

**NEOSHO COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
MINUTES**

DATE: March 10, 2011

TIME: 5:30 p.m.

PLACE: Student Union, Room 209

PRESENT: Kevin Berthot
Charlie Boaz
Clint Isaac
Mariam Mih
David Peter

ABSENT: Patricia Griffith

PRESENT: Dr. Brian Inbody, President
Ben Smith, VP for Administration
Brenda Krumm, Dean of Outreach and Workforce Development
Sandi Solander, Chief Financial Officer
David Smith, Special Assistant to the President/Faculty Member
Dale Ernst, Dean of Ottawa
Nathan Stanley, Faculty Senate
Melissa Kiefer, Cheer/Dance Coach
Leigh Dodson, student
Lyndy Gatlin, student
Tim Heenan, Foundation Board President
Dennis Peters
Kent Pringle, Board Attorney
Terri Dale, Board Clerk

Mr. Peter called the meeting to order.

III. Public Comment

There were no speakers.

Mr. Peter introduced Melissa Kiefer, cheer/dance coach for the College and congratulated her on the cheer and dance teams recent trip to compete at the the United Performing Association Americup Cheer and Dance National Championship in Minneapolis, Minnesota. The dance team competed in the Division II Hip Hop category against other universities and won the divisional national title while also qualifying for the Grand Championship round where they then competed against other Division I and II schools in all styles of dance. The Cheer team also competed in a Division II category against other universities and won their divisional national title. In the

Grand Championship round the Cheer team received 2nd place. During the individual competition two members of the dance team; Leigh Dodson, Benton, LA, and Lyndy Gatlin, Buffalo, KS received 3rd and 5th place All American honors. Ms. Dodson and Ms. Gatlin were introduced at the meeting.

IV. Approval of the Agenda

Mr. Peter asked to amend the agenda. Under new business, Item K will become Resignation, add Item L-Executive Session-Personnel and update the current K to become M-Executive Session-Negotiations. Upon a motion and a second the agenda was approved as amended. Motion passed.

V. Consent Agenda

The following items were approved by consent.

- A. Minutes from February 10, 2011
- B. Claims for Disbursement for February 2011
- C. Personnel

Consent Agenda Item V-C: Personnel

1. Maintenance B

It was the President's recommendation that the Board approve the employment of Jeff Brown for the Maintenance B position. Mr. Brown has been working at NCCC through Manpower since September 2010. He earned a certificate from the Construction Technology Program at the College and has worked as a free lance carpenter and as a truck driver.

Mr. Brown will be paid \$10.70 per hour (Level IV) starting April 1, 2011.

2. Resignation of Mathematics/Computer Instructor

It was the President's recommendation that the Board accept the resignation of Marie Gardner as the mathematics and computer instructor at Ottawa pending her appointment to the position of Associate Dean for the Online Campus. Her resignation from her current position will be effective at the end of her current contract.

Faculty Senate Report: Nathan Stanley, Faculty Senate President reported that Kevin Blackwell, humanities instructor at Ottawa, six students and one alumnus attended the Phi Theta Kappa Kansas Regional Convention in Topeka on March 4-6.

The Beta Nu Iota Chapter in Ottawa and the Omega Iota Chapter in Chanute were recognized for achieving four of five stars under Phi Theta Kappa's Five Star Chapter Development Plan. Tim Oglesby, Erich Falls, Joe Falls, and Constance Rich received an Honorable Mention in the Distinguished Officer Team Category for their leadership efforts in the chapter's Honors in Action Project. David Smith and Mr. Blackwell, Chapter Advisors, received the Horizon Award recognizing new advisors who have raised their chapter's participation in Regional and International programs. Mr. Blackwell was also named a member of the Kansas Region Advisory Board representing the Northern District of the Region.

Beverly Roush reported that the Nursing Departments at Chanute and Ottawa are acquiring MedDispense machines for training students to give medications. The machines will be used for teaching the skill of giving medications and during the simulation experience.

Chanute and Independence nursing students will be completing their applications for taking the state board exam next week. The Chanute Police Department was on campus Wednesday, March 9th to complete the fingerprinting required for the student FBI background checks (required by the Kansas State Board of Nursing).

Also on March 9th, Chanute and Independence nursing students participated in a Recruitment Fair in the NCCC gymnasium. The event began at 11:30 am and continued until 1:30 pm so that both levels of nursing students had the opportunity to meet all the vendors. Clinical facilities and institutions offering BSN or MSN programs attended in an effort to recruit our students.

March 1st was NCCC held Panther Preview Day with about 90 students and 13 parents attending. Several faculty members participated in Panther Preview Day, providing information about their programs and recruiting students. Jill Frazell gave tours of the nursing department and Leigh Scharff demonstrated a high fidelity mannequin at the end of the tour. Several other programs, clubs, and departments were also represented at the program/activity fair including the Business program, the History Club, the Art program, Pre-Engineering, Energy/Welding /Construction, the Literature and Movies Club, Theatre, and Athletics. High school students came from as far away as Burden, Overland Park and Galena. About 40 students from Chanute and around 25 from Altoona Midway also attended the Panther Preview Day.

Faculty have been busy with textbook selections for summer and fall. With various new technologies available, instructors strive to utilize resources to improve student learning and at the same time try to make sure costs are reasonable for students.

Faculty were involved in the VP Search process, interviewing each of the four candidates on campus and had the opportunity to provide input on the candidates to Dr. Inbody.

Ottawa Update: Ben Smith, project manager, for the Ottawa Educational Facility provided the following written report and answered questions.

I. KDOT Street Improvements

He has received notice that KDOT has requested insurance certificates for the project so they should be nearing final approval. Construction is scheduled for completion this summer, depending upon the KDOT approval process. B&W will be submitting the "final" plans to KDOT and the City of Ottawa on Monday/Tuesday. Hopefully, it will only take 2-3 weeks to get their approval since they've seen the plans before. At this time, they are on track for letting the project for bid April 15th.

II. Furnishings and Equipment

Virtually all furniture and equipment has been ordered and on the way. Three semi truck loads full of furniture arrived on Monday and several more today. Most was staged in south classrooms until it can be placed in final locations next week.

III. Project Design Meetings

No additional design meetings are anticipated at this time.

IV. Project Progress meetings

Official bi-weekly project progress meetings have continued with the contractor and subs on-site and Mr. Smith has been at Ottawa 2-3 times each week for the past month.

V. Latest News

Sitework/Exterior

- Water, gas and sewer services are both complete with meters installed.
- The south retaining wall is complete. Road grading and gravel is complete and curbs are essentially complete for the east and south emergency drive. Final asphalt on the parking lot and completing the south and east emergency drive will start Monday, depending upon weather.
- Front sidewalks have been partially poured, except for the colored areas. The remaining sidewalk items will be completed once weather cooperates. Items like landscaping, some final grading and patios will occur after occupancy.

Building shell

- The building envelope is essentially complete. Metal doors need to be painted and some minor building caulking needs to be completed.
- The screening for the RTU still needs to be addressed.

Building interior

- Drywall is complete throughout the building. Painting is 100% complete except for touchup as needed, although exterior doors are excluded.
- Ceilings are complete throughout the building with lighting and HVAC grills complete.
- Cabinet installation is nearly complete.

- Carpet and floor tile are complete in the south wing and floor tile is going down in the hallways in the north wing this week. Sheet vinyl is nearly complete in simulated hospital. The core main hallway has been an issue but we will have completed in time.
- Slat board for bookstore is complete.
- Fireplace complete.
- Restrooms essentially complete.
- Interior doors nearly complete—lock hardware still needed.
- AT&T internet service completed Monday.
- AT&T phone service complete today.
- Still waiting on satellite TV hookup for lounges.
- Tech services working like mad to complete networking.
- VOIP should be complete early next week.

Relocation project

- Dale Ernst, Kerry Ranabargar and Mr. Smith have met with the movers to do detail planning for the move, scheduled to start Friday, March 18, 2011. They feel confident that the move can be accomplished by close of business on Tuesday, March 22, 2011,. They plan to have the main office moved and functioning by noon on Monday, March 21.
- Dale Ernst is coordinating individual moves with faculty and staff.
- The moving company has delivered all the boxes and moving materials, and will provide protective devices to protect the flooring and walls of the new facility.

Grand Opening

- The Grand Opening Committee continues to work on details for the grand opening for the facility scheduled for May 5, 2011. Nearly 1,800 “Save the date” postcards were mailed out for the event with formal invitations to follow.

VI. Project Budget

- By design, they are over budget a small percentage due to additions to the project scope. Overages will be funded from the technology fee fund and the existing Ottawa “other” budget as planned.

VII. Project Timeline Dates and Estimates

- Mid June – Detailed design work on street improvements to Logan Street (on-going thru much of Fall/Winter 2010 because of KDOT review process – construction work scheduled summer 2011)
- July 1 – Break ground
- July 20 - Power line relocation complete
- August 3 – GeoPier process completed
- August 6 - Site rough grading complete
- September 7 – Concrete slabs complete
- September 8 – First load of structural steel delivered
- September 9 -14 – Erect core

- September 10-15 – Core sheeting completed
- September 15-21 – Erect north and south building core
- September 17-22 – North and south wing sheeting
- September 22-30 – Standing seam roof on Core, then North and South wings
- October – Exterior wall panel installation
- Late October-November – Brick and EIFS installation
- Late October-early November – curbing complete and initial parking lot asphalt complete
- November 11 – TV/monitor bids to board for approval
- December 9 – Furniture/telecom/security equipment bids to board for consideration/approval
- December 11 –EIFS complete
- December 24 – Most windows and doors installed, weather-tight
- January 13, 2011 – Final street improvement contract approved
- February-March – Flooring, cabinetry, finishes
- March 1, 2011 – Furniture/equipment deliveries start for installation
- March 7, 2011 – Internet hooked up
- March 8, 2011 – Preliminary fire safety/code walk-through
- March 10, 2011 – Phone service hooked up
- March 16, 2011 – Final Inspection/Substantial completion
- March 21-25, 2011 - Relocation of existing campus furnishings and setup
- March 29-31, 2011 – Beech Street facility cleanup
- April 1, 2011 –Closing on Beech Street property
- April 1, 2011 – Chanute faculty and staff new site tours, morning and afternoon
- May 5, 2011 – Grand opening
- May-August, 2011 – K68 turn lane project

Treasurer's Report: Sandi Solander, Chief Financial Officer, distributed the monthly financial reports. She noted that the College Workstudy fund, SEOG Grant fund, ACG grand fund and the Pell grant fund were in the red because financial aid was paid out in late February and the funds were not drawn down until March.

President's Report: Dr. Brian Inbody, President, reported that enrollment for spring continues to be up. Currently it is up about 10 percent overall for spring and 8.5 percent for the year. There will be an advertising push in the next few weeks to get ready for second eight-week classes. The Student Learning Division has added extra sections of both Ottawa face-to-face and online classes. Here is breakdown of the enrollments by area:

Spring Semester

CAMPUS	YEAR CODE	TERM CODE	RUN DATE	STUDENT TOTAL	CREDIT HOUR TOTAL	% INCREASE OR DECREASE
TOTAL	2009	50	3-10-10	2597	16,985.5	
TOTAL	2010	50	3-10-11	2835	18,643.5	9.76%
CHANUTE	2009	50	3-10-10	636	5,755.5	
CHANUTE	2010	50	3-10-11	633	6,046.5	5.06%
OTTAWA	2009	50	3-10-10	704	4,735	
OTTAWA	2010	50	3-10-11	752	5,268	11.26%
ONL	2009	50	3-10-10	754	3,529	
ONL	2010	50	3-10-11	934	4,570	29.50%
ODO	2009	50	3-10-10	263	1,358	
ODO	2009	50	3-10-11	258	1,341	-1.25%
IDO	2009	50	3-10-10	240	1,608	
IDO	2010	50	3-10-11	258	1,418	-11.82%

Summer and fall enrollment begins at the end of the month, later than last year. The day to day comparison will be "off" for a while as a result, so the April numbers may not be great for summer and fall but should catch up.

Dr. Inbody continues talks with John Wyrick, Superintendent of USD 101 on the subject of housing a group of Chinese high school students who would attend USD 101. They have discussed the extra costs associated with housing the students over a longer period of time than the normal school year and Superintendent Wyrick is agreeable to those costs. Besides housing the students, they would also enroll them in concurrent classes both at the high school and possibly at the main campus as well. Mr. Wyrick would like the College to consider lowering the international rate for these special Chinese students in order to bring the total cost of attendance under what the consultant recommends and Dr. Inbody is amenable to that.

Over the last few weeks, most employees have spent time interviewing the candidates for the Vice President for Student Learning. Dr. Inbody spent 3.5 to 4 hours with each of the candidates. He reviewed reports from the search committee, the executive committee, student groups, general faculty and staff on each of the four candidates. He checked references for the top candidate as part of his decision process. Many hours were put in by the entire college community, but especially by the search committee who spend hours reviewing the 28

applications and conducting phone interviews as well as the face-to-face interviews. Dr. Inbody took this opportunity to thank them for all of their time as well as everyone who contributed their opinions to my decision. He believes they have made a great recommendation to the Board for their decision.

Senate Bill 143, the bill that would allow KBOR to create the new funding formula for community colleges, passed unanimously in the senate. It is then off to the house for their consideration. I spend time in Topeka this month visiting with Rep. Jerry Williams and Sen. Dwayne Umbarger on the matter as well as visiting about college issues that the legislature will soon take up. Both meetings went well.

Dr. Inbody attended his first Jayhawk Athletic Conference meeting in Wichita. The conference is considering cost-saving measures, including dividing soccer into an East and West conference, much in the same way it already is in other sports. This would save schools from traveling to the far side of the state for games and allow them to play regional colleges both home and away. Other action items included adding one more person to be in charge of officials for basketball, one for men and one for women, instead of just one person for both genders. The measure to allow full-ride (including housing) scholarships in basketball was rejected.

President Inbody reported that KBOR staff has received the performance agreement report, and, after some editing, has decided to accept the report and submit it for full funding. There are no new funds planned for community colleges in the next year, but if there were, NCCC would get 100% funding. The lack of funding does not take away from the excellent work that the college has put into accomplishing our goals and meeting our targets.

Dr. Inbody told the Board that a preliminary date of April 1 is scheduled to sign the papers to sell the Beech Street campus to Franklin County for the sum of \$460,000. All is going well there and on track. The funds will be used to pay for the required road improvements at the Logan Street campus.

Dr. Inbody reported that he is on the board of Southeast Kansas Inc., an organization that is devoted to economic development for Southeast Kansas. He is the co-chair of the workforce development board. SEK Inc. is working on the second annual conference for business leaders hosted at LCC. The conference focuses on HR, taxation and legislative issues that employers must know. The conference will be held on August the 4th at Parsons High School.

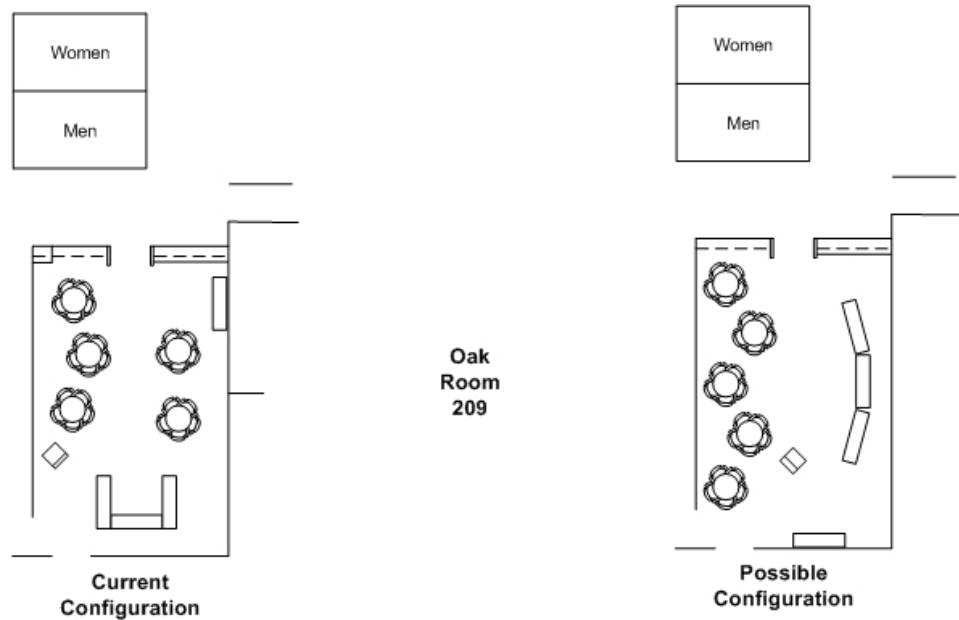
Dr. Inbody reported that it is his intent to complete the first part of the Facilities Master Plan and move the softball field to an area that does not get as much water damage. Phase I includes building bathrooms and a concession stand for softball and for youth soccer that use the fields extensively. He has received a proposal from Bartlett and West that includes design work with Devore and Associates that would include all of the plans needed to carry out the move and build. The cost is about \$70,000, depending on the amount of travel required by the architects. With those plans he will begin to break the project down into what can be accomplished by NCCC staff, what can be built by the construction classes, and what will need to be hired out. Also, he will begin fundraising for the fields and asking those who have donated in the past with materials to commit to this project. He will attempt to use this year's budget to carry this out,

but if not, then look to next year's funds. It is his intent to complete this project with minimal impact to the budget.

President Inbody also announced that he has received designs options document from Great Western regarding renovation of the dining hall and food service equipment. He hopes to have a better proposal with numbers at the April meeting.

Currently, divisions across campus are collaborating on a creating a report detailing how the College is working towards completing the President's Goals. The report will show what each division is doing to advance the goals, and Dr. Inbody will also include what he personally has done to complete those objectives. He plans to have that report for Trustees at the April Board meeting so that he can be evaluated at the May Board meeting.

As the projector screen is used more and more for meetings it was suggested reworking the Board Meeting configuration of the tables to allow for better viewing of the screen. Below is a diagram:



The Board agreed to the new configuration for Board meetings.

Agenda Item VII-A: Identity Theft Prevention Policy (second reading)

In accordance with the Fair and Accurate Credit Transactions Act of 2003 (FACTA), the college President shall be responsible for developing and maintaining an Identity Theft Prevention Program to establish procedures and/or guidelines on detecting, preventing, and mitigating identity theft. It is the intent of the College to comply with all applicable provisions of this Act. A committee consisting of Kerrie Coomes, Kerry Ranabargar, Melinda Taylor, Eric Tincher, and Chairperson Sandi Solander met and developed a proposed policy.

Employees shall abide by and follow all college policies, procedures, and programs regarding identity theft prevention and shall take all necessary and required measures to identify and report all information and/or activities as required by FACTA.

The policy was presented at the February meeting for a first reading. The President recommended the Board approve the policy.

Resolution 2011-12

RESOLVED, that the Board of Trustees of Neosho County Community College approves the Identify Theft Policy as presented.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.



Neosho County Community College Identity Theft Prevention Policy and Procedure

**Compiled by:
Identity Theft Committee Members**

**Sandi Solander, Chair
Kerrie Coomes
Kerry Ranabarger
Melinda Taylor
Eric Tincher**

Completed January, 2011

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Neosho County Community College Identity Theft Prevention Policy and Procedure

In accordance with the Fair and Accurate Credit Transactions Act of 2003 (FACTA), the college President shall be responsible for developing and maintaining an Identity Theft Prevention Program to establish procedures and/or guidelines on detecting, preventing, and mitigating identity theft. It is the intent of the college to comply with all applicable provisions of this Act.

Employees shall abide by and follow all college policies, procedures, and programs regarding identity theft prevention and shall take all necessary and required measures to identify and report all information and/or activities as required by FACTA.

The following Identity Theft Prevention Program is enacted in accordance with Board Policy.

I. PROGRAM ADOPTION

Neosho County Community College ("College") developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's ("FTC") Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed with oversight and approval of the Neosho County Community College Board of Trustees. After consideration of the size and complexity of the College's operations and account systems, and the nature and scope of the College's activities, the Board of Trustees determined that this Program was appropriate for the College, and therefore approved this Program on March 10, 2011.

II. DEFINITIONS AND PROGRAM

A. Red Flags Rule Definitions Used in this Program

- *Identity Theft* - A fraud committed or attempted using the identifying information of another person without authority.
- *Red Flag* - A pattern, practice, or specific activity that indicates the possible existence of identity theft.
- *Covered Account* - Account used mostly for personal, family, or household purposes, and that involves multiple payments or transactions. A covered account is also an account for which there is a foreseeable risk of identity theft.
- *Program Administrator* - The individual designated with primary responsibility for oversight of the program. See Section VI below.
- *Identifying information* - Any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, student identification number, computer's Internet Protocol address, or routing code.

B. Fulfilling Requirements of the Red Flags Rule

Under the Red Flags Rule, the College is required to establish an “Identity Theft Prevention Program” tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program.
2. Detect Red Flags that have been incorporated into the Program.
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate identity theft.
4. Ensure the Program is updated periodically to reflect changes in risks to students or to the safety and soundness of the student from identity theft.

III. IDENTIFICATION OF RED FLAGS

In order to identify relevant Red Flags, the College considers the types of accounts that it offers and maintains, methods it provides to open its accounts, methods it provides to access its accounts, and its previous experiences with identity theft. The College identifies the following Red Flags in each of the listed categories:

A. Suspicious Documents

Red Flags

1. Identification document or card that appears to be forged, altered or inauthentic.
2. Identification document or card on which a person’s photograph or physical description is not consistent with the person presenting the document.
3. Other document with information that is not consistent with existing student information.
4. Application for service that appears to have been altered or forged.

B. Suspicious Personal Identifying Information

Red Flags

1. Identifying information presented that is inconsistent with other information the student provides (example: inconsistent birth dates).
2. Identify information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a loan application).
3. Identify information presented that is the same as information shown on other applications that were found to be fraudulent.
4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address).
5. Social security number presented that is the same as one given by another student.
6. An address or phone number presented that is the same as that of another person.
7. A person fails to provide complete personal identifying information on an application when reminded to do so.
8. A person’s identifying information is not consistent with the information that is on file for the student.

C. Suspicious Covered Account Activity or Unusual Use of Account

Red Flags

1. Change of address for an account followed by a request to change the student's name.
2. Payments stop on an otherwise consistently up-to-date account.
3. Account used in a way that is not consistent with prior use.
4. Mail sent to the student is repeatedly returned as undeliverable.
5. Notice to the College that a student is not receiving mail sent by the College.
6. Notice to the College that an account has unauthorized activity.
7. Breach in the College's computer system security.
8. Unauthorized access to or use of student account information.

D. Alerts from Others

Red Flag

1. Notice to the College from a student, Identity Theft victim, law enforcement or other person that the College has opened or is maintaining a fraudulent account for a person engaged in identity theft.

IV. DETECTING RED FLAG

A. Student Enrollment

In order to detect any of the Red Flags identified above associated with the enrollment of a student, College personnel will take the following steps to obtain and verify the identity of the person opening the account:

Detect

1. Require certain identifying information such as name, date of birth, academic records, home address or other identification.
2. Verify the student's identity at time of issuance of student identification card (review of driver's license or other government-issued photo identification).

B. Existing Accounts

In order to detect any of the Red Flags identified above for an existing Covered Account, College personnel will take the following steps to monitor transactions on an account:

Detect

1. Verify the identification of students if they request information (in person, via telephone, via facsimile, via email).
2. Verify the validity of requests to change billing addresses by mail or email and provide the student a reasonable means of promptly reporting incorrect billing address changes.
3. Verify changes in banking information given for billing and payment purposes.

C. Consumer (“Credit”) Report Requests

In order to detect any of the Red Flags identified above for an employment or volunteer position for which a background report is sought, College personnel will take the following steps to assist in identifying address discrepancies:

Detect

1. In the event that notice of a social security discrepancy is received, verify that the consumer report pertains to the applicant for whom the requested report was made.
2. Verify the validity of the applicant’s social security number.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event College personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

Prevent and Mitigate

1. Continue to monitor accounts for evidence of Identity Theft.
2. Contact the applicant for which a consumer report was run.
3. Change any passwords or other security devices that permit access to applicant account.
4. Provide the student with a new student identification number.
5. Notify the Program Administrator for determination of the appropriate step(s) to take.
6. Notify law enforcement.
7. Determine that no response is warranted under the particular circumstances.

Protect Student Identifying Information

In order to further prevent the likelihood of identity theft occurring with respect to Covered Accounts, the College will take the following steps with respect to its internal operating procedures to protect student identifying information:

1. Ensure that its website is secure or provide clear notice that the website is not secure.
2. Ensure complete and secure destruction of paper documents and computer files containing student account information when a decision has been made to no longer maintain such information.
3. Ensure that office computers with access to Covered Account information are password protected.
4. Avoid use of social security numbers.
5. Ensure computer virus protection is up to date.
6. Require and keep only the kinds of student information that are necessary for College purposes.

VI. PROGRAM ADMINISTRATION

A. Oversight

Responsibility for developing, implementing and updating this Program lies with an Identity Theft Committee (“Committee”) for the College. The Committee is headed by a Program Administrator who may be the President of the College or his or her appointee. Two or more other individuals appointed by the President of the College or the Program Administrator comprise the remainder of the committee membership. The Program Administrator will be responsible for ensuring appropriate training of College staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

B. Staff Training and Reports

College staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected. College staff shall be trained, as necessary, to effectively implement the Program. College employees are expected to notify the Program Administrator once they become aware of an incident of identity theft or of the College’s failure to comply with this Program. At least annually or as otherwise requested by the Program Administrator, College staff responsible for development, implementation, and administration of the Program shall report to the Program Administrator on compliance with this Program. The report should address such issues as effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening and maintenance of Covered Accounts, service provider arrangements, significant incidents involving identity theft and management’s response, and recommendations for changes to the Program.

C. Service Provider Arrangements

In the event the College engages a service provider to perform an activity in connection with one or more Covered Accounts, the College will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of identity theft.

1. Require, by contract, that service providers have such policies and procedures in place.
2. Require, by contract, that service providers review the College's Program and report any Red Flags to the Program Administrator or the College employee with primary oversight of the service provider relationship.

D. Non-disclosure of Specific Practices

For the effectiveness of this Identity Theft Prevention Program, knowledge about specific Red Flag identification, detection, mitigation and prevention practices may need to be limited to the Committee who developed this Program and to those employees who need to know them. Any documents that may have been produced or are produced in order to develop or implement this

program that list or describe such specific practices and the information those documents contain are considered “confidential” and should not be shared with other College employees or the public. The Program Administrator shall inform the Committee and those employees who need to know the information of those documents or specific practices which should be maintained in a confidential manner.

E. Program Updates

The Committee will periodically review and update this Program to reflect changes in risks to students and the soundness of the College from identity theft. In doing so, the Committee will consider the College's experiences with identity theft situations, changes in identity theft methods, changes in identity theft detection and prevention methods, and changes in the College's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Committee will update the Program.

Mr. Peter called for a short recess at 6:30 p.m. The meeting resumed at 6:38 p.m.

Agenda Item VIII-A: Spring Board Retreat Date and Topics

Following discussion the Board Retreat was scheduled for Thursday, April 28 at 5:30 p.m. in room 209 in the Student Union. Topics for the retreat will be the budget, athletics and capital projects. New trustees who will be seated in July will be invited.

Agenda Item VIII-B: Tuition and Fees Recommendation

With local county valuation falling and state aid holding steady or perhaps decreasing, the College must generate additional revenue through enrollment and tuition and fees. Enrollment has increased in the number of credit hours generated, but the administration must also look at raising tuition and fee rates in order to sustain and advance the quality of Neosho County Community College.

Below is the recommended tuition and fee chart for the 2011-2012 academic year. The administration is suggesting changes to the list of charges including:

- A \$5 per credit hour increase to tuition to all students. This represents an 11% raise in cost or about \$75 a semester for full-time students.
- A \$4 per credit hour increase to the Ottawa Building Fee for on-campus Ottawa students only. These funds will be used to sustain and advance the new Ottawa campus.
- Increase the International Student Application Fee to \$75. These funds are needed to recoup losses with the mounting staff time and postage it takes to fully admit an international student. The current fee is \$25 and NCCC has one of the lowest application fees in the state.

In addition to tuition and fees that are charged per credit hour, the College charges course fees. These fees are attached to particular classes that have extraordinary costs due to supplies that are consumed, additional instructors that are required, laboratories and equipment that must be maintained or other costs that go beyond normal course costs. The President recommended that the Board approve a range of class fees from \$5 to \$800 for courses to be assigned by faculty and administration.

Resolution 2011-13

RESOLVED, that the Board of Trustees of Neosho County Community College approves increasing tuition by \$5 per credit hour, increasing the Ottawa Building Fee for on-campus Ottawa students by \$4 per credit hour, and increase the International Student Application fee to \$75. Additionally, the Board approves the range of class fees from \$5 to \$800 for courses to be assigned by faculty and administration.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

Agenda Item VIII-C: Housing Contract for 2011-12

Each year the College examines its costs to offer a residence hall option for students as well as negotiate the food contract with the food service provider to provide the best service to students at the lowest rates. Students have asked for expanded hours in the dining hall and student union and the College is examining greater staff assistance for residents to improve safety and student enjoyment of the halls.

President Inbody requested that the Board raise housing rates by \$200 a year. The additional funds will be needed to pay the higher board rates requested by Great Western Dining, but will also expand hours of operation at the cafeteria significantly. This increase will allow greater staff for residence hall operations and funds for equipment replacement.

Resolution 2011-14

RESOLVED, that the Board of Trustees of Neosho County Community College approves increasing the student housing contract by \$200 per year.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

Agenda Item VIII-D: Faculty Renewal Recommendation

According to Board Policy, the Board must inform contracted full-time faculty of their intent to renew or not renew their contracts before May 1st for the next academic year. These recommendations are given by the faculty member's respective division chair or director then confirmed by the Chief Academic Officer. If a faculty member receives their fourth consecutive contract from the Board, the instructor receives additional due process rights if a request for nonrenewal occurs.

The following faculty on the renewal list have completed three probationary contracts. This fourth contract will give them a continuing, non-probationary contract with full rights of due process:

Linda Barrington
Kevin Blackwell
Mark Eldridge
William Jordan
Mary Lisa Joslyn
Leigh Scharff
Kay Shoemaker

The following faculty have completed three probationary contracts but cannot be given non-probationary contracts for the reasons stated:

- Asya Herron, head volleyball coach – by statute coaches cannot be given non-probationary contracts
- Patricia McDonald, developmental English instructor – Patty is a retired KPERS employee and cannot receive a non-probationary contract

NCCC Faculty Recommended for Non-probationary Contract Renewal

The administration recommended the following faculty for non-probationary contract renewal for the 2011-2012 academic year:

Larry Anderson
Melinda Ayers
Charles Babb
Linda Barrington
P. Kevin Blackwell
Debra Callahan-
(formerly Brown)
Michael Campbell
Chad DeVoe
Rita Drybread
Mark Eldridge
Teresa Faust
Marie Gardner

Stephanie Guinotte
Tosca Harris
Linda Jones
William Jordan
Mary Lisa Joslyn
Luka Kapkiai
Joan LaRue
Janet Mitchell
Sarah Owen
Susan Rhodes
Sarah Robb
Leigh Scharff
Kay Shoemaker

David Smith
Nathan Stanley
Mark Watkins
Mary Weilert
Brad Wilkinson
Steve Yuza
Ruth Zollars

NCCC Faculty Recommended for Probationary Contract Renewal

The administration recommended the following faculty for probationary contract renewal for the 2011-2012 academic year:

Rebecca Butts
Bobbie Forrest
Jill Frazell
Jalal Hamedi
Patricia McDonald
Becky Rhone
Amy Sanford
Ethan Smilie
Cheryl VanHemert

NCCC Coaches Recommended for Contract Renewal

The administration recommended the following coaches for contract renewal for the 2011-2012 academic year (by statute coaches are not eligible for non-probationary contracts):

Jeremy Coombs
Steven Harrison
Tom Havron
Asya Herron
Melissa Kiefer
Steve Murry
Kelley Newton
Wayne Petterson
Damon Solomon
Alisa Tasler

Resolution 2011-15

RESOLVED, That the Board of Trustees of Neosho County Community College approves the recommendation from the administration to renew faculty/coaches contracts for the 2011-12 academic year as presented.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

Agenda Item VIII-E: New Positions – OTA Program

To become accredited, the Occupational Therapy Assistant program must include a full-time director and the equivalent of 1 FTE instructor/fieldwork coordinator. The director is already in place. To provide flexibility, two .5 FTE positions are proposed to fill the staffing requirement.

The first half-time position is for an instructor. The Title III grant includes a .5 FTE/12 month OTA instructor to assist with instruction in the OTA program. This position will be funded with Title III funds after October 1, 2011. The institution will need to cover the salary from August 1, 2011 through September 30, 2011. To meet the accreditation guidelines, the instructor must be in place prior to offering the first course.

This second position is for a .5 FTE/12 month Fieldwork Coordinator. This position will be responsible for arranging, maintaining, and supervising the OTA fieldwork sites and for some instruction. This position is institutionally funded.

Resolution 2011-16

RESOLVED, that the Board of Trustees of Neosho County Community College approves two .5 FTE positions for the Occupational Therapy program. Those positions are Fieldwork Coordinator and OTA instructor. Both positions are half-time, 12 month positions.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

Occupational Therapy Assistant Instructor

Reports to: Occupational Therapy Assistant Program Developer (Director)
Classification: Half-time, 12-month Employee
Pay Status: Administrative
Vacation/Sick Leave/Regular Holidays per Board Policy
Starting Salary: \$24,000
Approved: March, 2011

Purpose of Position: The part-time (.5 FTE/12 month) Occupational Therapy Assistant Instructor reports to the Occupational Therapy Assistant Program Developer, and is responsible for instructing courses in the Occupational Therapy Assistant AAS program and for assisting with the development, dissemination, and tracking of information required for students in the program. **This position is Title III grant funded and will be institutionalized after Year 5 of the Title III grant.**

Essential Functions:

- 1) Program/Curriculum Development and Instruction
 - a) Teach courses in the occupational therapy assistant program – minimum 21 hours per year
 - b) Assist in scheduling occupational therapy assistant courses in sequence with other required courses
 - c) Conduct student review and evaluation through required institutional procedures
 - d) Conduct program and course assessment following established procedures
- 2) Student Advising/Evaluation
 - a) Assist students in advisement, admissions, and registration activities
 - b) Assist in development and implementation of OTA student activities
 - c) Assist in developing student workforce placement strategies
 - d) Monitor student attainment of graduation requirements
- 3) Other Duties
 - a) Assist the Occupational Therapy Assistant Developer (director) as requested
 - b) Assist the Activity Director and Project Manager in projects as assigned
 - c) Engage in personal Professional Development
 - d) Participate in departmental and college planning through committee assignments and meetings

Required Knowledge, Skills and Abilities

1. Working experience as a Licensed Occupational Therapist or Occupational Therapy Assistant in Kansas
2. Ability to work effectively with diverse populations
3. High degree of ethical standards, including confidentiality, adherence to general rules of safety, procedures, and fair labor standards
4. Commitment to high professional standards, including professional growth
5. Attention to detail
6. Knowledge of Accreditation Council for Occupational Therapy Education

7. Ability to communicate effectively, both orally and in writing
8. Excellent computer skills
9. Ability to gather data, compile information and prepare reports
10. Ability to appropriately exercise independent initiative and judgment
11. Willingness and ability to work as a member of a team

Education and Experience

1. *Required* – Licensed Occupational Therapist or Occupational Therapy Assistant in Kansas
2. *Required* - Bachelor's Degree
3. *Preferred* - Two years professional experience
4. *Preferred* - At least one year experience working in an academic setting

Working Conditions

1. Work is normally performed in a typical interior office/classroom environment.
2. Some travel and evening hours are required.
3. Limited physical effort required.

Notice of Non-Discrimination

Neosho County Community College, in compliance with Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, Section 402 of the Readjustment Assistance Act of 1974, Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disabilities, marital status, or status as a veteran in any of its policies, practices, or procedures. This includes, but is not limited to, admissions, employment, financial aid, housing, and educational services. Any person having questions regarding the above is directed to the dean of student development, Title VI and IX and Section 504 coordinator, NCCC, 800 West 14th, Chanute, Kansas 66720, 620-431-2820 ext. 213.

Occupational Therapy Assistant Fieldwork Coordinator

Reports to: Occupational Therapy Assistant Program Developer
Classification: Half-time, 12-month Employee
Pay Status: Administrative
Vacation/Sick Leave/Regular Holidays per Board Policy
Starting Salary: \$24,000
Approved: March, 2011

Purpose of Position: The part-time (.5 FTE/12 month) Occupational Therapy Assistant Fieldwork Coordinator reports to the Occupational Therapy Assistant Program Director, and is responsible for coordination of clinical and community sites, student placement and tracking, teaching and program maintenance, as well as assisting in others areas as needed. **This position institutionally funded and required by the American Occupational Therapy Association accreditation standards.**

Essential Functions:

1. **Program/Curriculum Development and Instruction**
 - a. Establish clinical agreements with facilities appropriate to meet course and program outcomes
 - b. Review and evaluate clinical facilities for educational value
 - c. Maintain communication with site contact person(s) to ensure all course objectives are met each semester
 - d. Ensure the development of links between the fieldwork and didactic aspects of the curriculum.
 - e. Ensure clinical course assessment occurs according to established institutional procedures
 - f. Ensure clinical course evaluations occur according to established institutional procedures.
 - g. Teach assigned courses not to exceed 15 credit hours per year.
2. **Student Advising/Evaluation**
 - a. Assist students in advisement and registration activities
 - b. Provide student orientation to the clinical site
 - c. Assist the Activity Director in tracking and monitoring student progress in the program, specifically with clinical work
 - d. Assist with student workforce placement strategies
 - e. Monitor student attainment of graduation requirements
3. **Clinical Coordination/Mentoring**
 - a. Develop and implement OTA student mentoring activities
 - b. Maintain clinical agreement contracts and site data with OTA facilities and develop additional opportunities.
 - c. Supervise and evaluate students during fieldwork placements
 - d. Participate in OTA Advisory Board

- e. Ensure the development of links between the fieldwork and didactic aspects of the curriculum.
 - f. Communicate with fieldwork educators regularly.
4. Other Duties
- a. Participate in departmental and college planning through committee assignments and meetings.
 - b. Assist the Activity Director and Project Manager in projects as assigned.
 - c. Engage in personal Professional Development.

Required Knowledge, Skills and Abilities

1. Working experience as a Licensed Occupational Therapist or Occupational Therapy Assistant in Kansas.
2. Exceptional ability to organize and coordinate projects.
3. Ability to communicate effectively, both orally and in writing.
4. Ability to work effectively with diverse populations.
5. Attention to detail.
6. Knowledge of Accreditation Council for Occupational Therapy Education.
7. Excellent computer skills.
8. Ability to gather data, compile information and prepare reports.
9. Ability to plan and evaluate programs.
10. Ability to appropriately exercise independent initiative and judgment.
11. Willingness and ability to work as a member of a team.

Education and Experience

1. *Required* – Licensed Occupational Therapist or Occupational Therapy Assistant in Kansas
2. *Required* – Bachelor's Degree
3. *Preferred* - Two years professional experience
 - a. *Preferred* - One year experience working in an academic setting

Working Conditions

1. Work is normally performed in a typical clinical setting or classroom/office work environment.
2. Some travel and evening hours are required.
3. Limited physical effort required.

Notice of Non-Discrimination

Neosho County Community College, in compliance with Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, Section 402 of the Readjustment Assistance Act of 1974, Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disabilities, marital status, or status as a veteran in any of its policies, practices, or procedures. This includes, but is not limited to, admissions, employment, financial aid, housing, and educational services. Any person having questions regarding the above is directed to the dean of student development, Title VI and IX and Section 504 coordinator, NCCC, 800 West 14th, Chanute, Kansas 66720, 620-431-2820 ext. 213.

Agenda Item VIII-F: New Position-Associate Dean for Online Campus

The online campus continues to grow at about 30% per year. It is only about 20% behind Ottawa in terms of credit hour production and is growing at a more rapid pace. It now represents about 24% percent of our enrollment and yet there are no full-time employees assigned to it as their primary job. In order to maintain and advance quality during this period of rapid growth, and to keep the growth going, the President recommended the college create a new position, the Associate Dean for Online Campus.

The Associate Dean position will begin July 1, 2011. This is a 10-month position. The job description follows. The salary and benefits of this position will be factored into the 2010-2011 budget.

Resolution 2011-17

RESOLVED, that the Board of Trustees of Neosho County Community College approves the new position of Associate Dean for Online Campus.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

ASSOCIATE DEAN for the ONLINE CAMPUS

Reports to: Chief Academic Officer

Classification: Senior Administrator

Starting Salary Range: Commensurate with experience and education
10-month position

Adopted Date: March, 2011

This position coordinates all aspects of the online campus and provides educational leadership in the development, implementation, and evaluation of all aspects of the college portal and learning management software.

Duties include, but are not limited to:

COORDINATION OF THE ONLINE CAMPUS

- Schedule online sections and ensure adequately qualified instructors are assigned.
- Hire and supervise adjunct faculty teaching online courses.
- Supervise personnel assigned to the Online Campus.
- Prepare and administer the Online Campus budget.
- Serve as a liaison with all college departments to ensure all student services are being offered in the online environment and in a quality manner.
- Serve as a liaison with Tech Services.
- Coordinate problem resolution for students, faculty and staff with regard to the Online Campus.
- Maintain communication between the institution and the Learning Management Software provider.
- Actively participate on appropriate college committees, particularly Student Learning, Online Services, Online Instruction, Technology Planning, and others as assigned.

ENSURING QUALITY OF THE ONLINE CAMPUS

- Lead the certification process for online students, online instructors and online courses.
- Maintain and, where possible, advance standards of online instruction with those set by national accrediting agencies and other external organizations.
- Coordinate training for all instructors on use of the learning management system, including maintaining instructional "how to" materials and other support documentation.
- Coordinate specialized training for online instructors to improve existing courses.
- Maintain a repository of instructional resources including, but not limited to, a list of online learning objects/lessons repositories, along with select Web 2.0 tools and their educational impact.
- Prepare and present technology-related training for faculty and/or staff as requested.

ADVANCING THE ONLINE CAMPUS

- Expand online courses, certificate and degree programs in support of the Educational Master Plan.
- Expand online enrollments.
- Ensure proper recruitment and marketing of online courses and programs in conjunction with the marketing committee.

- Research and, where indicated, recommend new technologies to advance all aspects of the Online Campus.
- Actively participate in professional organizations; represent the institution at seminars, committees, conferences and workshops.
- Other duties as assigned.

Required Knowledge and Abilities

1. Evidence of excellent oral and written communication skills.
2. Proven strong computer skills.
3. Proven leadership and supervisory skills.
4. Ability to work effectively with diverse populations.
5. Strong organizational and coordinating skills.
6. Willingness and ability to work as a member of a team.

Education and Experience

1. Doctoral-degree preferred, Masters degree required in related discipline, such as online instruction, educational leadership, instructional design, or educational technology, with 5 -7 years of education experience, with progressive leadership roles.
2. A minimum of 3 years teaching online courses is required.
3. Experience in coordinating learning management systems is preferred.
4. Experience training faculty is preferred.
5. Supervision of employees in an education environment is preferred.

Working Conditions

1. Work is normally performed in a typical interior/office work environment.
2. Limited physical effort required.
3. Some travel and evening hours are required.
4. Ability to sit for long periods while operating a personal computer is required.

Notice of Non-Discrimination

Neosho County Community College, in compliance with Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, Section 402 of the Readjustment Assistance Act of 1974, Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, sex, age, religion, disabilities, marital status, or status as a veteran in any of its policies, practices, or procedures. This includes, but is not limited to, admissions, employment, financial aid, housing, and educational services. Any person having questions regarding the above is directed to the dean of student development, Title VI and IX and Section 504 coordinator, NCCC, 800 West 14th, Chanute, Kansas 66720, 620-431-2820 ext. 213.

Agenda Item VIII-G: Appointment of Associate Dean for Online Campus

President Inbody recommended that Marie Gardner be promoted to associate dean. Ms. Gardner has done an excellent job advancing the online campus and has been the coordinator since the beginning of that position. As a faculty member she understands what it is like to teach online and is very effective as a faculty trainer and problem-solver. She is professional and works well with tech services, as well as students. The position will be paid \$52,000 for a 10-month contract.

Upon appointment as Associate Dean, her current position of math/computer instructor at Ottawa will be advertised. The supplemental duty of Coordinator of Online Campus will be deleted.

Resolution 2011-18

RESOLVED, that the Board of Trustees of Neosho County Community College approves the appointment of Marie Gardner as the Associate Dean for Online Campus starting July 1, 2011 at an annual salary of \$52,000 for the 10-month position.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

Agenda Item VIII-H: Vice President for Student Learning Recommendation

It was the recommendation of the President that the Board approve the employment of James Genandt for the Vice President of Student Learning position.

Mr. Genandt has served as Dean of Career & Technical Education since 2009 and Dean of Instruction from 2006 to 2009, at Spoon River College in Canton, Illinois. He also served as Dean-School of Human Environmental Science from 1999-2006 and Director-Development Foundation/Continuing Education from 1993 to 1999 at Northeastern Oklahoma A&M College (NEO), Miami, Oklahoma. His extensive background in higher education also includes five years as Director-Continuing Education at Southern Arkansas University, Magnolia, Arkansas and five years at Director/Coordinating for the TRIO Programs at Emporia State University, Emporia, Kansas.

Mr. Genandt has a Masters Degree from Emporia State University and is completing his dissertation for the Ph.D. program at Walden University with a major in public policy and administration.

He will be paid \$79,000 annually starting July 1, 2011.

Resolution 2011-19

RESOLVED, that the Board of Trustees of Neosho County Community College approves the employment of James Genandt for the position of Vice President of Student Learning, at an annual salary of \$79,000 beginning July 1, 2011.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

Agenda Item VIII-I: Purchasing the Beech Street Campus at Ottawa

It was Dr. Inbody's recommendation that the College exercise the option to purchase the Beech Street Ottawa campus for the contracted \$100 from the Foundation. Following the transaction the College will be able to sell the property to Franklin County for \$460,000 as previously agreed.

Resolution 2011-20

RESOLVED, that the Board of Neosho County Community College approves the purchase of the Ottawa Beech Street campus from the NCCC Foundation for \$100.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

NOTICE OF TERMINATION OF LEASE

Notice is hereby given that as of the ____ day of _____, 2011 a certain Lease Agreement made and entered into as of July 15, 2003 and recorded on September 2, 2003 in Miscellaneous Book 214, at Page 774 in the office of the Register of Deeds of Franklin County, Kansas, by and between the NEOSHO COUNTY COMMUNITY COLLEGE FOUNDATION (the "FOUNDATION") and NEOSHO COUNTY COMMUNITY COLLEGE (the "COLLEGE"), with respect to the property described in Exhibit A attached hereto and incorporated by this reference, is, for good and valuable consideration, the receipt of which is hereby acknowledged, terminated with respect to said property.

IN WITNESS WHEREOF, the parties hereto have executed these presents effective as of the day and year first above written.

NEOSHO COUNTY COMMUNITY
COLLEGE FOUNDATION

BY _____
_____, President

STATE OF KANSAS, COUNTY OF NEOSHO, ss:

On this ____ day of _____, 2011, before me, a notary public in and for said county and state, came _____, President of Neosho County Community College Foundation who is personally known to me to be the same person who executed, as such officer, the within instrument on behalf of said Foundation, and such persons duly acknowledged the execution of the same to be the act and deed of the Foundation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My appointment expires: _____

Printed/Typed Name: _____

**Notice of Termination of Lease
Signature Page – Neosho County Community College**

BOARD OF TRUSTEES
NEOSHO COUNTY COMMUNITY COLLEGE
NEOSHO COUNTY, KANSAS

BY: _____
David Peter, Chairman

Attest:

Brian Inbody, President

STATE OF KANSAS, COUNTY OF NEOSHO, ss:

On this ____ day of _____, 2003, before me, a notary public in and for said county and state, came David Peter, Chairman of the Board of Trustees of Neosho County Community College and Brian Inbody, President of Neosho County Community College, Neosho County, Kansas, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said College, and duly acknowledged the execution of the same to be the act and deed of said College

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My appointment expires: _____

Printed/Typed Name: _____

**Written Notice Of Election To Exercise
Option To Purchase**

TO: Neosho County Community College Foundation (“Foundation”)

RE: Ottawa Campus Lease dated July 15, 2003 by and between Neosho County Community College Foundation and Neosho County Community College, Neosho County, Kansas (“College”)

Description of property is attached hereto marked Exhibit A (the “Property”)

Neosho County Community College submits this Written Notice Of Election To Exercise Option To Purchase as provided in Section 13 of the Ottawa Campus Lease.

Tendered herewith is the \$100.00 purchase price pursuant to Section 13.2 of the Ottawa Campus Lease. the following shall occur upon receipt:

- a. Foundation shall convey by good and sufficient Warranty Deed the Property to the College. (Form of the Deed is attached hereto)
- b. By issuing the Deed to College, Foundation acknowledges payment of the option price and all rentals due from College.
- c. Upon delivery of Deed, Foundation grants immediate possession to College.
- d. Foundation shall join in execution of Notice Of Termination Of Lease (the form of which is attached hereto).

Executed effective the ___ day of March, 2011 and on the dates opposite respective signatures.

NEOSHO COUNTY COMMUNITY COLLEGE

BY _____ 03/ /11
Brian Inbody, President Date

ACCEPTED:

The undersigned acknowledges receipt of the foregoing Notice on behalf of Neosho County Community College Foundation

NEOSHO COUNTY COMMUNITY
COLLEGE FOUNDATION

BY _____ 03/ /11
Date

Printed Name

WARRANTY DEED

THE UNDERSIGNED, **Neosho County Community College Foundation** a non-profit corporation, in consideration of the sum of \$100.00, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and warrant unto

Neosho County Community College

the following described real estate in Franklin County, Kansas, to wit:

Commencing at the Northeast corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of Section Thirty-five (35), Township Sixteen (16) South, Range Nineteen (19) East of the Sixth Principal Meridian, in the City of Ottawa, Franklin County, Kansas; THENCE South 01 degrees 42 minutes 05 seconds East for a distance of 30.00 feet along the East line of the Northwest Quarter of said Southwest Quarter (NW/4 SW/4); THENCE South 87 degrees 57 minutes 46 seconds West for a distance of 30.00 feet to Point of Beginning, said point being the intersection of the West line of Beech Street with the Southline of Second Street, in the City of Ottawa, Franklin County, Kansas; THENCE South 87 degrees 57 minutes 46 seconds West for a distance of 84.97 feet along the South line of Second Street to a point on the Southerly right of way line of Highway K-68; THENCE along a curve to the left having a radius of 895.27 feet and an arc length of 658.02 feet, being subtended by a chord of South 43 degrees 28 minutes 10 seconds West for a distance of 643.30 feet along said right of way; THENCE South 15 degrees 23 minutes 00 seconds West for a distance of 100.30 feet along said right of way; THENCE North 88 degrees 17 minutes 55 seconds East for a distance of 570.68 feet to a point on the West line of Beech Street; THENCE North 01 degrees 42 minutes 05 seconds West for a distance of 549.89 feet parallel with the East line of the Northwest Quarter of said Southwest Quarter (NW/4 SW/4) and along the West line of Beech Street to the Point of Beginning; Together with and subject to covenants, easements, and restrictions of record. Said property contains 5.08 acres more or less, in the City of Ottawa, Franklin County, Kansas.

and all buildings, improvements and fixtures now or hereafter located thereon.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

AND SAID Grantor for itself, its successors and assigns, does hereby covenant, promise and agree that at the delivery of these presents it is lawfully seized in its own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature or kind so ever; **except** (1) those to which the title was subject on the date of conveyance of the property to Neosho County Community College Foundation ("Foundation"), or to which title became subject with written consent of Neosho County Community College ("College") or which resulted from any failure of College to perform any of its covenants or obligations under Lease between Foundation and College dated July 15, 2003; (2) taxes and assessments, general and special, if any; (3) the rights, titles and interests of any party having condemned or who is attempting to condemn title to, or the use for a limited period of, all or any part of the property conveyed hereby; and (4) easements, rights of way and restrictions of record.

and that it will warrant and forever defend the same unto said **Neosho County Community College**, its successors and assigns, against said party of the first part, its successors and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the **Neosho County Community College Foundation** has hereunto caused this Deed to be signed on its behalf the day and year set forth below.

EXECUTED this ____ day of _____, 2011.

NEOSHOCOUNTY COMMUNITY
COLLEGE FOUNDATION

BY:

President

STATE OF KANSAS, COUNTY OF NEOSHO, ss:

BE IT REMEMBERED, that on this ___ day of _____, 2011, before me the undersigned, a Notary Public in and for the County and State aforesaid, came _____, the President of Neosho County Community College Foundation who is personally known to me to be such officer, and who is personally known to me to be the same person who executed, as such officer, the within instrument on behalf of said Foundation, and such person duly acknowledged the execution of the same to be the act and deed of said Neosho County Community College Foundation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

My Commission Expires:

Notary Public

EXHIBIT A

Commencing at the Northeast corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of Section Thirty-five (35), Township Sixteen (16) South, Range Nineteen (19) East of the Sixth Principal Meridian, in the City of Ottawa, Franklin County, Kansas; THENCE South 01 degrees 42 minutes 05 seconds East for a distance of 30.00 feet along the East line of the Northwest Quarter of said Southwest Quarter (NW/4 SW/4); THENCE South 87 degrees 57 minutes 46 seconds West for a distance of 30.00 feet to Point of Beginning, said point being the intersection of the West line of Beech Street with the South line of Second Street, in the City of Ottawa, Franklin County, Kansas; THENCE South 87 degrees 57 minutes 46 seconds West for a distance of 84.97 feet along the South line of Second Street to a point on the Southerly right of way line of Highway K-68; THENCE along a curve to the left having a radius of 895.27 feet and an arc length of 658.02 feet, being subtended by a chord of South 43 degrees 28 minutes 10 seconds West for a distance of 643.30 feet along said right of way; THENCE South 15 degrees 23 minutes 00 seconds West for a distance of 100.30 feet along said right of way; THENCE North 88 degrees 17 minutes 55 seconds East for a distance of 570.68 feet to a point on the West line of Beech Street; THENCE North 01 degrees 42 minutes 05 seconds West for a distance of 549.89 feet parallel with the East line of the Northwest Quarter of said Southwest Quarter (NW/4 SW/4) and along the West line of Beech Street to the Point of Beginning; Together with and subject to covenants, easements, and restrictions of record. Said property contains 5.08 acres more or less, in the City of Ottawa, Franklin County, Kansas.

and all buildings, improvements and fixtures now or hereafter located thereon.

Agenda Item VIII-J: Board Policy Revisions (first reading)

Because of changes in Kansas Statutes regarding continuing contracts, the President recommended that the Board update the Continuing Contract Law policy and the Notice of Non-Renewal policy. The revised policies are presented for a first reading.

Current Policy

Continuing Contract Law (revised dates 3/8/01)

Kansas law provides that every full-time community college instructor shall be deemed re-employed for the succeeding year unless the board of trustees shall cause notice in writing to be given said instructor on or before May 1, of the term in which the instructor is then employed, and such instructor shall be presumed to have accepted such employment unless he/she shall notify the board in writing to the contrary on or before May 15.

Proposed Policy

Continuing Contract Law (revised 3/8/01)

Kansas law provides that every full-time community college instructor shall be deemed re-employed for the succeeding year unless the board of trustees shall cause notice in writing to be given said instructor on or before the third Friday in May, of the term in which the instructor is then employed, and such instructor shall be presumed to have accepted such employment unless he/she shall notify the board in writing to the contrary on or before the fourteenth calendar day following the third Friday in May, as provided in K.S.A. 72-5437 and subject to other applicable statutory provisions and any amendments to said statutes.

Current Policy

Non-renewal or Termination*

Non-renewal or termination of "professional employees" shall be in accordance with K. S. A. 72-5410 et seq., K. S. A. 72-5413 et seq. and K. S. A. 72-5436 et seq.

Proposed Policy

Non-renewal or Termination

Non-renewal or termination of "professional employees" shall be in accordance with K.S.A. 72-5437 et seq., K.S.A. 72-5413 et seq., and K.S.A. 72-5436 et seq. and subject to other applicable statutory provisions and any amendments to said statutes.

Amended Agenda Item VIII-K: Resignation

1. Resignation of Men's Track/Cross Country Coach

It was the President's recommendation that the Board accept the resignation of Darin Schmitz, head coach for men's track/cross country. Mr. Schmitz's resignation is effective at the end of his current contract.

Resolution 2011-21

RESOLVED, that the Board of Trustees of Neosho County Community College accepts the resignation of Darin Schmitz, head coach for men's track/cross country at the end of his current contract.

Upon a motion and a second the above resolution was approved. Motion passed unanimously.

Amended Agenda Item VIII-L: Executive Session-Non-Elected Personnel

Upon a motion and a second, the Board recessed into executive session for five minutes to discuss personnel matters of non-elected personnel which if discussed in open meeting might violate their right to privacy and to include the President, Vice President for Administration and college attorney.

Amended Agenda Item VIII-M: Executive Session-Negotiations

Mr. Chairman,

I move that the Board recess into executive session for ____ minutes to discuss matters relating to employer-employee negotiations and to include the President, Vice President for Administration, Chief Financial Officer, and the College Attorney.

Agenda Item IX: Adjournment