



Nebraska State College System

CHADRON | PERU | WAYNE

Executive Session - July 23, 2020

Call to Order - Executive Session

The meeting was called to order at 9:00 AM by Chair Gary Bleganski.

Motion was made by Trustee Blomstedt and seconded by Trustee Engles to go into executive session as authorized by Neb. Rev. Stat. §84-1410 for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing for the purpose of holding a discussion limited to the following subjects:

- Litigation
- Personnel matters

Vice Chair Bieganski declared that the executive session would be strictly limited to a discussion of:

- Litigation
- Personnel matters

Motion was adopted. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

The Board went into executive session at 9:03 AM. The Board reconvened the open meeting at 12:03 PM.

Adjournment - Executive Session

There being no further business, the meeting was adjourned by Chair Gary Bieganski at 12:03 PM.

Beginning at 1:15 PM, the Board discussed a number of retreat agenda items including marketing and engagement strategies; strategic plan update – targeted initiatives; campus strategies for fall re-opening; and short and long term budget reduction strategies.

Executive Session

Motion was made by Trustee Chaney and seconded by Trustee Peterson to go into executive session as authorized by Neb. Rev. Stat. §84-1410 for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing for the purpose of holding a discussion limited to the following subjects:

- Litigation
- Personnel matters

Vice Chair Bieganski declared that the executive session would be strictly limited to a discussion of:

- Litigation
- Personnel matters

Motion was adopted. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

The Board went into executive session at 5:31 PM. The Board reconvened the open meeting at 6:15 PM.

Adjournment - Executive Session

There being no further business, the meeting was adjourned by Chair Gary Bieganski at 6:15 PM.

July 24, 2020**Executive Session**

Motion was made by Trustee Chaney and seconded by Trustee Peterson to go into executive session as authorized by Neb. Rev. Stat. §84-1410 for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing for the purpose of holding a discussion limited to the following subjects:

- Litigation
- Personnel matters

Vice Chair Bieganski declared that the executive session would be strictly limited to a discussion of:

- Litigation
- Personnel matters

Motion was adopted. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

The Board went into executive session at 8:36 AM. The Board reconvened the open meeting at 9:35 AM.

Adjournment - Executive Session

There being no further business, the meeting was adjourned by Chair Gary Bieganski at 9:35 AM.

Beginning at 9:40 AM, the Board discussed a number of retreat agenda items including Title IX regulations and policy revisions and interactive dashboard review and report.

Call to Order

The meeting was called to order at 11:30 AM by Chairman Gary Bieganski

Attendee Name	Title	Status	Arrived
Gary Bieganski	Chairman	Present	
John Chaney	Trustee	Present	
Bob Engles	Trustee	Present	
Carter Peterson	Trustee	Present	
Matt Blomstedt	Trustee	Present	
Jess Zeiss	Vice Chairman	Absent	

Approval of Meeting Agenda

A motion was made by Trustee Engles and seconded by Trustee Peterson to approve the Meeting Agenda. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

Public Comments

No public comments

Items for Discussion and Action

1. Academic and Personnel

- 1.1 Final Round Approval of Deletion of Board Policy 2101; Reports from Colleges
Board Policy 2101 is being recommended for deletion. As part of a

comprehensive review of reporting mandates within NSCS policy, it was identified that the majority of the reports listed in this policy are more clearly delineated within other existing policies, and the few that are not are reports that include data which will be reported to the Board as part of Strategic Planning Reports.

A motion to approve the Final Round Approval of Deletion of Board Policy 2101; Reports from Colleges was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

1.2 Final Round Approval of Revisions to Board Policy 4430; Transfer of Credits and Degrees

The revisions to Board Policy 4430 add the option for the State Colleges to accept transfer courses with grades of P (Pass), S (Satisfactory), and CR (Credit) from accredited institutions, under specific conditions. COVID-19 has had an unanticipated impact as many post-secondary institutions have provided students with additional flexibility in their grading policies by allowing for grades of P, S, and CR to be awarded across an entire semester of coursework. Expanding the definition of acceptable transfer courses to include those with grades of P, S, or CR will allow the State Colleges to continue to meet the needs of students who wish to transfer and have their previous coursework accepted toward a baccalaureate degree.

A motion to approve the Final Round Approval of Revisions to Board Policy 4430; Transfer of Credits and Degrees was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

1.3 First and Final Round Approval of Revisions to Board Policy 7015; Contracts; Limitations, Exemptions

Board of Trustees Policy 7015 Contracts; Limitations, Exemptions provides contract guidance for the System. While an extensive list of "Exempt Contracts" is included in the policy, questions continue to surface regarding those contracts or formal agreements that need to be approved by the Board of Trustees, or require review by the Chancellor. The addition to Policy 7015 seeks to clarify that agreements with vendors or partners for international travel constitute a contract with the College and shall require Board of Trustees approval. However, engaging with vendors or partners to establish an "intent to travel" may be approved by the Chancellor.

A motion to approve the First and Final Round Approval of Revisions to Board Policy 7015; Contracts; Limitations, Exemptions was recommended by the

committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

1.4 Approve Agreement with College of St. Mary for Peru State College

Per Board Policy 7015, which requires Board action for approval of all academic agreements, Peru State requests approval of the College of Saint Mary Memorandum of Agreement, which allows graduates of Peru State's Kinesiology or Health/Physical Education baccalaureate programs direct acceptance into CSM's Master of Science in Kinesiology & Exercise Science graduate program.

A motion to approve the Agreement with College of St. Mary for Peru State College was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

1.5 Approve Authorization for Chancellor to Sign Temporary Custodial Services Contract for Peru State College

Peru State respectfully requests authorization for the Chancellor to sign the contract for temporary custodial services. The College published a request for proposal on June 26, 2020 to solicit sealed proposals from experienced firms to establish a ten (10) month contract through competitive negotiations for providing temporary custodial services. In addition to assisting with the cleaning needs due to the inability to fill positions, this contract will allow the College to provide the necessary cleaning and sanitation during COVID-19 to provide a safe environment.

A motion to approve the Authorization for Chancellor to Sign Temporary Custodial Services Contract for Peru State College was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

2. Student Affairs, Marketing, and Enrollment

2.1 First & Final Round Approval of Revisions to Board Policy 3020; Sexual Violence or Sex Harassment Reporting, Policies and Procedures; Board Policy 3100; Conduct & Discipline; Students; Board Policy 3200; Due Process -- Students; Board Policy 5007; Anti-Harassment/Discrimination Policy and Board Policy 5011; Sexual Harassment and Sex Discrimination Policy

New Title IX regulations were released by the U.S. Department of Education and become effective August 14, 2020. The new regulations narrow the scope of Title IX, change definitions, and make

substantial changes to notice and process requirements. In order to implement these changes, Policy 3020 has been rewritten to outline the requirements and process for Title IX matters involving students. Policy 5011 is a new policy, created in order to outline requirements related to Title IX matters involving employees. Additional revisions are also being made to Policies 3100, 3200, and 5007 in order to correct references and provide clarification.

A motion to approve the First & Final Round Approval of Revisions to Board Policy 3020; Sexual Violence or Sex Harassment Reporting, Policies and Procedures; Board Policy 3100; Conduct & Discipline; Students with one correction – deletion of the words “or sexual violence” from paragraph 10 on page 2 of the draft in your Board materials; Board Policy 3200; Due Process -- Students; Board Policy 5007; Anti-Harassment/ Discrimination Policy and Board Policy 5011; Sexual Harassment and Sex Discrimination Policy was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

2.2 Approve Contract with Clark Creative Group for Wayne State College

Board of Trustees Policy 7015; Contracts; Limitations, Exemptions requires that all contracts in excess of fifty thousand dollars (\$50,000) be approved by the Board. In accordance with this policy, Wayne State is requesting approval to enter into a Contract for Services with Clark Creative Group for radio, television, and digital advertising placement and monitoring services in the amount of \$355,000.

A motion to approve the Contract with Clark Creative Group for Wayne State College was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

3. Fiscal, Facilities and Audit

3.1 Final Round Approval of Revisions to Board Policy 8060; Capital Construction Budget Requests; and Deletion of Policies 8061; Capital Construction; Needs Statements; 8062; Capital Construction; Program Statements; and 8063; Capital Construction; Construction Documents Related to Capital Projects Planning Requirements

Board Policy 8060 is being revised to update 8060 and incorporate the information from Board Policies 8061, 8062 and 8063. This will provide one policy location for the capital construction request and planning process, and better define requirements associated with planning documents such as program statements.

A motion to approve the Final Round Approval of Revisions to Board Policy 8060; Capital Construction Budget Requests; and Deletion of Policies 8061; Capital Construction; Needs Statements; 8062; Capital Construction; Program Statements; and 8063; Capital Construction; Construction Documents Related to Capital Projects Planning Requirements was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

3.2 Approve Revised Room and Board Rates for 2020-21

The Board approved Room and Board Rates for 2020-21 at its January 14, 2020 meeting. Since that time, and in response to the COVID-19 pandemic, changes have been made in the dates for the regular fall session. In addition, the D session has been added. In response, the Colleges are proposing the attached room and/or board rates for the fall regular session and the fall D session, as described below.

ROOM RATE CHANGES

Chadron proposes to reduce its previously approved fall semester room rates for the fall regular session by \$100 for each room type; and then charge a flat \$150 for those staying for the D session.

Peru proposes to remain with the previously approved fall semester room rates for the regular fall session; and then allow students to remain for the D session at no additional charge.

Wayne has broken the previously approved fall semester rates between the regular fall session and the D session.

All three Colleges propose to remain with their previously approved semester charges for the Spring term.

BOARD RATE CHANGES

Peru State and Wayne State propose to remain with their previously approved Board Rates and allow students to select the plan that works the best for them based on whether they will only be on-campus for the regular fall session, or both the regular fall session and the D session. Chadron State plans to maintain its previously approved board rates for the fall regular session. Chadron does not plan to have dining services available during the D session since the number of feeding days with the new schedule is similar to the old schedule that included breaks.

The one exception to this is that Wayne proposes to add one additional board plan that provides unlimited meals +\$150 flex dollars for students attending the regular fall session only; as noted on Wayne State's attached proposal.

A motion to approve the Revised Room and Board Rates for 2020-21 was recommended by the committee to the full Board, which approved the motion. Voting **AYES:** Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

3.3 Approve Updated Biennium Budget Operating Request

At its June 16, 2020 meeting, the Board approved the preliminary operating and capital requests for the NSCS's 2021-23 biennium budget request. At that time, the strategic initiatives and some of the core needs items were still pending. The strategic initiative requests were delayed due to the COVID-19 pandemic and the related recess of the 2020 Legislative Session. Those requests are now completed. Budget Instructions for the 2021-23 biennium request have also now been received from the Department of Administrative Services' Budget Division. Therefore the Core Needs items that were pending until receipt of those instructions are also completed.

CORE NEEDS

Based on the Board's January, 2020 action, the NSCS has calculated the impact of the increases noted in the Guidelines. The biennium budget instructions request that we include a salary increase of 2% as a placeholder. The NSCS builds this in with the understanding that it is not indicative of the final impact of NSCS salary increases, which will be determined through the collective bargaining process. Core needs are as noted below:

	<u>FY2021-22</u>	<u>FY2022-23 above FY2021-22</u>
Salary Increases	\$1,207,784	\$1,240,880
Health Insurance Rate Increase	\$ 748,810	\$ 808,715
Utility Rate Increases	\$ 142,821	\$ 148,534
Other Operating Increases	\$ 684,096	\$ 711,460
DAS/Work Comp Rate Increases	\$ 77,664	\$ -0-
New Building Openings	\$ 26,683	\$ 24,128

STRATEGIC INITIATIVES

The first two strategic initiatives below are contingent based on action taken on the current deficit budget bill during the current legislative session. If funding is provided for these two initiatives, they will not be submitted and only the third strategic initiative will be requested.

	<u>FY2021-22</u>	<u>FY2022-23 above FY2021-22</u>
Career Scholarship Program	\$1,000,000	\$1,000,000
Corrections Workforce Development Pathways (CWDP)	\$ 982,151	\$ 221,576)
Industry Liaison Program	\$ 675,116	\$ (19,729)

The reductions in the second year are due to one-time capital outlays in the first year of the program that are not required after the first year.

A preliminary draft of the detailed requests will be provided to the Board at the meeting. As part of this approval, the Chancellor is authorized to continue to refine the requests as we approach the deadlines for submission to the Coordinating Commission on August 15, and the final submission to the State on September 15.

A motion to approve the Updated Biennium Budget Operating Request was recommended by the committee to the full Board, which approved the motion. Voting **AYES**: Bieganski, Chaney, Engles, Peterson, and Blomstedt.

ABSENT: Jess Zeiss

Items for Information and Discussion

4. Chancellor Informational Items

4.1 Selection of Collective Bargaining Teams

The current negotiated agreements with the State Colleges Education Association (SCEA), the Nebraska State Colleges Professional Association (NSCPA), and the National Association of Public Employees, Local #61, of the American Federation of State, County and Municipal Employees (NAPE/AFSCME) are set to expire July 1, 2021. Negotiations for the next biennium (2021-2023) are planned to commence in September 2020, and the NSCS Collective Bargaining Teams referenced below have been appointed by the Chancellor to begin preparation for the next round of collective bargaining sessions with each unit.

SCEA: Chief Negotiator - Kristin Divel, NSCS
System Representative - Jodi Kupper, NSCS
Campus Representative - James Powell, CSC
Campus Representative - Tim Borchers, PSC
Campus Representative - Steve Elliott, WSC

NSCPA: Chief Negotiator - Kristin Divel, NSCS
System Representative - Kara Vogt, NSCS
Campus Representative - Anne DeMersseman, CSC
Campus Representative - Eulanda Cade, PSC
Campus Representative - Candace Timmerman, WSC

NAPE/AFSCME: Chief Negotiator - Kristin Divel, NSCS
System Representative - Kara Vogt, NSCS
Campus Representative - Anne DeMersseman,
CSC
Campus Representative - Eulanda Cade, PSC

Campus Representative - Candace Timmerman,
WSC

Adjournment

The meeting was adjourned at 11:54 AM

Paul Turman, Chancellor