

NORTHERN VIRGINIA COMMUNITY COLLEGE

BOARD MEETING

September 10, 2018

6:00-6:30 pm

Battleview

10500 Battleview Parkway

Manassas, VA 20109

Finance, Building and Sites Advisory Committee:

Mr. Todd Rowley (Chair), Mr. Alvie Johnson, Mr. Bruce Neilson

4:00-5:00pm - Room 222

Staffed by Ina Dimkova and Cory Thompson

Community Engagement, Governance and Marketing Advisory Committee:

Mr. Hong Xu (Chair), Ms. Jennifer McGarey, Falls Church appointee

4:00-5:00pm-Room 224

Staffed by Elizabeth Weatherly and Dana Kauffman

Academic Curriculum and Workforce Development Committee:

Dr. Kerstin Carlson Le Floch (Chair), Ms. Zuzana Steen, Mr. John Porter

4:00-5:00pm - Room 226

Staffed by Sheri Robertson and Steve Partridge

5:00-5:30pm Tour: Linden Battlefield at 10366 Battlefield Parkway, Manassas VA 20109

5:35-6:00pm Tour: Mechatronics Lab, Battleview, 1st Floor

6:00-6:30pm: Formal Board Meeting, Battleview, Room 225

Northern Virginia Community College Board Meeting

September 10, 2018

AGENDA

CALL TO ORDER - Chairman of the Board

ROLL CALL - Lindsay Mills

NEW BOARD MEMBER WELCOME AND INTRODUCTION - Mr. John Porter, City of Alexandria
(bio enclosed)

Board Attendees: Mr. Alvie Johnson, Ms. Jennifer McGarey, Mr. Bruce Neilson, Ms. Rosie O'Neil, Chair Rick Pearson, Mr. John Porter, President Scott Ralls, Mr. Todd Rowley, Ms. Zuzana Steen, Mr. Hong Xu

College Attendees: Ms. Mary Bramley, Ms. Yovana Burns, Ms. Charlotte Calobrisi, Ms. Diana Cline, Ms. Mary Coughlin, Ms. Ina Dimkova, Mr. John Guszak, Dr. M. Annette Haggray, Dr. Pamela Hilbert, Mr. Dana Kauffman, Dr. Chad Knights, Dr. Julie Leidig, Dr. Molly Lynch, Mr. Steve Partridge, Mr. Steve Patterson, Mr. Caldin Pletschke, Dr. Nicole Reaves, Dr. Sharon Robertson, Dr. Steve Sachs, Dr. Mel Schiavelli, Ms. Robyn Seabrook, Ms. Lisa Stelle, Mr. Cory Thompson, Ms. Lara Wade, Ms. Elizabeth Weatherly

Chairman Pearson welcomed Mr. John Porter, newest Board Member representing the City of Alexandria, Chairman Pearson thanked Mr. Porter for being on the Board. Mr. Porter thanked Chairman Pearson and commented how excited he was to be here.

Chairman Pearson made a request to change the order of the agenda by moving Action Item #1 to the forefront for discussion. He asked Vice Chair O'Neil to read the recommendation to approve Mr. Caldin Pletschke as the 2018-19 Student Liaison to the NOVA Board.

Mr. Alvie Johnson motioned to approve the recommendation while Ms. Zuzana Steen seconded. With no objection, the motion carried unanimously.

Chairman Pearson welcomed Mr. Pletschke to join the Board at the table. Mr. Pletschke introduced himself briefly. He is an international student from South Africa. This is his second year at NOVA. He works in the provost office with Dr. Lynch. The Manassas campus leadership encouraged him to join the NOVA Board and to get involved. He is the President of SGA on the Manassas campus and serves on the ASGA as well. Mr. Pletschke commented that this is just another way to serve and help improve the community and the college for international students and students as a whole.

Chairman Pearson also took a moment to thank immediate past Board Chairman Todd Rowley for his mentorship, advice and dedication. He thanked Mr. Rowley for being an active and engaged member of the Board and will welcome any suggestions he may have moving forward.

CONSENT AGENDA

1. **Approval of the May 14, 2018 NOVA Board Minutes** TAB #1

RECOMMENDATION: *The Northern Virginia Community College approves the Board minutes as presented.*

One edit was noted on page 8 of the May 14, 2018 NOVA Board Minutes. Such edit should now read: Ms. O'Neil thanked the Committee members for all of their efforts and stated that in consideration of new members, they are looking at qualities that make good Board members such as good boardsmanship and full engagement.

With the edit in place, Mr. Todd Rowley motioned to approve the Consent Agenda in its entirety, Seconded by Mr. John Porter, and with no objection, the motion carried unanimously.

Finance, Building and Sites Advisory Committee:

2. **Final Report, FY2018 Local Funds Budget** TAB #2

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the Final Report of the Local Funds Budget for the period July 1, 2017 through June 30, 2018 and approves it for record purposes.*

3. **Final Report, FY2018 Non-State Funded Investments** TAB #3

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the Final Report of the Non-State Funded Investments for the period July 1, 2017 through June 30, 2018 and approves it for record purposes.*

4. **Final Report, FY2018 Local Board Budget** TAB #4

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the Final Report of the Local Board Budget for period July 1, 2017 through June 30, 2018 and approves it for record purposes. Further, the Board directs that the administration provides copies of this statement to the executive officers of each of the cooperating jurisdictions.*

5. **Final Report, FY2018 State E&G Operating Budget** TAB #5

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the statement of revenue and expenditures for the Fiscal Year 2018 State E&G Operating Budget and accepts it for information.*

6. **Final Report, FY2018 Workforce Development Operating Budget** TAB #6

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the statement of revenue and expenditures for the Fiscal Year 2018 Workforce Development Operating Budget and accepts it for information.*

7. **FY2019 State E&G Operating Budget** TAB #7

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the distribution of funds for the Fiscal Year 2019 State E&G Operating Budget and accepts it for information.*

8. **FY2019 Workforce Development Operating Budget** TAB #8

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the distribution of funds for the Fiscal Year 2019 Workforce Development Operating Budget and accepts it for information.*

9. **Project and Properties Status Report** TAB #9

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed and accepts the Project and Properties Status Report as presented for record purposes.*

10. **APA FY17 Report on Audit** TAB #10

Due to the size of the report, a link will be sent electronically for Board Member access and review.

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the Audit of Public Accounts (APA) report for FY17.*

Academic Curriculum and Workforce Development Committee:

11. **Advisory Committee Recommendations** TAB #11

(Copies to Academic Curriculum and Workforce Development Committee Only)

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed and approves the following recommendations for members of the Advisory Committees:*

Emergency Medical Services

Anne Marsh
Jose Salazar

Paralegal Studies

Megan Beckman

B. ACTION ITEMS

1. **Approval of the Student Liaison to the NOVA Board, 2018-19** **TAB #12**

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed and approves the recommendation of Caldin Pletschke.*

Action Item #1 was moved to the front of the agenda. See notes above.

Finance, Building and Sites Advisory Committee:

2. **Proposed FY 2020 Local Board Budget** **TAB #13**

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed and approves the proposed Local Board Budget for the Fiscal Year 2020 in the amount of \$/87,429 which will be requested to be contributed by the cooperating political jurisdictions. The Board approves the proposed budget and authorizes its submission to the nine cooperating political jurisdictions. The Board further directs the President to submit this budget to the State Board for review.*

Mr. Rowley read the recommendation to approve the local budget as outlined. Mr. Neilson clarified the amount to be requested is now \$250,000. Mr. Rowley motioned to approve the proposed Local Board Budget with the motion seconded Mr. Bruce Neilson. With no objection, the motion carried unanimously.

3. **FY2020 Local Capital Outlay Requirements** **TAB #14**

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed and approves the Local Capital Outlay Requirements for Fiscal Year 2020, with a total amount to be requested from the cooperating political jurisdictions of \$5,605,423. The Board authorizes the administration to submit fair-share requests to the nine cooperating political jurisdictions for funding in their 2020 budgets. The Board further directs the President to submit this budget to the State Board for review.*

A motion was made by Mr. Rowley and seconded by Ms. O'Neil to approve the Local Capital Outlay Requirements. With no objection, the motion carried unanimously.

4. **Approval for Agency Authorized Capital Project: Manassas Battleview Engineering Technology Lab** **TAB #15**

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed the proposed renovation plans of the Battleview building, and approves it for forwarding to the State Board of Community Colleges for their approval.*

A motion was made by Mr. Rowley to approve the Agency Authorized Capital Project involving the Manassas Battleview Engineering Technology Lab. Ms. O'Neil seconded the motion. With no objection, the motion carried unanimously.

5. **Proposed Amendment for lease term at 1821 Michael Faraday Drive. Reston, VA for 8.681 rentable square feet** **TAB #16**

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed and approves the proposal to amend the Lease for the Michael Faraday property located at 1821 Michael Faraday Drive, Reston, VA and recommends approval of this action by the State Board of Community Colleges.*

A motion was made by Mr. Rowley to approve the lease amendment for the Michael Faraday property. Ms. Zuzana Steen seconded the motion. With no objection, the motion carried unanimously.

Community Engagement. Governance and Marketing Advisory Committee:

6. **Undated College Board Policy and Procedure Manual** **TAB #17**

RECOMMENDATION: *The Northern Virginia Community College Board has reviewed and approves the revised Board Policies and Procedures Manual.*

Ms. Rosie O'Neil thanked the chairman of the committee, committee members and Ms. Jennifer McGarey, for the tremendous amount of work that goes into updating the policy and procedure manual. Mr. Xu noted the content is ready for approval though some minor cosmetic changes need to be made such as adding page numbers to the document. Mr. Neilson motioned to approve the updated College Board Policy and Procedure Manual. Mr. Alvie Johnson seconded the motion. With no objection, the motion carried unanimously.

C. CHAIRMAN'S / PRESIDENT'S REPORT

President Ralls opened his remarks by noting upcoming dates for the Board to mark on their calendars for potential participation: Oct. 29th at George Mason University when Governor Northam will be present to celebrate the first year of the ADVANCE program and the evening of February 6 for the VCCS Legislative Reception in Richmond.

He next indicated his excitement about the coming year and the fulfillment of the NOVA strategic plan, Pathway to the American Dream. Dr. Ralls referred to himself as a spatial thinker, and asked permission to draw a visual conception of the strategic plan and the areas that are coming together to fulfill the plan's goals. Among the areas he noted included the George Mason ADVANCE Partnership and the approximately 250 students who will be enrolled in the first year pilot; the new Guaranteed Transfer Partnerships expected with two new higher education partners this Fall; the grant funding that will support what may become the largest technology apprenticeship program in the nation; new technology degree programs starting this year that are directly connected to significant regional employment growth; the implementation of new advising technology and structure to provide better support for students; the new Financial Stability Program to help students who stop out and drop out

because of life circumstances; and additional efforts to reach high school students, opportunity youth, transitioning adults, and Veterans and active duty military. Dr. Ralls concluded by noting that it is a lot of work that is going on throughout NOVA and it is a lot to be excited about.

Chairman Pearson began by emphasizing the execution and advancement of the strategic plan. He indicated that he would like to make sure Board Members are helping and doing what they can. He wants to continue to execute and support this plan, making sure all students have a pathway to a 4 year degree, if they choose.

Chairman Pearson highlighted four areas he would like to discuss: execution of strategic plan; university partnership; high demand skills; and communities. Chairman Pearson reiterated the importance of University Partnerships. He again reminded the Board about the George Mason celebration of the first year of the ADVANCE program being held on October 29.

Chairman Pearson next highlighted high demand skills. He stressed that partnerships with major employers like Amazon and Northrup Grumman are key. He mentioned that Neustar needed talent in certain skills did not care if someone had a 4 year degree. They needed those skill sets. Chairman Pearson stated that the Critical Info Structure program is huge for the data centers in the area. He indicated that the Board docs what they can to stay in tune with the local jurisdictions to support these types of initiatives and to keep NOVA at the forefront. He emphasized that any talk about cyber security in the region, NOVA should be a part of these conversations. He stressed that a member of the Board or someone from NOVA should be at these meetings always. He emphasized that NOVA needs to continue to build a workforce pipeline in the region. He stated that companies like to come to NOVA because our model is more agile than 4 year institutions

Other areas Chairman Pearson highlighted was wanting to provide to Board Members connection with Communities. He would like to see more talking and engagement with the community. (Chair to work with Governance and Marketing Advisory committee develop a cheat sheet of information/data points about NOVA to send out to members to assist them in engaging with their communities/jurisdiction)

Vice-Chair, Rosie O'Neil spoke regarding financial stability. Ms. O'Neil thanked the Board Members for the contributions in the green bags. She was grateful that everyone brought one in and that we should continue to contribute to the food patty on a regular basis. Chairman Pearson thanked everyone for participating.

Ms. O'Neil mentioned that the Governance Committee has had several discussions about the importance of building strong Boards and developing quality "boardsmanship" habits as a practice of good governance. She acknowledged the tremendous amount of work being done on the foundation board. She noted the importance of evaluating ourselves as a board and as individual board members. To this end, she noted that there is preparation to initiate a board evaluation instrument this year for the benefit of the NOVA board. This instrument is in response to positive feedback from board members to conduct a self -valuation and to identify opportunities for board education. She noted that information will be forthcoming. She also noted that they are hoping to bring in a third party to do the evaluations for the Boards benefit.

Chairman Pearson mentioned attending the AWS Public Sector Summit. He stated that it was excellent. He noted that Dr. Ralls spoke on a stage designed to be a giant Alexa, which was excellent exposure for the College.

Chairman Pearson mentioned that the NOVA Loudoun Campus hosted the Chamber of Leadership Summit. He noted it went very well. He highlighted that it was a great demonstration to have it at the Loudoun campus to be able to show that NOVA can function as a region and bring regions together. Chairman Pearson stated that he thinks that it proved the concept that regionalism can work. He emphasized how great it was having the diverse campuses come together and pull resources together. He concluded by stating that it was a great event.

D. PRESENTATION

FOIA - Ms. Robyn Seabrook, Associate System Counsel and Assistant Attorney General

Associate System Counsel and Assistant Attorney General, Robyn Seabrook provided an overview of the Virginia Freedom of Information Act and the Conflict of Interest Act. She presented information to the College Board concerning: 1) The role of legal counsel; 2) personal liability of board members; and 3) board member obligations under the Virginia Freedom of Information Act and the Virginia Conflict of Interest Act.

She began by explaining that by statute, the Attorney General is legal counsel to the State Board and the VCCS Colleges. The Attorney General has appointed the System Counsel and three other attorneys to represent VCCS. We each also hold the additional title of either Senior Assistant or Assistant Attorney General.

Ms. Seabrook discussed personal liability of board members and explained that board members can be sued in their official or individual capacity. Board members are generally entitled to litigation defense for acts or omissions while acting without malice or intentional wrongdoing in the course and scope of your duties. She explained the types of liability and lawsuits board members could face including, tort, discrimination and contract issues.

Ms. Seabrook discussed the State and Local Government Conflicts of Interest Act and explained that board members have a duty of loyalty to NOVA. The duty of Loyalty requires that a Board member's decisions and actions be in the best interests of NOVA. The State and Local Government Conflict of Interests Act expresses a number of restrictions designed to avoid both actual and apparent conflicts of interests. The Act requires Board members to file a financial disclosure form annually on or before February 1st with the Virginia Conflict of Interest and Ethics Advisory Council ("the Council"), which reviews all disclosure forms. Ms. Seabrook reminded board members that the NOVA Office of Human Resources will send a link and reminder in January with the information regarding the annual financial disclosure. Ms. Seabrook explained the three main areas regulated by COIA: 1) contract, 2) transactions, 3) conduct and 3) gifts.

Ms. Seabrook discussed the Virginia Freedom of Interest Act (FOIA). She explained that generally, when three or more board members are gathered to conduct or discuss public business, it constitutes

a meeting that is subject to FOIA requirements. Meetings are presumed open, unless an exemption is invoked properly. Meetings need to be noticed. Board retreats are considered meetings.

Ms. Seabrook highlighted a 2018 legislative change the electronic meeting requirements. Board members may participate electronically under certain conditions. The Board must have a quorum physically assembled at one primary or central meeting location; provide notice of the meeting; and provide members of the public with a substantially equivalent electronic communication means through which to witness the meeting. Public access to the remote locations is encouraged but not required. It is important to note that is the meeting goes into closed session there will be difficulty on knowing when to call back in.

Ms. Seabrook also discussed closed session meetings. She reminded the board that motions to go into closed session must be tailored to: 1) reasonably identify the meeting's subject matter; 2) state its purpose; and 3) provide the specific statutory exception authorizing the matter to be discussed privately. Once a closed meeting is concluded the Board must immediately reconvene in open meeting and take a vote of its members by roll call or other recorded vote. During such vote, each Board member must individually certify that, to the best of his or her knowledge, discussions in private were properly restricted to those matters identified in the motion that closed the meeting.

E. NEW/OTHER BUSINESS

Enrollment Report- Dr. George Gabriel
VP of Institutional Effectiveness and Student Success Initiatives

F. CLOSED SESSION 2.2 -3711 (A)(11)

Discussion or consideration of honorary degrees or special events

The NOVA Board adjourned without holding a closed session.

A closed session of the NOVA Board was not required due to a change in the request to have a "naming" of a room for a faculty member to a scholarship recognition instead. Formal board action is not required for the creation of a scholarship. A scholarship is moving forward through which the faculty member will be honored. However, it will not be named after him.

G. ADJOURNMENT

Mr. Pearson called for a motion to adjourn. Mr. Neilson made the motion, seconded by Ms. Steen. Meeting adjourned at 7:15pm.

Submitted By:

Mr. Rick Pearson NOVA Board Chairman

Dr. R. Scott Ralls NOVA Board Secretary