reauthorization. There has positive feedback regarding the funding of this organization.

C. Committees

Committee of the Whole

Trustee Mitchell reported:

- The auditors were present today and gave a presentation on our financial statements. Thank you to Brian Murphy and his team for a clean opinion.

Student Trustee Report

Trustee Carnot reported:

- The Period Act
 - 914 Care will not be able to provide the products for us anymore. We do still have a partnership with them but not for this act.
- Center for Training for Autism
 - We are waiting on a date from faculty for summer training with the Anderson Center for Autism. This will provide faculty with the necessary tools to interact with students on campus.
 - I met with the representative from AHEAD, *Association on Higher Education and Disability*, we had a very thoughtful conversation.
 - I applied to be the Director of Disabilities for SUNY SA. I have made it to the second round of the interviews.

Finance/Facilities

Trustee Robeson Smith reported:

The Finance committee had discussion on the following topics.

- Operating Forecast
- Capital Projects Update
- Contracts

Trustee Robeson Smith asked Vice President Brian Murphy to go over the forecast for the month ending May 31, 2024 and the contracts.

Vice President Murphy presented the contracts to the Board.

Resolution: Contract Ratification

WHEREAS, *Westchester Community College is required to enter into agreements for the continued operation of the College; and*

WHEREAS, *the aforementioned schedule represents those agreements approved by the College since the last meeting of the Board of Trustees; therefore*

BE IT RESOLVED, *that the Board of Trustees of Westchester Community College hereby ratifies the aforementioned agreements.*

<u>CONTRACT #</u>	<u>CONTRACTOR NAME</u>	<u>CONTRACT DESCRIPTION</u>	<u>TERM</u>	<u>AMOUNT</u>
24-0410-297	Empire State Library Network c/o LILRC	Statewide delivery service maintained by ESLN. Supports statewide resource sharing between ConnectNY, IDS Project and other libraries. Sole Source.	7/1/24 -6/30/25	\$3,900
24-9543-387	National Fit Testing Services, LLC	To establish an agreement with a vendor to perform mask fit test for clinical students.	8/5/24 – 8/30/24	\$5,960 HEERF Grant Funded.
24-8221-293	City of Mount Vernon Youth Bureau (Clean Energy Academy)	Partnership for Summer Youth Program – Learning about the impact of climate change. License Agreement exempt from County Procurement Policy pursuant to Sec. 3(b).	7/1/24 – 8/9/24	\$1,500 (Revenue)
24-8221-294	City of Mount Vernon Youth Bureau (Computer Animation Academy)	Partnership for Summer Youth Program – Learning animation & game design skills. License Agreement exempt from County Procurement Policy pursuant to Sec. 3(b).	7/8/24 – 8/15/24	\$1,500 (Revenue)
24-8221-295	City of Mount Vernon Youth Bureau (Health Care Academy)	Partnership for Summer Youth Program – Health and wellness skill training. License Agreement exempt from County Procurement Policy pursuant to Sec. 3(b).	7/8/24 – 8/15/24	\$3,000 (Revenue)
24-9572-625	Togetherall, Inc.	Clinically moderated peer-to-peer mental health community support for entire WCC population.	6/5/24 – 6/4/26	\$24,985 SUNY Enrollment Grant funded.

****Motion: Robeson Smith/Carnot – all in favor**

Resolution – MOU WCCFT

WHEREAS, the Board wishes to recognize the exemplary contribution that the faculty makes to SUNY Westchester Community College and to its students;

BE IT RESOLVED, that the Board of Trustees of Westchester Community College hereby ratifies and approves the attached Memorandum of Understanding between the County of Westchester, Westchester Community College and the Westchester Community College Federation of Teachers having a term of September 1, 2019, through August 31, 2025, which includes, inter alia, provisions for increases to wages.

****Motion: Robeson Smith/Nonna – all in favor**

Note: From John Nonna – We did review this with Provost Morest in detail. It was nice to see that the parties came together with so many provisions that are good for the for the students and student success

MEMORANDUM OF UNDERSTANDING

*This Memorandum of Understanding (MOU) is between Westchester County Community College ("College") and Local 2431, Westchester Community College Federation of Teachers, **New** York State United Teachers, American Federation of Teachers, AFL-CIO ("Union").*

WHEREAS, *the College and the Union are parties to an existing collective bargaining agreement covering the terms and conditions of employment for a variety of faculty positions at the College, including EOC Department Chairpersons;*

WHEREAS, *the current collective bargaining agreement (CBA) is for the term of September 1, 2022 to August 31, 2023.*

WHEREAS, *the Union filed a grievance on August 26, 2022, alleging a violation of Section 9.2 (EOC Exceptions) based on the College's issuance of the "2022/23 EOC Academic Calendar." In addition, the Union alleges violations of Sections 1.6 (Maintenance of Standards) and Section 5 (Compensation) as part of the same grievance.*

WHEREAS, *the parties met on November 2, 2023, in mediation, to discuss a potential resolution of the matters set forth in the August 26, 2022 grievance. The terms of that resolution are set forth below:*

NOW THEREFORE:

- 1. The EOC Calendar Year runs from July 1 to June 30 consistent with grant funding. The EOC Calendar Year consists of two (2) terms running from July through December and January through June as defined herein.*
- 2. EOG Department Chairpersons are expected to work a ten (10) month calendar during the aforementioned EOG Calendar Year typically running from late-August through December and following the MLK holiday in January through graduation, as defined below. The Department Chairpersons calendar shall be inclusive of all contractual leave time such as break period (e.g., Spring Break) and contractually recognized holidays.*
- 3. EOG Department Chairpersons calendar shall run until the EOG graduation or June 15 whichever occurs first, but from the College graduation (May) to the EOG graduation (or June 15, as applicable), the Department Chairpersons shall only be required to work five*

(5) in-person administrative hours per week. Other Chair responsibilities may be completed remotely as the Chairpersons deems appropriate.

- 4. Department Chairpersons shall have the right to volunteer to work "overload hours" outside of their regular contact work hours.*
- 5. The Union shall withdraw its August 26, 2022 grievance with prejudice.*
- 6. The execution of this MOU shall not constitute an admission of fault or guilt by either party.*
- 7. The language of all parts of this MOU shall be construed as a whole, according to its fair meaning, and not strictly for or against either party, regardless of who drafted it.*
- 8. This MOU shall constitute the full and complete agreement of the parties.*
- 9. All terms and conditions of the existing CBA between the parties that are not directly in conflict with the terms of this MOU shall remain the same and in full force and effect.*
- 10. Any disputes arising as to the terms of this MOU shall be subject to the grievance procedure contained in the parties CBA.*
- 11. This MOU shall expire on August 31 2024, unless mutually extended by the parties.*



RESOLUTION: NEPOTISM POLICY

WHEREAS, there exists a need to create a policy which establishes guidelines surrounding favoritism in the workplace based on kinship or other familial relationship; and

WHEREAS, the purpose of the policy is to abide by ethics laws and to avoid the appearance of or potential for favoritism, and conflicts of interest and loyalty often associated with nepotism; and

WHEREAS, the Board of Trustees Governance Committee has reviewed the policy and concurs with the attached policy language;

NOW, THEREFORE, BE IT RESOLVED that the WCC Board of Trustees hereby adopts the Nepotism Policy, a copy of which is attached hereto.

****Motion: Gerry/Nonna – all in favor**

Nepotism Policy

A. Purpose:

SUNY/WCC seeks to hire and retain the most qualified individuals and to foster a work environment of trust and good will. SUNY/WCC also seeks to admit, enroll, and graduate students with the strongest record of accomplishment and greatest potential. Nepotism is favoritism in the workplace based on kinship or other familial relationship and ordinarily consists of making employment decisions based on a current or prior family relationship. It can manifest itself in all decisions based on kinship or other familial relationship. SUNY/WCC's longstanding policy of making employment decisions are based on unit needs and individual qualifications, skills, ability, achievement, performance, and potential. The purpose of this policy is to abide by the ethics laws and to avoid the appearance of or potential for favoritism, and conflicts of interest and loyalty often associated with nepotism.

B. Policy:

No employee may make, participate in, or attempt to influence employment decisions or actions involving a relative, former relative, or an individual with whom they have or have had a consensual romantic or sexual relationship.

C. Key Definitions:

- *Employee: SUNY/WCC staff and faculty.*
- *Employment decisions: the full spectrum of employment related actions, including but not limited to decisions related to hiring; supervision; direction of work; promotion; retention; compensation; work hours; assignment or review of committee work, leaves, space allocations, and the like; performance evaluation; termination; and all other terms and conditions of employment.*
- *Relative: the spouse; domestic partner; and, whether by blood, adoption, marriage (including in-laws) or domestic partnership, the child, parent, grandparent, sibling, grandchild, aunt or uncle, niece or nephew, or any person residing (or previously residing) in the immediate household of the College employee. Relative also includes an individual formerly related to the College employee by virtue of one of the relationships listed above, e.g., a child or current spouse or domestic partner of a former spouse or domestic partner.*

D. Guidelines and Commentary:

1. *This policy does not prohibit the College from simultaneously employing relatives. Indeed, relatives are permitted to work in the same College department or unit so long as they comply with the requirements outlined above, e.g., there is no direct reporting or supervisory relationship between the relatives and all employment decisions are made by others.*
2. *Employees are obligated to self-report in a timely manner to Human Resources and their supervisor before they make, participate in, or attempt to influence decisions prohibited by this policy. If the at-issue relationship involves the supervisor (a Director, Department Chair etc.), the self-report must be made to Human Resources.*
3. *This policy is applicable to instances of nepotism that began or came into existence before the enactment of this policy and which persist; those situations thus prospectively must be evaluated and managed within the parameters of this policy.*
4. *Legitimate issues may arise and thus must be disclosed in a timely manner and managed under this policy with regard to favoritism of: (i) relatives who do not fit the definition of relative provided above; (ii) individuals with whom an employee has or has had a consensual sexual or romantic relationship; and (iii) situations where the employee is directly or indirectly involved in the College's engagement or potential engagement (e.g., as a contractor) of a relative or individual with whom an employee has or has had a consensual sexual or romantic relationship.*
5. *Exceptions to this policy are at the discretion of the President in consultation with Human Resources. For example, if one of the related parties is uniquely qualified to work for the other based on qualifications for a position and performs work in direct support of teaching, research or patient care, the President may permit the related persons to continue to work together, provided that an appropriate management plan is developed, implemented, and administered, as described below in Paragraph 6.*
6. *The fundamental goal of the management plan is to mitigate actual and perceived favoritism and conflicts of interest and loyalty by establishing appropriate processes for employment and academic decisions. Depending on the employment classification (e.g., staff, academic) or academic status (e.g., applicant, enrolled student) of the individual with whom the employee has a relationship, a management plan should be devised by, as appropriate, the department's supervisor, human resources, and division's VP, and must be approved by the head of the division (e.g., Dean, Director, Chair) or their designee. At a minimum, management plans must: (i) address reporting*

relationships, supervision, and evaluation in a way that will assure that there will be no participation in employment or academic decisions as prohibited by this policy and (ii) establish a review and approval process for expenditures involving kinship and other Familia relationships to sufficiently mitigate or preclude favoritism or the appearance of favoritism. To ensure continuity and appropriateness, review and, as needed, revision of the approved management plan should occur as soon as there is a germane change in reporting relationships or academic oversight. If the at-issue relationship involves the department supervisor, the management plan must be reviewed and approved by the leadership that is accountable (e.g., Directors, Dean, VP's).

- 7. Complaints about violations of this policy should be submitted to the Office of Human Resources. All such complaints will be treated as confidentially as feasible.*
- 8. Violation of this policy by an employee will result in disciplinary action consistent with the terms and conditions of the appropriate collective bargaining unit and/or college policy*

Public Comment

Trustee Mitchell invited members of the community for public comment.

James Werner, Westchester Community College Federation of Teachers made the following statement to the Board.

Thank you. Chairman Mitchell, and Honorable members of the WCC Board of Trustees: I am deeply pleased that the negotiating teams for the College and the Westchester Community College Federation of Teachers (WCCFT) have reached agreement on the proposed new contract that you have now approved. Our membership ratified the proposed Memo of Agreement in May, with 97% of participating faculty members voting in favor. This six-year agreement, covering the period from Fall 2019 retroactively through Summer 2025, provides not only fair increases in compensation, but also revisions to policies for teaching online courses, duties and compensation for chairs, paid leave for non-teaching adjuncts, provisions for making emergency faculty hires, and increased contributions to our Professional Development Fund.

Negotiations have been ongoing since Summer 2019, and the parties have met for dozens of bargaining sessions, in addition to preparatory team meetings. On behalf of the Union's negotiating team and membership, I wish to express our deep appreciation for the hard work, diligence, and professionalism demonstrated by both sides throughout this process, and our satisfaction with the outcome of these negotiations. I also want to thank all of you for your support as we worked at the bargaining table, and for your approval of this Agreement, which may now be presented to the County Board of Legislators for their review.

On behalf of our membership and all faculty at the College, I offer much gratitude and best wishes for a restful and restorative summer.

Sheldon Malev addressed the Board regarding the "Hankin Way" proposal and the steps that are needed to bring the proposal to fruition.

Adjournment

****Motion: Robeson Smith/Gerry – all in favor**

The next meeting of the Board of Trustees is scheduled for July 17, 2024.

Respectfully submitted,

Yolanda Howell

Yolanda Howell
Secretary, Board of Trustees