

DUTCHESS COMMUNITY COLLEGE
Minutes
Board of Trustees Meeting
September 24, 2024

Trustees Present: Mr. Michael Francis Dupree, Chair; Mr. Frank Castella, Mr. Stephen Caswell, Ms. Darrah Cloud, Ms. Angela Flesland, Mr. Ibis Guzman, Ms. Linda Pratt, Mr. Bobby Biersack and Dr. Peter Grant Jordan
President

Absent: Ms. Lisa Gharthey, Ms. Evelyn Panichi

I. The meeting was called to order at 7:02 p.m. by Chairperson Dupree.

II. Mr. Dupree led the Pledge of Allegiance.

III. Roll Call by Ms. Ponticello, quorum present.

IV. Approval of Agenda:

Upon motion made by Ms. Cloud, seconded by Ms. Flesland, voted on and duly carried, the agenda was approved as distributed.

V. Election of Officers

Ms. Pratt as Chair of the nominating committee, reported on the deliberations of the committee.

The committee solicited nominations for the offices of Chair, Vice-chair, and Secretary. The committee unanimously agreed to offer the following slate of officers:

Chair: Angela Flesland
Vice-Chair: Michael Dupree
Secretary: Darrah Cloud

Mr. Dupree asked if there were any other nominations from the floor. There being none, Ms. Pratt made a motion to approve the slate of officers as presented. The motion was seconded by Mr. Castella, voted on and unanimously approved.

VI. Public Comment

Dr. Laura Murphy, President of Dutchess United Educators and Professor of History. Commented on resolution # 2025-04:

Good evening. I'm Dr. Laura Murphy, speaking in my capacity as President of Dutchess United Educators, regarding RESOLUTION NO. 2025-04: Approval of the Use of Facilities for Free Speech Policy. I have heard from many DUE members who are extremely concerned about these proposed restrictions on the free expression of students, faculty, and staff.

We are doing research and consulting with DUE's affiliates, New York State United Teachers (NYSUT) and the New York State Conference of the American Association of University Professors (NYSC-AAUP). Since we only had two business days to review this policy, that legal consultation and research is ongoing, but it is already clear that this is a deeply flawed and damaging policy proposal. DUE will have more to say about this issue.

In the meantime, I direct your attention to a recent statement by the AAUP, cited in my email to you this morning, which "condemned" a "wave" of "hastily enacted overly restrictive policies" "imposed as top-down edicts" without input from governance bodies, "... which go beyond reasonable time, place, and manner restrictions, [to] impose severe limits on speech and assembly that discourage or shut down freedom of expression." The AAUP further states that "[t]hose who care about higher education and democracy should be alarmed" about these policies that "severely undermine the academic freedom and freedom of speech and expression that are fundamental to higher education" and "trample on the rights of students," faculty, and staff.*

The AAUP refers to the very limits proposed here:

- *advance "registration for demonstrations or protests,"*
- *"limiting the locations where demonstrations may take place,"*
- *and "whether amplified sound can be used."*

They write: "By acceding to external political pressures and demands for political censorship instead of encouraging the utmost freedom of discussion, college and university administrations abandon their own responsibility for protecting the academic community's central mission of education, research, and service to the broader society and to the public good."

It is also deeply disturbing that, to my knowledge, the Board did not consult with the campus community or even notify us that such draconian requirements were under consideration. This lack of consultation is particularly puzzling in light of the Board's new Policy Development Policy, which calls for "collaboration and input" that "should involve board members, employees, and relevant stakeholders in the policy development process," and states that the Board will "[d]raft and review policies based input received..."

Many questions have been raised by DUE members. For example:

- *Why is the Board proposing to make DCC a "limited" public forum – a specific legal category designated for speech by "certain groups" or for "discussion of certain subjects." Who would decide which groups, and which subjects, and using what criteria?*
- *Would passing this controversial policy open the college up to lawsuits for violating students' and other campus community members' constitutional rights?*
- *When we are trying to get the word out that DCC is a welcoming place to study – why would the Board institute a policy that would violate students' basic rights? How would doing so be consistent with the goals of increasing enrollment and expanding access?*
- *Finally, how can we teach in our classes about the social justice protest movements that have made our country an immeasurably better place, if our own institution physically marginalizes and inhibits our ability and our students' ability to engage in protest?*

I ask that the Board table this Resolution and adhere to the Policy Development Policy, and seek collaboration with and input from all members and organizations of the campus community on this critical matter that has profound implications for the academic integrity of DCC and for democracy itself.

Thank you.

**“AAUP Condemns Wave of Administrative Policies Intended to Crack Down on Peaceful Campus Protest” August 14, 2024
<https://www.aaup.org/news/aaup-condemns-wave-administrative-policies-intended-crack-down-peaceful-campus-protest>*

Michael Adams, Chair of the Professional Staff Organization (PSO); Assistant Professor, Speech and Communications & Media Arts; Program Chair, Communications & Media Arts; Commented on Resolution # 2025-04:

- *Mr. Adam’s commented on our own civil rights being granted out of a form of protest*
- *Mr. Adam’s commented on how PSO feels like they were not afforded the opportunity to respond*
- *Mr. Adam’s commenting on PSO feeling like they do not know where this is coming from*
- *Mr. Adam’s asked the Board three (3) questions:*
 - o *Why is this necessary?*
 - o *Why is it being limited to one small area?*
 - o *What is the punishment?*
- *Mr. Adam’s feels like anything negative about the College is being silenced by administration and the Board.*

Rahim Sow, President of the Student Government Association (SGA), Commented on Resolution # 2025-04:

- *Mr. Sow commented on SGA passing a resolution on September 24 in favor of tabling the resolution.*
- *Mr. Sow commented on SGA feeling like the Board neglected to discuss the changes to the policy with the faculty, staff and students at Dutchess Community College.*

Maya Chinkan, Former Student Trustee, Commented on Resolution # 2025-04:

- *Ms. Chinkan commented on feeling like the policy is limiting the first amendment rights*
- *Ms. Chinkan commented on feeling like this policy Limits people of color to vocalize and communicate how they feel*
- *Ms. Chinkan expressed to the Board of Trustees how important she felt it was to table the resolution*

VII. Consideration of Minutes of Meeting held on August 27, 2024:

Upon motion made by Mr. Dupree seconded by Mr. Guzman, voted on and duly carried, the minutes were approved as distributed.

VIII. COMMITTEE REPORTS

Chairperson Flesland noted for the minutes that all of the resolutions that are presented to the Board for approval are reviewed and discussed at committee meetings prior to the Board meeting.

A. Academic and Student Affairs Committee (D. Cloud)

Ms. Cloud provided the Board with a summary of items discussed at the last Academic and Student Affairs Committee held on September 11, 2024.

B. Board Policy (I. Guzman, Chair)

Mr. Guzman provided the Board with a summary of items discussed at the last Board Policy Committee meeting held on September 11, 2024.

1. Approval of the Use of Fund Balance Policy (Res #2025-01)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews the College’s policies on a regular basis, and

WHEREAS, to comply with regulations, a policy on the Use of Fund Balance has been written, and

WHEREAS, the Policy Committee finds said policy to be appropriate to the needs of the College, now, therefore, be it

RESOLVED, that, based upon the recommendations the Policy Committee, and review by the Board of Trustees, the attached policy on the Use of Fund Balance, which shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by **L. Pratt**

Motion Carried Unanimously

2. Approval of the policy on Racial and Other Forms of Discrimination (Res # 2025-02)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews the College’s policies on a regular basis, and

WHEREAS, to comply with regulations, a policy on Racial and Other Forms of Discrimination has been written, and

WHEREAS, the Policy Committee finds said policy to be appropriate to the needs of the College, now, therefore, be it

RESOLVED, that, based upon the recommendations the Policy Committee, and review by the Board of Trustees, the attached policy on Racial and Other Forms of Discrimination, which shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by **M. Dupree**

Motion Carried Unanimously

3. Approval of the Involuntary Withdrawal Policy (Res # 2025-03)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews the College’s policies on a regular basis, and

WHEREAS, to comply with regulations, an Involuntary Withdrawal policy has been written, and

WHEREAS, the Policy Committee finds said policy to be appropriate to the needs of the College, now, therefore, be it

RESOLVED, that, based upon the recommendations the Policy Committee, and review by the Board of Trustees, the attached Involuntary Withdrawal policy , which shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by **L. Pratt**

Motion Carried Unanimously

4. Approval of the Use of Facilities for Free Speech Policy (Res # 2025-04)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review and input from the members of the Board of Trustees, the Policy Committee has determined that the policy on the Use of Facilities for Free Speech needs to be revised, now, therefore, be it

RESOLVED, that, based upon the recommendation of the Policy Committee and review by the Board of Trustees, the revised policy on the Use of Facilities for Free Speech, which is attached and shall be made part of the official minutes of this meeting, is hereby approved, and be it

FURTHER RESOLVED, that this policy shall be effective immediately, and, be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by **L. Pratt**

Vote
Yes – 7 / No - 1
Motion Carried

C. Finance & Facilities (S. Caswell, Chair)

Mr. Caswell provided the Board with a summary of items discussed at the last Finance & Facilities Committee meeting on September 9, 2024.

1. Approval of the Bid for Early Childhood Feasibility Study Award (Res # 2025-05)

S. Caswell offered the following resolution and moved its adoption:

WHEREAS, Request for Proposals for Professional Services for the Early Childhood Expansion Study were requested on RFP-DCC-17-2024, and

WHEREAS, there were six (6) proposals received as shown on the tabulation sheet attached to this resolution, and

WHEREAS, the College has reviewed each proposal, and interviewed the top three firms that met the project specifications, and

WHEREAS, the proposal received from Ashley McGraw Architects, PC best meets the required specifications, and

WHEREAS, the funds are available through the Early Childhood Expansion Grant and the DCC Foundation, now, therefore, be it

RESOLVED, that the contract for Professional Services for the Early Childhood Expansion Study, be awarded to Ashley McGraw Architects, D.P.C., Syracuse NY in an amount not to exceed \$100,000.

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Seconded by **M. Dupree**

Motion Carried Unanimously

2. Approval of the Capital Project for FF&E and Technology Replacement and Upgrades (Res # 2025-06)

S. Caswell offered the following resolution and moved its adoption:

WHEREAS, Dutchess Community College has submitted a new funding request for a capital project for FF&E and Technology Replacements and Upgrades with a total estimated cost of \$400,000 to the SUNY Office for Capital Facilities, and

WHEREAS, upon approval by the SUNY Board of Trustees, the project will be submitted for inclusion in the State Budget as a new capital appropriation in the 2025-2026 budget cycle, and

WHEREAS, the State funds would cover the state share of 50% of this project, and

WHEREAS, the sponsor share of this capital project (\$200,000) would be funded through Capital Chargeback Funds, now, therefore, be it

RESOLVED, that the following capital project is hereby authorized and approved in the amount indicated below:

Project Name	Estimated Total Cost	State's Share (Appropriation)	Sponsor's Share (Capital Chargeback)
FF&E and Technology Replacements and Upgrades	400,000.00	200,000.00	200,000.00

and, be it

FURTHER RESOLVED, that this resolution be forwarded to the Dutchess County Legislature for its consideration.

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Seconded by **I. Guzman**

Motion Carried Unanimously

3. Approval of the Capital Project for the Hudson Hall Interior Reconfiguration – Phase 2 (Res# 2025-07)

S. Caswell offered the following resolution and moved its adoption:

WHEREAS, Dutchess Community College has submitted a new funding request for a capital project for Hudson Hall Interior Reconfigurations – Phase 2 with a total estimated cost of \$3,666,000 to the SUNY Office for Capital Facilities, and

WHEREAS, upon approval by the SUNY Board of Trustees, the project will be submitted for inclusion in the State Budget as a new capital appropriation in the 2025-2026 budget cycle, and

WHEREAS, the State funds would cover the state share of 50% of this project, and

WHEREAS, the sponsor share of this capital project (\$1,833,000) would be bonded in accordance with SUNY funding policy and procedures for capital projects, and

WHEREAS, the project involves either (1) maintenance or repair involving no substantial changes in an existing structure or facility or (2) the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, now, therefore, be it

RESOLVED, It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 0101 et seq., and its implementing regulations, Part 617 of 6 NYCRR, that this project is a “Type II” Action within the meaning of Section 617.5(c)(1) & (2) of 6 NYCRR, and, accordingly, is of a class of actions which do not have a significant impact on the environment and no further review is required, and be it further

RESOLVED, that the following capital project is hereby authorized and approved in the amount indicated below:

Project Name	Estimated Total Cost	State’s Share (Appropriation)	Sponsor’s Share
Hudson Hall Interior Reconfigurations	3,666,000	1,833,000	1,833,000
– Phase 2	0.00	00.00	00

and, be it

FURTHER RESOLVED, that this resolution be forwarded to the Dutchess County Legislature for its consideration.

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Seconded by **B. Biersack**

Motion Carried Unanimously

4. Approval of the Capital Project for the President’s Residence Repairs (Res # 2025-08)

S. Caswell offered the following resolution and moved its adoption:

WHEREAS, Dutchess Community College has submitted a new funding request for a capital project for the President’s Residence Repairs with a total estimated cost of \$150,000 to the SUNY Office for Capital Facilities, and

WHEREAS, upon approval by the SUNY Board of Trustees, the project will be submitted for inclusion in the State Budget as a new capital appropriation in the 2025-2026 budget cycle, and

WHEREAS, the State funds would cover the state share of 50% of this project, and

WHEREAS, the sponsor share of this capital project (\$75,000) would be bonded in accordance with SUNY funding policy and procedures for capital projects, and

WHEREAS, the project involves either (1) maintenance or repair involving no substantial changes in an existing structure or facility or (2) the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, now, therefore, be it

RESOLVED, It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 0101 et seq., and its implementing regulations, Part 617 of 6 NYCRR, that this project is a “Type II” Action within the meaning of Section 617.5(c)(1) & (2) of 6 NYCRR, and, accordingly, is of a class of actions which do not have a significant impact on the environment and no further review is required, and be it further

RESOLVED, that the following capital project is hereby authorized and approved in the amount indicated below:

Project Name	Estimated Total Cost	State’s Share (Appropriation)	Sponsor’s Share
President’s Residence Repairs	150,000.00	75,000.00	75,000.00

and, be it

FURTHER RESOLVED, that this resolution be forwarded to the Dutchess County Legislature for its consideration.

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Seconded by **M. Dupree**

Motion Carried Unanimously

5. Approval of the Contract with Ad Astra Information Systems – Smart Scheduling and Planning Systems (Res # 2025-09)

S. Caswell offered the following resolution and moved its adoption:

WHEREAS, the Ad Astra Smart Scheduling and Planning Systems are specialized software solutions designed to optimize course scheduling, room utilization, and long-term academic planning. The system provides advanced data analytics, integration with existing campus systems, and tailored solutions that meet the specific scheduling and planning needs of higher education institutions, and

WHEREAS, after conducting a thorough review of available scheduling and planning systems, the College has determined that Ad Astra Information Systems is the sole provider capable of delivering the following unique features and functionalities,

Products and Services	2024	2025	2026	2027	2028
Essential Scheduling Subscription	\$ 35,275.00	\$36,333.25	\$37,423.25	\$38,545.94	\$39,702.32
DFW Analysis Subscription	4,150.00	4,274.50	4,402.74	4,534.82	4,670.86
Early Momentum/Degree Velocity™ Subscription	6,225.00	6,411.75	6,604.10	6,802.23	7,006.29
Essential Scheduling Implementation	22,500.00				
DFW & Early Momentum/Degree Velocity™ Implementation	2,500.00				
Total	\$ 70,650.00	\$47,019.50	\$48,430.09	\$49,882.99	\$51,379.48
Total Contract Value	\$267,362.05				

WHEREAS, these unique features are essential to the College’s operation and are not available from any other source, now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the President to enter into a five-year agreement with Ad Astra Information Systems – Smart Scheduling and Planning Systems for a total contract value of \$267,362.05.

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Seconded by **B. Biersack**

Motion Carried Unanimously

D. Personnel & Community Relations (A. Flesland, Chair)

Ms. Flesland provided the Board with a summary of items discussed at the last Personnel & Community Relations Committee meeting held on September 12, 2024.

1. Approval for Dutchess Community College to Appoint and Evaluate their President (Res # 2025-10)

A. Flesland offered the following resolution and moved its adoption:

WHEREAS, New York State Education Law Section 6306, specifies that Dutchess Community College shall be governed by a Board of Trustees; with five members appointed by the local legislative body or board, four by the governor, and one elected from the student body; and

WHEREAS, the Dutchess Community College Board of Trustees appoints Presidents of the college, subject to approval by SUNY’s trustees; and

WHEREAS, the Dutchess Community College Board of Trustees may enter into contracts or agreements deemed necessary or appropriate for the effective operation of the college, including, but not limited to, the employment contract with the President; and

WHEREAS, the responsibility and the authority to conduct the annual performance evaluation of Dutchess Community College president and to amend the terms of his/her/their contract rests solely with the Dutchess Community College Board of Trustees;

NOW, THEREFORE BE IT RESOLVED, that the Dutchess Community College President’s performance appraisal, evaluation and periodic review, and terms and conditions of the employment contract will only be influenced by, altered, or amended via negotiations between the President and the Board of Trustees at Dutchess Community College.

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Seconded by **M. Dupree**

Motion Carried Unanimously

IX. Report of the Student Trustee

Mr. Biersack reported on new clubs that were approved at DCC, the Title IX Intrusion show and SGA’s request to table the Use of Facilities for Free Speech policy being presented at the September 24 Board of Trustees meeting.

X. Report of the Chairperson

Chairwoman Flesland reported on her tenure at Dutchess Community College.

Chair Flesland accepted her appointment as the new chair of the Dutchess Community College Board of Trustees and expressed her excitement and eagerness to begin working with members of the College community.

XI. Report of the President.

President Jordan congratulated Chair Flesland on her appointment as chair of the DCC Board of Trustees and thanked Vice-chair Dupree for his continued service to the College and as chair.

President Jordan reported that Theresa Burke will present at the OER conference in October.

President Jordan reported on Falcon Fest which brought in over 700 students to interact with new clubs and organizations.

President Jordan reported that moving forward, he would like to identify some of the unsung heroes on campus. This evening, Dr. Jordan commended the Marketing and Communications department for all of their hard work and dedication promoting this institution.

President Jordan reported on the college launching its first AI and Integration task force meeting a few weeks ago. This task force is chaired by PJ Darcy and DCC's new CIO, Deepa Dubal.

XII. Other Business

There was none.

XIII. Date of Next Meeting

The next meeting of the Board of Trustees will be held on October 22, 2024 at 6:45 p.m.

XIV. Adjournment

There being no further business to discuss, a motion was made by Mr. Dupree, seconded by Mr. Biersack, voted on, and duly carried, to adjourn the meeting. The meeting adjourned at 7:40 p.m.

Respectfully submitted,



Joia Ponticello
Executive Assistant