

REGULAR MEETING

ERIE COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES

Wednesday, September 22nd, 2021 at 5:00 p.m.

1128th State Street, Suite 300

Join Zoom Meeting

<https://us02web.zoom.us/j/86006545761?pwd=b1lwYjNtNHBpT2xLbWJjSFNjekxRQT09>

Meeting ID: 860 0654 5761

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Agenda
5. Approval of Meeting Minutes
 - a. Regular Meeting, August 25th, 2021 *See attached Meeting Minutes
6. Public Participation
7. Communication
 - a. County Council Liaison: Carl Anderson
 - b. President: Dr. Gray
 - c. Academic Committee: Vice Chairperson Cheryl Rush Dix
 - d. Finance Committee: Treasurer Justin M Gallagher *page 8 & 8A*
 - e. Ad Hoc: Site Committee
 - f. Chairperson of the Board: Ronald A. DiNicola, Esquire
 - g. Other
8. Approval of Consent Agenda

For Approval

- a. Adoption of Policy V.B.3: Waiver of Tuition and Mandatory Fees for Students Who Have Been in Foster Care *Board Report #21-10*
 - b. Policy II.B.2: Right to Know Policy *Board Report #21-16*
9. Action on items removed from Consent Agenda
10. New Business
 - a. Approval of Auditor *Board Report #21-11*
 - b. Approval of EC3PA Administrative Office Space Lease *Board Report #21-12*
11. Future Agenda Items/Summary Comments by Board Members
12. For Information
 - a. Personnel Report *Board Report #21-13*
 - b. Marketing Report *Board Report #21-14*
 - c. IT Report *Board Report #21-1*
13. Executive Session
14. Action After Executive Session (if needed)
15. Election of Officers
 - a. Board Chairperson
 - b. Board Vice Chairperson
 - c. Board Secretary
16. Appointment of Treasurer
17. Affirmation/Reappointment of Committee Structure
 - a. Executive Committee
 - b. Academic Committee
 - c. Finance Committee
 - d. Personnel Committee
18. Motion to Adjourn

Next Regular Meeting October 27th, 2021 at 5:00pm

DRAFT REGULAR MEETING MINUTES

ERIE COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES

Wednesday, August 25th, 2021 at 5:00 p.m.

1128th State Street, Suite 300

Join Zoom Meeting

<https://us02web.zoom.us/j/84390878996>

Meeting ID: 843 9087 8996

TRUSTEES PRESENT

Tom Benson
Treasurer Justin Gallagher (via Zoom)
Mayor David Mitchell-arrived 5:05 p.m
Vice Chairperson, Cheryl Rush Dix
Secretary, Kathryn Sintal
Dr. Annette Wagner
Chairperson, Ronald DiNicola

ADDITIONAL COLLEGE ATTENDEES

Christopher Gray, Founding President
Carl Anderson, County Liaison
Rebecca Walker, Dean of Applied Programs and Student Success
Keri Bowman, Dean of Student Support and Student Success
Heidi Sheehan, Controller
Blane Dessy, Acting Director of Operations
Tim Wachter, Solicitor (via Zoom)
Guy White, Director of IT

CALL TO ORDER

Presiding officer, Chairperson Ronald DiNicola, called the meeting to order on Wednesday, August 25, 2021, at 5:00 p.m.

ROLL CALL

At roll call, six (6) Trustees were present. Trustee Mayor Dave Mitchel, entered the room at 5:05 p.m. after roll call, and approval of the agenda and meeting minutes.

SPECIAL RECOGNITION

On behalf of the Board of Trustees, Chairperson Ron DiNicola, thanked Trustee Kay Sintal for all her work in helping the Board through these initial months, as Secretary to the Board. An introduction was made the newly hired Assistant to the President and Secretary to the Board, Renée Triana.

ACCEPTANCE OF THE AGENDA

Agenda presented was altered to reflect the change in *Board Report # 21-07*. Architectural fees were changed from \$9,936.21 to \$4,936.21. This is due to the original Board Approved \$5,000 resolution has not been billed. Motion was made by Trustee Tom Benson and seconded by Vice Chairperson Cheryl Rush Dix to approve the amended agenda. The amended agenda was unanimously approved. A note was made by Dr. Gray explaining the new agenda in packet form.

APPROVAL OF THE MEETING MINUTES

Motion was made by Secretary Kathryn Sintal and seconded by Trustee Dr. Annette Wagner to approve the Meeting Minutes for the Regular Meeting of July 28th, 2021. The minutes were unanimously approved.

PUBLIC PARTICIPATION

The Chairperson called for comments from the public. No comments were provided.

COMMUNICATION

- a. **Academic Committee:** Vice Chairperson Cheryl Rush Dix reported that the committee did not meet in August and continues to assist the college staff in program development, workforce and admission initiatives under the policies of the college. She looks forward to accreditation with the support of the Board and local professionals. The committee will meet again in September or October.
- b. **Finance Committee:** Treasurer Justin Gallagher presented a two year budget report comparing fiscal year 21-22 and fiscal year 22-23. He confirmed that the fiscal year runs from July-June. Treasurer Gallagher indicated:
 - a. Auditor proposals have been received and an auditor should be approved by September per the college's bylaws and codes.
 - b. The college is close to the original budget projections. Accuracy dependent on actual enrollment numbers which to date are coming in on track. There is an assumption that enrollment will increase for the fiscal year 22-23 by 40%.
 - c. Fiscal year 22-23 will have a shift in capital. For 21-22, a significant portion (\$2.5M) was for the start up, but we are only requesting \$500K for next year. This is to be expected as many of the expenses were truly start up.
 - d. We anticipate 8 new FT positions in Fiscal year's 22-23 budget that include 4 faculty and 4 staff/administration.
 - e. There is a chance we'll end with a higher surplus in Fiscal year 21-22 given that many positions have yet to be filled.

- c. **County Representative:** Carl Anderson stated that we are in exciting times as the college draws closer to the September 1st date and the enrollment numbers. He appreciates the work that Dr. Gray is doing with community outreach. He hopes the commitment of the ARPA funds will get Erie back on track by providing educational, employment, and training opportunities for the residents of Erie County. Empower Erie is working to finalize the funds through the Erie Community Foundation. It was a large effort to get this off the ground and the county appreciates the college's efforts for showing respect and reaching out to them.
- d. **President:** Dr. Gray noted that there are 79 registered students with 60 of them being full time. His focus is to keep the Board in the loop and on being transparent. The internet is working at St Benedict's Education center and the key staff will be moving in on Monday. The college is continuing to work on the articulation agreements including a 2+2+1 program with a local university. Dr. Gray also highlighted that the student ID's are going to be app based, but may be printed for student's without access to technology.
- e. **Chairperson of the Board:** Chairperson DiNicola thanked the staff of the college for their hard work under the leadership of Dr. Gray. Many people are seeing Dr. Gray in the community and feel the impact of having a community college. The chairperson explained to the Board how the Consent Agenda works.

APPROVAL OF CONSENT AGENDA

There are no agenda items to be removed. Motion was made by Vice Chairperson Cheryl Rush Dix and seconded by Trustee Benson to approve the consent agenda as presented. The Consent Agenda was unanimously approved.

For Approval

- a. Policy II.A.1: Policy Against Title IX Sexual Harassment and/or Sexual Misconduct *Board Report #21-01*
- b. Extension of Consultant Contract: Gay Extension *Board Report #21-03*
- c. Extension of Consultant Contract: Maloney Extension *Board Report #21-04*
- d. Extension of Consultant Contract: Spiewak Extension (\$125) per hour *Board Report #21-05*

ACTION ON ITEMS REMOVED FROM CONSENT AGENDA

There were no action items removed from the consent agenda. But Secretary Kay Sintal asked for a statement of work for each consultant for review. Dr. Gray informed the board that the contracts would decrease in the number of hours billed and that he is notified weekly via email what each contractor is specifically working on that week.

NEW BUSINESS

- a. Resolution to create ad hoc committee to review and recommend changes on Board Policy *Board Report #21-06*

Trustee Dr. Annette Wagner asked for discussion as to why this committee needs to be created. Chairperson DiNicola clarified that the committee will update, monitor, and reformulate board policies. Vice Chairperson Cheryl Rush Dix asked for confirmation that the college bylaws stipulate policy development comes under the Academic Committee. Dr. Gray clarified the difference between college policies and college procedures. The Academic Committee is responsible for procedure and practice.

Motion was presented by Vice Chairperson Cheryl Rush Dix, seconded by Trustee Tom Benson and approved unanimously by the Board of Trustees.

- b. Approval of Architectural Fees for Dale Roth, Architect in the amount \$9,936.21 *Board Report #21-07*

Motion was presented by Trustee Mayor Dave Mitchell, seconded by Vice Chairperson Cheryl Rush Dix and approved unanimously by the Board of Trustees.

- c. Approval of contract with VNET for additional \$397,600 *Board Report #21-08*

Secretary Kay Sintal asked for discussion and clarification of the specific purchases. Dr. Gray quantified that \$423 for student loaner computers; \$100K for portable projectors in the classroom that can be taken to any location; \$37K for the computer lab; \$72K for faculty and staff equipment; and \$90K for installation. Secretary Kay Sintal asked how the procedure for determining which students receive a loaner computer and how are students going to be restricted from accessing inappropriate material on them. Guy White, the college's IT Director, said VNET is currently working on this configuration. Dr. Gray confirmed that there is currently no process or procedure to determine which students receive a loaner computer, but that the Vice Presidents and Directors will build this. Vice Chairperson Cheryl Rush Dix questioned if this addition to the figures presented at the July Board meeting. Dr. Gray shared that these are the same and this action is to ensure we have full board approval on record by recommendation of the solicitor.

Motion was presented by Trustee Dr. Annette Wagner, seconded by Trustee Tom Benson and approved unanimously by the Board of Trustees.

FUTURE AGENDA ITEMS/SUMMARY COMMENTS BY BOARD MEMBERS

- Secretary Kay Sintal reminded the Board of Trustees that Officer Elections will take place at the September meeting
- Trustee Dave Mitchel identified Mike Ferritto as the new Northwest Regional Director for Governor Wolf. He comes from Wabtec/UE Local 506 as their Business Agent.

- Vice Chairperson Cheryl Rush Dix recommended that Narcisa Polonio, Ed.D.'s report on the Proposed Board Development Plan could be sent electronically for review.

FOR INFORMATION

Dr. Gray referred to informational reports as presented to the Board in the name of transparency and communication.

- a. Personnel Report *Board Report #21-09*
- b. Information Report: EMTA Transportation *Board Report #21-02*

EXECUTIVE SESSION

There was no Executive Session

MOTION TO ADJOURN

Motion to adjourn was made by Vice Chairperson Cheryl Rush Dix and seconded by Secretary Kathryn Sintal at 5:43 and was unanimously approved.

BUDGET SUMMARY - FUNDING SOURCES AND APPLICATION OF FUNDS
FOR THE FISCAL YEAR JULY 1, 2021 - JUNE 30, 2022
YTD - 8/31/2021

FUNDING SOURCES

	Operating Budget	YTD 8/31/21	% of Budget	Capital Budget	YTD 8/31/21	% of Budget	Combined Budget	YTD 8/31/21	% of Budget
Student Tuition - Credit Programs	\$ 528,960	\$ 258,560	49%	\$ -	\$ -	0%	\$ 528,960	\$ 258,560	49%
Student Technology Fee	\$ 33,060	\$ 16,160	49%	\$ -	\$ -	0%	\$ 33,060	\$ 16,160	49%
Student General Fee	\$ 49,590	\$ 24,240	49%	\$ -	\$ -	0%	\$ 49,590	\$ 24,240	49%
Other Student Fees	\$ 14,250	\$ 7,480	52%	\$ -	\$ -	0%	\$ 14,250	\$ 7,480	52%
Net Tuition from Noncredit Programs (net of expenses)	\$ 50,000	\$ -	0%	\$ -	\$ -	0%	\$ 50,000	\$ -	0%
County of Erie (1/1-12/31/21)	\$ 1,350,000	\$ 812,681	60%	\$ 381,750	\$ -	0%	\$ 1,731,750	\$ 812,681	47%
County of Erie (1/1-12/31/22)	\$ 550,000	\$ -	0%	\$ 868,250	\$ -	0%	\$ 1,418,250	\$ -	0%
Commonwealth of Pennsylvania	\$ 1,384,320	\$ 346,250	25%	\$ 1,250,000	\$ -	0%	\$ 2,634,320	\$ 346,250	13%
Commonwealth of Pennsylvania - Leases	\$ 131,950	\$ -	0%	\$ -	\$ -	0%	\$ 131,950	\$ -	0%
Commonwealth of Pennsylvania - Start Up Reimbursement (@ 50%)	\$ 541,800	\$ -	0%	\$ -	\$ -	0%	\$ 541,800	\$ -	0%
Miscellaneous Income	\$ 10,000	\$ 10	0%	\$ -	\$ -	0%	\$ 10,000	\$ 10	0%
Totals	\$ 4,643,930	\$ 1,465,381	32%	\$ 2,500,000	\$ -	0%	\$ 7,143,930	\$ 1,465,381	21%
Transfer from Carry-Over Funds - FY20-21	\$ 1,374,606	\$ -	0%	\$ -	\$ -	0%	\$ 1,374,606	\$ -	0%
TOTAL SOURCES OF FUNDS	\$ 6,018,536	\$ 1,465,381	24%	\$ 2,500,000	\$ -	0%	\$ 8,518,536	\$ 1,465,381	17%

APPLICATION OF FUNDS

Salaries and Wages	\$ 1,939,081	\$ 106,094	5%	\$ -	\$ -	0%	\$ 1,939,081	\$ 106,094	5%
Staff Benefits	\$ 616,667	\$ 9,778	2%	\$ -	\$ -	0%	\$ 616,667	\$ 9,778	2%
Other Operating Budget Expenses:									
-Professional Fees and Contracts	\$ 460,000	\$ 63,406	14%	\$ -	\$ -	0%	\$ 460,000	\$ 63,406	14%
-IT Services	\$ 351,484	\$ 201,503	57%	\$ -	\$ -	0%	\$ 351,484	\$ 201,503	57%
-Software Leases & Subscriptions	\$ 737,677	\$ 116,177	16%	\$ -	\$ -	0%	\$ 737,677	\$ 116,177	16%
-Marketing	\$ 526,750	\$ 23,818	5%	\$ -	\$ -	0%	\$ 526,750	\$ 23,818	5%
-Facility Leases & Expenses	\$ 373,980	\$ 23,777	6%	\$ -	\$ -	0%	\$ 373,980	\$ 23,777	6%
-Contingency	\$ 395,000	\$ -	0%	\$ -	\$ -	0%	\$ 395,000	\$ -	0%
-Other	\$ 451,300	\$ 22,249	5%	\$ -	\$ -	0%	\$ 451,300	\$ 22,249	5%
Capital Purchases:									
-Leasehold Improvements	\$ -	\$ -	0%	\$ -	\$ 21,900	0%	\$ -	\$ 21,900	0%
-Furniture and Fixtures	\$ -	\$ -	0%	\$ 100,000	\$ 61,630	62%	\$ 100,000	\$ 61,630	62%
-IT Equipment	\$ -	\$ -	0%	\$ 250,000	\$ 721,257	289%	\$ 250,000	\$ 721,257	289%
-Software	\$ -	\$ -	0%	\$ 2,150,000	\$ 370,895	17%	\$ 2,150,000	\$ 370,895	17%
TOTAL APPLICATION OF FUNDS	\$ 5,851,939	\$ 566,802	10%	\$ 2,500,000	\$ 1,175,682		\$ 8,351,939	\$ 1,742,484	21%

Surplus / (Deficit)

	\$ 166,597	\$ 898,579	539%	\$ -	\$ (1,175,682)		\$ 166,597	\$ (277,103)	-166%
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**ERIE COUNTY COMMUNITY COLLEGE
BUDGET - FUNDING SOURCES AND APPLICATION OF FUNDS
FOR THE FISCAL YEAR JULY 1, 2022 - JUNE 30, 2023**

FUNDING SOURCES	Operating	Capital	Total
Student Tuition - Credit Programs	\$735,360	-	\$735,360
Student Technology Fee	45,960	-	45,960
Student General Fee	68,940	-	68,940
First Time Student Fees	22,120	-	22,120
Net Tuition from Noncredit Programs (net of expenses)	50,000	-	50,000
County of Erie (1/1-12/31/2022)	1,350,000	500,000	1,850,000
County of Erie (1/1-12/31/2023)	1,950,000		1,950,000
Commonwealth of Pennsylvania	3,200,000	-	3,200,000
Commonwealth of Pennsylvania - Leases	327,000	-	327,000
Commonwealth of Pennsylvania - Start Up Reimbursement	0	-	0
Miscellaneous Income	10,000	-	10,000
Totals	<u>\$7,759,380</u>	<u>\$500,000</u>	<u>\$8,259,380</u>
 FY 21-22 Excess of Revenues over Expenditures	 <u>\$166,596</u>	 -	 <u>\$166,596</u>
 TOTAL SOURCES OF FUNDS	 <u>\$7,925,976</u>	 <u>\$500,000</u>	 <u>\$8,425,976</u>
 APPLICATION OF FUNDS			
Salaries and Wages	\$3,242,104	-	\$3,242,104
Staff Benefits	1,068,808	-	1,068,808
All Other Operating Budget Expenses	3,514,112	-	3,514,112
Capital Purchases	-	\$500,000	\$500,000
 TOTAL APPLICATION OF FUNDS	 <u>\$7,825,024</u>	 <u>\$500,000</u>	 <u>\$8,325,024</u>
 EXCESS OF REVENUE OVER EXPENDITURES	 <u>\$100,952</u>	 -	 <u>\$100,952</u>

Adoption of Policy V.B.3: Waiver of Tuition and Mandatory Fees for Students Who Have Been in Foster Care

Information

Policy for adoption placed under Student and Academic Services, Payment of Fees

Policy V.B.3: Waiver of Tuition and Mandatory Fees for Students Who Have Been in Foster Care

The Erie County Community College shall comply with Act 16 of 2019 (Act 16) which added Article XXVI-K to the Pennsylvania Public School Code of 1949 once it is eligible for awarding Title IV student assistance. This law, known as the Fostering Independence through Education Act, requires postsecondary institutions to award a waiver of tuition and mandatory fees to some Pennsylvania resident students who have been in foster care and meet the below eligibility requirements.

Student Eligibility Requirements:

- Be a current Pennsylvania resident
- Have graduated from high school or have received a Commonwealth Secondary School Diploma
- Be accepted as a student by the College
- Be identified as a youth in foster care or a youth adopted from foster care after attaining age 16
- Be eligible for services under Pennsylvania's John H. Chafee Foster Care Independence Program
- Have not reached the age of 26 by July 1 of the upcoming academic year for which Chafee Education and Training Grant is received
- Be enrolled as an undergraduate, at least half time
- Applied all grants and scholarships for which they are eligible first to cover tuition and fees
- Demonstrate financial need for the grant (as determined by Erie County Community College)
- Maintain satisfactory academic progress (as determined by Erie County Community College)
- Not be in default on a federal student loan or owe a refund on other Title IV aid.
- Have not received Chafee Education and Training Grant for 5 years (consecutive or not), defined as 10 semesters or the equivalent, for undergraduate study

Recommendation

On 28, 2019 Governor Wolf signed into law Act 16 of 2019 which added article XXVI-K to the Pennsylvania Public School Code of 1949. This new law, known as the Fostering Independence through Education Act, requires postsecondary institutions to award a waiver of tuition and mandatory fees to PA resident students who have been in foster care. Tuition waivers must be provided beginning in the fall of 2020 for the balance of the tuition and mandatory fees after the student is awarded all federal and state grants and other scholarships for which they qualify.

Consultant and past Interim President, Judith Gay, wrote the College's policy which was reviewed by the solicitor. **No Erie student will be eligible since it only applies to students at institutions eligible for Title IV funding.** The policy reads like financial aid policy that says when the College is eligible, this policy will apply. A reason to place it in the policy now is so Middle States knows the College is aware of the requirement.

Policy II.B.2: Right to Know Policy

Information

The Right to Know Policy (II.B.2) does not have the contact information for the Right-to-Know Officer. A red-lined version of this policy is attached herewith adding the name of the officer, which according to our College Policy is the Director of Human Resources. Luisa Heifner, our Director of Human Resources, will be registering herself and the College with the State's Office of Open Records.

Recommendation

It is recommended that the Board of Trustees approves the change as presented to Policy II.B.2: Right to Know Policy.

Policy II.B.2: Right to Know Policy

I. Purpose

Erie County Community College recognizes the importance of public records as the record of the College's actions and the repository of information about the College. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board and administrative policies.

II. Delegation of Responsibility

The College designates the Director of Human Resources as its Right-to-Know Officer, who shall serve as the College's open records officer as defined in Pennsylvania's Right-to-Know Act. The Right-to-Know officer shall be responsible to:

1. Receive written requests for access to records submitted to the College.
2. Develop and revise the form used to request records as well as forms used in responding to requests for public records.
3. Review and respond to written requests in accordance with law, Board and administrative policies.
4. Direct requests to other appropriate individuals in the College or to the appropriate persons in another agency.
5. Track the College's progress in responding to requests, including but not limited to noting the date of receipt on the written request, computing the day on which the five-day response expires and making a notation of that date on the written or electronic copy of a request.
6. Issue interim and final responses to submitted requests, including computing the day on which extension of a thirty days to respond expires and making a notation of that date on the written request. If a written request for access to a record is denied, the mailing date of the Right-to-Know Officer's response shall be noted on the written denial.
7. Maintain a log of all record requests and their dispositions.
8. Maintain a file for each request and all documents submitted with the request, including but not limited to the original request, a copy of the response(s), a record of written communications with the requester, and a copy of any other communications. If the written request is denied, maintain the written request for at least thirty (30) days or, if an appeal is filed, until a final determination is issued and the appeal period there from has expired.
9. Ensure College staff are trained to perform assigned job functions relative to requests for access to records.

The contact information for the Right-to-Know Officer is:

Email: RTKLrequests@ec3pa.org

Phone: 814-413-7007

Officer: HR Director

III. Guidelines

Requesters may access and procure copies of the public records of the College during the regular business hours maintained by the Right-to-Know Officer.

A requester's right of access does not include the right to remove a record from the control or supervision of the Right-to-Know Officer.

The Right-to-Know Officer shall not limit the number of records requested.

When responding to a request for access, the College is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the College does not currently use.

Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice.

The College shall post at the Right-to-Know Officer's office and on the College's web site, the following information:

1. Contact information for the Right-to-Know Officer;
2. Contact information for the Pennsylvania Office of Open Records;
3. The form which may be used to file a request; and
4. Policy, guidelines and procedures governing requests for access to the College's public records.

Request For Access

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Right-to-Know Officer.

Written requests may be submitted to the Right-to-Know Officer in person, by mail, or to a designated email address. The Right-to-Know Officer may not accept verbal or telephone requests.

The Right-to-Know Officer may not accept written, anonymous requests. Each request must include the following information:

1. Identification or description of the requested record in sufficient detail;
2. Medium in which the record is requested; and
3. Name and address of the individual to receive the College's response.

The College shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.

Fees

The Right-to-Know Officer shall establish and keep current a list of reasonable fees which shall be no more than the fee structure for permissible charges as established by the Office of Open Records associated with responding to requests for public records.

The fee for each photocopy shall be 25¢ per page. A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page.

No fee may be imposed for review of a record to determine whether the record is subject to access under law. Prior to granting access, the Right-to-Know Officer shall require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100.

The Right-to-Know Officer may waive duplication fees when the requester duplicates the record or the College deems it is in the public interest to do so.

Response to Request

College employees are directed to immediately forward requests for access to public records to the Right-to-Know Officer.

Upon receipt of a written request for access to a record, the Right-to-Know Officer shall determine if the requested record is a public record and if the College has possession, custody or control of that record.

The Right-to-Know Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Right-to-Know Officer.

The initial response shall grant access to the requested record, deny access to the requested record, partially grant and partially deny access to the requested record, or notify the requester of the need for an extension of time to fully respond.

Extension of Time

If the Right-to-Know Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected, and, if applicable, an estimate of applicable fees owed when the record becomes available. Where this policy requires that "written notice" be provided, this shall include but is not limited to notice sent by the use of electronic mail or facsimile transmission.

Up to a thirty (30) day extension for at least one of the listed reasons does not require the consent of the requester.

A requester may consent in writing to an extension that exceeds thirty (30) days.

Granting of Request If the Right-to-Know Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include information on the regular business hours of the Right-to-Know Officer, provide electronic access, or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall either include a copy of the fee schedule in effect or notice of a web link to the fee schedule, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of one hundred dollars (\$100.00), and the medium in which the records will be provided.

A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the College is not required to permit use of its computers.

The Right-to-Know Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means or that the College shall provide access to inspect the record electronically. If the requester, within thirty (30) days following receipt of the College's notice, submits a written request to have the record converted to paper, the College shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.

If the Right-to-Know Officer determines that a public record contains information both subject to and not subject to access, the Right-to-Know Officer shall grant access to the information subject to access and deny access to the information not subject to access. The Right-to-Know Officer shall redact from the record the information that is not subject to access.

If the Right-to-Know Officer responds to a requester that a copy of the requested record is available for delivery at the office maintained by the Right-to-Know Officer and the requester does not retrieve the record within sixty (60) days of the College's response, the College shall dispose of the copy and retain any fees paid to date.

The Right-to-Know Officer, after consultation with the College President may make an otherwise exempt record accessible for inspection and copying if all of the following apply: (1) Disclosure of the record is not prohibited under any (i) Federal or State law or regulation or (ii) Judicial order or decree; (2) the record is not protected by a privilege; and (3) the College President

determines that the public interest favoring access outweighs any individual, agency or public interest that may favor restriction of access.

Notification to Third Parties

When the College produces a record that is not a public record in response to a request, the Right-to-Know Officer shall notify any third party that provided the record to the College, any person that is the subject of the record, and the requester.

The Right-to-Know Officer shall notify a third party in writing of a record request if the requested record contains a trade secret or confidential proprietary information within five business days from receipt of the record request. If a record has been previously designated as containing a trade secret or confidential proprietary information, written notice of the need for a thirty day extension of time should be provided to the requestor. The written notice to the third party shall advise that the third party has five business days from the date the third party receives notification from the College to provide input on the release of the record.

If a record has been previously designated as containing a trade secret or confidential proprietary information, access to that portion of the record shall ordinarily be denied unless the third party consents in writing to the release of the previously designated trade secret or confidential proprietary information. Release of information previously designated as containing a trade secret or confidential proprietary information should only be made after review by the College's solicitor.

Denial Of Request

If the Right-to-Know Officer denies a request for access to a record, whether in whole or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Right-to-Know Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

1 The Right-to-Know Officer may deny a request for access to a record if the requester has made repeated requests
2 for that same
3 record and the repeated requests have placed an unreasonable burden on the agency.

4
5 The Right-to-Know Officer may deny a request for access to a record when timely access is not possible due
6 to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent
7 possible, a record's contents shall be made accessible even when the record is physically unavailable.

8 If a written request for access to a record is denied or deemed denied, the requester may file an appeal with
9 the state's Office of Open Records within fifteen (15) business days of the mailing or transmittal date of the
10 Open Records Officer's response or deemed denial.

11 The address of the Office of Open Records is as follows:

12 Office of Open Records
13 333 Market Street, 16th Floor
14 Harrisburg, PA 17101

15 **Policy approved by Erie County Community College Board of Trustees: **March 10, 2021***

16 **Review Deadline: **March 10, 2026***

Approval of Audit Firm Selection

Information

The Erie County Community College of PA is required by the PDE to file an annual audit based on the fiscal year 6/30/XX.

In order to fulfill this requirement, we solicited proposals and narrowed it down to two firms, Baker Tilley and Maher Duessel.

The criteria used for selection is the following:

- Cost
- Community college experience
- PA community college references
- Exposure to Workday
- Location of offices
- Cost

Recommendation

Based upon a review of the above criteria, it is the recommendation of the Finance Committee for the Board of Trustees to approve the motion to select Maher Duessel for a 3-Year contract totaling \$50,100 as detailed below:

- FY 6.30.21 \$9,500
- FY 6.30.22 \$20,000
- FY 6.30.23 \$20,600

Approval of EC3PA Administrative Office Space Lease

Information

The Community College has outgrown its current office space at the Erie Regional Chamber and Growth Partnership.

The administrative staff is now composed of 5 staff members and another 2 are to join the College soon. It is anticipated that over the coming months, we may need administrative space for up to 12 upper level and administrative support staff.

The College has investigated multiple potential office spaces in the downtown Erie area. Criteria included:

- Location (Downtown or East Erie)
- Capacity for up to 12 administrators and support staff
- Move-in Ready Condition
- Sufficient IT infrastructure already in place
- Flexibility of Leasing Terms
- Cost

Below is a chart of the three properties identified as having potential for College staff. All three sites were visited. Based upon the information collected, we have selected the Erie Technology Incubator (ETI) space located on the campus of Gannon University (State and Ninth Sts.)

Gannon University : Erie Technology Incubator (ETI)/3rd	2,538 sq. ft.* (\$16.21/sq.ft.)	\$3,427.50 mo + pkg.	Move in, but need some furn.	6-12 month lease; lease can be terminated with 60 days notice
Renaissance/3rd	3,350 sq. ft. (\$12/sq. ft.)	\$3,350.00 mo +pkg.	Not move in, no IT, and need furniture	1 year lease
Renaissance/14th	8 Offices	\$5,359.00 mo + pkg.	Move in ready, with furniture	2 year lease

At this time, we are working to relocate to the new space beginning Oct. 1, 2021. While this space will be sufficient for the next several months to one year, the longer goal is to locate a much larger facility that incorporates both College administrative space and instructional space. Ideally, this new space will be available and occupied no later than July 1, 2022.

Recommendation

It is recommended that the Board of Trustees approves the motion to move forward with the lease agreement for the 3rd floor of the Gannon University: Erie Technology Incubator (ETI) as it is the best value based on the search criteria.

Personnel Report

Information

New Hires/Transfers: The following lists identifies new employees or those who have assumed different positions within EC3.

Position	Name	Salary	Start Date
Accounting Assistant	Marieka Jones	\$35,000	August 30, 2021
Faculty	Catherine Robertson	\$50,000	August 30, 2021
Part-Time Corry Site Administrator	Peter Albright	\$15 per credit hour	August 30, 2021
Adjunct Faculty	Philip Stuczynski	Per Schedule	September 1, 2021
Coordinator of Student Success	Clarissa Stewart-Baker	\$50,000	September 28, 2021
Special Assistant to the President, Diversity & Inclusion	Lamont Higginbottom Sr	\$61,000	September 27, 2021

Resignations/Retirements/Separations: The following list identifies employees that have resigned, retired or separated from the College.

Position	Name	Salary	Start Date

Information Report: August Marketing Report

Information

Marketing efforts were very strong throughout the month of August in an effort to build awareness and to encourage student applications.

In August, advertising appeared in the Erie Times-News, the Erie Reader, and the Corry Journal and subsidiary newspapers. In addition, there were over 500 television commercials aired during August; 378 radio commercials; 20 billboards throughout the County.

The College had a large social media usage. We received over 1 million views on Facebook. The "How to Apply" video on YouTube generated over 54k viewers. Our social media users are between 25-34 and are almost evenly split between men and women. Not surprisingly, most of our usage is coming from mobile devices.

For the month of August, our website had over 29,000 visits. Through our website, we received hundreds of student applications and over 100 employment applications.

IT Report: Phone System

Information

The Erie County Community College of PA now has an active phone system. The college now has an auto attendant set up with individual voicemail for the administration team. Dr Gray and his assistant, Renee Triana, are not currently on the network. All the phones are tied back to the individual's Microsoft Teams account to provide maximum flexibility.



Staff and Faculty Directory

Name:	Department/Title:	Email:	Phone/Extension:
Christopher Gray	President	cgray@ec3pa.org	814-413-7000, ext 7001
Renee Triana	Assistant to President	rtriana@ec3pa.org	814-413-7000, ext 7002
Rebecca Walker	Dean of Applied Programs	rwalker@ec3pa.org	814-413-7000, ext 7017
Kerith Bowman	Dean of Student Support & Success	kbowman@ec3pa.org	814-413-7000, ext 7016
Blane Dessy	Interim Director of Admin Operation	bdessy@ec3pa.org	814-413-7000, ext 7048
Heidi Sheehan	Controller & Assistant Treasurer	hsheehan@ec3pa.org	814-413-7000, ext 7049
Guy White	Director of IT	gwhite@ec3pa.org	814-413-7000, ext 7005
Louisa Heifner	Director of Human Resources	lheifner@ec3pa.org	814-413-7000, ext
Marieka Jones	Accounting Assistant	mjones@ec3pa.org	814-413-7000, ext 7008
Andrew Dick	Registration & Student Specialist	adick@ec3pa.org	814-413-7000, ext 7014
Mari Howells	Library & Learning Support	mhowells@ec3pa.org	814-413-7000, ext 7020
Elise Michaux	Director of Enrollment Management	emichaux@ec3pa.org	814-413-7000, ext 7015
Andrea Obert	Counselor	aobert@ec3pa.org	814-413-7000, ext 7030
Kimber Foster	Faculty	kforrester@ec3pa.org	814-413-7000, ext 7032
Leatra Tate	Faculty	ltate@ec3pa.org	814-413-7000, ext 7034
Catherine Roberts	Faculty	crobertson@ec3pa.org	814-413-7000, ext 7036
Jennifer Robinette	Faculty	jrobinette@ec3pa.org	814-413-7000, ext 7035
Alex Wheaton	Faculty	awheaton@ec3pa.org	814-413-7000, ext 7033