

EGCC Student Government Association 2022-2023

Meeting Minutes

Wednesday, October 26, 2022

Zoom Recording Available:

https://egcc.zoom.us/rec/share/NH5VKLWh-sbFxn68BHSJkASwlGMpJGKt_N_X327o5nikWWHVk8tAwPnMhFM7Ru4_.08xYXKMDEvsalCb8?startTime=1666827103000

Passcode: 69NH@sY4

Pre-General Meeting: President Geoghegan

Present: McCloud, Domagala, Nickell, Rogers, Hunter, SF, Ploesser, Richards, Grimes, Cooper
President Geoghegan, SVP Roeschenthaler, SVP Dr. Crooks, SVP Karla Martin, VP Josh Martin

MG: I know you may have a lot of concerns, a lot of anxieties about what's going on with the Dept of Education. What happened last week – as you know, we filed suit back in September and also filed a motion for a preliminary injunction which said that we were not given due process when the dept issued a cease and directive back on July 18, and what that cease and desist directive said was that we had to stop enrolling students in the FCB program. They determined that there was no authority for it, and that any student that was enrolled as of July 18, and they came to this conclusion a few days after the letter, that they would be able to participate this fall, we've been trying to keep you up to date on that through all the different communications we've made. We know right away that fall was not really going to be enough because we've got 28k students that are enrolled for fall, probably about 20k that were in the FCB program who were not for the spring or summer but were still enrolled in the program. The dept followed that up with a request to do a teach out, and gave us 30 days to do the teach out, and there was no way in 30 days that we could find a partner school or schools that could do a teach out, especially a higher ed institute that would do it along the FCB terms and have the same alignment of courses that you are taking, whether they are online, so we decided to take the action that we did, because we viewed that cease and desist as a final agency action, and if there's a final agency action -- this is what our attorneys have been advising us – that there's due process, that we have a right to appeal. In fact, we did appeal it almost immediately, there's a board of appeals within the agency, and they told us that it wasn't timely, they rejected the appeal. So we had no other choice but to go in to court. And we went into court because we had to protect, as I said before, our students, who are close to finishing or halfway through or just getting started in the program, we've made, the bargain was and the partnership with the unions was that you'd have college, you'd have the FCB. We were successful in getting that preliminary injunction. What that preliminary injunction did was roll everything back to July 17. Now, we're still subject and still undergoing a program review, which is a very, very in-depth, multi-year, look into all of our financials going back five years,

they've also placed us on what's called Heightened Cash Monitoring 2, which means that prior to this, we were able to draw down funds when students enrolled and they were Pell eligible, we could go in the department portal and draw down funds. Now we have to submit a roster of all the Pell-eligible students to the department. They gave us a sample of 300 students, and they're going through all of those 300 student files going through them very meticulously, asking us lots of questions about them, going back and forth. So, it's sort of a cash flow challenge for us, it has no impact on you. What can happen after the preliminary injunction is they can appeal it, but even if they appeal it, the preliminary injunction stays in place. Ultimately, this could end up in court, since we did file a complaint, it could go to a trial where we would argue the legal issues as to whether or not the way that we've constructed our FCB program is proper, it's in line with federal regulations, and the department's view, at least the Chicago division, is that we're treating Pell students different from non-Pell students with regards to the cost of attendance, that we're giving a break to non-Pell eligible students. But what we're doing is we're applying Pell first, any other loans or aid on top of that, and our scholarship program, which we constructed through tuition waivers through the state of Ohio. So we feel our program has been properly developed, properly structured. As you may know, we are in the 7th year of this program. This cease and desist came up right in the middle of this program review, so we were successful in getting a stay – what I would call a reprieve – it kind of makes it, we live to fight another day. We're complying with the dept on the program review, that report will be coming out in probably a month or so. And, we'll see what that says. We have a right to respond to that, that'll be a draft report. It could be very, very adversarial for us, but we do have due process. We have 30-60 days to respond, then they would come back with a final report that could have monetary findings in it, so we still have a road ahead here. In addition to that, we're preparing for the Higher Learning Commission, our accreditors, review. That'll take place in March. We will have our submission due at the end of January. I think some of you may have been participating in our Student Success committees with what we'll be putting forward in our assurance argument.

McCloud: From the way I'm understanding, EGCC has not been given financial aid money for all of the students for the fall semester yet. Is that correct?

MG: That is correct.

Domagala: You mentioned something about a teach out. I wasn't sure what that meant.

MG: A teach out is when a school is closing, and a teach out can either be done by the school that's closing or the school can make arrangements through agreements with other schools to take other students so they can finish their degrees. It's kind of a long, drawn out process. You can have a teach out, let's say, of an academic program, you're no longer going to be offering it, but the students that are in it, you're obligated to teach those students out. The dept had required, they requested, that we sign an agreement within 30 days, and that's when we decided, "hey, this is not possible." We actually inquired, met with several other schools, no one was going to, no one had the tuition structure we had, and it would have taken months for them to get approval to even accept our students. And then in the court hearing itself, the dept

said that it was not a requirement, it was just a request and it was not mandatory that we do that.

Nickell: What kind of timeline are we looking at? Is it realistic that we would have any final resolution before the spring semester starts?

MG: The program review report will be coming out probably within the next month. They could make the same finding that the program has been improperly set up, and of course, we would respond to that, just like we have in our arguments to date, that it's appealable. We have very good attorneys out of Washington DC and all they do is Title IV work, so we feel that we can prevail on that, but we're just going to have to take it a step at a time. Our attorneys feel that we're probably good for spring and summer, possibly even next fall, but we just can't make any promises, we'll just have to see what the program review says. And again, that's a draft report. We will have up to 60 days to respond to it, and they will take our response into consideration and then come up with a final report. It will probably be sometime next year. From there, we would get a much clearer direction.

McCloud: Will we get a copy of that program review, even if it is the draft?

MG: I believe it will be a public record, it'll probably be extensive, it'll take us a while to really go through it and prepare a response. It'll all be public at some point in time, you will definitely get a copy of it at some point in time.

McCloud: Another thing is, the Jeremy Early document specifically – I was sent that by another student group leader, and on page 5 of that document, there is one thing that can be scary and can be confusing to people, it says:

d. Title IV: Returns When a student withdraws from an institution prior to the completion of the term for which Title IV funds have been paid, the institution must complete a Title IV return calculation to determine whether any of the last date of attendance (LDA) is critical to this calculation. Eastern Gateway has been unable to provide adequate documentation to support the LDAs used in the Return calculations.

So, could you clarify what that means?

MG: LDA means Last Date of Attendance, and I'm not sure we agree with that. Bob Roeschenthaler, can you speak to that?

Roeschenthaler: We do LDA through, our LMS system, Canvas. It is all documented and recorded inside Canvas. We have provided documentation to the dept showing how LDA is calculated, how it's handled in Canvas, and how it's put into our other systems, specifically PowerFAIDs which is our Financial Aid system. So we have provided that documentation.

McCloud: And in the future, when there's situations like these, can we be sent all of these documents from President Geoghegan?

MG: Yes, I think... I don't... I sent them all out... I don't know that I sent them to the students. I don't think you got those. We can send those, I can send – what that is, is that's part of their motion to dismiss, so the dept filed a motion to dismiss our lawsuit, and the judge did not consider it. So, Jeremy Early, Dr. Early's declarations were referenced in the motion to dismiss,

and the judge did not consider it.

McCloud: It was just really confusing for me as Student Government President for another student leader to reach out to me, and be like, “hey, is this even real, what’s going on, will you read these and let me know what you think?” Because I was sent that, along with two other documents from another student group leader, and I didn’t know if they were real because I’d never heard of them, they were also never sent to students so that created a bunch of confusion and I’d like to correct that in the future.

MG: We will make sure you get all those documents.

Richards: We’ve already established that there has been documentation sent, but the paper President McCloud referenced implies that it may have been insufficient. Are there any comments on that?

MG: I think Bob Roeschenthaler addressed that. You’re talking about the LDA?

Richards: Yeah, I understand that it’s been recorded, but is there a chance there were some missed cases, if that makes sense?

MG: Our 2T Forms (return of Title IV), this is something every higher ed institution deals with, back and forth, there’s constant – you know, a student can drop courses, they could have been dispersed for Pell and they drop courses and we have to return those funds. It’s an ongoing, not daily, but weekly calculation that takes places throughout each term, and we’ve had a couple of audits separate from this on the return of Title IV and they’ve found minimum difference, sometimes the dept would owe us, other times, we owe them, and they found it *de minimis*. I don’t know what findings are going to come out on the return of Title IV. We have very good documentation on that so we’ll just have to wait and see what they say.

Cooper: I wanted to address the, lack of a better term, mess, this all has created – not blaming you. There just has been such an uproar on the Facebook posts and the messages back and forth. What is EGCC’s plan from here on out in the future regarding transparency on these proceedings with the student body?

MG: Well, I think the SGA is in it’s second year, we have the monthly meetings – and I can meet with you monthly or however often you want. We want to be transparent and communications are critical, we do have a rather large student body. Right now, we’re at over 31k students and communication has been critical. Our number one priority right now is to get off probation, we’re on temporary probation. We are preparing our new arguments to be submitted by the end of January and that’s going to solve a lot of problems once we get off probation. Everything started once that happened, so I think if we can show our accreditor, I think the Dept will take notice of that, along with many other stakeholders and regulators. That’s our number one goal right now. We’ll work our way through the DOE, the program review, we’re in it for another good six months of some challenging times.

McCloud: When I first started with SGA, past president Jeanette-Fe Rizzo was great about telling me everything, and she told me that I should be prepared to go to BOT meetings and cabinet meetings. But, in my time since starting SGA, I have not been invited to any BOT or

cabinet meetings, so I was wondering how I should go about that.

MG: We can certainly – the way we set it up with Jeanette is that she would attend one cabinet meeting a month, we have four, and she would attend and give a report to the BOT meeting. We have a BOT meeting on November 16, so I would be more than happy to get you on the agenda.

McCloud: Just send that to Abbie and she'll get that to me.

MG: Yes, and make sure that we get you on the Cabinet agenda. Cabinet meets every Thursday at 9am. The BOT meets just six times a year on Wednesday, they're also at 9am.

MG: I'm just glad that our students are able to enroll for spring, and again, it's a very challenging time, but we are fighting for you every day and we will get through this. There's some tough sledding ahead but we've got a great team here, we've got great faculty and great staff, and great students. This is a great program. It's transformative, it's something that's just so badly needed, especially nowadays with the cost of everything going up. We're so fortunate and glad to be running this program, even though it's run without out-of-pocket tuition and fees and give you all opportunities to further your career. So many of our students, once they complete, some come back and get another degree, but many go on to other higher education institutions across the country – many good, many strong ones, and even go on to get their master's. We've got a great Phi Theta Kappa chapters with over 1800 members across the country. So we've got a lot of good things going for us. By the way, we just learned, on November 9, if you go to Newsweek.com, they're going to be announcing the top online colleges and universities across the country. They have given us notice that we are on that list. I think there's 150, so you're talking about Ivy League schools, Big 10, propriety schools, so check Newsweek.com on November 9. That's a tribute to our staff, our faculty, our students. Just keep the faith. I don't want to bombard – there's lots of documents going back and forth and I don't want to bombard or confuse you with those, but believe me, we're not trying to keep anything from you, either.

Hunter: I wanted to ask a question pertaining to students moving forward and working with their degrees. Would they be stuck with a balance pertaining to the remaining balance on their account – in case the FCB was pulled? Would students be stuck with the remaining balance that they have to pay? I ask because I've been getting emails about applying for loans. I'm part of the FCB program. Would we be stuck with the balance if things go another direction.

MG: We can't – we feel this program is set up properly. We would never run a program that wasn't in line with the federal regulations. We have a real disagreement with the review team. We're also working with all of your union leaders on this, this is a very high priority for them. I don't want to say one way or the other at this time, but that's our commitment, when you entered here with the FCB, that we can see that through. I can't make any promises at this point, but that is what we are working hard and committed to do.

Hunter: At this point, should the balance be zero, or should my balance be \$8000?

MG: If you're in the FCB, you will get a scholarship, so your balance, if you're looking at your bill right now, that will be covered by the scholarship.

Hunter: They tell me that every semester, and each semester it keeps going up, I don't see it say – I see the Pell grant pays partial, but I don't ever see a zero balance.

Roesenthaler: How many terms have you been at the college?

Hunter: Since 2019

Roesenthaler: We'll have Kurt check on that. Everything's not processed completely for summer yet. If it was only two terms, that could be the reason.

McCloud: What are the next steps with the court? When can we expect an update?

MG: The next steps – they could appeal this preliminary injunction. Even while they appeal it, the preliminary injunction stays in place. The preliminary injunction is part of the complaint. We're asking for a trial, for this to go to court, I don't know if it'll go to court. We don't have any, there are no dates or anything like that, we're just waiting to hear from the dept what their next steps are going to be.

McCloud: Thank you so much for your time, President Geoghegan, I really do appreciate you attending. Also, our next meeting, you probably know this, but our next meeting will be not next Wednesday, but the following Wednesday at 8pm EST, and you are more than welcome to attend that as well, and so is all of cabinet.

MG: Yes, I will make sure that any updates we make – I try to get everybody on those updates, so I'll make sure we get something out in the next week or so. I'd love to have, there's just so many students, we can't do a Zoom. We're trying to figure out how to do a forum with the students, but we're still working on that.

McCloud: A suggestion for that, I'm not sure if it would work with the number of students, but my suggestion would be to livestream it somehow over Facebook or Twitch, and answer that way, but like you said, we do have that many students so it might crash any platform we try.

Roesenthaler: A livestream is definitely an option, it just doesn't provide the interactivity, but a livestream could definitely handle the student body, yes.

Domagala: I recently became aware of the accreditation problem that we may be having. I guess this has been a problem we've been having since last spring. I've been hearing about it from other students, I haven't heard about it from any officials or anything, but I've been curious about what that entails and what we're doing to fix that, or if that's even true, and if it is, why I wasn't aware of that.

MG: It is true. The college was first accredited back in the 1970s, and every 10 years, you go through a reaffirmation of that accreditation. We were on what's called a "standard pathway" accreditation, and because we had some concerns in our past reviews, we have to do a four-year update, like a four-year visit, and that's what happened in 2020. We were reaccredited in 2016 and they came in in 2020 and did a four-year review, it happened during covid, which made it very challenging. There's five major criteria they use to evaluate the operations, the academic deliveries, the assessment of programs, co-curriculars, financial capacity, administrative capacity, there's lots of criteria, and there's like 18 different components, and they found that on five of them, we didn't meet the criteria. Those are the ones we have to fix, and make sure we're meeting the other 13. So, they put us on temporary probation, and we're

getting a second review next March, and we have to submit a 100+ pg assurance argument. We've been working every day on this, and we're making great progress. Maybe at the next SGA meeting, we can have Vanessa on and have her give an update about the process.

Crooks: I'd like to add that there's number of students who participate in Criteria 3 that are part of this group and we greatly appreciate your assistance.

Ploesser: To gauge a possible outcome here, is there a precedent of this happening at another school, in other words, with the DOE and the HLC at the same time? Has there been any other school that has had that happen so we can gauge the likelihood of how this will be ruled?

MG: I don't know. I do know that when they do these program reviews, the DOE, they prioritize, they can't do every college or institution. Obviously, if they look at schools that were on probation, that could land that school on a priority list for a program review, I think that's probably what happened. That could be what's happened in the past for other schools. I don't know any school that has had both, certainly not to the degree that we've had.

Cooper: I was wondering if there is anything we can do as SGA to assist you or your staff in this process. We are willing to help.

MG: You've sent in some great comments. In the preliminary injunction, we had written testimonies from eight students and those were all very, very helpful. I think the dept, when you look around at what's happening with forgiving student loans, and there's \$1.6 trillion in student loan debt, and none of our students are leaving with any debt, and that's the way it should be. The dept needs to start focusing and recognizing what we're doing here. We're not doing anything illegal. We're providing what I think a really great education. We know that from our success rates and where our students go on to. A campaign, maybe, to the DOE, a positive campaign, to the Secretary, whether that be letter writing. Cristen Tarquinio, our communications director, she could help coordinate something. Maybe we can get something going there. Then on the HLC, we'll have Vanessa at the next meeting, and you're already helping, as Dr. Crooks was saying, but we can help prepare you more for the visit when it comes in in March.

Regular General Meeting

Call to Order

The meeting was called to order by President McCloud at 8:09pm

Special Orders

Swearing in of Monika Sommers-Fridenstine and Cassandra Ploesser.

Attendance

- **Present:** McCloud, Domagala, Richards, SF, Cooper, Grimes, Hunter, Morris, Nickell, Ploesser, Rogers, Whitaker
- **Absent:** DeLaCruz, Hulse,
Quorum is: __9__ Majority is: _6_

Reading of the Minutes

The minutes of the previous meeting on October 12, 2022 were provided via email from Advisor Twyford for your review prior to this meeting.

Motion to approve: Domagala

Second: Hunter

Motion approved via voice vote.

Officer Reports

McCloud: we are working on a statement to be released tonight to get our view as SGA to let other students know that we're here and we're fighting for you

Domagala: none

Richards: Has been in contact with someone on a workshop for consent/prevention but didn't hear back from them, so hopefully will have a follow up with news at the next meeting.

Sommers-Fridenstine: none

Committee Reports

CTL: Hunter – attended with Brian Richards. Talked about her experience with teaching effectiveness, gave recommendations. Suggested putting together location-based study or social groups due to the online nature of our college. Nationwide EGCC day to help students connect with their local Gators.

Old Business

1. HLC/DOE Concerns

Survey Committee created at 9/28/22 meeting: Richards, Cooper, Nickell, Hunter, Rogers

HLC Criteria 3 Members: Nickell, McCloud, Rogers, Richards, Hunter

Survey-Related

Domagala: Can assist with the survey group

Twyford: Good conversation about it on the Discord

McCloud: Senator Nickell had a lot of questions listed on there, and we've been working together. Ask about programs if issue needed escalated to Deans, survey can be anonymous if they wish. Split positive and negative questions, and then ask if there is anything they want SGA to take on.

Cooper: Have a question about follow up, in case they want SGA or someone to reach out to them

McCloud: Would like to leave name/email as optional

Domagala: Do we want to ask about course satisfaction

McCloud: We do have the end of course surveys, but maybe we can have a 1-10 scale to make responding quicker

Future/Other Discussion (Advising/Registrars)

Domagala: Students may not understand that work load is condensed into 8 weeks instead of a full semester so it may not be a legitimate or fair evaluation

McCloud: Many students don't even realize that there is an option for 16 week classes, they are usually only given the option for 8 week classes at the point of advising. They aren't prepared for or are aware that these classes are considered accelerated.

Hunter: Can we bring someone in from admissions/advising to discuss this?

Domagala: For classes I've had it shows an 8wk and a 16wk syllabus

Cooper: You may not see that option until you register for the class. We do need to speak with someone from admissions/advising, we have other topics they may be able to address

Rogers: We might be able to ask a question on the survey regarding the difference between 8 week and 16 week workloads

SF: From my experience with my 2 math classes, the 16 week classes should be standard for math classes.

McCloud: Some students want to be able to see a preview of the courseload before it starts since they don't know what to expect until their in it.

Domagala: But the workload might scare someone off from the class. There's pros and cons.

Richards: I knew that 8 week classes would get me through sooner, so I'd take classes and get extremely overwhelmed. I didn't know that 16 weeks was an option.

Domagala: Taking more courses is allowing me to graduate early

McCloud/SF: *discussion of discrepancies in course load of advising*

Grimes: Advisors do tell you different things sometimes. I took 4 but it didn't go through the deans, but then another told me that the dean said I couldn't do it.

McCloud: Our advising system has totally changed. Now you have to go through your major to get an appointment instead of being able to get an appointment with anyone. We should have gotten an email about it

Ploesser: When we're talking about someone from admissions, can we also see about getting someone from the registrar? Transcripts show different levels of honors.

McCloud: Agreed. Issues with time of getting diplomas sent out, too. Absence rate is also confusing.

Hunter: When students make the president's list, but there isn't a certificate or other real acknowledgement.

Domagala: Registrar said that they're going to take it to administration to discuss and that they will give her updates on the process. Hopefully by the next meeting we'll have more information.

Whitaker: With the advisors, I don't know how to find one this semester.

McCloud: Google "EGCC Advising" and it'll take you right to it, but now it does require it to be by advisor.

Whitaker: The bad thing about that is the later you get, the less likely you can get in the class you need. Some classes are the full semester long, but some aren't. I recommend on math and economics to go the full semester. I'm also having trouble reaching the department heads – social work in particular. **Angela Kearns (program chair), Dr. Thomas Graham (dean)**

Cooper: In reference to Senator Hunter's inquiry of the dean's/president's list. I think at a prior meeting when President Geoghegan was here, it was said that a fillable PDF could be attached to those emails.

Whitaker: Yes, that's correct.

Cooper: Maybe we need to follow up on that.

Domagala: That is what the registrar's office is going to take up for us.

Rogers: In regard to the Discord, that's a great way for us to get together outside of regularly scheduled meetings, a number of us have been utilizing it to share ideas. Additionally, VP

Domagala: when you're speaking to your contact about the president's list, if you can please review an email that goes out before following up with them? I believe their email is grammatically incorrect.

Rogers: Yes, we don't want any errors on our accomplishments.

McCloud: Often, the same email goes out multiple (4-6) times. It's annoying.

Whitaker: It could be computer generated, I don't know.

Ploesser: Is there some way we can have the system flag it if we see that students are only within a few classes of graduating to give them priority registration? If there are only a handful of spots available, people who need those classes to graduate might get squeezed out.

McCloud: I'm not sure how we go about it, other than waiting lists or organizing students into freshman/sophomore level classes.

Domagala: Its difficult with communication since it's all over the phone, so students might be waiting to get their registration time.

McCloud: We were told no about having a fall graduation; told Ohio weather was too risky for travel. Having all the students for one graduation can be hard.

Domagala: MG told me that it can also be a difficulty for time constraints in the holiday season and building availability in the Steubenville area.

Ploesser: Is it possible to a virtual one for the Fall and Summer?

Domagala: I believe they do one of those, too.

Motion: Table

Made by: Domagala

Seconded: Richards

2. OER Concerns (Shipping costs of PrintShop items, printed OERs for students needing accommodations, OpenStax vs. O'Reilly)

SVP Roesenthaler will be attending November 9.

OER Concerns from 2021-2022 SGA:

- Excessive and inconsistent shipping costs (SGA VPs in different areas of Ohio tested ordering the same text book to be sent via the same method to the same address, and got different shipping prices).
- OpenStax vs. O'Reilly: Students are not able to access their OERs offline, some need to be able to do their work (example given was flight attendants unable to work during downtime when there is no wifi)

Motion: Table

Made by: Cooper

Seconded: Nickell

New Business

Richards: Following up on my officer's report, I do want to bring the consent/prevention education program to the college.

Cooper: SGA and PTK collaboration. I did email the faculty advisor about this, she CCed me and leadership of PTK to find a time to discuss the collaboration. We brought this up because info was not readily available about PTK. I had to go to their FB page to find the contact information.

McCloud: This can be useful because students hear so much about it, but they don't know what it is. It could also be brought up that PTK could have their officers posted on their website, but no contact info.

Domagala: I think their contact info is listed by chapter.

Cooper: The info isn't on the college's website for PTK, it should be easier to find.

SF: There is another group that sends invites to join that is a scam – "Honor Society."

Gallery Remarks

None.

Announcements

New meeting schedule:

- ~~August 24~~
- ~~September 7~~
- ~~September 21~~
- ~~September 28~~
- ~~October 12~~
- ~~October 26~~
- November 9
- November 30
- December 14 (Finals Week)

Cooper, Domagala, SF for commencement committee.

Motivational Quote from President McCloud:

"Honesty has a power that people can handle." – Stephen Atchinson

The truth is like the sun, you can shut it out for a time but it won't go away.” – Elvis Presley

Nominates VP Domagala for next week's quote.

Closing Remarks from Advisors

Adjournment

At this time, I would entertain a motion to adjourn...

Motion: Rogers Seconded by: Richards/Grimes

This meeting is adjourned at 9:12pm EST. ***Our next meeting is Wednesday, November 9 at 8pm EST.***