# NORTHWEST ARKANSAS COMMUNITY COLLEGE BOARD OF TRUSTEES MEETING

# April 11, 2016 4:30 pm - Burns Hall 3<sup>rd</sup> Floor Board Room

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	<ul><li> Time Capsule</li><li> Special Presentation</li></ul>
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X Action Information	Other Board Action Items and Considerations  • Approval of Renewal of Contract for President of NorthWest Arkansas Community College
Adjourn	

# NORTHWEST ARKANSAS COMMUNITY COLLEGE BOARD OF TRUSTEE MEETING Monday, March 14, 2016

#### **MINUTES**

Chair Daniel Shewmaker called the Board of Trustees of NorthWest Arkansas Community College meeting to order on Monday, March 14, at 4:30 p.m. in the Burns Hall Third Floor Board Room.

**Members Present:** Daniel Shewmaker (Chair), Mauricio Herrera (Vice Chair), Keven Anderson (Secretary), Ron Branscum, Ric Clifford (via conference call), Scott Grigsby, Todd Schwartz, Joe Spivey

Also in Attendance: Dr. Evelyn E. Jorgenson and Leticia Zark De Campos

#### **MINUTES**

## **February 15 Regular Board Meeting**

Mr. Branscum moved and Mr. Spivey seconded the motion to approve the minutes of the February 15, 2016, Board Meeting. The motion passed unanimously.

#### **RECOGNITION**

## March Student of the Month Golden Eagle Award

Dr. Todd Kitchen introduced Ms. Becky Hudson, Director of Student Life, who then introduced Eduardo (Lalo) Martinez as the March Golden Eagle Award recipient. Mr. Martinez started as a member of the NWACC Student Ambassador and Activities Board (SAAB) in 2015, serving as publicity coordinator and is currently serving as president of the student organization. Ms. Hudson said that Mr. Martinez has created an atmosphere of caring and sharing, he is understanding and sincere, he is a great ambassador for NWACC, and he works hard to help other students succeed. In addition, Mr. Martinez is active in other organizations on campus and works with EMPACTS students. In addition, he is a dedicated community member.

Mr. Martinez expressed his appreciation and honor to receive this award and stated that he is blessed to have Becky, Dr. Kitchen, Juanita Franklin, and Kathryn Birkhead in his life to push him to do better and to encourage him. As an undocumented student, Mr. Martinez said he has faced special challenges, and he could not be a member of SAAB last year due the cost of out-of-state tuition. According to Ms. Hudson, Mr. Martinez thanked the Board for changing the tuition structure that allowed him to take more credit hours per semester and participate in student organizations such as L.I.F.E. and SAAB, which have helped him to improve his English language skills.

Mr. Herrera complimented Mr. Martinez for being an inspiration to a lot of young people and for taking advantage of a great opportunity. Mr. Shewmaker shared that his hopes and dreams are that NWACC fosters a positive environment where you feel like you can thrive and be successful, and he applauded Mr. Martinez's efforts. Mr. Spivey thanked Mr. Martinez for his courage, for setting a positive example for others, and for taking advantage of what the school has to offer. Mr. Spivey wished him the best in his future endeavors. Mr. Schwartz added his congratulations and asked Mr. Martinez to please let Dr. Jorgenson or Board members know if there is anything they can do so that NWACC can continue to

improve. Mr. Shewmaker concluded by sharing that the Board was pleased to honor Mr. Martinez with this award.

# **Update** — Closing the Gap: 20/20 Plan

In response to a question Mr. Shewmaker asked at the Board Retreat, Dr. Todd Kitchen gave an update about some of the targeted population in Governor Hutchinson's Masterplan Enrollment Data as it relates to NWACC and where the College needs to be by 2018. Adult student population is currently at 2,395 and the Governor's goal is to increase it to 3,592, a 50% increase. In order to increase the underserved population from 2,046 to 2,250, degree or certificate attainment rate and to reach the goal, enrollment needs to grow by 10%. To increase the graduation rate for first-time, full-time (FTFT) from 16.2%, or about 800, in this category, to 17.2% is another goal. The 800 FTFT students accounts for a little less than 10% of our students, because the majority of our students are part-time.

In response to a question by Mr. Grigsby and Mr. Shewmaker, Dr. Kitchen clarified that the adult is defined as someone between the ages of 25 and 54, and the goal numbers are specific to NWACC. There are ideas being discussed to increase enrollment in this category, but nothing is definite at this time. Dr. Jorgenson commented that College administration is hoping to hold on to a zero increase in state funding and not a decrease. Mr. Shewmaker thanked Dr. Kitchen for the update, asked that when the date is established and when we begin measuring, the Board would like another update at that time, as it is a good milestone.

### **Update** — Guns on Campus

Mr. Shewmaker noted that the agenda item was mistitled. Mr. Ethan Beckcom read the Bill §5-73-322 that states "A Policy Disallowing the Carrying of a Concealed Handgun by staff members (full-time faculty and staff) into the public university, public college or public community college expires one year after the date of adoption and must be readopted each year by the governing board of the public community college to remain in effect." This is a reminder that the Board will vote on this item at the April 11 Board meeting, which is two days short of the one-year anniversary of the last vote. Both Faculty Senate and Staff Council will send out a survey, and SGA is considering whether to represent students, as elected, or provide students a survey. A year ago, legislation changed to allow individuals with concealed carry permits to keep guns locked in a vehicle on campus.

In response to a question by Mr. Spivey, Mr. Beckcom confirmed that there is chatter about this legislation, and very few people are on the fence. All of the community colleges and four-year schools in Arkansas have opted out and disallow carrying concealed weapons on campus to date.

#### **EXECUTIVE LIMITATIONS MONITORING REPORT**

#### **EL-206 Asset Protection**

Dr. Jorgenson reviewed the key points of the Asset Protection Executive Limitations Report and reported compliance with this policy. Mr. Spivey asked about cyber security and where are the threats. Dr. Jorgensen responded that we have to assume there are threats and that Mr. Jason Degn is responsible for cyber security, which is ongoing, and do all we can to mitigate the risk. Ms. Debi Buckley shared that the College IT system has an effective security scan that it is the same as the state uses, and state auditors are satisfied with what the College is doing. Mr. Shewmaker asked if any progress had been made toward establishing an asset inventory control plan. Dr. Jorgenson commented there were staffing

issues that have since been corrected and asked Ms. Buckley to elaborate. Ms. Buckley reported that there are now two staff members responsible for inventory control. One is responsible for maintaining the fixed asset inventory. The other person is responsible for the accounting side fixed asset. Mr. Shewmaker expressed the Board's thanks for the progress that has been made.

# **Approval of EL-206 Asset Protection Executive Limitations Report**

Mr. Grigsby moved and Mr. Branscum seconded the motion to approve the EL-206 Asset Protection Executive Limitations Report. The motion passed unanimously.

### **COMMITTEE REPORTS**

# **Finance/Audit Committee**

Mr. Grigsby gave the finance update. From January to January, revenue is down 2%; however, expenses are down 5.2% and that is mostly in the insurance area. The College's cash position is in good shape and there was only a negligible increase in the accounts receivable account. In response to a question, Mr. Grigsby responded that the board reserve is \$2.8 million, which is 7.6% and the current target. The long-term target is 10%. Mr. Branscum asked about the purpose of the Board reserve, and Mr. Shewmaker explained that it is a contingency fund set aside to use for emergencies. Dr. Jorgenson added that NWACC is certainly ahead of most community colleges in Arkansas and keeping a significant reserve is becoming more a part of the College's accreditation consideration. Mr. Spivey shared that from a historical perspective, the Board reserve was established when the College was the "College without Walls" so there would be sufficient funds to pay salaries and rents in case the College had to close down.

Mr. Anderson asked if the health care savings is one of diminishing returns. Ms. Buckley responded that it depends on cost of insurance and the possibility in the future of budgeting those savings. Mr. Grigsby stressed that it takes about three years to assess the success of being self-insured to get a true sense of the savings realized. Dr. Jorgenson shared that at her previous school the College chose to evaluate after five years. As a reminder, there is a \$100,000 deductible for every employee; however, the hope is that some of the funds will be able to be returned to the College in the future for the good of the students and College operations.

#### **Land Use Committee**

Mr. Spivey recommended the approval of the sale of the land to the Arkansas State Highway Commission and the approval of the sale of utility easements to the City of Bentonville. Believing that there was no new business, the committee did not meet during the week prior to the Board meeting; however, on Friday afternoon the State of Arkansas presented an offer on behalf of the State Highway Commission and the City of Bentonville. Mr. Spivey met with Ms. Buckley, who sent out a query to the Land Use Committee members and the members took a vote to accept or reject the offers via email. Ms. Buckley shared that the College had been in negotiations on these parcels of land for the last six months. The state's appraisal was \$2.10 per square foot versus the NWACC appraisal of \$2.39 per square foot. In the end, the Arkansas State Highway Commission agreed to offer NWACC \$695,604 for the sale of real property needed for ongoing widening of I-49, and the City of Bentonville agreed to pay the appraised value in the amount of \$17,518 to NWACC for the sale, conveyance and transfer of utilities easements for the Eighth Street Interchange. Ms. Buckley noted that the city and state wanted to settle these purchases quickly as the state plans to let contracts in June. Mr. Spivey confirmed that

the committee had a full quorum and the vote was unanimously in favor to recommend the sale of the land to the state and the sale of the utility easement to the city.

Mr. Grigsby asked about the location of the easement near Eighth Street and Mr. Schwartz asked about the round-about and if the cities' part should all be on the ground. Mr. Shewmaker confirmed that the round-about would be part of the Watertower Road expansion and he believed the city's part should all be on the ground, just east of I-49.

Mr. Shewmaker noted that the money we gain from these two sales will be set aside and not touched, as there will be other expenses to complete the Eighth Street improvements and railroad negotiations. There will be additional negotiations for the Watertower Road expansion. Mr. Spivey and Mr. Shewmaker thanked Ms. Buckley and Ms. Brenda Meyer for working with the Land Use Committee to make these sales happen. Mr. Spivey said now that improvements activities are getting started, the Land Use Committee will have more considerations in the future, and he will keep the Board appraised of future activities.

### Approval of the Resolution to Sale Land to the State of Arkansas

The recommendation of the Land Use Committee to approve the resolution to sell the land to the Arkansas State Highway Commission passed unanimously.

# Approval of the Resolution to Sale the Utility Easements to the City of Bentonville

The recommendation of the Land Use Committee to approve the resolution to sell the utility easements to the City of Bentonville passed unanimously.

# PRESIDENT'S REPORT

As required, Dr. Jorgenson reported to the Board that several Letters of Notification had been sent to the state. The first one being a name change of an existing program from Career and Workforce Education to Workforce and Economic Development. The Letter of Notification for AAS Business Management with an Accounting Emphasis was made to align the curriculum with the Certified Bookkeepers Exam and the Certified Tax Preparer's Exam. The Letters of Notification for the AAS Health Information Management and the Technical Certificate in Health Information Management were made following a site visit align the programs with the Commission on Accreditation for Health Informatics and Information Management Education's (CHAHIIM) 2014 competencies.

Dr. Tompkins and Dr. Jorgenson were invited to be a part of a National Higher Education Summit of twoand four-year institutions hosted by the University Business, which was quite an honor. The focus of the summit was high tech/high touch. Dr. Tompkins was not able to attend; however, Dr. Saxena from the University of Arkansas was among the 60 participants. It was stressed at the summit that today's high schools will shape the future of higher education institutions and the high tech-high touch imperative. Colleges need to focus on readiness, remediation, and retention. There was a conversation about the high cost of text books and that there are now "Z courses" means zero textbook courses being offered. The summit provided good information.

Mr. Shewmaker commented that the Letters of Notification and name change are mostly semantics, rather than program changes, and will help with accreditation.

#### OTHER BOARD ACTION ITEMS AND CONSIDERATIONS

#### **Board Self-Evaluation**

Mr. Herrera reported that he sent an email to other Board members for their input on the Board's self-evaluation. Perhaps the Board could complete a brief survey at the end of each meeting and then Mr. Herrera could provide a report once a quarter. Mr. Shewmaker thought this would be a good idea as long as controversial comments can remain anonymous. Invite open comments and identify ways to improve as a Board. Mr. Schwartz shared that former Board Chair Mr. Vasquez did a quick survey of the Board at the end of every meeting to ensure the Board was functioning as intended. Mr. Spivey added former Board Chair Mark Lundy frequently asked Board members "Did we operate as a unit?" Sometimes additional questions and discussion resulted. Mr. Herrera shared that meeting attendance is on average at 92% and Board activity outside of meetings is 62%. Mr. Shewmaker expressed his appreciation for Board members attendance and participation at the monthly meetings. Having the callin capability helps with attendance.

## **CHAIRMAN'S REPORT**

Mr. Shewmaker commented that the Workforce and Economic Development handout is a great shoutout for what we do right, and he encouraged Board members to use it to advocate for NWACC. Mr. Shewmaker pointed out a calendar item worth noting is the April 28 Plant A Seed Soiree. This is the Foundation's annual fundraiser and it will be held on campus for the first time. Mr. Shewmaker encouraged other Board members to attend. Another important calendar item is the May 14 commencement ceremonies. Mr. Shewmaker plans to attend all three ceremonies and would appreciate all Board members, if possible, attending at least one ceremony. He asked that Board members let Ms. Jean Anderson know which ceremony(ies) they plan to attend.

Act 226 conceal carry for faculty and staff will be voted on at the April 11 Board meeting. Mr. Spivey asked if this would be a roll call vote. The first time the Board voted on the resolution, it was by roll call; last year it was an open vote. It can be done either by roll call vote or voice vote.

Mr. Clifford will be attending the April meeting and Mr. Grigsby will participate in the meeting via conference call. Mr. Shewmaker asked Board members to plan on having the Board photo taken in May.

Mr. Shewmaker noted that when the Board returned from Executive Session after conducting Dr. Jorgenson's review, no action would be taken.

MOVED TO EXECUTIVE SESSION AT 5:36 P.M.

RETURNED FROM EXECUTIVE SESSION AT 9:05 P.M.

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The meeting adjourned at 9:05 p.m.	
Daniel Shewmaker. Chairperson	Keven Anderson. Secretary

#### **POLICY TITLE: COMPENSATION AND BENEFITS**

# Policy 207: With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the President shall not cause or allow jeopardy to fiscal integrity or public image.

Definition: Cause or allow jeopardy to fiscal integrity refers to the total of all compensation and benefits paid to all employees, consultants, contract workers, etc. exceeding the total budget for these positions in a fiscal year plus 5%, unless specific revenue such as grants, gifts, etc. becomes available and expenditure of these funds is approved by the college President for these purposes.

Narrative:

The President requires the Senior Vice President for Administrative Services/CFO to report in a timely manner the possibility of such jeopardy and propose a plan of remedy. This plan may include the reduction of budgeted expenditures or re-allocation of funds. Furthermore, the President requires that an annual carryover of 8%-10% of the total revenue budget, or other amount as approved by the Board of Trustees, be reserved for each fiscal year as a contingency. The President requires periodic documentation of fiscal condition, such as financial statements and budget status reports, to be provided to him or her and the college Cabinet by the Senior Vice President for Administrative Services/CFO as produced by the Budget Office. College funds invested are secured by U.S. Government securities or equivalents. State audits indicate fiscal integrity.

# Further, without limiting the scope of the foregoing by this enumeration, he or she shall not:

# 1. Change his or her compensation and benefits.

Definition: Changes refers to the president's altering his or her compensation/benefits without official Board action.

Narrative:

Salary and fringe benefits received by the President have been approved by the Board of Trustees and have not been altered.

# 2. Promise or imply permanent or guaranteed employment.

Definition: Promising or implying permanent or guaranteed employment refers to employment of staff/faculty person with or without a Letter of Employment, entering into any other oral or written agreement with a staff/faculty person without the use of a college Letter of Employment, or entering into an employment contract not containing pertinent employment terms, such as starting date and salary.

Narrative:

Employee Letters of Employment are issued at the beginning of each fiscal year and they are contingent on adequate funding. Employment documents have defined starting dates and identify salary and conditions of employment. Letters of Employment for newly hired employees are issued as employees are hired throughout the year. Additionally, Letters of Employment are issued when an employee changes position titles or receives compensation related adjustments.

# 3. Establish compensation and benefits, which deviate materially from the geographic or professional market for the skills employed unless required by law.

Definition: Deviate materially refers to 10% less than and up to 10% more than the average for the same position in compensation and benefits package combined. Geographic and professional market refers to similar positions in northwest Arkansas (Benton and Washington Counties) and at least two nearby community colleges and similar skilled positions as defined by Arkansas Department of Labor or where job descriptions are comparable.

Narrative:

The College participates in the annual College University Professional Association (CUPA) salary surveys for administrative, professional and faculty positions, the NorthWest Arkansas Human Resources Association (NOARK) wage and benefits survey for a number of positions, as well as the Arkansas Community College Association (ACCA) salary survey. Survey data is reviewed annually to determine competitive salaries and identify variances. As outlined in our ENDS, Goals & Action Plans, NWACC continually reviews the individual salaries to address existing negative salary variances in classified, non-classified, and faculty positions. Maintaining the faculty salary scale is a further commitment of the College. Benefit offerings are monitored annually to ensure competitive rates and services for comparable regional employers.

# 4. Establish or change pension benefits.

Definition: Establish or change refers to benefit change action by other than the College Board. Pension benefits refer to the written NWACC Defined Contribution Benefit Retirement Plan only.

Narrative:

The Board of Trustees has approved the existing NWACC Defined Contribution Benefit Retirement Plan and will be asked to approve any changes to the plan.

I am reporting compliance with Executive Limitations, Policy 207.

Evelyn E. Jorgenson, Ph.D.

President

April 11, 2016



April 6, 2016

Date:

То:	Board of Trustees		
From:	Debi Buckley, Vice President of Finance	and Administration	
Subject:	Construction Technology Lab Fee		
The Finance Committee recommends that the NorthWest Arkansas Community College Board of Trustees approve a lab fee of \$75 per course in the Construction Technology program.			
Recommendation: It is the recommendation of the Finance Committee that the Board of Trustees approve a \$75 per course Construction Technology fee.			
Mr. Dan Shewr	naker, Chairperson	Mr. Keven Anderson, Secretary	



To:	Board of Trustees
From:	Debi Buckley, Vice President of Finance and Administration
Subject:	Differential Tuition Rate in Health Professions
The Finance Co	mmittee recommends that the NorthWest Arkansas Community College Board of
	ve a differential tuition rate of \$25 per credit hour for the following certificate programs rofession program:
<ul> <li>Nursing</li> </ul>	g, Physical Therapy Assistant, and Respiratory Therapy Assistant
	on: It is the recommendation of the Finance Committee that the Board of Trustees the Profession differential tuition increase of \$25 per credit hour.

Mr. Keven Anderson, Secretary

Date:

April 6, 2016

Mr. Dan Shewmaker, Chairperson



Date:	April 6,	2016
Date.	, .p c,	-0-0

To: Board of Trustees

From: Debi Buckley, Vice President of Finance and Administration

Subject: Capital Funds Transfer to Unrestricted General Funds

The Finance Committee recommends that the NorthWest Arkansas Community College Board of Trustees approve a one-time funds transfer of \$300,000 from the Capital Funds account to the Unrestricted General Funds account to pay for lease, janitorial and maintenance fees for FY17.

<u>Recommendation:</u> It is the recommendation of the Finance Committee that the Board of Trustees approve the one-time funds transfer of \$300,000 from the Capital Funds account to the Unrestricted General Funds.

		-
Mr. Dan Shewmaker, Chairperson	Mr. Keven Anderson, Secretary	



Date:	April	11.	2016

To: Board of Trustees

From: Debi Buckley, Vice President of Finance and Administration

Subject: Approval of Resolution Disallowing the Carrying of a Concealed Handgun

The NWACC administration recommends that the Board exercise its option to exempt the institution from Act 226 of 2013 and not allow employees (with a permit to carry a concealed weapon) to carry a concealed weapon on the College's Campus or instructional Centers by approving the resolution disallowing the carrying of a concealed weapon.

<u>Recommendation</u>: The administration recommends that the Board exercise its option to exempt the institution from Act 226 of 2013 and not allow employees (with a permit to carry a concealed weapon) to carry a concealed weapon on the College's Campus or instructional Centers by approving the resolution disallowing the carrying of a concealed weapon.

Daniel Shewmaker, Chairperson	Keven Anderson, Secretary	



#### NORTHWEST ARKANSAS COMMUNITY COLLEGE BOARD OF TRUSTEES

# RESOLUTION ON THE CONCEALED CARRY OF HANDGUNS ON CAMPUS BY TRAINED AND LICENSED STAFF ON CAMPUS

**WHEREAS,** Northwest Arkansas Community College (NWACC) is a public institution of higher education that receives regular budgetary support from the State of Arkansas, and that is required to report to the Arkansas Higher Education Coordinating Board, and

**WHEREAS**, it is unlawful for any person other than a law enforcement officer or a commissioned officer in the employ of NWACC to knowingly carry or possess a loaded firearm or other deadly weapon in any publicly owned building or facility, and

**WHEREAS,** a "staff" member means a person who is not enrolled as a full-time student at NWACC, and is either employed by NWACC full time or is on a nine-month or twelve month appointment at NWACC as a faculty member, and

**WHEREAS,** Act 226 of 2013 requires that the Board of Trustees at NorthWest Arkansas Community College approve a policy with regard to the carry of concealed handguns on campus by trained and licensed staff members who possess a concealed carry permit.

# NOW, THEREFORE, BE IT RESOLVED:

- That the Board of Trustees of NWACC adopts this policy expressly disallowing the carrying of a concealed handgun by staff members in college owned or controlled buildings and grounds, and
- That this Board policy expires one (1) year after adoption and must be readopted each year by the Board of Trustees to remain in effect, and
- That NWACC's commissioned law enforcement officers employed within the NWACC Department of Public Safety are exempt from this policy, and
- That NWACC's Administration will conduct an annual analysis of its capacity to provide a safe and resilient environment that enhances the learning experience and supports the College's educational mission, and
- That this analysis will accompany future requests to either readopt this policy or to adopt differing
  policies for the carrying of a concealed handgun by trained and licensed staff members for
  different campuses, areas of a campus, or individual buildings of the college for which the Board
  of Trustees is responsible, and
- That NWACC will post at the entrance of all facilities and parking lots controlled or owned by NWACC clearly written notifications readable at a distance of not less than ten feet that "Carrying A Handgun Is Prohibited"

Mr. Daniel Shewmaker, Chairperson	Mr. Keven Anderson, Secretary
Evelyn E. Jorgenson, President	Leticia Zark De Campos, SGA President
Tim McGinn, Faculty Senate President	Heidi Migliori, Staff Council Chair
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