



REGULAR MEETING OF THE BOARD OF TRUSTEES

Jackson College

Central Campus, George E. Potter Center, 2nd Floor,
Boardroom

05.08.23

The Regular Meeting of the Board of Trustees of Jackson College was held on Monday, 05.08.23, 6:30pm, at the Central Campus of Jackson College, George E. Potter Center, 2nd Floor, Boardroom.

Board Members Present: Chairman John Crist, Vice-Chairwoman Sheila Patterson, Trustee Donna Lake, Trustee Matt Heins, Trustee Philip Hoffman, Trustee Sam Barnes, and Trustee Christopher Simpson

Board Member Excused Absence:

Others Present Include: Dr. Daniel Phelan, Ms. Cindy Allen, Mr. Jeremy Frew, Ms. Irma Nydegger, and Mr. Keith Everett Book.

Chairperson John Crist called the meeting to order at 6:30PM Eastern Standard Time.

ADOPTION OF MINUTES

The draft minutes of the Board's Spring Planning Session on 04.07.23 and the Regular Meeting of the Board of Trustees on 04.10.23 were reviewed by the Board and moved into the permanent record by Chairperson Crist, on behalf of the Trustees.

DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest expressed by Trustees for items appearing on the agenda for the meeting.

CAREHOLDERSHIP LINKAGE

PUBLIC COMMENTS:

None

CEO COMMENTS:

CEO Phelan shared recent Senate Bill 0200, Sec. 241d with the Trustees. He discussed his concern with the potentially negative impacts that a proposed coordinating council at the State level could have on higher education in Michigan. He shared continuing constructive conversations he had, and continue to be held with Senator Sarah Anthony who is leading efforts toward assembling a coordinating council. She is wanting to have more control of information, financial aid coordination, reporting, and other areas and is committed to doing this. CEO Phelan is working with MCCA, the

MCCA Legislative Committee, and a number of his peers to help minimize the negative impact of this effort.

Trustee Barnes noted that the list of legislator donors can clarify the source of a Bill.

CEO Phelan also shared that capital outlay determinations are likely not to receive attention until late Summer, principally due to other legislative priorities. He is doubtful that the budget will be approved prior to the Mackinac Policy Conference.

BOARD COMMENTS:

Vice Chairperson Patterson shared her positive experience at the Distinguished Service Crockett Award Dinner. She noted that the Crockett family was not in attendance and her hope that they will be next year.

Trustee Lake and Heins shared their appreciation for all the Commencement-related events this past month and thanked the College staff that made them possible.

Trustee Heins noted that Commencement for 2024 will be May 4th.

Trustee Heins and CEO Phelan discussed the recent testimony that CEO Phelan offered in Lansing during the Joint Capital Outlay Subcommittee meeting on April 19th. It was noted that all those that testified, who also had a Member from their district on the committee, who were present, were offered questions following their testimonies. Unfortunately, there are no members serving on the committee from the Jackson area..

Trustee Simpson noted that he attended the Jackson College All College Celebration which was well executed and enjoyed.

Chairperson Crist thanked CEO Phelan and staff for their work this past month. He also highlighted the CEO's Trustee Briefing received by the Trustees and pointed out that mental health of staff and students is a trend in CEO concerns as reported in an ACE survey. Jackson College continues to provide extensive services in this area.

CAREHOLDERSHIP LINKAGE COMMITTEE STATUS:

The careholders that participated in the most recent careholder linkage focus groups will be invited to attend the Pavilion ribbon cutting on June 12th, at 4:30pm.

ITEMS FOR DECISION

CLOSED SESSION: Contract Negotiations:

Chairperson Crist requested a closed hearing at 6:51pm for purposes of contract negotiations with the support staff union.

MOTION BY TRUSTEE HOFFMAN TO GO INTO CLOSED SESSION AS PROVIDED BY PUBLIC ACT 15.268, SECTION 8, SUB-SECTION (C) FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING AGREEMENT. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED. TRUSTEE PATTERSON WAS OUT OF THE ROOM DURING THE ROLL CALL VOTE, BUT RETURNED MOMENTS AFTER THE ROLL CALL WAS TAKEN AND VOTED AYE.

At 6:56pm, Chairperson Crist requested a motion to move out of closed session.

MOTION BY TRUSTEE LAKE TO MOVE OUT OF CLOSED SESSION AS PROVIDED BY PUBLIC ACT 15.268, SECTION 8, SUB-SECTION (C) FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING AGREEMENT. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

The Closed Session adjourned at 6:56pm. No Board Action was taken.

GOVERNANCE PROCESS ITEMS: Board Policy Pre-review Process:

The Board considered the proposed process and timeline for their policy pre-review which will be in discussion through the June Board meeting and Summer Retreat.

GOVERNANCE PROCESS ITEMS: GP-09 Board Code of Conduct – Policy Review:

Policy GP-09 was considered by the Board for its regularly scheduled review. CEO Phelan and Chairperson Crist recommended some minor clarifying changes for the Board's consideration.

Trustee Heins asked the Board to consider what a "reprimand" would look like for a violation of the Code of Conduct. CEO Phelan noted that generally, a reprimand would consist of a decision via Board action to censure a Trustee. Discussion ensued of who would determine for Board consideration if a Trustee action has been potentially unethical. CEO Phelan noted that the CGO would bring a grievance to the Board's attention for the Board's review. This policy will be reviewed once again by CEO Phelan and Chairperson Crist and brought back to the Board at the June Board meeting. Trustee Barnes suggested defining the word "reprimand" as paramount.

EXECUTIVE LIMITATIONS ITEMS: EL-03 Planning – Policy Review:

Policy EL-03 was considered by the Board for its regularly scheduled review. CEO Phelan and Chairperson Crist recommended some minor clarifying changes for the Board's consideration.

Trustee Barnes suggested that the language in policy item 4 of EL-03 be amended to qualify "multi-year" as "not less than three years" and policy item 5 of the same to be amended to qualify "multi-year" as "not less than five years".

MOTION BY TRUSTEE BARNES TO APPROVE POLICY EL-03 PLANNING AS AMENDED. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-03 Planning – Interpretations Review:
CEO Phelan presented his clarified interpretation recommendations for Policy EL-03 to the Board for their regularly scheduled review.

The adjustments to the policy itself as approved at this meeting will be added to this interpretation.

MOTION BY TRUSTEE LAKE THAT THE BOARD HAS ASSESSED CEO PHELAN'S AMENDED INTERPRETATIONS OF POLICY EL-03 PLANNING AND FINDS THAT THEY DEMONSTRATE A REASONABLE INTERPRATION OF THE POLICY. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-05 Asset Protection – Interpretations Review Revisited:

Following the April 10, 2023, assessment of CEO Phelan's interpretations for policy EL-05, CEO Phelan presented some minor amendments to those interpretations that are more aligned with actual operational best-practices for the Board's consideration.

MOTION BY TRUSTEE HEINS THAT THE BOARD HAS RE-ASSESSED CEO PHELAN'S AMENDED INTERPRETATIONS OF POLICY EL-05 ASSET PROTECTION AND FINDS THAT THEY DEMONSTRATE A REASONABLE INTERPRATION OF THE POLICY. TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

MONITORING CEO PERFORMANCE

MONITORING CEO PERFORMANCE: EL-05 Asset Protection – Evidence Review:

CEO Phelan presented the evidence (i.e., monitoring report) for Policy EL-05 Asset Protection indicating Full Compliance according to his previously approved interpretations. CEO Phelan shared that the College facilities are now 100% insured (rather than the previous 50%, which is the common practice of Community Colleges), which has an additional insurance premium cost. He noted that participation in the Michigan Community College Risk Management Authority (MCCRMA) consortium is being considered by the CFO, John Globoker.

MOTION BY TRUSTEE LAKE THAT THE BOARD HAS ASSESSED THE MONITORING REPORT FOR POLICY EL- 05 ASSET PROTECTION AND FINDS THAT IT DEMONSTRATES COMPLIANCE WITH A REASONABLE INTERPRETATION OF THE POLICY. TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

MONITORING CEO PERFORMANCE: EL-06 Investments – Evidence Review:

CEO Phelan presented the evidence (i.e., monitoring report) for Policy EL-06 Investments indicating Full Compliance according to his previously approved interpretations.

MOTION BY TRUSTEE SIMPSON THAT THE BOARD HAS ASSESSED THE MONITORING REPORT FOR POLICY EL- 06 INVESTMENTS AND FINDS THAT IT DEMONSTRATES COMPLIANCE WITH A REASONABLE INTERPRETATION OF THE POLICY. TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

MONITORING CEO PERFORMANCE: CEO Monitoring Compliance Schedule & Summary:

CEO Phelan provided an update on reports, presented to the Board over the preceding 12 months with the compliance status noted. He also provided a schedule of policy, interpretation, and evidence reviews for calendar year 2023.

MONITORING BOARD PERFORMANCE

MONITORING BOARD PERFORMANCE: BCD-05 President Succession:

Chairman Crist presented the aggregate responses from Board members to a Self-Evaluation Survey of BCD-05 President Succession. Brief discussion ensued as full compliance was mutually agreed upon.

MONITORING BOARD PERFORMANCE: GP-03 Board Planning Cycle & Agenda Control:

Chairman Crist presented the aggregate responses from Board members to a Self-Evaluation Survey of GP-03 Board Planning Cycle & Agenda Control. Brief discussion ensued as full compliance was mutually agreed upon.

INFORMATION REQUEST BY THE BOARD

Board Summer Retreat Agenda – June 23, 2023:

CEO Phelan provided the members with a portend of items that are to come at the 6.23.23 Board Summer Retreat for their consideration.

Below are currently anticipated topics:

- Careholdership Linkage Considerations – next steps
Chairperson Crist expressed wanting to reach out to the Careholders once again to let them know how their input has been implemented.
- FY'23 Governance Process Policy Compliance Survey Results
- Book: *Trusteeship in Community College* – Review of each chapter summary
Trustee Heins shared his interest in an overview discussion of the book, rather than chapter by chapter. CEO Phelan suggested that any revelations for implementation from the reading could be the focus.
- Committee Process Usage
- Case Studies – Trustee Simpson shared his interest in Case Studies.
- Annual ACCT Congress Preparations
- Peer Benchmarking Mtg. at ACCT – CEO Phelan asked the Board to think about what they would like to discuss during the benchmarking exercise.
- Policy Pre-review Process
- Millage Consideration

FY'23 Q3 Financial Report:

CEO Phelan reviewed highlights of the FY'23 Q3 Financial Report. He noted higher expenses incurred in Business Office aid. He offered that he has no concerns about the current state of the College's financial stability. He noted efforts being made toward the ACS report to ensure that all Community Colleges are using the same data sets in their reporting.

In reference to Trustee Heins' question about a notation in the report indicating that service staffing expenses need time for analysis, CEO Phelan explained that the College food services have been brought in-house, including Jax Place and the Jets Pavilion concessions, efforts that are too new to begin seeing coverage over necessary expenses incurred.

Next Board Meeting Topics – June 12, 2023:

CEO Phelan provided the members with a portend of items that are to come at the 6.12.23, Jackson College Board of Trustees Meeting and took agenda suggestions.

Below are currently anticipated topics:

- Closed Session – Contract Negotiations
- Consideration of FY-24 Authorization to Levy
- FY'24 Budget Proposal
 - Truth in Budgeting Public Hearing
 - Consideration of FY'24 Tuition and Fees
 - Consideration of FY'24 Budget
- Policy & Interpretations Review: EL-00 General Executive Constraint
- Policy Review & Interpretations Review: EL-01 ENDS
- Evidence Review: EL-03 Planning
- Policy Pre-review Process

- Consideration of Fall Planning Session Date
- Selection of Representative to the MCCA Board of Directors
- Pre-Audit Committee Meeting
- GP-09 Board Code of Conduct – Policy Review- Part II

SELF-EVALUATION OF GOVERNANCE PROCESS & BOARD PERFORMANCE AT THIS MEETING

Principles of Policy Governance:

Members noted that, in their view, the meeting went per plan utilizing the 10 principles of Policy Governance.

MEETING CONTENT REVIEW

Trustees expressed that the content was sufficient.

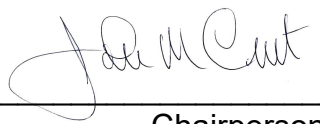
ADJOURN

MOTION BY TRUSTEE HOFFMAN “To adjourn.”

TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

Meeting Adjourned at 7:42pm ET.

The foregoing minutes for the regular meeting of the Board of Trustees held on Monday, May 8, 2023 were approved at the regular meeting of the Board of Trustees on Monday, June 12, 2023.



Chairperson