

Approved on 1-21-21

Administrative Council Meeting Minutes

Wednesday, January 6, 2021

Teams 9:30 a.m.

(Highlight in blue assignments that need to be completed)

VOTING MEMBERS PRESENT

Dr. Doug Darling- President

Lloyd Halvorson- Vice President for Academic/Student Affairs

Corry Kenner- Vice President for Administrative Affairs

NON-VOTING MEMBERS PRESENT

Richard Drury-Faculty Senate Representative

Bobbi Lunday- Recorder

Guests

Sandi Lillehaugen-HR Manager

1) CALL TO ORDER/REVIEW MINUTES

a) Call to Order

i) The meeting was called to order at 9:32 a.m.

b) Review of December 18, 2020 Minutes

i) The minutes of the previous meeting were reviewed and approved.

2) OLD BUSINESS

a) Ag Center Building/Fundraiser Update (President)

i) The Ag-Center fund-raising total is at \$925,000. President Darling reported that Executive Director Nord's year-end appeal has generated about \$30,000. The Challenge Match campaign has raised \$667,000 which is very good considering we were focused on trying to raise a million dollars for the Ag Center.

b) COVID 19 Updates (Academic/Student Affairs)

i) President Darling reported the old Leever's South Covid19 testing location was busy with many LRSC staff and students this morning.

ii) VP Halvorson reported the campus Covid19 numbers look almost as good when we started last fall. We do have two employees and one student in quarantine. LRSC campus will be resolute to stay vigilant with masking and personal distancing.

iii) LRSC Athletics will be following DLPS Covid19 Protocol of two passes per player/coach but not allowing out-of-town spectators at games. Devils Lake City Hall is reopening on January 19th and the Youth Hockey League is not planning to follow the DLPS protocol.

c) UND Math Proposal Update (Academic/Student Affairs)

i) VP Halvorson gave an update on UND's additional data on math 92 and 93 which have been combined into math 98. LRSC is in negotiation to offer the math classes to UND's students.

d) Confidentiality Software Update (for Title IX Reports) (Academic/Student Affairs)

i) HR Manager Lillehaugen is working with IT Director Haugland to obtain an estimate of the cost of the software. That will be the deciding factor whether we purchase our own software or try to combine services with an institution that already has the software.

3) NEW BUSINESS

a) HR Policy Recommendations: HR 23 and HR 25 (Academic/Student Affairs) *Sandi Lillehaugen @9:45a

i) HR Manager Lillehaugen discussed the HRC meeting held on January 5, 2021. The committee sent forth six policies that will be going through changes, the two policies with the most notable changes are HR23 and

HR25. They propose deleting the following (in blue strikethrough) from HR 23 RESIGNATIONS:

**NORTH DAKOTA
STATE BOARD OF HIGHER EDUCATION
Human Resources Policy Manual**

Policy: 23 Resignations

Effective: November 20, 2014

1. In case of resignations, a regular staff employee is requested to give two weeks written notice to the department head or office. One week's notice is requested for temporary and probationary employees (see Section 4.1). The period of notice may be reduced or waived upon recommendation of the department head or office.
- ~~2. Job abandonment is considered a resignation. Job abandonment occurs when an employee has not contacted the institution and has not reported to their scheduled work shift for three consecutive days without approval. The institution shall notify the employee, in writing by certified mail, that the employee's failure to report to work or to contact the employer constitutes job abandonment and is effective the last day worked. Written notice shall include notice of the right to appeal and a copy of section 27 Appeal Procedures.~~

History: Amended Sec. 23.5, 23.6, SBHE minutes, February 6, 1987; Amended Sec. 23, 23.1, SBHE minutes, June 20-21, 1991; Amended Sec. 23.1, SBHE minutes, March 20, 1997; New Sec. 23.2, SBHE minutes, November 20, 2014.

And moving it to HR 25 JOB DISCIPLINE/DISMISSAL:

Policy: 25 Job Discipline/Dismissal

Effective: July 23, 2020

1. A regular staff employee may be dismissed from employment, suspended without pay, or changed to a lower pay rate for just cause. Just cause includes conduct related to the employee's job duties, job performance, job abandonment, or working relationships which is detrimental to the discipline or efficiency of the institution or office in which the employee is or was engaged.
 - a. Job abandonment occurs when an employee and has not reported to their scheduled work shift for three consecutive working days without approval or contacting the employer. In the event of potential job abandonment, the institution or office shall make reasonable attempts to contact the employee by phone, email, or other methods before proceeding with the process set out in this Policy.
- ~~1.~~
2. The employing department or office shall notify the employee and the appropriate campus official of the proposed action in writing. The written notice must include:
 - a. a statement that the supervision intends to dismiss, suspend, or demote the employee;
 - b. a statement identifying any policies violated by the employee;
 - c. a statement of the specific charges against the employee; citing the employee's behavior, dates and/or occurrences, witnesses, and other evidence against the employee;
 - d. notice that the employee may provide the supervisor with evidence, explanation, or other information in writing which contradicts the allegations and evidence; and
 - e. notice of the employee's status until the final decision is made (i.e. whether the employee is to continue working or be placed on leave of absence with pay).

3. A regular staff employee who is being suspended without pay, dismissed, or changed to lower pay rate for disciplinary reasons shall be entitled to a pre-action review. This review may be limited to the written record including the employee's written response to the allegations, or at the option of the institution or office, may be conducted in person. The pre-action review shall be held no sooner than three working days from the time notice was provided to the employee.
4. The reviewing authority shall consider all evidence and will determine whether there remains reasonable grounds to believe the charges against the employee are true and support the proposed action.
5. The employee must be notified, in writing, of the final decision. A notice of dismissal, suspension without pay, or change to lower pay rate must include a written, detailed statement of the basis for the action and inform the employee of the right to appeal.
6. This Policy shall not apply to conduct by an NDUS employee which is alleged to constitute sexual harassment under Title IX of the Education Amendments of 1972, which is governed by SBHE Policy 520.

History: Amended Sec. 25, 25.1, 25.2, 25.3, 25.3.1, 25.3.2, 25.3.2, 25.4.1, 25.3.2, SBHE minutes, June 20-21, 1991; Amended Sec. 25.1, 25.1.1, 25.2, 25.3, 25.3.2, 25.4, 25.5, SBHE minutes, March 20, 1997; Amended, SBHE minutes, July 23, 2020.

HR Manager Lillehaugen informed council that LRSC and UND voted no but it passed. The reason for the change comes down to attorney's opinions on the interpretation of century code chapter 4.07-19. Council discussed other ways to fix the amendment by requesting job abandonment be added to century code.

- ii) Other changes were in HR 28 Grievance Procedures: Final decisions on personnel board will be extended. Also, they are changing the wording from "working days" to "calendar days".
 - iii) HR Manager Lillehaugen reported about fraudulent workman's compensation claims that have affected LRSC employees. Brad Miller with IT has determined it was not a breach in our system, they think it's from the Equifax breach that happened some time ago and information is still being sold on the dark web.
 - iv) ASI Flex changes include a new law that will extend an additional year to use election without losing it. As the law stands now you can carry over \$500 for up to three months. LRSC does not want to extend it to the entire election for an entire year citing a concern that an employee carries over \$1500 and commits to another \$1500, spends the \$3,000 then leaves in February before the entire \$1,500 is deducted.
- b) **BinaxNOW testing (Amended Application)** (Academic/Student Affairs) *Sandi Lillehaugen
- i) HR Manager Lillehaugen submitted the application to change testing sites yesterday. LRSC received approval to use the Auditorium, but they rejected the dining room. We originally had designated the gym as our second location not realizing it is booked with DLHS practices, so we had to add another site at the last minute.
 - ii) Testing is set for Thursday, Friday, Saturday and Monday. Then POTP on 19th. Regular testing will be on Monday and Thursday and the PCR will be every Wednesday at the old Leever's South/Wally's location. With a 53% false negative rate on A-symptomatic individuals for the BinaxNOW rapid test it is imperative to test twice, and it is unknown how long they will be providing the PCR testing on Wednesdays.
 - iii) President Darling recommended student athletes that are traveling and playing should be tested every week and sports teams that are not traveling and playing can test every other week. HR Manger Lillehaugen and VP Halvorson will write testing policy for athletics. Nursing and peace officer are also on a planned testing regimen. Council discussed having conversations with the other technology programs about required testing.
- c) **COVID FMLA (Expired)** (Academic/Student Affairs) *Sandi Lillehaugen
- i) Extended Covid19 FMLA leave expired on December 31 now state law takes over which says we cannot offer extended leave. Chancellor offered to waive our request to use sick leave for quarantine. We can allow

them to use sick leave up to 40 hours before it is accrued. HR Manager Lillehaugen will check to see if Chancellor will provide a waiver to allow institution to use donated sick leave for quarantine due to Covid19 exposers. They are checking to see if we can use administrative leave.

d) **Update on Food Service, Physical Plant and Bookstore Positions** (Administrative Affairs)

- i) There were no new cook/custodial applicants, so it was re-listed. New Bookstore recommendation will be forthcoming. The food service department is looking for mid-day cook and new student employees. The Administrative Assistant position in TrainND will be open and Director Steffen is working on a position description. HR Manager Lillehaugen is working with Dianne Gunderson on her paperwork for retirement, her final date is January 29, 2021.

e) **Surplus Property Problem and Plan for Resolution** (Administrative Affairs)

- i) VP Kenner discussed issues with surplus property and plans to get a roll-off dumpster. He has asked Controller Kitchens and HR Manager Lillehaugen to assess what should go to the dumpster and what we can put on an auction.

(1) Council also discussed the move out of the Tweete building. The walk through is scheduled for tomorrow 1/7/21. They also discussed items on punch list for the new ag center. They will need IT Director Haugland at the meeting next Tuesday 1/12/21 to discuss the fire suppression system and digital to analog requirement.

f) **Priorities for Senate Appropriations Committee January 18-20, 2021** (President)

- i) 7.5% restored and our capital project of parking lot repair funding.

g) **Learning Commons/Library Strategic Plan**

- i) Council discussed a plan for Learning Commons, noting it does not cover remodeling the space. A planning meeting will be scheduled.

h) **Enrollment Report**

- i) VP Halvorson discussed areas of concern with the enrollment report. They are early childhood, liberal arts, non degree, practical nursing, and Sim Tech which are all down in enrollment. LRSC as a whole, is down 233 in head count and 13,091 credits. Faculty Representative Drury elaborated on Sim Tech issues as they will only have 2 first years and 12 second years. That is down 15-16 students from last spring. RAFO has not committed to send new students.

4) ADJOURNMENT

a) **Adjournment**

- i) The meeting was adjourned at 11:39 a.m.

b) **Upcoming Scheduled Council Meetings**

- i) The next meetings of the Administrative Council will be Th-Jan 21@9a, Th-Feb 4@9a