



## **SPECIAL MEETING OF THE BOARD OF TRUSTEES**

Jackson College

Central Campus, Bert Walker Hall,

Community Rooms 144 & 145

09.25.23

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A Special Meeting of the Board of Trustees of Jackson College was held on Monday, 09.25.23, 6:30pm, at the Central Campus of Jackson College, Bert Walker Hall, Community Rooms 144 and 145.

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

*Board Member Absence:* None

*Others Present Include:*

Dr. Daniel Phelan, Cindy Allen, Keith Everett Book, Jason Valente, John Willis, Ariel Maturine, William M. Abbott, Marie Anderson, Jenna Pruette, Sandy DiCesare, Madeline Tocco, NaTiyah Jones-Montgomery, Kandice Karll Newsome, Dr. Steven Albee-Scott, Jennifer Dobbs, Jamie Vandenburg, Stephanie Waffle-Stephenson, Lynn Guevnsry, Kristin Stockbridge, Brandy Grajek, Ashley Van Heest, Karin Evans, James Garner Jr., Anthony Fassett, Nicole Mason, Dotty Karkheck, Glen Guilbault, Patti Laurence, Crystal Miller, Julie M. Ballard, Anthony Rana, Terry Thomas, Denise Thomas, Debbie Schissler, Mary Jo Kennedy, Tiffany Thomas, Haylee Hampton, Antoine Breedlove, Brian Carter Azyah Brown, Jacelia Dokes, Kevin Laveny, Zaria Newton, Chytorrie Pettis, Jon Powell, Debbie Powell, James Anthony Minnick Jr., David DeBaker, Dan Bickel, Anthony Stewart, Brenda Brandon, Sara Gramling, Keilah Sanders, Diana Agy,

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

### **DECLARATION OF CONFLICT OF INTEREST**

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

### **OWNERSHIP LINKAGE**

*PUBLIC COMMENTS:*

Chairperson Crist invited attending members of the public (who registered to speak, via the form provided at the Board Room entrance table, prior to this portion of the agenda) to offer their comments to the Board of Trustees (up to five minutes each). As was also

stated on said form, Chairperson Crist reminded those offering comments that “...as an on-going practice, the Board does not respond in this Board Meeting setting when the matter presented concerns personnel, student issues, or matters that are being addressed through the established grievance or legal processes, or otherwise are a subject of review by the Board of Trustees”.

Willam M. Abbott (Jackson College Board of Trustee’s Legal Counsel) delivered a message at the request of the Board regarding the Open Meetings Act and its stipulations.

John Willis (Jackson Community Leader) – At the request of the Jackson Community, John Willis offered constructive suggestions and concerns to the Board. This included the manner in which the Ready Set Jet program changes occurred, returning the former Chief Diversity Officer to the Jackson College team, and decision-making that affects minority communities and students without gaining input from those communities as he reported.

Marie Anderson (Former JC Employee) – Marie Anderson described making several complaints of racism and sexual harassment among students, as well as departmental complaints prior to her departure from Jackson College this past summer, as she reported.

Ariel Maturine (Current JC Employee) – Ariel Maturine described Jackson College as her first safe place and home. She also described experiences at JC of racism and discouraged advocacy, as she reported. She asked the institution for an apology for the current state of the College.

Jenna Pruette (Current JC Employee) – Jenna Pruette described an employee culture of fear at JC, as she reported. She also questioned the findings of an internal investigation, offering her contact information to see if any of the Board would like to speak more at length.

Keilah Sanders (Former JC Employee) – Keilah Sanders described events leading up to her termination from JC as racially motivated.

Kandice Karll Newsome (Current JC Employee) – Via her 15-year association with JC, Kandice Karll Newsome described her commitment to the organization, as well as experiences of employee targeting and discouraged advocacy, as she reported.

NaTiyah Jones-Montgomery (Former JC Student Employee) – NaTiyah Jones-Montgomery described experiences of cultural insensitivity and defamation of her character at the hands of JC, as well as her commitment to affecting change at the institution, as she reported.

Steve Albee-Scott (Current JC Employee) – Steve Albee-Scott described an external investigation of the matters at hand as the best course of action.

Sandy DiCesare (Current JC Employee) – Sandy DiCesare described experiences of student abuse in housing, employee targeting, supervisory monopoly, and administration negligence, as she reported.

Tiffany Thomas (Current JC Employee) – Tiffany Thomas described experiences of reported racism and microaggressions going unaddressed, as she reported.

Diana Agy (Current JC Employee) – Diana Agy described events of inequity and wrongful punishment leading to a former JC student's dismissal from campus, as she reported.

Kristin Stockbridge (Current JC Employee) – Kristin Stockbridge offered her support to her colleagues. She also described receiving a report that Jackson College is perceived as racist and the challenges with getting students to stay at JC.

#### *BOARD COMMENTS:*

Chairperson Crist thanked the speaking public for their comments and assured them that their comments will be taken into consideration.

Trustee Barnes proposed agenda items for the 10.16.23 Board meeting:

- Review and potential revision of Board policies EL-09 Organizational Culture, EL-08 Communication and Support to the Board, and EL-02 Treatment of Staff.
- CEO Phelan's full focus on Jackson College.

He also wished to bring to the Board's attention that he has knowledge of an allegation he described as an essential item for independent investigation should the Board so vote to have said investigation.

Vice-Chairperson Patterson proposed that further review and potential revision of Board Policies EL-01 Treatment of Learners and EL-02 Treatment of Staff take place after the Board has gone through an investigation.

Trustee Hoffman offered his apology for his absence at the 09.11.23 Board meeting while lobbying Congress and the local Congressman in Washington on College issues.

Trustee Lake and Trustee Simpson both thanked members of the public who attended the meeting for their words and courage.

Vice-Chairperson Patterson described her practices and challenges to date as a 16-year member of the JC Board of Trustees, as well as her encouragement of two parents who reached out to her to speak at the 08.14.23 Board meeting about the Ready Set Jet Program. She thanked the students and JC employees that have attended the September Board meetings since and apologized for what they have gone through. She shared her commitment to the Jackson community and Jackson College, and her embarrassment for the current situation.

Vice-Chairperson asked for the process when somebody files a complaint at Jackson College and status of issues that have been brought forward. She also described the process for submitting a Title IX complaint via form online at Jackson College and via an indication of having submitted a formal complaint in an email.

Lastly, she asked if the new security staff being hired is a diverse staff.

Chairperson Crist announced that the sexual harassment allegations are currently under external legal review.

Trustee Heins thanked the students and employees for speaking and attending. He described his practice of taking complaints seriously and methodically looking at facts. He also asked that CEO Phelan come back with a report on the harassment complaint made by NaTiyah Jones-Montgomery revealing what the investigation resulted in, who the investigators talked to, and what was asked? He recommended a review of College policies (not just Board policies) regarding the filing of complaints be brought to the Board, as well as increasing the number of internal and external avenues for filing complaints. He described that complaints of harassment and discrimination brought forth at these Board meetings need to be addressed individually with those that spoke, asking specific questions that lead to specific facts, not rumors or innuendos; everybody has a right to due process; and what exactly happened or was witnessed needs to be investigated.

Trustee Heins noted that a lot of additional information was provided at this Board meeting, requiring time to process and determine common underlying themes. He ended with his impression that focus on the College has been lost, the reasons for which needs to be understood and focus regained.

## **ITEMS FOR DECISION**

### *CONSIDERATION OF BOARD DIRECTION FOLLOWING STUDENT REMARKS:*

In response to the student remarks made at the 09.11.23 Regular Meeting of the Board, Trustees considered possible Board direction to be taken to better learn of the student's experience at Jackson College.

Chairperson Crist expressed that the issues and questions raised cause him deep concern, and he would like to first hear a fulsome response from the administration, addressing those issues and answering those questions, as part of due process. He noted that conducting an external investigation could be done at any time and there are costs to consider.

Trustee Hoffman shared support for Trustee Heins' determined approach. He noted that as the CEO is the Board's sole employee, he would like to hear the CEO's perspective next.

Trustee Barnes offered the below draft objective of an external investigation as a starting, talking point.

*The objective of this investigation is for the Board of Trustees of Jackson College to gain a deeper understanding of allegations related to sexual harassment, racism, and concerns about the treatment of black students and potentially other marginalized groups at Jackson College. The primary goal is to uncover the root causes, systemic issues, and organizational challenges. The investigation aims to improve the institution's environment and culture focusing on fostering understanding and growth rather than individual accountability.*

He agreed with Trustee Hoffman that he would like to see a response from the CEO, but no response would be enough without an independent investigation unless the response came with possible resignations.

Trustee Patterson conferred with Trustee Barnes and shared that cost of an investigation is irrelevant at this point. She supported having the CEO come back with what the Board has asked for in detail, but then to move forward with an external investigation.

Trustee Simpson described that the allegations are serious and need to be taken seriously. He shared support for the administration addressing the allegations next, followed by consideration of moving forward with an external investigation.

Trustee Lake shared her support for hearing the administration's response first, followed by a decision on the next best step.

Trustee Heins shared his support for receiving the administration's response at the next Board meeting on October 16th. Chairperson Crist agreed with that.

Trustee Patterson assured the attending public that the Board will do the right thing by them.

**MOTION BY TRUSTEE HOFFMAN TO REQUIRE THE CEO TO ISSUE A REPORT TO THE COMPLAINTS THAT HAVE BEEN LEVELED AGAINST THE INSTITUTION DURING THE AUGUST 14, SEPTEMBER 11, AND SEPTEMBER 25, 2023 BOARD MEETINGS AT THE NEXT REGULARLY SCHEDULED BOARD MEETING. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, HOFFMAN AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.**

Trustee Barnes expressed that he would like the motion to be modified to address beyond the allegations, to add a review of those who have left and the actual things they said or conveyed to CEO Phelan and to their colleagues on their way out.

Trustee Hoffman confirmed that the only information he wants the CEO to respond to is the information that has been provided by the College community, what they have put on the record, having no control over what is off the record. He would like to keep it focused on just what was testified at the August 14, September 11, and September 25 Board meetings. Following the review of that, next steps can be determined to possibly include an external investigation.

Trustee Heins expressed the need for caution with the reason people gave to the CEO as to why they left out of respect for those individuals. There can be no idea if their comments to the JC CEO would affect their current employment. If former employees would like the Board to know why they left, he asked that they send a communication to the Board as a whole, which would tell him that the Board is free to discuss whatever reason for why they left. There would also need to be legal counsel involved to ensure the Board is not crossing a line with personnel issues. He expressed being uncomfortable with requesting former employee feedback from the CEO, but would accept reviewing said feedback sent to the Board as a whole. Trustee Barnes agreed with Trustee Heins.

**TRUSTEES VOTED BY ROLL CALL VOTE:**

**TRUSTEE SIMPSON – YES**

**TRUSTEES HEINS – YES**

**CHAIRPERSON CRIST – YES**

**VICE-CHAIRPERSON PATTERSON – NO**

**TRUSTEE BARNES – NO**

**TRUSTEE LAKE – YES**

**TRUSTEE HOFFMAN – YES**

**THE MOTION PASSED 5-2.**

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

*Principles of Policy Governance:*

Members discussed the Policy Governance principles of monitoring institutional performance, executive limitations, and governance process. Chairperson Crist noted that the Board is currently involved in direct policy review and the policies that have been asked for review at this Board meeting will be addressed as possible.

Trustee Hoffman described that the Board did a good job following the governance policies.

**MEETING CONTENT REVIEW**

Trustees expressed that the content was sufficient.

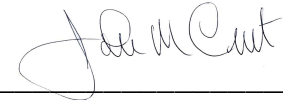
**ADJOURN**

**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 7:35pm ET.

The foregoing minutes for the special meeting of the Board of Trustees held on Monday, September 25, 2023 were approved at the regular meeting of the Board of Trustees on Monday, October 16, 2023.

A handwritten signature in cursive script, appearing to read "Joe M. Crist", is written above a horizontal line.

Chairperson