

Minutes for Meeting Book - July 24, 2024 Board of Trustees Regular Meeting

07/24/2024 | 05:00 PM - (GMT-05:00) Eastern Time (US & Canada)

EC3 Erie West

College/Other Attendees (7)

Founding President Chris Gray PhD; Executive Assistant and Secretary to the Board of Trustees Renée Triana; Executive Vice President Guy Goodman; CFO Frank Moore via Zoom; Dean of Academics Stewart Blacklaw; Director of Advancement Carolyn Dunn; and Solicitor Timothy S. Wachter, Esq.

Call to Order

Time: 5:00pm

Roll Call

Trustee	Roll Call
Justin Gallagher	Not Present
Kurt Hersch	Y via Zoom
Robert Merrill	Y
Rev. Dr. Charles Mock	Not Present
Msg. Dr. David Rubino	Y
Vice Chairperson Dr. Michael Victor	Y
Christina Vogel	Y
Annette Wagner, M.D.	Y
Chairperson Cheryl Rush Dix	Y

Approval of May 22, 2024 Regular Meeting Minutes (pg. 22-28)

Trustee	Motion 1	Vote
Justin Gallagher		Not Present
Kurt Hersch		Abstain
Robert Merrill		Y
Rev. Dr. Charles Mock		Not Present
Msg. Dr. David Rubino	1	Y
Vice Chairperson Dr. Michael Victor		Y
Christina Vogel	2	Y
Annette Wagner, M.D.		Y
Chairperson Cheryl Rush Dix		Y

The motion to approve the May 22, 2024, Regular Meeting Minutes was passed via voice vote. Secretary Hersch abstained because he was not present at the May 22, 2024, meeting.

Public Participation

None

Communication

A. President's Report-Dr. Gray reported on the College's sponsorship of the C.L.A.S.S Act Emerging Leader Award and his attendance at the final scholarship presentation. Dr. Gray also provided Trustees with an overview of enacted higher education legislation from Dr. Kate Shaw, Deputy Secretary and Commissioner of Higher Education. He then asked Trustee Msg. Rubino to provide information and preparation for the upcoming MSCHE interview so that the Trustees know what to expect.

B. Academic Committee- Executive Vice President Guy Goodman reported that the committee met on July 16th. They reviewed and approved the policies brought forth for approval at today's meeting- Board Policy VII.C.2 Freedom of Expression and Demonstration Board Policy and VI.A.6: Construction Contract Diversity Policy.

C. Personnel Committee-Chair Merrill reported that the committee met on July 8th. The new HR Director, Bridget Daugherty, was introduced. College employee demographics and organizational chart updates were provided. He noted the handbook was in the process of being completed.

D. Finance Committee-Secretary Hersch reported that the committee met on July 15th and reviewed the year end financials in comparison to last year. The committee also reviewed the proposed 24-25 final budget and the five-year capital asset estimate of investments.

E. Chairperson of the Board-Chairperson Rush Dix reported the list of events she attended in June and July Events June/July. The Chairperson will also be a presenter at the White House Commissioner on Equity in Education and the 2024 Erie Economic Conference. She reminded the Trustees about the MSCHE interviews on August 6th and that the September Board meeting will include a regular and annual meeting where new Board officers will be elected.

F. Other-Dr. Gray reported that the Gannon articulation agreement had been signed. He also reported that the Youth Leadership Institute (YLI) is part of the mayor's press conference tomorrow where EC3 at YLI will be announced publicly.

Presentation-EC3 Foundation Overview

Advancement Director, Carolyn Dunn, reported on the tasks that have been accomplished by the Foundation in the last six months including a fundraising plan and donor platform. She reported that the Foundation is now stepping into phase 2 creating bylaws, adding new board members, and creating campaigns. Dr. Gray clarified that while the EC3 Foundation is not a 501c3 it allows for the same tax relief for charitable contributions.

Presentation-KPI End of Semester Update (Exhibit A)

Executive Vice President Guy Goodman reported on the Spring 2024 KPI highlights covering enrollment, course success, retention rates, graduation rates, and transfer and job placement.

EC3 is truly Erie County's Community College as every school district and over 99% of the communities in Erie County represented in Spring 2024. 84.2% Course Success Rate with 48.9% Passing with a grade of A. Retention from Fall 2023 to Spring 2024 is 67.3% and every race/ethnicity category was above 65%. EVP Goodman credits clearly identifying the student's aptitude coming in and student success coaches who work one on one with them. Graduation rates continue to grow as well as transfer and job placement opportunities. EVP Goodman noted that a graduate survey will be sent out in late October, early November to gather more data.

He also reported that of the first class of Surgical Technology students, a program in conjunction with UPMC, eight of nine finished the course and passed certification exam on first try. They are all employed in that field. There are currently seven students enrolled for the fall semester and there is space for twelve. Dr. Gray informed the Board that each hospital has their own requirements for the position and there are specialized accreditation

standards. He continued that EC3's mission is to focus on workforce development in Erie County and the needs of local industry according to their feedback.

New Business-Resolution to Ratify EC3 Foundation Board Nominees [Board Report #24-32] (pg. 6)

No motion was brought forward concerning this agenda item. There was discussion around the current EC3 Foundation Charter and how the Foundation Board appointments relate back to the duties of the Board of Trustees. The Board of Trustees want to know the larger plan for the EC3 Foundation in terms of organizational structure and recruiting membership. The Board of Trustees felt they did not have enough information about the three members up for ratification to make a decision at this time. Vice Chairperson Dr. Victor, who is Board of Trustee liaison to the EC3 Foundation Board, confirmed that the EC3 Foundation Board had profiles for the new Foundation members and approved the three new members up for ratification because of their knowledge of fundraising, but thought the motion would look different coming forward to the full board.

Dr. Gray reminded the Board of Trustees that they approved the charter for the EC3 Foundation which notes "The Foundation will select their own members, subject to ratification of nominees by the Board. ". He continued that the relationship between the Board of Trustees and the EC3 Foundation needs to be codified through the charter.

Solicitor Wachter informed the Board that they had three options; approve as presented, table the agenda item, or reject the agenda item by vote. There was a motion to table the agenda item until the next meeting by Trustee Annette Wagner, M.D. with the expectation that the current EC3 Foundation Board provides information concerning the characteristics of members intended to make up the EC3 Foundation Board and provide profiles of prospective members and all future nominees.

Continued: New Business-Resolution to Ratify EC3 Foundation Board Nominees [Board Report #24-32] (pg. 6)

Trustee	Motion 2	Vote
Justin Gallagher		Not Present
Kurt Hersch		Y
Robert Merrill		Y
Rev. Dr. Charles Mock		Not Present
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor		Y
Christina Vogel	2	Y
Annette Wagner, M.D.	1	Y
Chairperson Cheryl Rush Dix		Y

The motion to table the ratification of the EC3 Foundation Board members until the September 28, 2024 regular meeting with the expectation that the current EC3 Foundation Board provides information concerning the characteristics of members intended to make up the EC3 Foundation Board and provide profiles of prospective members and all future nominees was passed unanimously.

New Business-Resolution to Approve the 2024-2025 Final Budget [Board Report #24-29] (pg. 7-10)

Trustee	Motion 3	Vote
Justin Gallagher		Not Present
Kurt Hersch		Y
Robert Merrill		Y
Rev. Dr. Charles Mock		Not Present
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor		Y
Christina Vogel	1	Y
Annette Wagner, M.D.	2	Y
Chairperson Cheryl Rush Dix		Y

The motion to approve the 2024-2025 final budget was approved unanimously via roll call vote.

New Business-Resolution to Implement New Board Policy VII.C.2 Freedom of Expression and Demonstration [Board Report #24-30] (pg.11-12)

Trustee	Motion 4	Vote
Justin Gallagher		Not Present
Kurt Hersch	1	Y
Robert Merrill		Y
Rev. Dr. Charles Mock		Not Present
Msg. Dr. David Rubino	2	Y
Vice Chairperson Dr. Michael Victor		Y
Christina Vogel		Y
Annette Wagner, M.D.		Y
Chairperson Cheryl Rush Dix		Y

The motion to implement new Board Policy VII.C.2 Freedom of Expression and Demonstration was approved unanimously via voice vote.

New Business-Resolution to Implement New Board Policy VI.A.6: Construction Contract Diversity Policy [Board Report #24-33] (pg. 13-14)

Chairperson Rush Dix noted that the College needs to continue to focus on diversity in hiring subcontractors and other laborers.

Trustee	Motion 5	Vote
Justin Gallagher		Not Present
Kurt Hersch		Abstained
Robert Merrill	2	Y
Rev. Dr. Charles Mock		Not Present
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor		Y
Christina Vogel		Y
Annette Wagner, M.D.	1	Y
Chairperson Cheryl Rush Dix		Y

The motion to implement new Board Policy VI.A.6: Construction Contract Diversity Policy was approved via roll call vote. Secretary Hersch abstained.

New Business-Resolution to Amend Board Policy VI.A.1 Purchasing Goods and Services [Board Report #24-31] (pg. 15-21)

Trustee	Motion 6	Vote
Justin Gallagher		Not Present
Kurt Hersch	1	Y
Robert Merrill		Y
Rev. Dr. Charles Mock		Not Present
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor		Y
Christina Vogel	2	Y
Annette Wagner, M.D.		Y
Chairperson Cheryl Rush Dix		Y

The motion to amend Board Policy VI.A.1 Purchasing Goods and Services passed unanimously via roll call vote.

Future Agenda Items/Summary Comments by Board Members

None

Executive Session

The trustees entered into executive session for the purposes of personnel matters.

Time In: 6:56pm

Time Out: 7:07pm

Motion to Adjourn

Time: 7:08pm

Trustee	Motion 7	Vote
Justin Gallagher		Not Present
Kurt Hersch		Y
Robert Merrill	1	Y
Rev. Dr. Charles Mock		Not Present
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor	2	Y
Christina Vogel		Y
Annette Wagner, M.D.		Y
Chairperson Cheryl Rush Dix		Y

Next Regular and Annual Meeting September 28, 2024 5PM



COMMUNITY
COLLEGE

Board of Trustees

Regular Meeting

July 24, 2024

EC3 Erie West

2403 West 8th Street

Founders' Room 307A

Erie, PA, 16505

Meeting ID: 864 7949 2792, Passcode: 113651



**COMMUNITY
COLLEGE**

Meeting Book - July 24, 2024 Board of Trustees Regular Meeting

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1. Call to Order

 2. Roll Call

 3. Approval of May 22, 2024 Regular Meeting Minutes (pg. 22-28)

 4. Public Participation

 5. Communication
 - A. President's Report
Chris Gray, PhD

 - B. Academic Committee
Trustee Msg. David Rubino, Ph.D Ph.D.

 - C. Personnel Committee
Trustee Robert Merrill

 - D. Finance Committee
Trustee Justin Gallagher
 1. YTD Budget Summary 2023-2024(pg. 4)
 2. June 2024 Bank Reconciliation (pg. 5)

 - E. Chairperson of the Board
Chairperson Cheryl Rush Dix

 - F. Other

 6. Presentation-EC3 Foundation Overview
Carolyn Dunn, Director of Advancement

 7. Presentation-KPI End of Semester Update
Guy Goodman, Executive Vice President

 8. New Business-Resolution to Ratify EC3 Foundation Board
Nominees [Board Report #24-32] (pg. 6)

 9. New Business-Resolution to Approve the 2024-2025 Final Budget
[Board Report #24-29] (pg. 7-10)

 10. New Business-Resolution to Implement New Board Policy VII.C.2
Freedom of Expression and Demonstration [Board Report #24-30]
(pg.11-12)

 11. New Business-Resolution to Implement New Board Policy VI.A.6:

Construction Contract Diversity Policy [Board Report #24-33] (pg. 13-14)

12. New Business-Resolution to Amend Board Policy VI.A.1
Purchasing Goods and Services [Board Report #24-31] (pg. 15-21)

13. Future Agenda Items/Summary Comments by Board Members

14. Executive Session

15. Motion to Adjourn

16. Next Regular and Annual Meeting September 28, 2024 5PM

Erie County Community College
YEAR-TO-DATE OPERATING & CAPITAL BUDGET REPORT
Fiscal Year 2023-24 as of June 30, 2024

	YTD Actual	YTD Budget	Actual vs. Budget	% Variance	Anticipated	Comments
OPERATING & CAPITAL REVENUES						
Student Tuition & Fees	\$ 1,056,764	\$ 1,599,000	\$ (542,236)	-33.9%		
Student Tuition & Fee Allowance	(951,088)	(1,439,100)	488,012	-33.9%		
Tuition from Noncredit Programs	12,500	24,900	(12,400)	-49.8%		
County of Erie - Operating	2,543,313	2,773,748	(230,435)	-8.3%		
County of Erie - Recurring Capital	615,694	476,252	139,442	29.3%		
County of Erie - One-Time Capital	840,993	750,000	90,993	12.1%		
Commonwealth of PA - Operating	2,911,140	2,911,140	-	0.0%		
Commonwealth of PA - Recurring Capital	615,694	686,510	(70,816)	-10.3%		
Commonwealth of PA - One-Time Capital	840,993	750,000	90,993	12.1%		
Commonwealth of PA - SS Reimbursement	200,773	182,425	18,348	10.1%		
Grants	-	-	-	0.0%		
UAA Grant Reimbursement	31,943	40,000	(8,057)	-20.1%		
Investment Income	140,474	63,000	77,474	123.0%		
Miscellaneous Income	15,159	12,000	3,159	26.3%		
Total Operating & Capital Revenues	\$ 8,874,352	\$ 8,829,875	\$ 44,477	0.5%		
	-					
APPLICATION OF FUNDS						
Salaries	\$ 2,808,983	\$ 2,850,000	\$ 41,016	1.4%		
Staff Benefits	751,754	855,000	103,246	12.1%		
Other Expenses	449,938	550,000	100,061	18.2%		
Contracted	373,793	350,003	(23,790)	-6.8%		
Insurance	91,664	90,000	(1,664)	-1.8%		
Travel	12,579	15,000	2,421	16.1%		
Maintenance & Repairs	64,170	47,000	(17,170)	-36.5%		
Marketing	557,380	525,000	(32,380)	-6.2%		
Contingency	-	100,000	100,000	100.0%		
Grant Related Expenses	-	-	-	0.0%		
Non-Lease Equipment & All Software	930,381	1,183,491	253,110	21.4%		
Facility Operations	228,745	208,650	(20,095)	-9.6%		
Leased Facilities & Leased Equipment	955,062	952,504	(2,558)	-0.3%		
Capital Equipment Additions	1,103,925	1,500,000	396,075	26.4%		
TOTAL EXPENSES	\$ 8,328,375	\$ 9,226,647	\$ 898,271	9.7%		
Surplus/(Deficit)	\$ 545,977	\$ (396,772)	\$ 942,749	-237.6%		

Erie County Community College
Confirmation of Bank Statement Reconciliations

Community College of Erie County
USD

Currency

All EC3 Statements - Beginning Date

6/1/2024

All EC3 Statement - End Date

6/30/2024

Bank Statements Status - Reviewed & Reconciled

Reconciled

Operating Account Balances

FNB	June 2024 Current Balances
Operating Investment Account	\$ 212,738.92
	\$ 2,109,536.78
Total Operating Account Balances	\$ 2,322,275.70

Designated Purpose Account Balances
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FNB	
Designated Purpose Account	\$ 1,561,742.74
Advancement Fund Account	\$ 15,511.89
Board Designated Reserves	\$ 1,250,000.00
Total Designated Account Balances	\$ 2,827,254.63

Total Operating and Designated Account Balances

\$ 5,149,530.33

Other Designated Purpose Account Balances
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Foundation Agency Fund

\$ 1,670,427.03	as of 3/31/2024
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(not included in College account balances)

Receivable - Funds State and County
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Erie County - Quarterly Funding	\$ 1,000,000.00
State PDE - Operating & Capital	\$ 27,000.00
	\$ 1,027,000.00



Resolution to Ratify EC3 Foundation Board Nominees

Information

The EC3 Foundation has approved the following nominees for ratification by the EC3 Board of Trustees.

Judith Roth
Carl J. Anderson, III
Timothy D. McNair

Recommendation

It is the recommendation of the EC3 Foundation that the Board of Trustees ratifies the nominees of the EC3 Foundaton Board members as presented.



Resolution to Approve the Revised Full Year 2025 Budget

Information

The FY 25 Annual Budget was approved tentatively at the May 22, 2024, Board of Trustees meeting pending the State approving their budget. The State passed their budget on July 10, 2024. The attached FY 25 revised budget with comparisons has been attached for review.

Recommendation

It is recommendation of the Finance Committee that the Board of Trustees motions to accept the revised Full Year 2025 budget as presented.

EC3 Budget Detail						
Fiscal Year 2024/2025						
		Original Proposed Budget	Adjustments		New Final Budget	
FUNDING SOURCES:						
Student Tuition		\$ -			\$ -	
Student Fees		\$ 281,199	\$ 68,032		\$ 349,231	
Tuition from Noncredit Programs		\$ 25,000			\$ 25,000	
County of Erie		\$ 4,000,000			\$ 4,000,000	
Commonwealth of PA - Operating		\$ 2,969,363	\$ 298,278		\$ 3,267,641	
Commonwealth of PA - Recurring Capital		\$ 466,946	\$ (1,760)		\$ 465,186	
Commonwealth of PA - Start Up Reimbursement		\$ 702,935	\$ 41,430		\$ 744,365	
Commonwealth of PA - SS Reimbursement		\$ 110,000			\$ 110,000	
Grants		\$ 191,215	\$ (35,000)		\$ 156,215	
Miscellaneous Income		\$ 225,000	\$ 60,000		\$ 285,000	
TOTAL REVENUES		\$ 8,971,658	\$ 430,980		\$ 9,402,638	
SALARIES:						
FULL TIME SALARIES:						
Administrative		\$ 1,234,403			\$ 1,234,403	
Staff		\$ 889,831			\$ 889,831	
Faculty		\$ 681,423			\$ 681,423	
PART TIME SALARIES:						
Part Time Faculty		\$ 427,900			\$ 427,900	
PT Administrative		\$ 8,546			\$ 8,546	
PT Staff		\$ 96,934			\$ 96,934	
Student Workers		\$ 13,661			\$ 13,661	
TOTAL FULL TIME SALARIES		\$ 2,805,657	\$ -		\$ 2,805,657	
TOTAL PART TIME SALARIES		\$ 547,041	\$ -		\$ 547,041	
TOTAL SALARIES		\$ 3,352,698	\$ -		\$ 3,352,698	
STAFF BENEFITS						
Medical Insurance		\$ 358,110			\$ 358,110	
Dental Insurance		\$ 9,969			\$ 9,969	
Vision Insurance		\$ 4,225			\$ 4,225	
LTD Insurance		\$ 3,044			\$ 3,044	
FICA		\$ 230,423			\$ 230,423	
Retirement Contribution		\$ 207,572			\$ 207,572	
Unemployment Compensation		\$ -			\$ -	
Workers Compensation		\$ 12,000			\$ 12,000	
Tuition Reimbursement		\$ 20,000	\$ 10,000		\$ 30,000	
TOTAL STAFF BENEFITS		\$ 845,343	\$ 10,000		\$ 855,343	

	Original Proposed Budget	Adjustments	New Final Budget
OTHER EXPENSES			
Instructional Supplies	\$ 134,600	\$ 10,000	\$ 144,600
Lab Supplies	\$ -		\$ -
Office Supplies	\$ 13,100		\$ 13,100
Supplies - Other	\$ 25,675	\$ 1,000	\$ 26,675
Professional Fees - Audit	\$ 34,000		\$ 34,000
Professional Fees - Legal	\$ 35,000		\$ 35,000
Professional Fees - Other	\$ 7,840		\$ 7,840
Consultant	\$ 65,000		\$ 65,000
Accreditation	\$ 35,000	\$ 5,000	\$ 40,000
Board Development	\$ 10,000		\$ 10,000
Staff Training	\$ -		\$ -
Postage	\$ 4,250		\$ 4,250
Hospitality	\$ 20,690		\$ 20,690
Licenses and Certifications	\$ 80,200		\$ 80,200
Interest Expense	\$ 11,235		\$ 11,235
Institutional Memberships	\$ 22,580		\$ 22,580
TOTAL OTHER EXPENSES	\$ 499,170	\$ 16,000	\$ 515,170
CONTRACTED SERVICES			
Support Staff	\$ 5,329	\$ 1,728	\$ 7,057
Miscellaneous	\$ 291,700		\$ 291,700
Printing	\$ 5,000		\$ 5,000
TOTAL CONTRACTED SERVICES	\$ 302,029	\$ 1,728	\$ 303,757
INSURANCE			
General Liability	\$ 129,000	\$ (31,981)	\$ 97,019
TOTAL INSURANCE	\$ 129,000	\$ (31,981)	\$ 97,019
TRAVEL			
Staff	\$ 56,875	\$ 1,155	\$ 58,030
Student Busing	\$ -		\$ -
TOTAL TRAVEL	\$ 56,875	\$ 1,155	\$ 58,030
MAINTENANCE & REPAIRS			
Maintenance Contracts	\$ 60,000		\$ 60,000
IT Equipment	\$ -		\$ -
TOTAL MAINTENANCE & REPAIRS	\$ 60,000	\$ -	\$ 60,000
MARKETING			
Brochures & Catalogue	\$ 6,000		\$ 6,000
Other Printed Materials	\$ 64,000		\$ 64,000
TV/Radio	\$ 84,000		\$ 84,000
Social Media	\$ 15,500		\$ 15,500
Marketing- UAA	\$ -		\$ -
Marketing - Other	\$ 354,400	\$ 20,000	\$ 374,400
TOTAL MARKETING	\$ 523,900	\$ 20,000	\$ 543,900

July 24, 2024

	Original Proposed Budget	Adjustments	New Final Budget
Contingency	\$ 50,000		\$ 50,000
Reserves	\$ -		\$ -
Other	\$ -		\$ -
TOTAL OTHER EXPENSES	\$ 1,620,974	\$ 6,902	\$ 1,627,876
LEASED EQUIPMENT			
IT Equipment	\$ 272,872		\$ 272,872
Copiers/Printers/MFDs	\$ 9,900		\$ 9,900
Data/Voice/Fiber	\$ 36,444		\$ 36,444
Vehicles (purchased)	\$ -		\$ -
Other Equipment	\$ 1,462,070	\$ 47,860	\$ 1,509,930
TOTAL LEASED EQUIPMENT	\$ 1,781,286	\$ 47,860	\$ 1,829,146
SOFTWARE			
Software Leases	\$ 880,875	\$ 11,396	\$ 892,271
Software Subscriptions	\$ -		\$ -
TOTAL SOFTWARE	\$ 880,875	\$ 11,396	\$ 892,271
TOTAL LEASED EQUIPMENT & SOFTWARE	\$ 2,662,161	\$ 59,256	\$ 2,721,416
FACILITY EXPENSES			
Utilities			
Electric	\$ 40,000		\$ 40,000
Gas	\$ 30,000		\$ 30,000
Phone	\$ 6,720		\$ 6,720
Water & Sewer	\$ 5,000	\$ 1,000	\$ 6,000
Contracted Services - Facilities			
Security	\$ -		\$ -
Cleaning	\$ 5,040		\$ 5,040
Waste Removal	\$ 2,880		\$ 2,880
Snow Removal	\$ 15,000		\$ 15,000
Landscaping	\$ 10,000		\$ 10,000
Facility Leases - Campus	\$ 720,150	\$ (19,485)	\$ 700,665
Facility Maintenance			
Facility Maintenance Contracts	\$ -		\$ -
Facility Material	\$ 21,000		\$ 21,000
Renovations	\$ -		\$ -
Custodial Supplies	\$ 8,000		\$ 8,000
TOTAL FACILITY EXPENSES	\$ 863,790	\$ (18,485)	\$ 845,305
TOTAL EXPENSES	\$ 9,344,965	\$ 57,673	\$ 9,402,638
SURPLUS (SHORTFALL)	\$ (373,307)	\$ 373,307	\$ 0



Resolution to Implement New Board Policy VII.C.2: Freedom of Expression and Demonstration

Information

The proposed policy would set forth guidelines for allowing demonstrations and free expression exercises on campus. A corresponding process will be housed and administered by the Office of the Executive Vice President.

Recommendation

It is the recommendation of the Academic and Executive Committees that the Board of Trustees moves to approve the establishment of Policy VII.C.2: Free Expression and Demonstration.



Policy VII.C.2: Freedom of Expression and Demonstration

Erie County Community College is committed to freedom of expression and the exchange of views and ideas in a manner that promotes collective engagement, mutual respect and understanding, and promotes learning in a diverse and complex world. The College recognizes the right of students, faculty, staff, and invited guests to assemble and express dissenting viewpoints under the following general principles:

- Freedom of Expression: The college supports the right of individuals to engage in peaceful and lawful demonstrations.
- Respect for Rights: Demonstrations must respect the rights and freedoms of others, including their right to learn, teach, and work without undue disruption.
- Safety and Order: Demonstrations must be conducted in a manner that does not threaten the safety of participants or others and does not result in damage to property.

This policy shall apply to college property and does not apply to public sidewalks or streets not owned or controlled by the Erie County Community College. This policy creates a limited public forum for students, faculty, staff and invited guests while participating in a demonstration on college property.

The process for requesting and receiving approval to participate in demonstrations on college property rests with the Office of the Executive Vice President. All demonstration requests will be granted or denied based on reasonable time, place, and manner considerations without regard to the content or viewpoint of the demonstration.

Policy approved by Erie County Community College Board of Trustees: **July 24, 2024*

Review Deadline: **July 24, 2029*



Resolution to Implement New Board Policy VI.A.6: Construction Contract Diversity Policy

Information

The proposed policy would set forth guidelines for firms engaged in construction contracts with the College. That they shall agree to and comply with workforce diversity requirements outlined herein for the duration of the entity's contractual relationship with the College.

Recommendation

It is recommended that the Board of Trustees moves to approve the establishment of Policy VI.A.6: Construction Contract Diversity Policy.

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Policy VI.A.6: Construction Contract Diversity Policy

All firms engaged in construction contracts with the Erie County Community College shall agree to and comply with workforce diversity requirements outlined herein for the duration of the entity's contractual relationship with the Erie County Community College. To meet the workforce diversity requirements, the firm must make a good faith effort to maximize the number of minority employees employed in its workforce. The firm demonstrates its good faith effort by presenting to the Erie County Community College written and verifiable documentation of the following steps taken by the firm:

1. Notifying each subcontractor, if any, with whom the firm has contracted to perform the work, that the workforce diversity requirements outlined in this section apply to each subcontractor. The firm is required to ensure that the subcontractor comply with the workforce diversity requirements as outlined in this policy and require that the subcontractor cooperate with the firm's effort to comply.
2. Notify the Erie County Community College if the firm has a good faith belief that a subcontractor covered by these requirements has failed to comply.
3. Prepare and send outreach letters concerning job opportunities to, at a minimum and among other like organizations, the following organizations and entities:
 - a. All public housing tenant organizations located in the County of Erie;
 - b. All public housing offices located in the County of Erie;
 - c. Erie City and County Affirmative Action Offices;
 - d. Neighborhood centers located in the City of Erie, including, but not limited to the John F. Kennedy Center, Martin Luther King Center, Booker T. Washington Center;
 - e. Erie County offices of the National Association for the Advancement of Colored People;
 - f. The local office of the Multicultural Center;
 - g. The local office of the U.S. Committee for Refugees and Immigrants; and
 - h. Women's Organizations, including, but not limited to, the Young Women's Christian Association, Grass Roots Opportunities for Women, Horizon House, Minority Health Education Delivery System, and Community House Inc.
 - i. Any other organizations as directed by the Erie County Community College at a job conference.
4. All written documentation of these steps must be verifiable and provided to the Community College and must be made available to the Community College upon request.
 - a. Firms may provide written documentation in the following forms:
 - i. Copies of correspondence;
 - ii. Interview notices or schedules;
 - iii. Notices sent to interviewees on the disposition of their job application; or,
 - iv. Monthly employment utilization reports.
5. In lieu of the above process, a firm may submit other evidence to the Erie County Community College which show the firm's current and ongoing best faith efforts at achieving or maintaining workforce diversity.

**Policy approved by Erie County Community College Board of Trustees: July 24, 2024*

**Review Deadline: July 24, 2029*



Resolution to Amend Board Policy VI.A.1 Purchasing Goods and Services

Information

The purpose of this revision is to align the College procurement process with PA State purchasing policies. In addition to clarifying language, some of the numbers changed to match State thresholds. A section for prevailing wages was also added.

A red-lined and final version of this policy are attached herewith reflecting all the changes mentioned above for review.

Recommendation

It is the recommendation of the Finance Committee that the Board of Trustees moves to approve the policy amendment providing alignment of the College policy to PA State purchasing policies and thresholds.



Policy VI.A.1: Purchasing Goods and Services

Community College of Erie County Regulation for Purchase of Goods and Services:

I. Purpose

~~The purpose of this regulation is to ensure that the Community College receives fair value in the purchase of all goods and services that it acquires, and that fair and open competition is allowed for the provision of those goods and services where practical. When determined to be cost effective, the Community College may utilize cooperative purchasing agreements for the purchase of goods and services, subject to the approval of the Finance Department, or, in lieu of a Finance Department, the Community College Treasurer. As a public-funded entity, the college models their purchasing practices on those of the County of Erie and the Commonwealth of Pennsylvania. The college aims to obtain supplies, material, equipment, and services, which meet the stated requirements, from the lowest priced, responsible vendor. All purchases of goods and services exceeding \$5,000 are required to be uploaded to the PA Treasury Department reporting site. This policy will be revised annually to correspond to County and State purchasing guidelines.~~

II. Scope

Except to the extent otherwise expressly exempted or excluded below, this regulation applies to the procurement of all goods and/ or services by **any employee on behalf of** the Community College, whether for operating supplies and services, capital equipment or acquisition or construction of real property.

Established Procurement Thresholds

In order to provide for appropriate competition, the Community College shall utilize ~~a three-tiered system as follows~~ the following system:

1. For Construction, Reconstruction and Repairs (in accordance with 22 PA Code §35.51)
 - ~~a. Contracts less than \$5,000 may be awarded without soliciting competitive quotes or bids.~~
 - a. Contracts \$1-\$5,000 require two quotes by phone, fax, letter, email, or internet.
 - ~~b. Contracts exceeding \$5,000 but less than \$20,000 require soliciting competitive quotes from at least three (3) responsible bidders and shall be awarded to the lowest responsible bidder.~~
 - b. Contracts \$5,000-\$20,000 require three quotes by phone, fax, letter, email, or internet.
 - ~~c. Contracts in excess of \$20,000 require public notice of bids, the solicitation of sealed competitive bids and shall be awarded to the lowest responsible bidder.~~
 - c. Contracts in excess of \$20,000 require public notice of bids and approval by the Board of Trustees.
- ~~2. For All Other Purchases (excluding Professional Services)~~
2. Professional Services-Purchases of legal, financial, architectural, engineering, certain technical consulting and similar professional services are exempt from the bidding requirements set forth herein.
 - ~~a. Contracts less than \$10,000 may be awarded without soliciting competitive bids.~~
 - a. Professional service contracts up to \$50,000 in total regardless of the term or \$50,000/year not to exceed two years – may be approved without public advertisement by the Vice President of Administration and/or President based on quotes received.
 - ~~b. Contracts exceeding \$10,000 but less than \$30,000 require soliciting competitive quotes from at least three (3) responsible bidders and shall be awarded to the lowest responsible bidder.~~
 - b. Professional service contracts exceeding the above limits – must go through public advertisement and approval by the Board of Trustees.
 - ~~c. Contracts in excess of \$30,000 require public notice of bids, the solicitation of sealed competitive bids and shall be awarded to the lowest responsible bidder.~~



- c. When services are rendered over a longer period of time without regard to a project, a new RFP shall be solicited by the administration at least every five years

Legal services to be provided to the college shall be solicited at the sole discretion of the Board of Trustees.

The college shall not be responsible for payment of goods and/or services, in any amount, ordered without prior approval and authorization by the Finance Department (normally).

Annual end of calendar year updates to this policy and necessary campus notifications will be the responsibility of the Finance Department.

~~3.—Professional Services~~

~~Purchases of legal, financial, architectural, engineering, certain technological consulting and similar professional services are exempt from the bidding requirements set forth herein.~~

Invitation to Bid Requirements

~~1.—Bid Specifications~~

~~Detailed specifications for the required product or service shall be included in the Invitation to Bid (ITB). The specifications may also include such requirements for bid bond, payment bond and/or performance bond as are deemed appropriate or otherwise required by this policy.~~

~~2.—Advertising~~

~~When public notice is required, the ITB shall be advertised in a daily newspaper of general circulation at least one (1) time commencing not less than ten (10) days prior to the date fixed for the opening of bids.~~

~~3.—Competitive Bidding~~

~~Competitive bids shall be submitted to the Community College in sealed envelopes by the time, and at the place, identified by the Community College, and shall be opened publicly and the contract awarded by the Board of Trustees thereon.~~

Request for Proposal Requirements

A Request for Proposal (RFP) may be utilized, at the discretion of the Community College, in connection with the procurement of professional services. If utilized, the RFP shall include a listing of the requirements that must be satisfied by the proposer and may include other capabilities, the provision of which would be desirable. Requirements for the advertising of a RFP are the same as for an ITB.

Award Criteria

~~In all cases with respect to the selection of a vendor for identical or equivalent products or services, award shall be made on the basis of the lowest responsible and responsive bid or quote received. In the case of an RFP, award shall be based on a competitive negotiation with one or more vendors deemed to have satisfied the mandatory qualifications and requirements specified in the RFP and which, in the sole discretion of the Community College, demonstrate the ability to timely and satisfactorily perform the scope of work described in the RFP.~~

Exceptions to Invitation to Bid (ITB) Requirements

Requirements for bidding as set forth ~~at Item Three (3)~~ above may be waived if any of the following are applicable. The Finance Department is delegated signature authority for waiving the requirement for competition in the following cases:

1. Emergency or Unusual Circumstances

Upon approval by the Pennsylvania Department of Education, competitive bidding may be waived in the event that



an unforeseen emergency or condition may cause, or has caused, a portion of the community college plant or facilities to be unusable.

2. Sole Source Purchases

~~Competitive bidding may be waived where prior experience and investigation reasonably convince the Purchasing Department that there is only one vendor or product who can meet the requirement of the College or that formal bidding procedures will not result in any competitive bids being submitted for the product or service being sought due to the lack of competition in the market. Patented or copyrighted products are considered to be sole source items.~~

Sole source purchases apply to the acquisition of an item or service available only from a single supplier, generally identified as a proprietary item. A proprietary item can be purchased only from a single vendor. The request department must provide written justification for the item or service available from a single supplier. The Finance Department may identify alternative suppliers of comparable and/or equivalent items and reference comparable pricing for review by department personnel.

3. Use of External Contracts - Piggybacking

The Community College may "piggyback" off of group purchasing contracts awarded by any other governmental agency or consortium when deemed to be beneficial to the College, including but not limited to contracts awarded by or through the following agencies and entities: United States General Services Administration (GSA), Commonwealth of Pennsylvania Department of General Services Administration (DGS & COSTARS), County of Erie, Education and Institutional Cooperative Services (E&I), U.S. Communities, and Keystone Purchasing Network (KPN).

Special Requirements for Acquisition, Construction or Renovation of Real Property

All purchases of capital equipment shall be considered a capital expenditure if an individual item of equipment component cost in excess of \$4,000 and has an expected useful life in excess of one year.

Issuance of Purchase Orders

~~1.—Issuing Department~~

~~Purchase Orders shall be issued by the Community College's Purchasing Department. Purchases by any other means either orally or in writing are not authorized. Persons placing orders otherwise may be held financially responsible for such actions. "Confirming Purchase Orders" are not to be used as a matter of routine and are only to be used in urgent situations with the prior approval of the Purchasing Department, who will assign an emergency Purchase Order number.~~

~~2.—Partial Purchase Orders~~

~~The Purchasing Department may issue Partial Purchase Orders against a Master Purchase Order or Purchase Agreement.~~

~~3.—Change Orders~~

~~Change orders not exceeding ten (10%) percent of the original award amount may be executed with approval of the President or his/her designee to accomplish an unplanned increase in the scope of work.~~

Special Requirements for Acquisition, Construction or Renovation of Real Property

~~1.—Bid Bond~~

~~All bids shall be accompanied by a bond with a corporate surety authorized to do business in Pennsylvania and acceptable to the Community College in such amount as the Board of Trustees shall determine, but not less than ten (10%) percent of the amount bid. In the event any bidder shall, upon award of the contract to him, fail to comply with the requirements as to a bond guaranteeing the performance of the~~



~~contract, such bid bond shall be forfeited.~~

~~2.—Performance Bond~~

~~The bidder to whom the contract is awarded shall furnish a bond to guarantee the performance of the contract. Such bond shall be with a corporate surety with a corporate surety authorized to do business in Pennsylvania and acceptable to the Community College and in the amount of at least one hundred (100%) percent of the amount of the contract. Failure on the part of the contractor to furnish such bond shall void the previous award.~~

~~3.—Subcontractor Payment Bond~~

~~The bidder to whom the contract is awarded shall be required to furnish a bond to guarantee the payment of third-party subcontractors involved in fulfillment of services rendered under the contract. Such bond shall be with a corporate surety with a corporate surety authorized to do business in Pennsylvania and acceptable to the Community College and in the amount of at least one hundred (100%) percent of the amount of the contract. Failure on the part of the contractor to furnish such bond shall void the award.~~

~~4.—Capital Equipment~~

~~All purchases of equipment shall be considered a capital expenditure if an individual item of equipment component cost in excess of \$4,000 and has an expected useful life in excess of one year~~

Requisitions

~~A purchasing transaction shall be initiated by means of a purchase requisition prepared in such form as is specified by the Purchasing Department. The requisition shall be approved by the head of the initiating unit of the Community College, certifying the proper authorization for the purchase and the availability of funds in the budget.~~

**Policy approved by Erie County Community College Board of Trustees:*

April 14, 2021

July 24, 2024

**Review Deadline: ~~April 14, 2026~~ July 24, 2029*



Policy VI.A.1: Purchasing Goods and Services

Community College of Erie County Regulation for Purchase of Goods and Services:

I. Purpose

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**Policy approved by Erie County Community College Board of Trustees:*

April 14, 2021

July 24, 2024

Review Deadline: **July 24, 2029*



Minutes for Meeting Book - May 22, 2024 Board of Trustees Regular Meeting

05/22/2024 | 05:00 PM - (GMT-05:00) Eastern Time (US & Canada)

EC3 Erie West

Attendees (7)

Founding President Chris Gray PhD; Executive Assistant and Secretary to the Board of Trustees Renée Triana; Executive Vice President Guy Goodman; CFO Frank Moore via Zoom; Assistant Vice President of Student Affairs Dr. Keri Bowman, Dean of Career and Technical Education Rebecca Walker; and Solicitor Timothy S. Wachter, Esq.

Call to Order

Time: 5:00pm

Roll Call

Trustee	Roll Call
Justin Gallagher	Not Present
Kurt Hersch	Not Present
Robert Merrill	Y
Rev. Dr. Charles Mock	Y
Msg. Dr. David Rubino	Y
Vice Chairperson Dr. Michael Victor	Y-Left at 6:45pm
Christina Vogel	Y
Annette Wagner, M.D.	Y via Zoom-Left at 6:41pm
Chairperson Cheryl Rush Dix	Y

Approval of March 27, 2024 Regular Meeting Minutes (pg. 25-33)

Trustee	Motion 1	Vote
Justin Gallagher		Not Present
Kurt Hersch		Not Present
Robert Merrill	1	Y
Rev. Dr. Charles Mock		Y
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor	2	Y
Christina Vogel		Y
Annette Wagner, M.D.		Y
Chairperson Cheryl Rush Dix		Y

The motion to approve the March 27, 2024 Regular Meeting Minutes was passed unanimously via voice vote.

Approval of April 29, 2024 Special Meeting Minutes (pg. 34-37)

Trustee	Motion 2	Vote
Justin Gallagher		Not Present
Kurt Hersch		Not Present
Robert Merrill		Y
Rev. Dr. Charles Mock		Y
Msg. Dr. David Rubino	2	Y
Vice Chairperson Dr. Michael Victor		Y
Christina Vogel	1	Y
Annette Wagner, M.D.		Y
Chairperson Cheryl Rush Dix		Y

The motion to approve the April 29, 2024 Special Meeting Minutes was passed unanimously via voice vote.

Public Participation

None

Communication

A. President's Report- Dr. Gray reviewed graduation plans with the Board. He discussed Governor Shapiro's reframing of the Blueprint for Higher Education and the creation of work groups to review the funding formula, policy, etc.

B. Academic Committee- Executive Guy Goodman reported that the committee did not meet in person this month, but that a policy update to IV.B.2 Course/Curriculum Development and Approval Process were coming forth within the consent agenda to align with PA Code.

C. Personnel Committee-Chair Merrill reported that there was no meeting this month, but confirmed the College is moving forward with UPMC Health Plan to provide benefits for the next fiscal year with no real change in cost. The College added some additional coverage for short term disability and change in carry over hours. Dr. Gray noted the new Human Resource Director, Bridget Daugherty, was setting up informational open enrollment meetings.

D. Finance Committee-Christina Vogel-Continue to do better than financially expected, projected loss continues to go down. Puts us in better long term financial information. Conservative estimates and running lean, but still have needs, timeline for additional staff and funding resources.

E. Chairperson of the Board-Chairperson Rush Dix submitted her written report of event updates and calendar reminders. The Chairperson reported the results of the Board Survey, and reported that the Personnel Committee would address areas of need and build action items around them. There was discussion around expiring Board appointments. Solicitor Wachter clarified that the Board has no obligation or authority to seat Trustees but can advise their councilman. Appointments are made by nominations from the corresponding council members and the County Executive can either reappoint a Trustee or put someone new in. County council then has to approve the nomination. A Trustee's nomination would fail if they do not receive the number of votes needed or if the County Executive vetoed the vote. Dr. Gray confirmed that in event that an appointment is not made the current Trustee will continue to serve until replaced or reappointed. It was confirmed that Trustee Rubino, Wagner, and Gallagher's appointments are expiring in September.

F. Other-None.

Presentation-SEM Committee Report on the New American Population

Executive Vice President, Guy Goodman, presented Recruiting, Yielding, and Retaining Erie's New American Population PowerPoint. See Exhibit A.

Consent Agenda (pg. 6-12)

Trustee	Motion 3	Vote
Justin Gallagher		Not Present
Kurt Hersch		Not Present
Robert Merrill		Y
Rev. Dr. Charles Mock		Y
Msg. Dr. David Rubino	1	Y
Vice Chairperson Dr. Michael Victor	2	Y
Christina Vogel		Y
Annette Wagner, M.D.		Y
Chairperson Cheryl Rush Dix		

Resolution to extend Erie County Technical School Lease from June 30, 2024-December 31, 2024; amend Board Policy IV.B.2: Course/Curriculum Development and Approval Process; and Board Policy IV.B.2: Course/Curriculum Development and Approval Process were approved unanimously on the Consent Agenda via voice vote.

New Business-Resolution to Direct Administration to Enter Into an Agreement with CPL Architecture Engineering Planning for the EC3 Erie West Project in the Amount of \$323,500 Pending Legal Review [Board Report #24-25] (pg. 13)

CFO Frank Moore reported that CPL Architecture Engineering Planning was the recommended firm to lead our healthcare renovation. Moore described the selection process and shared that the committee believes CPL is the best fit because of their forward thinking work in the healthcare spaces and experience in higher education. Trustee Vogel was concerned that CPL was not a local firm and Dr. Gray explained that the decision meets all requirements set forth in board policy. Gray then affirmed the recommendation sharing that CPL is a leader in innovation for this type of project, taking a hospital setting and building education around it, and is leading the vision in this particular area. There was then discussion about whether a board policy giving preference to local firms should be

considered. Dr. Gray asked the Board to speak in one voice with the same criterion to change any of the College policies concerning preferential hiring (currently minority and veteran owned are considered), but that the College will 100% follow Board Policy and RACP procedures. Trustee Rubino stated that a future revision to the hiring policy would have no bearing on this decision.

Solicitor Wachter noted that policy VI.A.1 Purchasing Goods and Services reads that the contract over \$20,000 to “be awarded to the lowest responsible bidder”. Solicitor Wachter was asked to develop language for an updated policy connected to purchasing.

Trustee	Motion 4	Vote
Justin Gallagher		Not Present
Kurt Hersch		Not Present
Robert Merrill	2	Y
Rev. Dr. Charles Mock	1	Y
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor		Not Present
Christina Vogel		Y
Annette Wagner, M.D.		Not Present
Chairperson Cheryl Rush Dix		Y

The motion to direct administration to enter into an agreement with CPL Architecture Engineering Planning for the EC3 Erie West Project in the Amount of \$323,500 pending legal review was approved unanimously via roll call vote.

New Business-Resolution to Approve the Tentative 2025 Fiscal Year Budget [Board Report #24-26] (pg. 14-16)

The final budget will be brought to the Board for approval once the state budget has passed.

Trustee	Motion 5	Vote
Justin Gallagher		Not Present
Kurt Hersch		Not Present
Robert Merrill	2	Y
Rev. Dr. Charles Mock		Y
Msg. Dr. David Rubino		Y
Vice Chairperson Dr. Michael Victor		Not Present
Christina Vogel	1	Y
Annette Wagner, M.D.		Not Present
Chairperson Cheryl Rush Dix		Y

The motion to approve the tentative 2025 Fiscal Year Budget was passed unanimously via voice vote.

~~New Business-Resolution to Amend Board Policy VI.A.1: Purchasing Goods and Services [Board Report #24-27] (pg. 17-23)~~

The following New Business Item was struck from the agenda pending further legal review.

Trustee	Motion 6	Vote
Justin Gallagher		
Kurt Hersch		
Robert Merrill		
Rev. Dr. Charles Mock		
Msg. Dr. David Rubino		
Vice Chairperson Dr. Michael Victor		
Christina Vogel		
Annette Wagner, M.D.		
Chairperson Cheryl Rush Dix		

This item was struck from the agenda.

For Information (pg. 24)

There were no comments concerning the information report.

Future Agenda Items/Summary Comments by Board Members

Chairperson Rush Dix noted there will be additional information coming out to Trustees concerning the Presidential Evaluation.

Executive Session

None

Motion to Adjourn

Time: 6:55pm

Trustee	Motion 7	Vote
Justin Gallagher		Not Present
Kurt Hersch		Not Present
Robert Merrill		Y
Rev. Dr. Charles Mock		Y
Msg. Dr. David Rubino	2	Y
Vice Chairperson Dr. Michael Victor		Not Present
Christina Vogel	1	Y
Annette Wagner, M.D.		Not Present
Chairperson Cheryl Rush Dix		

The motion to adjourn the meeting was approved unanimously via voice vote.

Next Regular Meeting July 24, 2024 5PM