

**FOR MINUTES
CAPE FEAR COMMUNITY COLLEGE
BOARD OF TRUSTEES
NOVEMBER 16, 2022
5:00 PM**

Following proper public notifications on November 11, 2022, and a determination that a quorum was present, the Cape Fear Community College Board of Trustees met in regular session on Wednesday, November 16, 2022, at 5:00 pm in the Board Room of the Union Station Building. Mr. Bill Cherry, Chair, presided.

Trustees present were: Mr. Bill Cherry, Chair; Mr. Robby Collins; Mr. Ray Funderburk; Mr. A.D. “Zander” Guy; Ms. Deborah Maxwell; Mr. Jason McLeod; Mr. Bruce Moskowitz; Ms. Deloris Rhodes; Mr. Bill Rivenbark; Ms. Paula Sewell; Mr. Bruce Shell; Mr. Lanny Wilson and Mr. James Nicholas, SGA President. Trustees not present: Mr. Jonathan Barfield.

Employees present were: Mr. James Morton, President; Ms. Sabrina Terry, Vice President of Student Services; Ms. Christina Greene, Vice President of Business Services; Ms. Michelle Lee, Executive Director President’s Office and Board Liaison; Mr. Brandon Guthrie, Vice President of Academic Affairs; Ms. Sonya Johnson, Vice President of Marketing and Community Relations; Mr. David Kanoy, Executive Director of Capital Projects and Facilities; Debi Causey, Event and Meeting Manager; Ms. Anne Smith, Vice President of Human Resources; Mr. Shane Fernando, Vice President of Advancement and the Arts; Mr. John Downing, Vice President of Economic and Workforce Development; Dr. Michael Cobb, Vice President of Institutional Effectiveness, Planning and Compliance; Mr. Jakim Friant, Executive Director of Information Technology Services; Ms. Susan Porter, Sr. Executive Assistant President’s Office; Ms. Jennifer Edwards, Sr. Executive Assistant President’s Office and VP of EWD, Mr. Robert Carter, Manager Technical Support and Client Services; Dr. Eric Brandon, Faculty Association President; Ms. Lynn Criswell, Dean of General Education and Sciences; Mr. Antonio Arteaga-Paredes, Media Specialist; Dr. Mary Ellen Naylor, Dean of Health and Human Services; Ms. Christina Hallingse, Director of Media Relations; and other employees (see below).

Others present were: Mr. Ken Gray, Attorney Ward & Smith
Ms. Haley Sweetland, Reporter, WECT
Ms. Rachel Keith, Reporter, WHQR
Ms. Megan McDeavitt, Reporter, WHQR
Ms. Debra Gill, CFCC Student
Mr. Carl Blankenship, Reporter, Port City Daily

The meeting was opened with The Pledge of Allegiance to the US Flag.

CONFLICT OF INTEREST

Mr. Cherry read the conflict of interest statement issued by the North Carolina Board of Ethics reminding trustees to declare any conflict of interest or appearance of conflict with respect to any matters coming before the Board on this date and refrain from any undue participation in the particular matter involved.

OATH OF OFFICE

Mr. Collins was administered the oath of office by Ms. Lee (This was completed later in the meeting).

MINUTES

A MOTION was made by Mr. Guy and seconded by Ms. Sewell to approve the September 22, 2022, minutes as presented. Motion carried unanimously.

RECOGNITIONS AND INTRODUCTIONS

New Hires

Ms. Smith introduced the following new employees in attendance.

Christina Hallingse, Director of Media Relations.

CHAIR'S REPORT

Mr. Cherry reviewed the following report.

Appointment

Congratulations to Mr. Robby Collins who was appointed to the Board of Trustees by the New Hanover County Commissioners. Mr. Collins will serve from 2022-2024.

Ethics Training

Public servants must participate in an ethics and lobbying presentation within six (6) months of their election, reelection, appointment, or employment. If you have not satisfied your educational requirements please make arrangements to do so. Ethics Training must be completed every two years.

The list of scheduled upcoming training sessions is listed at <https://ethics.nc.gov/seis/regular-filers> Online Ethics Training is now available through this website. Please contact Michelle Lee at 910-362-7555 if you have any questions regarding this training.

Holiday Party

The annual CFCC Holiday Party will be held on December 9, 2022, from 12:00 – 2:00 pm in Daniels Hall.

Foundation

Please remember the CFCC Foundation when making holiday donations.

2023 Board of Trustees Meeting Dates

January 19, 2023

March 23, 2023

May 18, 2023

July 20, 2023

September 28, 2023

November 15, 2023

Mr. Funderburk engaged Mr. Cherry regarding the removal of Jimmy Hopkins from the board by the New Hanover County Commissioners.

After a brief discussion, a MOTION was made by Mr. McLeod and seconded by Ms. Sewell to go into closed session for attorney client privilege per NC General Statute 143-318.11(a)(3). Motion carried 11 to 1 with Mr. Funderburk voting against.

The board returned to open session. No action was taken.

PRESIDENT'S REPORT

President Morton reviewed the following report.

Health Science Building

New Hanover County Commissioners approved moving forward with the purchase of a 55,000 square-foot building to expand many of CFCC's Health Science programs. The successful acquisition of this building will help put an increased number of much needed nurses and health science professionals into the workforce for our community. The building is located on 3rd Street adjacent to our downtown campus.

Faculty Concert

CFCC music faculty along with guest musicians held a concert at the Wilson Center on October 17. They played many different genres of music and had a great turnout.

Veteran's Day Ceremony

Veteran's Day Ceremony was held November 11 in the Union Station Auditorium at the Downtown Campus. Several Trustees were in attendance and Mr. Wilbur Jones was the guest speaker.

Boy Scouts Explorers Program

CFCC is partnering with the Boy Scouts of America for their Explorers Program. This program allows young people to have hands-on opportunities in many areas such as skilled trades, health care, communications, arts and humanities, and others.

Addiction and Recovery Studies Program

CFCC's Addiction and Recovery Studies Program has received its initial accreditation by the Council for Standards in Human Service Education. CFCC is one of four accredited programs in North Carolina.

Radiography Re-accreditation

Health and Human Services Radiography program had a re-accreditation visit November 10 and 11, 2022. The visit went very well with all standards being met. A special thanks goes to Donna Collentine, Rebecca Burger, Jonathan Lee and Dax Allred for a job well done.

Regional Superintendent's Meeting

CFCC hosted the Southeast Education Alliance Superintendent's Meeting held November 9. President Morton discussed the importance of partnerships between K-12 and community colleges. Nine K-12 school superintendents throughout the region attended.

NC Economic Development Association

Participated on a panel for the NC Economic Development Association during a luncheon on November 4. The focus was on workforce talent in the Wilmington region.

Electrical Apprenticeship Partnership Awards

Cape Fear Community College had the great pleasure of recognizing dozens of electrical apprenticeship employer partners for their dedication to and investment in CFCC students over lunch and an awards ceremony October 18.

Encounter Wilmington

Encounter Wilmington is a new program that was launched by the Wilmington Chamber of Commerce and was held on October 19. Participants heard from community leaders in all different areas of community engagement. During the education session, I presented guests with an overview of CFCC and the different pathways that students can take to enter the workforce with a valuable career.

CAP Program

The College Accelerator Program (CAP) is a partnership between CFCC and Pender County Schools (PCS), in which qualified students will be able to complete both a high school diploma and an associate degree concurrently. Qualified students will be afforded the ability to complete the vast majority of their high school requirements in 9th and 10th grades. In 11th & 12th grade, students participating in the program will be enrolled in College & Career Promise (CCP) classes to complete an Associate in Arts or Associate in Science degree. CFCC has hired a CAP Liaison that will collaborate with key PCS staff to identify and support students that are eligible for CAP, as well facilitate curriculum planning and scheduling needs. PCS hopes to begin identifying students eligible for CAP in next year's 8th grade classes and strives to enroll 50 students from Topsail High School and 25 each from both Pender High School and Heide Trask High School.

Community Discussion

CFCC's Nixon Center hosted a community discussion titled "Life Choices: How They Shape Your Present and Future." District Attorney Ben David and Entrepreneur Eddie Holmes were the presenting guests.

Open Houses

CFCC hosted open houses on the Downtown and North Campus November 2 and 9, 2022, respectively. This gave current and prospective students the chance to tour the campuses and meet faculty and staff as well as explore programs that are offered. Thank you to the Student Services staff that did a great job organizing this event. The college received many positive comments.

Manufacturing Day Expo

A Manufacturing Day Expo was held on November 16 at CFCC's North Campus. The expo offered middle school, high school, CFCC students and the public an opportunity to connect with local manufacturing employers and learn about job training programs available at the college. In addition to 31 participating manufacturers, several local community resources were present and approximately 660 students attended. These included Carolinas Staffing, CFCC Student Services, Employment Solution, Genesis Block and NCWorks.

Vet Med Tech Conference

The Vet Med Tech program hosted the North Carolina Association of Veterinary Technicians Fall (NCAVT) Conference on Saturday, October 22, 2022. The theme was *Self Care and Wellness*. This was the first in-person continued education event since fall 2019. CFCC and Nash Community College students came together to assist in creating an engaging environment for continuing education and networking.

CFCC and Pender County Partnership

On October 27, CFCC met with Pender County Schools' central office administration, counselors, and principals to discuss ways to strengthen the partnership and provide program updates.

CFCC and GE Partnership

GE Hitachi Nuclear Energy and CFCC are working to form an additional partnership for a new customized training project in the field of green energy. CFCC will be adjusting our nuclear technology program to address their workforce needs.

REACH Grant

Representatives from CFCC's Student Services, Continuing Education, Economic and Workforce Development, Institutional Effectiveness, and the North Carolina Community College System Office are meeting with Career & Technical Education and Health & Human Services to create pathways from CE and EWD to Curriculum as part of the requirement for the REACH Grant. The focus is to reach African American students from the age of 24 to 64 to help them obtain career degrees and certificates that will give them a living wage.

Health Science Intro Course

Brenda Mitchell, UNC-Chapel Hill and Sheri Shaw, UNCW are developing a Health Science Intro course that UNCW will pilot in the Spring. CFCC will build upon this and introduce a new course to the Common Course Library (CCL) to create a common pathway course to UNCW and UNC-Chapel Hill.

Gambling Addiction Grant

Human Services Technology received a \$5000 Gambling Addiction Grant.

SEAHEC and UNC Partnership

Partnering with SEAHEC and UNC School of Medicine's Office of Rural Initiatives to host approximately 150 high school students from New Hanover, Pender, Brunswick, Columbus, and Bladen counties on March 16, 2023 to introduce health and science careers.

Eastern Region Presidents Meeting

Attended the fall Eastern Region Presidents meeting on October 31 in Wilson, NC.

UNCW Cabinet Meeting

CFCC's Executive team met with UNCW's Cabinet to discuss collaborations and programs pathways.

North Carolina Art Educator's Association

CFCC hosted the North Carolina Art Educator's Association (NCAEA) on October 28. The group comprised of all high school educators from across the state attended workshops hosted by CFCC faculty. The workshops topics included Encaustic Painting, Sod Roller Prints, Silicone Mold Making, and Cyanotype Photography.

A Charlie Brown Christmas

CFCC faculty, staff and students are currently collaborating on *A Charlie Brown Christmas* which opens in the Wilson Center on December 10.

6th Annual Fiction to Fashion

CFCC faculty Cable Hardin and Jessica Gaffney served as judges for the 6th Annual Fiction to Fashion event for the New Hanover Public Library hosted by the Cameron Art Museum on October 28.

CFCC Volleyball

Congratulations to the CFCC's Volleyball team has made it to the NJCAA Division II National Tournament being held November 17-19 in Cedar Rapids, Iowa.

CFCC Women's Soccer

On October 29, CFCC Women's Soccer team won the Region 10 Conference Championship title for the second year in a row! They will be traveling to Tucson, Arizona for the Division II National Championship being held November 14 and 15. Congratulations to our Women's Soccer team.

CFCC Full-Time Employee Bonus

It is my pleasure to announce I will be awarding all full-time faculty and staff (including temporary full-time) a one-time \$1,500 bonus in the month of November. I am providing this one-time bonus in appreciation of all of the hard work demonstrated by faculty and staff. This is not a legislative bonus, but one we can offer within our budget, given our responsible management of funding and steady enrollment. Please know this is only made possible by growing enrollment, student success and teamwork.

Public Relations Awards

CFCC's marketing team won several awards by the National Council for Marketing and Public Relations. They were awarded 2 gold Medallion Awards for Social Media Page and TV/Video Paid Advertisement, and a silver for the Poster category. These awards were given to community colleges throughout the southeastern United States.

COMMITTEE REPORTS

FACILITIES & EQUIPMENT COMMITTEE

Mr. Rivenbark reviewed the following reports.

New Hanover County Capital Outlay

New Hanover County Capital Outlay Projects 2022-2023 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget	Remaining	Status and Estimated Completion Date
1	L Building Roof Replacement	\$ -	\$ 753,967.00	\$ 2,418.10	\$ 756,385.10	\$ 935,800.00	\$ 179,414.90	Awarded, starts December 2022
2	N Building Roof & Lab Hood Exhaust Fan Replacement	\$ 39,062.00	\$ 361,701.80	\$ 1,236.20	\$ 402,000.00	\$ 402,000.00	\$ -	In design - expected to bid December 2022
3	T Building Roof Replacment	\$ -	\$ 206,736.00	\$ 2,000.91	\$ 208,736.91	\$ 249,200.00	\$ 40,463.09	Awarded, starts November 2022
4	NA & NB Building Chiller Plant Replacement	\$ -	\$ 520,000.00		\$ 520,000.00	\$ 310,000.00	\$ (210,000.00)	Negotiating final scope with low bidder, long lead time for chillers, will be completed Q4 2023
5	F Building Chiller Plant Replacement				\$ -	\$ 75,000.00	\$ 75,000.00	Recent repairs extended lifespan and prices have inflated beyond current funding. Recommend waiting/re-requesting. Funds moved to
6	Marine Tech S209 Upgrades		\$ 70,000.00	\$ 10,000.00	\$ 80,000.00	\$ 67,000.00	\$ (13,000.00)	Design and estimating complete November 2022. Construction May 2023
7	NB Building Boiler Replacement				\$ -	\$ 30,000.00	\$ 30,000.00	Reevaluated scope and upgrade is indicated over direct replacement. Recent repairs extended lifespan. Recommend waiting. Funds moved to line 4
8	L Building Boiler Replacement		\$ 64,083.11		\$ 64,083.11	\$ 18,000.00	\$ (46,083.11)	Complete, cost went over due to replacement of leaking underground piping.
Category Totals						\$ 2,087,000.00	\$ 55,794.88	

Wilson Center Multipurpose Addition

A MOTION from the Facilities and Equipment Committee recommends approval by the Board of Trustees to award construction contract to the lowest qualified, responsive bidder based on bids received on November 29, 2022, with the amount not to exceed \$2,200,000 for the Wilson Center Multipurpose Addition. Motion carried unanimously.

WA Building - Wilson Center Multipurpose Addition Project - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget	Remaining	Status
1	WA Building - Wilson Center Multipurpose Addition	\$213,000.00		\$14,991.45	\$227,991.45	\$2,204,422.00	\$1,976,430.55	SCO review of bid documents ongoing.

HVAC Upgrades “S” Building

A MOTION from the Facilities and Equipment Committee recommends approval by the Board of Trustees to approve construction design/build contract for the S building HVAC upgrades to Brady Services, not to exceed \$1,357,650. Motion carried unanimously.

State Construction Delegation Authority

A MOTION from the Facilities and Equipment Committee recommends approval by the Board of Trustees to authorize President Morton to manage capital projects per this delegation up to \$2,000,000 bringing construction contract awards and final project acceptance to the Board of Trustees for approval. In addition, the Board of Trustees will adopt a resolution process for contract disputes (included in this document 9a, 9b) and the Board of Trustees agrees to delegate designer selections to the President. Motion carried unanimously.

A MOTION from the Facilities and Equipment Committee recommends approval by the Board of Trustees to award construction for design/build contract to Monteith Construction and BMH Architects for the 319 N 3rd Street project. Motion carried unanimously.

The State Board of Community Colleges has issued construction delegation authority guidelines for supervision of capital projects between \$500,000 and \$2,000,000. The College will continue to manage projects in the same manor and will abide by all rules and regulations of the State Construction Office.

STATE BOARD OF COMMUNITY COLLEGES Construction Delegated Authority Guidelines for Certain Capital Projects

Section 40.6 of Session Law 2021-180 revised G.S. 143-341(3)(a)(2) regarding State Construction Office (SCO) supervision of community college capital projects between \$500,000 and less than \$2,000,000. Session Law 2022-6, (Budget Technical Corrections) amended S.L. 2021-180 making the effective date July 1, 2022.

No college may exercise broadened authority to manage capital improvement projects absent State Board approval. If the State Board confers delegated authority to a college, **the college continues to be subject to all other statutes and rules governing community college capital improvement projects**, including, but not limited to, Chapter 115D of the General Statutes, G.S. 143-64.31-.34, G.S. 143-128.2, G.S 143-129, and G.S. 133-1.1.

Duties and Responsibilities

If the SBCC approves a college for this delegation, the college will assume the following duties and responsibilities:

- 1. Selection of Architect/Engineer:** The college board of trustees continues to select the architect/engineer. The Board of Trustees may expedite the designer approval process through documented delegation of limited authority to the college president for designer selections. The Capital Project Coordinator (CPC) must review the process to ensure compliance with State Building Commission recommendations and GS 143-64.31-34.

2. **Design Fee Negotiation and Preparation of Design Agreements:** The college is responsible for negotiating design fees and preparing design agreements. These duties shall be accomplished in consultation with the CPC, college facilities staff, college business office staff, and college attorney. System Office staff will provide periodic feedback to the college regarding design fee trends as such information is obtained. The design agreement must be signed by a person authorized to commit the college to a financial obligation.
3. **Design Review and Coordination of Design Reviews with Regulatory Agencies of State Government:** The college is responsible for examining and approving all plans and specifications for the capital improvement project. The CPC, or other college designee, is responsible for coordinating with the design consultant to ensure that applicable reviews by the regulatory agencies as described in the “Regulatory Review Agencies” chapter 400 of the State Construction Manual are submitted and that all subsequent comments are satisfactorily resolved.
4. **Advertisement of Construction Bids, Bid Opening, Bid Evaluation, and Award Recommendation:** The college is responsible for ensuring that these responsibilities are performed consistent with G.S. 143-129.
5. **Construction Contract Award:** The college board of trustees is the contract award approving authority. The college attorney must review the contract as to form.
6. **Pre-Construction Conference and Issuance of Notice to Proceed:** The college is responsible for holding the pre-construction conference and issuing a notice to proceed in consultation with the design consultant.
7. **Work in Progress (Construction Management):** The CPC, in consultation with college staff, is responsible for this duty as described in the “Construction Management” chapter 700 of the State Construction manual as the designated project monitor.
8. **Change Order Management:** The CPC, in consultation with other college staff, shall have the responsibility of managing change orders.
9. **Dispute Resolution:** The college is fully responsible for managing the resolution of disputes. The college board of trustees must adopt a dispute management resolution process consistent with G.S. 143-128 and incorporate this dispute resolution process in the terms of the construction contract.
 - (a) Cape Fear Community College (College) will use the dispute resolution process adopted by the State Building Commission pursuant to G.S. 143-135.26(11). This dispute resolution process will be available to all the parties involved in College's construction

project including the College, the architect, the construction manager, the contractors, and the first-tier and lower-tier subcontractors and shall be available for any issues arising out of the contract or construction process. The threshold concerning the amount in controversy that must be at issue before a party may require other parties to participate in the dispute resolution process is \$15,000 or more. The College may require that the costs of the process be divided between the parties to the dispute with at least one-third of the cost to be paid by the College, if the College is a party to the dispute. The College may require in its contracts that a party participate in mediation concerning a dispute as a precondition to initiating litigation concerning the dispute.

(b) Exceptions. - This section shall not apply to:

- (1.) The purchase and erection of prefabricated or relocatable buildings or portions thereof, except that portion of the work which must be performed at the construction site.
- (2.) The erection, construction, alteration, or repair of a building when the cost thereof is three hundred thousand dollars (\$300,000) or less.

10. Final Acceptance and Close Out: The Board of Trustees is responsible for authorizing final project acceptance, based on the recommendations of the CPC and after issuance of a Certificate of Occupancy by the local building and electrical inspector and a Certificate of Compliance by the designer as described in the “Construction Management” chapter 700 of the State Construction Manual.

11. Historically Underutilized Business (HUB) and Interscope Reporting: The college is required to comply with all current statues, HUB office regulations, and executive orders involving utilization of HUB-certified firms, and associated reporting of such usage through the State Construction Office’s Interscope system.

Lease/Interlocal Agreement

A MOTION from the Facilities and Equipment Committee recommends approval by the Board of Trustees approval of the lease and interlock agreement for 319 N 3rd Street between CFCC and New Hanover County contingent on closing. Motion carried unanimously.

FINANCE COMMITTEE

President Morton reviewed the following information.

State Budget Revision

A MOTION from the Finance Committee recommends approval by the Board of Trustees of the State Budget Revision for an increase of \$3,924,104. Motion carried unanimously.

State Budget Summary

The State Budget Summary reported 30.10 percent of the budget has been expended as of October 2022.

County Budget Summary

The County Budget Summary reported 35.24 percent of the budget had been expended as of October 2022.

Institutional Funds Update

Mr. Morton reviewed the October, 2022 report. No items were of concern at this time.

Wilson Center Quarterly Report

Mr. Morton reviewed the September, 2022 report. No items were of concern at this time.

Foundation Quarterly Report

Mr. Morton reviewed the September, 2022 report. No items were of concern at this time.

ADMINISTRATIVE & PERSONNEL COMMITTEE

Mr. Guy reviewed the following policies for the student and faculty and staff handbook.

Handbook Policy Updates

A MOTION from the Administrative & Personnel Committee recommends approval of the Board of Trustees of the Handbook Policy Updates as presented. Motion carried unanimously.

Campus Sex Crimes Prevention Act

~~The federal Campus Sex Crimes Prevention Act enacted on October 28, 2000 requires all colleges to issue a statement advising the campus community where information on registered sex offenders who are employed, enrolled, or volunteering at Cape Fear Community College can be obtained.~~

Sex Offender Notification

Persons who have been convicted of an offense against a minor, or a sexually violent offense, are required by law to register with the ~~Sheriff's Department in the county and/or state~~ where they reside. The law ~~also~~ requires that ~~registered sex offenders must provide notice to an institution of higher education (post-secondary) that they have intentions to enroll as a student, if conditions allow. Registered sex offenders who are attending in person, or located on college owned property and/or premises, without prior notification, and/or situational approval, will be in violation of NC G.S.14-208.18 and may be criminally charged. they also inform the county Sheriff if they register for school.~~

~~The federal Campus Sex Crimes Prevention Act enacted on October 28, 2000, is a federal law that requires all colleges to issue a statement advising the campus community where information on~~

registered sex offenders who are enrolled, employed or volunteering at Cape Fear Community College can be obtained.

Notifications of registered sex offenders are public knowledge and may be found at the following sites:

North Carolina Sex Offender and Public Protection Registry: <http://sexoffender.ncsbi.gov>
U.S. Department of Justice, National Sex Offender Public Website: <https://www.nsopw.gov>

Background Checks

BACKGROUND CHECKS

Cape Fear Community College (the "College") is committed to providing a safe and welcoming environment for students, employees and all visitors to the College. Therefore, the College shall conduct background checks on all prospective new employees, volunteers, contractors and current employees as set forth in this policy.

A background check shall be required of all potential College new hires after a conditional job offer has been made. Current employees, both part-time and full-time, contractors and volunteers may be subject to background checks and ongoing monitoring as required to meet business needs of the College. This may require annual re-checks.

The Human Resources Office, under direction of the Vice President of Human Resources, will be responsible for working with a third-party provider to conduct background checks. The Human Resources Office shall secure and store the information obtained separate from the main personnel file and shall consider only information pertinent for decision-making that ensures protection of College students, employees, other visitors, and College assets. Background information will be kept on file for five years.

Previous convictions shall not automatically disqualify an individual from consideration of employment or continued employment with the College. The President and the Vice President of Human Resources will evaluate the following factors in determining whether to hire an applicant with a criminal history and, when necessary, in determining the continued employment or contractual relationship of an employee, contractor or volunteer with a criminal record: the nature of the crime and its relationship to the position; the amount of time since the conviction; the number of convictions; whether hiring the applicant would pose a risk to the College, students, employees or other campus visitors; the actions and activities of the individual since the conviction; explanations or other information provided by the individual; and whether the individual has demonstrated that they have the integrity or honesty to fulfill the duties of the position.

The discovery of either a conviction(s) or falsified conviction(s) information may result in denial of employment or continued employment. If an applicant, contractor, volunteer or an employee fails to reveal previous convictions, then they may be disqualified from employment at Cape Fear Community College for falsification of an application, regardless of when discovered. The applicant, contractor, volunteer or employee will be provided a copy of the criminal record and given an opportunity to review the results of the background check. The applicant, contractor,

volunteer or employee will be allowed a reasonable opportunity to dispute the accuracy or completeness of any information contained in the report by contacting the third-party provider that conducted the background check. The College will consider information derived from such opportunity promptly.

The President shall have final authority in determining the employability of the applicant or the continued employment or contractual relationship of an employee, contractor or volunteer. The President shall also be responsible for determining the appropriate background checks required for each position based on specific program agreements, applicable laws or other such position or business requirements.

Definitions of Terms:

“New employees” shall mean all individuals with conditional offers for any position with the College including part-time, full-time, or temporary employment; both instructional and non-instructional. This also includes former employees being rehired who have not been employed by the College in the past twelve months.

“Background checks” shall include information necessary to comply with the business needs of the College. This may include, but not be limited to, information from any of the following: nationwide or state sex offender registries; Department of Corrections Databases; residency history checks; federal records; multi-state criminal indexes; social security number verifications; credit reports; or any other records as required.

Lactation Support Policy

Lactation/Breastfeeding Policy

I. Purpose

As part of our family-friendly policies and benefits, the College supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child. The purpose of this policy is to assist nursing mothers with the transition back to work following the birth of a child by providing lactation support. The provisions of this Lactation/Breastfeeding Policy (the "Policy") meet the requirements of the Fair Labor Standards and the Patient Protection and Affordable Care Act as they relate to breaks for nursing mothers.

II. Scope

This Policy applies to all temporary and permanent employees who are nursing mothers. For up to one (1) year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for the employee's newborn child.

III. Policy

A. Request for Time Off to Express Milk

Nursing employees should provide reasonable notice to their supervisor of the intent to take lactation breaks. Supervisors should attempt to provide as much schedule flexibility and break time as reasonably possible to accommodate the employee's needs.

Employees must give notice of breaks to supervisors and are required to provide notice to their supervisor when time for expressing breast milk is no longer required.

B. Reasonable Break Times

1. Any employee who is breastfeeding her child will be provided reasonable break times to express milk for her newborn up to one year after the child's birth. The number of breaks needed to express milk may depend on numerous factors such as the number of feedings and age of the child. A nursing mother will typically need two to three breaks during an eight-hour period; however, more break times may be necessary.
2. Non-exempt employees may take lactation breaks during existing break periods as designated by the employee's department. Lunch breaks may be shortened to account for a morning and an afternoon lactation break (i.e., lunch break can be shortened to 25 minutes or less). If the employee uses time other than a regularly scheduled break time or if the employee's department does not have designated break times, then the employee will be required to either: (1) make up that time during the same work day; (2) use vacation leave; or (3) take leave without pay for that period of time. Non-exempt employees may also arrive at work earlier than the regular starting time or leave later than the regular departure time to account for lactation breaks.

C. Lactation Locations

Lactation locations will be private, shielded from view, and not located in a restroom or common area. If an employee has a private office, it may be used for this purpose.

For a current list of designated lactation locations, employees may contact Human Resources.

D. Storage of Breast Milk

The College is not responsible for the integrity or security of breast milk storage in any refrigerator on campus. Nursing mothers may use campus refrigerators or may bring personal coolers to store breast milk. Any breast milk stored in a campus refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering.

Employees must provide their own containers for storage of expressed milk while on campus. Employees should check with supervisors to determine if there is a refrigerator available near their work area where breast milk may be stored. If there is no refrigerator available, employees must provide their own means to store and keep the milk cool, such as a cooler bag or insulated food container.

SGA REPORT

Mr. Nicholas submitted the following report.

Good afternoon, thank you again for welcoming me as a representative of the Cape Fear Community College student body. I am grateful for the opportunity to get to know the members of the board and serve as the representative for my fellow students at all campuses.

The SGA is happy to report that student participation in on-campus events and activities appears to be growing. Recent club and student activities include the Anthropology club's graveyard event, Marine Tech campus clean-up, the Art Club's suicide prevention walk at Wrightsville Beach, Veterans Day, and the Beats Lab Club's event at the Wilson Center. Also, the Mentorship Program sponsored by PTK has successfully matched mentors with students. Furthermore, our SGA board and its members have hosted a Halloween Movie Night (that was well-attended) and we continue to operate our Food Pantry that helps supplement food needs for students and staff. SGA members also worked with the Veterans Club to pick up trash on our section of adopt-a-highway on Martin Luther King Jr. Parkway. And, finally, our Blood drive (One of 2 the college is having) was successful in meeting the goal of 22 units. While the Latin Dance night made a hit as well providing free dance instruction and cultural immersion for our students. As you can attest, we have been busy. But that is the goal.

If you have any questions or would like to know more about any of the recent activities that students are involved in, have questions or concerns, or want to simply chat, please don't hesitate to have a conversation with me. I thank the Trustees and our leadership for their continued support for students at CFCC. This concludes my report. Thank you.

FACULTY ASSOCIATION REPORT

Dr. Eric Brandon presented the following report.

The CFCC Faculty Association held its second regular meeting of the Fall 2022 semester on October 11 at the North Campus. There were approximately thirty-five faculty members in attendance, both in person and virtually.

The third meeting of the semester was held on November 8 at the Downtown Campus. A State Employees Association of North Carolina (SEANC) representative attended and spoke about SEANC and its activities on behalf of its members.

The need for a significant increase in faculty and staff salaries continued to be a central topic at these meetings.

Tim Fuss, CFCC Faculty Association Vice President, has been appointed to be the CFCC representative for the North Carolina Community College Faculty Association (NCCCFA). This is the statewide association for North Carolina community college faculty.

Finally, a guest speaker from the NCCCFA has been invited to a future meeting of the CFCC Faculty Association.

FOUNDATION REPORT

Mr. Fernando presented the following report.

Year-to-Date revenue is \$430,375.98 – *report as of 10/27/22*

Notable Gifts and New Scholarships:

- \$30,000 contribution was received from Wilmington Development Company to establish the new June Prevatte Endowed Scholarship.
- \$43,470.28 was received from the Ministering Circle to continue to support the Ministering Circle ADN/Isabel Lehto Foundation Scholarship.
- \$25,000 gift from Atlantic Marine was given to create the Atlantic Marine Endowed Scholarship for Yamaha University.
- \$20,000 gift from Mark Alper was received to continue support for his scholarship programs.

Events:

- The Foundation will be accepting Betsy Leonard Holiday Helpers applications November 1-30, from students in need over the holiday season for holiday gifts and funds for meals.
- The annual Betsy Leonard Holiday Helper fundraising appeal kicked off on November 1 and runs through December 9.
- The End-of-Year CFCC Appeal will go out before the Thanksgiving holiday.
- The Foundation is conducting focused gatherings throughout the year that spotlight specific programs and needs. Please keep an eye out for invitations for these events over the course of the year.

Scholarships & Awards:

- The Spring 2023 Scholarship Cycle runs November 14-30. This is for new students who have enrolled since August 15, 2022 to fund spring semester studies.

ANNOUNCEMENTS

DATE OF NEXT MEETING – JANUARY 19, 2023

Meeting adjourned at 6:29 pm.

James P. Morton President/Secretary

Michelle S. Lee, Recording Secretary

/ml