

Agenda
Sinclair Community College
Board of Trustees

March 10, 2009
3:30 p.m., Building 12, Room 131

I. ROLL CALL (VERBAL)

II. WELCOME TO SPECIAL GUESTS – KATHERINE HOLLINGSWORTH

III. APPROVAL OF MINUTES (Enclosure #01)

**IV. CHAIR’S RECOGNITION OF AWARDS AND NOTABLE ACCOMPLISHMENTS –
KATHERINE HOLLINGSWORTH**

A. RECOGNITION OF SINCLAIR STUDENT TODD SOLLAR

Sinclair student, Todd Sollar, accompanied Trustee Larry Porter, President Steve Johnson, Tom Raga, and Madeline Iseli to the National Legislative Summit on February 9-10, 2009. While in Washington, D.C., the group visited Ohio’s congressional delegation on Capitol Hill, reminding our representatives and senators about the importance of education in the economic revitalization of our nation, especially in the greater Dayton region.

Todd is a displaced worker who had been employed by DHL and GM. He is now at Sinclair as a full-time student and a recipient of the Displaced Workers Scholarship. Todd really brought the message to life by sharing his story with various legislators throughout the day. His story caught the attention of the *Chronicle for Higher Education*, which assigned a reporter who subsequently spent the entire day with Todd as the group visited legislators’ offices throughout Capitol Hill.

**B. INDIVIDUALIZED LEARNING PLAN RECEIVES 2008 NACADA PROGRAM
MERIT AWARD**

Sinclair’s Individualized Learning Plan (ILP) recently received the 2008 National Academic Advising Association (NACADA) Program Merit Award.

Since July 2003, over 11,000 at-risk students have participated in the ILP program. ILP counselors are supported by a web-based counseling record management, reference and reporting system developed with U.S. Department of Education Title III grant funds. At-risk students are teamed with an “academic coach” (counselor) for their first two quarters at Sinclair to develop a plan for success. Compared to at-risk students who do not participate in the program, ILP students:

- Are more likely to return next term
- Are more likely to complete more courses successfully

- Earn higher GPAs
- Are more likely to be enrolled two and even three years later

C. BILLIE SANDERS RECEIVES CHAIR ACADEMY'S 2009 INTERNATIONAL EXEMPLARY LEADER AWARD

Billie Sanders, Chairperson of Exercise, Nutrition and Sports Sciences, received the Chair Academy's 2009 International Exemplary Leader Award at the Chair Academy's 18th Annual International Conference, March 2-5, 2009. This award was given in recognition of her ability to advance academic and administrative leadership on the Sinclair campus.

D. DEREK ALLEN NAMED ONE OF THE 2009 TOP TEN AFRICAN AMERICAN MEN

Derek Allen, Associate Professor of Hospitality Management/Culinary Arts, was an award recipient at the Top Ten African American Male luncheon held at the Sinclair Center on Thursday, February 26, and sponsored by Parity, Inc.

**V. PERSONNEL AND CURRICULUM COMMITTEE REPORT TO THE TRUSTEES –
MARVA COSBY**

ITEMS FOR BOARD DISCUSSION AND/OR RESOLUTION

**A. Sinclair's Involvement
in the National *Achieving the Dream* Initiative**

Sinclair is completing its fourth year as one of the few dozen participating colleges in the national *Achieving the Dream* (AtD) initiative. The purpose is to improve the persistence and success of community college students, especially those students who historically have been underserved: minority and low income students.

The ultimate goal of AtD is to help more students complete certificate and degree programs. Sinclair has focused on improving student success in key "gatekeeper" courses where significant numbers of students have performed poorly: mathematics, developmental studies and English composition. Through changes in curriculum, policy, use of technology and teaching approaches, improvements in student success are beginning to occur.

Especially noteworthy is the work of the Sinclair Mathematics Department to change instructional approaches in an effort to improve the retention and academic achievement of students in elementary algebra, and three members of the department are presenting some of this work today: Tony Ponder (Department Chair), Jim Willis and Richard Uchida.

B. Winter Term Enrollment

With 23,178 students, winter term 2009 enrollment is the largest winter term in Sinclair history. Headcount is up about 5% over last winter, and FTE is up about 8%. Enrollment is up at all locations:

Location	Headcount	% diff from last year	FTE	% diff from last year
Courseview (CVCC)	703	53.3%	340	62.2%
Dayton Campus	21,770	2.9%	11,875	5.5%
Englewood (ELC)	955	27.3%	417	42.7%
Huber Heights (HHLC)	1,011	27.7%	406	39.6%
Total	*23,178	5.0%	13,040	8.0%
*Note: Total head count is a college wide unduplicated head count.				

C. United Way 2008 Update

Sinclair continues to play a strong role in support of the United Way of Greater Dayton. Over the past four years, Sinclair has increased the average gift per person every year, increased the number of leadership gifts every year and greatly exceeded the contributions of the two neighbor universities.

Sinclair	Year	Campaign Total	Average Gift	Leadership Donors	Leadership Dollars
	2004	\$128,129	\$184	59	\$49,534
	2005	\$128,192	\$228	64	\$57,966
	2006	\$133,066	\$229	68	\$64,197
	2007	\$132,680	\$249	69	\$66,612
	2008	\$132,775	\$263	71	\$70,438
5-Year Total		\$654,842			

D. Grants Office Report

Sinclair has one of the most successful grants departments of any community college nationally. Over the last 21 years, the Grants Development Office has helped the college secure over \$110 million in funding for Sinclair. Sinclair typically has about \$6 million in grant-funded projects annually (this is above and beyond the annual operating budget).

During the first eight months of FY 2009, the Grants Development Office submitted 88 proposals to external agencies for funding and managed the records and reports for some 136 projects.

The Grants Development Office is now part of the larger, more strategic efforts within Advancement. More grant proposals than ever are now under development, as part of the Board Strategic Priority of developing alternative sources of funding. The grants office has two staff. It is estimated that another full-time staff person in the grants office could help the college yield another \$1 million annually in additional grant receipts (conservatively estimated). This addition to the staffing is now under consideration.

E. Discussions and Requests

- There was much discussion over the many funding and policy issues that are being proposed and deliberated in Columbus. It was acknowledged that at no other time has so much been in play, and so much unknown, with respect to the economy, funding, and higher education policy. Discussed was the idea that the Governor and the Ohio General Assembly might not come to a conclusion on the budget bill (and state funding and policy for Sinclair might remain “in the air”) until late in June. Acknowledged was the idea that the regular June Board of Trustees meeting might need to be rescheduled to early July in order to pass a college budget based on the state budget (as the state budget might not pass until the final hours of June).
- Discussed was the proposal in the Governor’s budget bill that tuition be legislatively frozen for two more years, and that the Chancellor would otherwise set the rate of tuition for all community colleges and other associate degree-granting public colleges. Concern was expressed over Sinclair’s already very low tuition and that tuition being frozen for two more years (when the college has grown 10% in enrollment) might lead to serious financial difficulties in the coming years.
- The Personnel Curriculum Committee discussed the continuing escalation of costs for employee health care. The college is self-insured and works with United Health Care. In the past several years, costs to the college have tripled to some \$7 million annually. As a cost control measure, the idea was briefly discussed of possibly capping the total pool of college money available to pay for health care each year, and allowing the pool to grow with the CPI.
- The Committee noted the importance of Sinclair’s exemplary Grants Department in providing much needed funding in many areas including student support and student success.
- Noted by the committee and briefly discussed was that the senior administrators of a local university had announced that their pay raises next year will be given to the university foundation to tuition and fees for financially challenged students. Also mentioned was the fact that state employees are being asked to take a pay cut, and that top state leaders would probably be taking a pay cut in the coming year. Though Sinclair is not a state agency as such, the question was raised as to what Sinclair leaders might do to be in concert with such actions.

F. Record of Items Reviewed by the Committee

- State Budget Planning and Implications for Sinclair
- Sinclair Strategic Operational Commitments
- Trustee Ideas from Board Advance
- Draft *Strategic Horizons: 2009-2014* Document
- Correspondence from Ohio Board of Regents
- Chronicle Article: *An Unlikely Student Hits Capitol Hill*
- Dependent Audit (Health Care) Update for 2008
- Health Care Update for 2008 (Medical Plan)
- Employer Responses to Financial Difficulties
- Fast Forward Center Annual Report

This concludes the report of the Personnel and Curriculum Committee.

VI. FINANCE COMMITTEE REPORT TO THE TRUSTEES – ROBERT CORBIN

ITEMS FOR BOARD DISCUSSION AND/OR RESOLUTION

A. Resolution for Sale of Real Property to ODOT

- As part of the I-75 modernization project, ODOT is scheduled to launch large-scale construction work (i.e., Phases 1B and Phase 2) in downtown Dayton over the next 3-5 years.
- In order to complete the aforementioned projects, it is necessary for ODOT to acquire real property and be granted exclusive temporary right-of-way for real property owned by Sinclair Community College.
- ODOT seeks to acquire several small parcels of real property:
 - a total of 1.151 acres in the Bank Street area,
 - 0.033 acres on the SW corner of Edwin C. Moses Blvd. and Germantown Street, and
 - 0.007 acres on the SE corner of Edwin C. Moses Blvd. and Germantown Street.
- Additionally, ODOT seeks temporary right-of-way on 0.131 acres on the SE corner of Edwin C. Moses Blvd. and Germantown Street, which is in the vicinity of Sinclair's Building 20 (John E. Moore, Sr. Technology Center).
- ODOT will pay Sinclair Community College \$38,106 to acquire and gain the exclusive temporary right-of-way for the aforementioned real property. This amount is consistent with Sinclair's independent appraisal of the parcels. It should be noted that ODOT has legal authority under the Ohio Revised Code to appropriate this property.
- This sale of real property will have a negligible impact on Sinclair's ability to develop the Bank Street area.
- By law, a Board Resolution is necessary to authorize the sale of real property owned by Sinclair Community College. The Finance Committee recommends the following resolution to the full Board.

**RESOLUTION FOR SALE OF REAL PROPERTY TO ODOT
(RESOLUTION # 2009-02)
MARCH 10, 2009**

Resolution to sell the real estate identified by Parcel Nos. 59WL; 62WL; 66WL; 69WL; 70WL; 71WL; and 72WL to the State of Ohio, its successors and assigns for the use and benefit of the Department of Transportation for the sum of \$20,992.00; and to grant a temporary right-of-way easement for the exclusive use and occupancy of the real estate identified by Parcel No. 66T to the State of Ohio, its successors and assigns for the use and benefit of the Department of Transportation for the sum of \$17,114.00.

WHEREAS, Section 3354.09(B) of the Ohio Revised Code gives the Board the power to sell real property as is necessary for the conduct of the program of the community college on whatever terms and for whatever consideration may be appropriate for the purpose of the college;

WHEREAS, the State of Ohio, for the use and benefit of the Ohio Department of Transportation, has offered to purchase the real estate identified by Parcel Nos. 59WL; 62WL; 66WL; 69WL; 70WL; 71WL; and 72WL from the Board for the sum of \$20,992.00 for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Ohio Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Ohio Revised Code;

WHEREAS, the State of Ohio, for the use and benefit of the Ohio Department of Transportation, has requested an exclusive temporary (36 months) right-of-way easement over the real property identified by Parcel No. 66T from the Board for the sum of \$17,114.00 for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Ohio Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Ohio Revised Code;

WHEREAS, the sale of the real estate identified by Parcel Nos. 59WL; 62WL; 66WL; 69WL; 70WL; 71WL; and 72WL and the granting of the temporary right-of-way easement for the use of the real property identified by Parcel No. 66T are necessary for the conduct of the program of the community college and the consideration therefore is appropriate;

WHEREAS, pursuant to Section 163.211 of the Ohio Revised Code the Board would have the right to repurchase the real property so conveyed by deed or easement under terms specified in said statute;

NOW, THEREFORE, BE IT RESOLVED, that the Board sell the real estate identified by Parcel Nos. 59WL; 62WL; 66WL; 69WL; 70WL; 71WL; and 72WL to the State of Ohio for the use and benefit of the Ohio Department of Transportation for the sum of \$20,992.00;

BE IT FURTHER RESOLVED, that the Board grant a temporary right-of-way easement for a period not to exceed 36 months for the use of the real property identified by Parcel No. 66T to the State of Ohio for the use and benefit of the Ohio Department of Transportation for the sum of \$17,114.00;

BE IT FURTHER RESOLVED, that Kathy Hollingsworth, Chair of the Board, is authorized to execute all deeds, easements, affidavits, closing statements or other closing documents necessary to effectuate the foregoing resolutions.

Board Action _____

B. Resolution to Adopt a 403(b) Retirement Plan (Revised)

- At its November 12, 2008 meeting, the Board adopted Resolution No. 2008-28, authorizing the college's President to adopt a 403(b) Plan document by December 31, 2008, in order to comply with new IRS regulations.
- In December, the IRS issued a last-minute extension of the document adoption deadline. This led the Attorney General's Special Counsel, assigned to assist with implementing the regulations, to advise colleges to delay Plan adoption.
- In January, the Special Counsel advised Sinclair that the previously adopted resolution was no longer correct because it required adoption of the Plan by December 31. She then prepared the attached resolution to rescind the 2008 resolution and give authority for adoption of the 403(b) Plan document in 2009.
- The Finance Committee recommends the following resolution to the full Board.

RESOLUTION TO ADOPT A 403(B) RETIREMENT PLAN (REVISED)
(RESOLUTION # 2009-03)
MARCH 10, 2009

A RESOLUTION TO RESCIND THE 2008 BOARD OF TRUSTEE RESOLUTION TO
ADOPT THE SINCLAIR COMMUNITY COLLEGE 403(b) PLAN AND TO AUTHORIZE
THE PRESIDENT TO ADOPT THE PLAN IN 2009 AND TO EFFECTUATE FULL
COMPLIANCE THEREOF

Sinclair Community College (the "College") currently offers employees an opportunity to voluntarily contribute to a tax deferred 403(b) plan.

The Internal Revenue Service ("IRS") issued final regulations under Internal Revenue Code Section 403(b) on July 26, 2007 (the "Final Regulations"). Under the Final Regulations, the College was required to adopt a 403(b) plan document (the "403(b) Plan") by December 31, 2008.

Accordingly, on November 12, 2008 by Resolution No. 2008-28 (the "2008 Resolution"), the Board of Trustees of Sinclair Community College delegated authority to the College's President to adopt a 403(b) Plan document.

The 2008 Resolution indicated that the written 403(b) Plan document must be adopted on or before January 1, 2009 in order to comply with the Final Regulations. The IRS did not complete its 403(b) plan guidance on the Final Regulations by year end 2008 and extended the deadline for adoption of a final 403(b) Plan document until December 31, 2009.

Therefore, the College did not comply with the terms of the 2008 Resolution which required adoption of a 403(b) Plan document on or before January 1, 2009.

The 2008 Resolution is rescinded and this Resolution re-authorizes the President to adopt the 403(b) Plan document in compliance with the Final Regulations, and to sign the 403(b) Plan document on behalf of the Board on or before December 31, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Sinclair Community College that:

The 2008 Resolution to adopt a 403(b) Plan document is rescinded in its entirety.

The College's President is authorized and empowered by the Board to adopt the 403(b) Plan document and is further empowered to make such administrative changes to the 403(b) Plan document as are required from time to time to effect compliance with the Internal Revenue Service 403(b) Regulations.

The College's President has the authority to sign the final 403(b) Plan document on behalf of this Board at any time on or before December 31, 2009, such 403(b) Plan document to be retroactively effective to January 1, 2009, with the corresponding full weight and effect.

BOARD ACTION _____

C. State Budget Planning and Implications for Sinclair

A report addressing the status of the Governor's Executive Budget recommendation for the FY 2010-2011 biennium was discussed with the Finance Committee. This same report was also discussed at the other Board Committee meetings. Among the key points to consider are:

- The Governor submitted his budget proposal on February 2. However, the 3,000 page budget bill was just introduced on February 24 and is currently being analyzed for institutional-specific data.

- Key takeaways in regards to the budget proposal are:
 - The State of Ohio's economy is undergoing a time of unprecedented challenges and scarce resources. It is likely that the budget will undergo significant scrutiny and change during the legislative budget process before the Governor signs into law a budget bill by June 30.
 - The proposal heavily relies on one-time resources, including Ohio's share of federal stimulus monies. The obvious question is what happens when that money goes away after FY 2011.
 - Tuition freezes for two-year colleges would remain in place. In addition, there is language in the budget bill that would apparently give the Chancellor of the Board of Regents the ability to set tuition levels at two-year colleges.
 - The higher education budget is relatively flat but there is significant restructuring of programs that will have implications for how funds are distributed at an institution-specific level. These include:
 - Proposed restructuring of the Ohio College Opportunity Grant (OGOC) that would shift need-based financial aid funds away from low tuition institutions (two-year colleges) to higher tuition institutions (universities).
 - A proposed merging of the State Share of Instruction (SSI) and the Access and Success Challenge programs. These are the core funding programs that provide the vast majority of subsidy for Sinclair and other institutions.
 - Structural changes in the funding formula.
 - Sinclair's administration has been closely monitoring the economic and budget situation and has assessed the long-term sustainability of possible financial scenarios. Because of the great uncertainty regarding the state budget and tuition policy mandates, the college is using a more centralized, directed approach for developing the FY 2010 operating budget.

D. Discussions and Requests

- Most of the committee's discussions related to the state budget situation and implications for Sinclair. Committee members expressed their concerns about the viability of the state budget proposal in light of its heavy reliance on one-time federal stimulus monies as well as the shaky economic environment. Members counseled college administrators to be appropriately guarded in budget planning for FY 2010 and beyond (since there is the possibility of very large state budget deficits two years from now).
- Echoing previous trustee discussions on the matter, the President informed the finance committee that continued tuition freezes at Sinclair, with Sinclair tuition already extraordinarily below Ohio tuition rates (even very low for levy colleges) could very likely lead to serious financial constraints in the coming years. Having already frozen tuition 12 of the past 19 years, and with recent legislative tuition caps and freezes, Sinclair's continuing ability to deliver world-class quality to many more students is at risk. The President reported that he has at least twice discussed this serious concern with the Chancellor, yet the continuing response is that state leaders want all colleges, without exception, to freeze tuition.
- The President informed the committee that the Out of School Youth Program, and the Dayton Early College Academy, are at risk for losing much funding in the coming state budget that these schools might be forced to close within the coming months. These schools are technically categorized as charter schools, and the new Ohio budget bill significantly reduces funding for all charter schools. An information campaign is being conducted with legislators – primarily to show the extraordinary success and to try to develop a process to fund these schools as some sort of alternative school rather than charter schools (as charter school funding appears to be a political target).

E. Record of Items Reviewed by the Committee

- Sinclair Strategic Operational Commitments
- Trustee Ideas from Board Advance
- Draft Strategic Horizons: 2009-2014 Document
- Interim Financial Statements FY 2008-09
- Auditor Selection Process
- Stimulus Project Submissions
- Auxiliary Services Semi-Annual Report FY 2008-09
- Capital Budget Status Report
- Correspondence from Ohio Board of Regents
- Chronicle for Higher Education Article: "An Unlikely Students Hits Capitol Hill" (2/20/09)
- Fast Forward Center Annual Report

This concludes the report of the Finance Committee.

VII. STRATEGIC LINKAGES COMMITTEE REPORT TO THE TRUSTEES – BARNEY WRIGHT

ITEMS FOR BOARD DISCUSSION AND/OR RESOLUTION

A. Analysis of Warren County Expansion Options

The Courseview Campus Center is growing beyond initial projections. In order to meet future space and program needs in the coming years, analysis and discussion must begin now. Senior Vice President Ken Moore shared early analysis of several options for expansion. Further analysis, including detailed financial planning, needs to take place before a recommendation can be given to the full board.

B. Foundation Board Membership

The Sinclair Foundation's new by-laws call for the college Board chair to appoint up to three Sinclair Trustees on the Foundation Board. This new structure anticipates a much more active involvement from college trustees and a greater connection between the college and foundation. Trustees Greg Edwards, Larry Harkness and Barney Wright have agreed to serve as trustee representatives on the Foundation Board.

C. Discussions and Requests

- In accord with previous trustee discussions on the matter, the President informed the finance committee that continued tuition freezes at Sinclair, with Sinclair tuition already extraordinarily below Ohio community college tuition rates (even very low for levy colleges), could very likely lead to serious financial constraints in the coming years. Having already frozen tuition 12 of the past 19 years, and with recent legislative tuition caps and freezes, Sinclair's continuing ability to deliver world-class quality to many more students is at risk. The President reported that he has at least twice discussed this serious concern with the Chancellor, yet the continuing response is that state leaders want all community colleges, without exception, to freeze tuition for two more years.
- The President informed the committee that the Out of School Youth Program, and the Dayton Early College Academy, are at risk for losing so much funding in the coming state budget that these schools might be forced to close within the coming months. These schools are technically categorized as charter schools, and the new Ohio budget bill significantly reduces funding for all charter schools. An information campaign is being conducted with legislators – primarily to show the extraordinary success and to try to develop a process to fund these schools as some sort of alternative school rather than charter schools (as charter school funding appears to be a political target).
- Briefly discussed was the fact that several state leaders are opting, and state employees overall, are being asked to either freeze or take a reduction in pay. This does not apply to Sinclair (as Sinclair employees are not state employees). However, this approach might be important to understand.
- The Strategic Linkages committee members would like to be kept apprised of the state budgeting process as it unfolds. Additional communication with committee members may be called for before the scheduled May meeting.
- The Board Ideas List that resulted from 2009 Advance discussions should be retained for future discussion and possible incorporation into long-range planning for the college.

D. Record of Items Reviewed by the Committee

- State Budget Planning and Implications for Sinclair
- Sinclair Strategy: Current Commitments
- Trustee Ideas from Board Advance
- Draft Strategic Horizons: 2009-2014 Document
- Possible Stimulus Project Submissions
- Chronicle for Higher Education 2/20/09 article, "An Unlikely Student Hits Capitol Hill"
- Ohio Board of Regents Correspondence dated 2/23/09
- Fast Forward Center Annual Report
- Public Policy

This concludes the report of the Strategic Linkages Committee.

VIII. PRESIDENT'S ADDITIONAL NOTICES – STEVEN JOHNSON

- A. President Steve Johnson and Board Chair Kathy Hollingsworth attended the 2009 League CEO/Trustee Retreat, February 25-27, 2009. The purpose of the workshop was to learn about the post-secondary initiatives of the Gates Foundation and to explore the idea of a concerted effort among the 19 League for Innovation Colleges (working with Gates) to help “double the number of low-income adults who obtain postsecondary degrees or credentials with genuine economic value by age 26.”
- B. President Johnson, Board Vice Chair Larry Porter, Vice President Tom Raga, Chief of Staff Madeline Iseli, and Sinclair student Kelli Martin participated in the OACC “One Voice” event in Columbus on March 4, 2009. Kelli, and several other Ohio community college students, provided remarks at a luncheon to which state legislators were invited. Area legislators in attendance included Representative Peggy Lehner, Senator Jon Husted, Senator Chris Widener, Representative Bob Hackett, and Representative Tim Derickson (Butler County).
- C. President Steve Johnson will be attending an upcoming summit with Ohio college and university presidents to be hosted by Senator Sherrod Brown in Washington, D.C. on April 1, 2009. Senator Brown’s goal for this meeting is to focus on ways to best work with the incoming presidential administration to promote educational attainment and job growth in Ohio.
- D. Other last-minute announcements . . .

IX. ADJOURNMENT – KATHERINE HOLLINGSWORTH