

# MEETING MINUTES

## College Council

**March 26, 2021 9 – 10:30 a.m. via Zoom**

**Attendance of Voting Members:** Laura Pantano, Melanie Martel, Cynthia Lucero, Susan Diener, Barbara Stowers, Sheri Gonthier, Melanie Kirby, Debbie Remillard, Stu Wallace, Kenneth Gitlitz, Andrew Fisher, Laura Morgan, Kate Sawal, Jay Wovkanech, Jennifer Eggers, Maryanne Adams, Aidan Hastings, Rebecca Dean, Rob Bowen, Todd Bedell, and Laura Scott (Total of 21 members)

**Call to Order:** The 15<sup>th</sup> meeting of the College Council was called to order at 9 a.m. by Ms. Martel.

**Roll Call:** A roll call was taken for the purpose of establishing attendance and meeting minutes.

**Review/Approval of Minutes:** Dr. Fisher requested the minutes of February 19, 2021 be edited to reflect his opposition to ballot voting. His vote was mistakenly counted as either for the motion to vote anonymously or as an abstention. He was opposed.

Ms. Morgan stated the word secret was used six times in reference to voting anonymously in the minutes of February 19, 2021 and asked that it be removed in each instance and replaced with ballot.

Ms. Martel stated that she did not open the last meeting with new business as stated in the minutes of February 19, 2021 and that it should read as a point of order.

Dr. Pantano clarified that with Ms. Adams added to the voting membership, Dr. Wallace and Ms. Stowers are alternates and should decide between themselves who will be voting at each meeting. This keeps the voting even at 10 votes for faculty and 10 votes for staff.

Ms. Martel made a motion to approve the minutes of February 19, 2021 with the above edits. The motion was seconded by Ms. Gonthier, and was followed by the vote count read aloud by Dr. Pantano as 18 in favor, 3 opposed, and 1 abstention. These vote counts exceed the number of the voting membership by 2 votes, and Dr. Pantano acknowledged she may have miscounted however since there was a majority in favor, the motioned passed.

Dr. Pantano introduced the next agenda item by stating that faculty union lawyers are reviewing RSA 91-A and that rather than postponing the College Council meeting, the Council would hear from the CCSNH law firm of Drummond-Woodsum about the RSA and have an opportunity to ask questions. Dr. Pantano also stated that while the review of proposals 2021-21 and 2021-22 (Hospitality and Tourism Management) and 2021-43 and 2021-44 (Health Science) would continue but there would be no voting on any proposals at this meeting.

**Q&A with Drummond-Woodsum Law Firm:** Attorney Steven Whitley joined the meeting to answer questions about the Right to Know law (RSA 91-A) and how it relates to public meetings such as College Council which is the governing body of the College.

There are legal implications in the function of College Council in that it serves to advise the President. The RSA therefore views it as a public body within NHTI – Concord's Community College.

Other legal requirements include the posting of all agendas at least 24 hours prior to each meeting in one physical space on campus as well as the NHTI website. Additionally, draft minutes must be

produced within five days of the meeting. With regard to voting by the Council members, Attorney Whitley stated that secret voting is not allowed under this statute.

Dr. Pantano stated that the reason for this RSA examination is due to the faculty discovering that College Council may fall under this statute as a public body.

Dr. Eggers read the following statement: "Over the past week, the question has been raised whether RSA 91-A applies to other groups on the NHTI college campus beyond College Council. It has been determined that because College Council is considered an 'advisory committee' it therefore falls under RSA 91-A. There are other groups on campus that fill an advisory role so logically it made sense to me that RSA 91-A may also apply to them. So I reached out yesterday, with Laura Pantano's assistance, with examples of the NHTI Advisory Board & the President's Cabinet. Drummond Woodsum subsequently determined that likely the NHTI Advisory Board falls under the statute but the President's Cabinet does not. If I had not asked further questions, and others have as well, regarding the applicability of the statute, we may not have been aware the NHTI Advisory Board falls under the statute. Based on this experience I'd like to recommend an improved process for ensuring NHTI's policies and governing statutes are appropriately and consistently applied across NHTI's campus. In explaining why College Council is seen as an 'advisory committee' it has been described based on structure and function. I'd like to see the specific language that defines what structure and function obligates or allows a group to be considered an 'advisory committee' and therefore governed by RSA 91-A. Also, yesterday the term 'public policy' was used in an explanation I received, can you please define 'public policy?'"

Several faculty members on the Council asked questions to have a clearer understanding of this statute, specific clarifications on the statute such as what constitutes a public body, do subcommittees need to comply, and why votes need to be public information.

A general question of the entire Council: are all of the committees and standing teams on campus considered public bodies? Attorney Whitley stated that an analysis of the structure and function of each committee on campus would have to be done to see if this statute would apply but it would, indeed, apply to the four subcommittees of the College Council.

Ms. Morgan questioned why the RSA wouldn't apply to the function of the President's Cabinet. Stating his understanding of the function of the President's Cabinet as a staff meeting with her direct reports, Attorney Whitley explained that staff meetings are not considered advisory bodies.

Due to time constraints, the discussion was ended so that proposals could be reviewed.

### **Curriculum Proposals:**

#### **2021-21 and 2021-22: Hospitality & Tourism Management (Professor/Chair Conn)**

A 30-minute discussion took place on these two proposals with questions asked of Mr. Conn and a short presentation given by Mr. Conn; further clarifications were requested by the faculty members of the Council. Mr. Gitlitz asked Mr. Conn for data to justify these curriculum proposals.

Ms. Remillard reminded the Council that there are 64 other curriculum proposals in the approval queue awaiting review by the Council.

Ms. Karajcic, guest and secretary for the Curriculum Committee, also reminded everyone to keep in mind that some of the proposals have financial aid considerations linked to them.

Due to time constraints, Ms. Liptak's Health Science proposals were not reviewed at this meeting.

Dr. Pantano suggested that Ms. Remillard send the proposals grouped together in a way that she determines might be best reviewed so that she and Ms. Martel could develop the next agenda. Ms.