



Board of Trustees Meeting Agenda

December 18, 2025 at 5:30 p.m.

(Note: Reception preceding at 5 p.m. in honor of Michael Lane)

[Zoom link](#)

- 1. Call to Order**
- 2. Roll Call**
- 3. Welcome Guests**
- 4. Approval of Agenda**
- 5. Public Comment****
- 6. Approval of November 20, 2025 Board of Trustees Meeting Minutes***
- 7. Presentation:**
 - Annual Cybersecurity Update Matt Richardson, Virtual Chief Information Security Officer (VCISO)
- 8. Chair's Report**
 - December Graduate Celebration & Nursing Recognition Ceremony
 - Nominations for Friend of the College
 - NYCCT email distribution confirmation
- 9. Treasurer/CFO Report**
 - a. Finance and Budget Update
 - b. 2025 Audit Preparations
 - c. Surplus Report
- 10. Student Trustee's Report**

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11. President's Report

- a. Vice President Reports
- b. Strategic Plan Dashboard

12. Consent Agenda*

- a. Resolution on Title IX Policy
- b. Resolution to Update Board of Trustees Bylaws
- c. Resolution on Bid Award for TC3 Fieldhouse Wall Repair Project Bid
- d. Resolution on the TC3 Facilities Master Plan
- e. Resolution Honoring Tompkins County Liaison Michael Lane

13. Committee and Affiliate Reports

- New York Community College Trustees (NYCCT)
- College Senate
- TC3 Foundation

14. County Liaison Update

- Cortland County
- Tompkins County

15. Adjournment

Informational Item

- Middle States RFI response

Calendar Items

- Board of Trustees Meeting, January 15, 2026
- Board Finance & Audit Committee Meeting, January 28, 2026

***Board action required**

****Public comment:** Provision is made at this point in the agenda for citizens of the College community to make comments regarding any agenda item to be discussed at

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that meeting. Citizens will not be recognized at any other time except at the request of the Chairperson after approval for such recognition by a unanimous vote of the Trustees in attendance. No person, not a member of the Board, shall speak for more than five (5) minutes without specific approval of a majority of the Trustees. The minutes shall show that privilege of the floor was granted and shall include a brief statement of the subject matter presented.

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Minutes



Minutes
November 20, 2025
Open Session@5:30 p.m.

Present: Roxann Buck, Dean Corbin, Sue Dale-Hall, Frank Kruppa, Matt McSherry, Schelley Michell-Nunn, Seth Peacock, Lisa Perfetti, Shana Piotti

Excused: Judy Davison

County Liaisons: Mike Lane Cathy Bischoff – excused

Foundation Liaison: Loren Sparling

Staff: Heather Clifford, Nic Dovi, Amy Faben-Wade, John Geer, Amber Gilewski, Regina Holl, Amy Kremenek, Nancy Murphy, Rob Palmieri, Dennis Panagitsas, Don Perkins, Malvika Talwar, Aaron Tolbert

1. **Call to Order:** Meeting was called to order at 5:28 p.m. by Vice Chair Dale-Hall
2. **Roll Call:** Ms. Murphy called roll.
3. **Welcome Guests:** Vice Chair Dale-Hall welcomed Gabrielle Eure and Nathan Brown of C&S to the meeting.
4. **Approval of Agenda:** Ms. Buck moved to approve the agenda, seconded by Mr. Kruppa; motion approved unanimously.
5. **Public Comment:** There were no requests for public comment.
6. **Approval of October 16, 2025, Board of Trustees Meeting Minutes.**
Ms. Perfetti moved that the minutes from the October 16, 2025 meeting be approved as submitted; seconded by Mr. McSherry; motion approved unanimously.

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7. **Presentations:** Facilities Master Plan Presentation: John Geer, VP of Administration and Nic Dovi, Director of Facilities, introduced Ms. Gabrielle Eure and Mr. Nathan Brown of C&S. A hard-copy presentation was provided. Ms. Eure and Mr. Brown reviewed the planning process and four guiding principles—sustainability/infrastructure; aesthetics/experience; navigation/transportation; and connected environments—developed with campus and community input. The final plan will be presented for Board approval in January.

8. **Chair's Report**

- Schedule 2026 Board Retreat – Vice Chair Dale-Hall surveyed members; August 21 was selected. Dr. Larry Nespoli is confirmed to facilitate.
- SUNY Board of Trustees Public Hearing – NYCCT Chair George Cushman notified colleges of the December 3 hearing. Registration is required by November 28; speakers are allotted two minutes.

9. **Treasurer/CFO Report** Mr. Panagitsas reported September marks 1/12 of the fiscal year; revenue is up due to increased enrollment. Auditors are working on the FY25 audit; the college audit is delayed. Health insurance costs rose 18% this year and 14% last year; alternative options, including a SUNY community college consortium, are being explored. The budgeting process is shifting to a zero-based model, with departmental submissions due December 9.

10. **Student Trustee's Report** Ms. Piotti reported strong attendance at the Transfer Fair. She briefed student leaders on the Bronson Bill's impact on student trustee voting rights, this has generated student support, and students are submitting letters in opposition.

11. **President's Report** President Kremenek announced Syracuse University visited campus November 18 for a signing ceremony; additional recent transfer agreements include Cornell, Hobart and William Smith, Alfred University, and RIT. Achieving the Dream consultants Kara Monroe and Susan Mayer were on campus to support the SUNY Academic Momentum action plan due February 5 . Tompkins County approved its 5% sponsor contribution increase; Cortland County votes tonight. The required Annual Report, provided in the packet, was submitted to the Chancellor.

a. Vice President Reports: Included in the packet; no questions.

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12. Consent Agenda: Mr. Peacock moved the Consent Agenda be approved as submitted; seconded by Mr. Kruppa; motion carried unanimously.

- a. Resolution on Family Educational Rights and Privacy Act (FERPA) Policy
- b. Resolution on 2026-27 Academic Calendar
- c. Resolution on Bid Award for Promotional Apparel
- d. Resolution on Bid Award for External Printing
- e. Resolution on Bid Award for Branded Promotional Hard Goods

13. Committee and Affiliate Reports

- a. New York Community College Trustees (NYCCT): Ms. Buck reported on the *Navigating Fiscal Realities* session. Colleges were encouraged to communicate success stories and economic impact during the election year. The Bronson Bill is expected to go to the Governor soon; it removes voting rights for student trustees. Proposed bylaws conflict-of-interest update.
- b. Association of Community Colleges (ACCT): Ms. Dale-Hall attended the national conference in New Orleans. The “Big Pivot” session addressed DEI challenges at the federal level, emphasizing the focus on impact and outcomes. Significant AI content was included.
- c. TC3 Foundation: Mr. Sparling reported support raised for the Veterans Day celebration and two new donors. A new mural project is underway in the Student Center. A partnership with Beginnings Credit Union in discussion. Giving Tuesday (Dec. 2) will focus on the Student Emergency Fund and Student Pathways to Success Fund.
- d. College Senate: Co-chair Professor Amy Faben-Wade attended the fall Faculty Council of Community Colleges Plenary. Senate is hearing updates on Vice President division plans. The Senate focus for the year is communication back to constituents.

14. County Liaison Update

- a. Cortland County: Ms. Bischoff was excused.
- b. Tompkins County: Mr. Lane reported the county budget passed unanimously. He thanked President Kremenek and Mr. Panagitsas for attending. The Code Blue shelter opens November 24, 2025, staffed by Volunteers of America (Rochester). The Cherry Street facility will be

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open 24/7, includes laundry, separate spaces for men and women, showers, secure storage, and capacity for 100 individuals.

15. Adjournment: Mr. McSherry moved that the meeting be adjourned at 7:13 p.m.; seconded by Ms. Michell-Nunn motion carried unanimously.

Informational Items

- SUNY Board of Trustees Announcement of Public Hearing
- SUNY Annual Report

Calendar Items

- Board Finance & Audit Committee Meeting, December 3, 2025
- December Graduate Recognition Ceremony, December 5, 2025 @ 6:00pm
- December Nurses Pinning Ceremony, December 12, 2025 @ 3:00pm
- Board of Trustees Meeting, December 18, 2025
- Finance and Audit Committee May meeting moved to May 13, 2026

Nancy Murphy
Clerk to the Board of Trustees
Tompkins Cortland Community College

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Financial and Budget Update

Operating Expenses

As of the end of October, operating expenses are at approximately 18%, compared to the expected benchmark of around 17%. This variance is primarily because October included three payroll periods this year. Last year's three-payroll month occurred in November, which makes our current year-to-date percentage appear unfavorable in comparison to 2024–25. This discrepancy will normalize in the coming month. Overall, expenditures remain on budget.

One area of concern is health insurance benefits. Costs have increased by approximately 18%, exceeding our budgeted allocation. We are actively reviewing options to address this issue and will provide a separate, detailed presentation on our health insurance analysis and recommendations.

Revenues

Revenues trend positively compared to last year. Fall enrollment is strong, currently 4% above budget, which is the primary driver of increased revenue. Preliminary information for Spring 2026 indicates that this elevated enrollment level is likely to continue.

2024–25 Audit

The auditors are making significant progress on last year's audit. Work on the FSA and Foundation is nearly complete. Audit activities for the College will continue through December and the first week of January. The auditors plan to attend the January 28 Finance Committee meeting to provide an update with the full audit presentation scheduled for the March Board meeting.

2026–27 Budget Development

TC3 divisions are currently preparing their budget requests for the upcoming fiscal year. We are also reviewing enrollment and revenue projections to support the development of a comprehensive budget plan. According to our timeline, a draft budget will be ready for Board review at the March 2026 meeting.

Tompkins Cortland Community College
2025-2026 Appropriations
Year-to-Date through Oct 31st 2025

	Modified Budget 2025-26	Expend to Date 2025-26	Unexpend Balance 2025-26	% Expended 2025-26	Total Exp PY 2024-25	YTD Exp PY to Date 2024-25	PY % Expended 2024-25	Fav Var (Unfav Var) to PY	% Variance to PY
Forecasted Dept. Appropriations									
Personal Services	16,848,695	3,173,523	13,675,172	18.8%	17,742,905	2,499,858	14.1%	(673,666)	-3.8%
Equipment	100,000	7,844	92,156	7.8%	115,926	1,612	1.4%	(4,092)	-3.5%
Contractual Expenses	6,074,121	910,949	5,163,172	15.0%	6,050,993	1,170,921	19.4%	259,972	4.3%
Employee Benefits	7,700,830	1,487,617	6,213,212	19.3%	8,067,809	1,196,250	14.8%	(291,368)	-3.6%
Total Forecasted Departmental Appropriations¹	30,723,646	5,579,934	25,143,712	18.2%	31,977,633	4,868,640	15.2%	(709,153)	-14.6%
Scholarships & Awards									
Student Services		161,700	(161,700)	0.0%	267,906	143,281	53.5%	(18,419)	(12.9%)
Academic Support	3,200,000	1,268,661	1,931,339	39.6%	3,699,845	1,261,314	34.1%	(7,347)	(0.6%)
Total Scholarships & Awards	3,200,000	1,430,361	1,769,639	44.7%	3,967,751	1,404,595	35.4%	(25,766)	(1.8%)
Total Forecasted Appropriations²	33,923,646	7,010,295	26,913,351	20.7%	35,945,384	6,273,235	17.5%	(734,919)	-11.7%
Adjustments to Approved Budget									
Personal Services				0.0%			0.0%	0	0.0%
Equipment									
Contractual Expenses				0.0%			0.0%	0	0.0%
Employee Benefits									
Total Adjustments to Approved Budget³ Favorable (Unfav)	0	0		0.0%	0	0	0.0%	0	0.0%
Personnel	16,848,695	3,173,523	13,675,172	18.8%	17,742,905	2,499,858	14.1%	(673,666)	-3.8%
Equipment	100,000	7,844	92,156	7.8%	115,926	1,612	1.4%	(4,092)	-3.5%
Contractual	6,074,121	910,949	5,163,172	15.0%	6,050,993	1,170,921	19.4%	259,972	4.3%
Scholarship & Awards Offset	3,200,000	1,430,361	1,769,639	44.7%	3,967,751	1,404,595	35.4%	(25,766)	-0.6%
Fringe Benefit	7,700,830	1,487,617	6,213,212	19.3%	8,067,809	1,196,250	14.8%	(291,368)	-3.6%
Total Approved Budget Appropriations⁴	33,923,646	7,010,295	26,913,351	20.7%	35,945,384	6,273,235	17.5%	(734,919)	-11.7%

Explanation of Sub-Totals and Totals:

- Total Forecasted Departmental Appropriations:* Enables an analysis of departmental operating costs.
- Total Forecasted Appropriations:* Forecasts the End-of-Year Appropriations for the College.
- Total Adjustments to Approved Budget:* Represents the forecasted adjustments to the 2023-24 Appropriations Budget. If positive, less Fund Balance is required. If negative, more Fund Balance is required.
- Total Approved Budget Appropriations:* This represents the Approved Budget.
- Excludes impacts of GASB 68 (OPEB), GASB 75 (ERS/TRS) & GASB 87 (Lease Liability)

	Modified Budget 2025-26	Expend to Date 2025-26	Unexpend Balance 2025-26	% Expended 2025-26	Total Exp PY 2023-2024	YTD Exp PY to Date 2024-25	PY % Expended 2024-25	Fav Var (Unfav Var) to PY	% Variance to PY
Instruction									
Personal Services	6,478,035	1,515,282	4,962,754	23.4%	7,457,858	1,151,381	15.4%	(363,901)	(31.6%)
Equipment			0	0.0%	3,248		0.0%	0	0.0%
Contractual Expenses	539,525	74,196	465,329	13.8%	1,292,545	387,566	30.0%	313,370	80.9%
Employee Benefits	3,420,434	766,992	2,653,442	22.4%	3,655,982	586,521	16.0%	(180,471)	(30.8%)
Total Instruction	10,437,994	2,356,469	8,081,525	22.6%	12,409,633	2,125,468	17.1%	(231,002)	(10.9%)
Public Service									
Personal Services		0	0	0.0%					
Equipment									
Contractual Expenses			0	0.0%					
Employee Benefits		0	0	0.0%					
Total Public Service	0	0	0	0.0%					
Academic Support									
Personal Services	1,515,620	289,608	1,226,012	19.1%	1,687,833	230,135	13.6%	(59,473)	(25.8%)
Equipment			0	0.0%	13,883		0.0%	0	0.0%
Contractual Expenses	283,200	84,705	198,495	29.9%	235,315	39,541	16.8%	(45,163)	(114.2%)
Employee Benefits	289,183	44,106	245,076	15.3%	268,726	40,269	15.0%	(3,837)	(9.5%)
Total Academic Support	1,148,632	218,064	930,567	19.0%	1,064,354	160,349	15.1%	(57,715)	(36.0%)
Libraries									
Personal Services	576,249	89,253	486,996	15.5%	560,314	80,539	14.4%	(8,715)	(10.8%)
Equipment			0	0.0%	1,612	1,612	100.0%	1,612	100.0%
Contractual Expenses	283,200	84,705	198,495	29.9%	235,315	39,541	16.8%	(45,163)	(114.2%)
Employee Benefits	289,183	44,106	245,076	15.3%	268,726	40,269	15.0%	(3,837)	(9.5%)
Total Libraries	1,148,632	218,064	930,567	19.0%	1,064,354	160,349	15.1%	(57,715)	(36.0%)
Student Services									
Personal Services	2,499,274	403,610	2,095,664	16.1%	2,455,240	333,454	13.6%	(70,156)	(21.0%)
Equipment			0	0.0%	9,535		0.0%	0	0.0%
Contractual Expenses	744,176	106,192	637,984	14.3%	645,843	109,709	17.0%	3,517	3.2%
Employee Benefits	1,245,305	201,411	1,043,894	16.2%	1,258,758	171,362	13.6%	(30,049)	(17.5%)
Total Student Services	4,488,755	711,213	3,777,542	15.8%	4,369,376	614,525	14.1%	(96,688)	(15.7%)
Maintenance and Operations									
Personal Services	2,132,633	316,805	1,815,828	14.9%	2,112,065	245,742	11.6%	(71,063)	(28.9%)
Equipment	70,000		70,000	0.0%	30,659		0.0%	0	0.0%
Contractual Expenses	1,144,975	111,205	1,033,770	9.7%	1,190,827	61,485	5.2%	(49,720)	(80.9%)
Employee Benefits	952,264	158,736	793,528	16.7%	1,050,856	123,121	11.7%	(35,615)	(28.9%)
Total Maintenance and Operations	4,299,872	586,747	3,713,125	13.6%	4,384,405	430,349	9.8%	(156,398)	(36.3%)
Institutional Support									
Personal Services	2,043,901	263,033	1,780,868	12.9%	1,829,585	241,179	13.2%	(21,854)	(9.1%)
Equipment			0	0.0%	11,729	2,140	18.2%	2,140	100.0%
Contractual Expenses	707,600	79,290	628,310	11.2%	552,296	123,466	22.4%	44,176	35.8%
Employee Benefits	853,324	131,683	721,640	15.4%	867,119	126,200	14.6%	(5,483)	(4.3%)
Total Institutional Support	3,604,825	474,007	3,130,818	13.1%	3,260,730	492,985	15.1%	18,978	3.8%
General Institutional Services									
Personal Services	1,602,983	295,932	1,307,051	18.5%	1,640,011	217,428	13.3%	(78,504)	(36.1%)
Equipment	30,000	7,844	22,156	26.1%	56,990		0.0%	(7,844)	0.0%
Contractual Expenses	2,371,445	370,656	2,000,789	15.6%	1,898,853	409,612	21.6%	38,956	9.5%
Employee Benefits	651,137	140,582	510,555	21.6%	697,642	108,507	15.6%	(32,075)	(29.6%)
Total General Institutional Services	4,655,565	815,014	3,840,551	17.5%	4,293,496	735,547	17.1%	(79,468)	(10.8%)
Total Forecasted Departmental Appropriations¹	29,784,275	5,379,579	24,404,696	18.1%	30,846,347	4,719,572	15.3%	(660,007)	-2.1%

2025-2026 Appropriations
Schedule of Employee Benefits
as of Oct 31st, 2025

	2025-26	2025-26	2025-26	2025-26	2024-25	2024-25	2024-25	Variance	% Variance
	BUDGET	Actual	Unexpended	%	Total Exp	PY to Date	PY %	CY to PY	CY to PY
			Balance	Unexpended	PY		Expended	Fav(Unfav)	Fav(Unfav)
Retirement Incentive Costs	185,167	6,350	178,817	3.4%	213,760	99,079	46.4%	92,729	93.6%
HRA Retiree Benefits	85,169	8,511	76,658	10.0%	105,539	10,599	10.0%	2,088	19.7%
State Employee's Retirement	1,127,884	311,915	815,969	27.7%	1,387,674	209,620	15.1%	(102,295)	(48.8%)
State Teacher's Retirement	182,296		182,296	0.0%	65,764	30,922	47.0%	30,922	100.0%
Optional Retirement Fund	817,894	170,292	647,602	20.8%	1,077,422	129,752	12.0%	(40,540)	(31.2%)
Social Security	1,299,274	255,278	1,043,996	19.6%	1,297,452	183,843	14.2%	(71,434)	(38.9%)
Worker's Compensation	95,339	16,492	78,847	17.3%	55,291	10,776	19.5%	(5,716)	(53.0%)
Disability Insurance	8,553	917	7,636	10.7%	9,007	1,319	14.6%	402	30.5%
Hospital and Medical Insurance	3,042,386	470,000	2,572,386	15.4%	2,715,232	469,028	17.3%	(972)	(0.2%)
Post Retirement Health Insurance	1,565,580	240,000	1,325,580	15.3%	1,440,000	240,000	16.7%	0	0.0%
Employee Tuition Benefits	129,602	47,612	81,990	36.7%	96,606	42,583	44.1%	(5,029)	(11.8%)
Life Insurance	7,717	1,546	6,171	20.0%	9,403	1,403	14.9%	(143)	(10.2%)
Vacation Benefits	94,871		94,871	0.0%	90,000		0.0%	0	0.0%
Miscellaneous	3,323	265	3,058	8.0%	3,794	420	11.1%	155	36.9%
Unemployment Insurance	16,466	5,151	11,315	31.3%	25,671	15,003	58.4%	9,852	65.7%
Total Employee Benefits	8,661,521	1,534,330	7,127,191	17.7%	8,592,614	1,444,348	16.8%	(89,982)	(6.2%)

Tompkins Cortland Community College
YTD Revenues 2025-2026
Oct 31st, 2025

	Modified Budget 2025-26	Revenues to Date 2025-26	Unrealized Balance 2025-26	% Realized 2025-26	Total Rev PY 2024-25	YTD Rev PY 2024-25	PY % Realized 2024-25	Fav Var (Unfav Var) to PY	% Variance to PY
Student Revenue									
Core Tuition									
Fall	3,963,712	4,263,648	(299,936)	107.6%	3,764,362	3,740,206	99.4%	523,442	14.0%
Spring	3,511,304	0	3,511,304	0.0%	3,335,085	(30)	0.0%	30	-100.0%
Winter	143,032	57,348	85,684	40.1%	157,803	43,969	27.9%	13,379	30.4%
Summer	625,420		625,420	0.0%	595,942		0.0%	0	0.0%
Nonresident Tuition	813,600	539,713	273,887	66.3%	891,023	492,325	55.3%	47,389	9.6%
Student Fee Revenue	982,033	508,558	473,475	51.8%	997,888	473,752	47.5%	34,806	7.3%
Total Core Student Revenue	10,039,101	5,369,267	4,669,834	53.5%	9,742,104	4,750,222	48.8%	619,045	13.0%
Concurrent Enrollment Tuition	3,200,000	1,269,372	1,930,628	39.7%	3,698,543	1,261,946	34.1%	7,426	0.6%
Total Student Revenue	13,239,101	6,638,639	6,600,462	50.1%	13,440,647	6,012,168	44.7%	626,471	10.4%
Government Appropriations									
New York State	9,384,444	2,455,983	6,928,461	26.2%	9,787,799	2,446,950	25.0%	9,033	0.4%
Local Sponsors	4,882,882	0	4,882,882	0.0%	4,574,899	28,795	0.6%	435,079	1511.0%
Appropriated Cash Surplus	28,515	28,515	0	100.0%	1,127,425	1,127,425	100.0%	(1,098,910)	-97.5%
Charges to Other Counties	5,800,000	1,268,897	4,531,103	21.9%	5,825,323	1,263,312	21.7%	5,585	0.4%
Total Govt Appropriations	20,095,841	3,753,395	16,342,446	19%	21,315,446	4,866,482	22.8%	(649,213)	-13.3%
Other Revenues									
Service Fees	96,040	40,483	55,557	42.2%	87,101	34,798	40.0%	5,685	16.3%
Interest Earnings	9,007	2,016	6,991	22.4%	10,044	1,871	18.6%	145	7.7%
Rental of Real Property	11,035	225	10,810	2.0%	1,425		0.0%	225	0.0%
Contract Courses	25,031		25,031	0.0%	147,003	48,043	32.7%	(48,043)	-100.0%
Noncredit Tuition	174,870	64,089	110,781	36.6%	138,476	33,459	24.2%	30,630	91.5%
Grant Offsets	180,373	8,202	172,171	4.5%	171,519	31,076	18.1%	(22,874)	-73.6%
Unclassified Revenues	303,644	29,418	274,226	9.7%	74,426	9,107	12.2%	20,311	223.0%
Total Other Revenues	800,000	144,433	655,567	18.1%	629,995	158,354	25.1%	(13,921)	-8.8%
TOTAL REVENUES	34,134,942	11,000,341	23,134,601	32.2%	35,386,087	11,037,004	31.2%	(36,663)	-0.3%
Student Revenue	13,535,042	6,743,211	6,791,831	49.8%	13,813,227	6,128,468	44.4%	614,743	10.0%
State Revenue	9,384,444	2,455,983	6,928,461	26.2%	9,787,799	2,446,950	25.0%	9,033	0.4%
Local Revenue	10,682,882	1,732,771	8,950,111	16.2%	10,400,222	1,292,107	12.4%	440,664	34.1%
Use of Fund Balance	28,515	28,515	0	100.0%	1,127,425	1,127,425	100.0%	(1,098,910)	-97.5%
Other	504,059	39,861	464,198	7.9%	257,414	42,054	16.3%	(2,193)	-5.2%
Total	34,134,942	11,000,341	23,134,601	32.2%	35,386,087	11,037,004	31.2%	(36,663)	-0.3%

December 2025

From: Kevin Caveney, Purchasing
Re: Disposal of Surplus Items Report 2025

Upon advisement from Campus Technology, and due to equipment replacements and/or upgrades, the following equipment has been determined to be obsolete and/or non-functioning, and of no further use to the College. Equipment determined to have any useful value outside of its original purpose with the college is normally designated for auction or placement with non-profit agencies if feasible. The remaining items are designated for e-waste/ recycling with Regional Computer Recycling and Recovery. Prior to disposal, proper security measures are completed and documented. Designated drives are destroyed and the items to be recycled are done so following appropriate compliance in relation to security and environmental concerns. Upon disposal, items are removed from the College's inventory.

- 192 – Monitors
- 26 – Apple iMacs
- 356 – Various Computers/Laptops
- 1 – Phone Terminal Computer
- 1 – EZ Box
- 2 – Servers
- 74 – Printers
- 2 – Scanners
- 8- Projectors
- 4 – Desktop Visualizers
- 1 -Book Scan Center

Upon advisement from and in coordination with the Buildings and Grounds Department and the related department(s), due to non-use and declined condition or lack of functionality, age, wear, breakage and/or replacement upgrades, the following items were determined to be obsolete and of no further use to the College. The items have been properly disposed of, donated to non-profits, or auctioned, and removed from the College's inventory.

- 21- Cloth Chairs
- 8 -Filing Cabinets
- 3 – Desks
- 31 – Workstations
- 14 – Tables
- 18- Round Tables
- 59 - Multi-Color Wood Frame Chairs
- 9 - AED Units (Campus Police)
- 1 – Compact Dome Camera
- 26- Miscellaneous Chairs
- 1 – Lot of Assorted Cubicles & Brackets
- 1 – 2001 Jacobson 628 Turfcut w/Attachments, auctioned for \$2,000
- 1 – 2010 ExMark Zero Turn Mower, auctioned for \$1,550

*Continued...

*Below auctioned in coordination with the Fitness Center (\$3,960 total)

Continued...

2 – Precor Ellipticals

4 - Treadmills

2 - Tectrix Bikes

1 – Precor Stretch machine

1 – Tectrix Stair climber

2 - Cybex Arc Trainer

Upon advisement from and in coordination with the Campus Police Department, due to the need for replacement and based on the appropriate approvals, the following vehicles and equipment were sold via auction (as noted) and removed from the College's inventory.

1 - 2017 Dodge Charger, auctioned for \$5,600

1 - 2015 Ford Explorer, auctioned for \$4,550

1 – Lightbars and Mounting Equipment, auctioned for \$510

Upon advisement from and in coordination with the Campus Grounds Department, due to the need for replacement and based on the appropriate approvals, the following vehicle was sold via auction (as noted) and removed from the College's inventory.

1 – 2016 Ford Dump Truck w/Plow, auctioned for \$11,700

Upon advisement from and in coordination with the Campus Facilities Department, and based on the appropriate approvals, the following vehicle was sold via auction (as noted) and removed from the College's inventory.

1 – 2010 Ford Explorer (no longer in drive-able condition, sold for parts), auctioned for \$580

The following update reflects progress toward the 2025-26 Presidential Goals as approved by the Board of Trustees and shared with the campus community in August 2025. The goals are organized according to the four focus areas: Ensuring Middle States Accreditation, Strengthening the Institutional Framework, Building External Support and Investing in the Campus Community.

ENSURING MIDDLE STATES ACCREDITATION

- TC3's liaison at the Middle States Commission has confirmed that an invitation has been extended to a potential Team Chair. We will be notified soon with the nomination for our consideration and response.
- I submitted the attached response on 11/20 to a Request for Information from Middle States regarding the College's financial position.
- The Middle States Conference is this week in Philadelphia. In addition to the sessions, I will attend the Legal & Regulatory Issues pre-conference session and two programs specifically for College Presidents.

STRENGTHENING THE INSTITUTIONAL FRAMEWORK

- The Strategic Plan dashboard containing high-level indicators of institutional health has been reviewed by various governance entities and will be presented to the Board of Trustees at the December meeting. A website has also been established for internal and external audiences to follow our progress <https://www.tompkinscortland.edu/strategicplan>.
- Our Coach and Data Coach from Achieving the Dream were on-campus 11/17-18 to meet with the Core and Data Teams in preparation the SUNY Academic Momentum plan development, which aligns with ATD key metrics.
- TC3 sent a team to the SUNY Academic Momentum Summit in Rochester on 12/2. Proposed strategies to address SUNY-identified metrics were shared and discussed. The draft plan will be sent to ATD on 12/22, who will provide feedback over the holidays. The final plan will be completed in January and submitted to SUNY by the 2/5/26 deadline.
- A new policy template has been developed along with a schedule of policy updates for the spring semester. The compliance calendar is undergoing updates and revisions to track institutional requirements.
- Executive Council held a fall retreat at the SUNY Cortland Alumni House on 11/21. In December, President's Cabinet will be working on the Community Vibrancy Framework and the ALICE (Asset Limited, Income Constrained Employed) Data in conjunction with the Executive Directors of the Cortland County and Tompkins County United Way.
- I received preliminary confirmation from SUNY that the state-funded Digital Transformation Project (DTP) will support campus' transition to Ellucian Banner ERP/SIS. I am awaiting written details.

BUILDING EXTERNAL SUPPORT

- The College's request for a 5% operating increase was approved at the November meetings of the Cortland County and Tompkins County Legislature.
- The effort to update the Memorandum of Agreement between the College and the Foundation is restarting following the Foundation leadership transition. Sue Dale-Hall and Schelley Michell-Nunn will represent the College Board of Trustees, with legal representation provided by the College's firm.
- The search for the Chief Advancement Officer and permanent Executive Director of the TC3 Foundation is underway. The search committee has been identified with interviews to occur in early January. The goal is to complete the search by February.

INVESTING IN THE CAMPUS COMMUNITY

- The President's office is hosting a "Giving Tree" for the holidays, collecting basic cold weather and essential items for the Panther Pantry and Clothes Closet. The annual President's "Cookie Party" for all faculty/staff was 12/5.
- TC3 Employee of the Month award for December was presented to Cleaning Supervisor Emily Nelson.
- My monthly lunch with Student Government leaders was 11/24. Topics included advocacy regarding the Bronson Bill, winter student activities, supports for adult and non-traditional students, cafeteria options and the upcoming SGA transitions.



Vice President Reports

Strategic Enrollment Plan (SEP)

The next meeting of the SEP Council is scheduled for December 5th. The focus of the meeting will be a review of the new Health Sciences A.S. program and an examination of the uniqueness and distinctiveness of the Chemical Dependency Counseling A.A.S. program, with Assistant Professor Amy Faben-Wade providing context for the program's significant enrollment increase driven largely by SUNY Reconnect. The Council will also continue its deep dive into student success metrics, including retention by academic program and academic momentum indicators. Updates will be provided on two core strategies currently being implemented: "Develop a comprehensive, segmented communications plan focused on converting prospects, inquiries, and applicants", and "Develop systems to proactively engage former students with specific focus on reviewing the status of billing and collections and mitigation strategies."

Office Moves

Several office relocations are planned to enhance collaboration, visibility, and student support across the division and the college. The Opportunity Programs including EOP, ASAP, and Global Initiatives will move into the current Finance Office Suite, a central and highly visible location near the Panther Welcome Center and Baker Commons. This move is intended to position student-centered services literally and symbolically at the heart of campus. Relocations are scheduled for completion over winter break and have included, and will continue to include, opportunities for students to provide feedback on how to make these spaces even more welcoming and supportive.

Other Division Highlights

Fall Open Houses on November 14th and 15th welcomed 114 attendees, including 49 prospective students, and highlighted TC3's strength in building personal connections and a supportive campus community. Attendees described the College as welcoming, personalized, and engaging, with several affirming TC3 as their first-choice college.

Continuing Education & Workforce Development offered career and professional programming, including Career Champion Training, the Find Your Spring/Summer Internship workshop, class presentations, nursing résumé support, and Advocating for Accommodations: Career Edition in collaboration with Access & Equity. Workforce Development concluded fall workshops with 60 participants and continued advancing non-credit programs, contract trainings, spring marketing, and state-approved instructional expansions.

Health & Wellness Services provided nursing support to 18 students, while Counseling and Case Management served 101 students in November. The Collegiate Recovery and Options Programs hosted recovery meetings attended by 22 students, Rec Squared events, Certified Recovery Peer Advocate sessions, and Narcan training, while also consulting with Governors State University. The Panther Pantry supported 204 individuals through 412 visits, serving 466 people including 118 children, and continued SNAP-related outreach. The Best Life Lounge welcomed over 58 students during 173 visits and promoted wellness through campus walks. Athletics & Recreation reported strong early-season performances from men's and women's basketball, lacrosse outreach, and the softball team's 2026 Signing Day. Fitness Center usage reached 3,213 visits year-to-date. Residence Life is hiring three new Resident Assistants for spring 2026, with training scheduled for January 22–25.

The following are updates on the Academic Affairs Primary Plan work.

Academic Portfolio

- a. Faculty will vote in November and December on discontinuing (closing) several programs that face significant challenges, among them, persistent low enrollment. The board can expect the recommendations in the new year.
- b. New Programs – A market analysis report from Hannover Research looking at the opportunity of a new academic program in Cyber Security has been reviewed. The report shows a mixed view on the potential student growth, but it cannot factor in the opportunity of adding a SUNY Reconnect eligible program, as the report is based on national and local enrollment and jobs data. The faculty and campus will take up a full discussion of the potential to open a Cyber Security program in the spring semester now that this analysis is complete. Professor David Green has been working on curricula so that the campus can better understand the feasibility of launching such a program from the curricular lens.

Retention

- a. Looking at student success metrics, I chose to focus this fall on an evaluation tutoring supports for students. The reason I started a review was an understanding of our changing student demographics. Contextually, the largest area of enrollment growth is currently with adult (25+) and transfer students. Indeed, by fall, the college will be near the 50%/50% mark for traditional and adult learners. Looking forward, a three-year analysis shows that 59% our students take some online classes, while 25% take online classes exclusively. On average, adult students take more online credits than 18-25 year old students; thus the college knows it will have more students taking online or online exclusive coursework. Our current model of tutoring is highly centered on in-person tutoring. I am therefore engaged in a robust review of how our current tutoring services meet these diverse student needs. Indeed, a survey built by SGA will go out to students soon, and I will hold multiple “listening sessions” with students as we gather feedback on additional tutoring modalities. This work will continue in the spring as we work to ensure that our services meet the needs of all of our learners. A proposal will be delivered to the President for consideration in February/March.

Academic Affairs Leadership

- a. The college continues its discussions with faculty about the structure of academic affairs leadership. I will be holding session in December and January to take feedback from faculty on a structure of management confidential deans.

Culture

- a. Faculty leaders have spent the fall looking at options for shared-governance models; we expect a report and a series of discussions to occur over the winter months as the faculty consider their options for engaging shared governance on campus.



Consent Agenda

**TOMPKINS CORTLAND COMMUNITY COLLEGE
RESOLUTION 2025-2026-8**

Title IX Policy

WHEREAS, Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.) and its implementing regulations prohibit discrimination on the basis of sex in any educational program or activity receiving federal financial assistance; and

WHEREAS, the U.S. Department of Education requires that all institutions of higher education adopt and implement policies and procedures to ensure compliance with Title IX, including provisions for reporting, investigation, adjudication, and resolution of complaints involving sexual harassment, sexual assault, and other forms of gender-based misconduct; and

WHEREAS, Tompkins Cortland Community College is committed to maintaining a safe, respectful, and inclusive educational and working environment free from discrimination, harassment, and retaliation; and

WHEREAS, the College's administration, in consultation with Legal Counsel, has reviewed and updated the College's Title IX Policy to ensure compliance with the most current federal regulations and state laws; and

WHEREAS, the Title IX Policy establishes clear definitions, procedures, rights of parties, support measures, and training requirements consistent with federal guidance; and

WHEREAS, the President recommends approval of the proposed Title IX Policy by the Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Tompkins Cortland Community College hereby approves and adopts the Title IX Policy, effective December 18, 2025; and

BE IT FURTHER RESOLVED, that the President or their designee is authorized to implement the Title IX Policy, disseminate it to all members of the College community, and take any necessary actions to ensure continued compliance with federal and state regulations.

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STATE OF NEW YORK:

I, NANCY MURPHY, CLERK of the Board of Trustee of

SS:

Tompkins Cortland Community College,

COUNTY OF TOMPKINS:

DO HEREBY CERTIFY that the foregoing resolution is a true copy of a resolution duly adopted by the Board of Trustees of Tompkins Cortland Community College at a regular meeting of said Board on this 18th day of December 2025 and the same is a complete copy of the whole of such resolution.

Title IX

(continued)

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of Tompkins Cortland Community College to be hereunto affixed this 18th day of December 2025.

Clerk of the Board of Trustees

TOMPKINS CORTLAND COMMUNITY COLLEGE POLICY

Policy: Title IX

Policy Reference No: TBD

Date of Last Update: December 18, 2025

Responsible Division: Enrollment Management and Student Affairs

Purpose:

Members of the Tompkins Cortland Community College (“College”) community, guests, and visitors have the right to be free from discrimination and harassment on the basis of sex. Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance.

This Policy for Addressing Formal Complaints Under the Title IX Regulations (Policy) is intended to define community expectations, to establish definitions to aid in determining when behavior violates these expectations, and to outline the options available in response to discrimination and harassment on the basis of sex. It is the College’s expectation that each individual will exhibit the respect, consideration, and responsibility that would prohibit discrimination and harassment.

This Policy is also intended to continue the College’s efforts to prevent and remedy discrimination and harassment based on sex. The requirements and protections of this Policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or New York State law.

References:

[Discrimination and Harassment Policy.](#)

[Student Rights and Responsibilities Non-academic Code of Conduct](#)

Contacts:

Associate Vice President of Student Affairs, TitleIX@tompskinscortland.edu, ext. 4378

Policy Statement:

This Policy applies to College students and employees who allege that they have experienced discrimination and/or harassment by a member of the College community, including, but not limited to, students, employees, alumni, prospective students and employees, vendors, and visitors to campus. The College reserves the right to continue a grievance process detailed in this Policy, even if a student withdraws from College or an employee ends their employment at the College during the process.

When the respondent is a member of the College community, one of the grievance processes detailed below may be available regardless of the status of the complainant, who may or may not be a member of the College

community. The College's ability to take disciplinary action against a respondent may be dependent on the respondent's status within the College community. Additionally, the College's ability to take disciplinary action against a respondent who is not part of the College community will be limited and is determined by the context of the conduct and the College's relationship to the respondent.

If the respondent is unknown or is not a member of the College community, the Title IX Coordinator will assist the complainant in identifying appropriate supportive measures. The College may take other actions to protect the complainant against a third-party respondent, such as barring the respondent from College property and/or events.

I. Jurisdiction

This Policy covers conduct that meets the following criteria:

1. The conduct is alleged to have occurred on or after August 14, 2020;¹
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in the College's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this Policy.

Information shared or posted online, including social media, can also violate this Policy, if it creates a hostile learning or working environment.

II. Standard of Proof

The College uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing, further detailed below, seek to determine whether it is more likely than not that a violation of the Policy occurred.

III. Definitions

For the purposes of this Policy, the following definitions apply:

Coercion

Coercion is when one person is pressured unreasonably for and/or manipulated into sex and is clearly distinct from seduction. Coercing someone into sexual activity violates that person's agency and autonomy and this policy in the same way as physically forcing someone into sex.

Complainant

Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this Policy.

¹ The Title IX Policy is effective as of August 14, 2020, and will only apply to sexual harassment alleged to have occurred on or after August 14, 2020. Incidents of sexual harassment alleged to have occurred before August 14, 2020, will be investigated and adjudicated according to the process in place at the time the incident allegedly occurred.

Confidential Employee

Confidential employees are College employees that have a professional obligation to protect confidential information the confidential employee receives in the performance of their professional duties. Confidential employees can include; mental health professionals, other medical professionals, and clergy.

Education Program or Activity

For the purposes of this Title IX Policy, the College's "education program or activity" includes:

- Any on-campus premises; including additional properties.
- Any off-campus premises that the College has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the College's programs and activities over which the College has substantial control.

Affirmative Consent

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Affirmative consent can only be given by a person with the capacity to do so and who has not been forced into doing so. The following are offered to further understanding of the definition of affirmative consent:

- Affirmative consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity.
- Silence or lack of resistance, in and of itself, does not demonstrate affirmative consent.
- The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.
- Affirmative consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Affirmative consent needs to be obtained each time partners engage in sexual activity.
- Affirmative consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Affirmative consent may be initially given but withdrawn at any time.
- Affirmative consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

- Affirmative consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When affirmative consent is withdrawn or can no longer be given, sexual activity must stop.
- In New York, persons under 17 years of age cannot give affirmative consent.

Force

Force is the use of physical violence and/or the imposition on someone physically to gain sexual access and can also include threats, intimidation (implied threats) and coercion that overcome resistance or produce consent. The absence of resistance does not imply the absence of force.

Formal Complaint

For the purposes of this Title IX Policy, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within the College’s education program or activity and requesting initiation of the procedures consistent with the Policy to investigate the allegation of sexual harassment.

Grievance Process

Grievance Process will be an overarching term used to refer to the informal resolution and formal investigation processes that may be used by the College to resolve a matter reported to the College, when the Title IX Coordinator determines that the alleged prohibited conduct, if proven, would violate this Policy.

Incapacity

Incapacity is the lack of ability to make rational, reasonable decisions because the individual lacks the capacity to give knowing consent (e.g., to understand the “who,” “what,” “when,” “where,” or “how” of their sexual interaction.) A person may be incapacitated because of consumption of drugs and/or alcohol; mental or physical disability; being asleep; a lack of consciousness; and/or a lack of awareness that the sexual activity is occurring.

When drugs or alcohol are involved, incapacitation is a state beyond impairment or intoxication and involves an assessment of the person’s decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; and/or level of consciousness. This assessment is based on objectively and reasonably apparent signs of incapacitation when viewed from the perspective of a sober, reasonable person.

Relevant Evidence and Questions

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or

- They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally recognized privilege.
- Any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

Parties

Parties will collectively refer to the complainant(s) and respondent(s).

Prohibited Conduct

Prohibited conduct will refer to any of the alleged prohibited conduct, detailed below, that violates the Policy.

Reporter

Reporter will refer to the person bringing the alleged prohibited conduct to the attention of a responsible employee, including, but not limited to the Title IX Coordinator or designee.²

Respondent

Respondent means any individual who has been reported to be the perpetrator of alleged prohibited conduct that could constitute covered sexual harassment as defined under this Policy.

Responsible Employee

Responsible employee refers to any employee of the College who is not a confidential employee. Responsible employees are required to disclose any reports of alleged discrimination and/or harassment to the Office of Title IX and Civil Rights Compliance within 24-48 hours of receiving the report.

Privacy vs. Confidentiality

References made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or College officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean College offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. The College will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

IV. Prohibited Conduct Under this Policy

For the purposes of this Policy, Title IX prohibited conduct is conduct on the basis of sex that satisfies one or more of the following:

² The Title IX Coordinator has the discretion to delegate any responsibilities detailed in this Policy to an appropriately trained individual within the College or hired by the College, when the need arises.

1. Quid Pro Quo Harassment

An employee conditioning educational benefits on participation in unwelcome sexual conduct;

2. Sexual Harassment

Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;

3. Sexual Assault (as defined in the Clery Act)

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, including:

a. Rape

Vaginal or anal penetration, however slight, with a body part or object, or oral penetration involving mouth to genital contact.

b. Criminal Sexual Contact

- The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
- The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

c. Incest

Non-forcible sexual intercourse between people who are related to each other within the degrees wherein marriage is prohibited. In the State of New York, a person may not marry that person's parent, grandparent, child, grandchild, sibling, nephew, niece, aunt, or uncle; and

d. Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent. In the State of New York, consent cannot be given by minors who are under the age of 17 and it is considered a felony for anyone age 21 or older to have sexual contact with an individual under the age of 17.

4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act)

Any violence committed by a person:

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship;
- (ii) The type of relationship;
- (iii) The frequency of interaction between the persons involved in the relationship.

5. Domestic violence (as defined in the VAWA amendments to the Clery Act)

Includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York.

6. Stalking (as defined in the VAWA amendments to the Clery Act)

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) fear for their safety or the safety of others; or
- (B) suffer substantial emotional distress.

Alleged prohibited conduct that does not meet one or more of these criteria may still be prohibited under the College's Discrimination and Harassment Policy or other relevant policies.

V. Response and Supportive Measures

Supportive measures are non-punitive, non-disciplinary individualized services offered to a complainant or a respondent following a report or before or after the initiation of a grievance process. Possible supportive measures may include but are not limited to: counseling or mental health services, temporary academic accommodations, campus escort services, No Contact Orders between the parties, changes in work or housing locations, and leaves of absence.

VI. Title IX Grievance Process

a. Options for Support and Pursuing Actions

When seeking support or reporting covered sexual harassment, individuals should be aware of confidentiality, privacy, and reporting requirements in order to make informed choices. Different College employees have different reporting responsibilities and different abilities to maintain confidentiality, depending on their roles at the College and upon College policy. Reporters are encouraged to ask questions about an employee's ability to maintain confidentiality or to maintain privacy before consulting and are reminded that reporters do not have to share any information that they do not wish to share when seeking support.

i. Confidential Reporting

Reporters who are members of the College community, who are not responsible employees, and who wish to maintain absolute confidentiality can seek support from the College's confidential employees. All confidential employees can offer individuals confidentiality, discuss options, and offer advice without any obligation to tell anyone unless the individual wants them to do so. Confidential employees include College mental health counselors and nurses. College mental health counselors are available to help students free of charge.

Tompkins Cortland Mental Health Counseling

Main Campus 122
counseling@tc3.edu
607.844.6577
tompskinscortland.edu/mental-health-counseling

Employees may connect with the Employee Assistance Program (EAP), a confidential service the College has arranged for eligible employees and family members. EAP is staffed by master's level and above counseling professionals from Family and Children's Services of Ithaca.

Tompkins Cortland EAP

askeap@fcsith.org
607-273-7494
1-800-834-1239
fcsith.org/employee-assistance-program/

Additionally, reporters can seek confidential resources external to the College from other mental health practitioners or clergy in town, LGBTQ+ resource centers, the YWCA, and other nonprofit advocacy organizations.

ii. Seeking Support Where Personally Identifiable Information Remains Private

Responsible employees, who are not confidential employees, will be required to report information shared when a report is made (including name of complainant, date, location, category of misconduct/crime, potential for danger, and name of respondent, if known). This information will only be shared as necessary on a need-to-know basis, and all efforts will be made to protect the complainant's privacy.

A reporter and/or complainant who does not wish to speak with the Title IX Coordinator is not required to do so. However, the Title IX Coordinator will send the reporter and/or complainant information about available resources and support. Additionally, if the reporter is identified as a complainant in a grievance process detailed below or if a complainant can be identified from the report, the complainant will receive status updates from the Title IX Coordinator regarding the status of the grievance process but will not be required to respond to the status updates or participate in the grievance process.

b. Making a Report Regarding Covered Sexual Harassment to the College

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator:

Title: Associate Vice President of Student Affairs

Address: 170 North Street, P.O. Box 139, Dryden NY 13053

Office Location: Main Campus

Email Address: TitleIX@tompkinscortland.edu

Telephone Number: 607-844-8222 x4378

The Associate Vice President of Student Affairs, with the approval of the President, may designate a Senior Student Affairs Officer to serve as an alternate Title IX Coordinator if circumstances require.

Responsible employees who receive a report of potential discriminatory and/or harassing conduct must inform the Title IX Coordinator within 24-48 hours. The responsible employee receiving the report will gather basic information from the reporter, including: a description of the alleged incident(s), when and where it occurred, and any safety concerns of the reporter. The reporter should also include the name and any contact information for the respondent, if known.

An individual, other than a responsible employee, can make a confidential report to the Title IX Coordinator using the College's anonymous reporting feature without disclosing their own identity or the identity of the respondent. The Title IX Coordinator will assess the report using the same intake process detailed below, however, depending on the amount of information provided, the College may not be able to take further action to respond to the report.

Individuals with complaints of this nature also always have the right to file a formal complaint with the United States Department of Education:

Office for Civil Rights (OCR), 400 Maryland Avenue, SW Washington, DC 20202-1100

Customer Service Hotline: 800-421-3481 Facsimile: 202-453- 6012

TDD#: 877-521-2172

Email: OCR@ed.gov

Web: <http://www.ed.gov/ocr>

Likewise, complaints may be filed with the Office of the New York State Division of Human Rights:

Division of Human Rights

Telephone Number: 844-697-3471

Email: info@dhr.ny.gov

Web: <https://dhr.ny.gov/>

Under the Policy, there is no time limit on reporting alleged prohibited conduct, but reporters are encouraged to report alleged prohibited conduct as soon as possible after the incident(s) in order to ensure the report can be most effectively assessed.

c. Amnesty for Personal Usage of Drugs or Alcohol

The College recognizes that students may be reluctant to seek assistance from College officials or emergency services for themselves or others after experiencing prohibited conduct under this Policy because they fear being held responsible under the College's Student Code of Conduct for alcohol or drug violations relating to an incident. When a student reports prohibited conduct under this Policy that involves drug or alcohol usage by the reporting student and/or other students involved, the College will not conduct a formal process under the Student Code of Conduct for drug or alcohol usage, provided that the misconduct did not endanger other's health and/or safety. However, the College does not extend this protection to the distribution of drugs or alcohol and/or the provision of alcohol and/or drugs to another individual for the purpose of inducing incapacitation, as defined in the Policy.

d. False Reporting

The College takes false reporting of allegations under this Policy seriously and false reporting may be subject to disciplinary action. This does not include good faith reports, where the ultimate determination does not result in a finding of responsibility for a Policy violation.

e. Interim Measures

The College may remove a student respondent who may have engaged in prohibited conduct from all or part of an education program or activity on an emergency basis after the College undertakes an individualized safety and risk analysis; determines there is a risk of imminent danger to the health or safety to member(s) of the College community arising from the allegations of covered sexual harassment; and provides the respondent with notice of removal and an opportunity to challenge the decision immediately following the removal.

The College may place an employee respondent on administrative leave for the duration of a grievance process, detailed below. The College will determine if the administrative leave during the process should be imposed with or without pay and benefits.

The College may temporarily withhold a student's degree when the student is a named respondent in a pending grievance process detailed within this Policy, until the completion of the grievance process.

f. Initial Intake

Upon receipt of a report, the Title IX Coordinator will offer to meet with the reporter and/or complainant to gather any additional information necessary to conduct an initial assessment regarding if the alleged conduct may violate the Policy. The Title IX Coordinator will also share information about resources for support, options for action, and explanations of grievance processes, as appropriate to the circumstances. The Title IX Coordinator will work with the complainant to determine the need for appropriate interim measures, accommodations for the complainant, and/or other necessary, short-term remedial actions.

g. Filing a Formal Complaint

The timeframe for the Title IX Process begins with the filing of a formal complaint. The College will make a good faith effort to complete a grievance process within ninety (90) business days but may extend the timeline for good cause.

To file a formal complaint, a complainant must provide the Title IX Coordinator with a written, signed complaint describing the facts alleged. Complainants are only able to file a formal complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of the College, including as an employee. For complainants who do not meet these criteria, the College will utilize the existing [Discrimination and Harassment Policy](#).

If a complainant does not wish to make a formal complaint, the Title IX Coordinator may determine that the specific circumstances warrant the Title IX Coordinator signing a formal complaint on behalf of the College. When conducting this assessment, the Title IX Coordinator will consider if the allegations detailed in the initial report show a risk to the health and/or safety of the College community, such that it requires the College to pursue a Title IX grievance process to protect the community. A compelling risk to health and/or safety may result from evidence of patterns of misconduct, abuse of minors, threats, predatory conduct, use of weapons, violence, and/or other compelling safety risks.

The College will inform the complainant of this decision in writing. When the Title IX Coordinator determines that it is necessary for the College to file a formal complaint, the College does not become the complainant and instead the complainant remains the individual who is alleged to be the victim of prohibited conduct, as defined by this Policy. The complainant retains the ability to designate their level of participation in the Title IX grievance process and retains the rights afforded under this Policy, irrespective of their level of participation.

Nothing in the Title IX Policy prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

h. Initial Inquiry

Following receipt of a report, an intake meeting and/or the filing of a formal complaint, the Title IX Coordinator will conduct an initial inquiry to:

- Identify any potential prohibited conduct that may violate the Policy; and
- Determine whether the alleged prohibited conduct, if proven by a preponderance of the evidence standard, would reasonably constitute prohibited conduct. If it is determined in the initial inquiry that there is insufficient evidence to support that the alleged conduct, if proven, would reasonably constitute prohibited conduct of the Policy, the complaint will not proceed through the grievance processes detailed below.

i. Dismissal

The Title IX Coordinator may dismiss a formal complaint brought under the Policy, or any specific allegations raised within the formal complaint, at any time during the grievance process, for the following reasons:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations raised in the formal complaint;
- The respondent is no longer enrolled or employed by the College; or,
- If specific circumstances prevent the College from gathering sufficient evidence to reach a determination regarding the formal complaint or allegations within the formal complaint.

If the Title IX Coordinator determines that the allegations contained in the formal complaint would not constitute prohibited conduct under the Policy, the Title IX Coordinator may refer the matter to the applicable administrator to provide the complainant and/or reporter with resources, dismiss the complaint, and/or close the matter.

Upon reaching a decision that the formal complaint will be dismissed, the College will promptly send written notice of the dismissal of the formal complaint or any specific allegation within the formal complaint, and the reason for the dismissal, simultaneously to the parties.

Upon dismissal for the purposes of Title IX, the College retains discretion to utilize other College policies including but not limited to the College's [Discrimination and Harassment Policy](#), to determine if a violation of College policy has occurred. If so, the College will promptly send written notice of the dismissal of the formal complaint under the Title IX grievance process and removal of the allegations to a separate College conduct process.

The parties may appeal the dismissal of a complaint on the limited grounds detailed in the "Appeals" section below.

VII. Title IX Grievance Process

If the Title IX Coordinator determines that the alleged prohibited conduct, if proven, would violate the Policy, the College may use the informal resolution process, or the formal investigation process detailed below, to resolve the matter.

a. Consolidation

The Title IX Coordinator may consolidate formal complaints alleging covered sexual harassment against more than

one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

b. Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Process will be applied to investigation and adjudication or informal resolution of all the allegations arising from the same facts and circumstances.

c. Advisors

Parties are allowed to designate one advisor, who may or may not be an attorney, to assist them during a Title IX grievance process.

Except where explicitly stated by this Policy, advisors shall not participate directly in the grievance process. Parties participating in a Title IX grievance process may be accompanied by an advisor to any meeting or hearing conducted as part of the grievance process. The advisor is not an advocate and may not be a witness in the matter.

The College's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other College policies apply to matters governed under this Policy, and the College cannot agree to extensive delays solely to accommodate the schedule of an advisor. The determination of what is reasonable shall be made by the Title IX Coordinator.

d. Notice of Meetings and Interviews

The College will provide, to a party whose participation is invited, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

e. Informal Resolution Process

Informal resolution is an alternative resolution process that does not include a full investigation and is typically a spectrum of facilitated, adaptable processes between the complainant and the respondent, that seeks to identify and meet the needs of the parties, acknowledge harm, and repair the harm experienced by the complainant and/or the College community.

At any time after receiving a formal complaint of alleged prohibited conduct and prior to the completion of the formal grievance process, either party may request an informal resolution process. If either party seeks informal resolution, the party may submit a written request to the Title IX Coordinator. The Title IX Coordinator reserves the right to determine if the informal resolution process is appropriate, given the facts and circumstances of the matter.

The College and both parties must agree, in writing, to the initiation of the informal resolution process. At any time prior to finalizing an informal resolution agreement, any party has the right to withdraw from the informal resolution process and resume formal grievance process with respect to the formal complaint. The Title IX Coordinator has the discretion to terminate an informal resolution process, at any time, if the Title IX Coordinator determines that informal resolution is not appropriate to resolve a complaint.

The Title IX Coordinator will assign a trained internal or external facilitator to facilitate the informal resolution. The informal resolution facilitator will not be the same person as the investigator(s) or decision maker in the formal investigation process and will be free from conflict of interest or bias.

At the conclusion of the informal resolution process, the parties will sign an informal resolution agreement, detailing the terms of the resolution agreement, that the Title IX Coordinator has accepted the terms, and that the

parties are precluded from resuming or restarting the formal grievance process for the formal complaint.

The College does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

f. Formal Grievance Process

i. Investigation

1. Notice of Allegations and Investigation

At the commencement of an investigation, the Title IX Coordinator will provide the Notice of Allegations and Investigation to the parties.

The Notice of Allegations will include the following:

- Notice of the initiation of the investigative process and a hyperlink to a copy of the Policy; and
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued;
- A statement that the respondent is presumed not responsible for the alleged prohibited conduct and that a determination regarding responsibility is made at the conclusion of the process;
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source; and
- A statement referring to the availability of informal resolution.

The College will provide at least three business days for the parties to review the Notice of Allegations and prepare a response before any initial interview.

If, in the course of an investigation, the College decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Policy, the College will notify the parties of the additional allegations. The parties will be provided with three business days to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

2. Initial Investigation

The Title IX Coordinator will designate an investigator(s) to perform an investigation of the alleged prohibited conduct.

The College, and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing.

This does not shift the burden of proof away from the College and does not indicate responsibility.

Over the course of the investigation, the investigator(s) may gather evidence by collecting relevant documents and electronic evidence, interviewing parties and witnesses, and/or reviewing additional information provided by parties and witnesses.

The investigator(s) will record and transcribe all interviews over the course of the investigation.

The College will provide an equal opportunity for the parties to participate in investigation interviews, present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence (i.e. evidence that tends to prove and disprove the allegations) as described below.

The College cannot access, consider, or disclose medical records without a waiver from the party to whom the records belong or of whom the records include information.

3. Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the directly related evidence obtained through the investigation. It will include any:

- Evidence that is relevant, even if that evidence does not end up being relied upon by the College in making a determination regarding responsibility; and
- Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

The College will make the evidence available for each party and each party's advisor, if any, to inspect and review. The parties and their advisors must sign an agreement to not download, disseminate, photograph, or otherwise copy the evidence subject to inspection and review. The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator(s). The investigator(s) will consider the parties' written responses before completing the investigative report.

4. Investigative Report

The investigator(s) will create an investigative report that fairly summarizes relevant evidence and will provide that report to the parties at least ten (10) business days prior to the hearing for each party's review and written response.

ii. Hearing

The College will not issue a disciplinary outcome or consequence arising from an allegation of prohibited conduct under this Policy without holding a live hearing unless otherwise resolved through an informal resolution process.

The College will appoint a trained internal or external hearing officer to serve as the decisionmaker at the hearing. The hearing officer will not serve as the Title IX Coordinator, investigator(s), or advisor to any party in the matter. The hearing officer will not have a conflict of interest or bias in favor of or against either party or complainants and/or respondents generally. The parties will have two (2) business days from receipt of the name of the hearing officer to submit an objection in writing regarding the appointment of the hearing officer based on actual or perceived conflicts of interest or bias, with specific evidence supporting the objection.

Neither party can waive the right to a live hearing. The parties are not required to participate in the live hearing, but the College will proceed with the live hearing in the absence of a party due to lack of participation. The College will not threaten, coerce, intimidate, or discriminate against the party in an attempt to secure the party's participation. The hearing officer cannot draw an inference about the determination regarding responsibility based solely on a

party's absence from the live hearing or refusal to answer cross examination or other questions.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. This technology will enable participants simultaneously to see and hear each other.

The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney to accompany them to the hearing. The advisor of choice may not speak for the party, except for the purpose of cross-examination. The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the College will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party. If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf. Advisors shall be subject to the institution's rules of decorum and may be removed upon violation of those rules.

The parties and/or the hearing officer can request a witness who participated in the investigation attend the hearing, but a witness cannot be compelled to participate in the live hearing and has the right not to participate in the hearing free from retaliation.

For all live hearings conducted under this formal grievance process, the hearing officer will first open and establish rules and expectations for the hearing. The parties will each be given the opportunity to provide opening statements. The hearing officer will ask questions of the parties and witnesses. The parties will be given the opportunity for live cross-examination after the hearing officer conducts their initial round of questioning, which will be conducted by the party's advisor, not the party. Before any cross-examination question is answered, the hearing officer will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the hearing officer, may be deemed irrelevant if they have been asked and answered. During the parties' cross-examination, the hearing officer will have the authority to pause cross-examination at any time for the purposes of asking the hearing officer's follow up questions; and any time necessary in order to enforce the established rules of decorum. Should a party or the party's advisor choose not to cross-examine a party or witness, the party shall affirmatively waive cross-examination through a written or oral statement to the hearing officer. A party's waiver of cross-examination does not eliminate the ability of the hearing officer to use statements made by the party and/or witness.

Any information not provided to the investigator(s) prior to the final investigative report will not be allowed during the hearing unless the party offering the evidence can clearly demonstrate that such information was not reasonably available at the time of the investigation or the evidence has significant relevance to a material fact at issue in the investigation. The hearing officer will consider the information and make a determination regarding (1) whether such information was actually unavailable by reasonable effort prior to the hearing, and (2) whether such information could affect the outcome of the matter. The party offering the newly discovered evidence has the burden of establishing these questions by the preponderance of the evidence.

All proceedings will be recorded through audiovisual recording and transcribed. That transcript will be made available to the parties for inspection and review upon request.

iii. Written Determination Regarding Responsibility

Following the hearing, the hearing officer will draft a written determination regarding responsibility (determination), which will then be issued simultaneously by the Title IX Coordinator to the parties. The determination will include:

1. Identification of the allegations potentially constituting prohibited conduct under this Policy;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination;

3. Findings of fact supporting the determination;
4. Conclusions regarding which College policy, if any, the respondent has or has not violated.
5. For each allegation:
 - A statement of, and rationale for, a determination regarding responsibility; and
 - The permitted reasons for the complainant and respondent to appeal (described below in “Appeal”).

The hearing officer may only consider relevant evidence when making a determination regarding responsibility. The hearing officer will not consider evidence about the complainant’s sexual predisposition or prior sexual behavior, except in the limited circumstances detailed above. The hearing officer cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’ absence from the hearing or refusal to participate in cross-examination.

The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in “Appeals” below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

iv. Outcomes and Consequences

If the respondent is found responsible for any Policy violations, the Title IX Coordinator will convene the appropriately positioned and trained College employee or external individual, who is free from conflict of interest and bias and who was not previously involved in the formal grievance process, to determine appropriate outcomes/consequences following the guidelines outlined in the Policy.

In addressing forms of prohibited conduct, the College aims to uphold community expectations of respect, the right to autonomy, and a campus environment that is safe for all.

Not all forms of prohibited conduct covered in this Policy will be deemed to be equally serious offenses, and the College reserves the right to impose different consequences, ranging from verbal warning to expulsion/employment termination, depending on the severity of the offense.

VIII. Appeals

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or

(2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) calendar days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution’s own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), hearing officer and/or individual appointed to determine outcomes and/or consequences had a conflict of interest or bias for or against an individual party, or for or against

complainants or respondents in general, that affected the outcome of the matter.

Appeals may be no longer than 5 pages (including attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

The submission of appeal stays any outcomes or consequences for the pendency of an appeal. Supportive measures remain available during the pendency of the appeal.

Any request for appeal will be shared with the other party involved who will be offered the opportunity to provide a response to be reviewed along with the request for appeal. If the other party chooses to submit a response to the request for appeal, they must do so within (5) five business days.

Appeals will be decided by an internal or external appeal officer, who will be appointed by the Title IX Coordinator, who will be free of conflict of interest and bias, and who will not serve as investigator(s), Title IX Coordinator, or hearing officer in the same matter. The appeal officer will review the appeal to see if the appeal meets the limited grounds for appeal and is timely. The original finding and outcome/consequence will stand if the appeal is not timely or substantively eligible, and that decision is final. The party requesting appeal must show error, as the original finding and outcome are presumed to have been decided reasonably and appropriately.

Outcome of appeal will be provided in writing simultaneously to both parties and include rationale for the decision. The appeal officer's outcome of appeal is final.

IX. Retaliation

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for other policy violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or formal complaint of sexual harassment.

Complaints alleging retaliation may be filed according to the College's [Discrimination and Harassment Policy](#).

Resolution Number:

**TOMPKINS CORTLAND COMMUNITY COLLEGE
RESOLUTION 2025-2026-9**

Resolution to Update Board of Trustee Bylaws

WHEREAS, the Board of Trustees of Tompkins Cortland Community College approved a Board of Trustee Handbook for their use on June 23, 1977, and

WHEREAS, the Board of Trustees finds that certain sections of the bylaws require revision to:

1. Improve clarity and consistency of language;
2. Reflect updates in state and federal regulations;
3. Incorporate evolving governance practices and technological tools;
4. Ensure transparency, accountability, and equitable representation; and
5. Enhance the efficiency and effectiveness of Board operations;

WHEREAS, the proposed revisions have been presented to the Board for review, discussion, and consideration in accordance with Board procedures;

Section 15. Conflict of Interest No member of the Board of Trustees shall enter into deliberations or vote upon any matter in which they have a direct or indirect interest or in which a direct or indirect interest may be implied, other than the interest of the Community College. Trustees shall be subject to all generally applicable Trustee fiduciary obligations and related procedures, including, without limitation, the requirement of recusal from all Board and committee proceedings (including Board Executive Sessions) in matters involving conflicts of interest, and personnel, compensation and other matters where such recusal is appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Tompkins Cortland Community College hereby approves the revised Board Bylaws as presented on this 18th day of December, 2025; and

BE IT FURTHER RESOLVED that the revised bylaws shall take effect immediately upon adoption, and that all previous bylaws or sections in conflict with the newly adopted provisions are hereby repealed or amended; accordingly, and

BE IT FINALLY RESOLVED that the Board directs the College President to ensure the revised bylaws are published, distributed to appropriate constituencies, and made publicly accessible in accordance with College policy.

STATE OF NEW YORK:

I, NANCY MURPHY, CLERK of the Board of Trustee of

SS:

Tompkins Cortland Community College,

COUNTY OF TOMPKINS:

DO HEREBY CERTIFY that the foregoing resolution is a true copy of a resolution duly adopted by the Board of Trustees of Tompkins Cortland Community College at a regular meeting of said Board on this 18th day of December 2025 and the same is a complete copy of the whole of such resolution.

Resolution to Update Board of Trustee Bylaws
Continued

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of Tompkins Cortland Community College to be hereunto affixed this 18th day of December 2025.

Clerk of the Board of Trustees

**TOMPKINS CORTLAND COMMUNITY COLLEGE
RESOLUTION 2025-2026-10**

TC3 Fieldhouse Wall Project Repair Bid

WHEREAS, there is a need for repairs to the Fieldhouse Wall area at TC3, and

WHEREAS, the College has complied with New York General Municipal Law Section 103, and solicited sealed bids for repairs to the Fieldhouse Wall area and

WHEREAS, MD22, LLC of Syracuse, New York, has provided the lowest responsible bid meeting specifications that were distributed to all bidders, be it therefore

RESOLVED, that the Board of Trustees of Tompkins Cortland Community College awards the bid for the Fieldhouse Wall project to MD22, LLC per their bid of \$38,721. The award is subject to the fulfillment of all necessary and appropriate contingencies, including but not limited to verifications by the Director of Facilities that the required specifications have been met, approval of all governmental agencies having jurisdiction, the furnishing by contract of required insurance, and acceptable recommendation, be it further

RESOLVED, that the Board of Trustees hereby authorizes the Administration to approve any change orders for work that may be necessary to complete this project as long as the changes do not exceed 10% of this work.

STATE OF NEW YORK:

I, NANCY MURPHY, CLERK of the Board of Trustee of

SS:

Tompkins Cortland Community College,

COUNTY OF TOMPKINS:

DO HEREBY CERTIFY that the foregoing resolution is a true copy of a resolution duly adopted by the Board of Trustees of Tompkins Cortland Community College at a regular meeting of said Board on this 18th day of December 2025 and the same is a complete copy of the whole of such resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of Tompkins Cortland Community College to be hereunto affixed this 18th day of December 2025.

Clerk of the Board of Trustees

12/1/25

From: Kevin Caveney, Purchasing

RE: Recommendation of Bid Award for TC3 Fieldhouse Wall Project

Tompkins Cortland Community College is in need of repairs to the Fieldhouse Wall area, to include drainage, and waterproofing masonry work.

In consultation with the Director of Facilities, we are recommending the award of the bid for the project, to MD22 LLC of Syracuse, New York for the bid amount of \$38,721. A sealed bid process was conducted per the requirements of New York State General Municipal Law 103.

The bid was advertised in The Ithaca Journal, The Cortland Standard, the NY Contract Reporter, and on the College's website. Bid requests were sent to eleven qualified contractors. Four bids were received as follows:

W.L. Kline \$85,000

MD22, LLC \$38,721

McKinney Masonry \$41,242.27

Hurd development \$72,000

**TOMPKINS CORTLAND COMMUNITY COLLEGE
RESOLUTION 2025-2026-12**

Resolution on the TC3 Facilities Master Plan 2025

WHEREAS, Tompkins Cortland Community College is committed to providing high-quality, accessible educational facilities that support student learning, workforce development, and community engagement; and

WHEREAS, the college has conducted a comprehensive facilities assessment, campus planning study, and stakeholder engagement process—including input from students, faculty, staff, administrators, and community partners—to determine current and future facility needs; and

WHEREAS, the resulting **Facilities Master Plan** provides a long-range, strategic framework for guiding campus development, addressing deferred maintenance, improving campus safety, enhancing accessibility, and supporting the college’s academic and programmatic priorities; and

WHEREAS, the plan aligns with the college’s mission, vision, educational master plan, and long-term enrollment and workforce projections; and

WHEREAS, the Board of Trustees recognizes the importance of planning for sustainable, flexible, and fiscally responsible facilities that can adapt to changing community and student needs; and

WHEREAS, adopting the Facilities Master Plan will allow the college to prioritize capital projects, pursue funding opportunities, coordinate with local and regional partners, and ensure transparent and accountable stewardship of public resources;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Tompkins Cortland Community College hereby **adopts the Facilities Master Plan** as the official long-range facilities planning document of the college; and

BE IT FURTHER RESOLVED, that the Board directs the President to use the Facilities Master Plan as a guide for future capital planning, budget development, project sequencing, and reporting; and

BE IT FURTHER RESOLVED, that the Board may review and update the Facilities Master Plan periodically to ensure it remains responsive to evolving institutional and community needs.

STATE OF NEW YORK:

I, NANCY MURPHY, CLERK of the Board of Trustee of

SS:

Tompkins Cortland Community College,

COUNTY OF TOMPKINS:

DO HEREBY CERTIFY that the foregoing resolution is a true copy of a resolution duly adopted by the Board of Trustees of Tompkins Cortland Community College at a regular meeting of said Board on this 18th day of December 2025 and the same is a complete copy of the whole of such resolution.

Resolution for Adoption of a Facilities Master Plan 2025
Continued

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of Tompkins Cortland Community College to be hereunto affixed this 18th day of December 2025.

Clerk of the Board of Trustees

**TOMPKINS CORTLAND COMMUNITY COLLEGE
RESOLUTION 2025-2026-11**

Resolution Honoring Tompkins County Liaison Michael Lane

WHEREAS, Michael Lane has dedicated years of exemplary service to Tompkins Cortland Community College as Tompkins County Liaison, demonstrating unwavering commitment to student success, academic excellence, and the mission of the college; and

WHEREAS, Michael Lane has consistently exemplified professionalism, integrity, and a spirit of collaboration, serving as a valued advocate for the college community; and

WHEREAS, the positive impact of Michael Lane's work has enriched the educational experiences of countless students and strengthened the college's ability to serve the broader community; and

WHEREAS, the Board of Trustees and college administration recognize the lasting contributions Michael Lane has made to the growth, reputation, and continued success of Tompkins Cortland Community College;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Tompkins Cortland Community College hereby expresses its deepest appreciation to Michael Lane for outstanding service, leadership, and dedication; and

BE IT FURTHER RESOLVED, that this resolution be entered into the official records of the Board and that a copy be presented to Michael Lane as an expression of gratitude and respect from the entire college community.

STATE OF NEW YORK:

I, NANCY MURPHY, CLERK of the Board of Trustee of

SS:

Tompkins Cortland Community College,

COUNTY OF TOMPKINS:

DO HEREBY CERTIFY that the foregoing resolution is a true copy of a resolution duly adopted by the Board of Trustees of Tompkins Cortland Community College at a regular meeting of said Board on this 18th day of December 2025 and the same is a complete copy of the whole of such resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of Tompkins Cortland Community College to be hereunto affixed this 18th day of December 2025.

Clerk of the Board of Trustees

To: TC Board of Trustees

From: College Senate /Amy Faben-Wade and Eric Jenes (Co-chairs)

College Senate Report December 3, 2025 for December board meeting

- Senate received an annual Budget presentation from Dennis Panagitsas on 12/5.
- The Academic Affairs office has several programs up for discontinuation. Senate will receive presentations on 12/5 by the Provost and those affected by the program changes. Senate will deliberate on these matters on 12/5 and 12/12. Electronic votes will be open from approximately 12/12-12/17. Senate will provide the Board of Trustees a full report of the outcome after the 12/17 vote closes.
- Senate is again overseeing the Chancellor's Awards for Excellence in 7 categories for the 2025-26 academic year. This year the awards have been rolled into one submission period. Staff have been given 1 month to submit nominations. Nominations close on December 19 so that the Senate can review nominations by the end of January deadline.



Informational Items



Office of the President

November 20, 2025

Dr. Kristy Bishop
Vice President for Institutional Field Relations
Middle States Commission on Higher Education

RE: MSCHC Request for Additional Information

Dear Dr. Bishop:

Thank you for the opportunity to respond to your request of October 8, 2025, requesting additional information from Tompkins Cortland Community College, noting the following: "The analysis of your institution's data suggests concerns specific to the institution's financial health, which requires additional information. Therefore, the institution should respond to this Request for Information (RFI) by November 24, 2025, providing additional information specific to the institution's financial health, including but not limited to financial resources, funding base, and plans for financial development, including those from any related entities, adequate to support educational purposes and programs and to ensure financial stability, that allows Commission representatives to assess the financial viability and management of the institution."

Please see below for additional information in response to the Commission's request.

Introduction

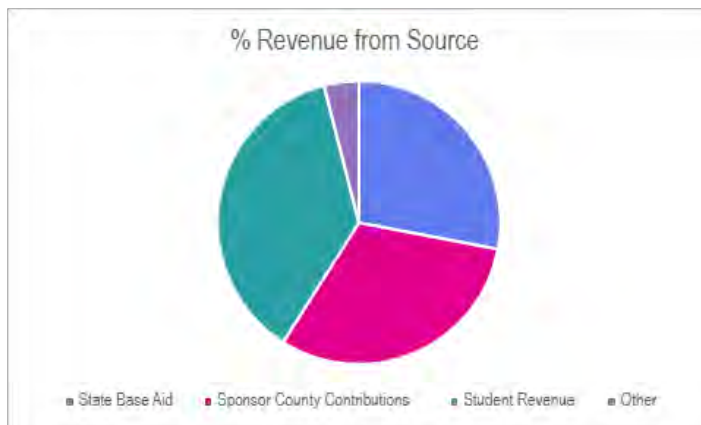
Tompkins Cortland Community College's (TC3) financial position and fiscal stability are a top priority for the Board of Trustees and the College Administration. Below is a summary of the TC3's focus areas to continue to strengthen fiscal stability as indicated by measures such as the Primary Reserve Ratio.

The College's revenue has three major components: sponsor county contributions, state contributions and student tuition. Stabilization while controlling costs in service to the College's mission continues to be the priority, while a strong performance relative to the annual Institutional audit and full implementation of the College's corrective action plan are imperative.

Strengthening Financial Resources

Community colleges in New York State are funded through a three-way formula outlined in State Education Law, with contributions from the state, county sponsors, and students. The 2025 College Audit shows the current funding ratio as: 37% students, 28% state, 31% county, and 4% other.

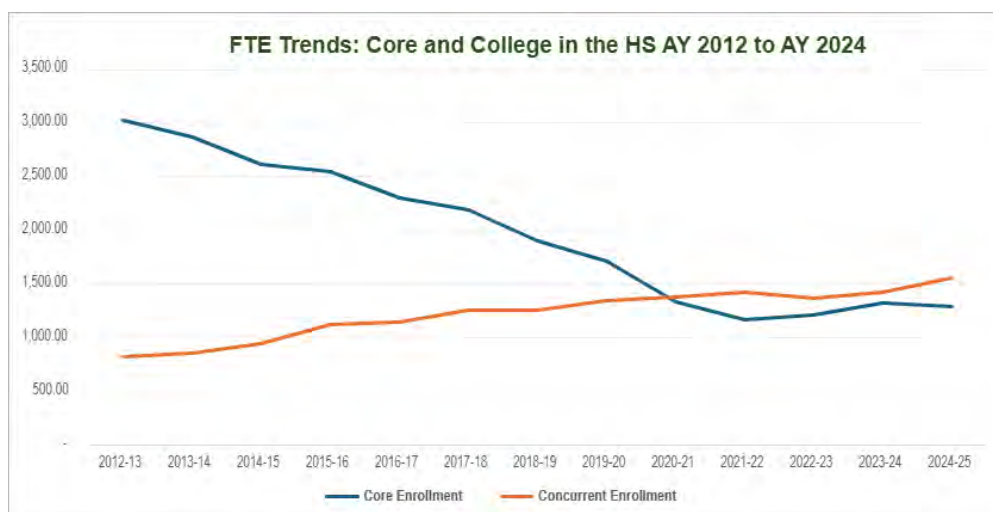
For 2025–26, TC3 implemented a 1.7% tuition increase. The College does not anticipate additional tuition increases over the next two years to help control student costs. Base operating funding for SUNY community colleges has remained flat since the pandemic, although earmarked state grants have been secured. In 2025, the state



introduced SUNY Reconnect, a program offering free community college to adults ages 25–55 in high-demand fields. This initiative contributed to a 7% post-census core enrollment increase in fall 2025, boosting student-related revenue.

In November 2025, the College was successful in securing a 5% increase in operating support from its local sponsoring counties for 2026. Overall, student enrollment and retention remain the primary drivers of year-over-year revenue growth.

Increasing student enrollment post pandemic



TC3 experienced a steep decline in the enrollment of degree seeking students (core enrollment) between 2010 and 2019 (43% decline in FTEs), and an increase in non-degree seeking Concurrent Enrollment or College in the High School students (62%) as seen in the figure above. Post pandemic, the loss of enrollment has been stabilized; however, because core enrollment is the driver of the College's revenue, restoring to pre-pandemic levels is crucial to strengthening revenue stability.

To address this, the College developed and implemented a Strategic Enrollment Plan beginning in 2022. This plan is now on its third iteration as strategies are implemented, and progress has been realized. Each year, the College sets enrollment targets that are utilized in developing the required balanced annual Operating Budget. Since the pandemic, actual enrollment has been within 3% of projections annually. We have made targeted investments in technology and human resources to support sustained, deliberate growth.

The College's enrollment growth strategy also involves an emphasis on revitalizing existing programs and adding new academic programs with strong local labor outcomes. For example, the Associate of Science Health Science Professions program was approved in November 2025.

Increasing student retention post pandemic

Stabilizing student retention is another facet of our revenue stabilization strategy. TC3 has placed a significant emphasis on improving fall to fall retention to be commensurate with community college peer benchmarks, and important increases in retention have been realized over the last three years. In addition, the College applied and was accepted into the national Achieving the Dream consortium to further improve retention metrics and other key factors to strengthen student success.

Academic Year	Retention %: First Time Full Time
2021	44%
2022	39%
2023	49%
2024	51% (represents highest FTFT retention in a decade)

Increasing Efficiencies and Strategic Investments

Over the past two years, the College has reviewed expenses and identified areas for efficiency. For example, the 2025–26 budget includes a 3% reduction in expenses, or approximately \$1 million. For the 2026–27 fiscal year, we are taking a fiscally conservative

approach by implementing zero-based budgeting for contractual expenses. Additionally, the Provost is working with faculty this academic year to analyze programs and close those with low enrollment to improve efficiency. At the same time, new academic program development is underway.

The College is also consolidating auxiliary operations to focus on strengthening core functions and reducing activities that do not directly enhance the student experience. For instance, the College Foundation is selling an extension center in Cortland County, which has seen limited use and enrollment post-pandemic, as well as three unoccupied residence halls.

Finally, improving technological infrastructure remains a priority to enhance operational and personnel efficiency. Over the next 3–5 years, we anticipate reducing expenditures on salary and benefits by 1–2% annually, primarily through lateral staff movements and natural attrition due to retirements and vacated positions.

External challenges in controlling costs

Two types of increasing costs pose a significant challenge to the College's goal of cost savings: increasing health care costs and cybersecurity. In the last two years health care costs have seen a cumulative increase of 32%. This is almost 5 times the rate of inflation (6-7%) for the same period.

The College has also invested \$68,675 annually in measures to strengthen cybersecurity and respond to the requirements of GLBA.

Growing the Fund Balance

TC3's current fund balance is approximately \$4.3 million, representing about 12.5% of our total operating budget. SUNY recommends that community colleges maintain a fund balance within the range of 5% to 15%, and we are presently positioned toward the upper end of this guideline. This represents the emphasis on fiscal stability for the future. For the 2025–2026 fiscal year, the Board-approved budget relies on a minimal use of fund balance—approximately \$30,000.

Looking ahead, our financial strategy for the next three years is to develop surplus budgets that will steadily strengthen our financial position. The College's goal is to increase the unrestricted fund balance to approximately 15% of the operating budget, ensuring that we maintain a healthy reserve aligned with SUNY expectations and best fiscal practices.

In addition, we plan to begin establishing designated fund balances to support future capital investments, strategic initiatives, and necessary maintenance across the College.

Building these reserves will enhance long-term financial sustainability and allow the institution to respond proactively to emerging needs and opportunities.

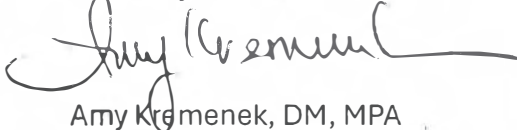
Audit Compliance and Improved Internal Controls

During the pandemic, the College reduced the Budget and Finance Office by two full-time equivalent positions. Over the next two years, the department faced additional turnover when two director-level staff and one accountant left for other opportunities. Between 2023 and 2024, the retirement of the Chief Financial Officer followed by a short-term successor led to a transitional period. The current Chief Financial Officer has served at TC3 since 2022 and as CFO since September 2024. These transitions exacerbated delays, gaps in institutional knowledge, and inconsistencies in practices. Consequently, the FY2023 and FY2024 external audits included three findings related to financial reporting and internal controls.

Since summer 2024, the College has fully restaffed the Budget and Finance Office. Through targeted training, process improvements, and departmental reorganization, we are implementing a corrective action plan strengthening our capacity to ensure accurate, timely, and compliant financial operations. Our corrective action plan has been developed and is attached for your review.

I am confident that the measures we have implemented to continue to strengthen the College's financial position in service to our mission are resulting in important progress. We appreciate the opportunity to respond to the Commission's request, and remain, as always, available to respond to any additional questions or to provide any additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Amy Kremenek", with a long horizontal flourish extending to the right.

Amy Kremenek, DM, MPA
President

Cc: M. Talwar, Accreditation Liaison Officer and VP of Institutional Effectiveness
D. Panagitsas, VP of Finance

**TOMPKINS CORTLAND COMMUNITY COLLEGE
RESOLUTION 2024-2025-71**

2023-2024 AUDIT CORRECTIVE ACTION PLAN

WHEREAS, the 2023-2024 College Audit has identified the need for a Corrective Action Plan to address audit findings, and

WHEREAS, the College has tasked the Vice President of Finance Dionysios Panagitsas to create and recommend the Corrective Action Plan to address the findings, and the plan has been reviewed by the Board of Trustees Finance and Audit Committee, and

WHEREAS, the Corrective Action Plan has undergone the review process and is recommended by the Board of Trustees Finance and Audit Committee, be it therefore

RESOLVED, that the Board of Trustees of Tompkins Cortland Community College hereby authorizes the Vice President of Finance implement the Corrective Action Plan dated June 11, 2025,

STATE OF NEW YORK:

I, NANCY MURPHY, CLERK of the Board

SS:

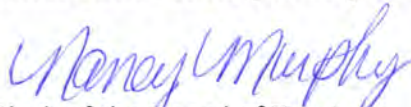
of Trustees of Tompkins Cortland Community College,

COUNTY OF TOMPKINS:

DO HEREBY CERTIFY that the foregoing resolution is

a true copy of a resolution duly adopted by the Board of Trustees of Tompkins Cortland Community College at a regular meeting of said Board on the 16th day of July 2025 and the same is a complete copy of the whole of such resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of Tompkins Cortland Community College to be hereunto affixed this 16th day of July 2025.



Clerk of the Board of Trustees
Tompkins Cortland Community College

June 11, 2025

Tompkins Cortland Community College Finance and Audit Committee

Dionysios Panagitsas – Vice President of Finance/Chief Financial Officer

Corrective Action plan to address Tompkins Cortland Community College 2024 Audit Finding

In response to the Findings of the 2024 Audit I present the following corrective action plan:

1. The Comptroller and the Vice President of Finance will be responsible to verify that the Ledger and Subsidiary Ledgers are correct and fairly state the accurate financial picture of the college. The assistant comptroller will be reconciling all the College Operating, Capital and Restricted accounts.
2. There will be a process giving staff supervised by the Vice President of Finance/CFO until the 15th of every month to reconcile the College General Ledger. The comptroller will be signing off at all the reconciliations and relevant-entries ensuring accuracy and completeness of the accounting records for the College and between component units.
3. The principal account clerk will be reconciling all the restricted and unrestricted accounts for the Foundation and the FSA. The employee will have until the 15th of every month to reconcile all the accounts including all the Foundation and FSA General Ledgers. Comptroller will review and sign off on all the reconciliations and relevant journal Entries ensuring accuracy and completeness of the accounting records for the Foundation, FSA and between component units.

Based on the above mentioned plan I propose that the Statements of the College are issued as follows:

- 1-15 of every month the Comptroller's office reconciles accounts as described at the Table #1
- 15-17 the Comptroller issues the Statements for the College, Foundation and the FSA
- On the 18th of each month the Vice President of Finance submits the Statements and Report for the Finance and Audit Committee review.
- The Finance and Audit Committee meets the last Wednesday of every month (or every second month) to review the Statements and report. The Treasurer and Vice President of Finance present the prior months Statements and Report at the Board of Trustees meeting.

Table # 1

Monthly close - Actions to be done by 15th day of every month

Action	College	FSA	FOUNDATION
Reconcile all cash accounts	X	X	X
End of month entries (accruals)	X	X	X
Reconcile operating receivables	X	X	X
Reconcile payables and accrued liabilities	X	X	X
Reconcile and record County Chargebacks non credit tuition and contract courses	X		
Reconcile and balance Due to/from intra company transactions	X	X	X
Reconcile and balance Due to/from intercompany transactions between College -	X	X	X
Reconcile and record Student Tuition	X		
Reconcile and record Payroll	X	X	X
Reconcile and record Benefits	X	X	X
Reconcile Capital fund	X	X	X
Reconcile restricted accounts (Grants - Local - State - Federal)	X	X	X
Investments			X
Reconciliation of Contributions			X
Reconciliation of Student Fees and other revenue	X	X	X
Reconciliation of Scholarships and Awards	X		X
Reconcile other Grants	X	X	X
Reconcile and book credit cards	X	X	X
Review and Reconcile all other accounts with activity	X	X	X