

Hudson Valley Community College

80 Vandenberg Avenue, Troy, New York 12180

MINUTES

The regular meeting of the Board of Trustees of Hudson Valley Community College was held on Tuesday, June 23, 2020 via remote meeting and live streamed for the public on the college's website at www.hvcc.edu.

PRESENT

Neil J. Kelleher, Chairman
Joseph A. Kapp, Vice Chairman
Omsalama Ayoub
Judith Breselor
William Fagan
Thomas P. Grant
William C. Jennings
Wayne Pratt
Brian Zweig

EXCUSED

none

ALSO PRESENT

Dr. Roger A. Ramsammy, President
William Reuter, Vice President for Administration
and Finance
George J. Raneri, Secretary to the Board
Suzanne Kalkbrenner, Assistant Secretary

J. Ashdown	E. Hatter	P. Myers
J. Bourdeau	P. Hill	K. Paquette
J. Brennan	D. Kennedy	K. Petley
L. Coplin	E. Kiel	D. Shoemaker
J. DiLorenzo	R. LaGatta	A. Thomas
S. Ely	L. Marion	R. Wilson

Chairman Kelleher called the meeting to order at 5:10 p.m.

Upon a motion by Mr. Fagan, seconded by Mr. Pratt, the following resolution was adopted unanimously.

MINUTES

Resolved, that the minutes of the regular meeting of the Board of Trustees, held on May 26, 2020, be and hereby are, approved.

Upon a motion by Dr. Jennings, seconded by Ms. Breselor, the following resolution was adopted unanimously.

**CURRICULUM
CHANGES**

Resolved, that the following curriculum changes, as recommended by the Academic Senate and the President, be, and hereby are, approved:

1. Deactivate/Discontinue Degree Program:

A. *Chemical Dependency Counseling Certificate - Fall 2021/2024*

The certificate is being discontinued due to low enrollment.

2. Change in Degree Requirements:

A. *Exercise Science, A.S. Degree - Fall 2021*

Remove Restricted Elective *CHEM 100 General Chemistry/Health Sciences* and replace it with *BIOL 234 Anatomy and Physiology II* or *BIOL 271 Anatomy and Physiology II*. Change the *PSYC 225 Sport Psychology* requirement to *PSYC 225* or *PSYC 100 General Psychology*.

These changes will increase transferability.

Upon a motion by Mr. Grant, seconded by Mr. Fagan, the following resolution was adopted unanimously.

GRADE DISPUTE POLICY

Resolved, that the request to approve changes to the policy entitled, “Grade Dispute Policy,” as recommended by the Academic Senate and the President, be, and hereby is, approved. The policy shall read as follows:

GRADE DISPUTE POLICY

Protection against improper academic evaluation: Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion. At the same time, they are responsible for maintaining standards of academic performance and understanding the material presented in each course in which they are enrolled. If a student feels he/she is being graded improperly, or that a grade is based on some standard other than academic performance, this Grade Dispute Procedure gives the student protection through orderly procedures against prejudices or capricious academic evaluation.

General Procedure: In keeping with the intent and spirit of these statements, it is incumbent upon all parties involved to show respect, restraint and responsibility in their efforts to resolve complaints. It is incumbent upon faculty members and students to arrange meetings and conferences with each other in good faith and to communicate decisions within established time frames to all concerned parties.

Burden of Proof: The burden of proof needed to substantiate the existence of an improper grade shall rest with the student. The student must demonstrate, by clear and convincing evidence, that a final grade was entered whereby all or part of the grade was calculated in a manner inconsistent with published grading procedures.

Instances of the above are limited to situations where a student believes he/she received an inappropriate grade in a particular course. They do not include questions concerning admission to a program or a specific course section or denial of financial aid.

Prohibition against Retaliatory Action: Any retaliatory action of any kind taken against a person seeking redress under these procedures is prohibited.

Academic Standing: The vice president of academic affairs will decide issues of Academic Standing, if relevant, during the pendency of a grade dispute.

Campus Judicial Coordinator: It is strongly recommended that the student meet with the campus judicial coordinator as soon as he/she has received the grade so that the campus judicial coordinator can provide the student information about this Grade Dispute Procedure. In no event should this meeting take place more than fourteen (14) days after the disputed grade is made available.

The campus judicial coordinator does not represent or advocate for any party in a grade dispute. The campus judicial coordinator is available to all parties, the department chairperson and the Academic Review Board. He/she will advise all interested parties as to their rights and responsibilities. In addition, he/she will assist parties in drafting complaints or responses or narrowing issues. The campus judicial coordinator may appoint a designee to fulfill his/her duties if it is warranted or necessary.

Time Limits Defined: Days shall be defined as any day the college is open for business and shall exclude Saturdays and Sundays and any holiday the college has published as “college closed,” and emergency closings. Meetings should be arranged within the specified time limits whenever possible though they may take place at a later time if all parties are in agreement. Time limits may be waived for just cause.

Procedure for Processing Complaints

Step 1. Meeting with the Faculty Member: Within fourteen (14) days after the start of the fall or spring semester immediately following the date the disputed final grade was made available, the student shall contact the campus judicial coordinator and inform the instructor in writing or via email using the student’s Hudson Valley Community College email account that he/she disputes the grade. The instructor shall make every effort to arrange a meeting with the student or to communicate with the student regarding their grade and the grading procedure.

This communication is designed for both parties to understand the position of the other and reach some resolution.

In the event the instructor does not respond within seven (7) days of receiving written notification that the student requests a meeting or in the event that the student is dissatisfied with the outcome of that communication, the student shall proceed with Step 2.

Step 2. Meeting With the Department Chairperson and Instructor: The student shall notify the department chairperson immediately if a grade dispute is not resolved at step 1. The student shall request a meeting with his/her department chairperson and the Instructor, in writing. The meeting shall be scheduled at a mutually agreeable time, within seven (7) days of the receipt of the written request. Both the student and the instructor shall make themselves available for the meeting. The purpose of the meeting is to review the grade and the grading procedure. A grade dispute cannot be presented to the Academic Review Board if this meeting has not been held. Therefore it is incumbent upon the department chairperson to arrange the meeting in a timely fashion or provide a written justification for the failure to hold the meeting.

If the student does not attend the meeting, or if the instructor is unavailable, the meeting will proceed and the dispute may be resolved without his/her input. The grade may be changed and/or the complaint dismissed without input from the non-present party. The department chairperson is under no obligation to schedule subsequent meetings if the student agreed to a date, time and place or if an instructor is unavailable or no longer employed at the college.

The department chairperson shall notify the campus judicial coordinator as soon as possible of the outcome of the meeting in writing or via email using the Hudson Valley Community College email account.

When warranted, the department chairperson may appoint a suitable person to act as his/her designee.

If the communication with the faculty member and/or the meeting with the department chairperson do not satisfactorily resolve the problem, the student may request an Academic Review Board Hearing.

Step 3. Preparation of Written Complaint and Documentation: All requests for an Academic Review Board Hearing shall be made in writing. The written complaint must contain the name of the class, the instructor, the section and the exact nature of the dispute as well as the remedy

sought. The nature of the dispute must clearly articulate how the student will meet his/her burden of proof including the grade the student received and what grading policy or procedure was violated by the entry of that grade. The student will also include any necessary attachments.

The written complaint, with attachments shall be submitted to the campus judicial coordinator within 30 days of the start of the fall or spring semester immediately following the receipt of the disputed grade. The campus judicial coordinator shall forward the complaint to the appropriate department chairperson and the instructor. Each may submit a response or other documentation, but neither is obligated to present evidence to the Board. The instructor and/or the department chairperson must submit their response, if any, within three (3) days of receiving the written grade dispute. There are times when specific items such as a course outline are requested by the campus judicial coordinator or the Academic Review Board. In those cases, the documents requested must be produced even if the instructor chooses not to submit a written response to the complaint.

The campus judicial coordinator will file with the Chairperson of the Academic Review Board the student's written complaint with attachments along with any responses, and those attachments, within seven (7) days of receiving the student's complaint. In addition, the campus judicial coordinator may provide the Academic Review Board with other documents, at the Board's request, including the course syllabus, outline or transcript.

Step 4. Academic Review Board: The Academic Review Board will be comprised of the Vice President for Academic Affairs, or his/her designee, who shall be the chair of the Academic Review Board, a faculty member who is a member of the Ethics and Conduct Committee, and one other member who shall be either an academic dean, administrative dean or department director. The academic dean shall not be from the same division in which the grade dispute arose. The faculty member shall not be from the same department in which the grade dispute arose.

The Academic Review Board may adjourn or reconvene at its discretion, will call witnesses only at its sole discretion, may request further documentation if required and may act to facilitate negotiations between the parties.

The campus coordinator will attend the Academic Review Board Hearing and will be available to that Board to advise on the procedure, obtain new information or documents or call witnesses.

If the Academic Review Board finds the student has not met his/her burden of proof, the complaint will be dismissed.

If the Academic Review Board determines that there was an error in the grade or that a student was graded improperly and all attempts at negotiation have failed, they may determine that the grade will be changed. Members of the board and/or the vice president for academic affairs and/or the department chairperson will assist the campus judicial coordinator in implementing that change.

The Academic Review Board shall transmit a written decision to the campus judicial coordinator. The campus judicial coordinator will forward the decision of the Academic Review Board to the appropriate parties, the department chairperson and the Vice President for Academic Affairs.

Step 5. Appeals: Within seven (7) days of the receipt of the decision, either party may appeal the decision, in writing, to the campus judicial coordinator. Appeals may be taken from the decision

of a Review Board or from a decision of a Department Chair to dismiss a complaint. He/she will forward the appeal to the other party, who may submit a written response within three (3) days. The other party is under no obligation to respond to an appeal. Within ten (10) days of receiving the appeal, the campus coordinator will present it to an Appeals Board which will determine if one or more of the following conditions can be established:

(1) A significant procedural error was committed; (2) All evidence/information was not considered; or (3) Newly discovered evidence is available. The Appeal Board shall be comprised of members of the Committee on Ethics and Conduct and shall include three (3) members: a student, an administrator and a faculty member. The faculty member shall not be from the same division in which the grade dispute arose.

Within seven (7) days of receiving and reviewing the written appeal, the Appeals Board will render a written decision which shall be forwarded to the campus coordinator and distributed to the parties through that office. If the appeal is denied, there is no further remedy. If the appeal is determined to have merit, the campus coordinator shall reconvene the Academic Review Board for the purpose of correcting the error and rehearing the dispute.

Upon a motion by Mr. Fagan, seconded by Mr. Pratt, the following resolution was adopted unanimously.

**HVCC 2020-2021
OPERATING BUDGET**

Resolved, that the request to approve the Hudson Valley Community College Operating Budget for the fiscal year commencing September 1, 2020 and ending August 31, 2021 of \$89,659,689, be and hereby is, approved.

Upon a motion by Ms. Ayoub, seconded by Dr. Jennings, the following resolution was adopted unanimously.

**HVCC 2020-2021
TUITION & FEE
SCHEDULE**

Resolved, that the request for approval of the Hudson Valley Community College Tuition and Fee Schedule, for the fiscal year commencing September 1, 2020 and ending August 31, 2021, be and hereby is, approved, as follows:

HUDSON VALLEY COMMUNITY COLLEGE			
<u>Tuition & Fee Schedule 2020-2021</u>			
	2020-21		
	<u>Full-time (annual)</u>	<u>Part-time (per credit hour)</u>	<u>Flat Rate per student/course/occurrence</u>
Resident Tuition	\$4,800.00	\$200.00	
Non-Resident Tuition	\$9,600.00	\$400.00	
Out-of-State Tuition	\$9,600.00	\$400.00	
College in the High School		\$65.00	
Technology Fee	\$600.00	\$25.00	
Automotive/Autobody Repair Fee			up to \$50
Capital Chargeback (out-of-state students)	\$300.00	\$10.00	
CLEP*			\$25.00
Credit by Examination		\$55.00	
Dental Hygiene Clinic			varies
Health Facility Fee	\$30.00	\$2.50	

Identification Card Replacement			\$9.00
Lab/Course Fee (including uniforms & tools)			up to \$1,000
Late Fee-Immunization			\$0.00
Late Registration Fee			\$60.00
Library Fine			\$3.00
Life Experience Evaluation		\$50.00	
Locker Fee (optional)			\$10.00
Lost or Damaged Materials (print or audiovisual)			\$70 minimum
Parking Fine			varies
Placement Fee			\$9.50
Records & Activities Fee	\$165.00	\$13.75	
Return Check Fee			\$20.00
Study Abroad Application			\$200.00
Transcript Fee (fax)			\$10.00
Tuition Deposit (non-refundable)			\$50.00
Tuition Payment Plan Fee**			\$0.00
Vehicle Registration Fee	\$86.50	\$7.25	
*CLEP College Board also charges an additional fee to the student			
**HVCC does not charge a fee, the tuition payment plan provider charges a \$50 fee per semester			

Upon a motion by Mr. Fagan, seconded by Ms. Ayoub, the following resolution was adopted, with Mr. Pratt abstaining.

Resolved, that the request for approval of the award of contract for General Construction for the Lang Technical Building in the amount of \$920,000 to Bette & Cring, LLC for the renovation project entitled, “Guenther Enrollment Services Center, Lang Technical Building, and Fitzgibbons Health Technologies Center – Renovations,” be, and hereby is, approved.

CAPITAL CONSTRUCTION—GENERAL CONSTRUCTION, AWARD OF CONTRACT, LANG TECHNICAL BUILDING

Upon a motion by Dr. Jennings, seconded by Dr. Kapp, the following resolution was adopted unanimously.

Resolved, that the request for approval of the award of contract for Mechanical for the Lang Technical Building in the amount of \$301,600 to BPI Piping, Inc. for the renovation project entitled, “Guenther Enrollment Services Center, Lang Technical Building, and Fitzgibbons Health Technologies Center – Renovations,” be, and hereby is, approved.

CAPITAL CONSTRUCTION—MECHANICAL, AWARD OF CONTRACT, LANG TECHNICAL BUILDING

Upon a motion by Dr. Kapp, seconded by Ms. Breselor, the following resolution was adopted unanimously.

Resolved, that the request for approval of the award of contract for Plumbing for the Lang Technical Building in the amount of \$140,000 to BPI Piping, Inc. for the renovation project entitled, “Guenther Enrollment Services Center, Lang Technical Building, and Fitzgibbons Health Technologies Center – Renovations,” be, and hereby is, approved.

CAPITAL CONSTRUCTION—PLUMBING, AWARD OF CONTRACT, LANG TECHNICAL BUILDING

Upon a motion by Mr. Fagan, seconded by Dr. Kapp, the following resolution was adopted unanimously.

**CAPITAL
CONSTRUCTION—
ELECTRICAL,
AWARD OF
CONTRACT,
LANG TECHNICAL
BUILDING**

Resolved, that the request for approval of the award of contract for Electrical for the Lang Technical Building in the amount of \$225,200 to J. McBain Electric, Inc. for the renovation project entitled, “Guenther Enrollment Services Center, Lang Technical Building, and Fitzgibbons Health Technologies Center – Renovations,” be, and hereby is, approved.

INFORMATION ITEMS

The following information items were noted:

**INFORMATION
ITEMS**

A. 2019/2020 COLLEGE FACULTY PROMOTIONS

Faculty recommended for promotion effective September 1, 2020 are outlined below and written recommendations of the Vice President for Academic Affairs, Deans and Department Chairpersons at the College are available on the portal.

Assistant Professor to Associate Professor - \$2,000 Adjustment

Shawna Kay Addison	Business Programs, Public Administration, Legal Studies and Criminal Justice, Computing & Information Sciences
Kelly Crupi	Nursing and Surgical Technology
Johanna Mather	Business Programs, Public Administration, Legal Studies and Criminal Justice, Computing & Information Sciences
Michael Shea	Biology, Chemistry & Physics
Joseph Stenard	History, Philosophy & Social Sciences
Jennifer Walker	Dental Hygiene

Associate Professor to Full Professor - \$2,500 Adjustment

Michael Connell	Learning Centers
John Mulcare	Business Programs, Public Administration, Legal Studies and Criminal Justice, Computing & Information Sciences
Carmine Pesca	Business Programs, Public Administration, Legal Studies and Criminal Justice, Computing & Information Sciences

B. RETIREMENTS UNDER THE 2020 FACULTY RETIREMENT INCENTIVE OPTION 1— MAY 2020

1. Timothy Dennis, Professor, Civil, Construction, Industrial & Mechanical Technologies

C. HVCC MONTHLY FINANCIAL REPORTS

1. 2019-2020 Fiscal Year Operating Budget Summary as of 5/31/2020
2. Capital Expenditures, May 2020 and cumulative

Upon a motion by Dr. Jennings, seconded by Ms. Breselor, an executive session was called at 5:16 p.m. for the purposes of discussing personnel and collective bargaining matters.

**EXECUTIVE
SESSION**

Upon a motion by Mr. Fagan, seconded by Mr. Zweig, the executive session was ended at 5:30 p.m. and Chairman Kelleher opened the meeting.

AUGUST MEETING

The next monthly meeting of the Board of Trustees will be held on Tuesday, August 18, 2020.

Chairman Kelleher noted that this was Ms. Ayoub's last meeting, and that he, President Ramsammy and the Board will miss her very much. He went on to say that she had been a great addition to the Board and more than well-informed. On behalf of everyone, he offered her good luck and best wishes, and reminded her that she would always be part of the HVCC family.

Upon motion by Dr. Jennings, seconded by Ms. Ayoub, the meeting was adjourned at 5:32 p.m.

ADJOURNMENT


Suzanne Kalkbrenner
Assistant Secretary to the Board of Trustees