

Jackson College Board of Trustees Meeting

Regular Meeting

October 16, 2023 06:30 PM



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(*) Indicates a roll-call item

Jackson College COVID-19 Protocol – 8.8.22



Campus Arrival:

- Emmons Road Entrance has been reopened

Testing, Vaccinations & Illness:

- Continue to test 3-5 days after travel or large gatherings (note: The Health Clinic has the Pfizer booster available, appointment needed)

Classrooms & Campus Spaces

- Masks are encouraged in larger spaces (e.g., fieldhouse, community rooms, Music Hall etc.).
- Masks may be required in certain areas such as Health Clinic, specific work spaces and full capacity classrooms. *Signs will be posted.*
- *We also highly encourage you to keep a mask on you at all times, should the spaces you visit necessitate the usage of one*

As a matter of College Policy, at all times, all students, employees and visitors are required to remain off campus if they are exhibiting any level of illness, whether or not they believe it to be COVID-19.

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

| Subject to be Discussed and Policy Reference: | |
|--|--|
| 5:45pm Board Dinner [No Board discussion/decisions] | |
| <u>BOARD POLICY:</u> Open Meetings Act – Act 267 of 1976 | |
| Description: | |
| <p>In accordance with the Michigan's Open Meetings Act (OMA), 1976 PA 267, MCL 15.261 et seq, all public bodies are required to hold their gatherings in public, if a quorum of the board is present.</p> <p>As further clarified in the Open Meetings Act Handbook, prepared by Michigan Department of Attorney General's Office, while the OMA "<i>does not apply to a meeting which is a social or chance gathering or conference not designed to avoid this act,</i>"²⁸ a meeting of a public body must be open to the public. Though no board discussion or decisions are undertaken during the Board's dinner, the Jackson College Board has broadly interpreted this gathering to be a 'meeting of a public body' and, as such, is open to the public, though there is no opportunity for the public's input during this dinner gathering.</p> | |
| Resource Impact: | |
| None | |
| Requested Board Action: | |
| Board members partake in a purely social dinner gathering, prior to the regular Board meeting. | |
| Action Taken: | |
| | |



Roberts Rule of Order for Small Assemblies

Board of Trustees
Jackson College, MI

Parliamentary procedure is a set of rules for conducting orderly meetings of the Board of Trustees that accomplish goals fairly. Excerpts from Robert's Rules of Order Newly Revised – 12th Ed. (RONR), includes provisions for small assemblies (i.e., a grouping of 12 or fewer members). These rules apply to the Board committees as well.

I. General Principles:

RONR provides that Board of Trustees meetings are not to be conducted with the formality of a large assembly, but some general principles apply. Namely:

1. A quorum must be present for business to be conducted.
2. All Trustees have equal rights, privileges and obligations.
3. No person should speak until recognized by the chairperson.
4. Personal remarks or sidebar discussions during debate are out of order.
5. Only one question at a time may be considered.
6. Only one person may have the floor at any one time.
7. Trustees have a right to know what the pending question is and to have it restated prior to a vote being taken.
8. Full and free discussion of every main motion is a basic right.
9. A majority decides a question except when basic rights of members are involved or a rule provides otherwise.
10. Silence gives consent. Those who do not vote allow the decision to be made by those who do vote.
11. The chair should always remain impartial.

II. Unique Components to Small Assemblies:

These rules/exceptions are called the *Rules of Order for Small Assemblies*. However, the following RONR modifications to the Rules for small assemblies are notable and must be adhered to:

1. Members are not required to obtain the floor before speaking or making a motion, which can be done while seated. The chairperson merely recognizes the person.
2. Motions need not be seconded, although the chair should repeat the motion so that the meeting knows what is being talked about and before there is a vote, the proposed resolution should be repeated by the chair unless the resolution is clear. (A long motion should be in writing to assist the chair.)

3. There is no limit on the number of times that a person can speak, although in boards and committees it is not proper for a member to speak if a person who has not spoken wishes to be recognized. It is never proper to interrupt.
4. Informal discussion on a topic is permitted, even though no motion is pending. (It is required, however, to stick to the agenda.)
5. When a proposal is perfectly clear to the assembly, a vote can be taken without a motion having been made, but the chair is responsible for expressing the resolution before it is put to a vote.
6. The chair need not rise while putting questions to a vote.
7. The chair can participate in the discussion and unless there is a rule or custom of the board or committee to the contrary, can make motions and vote.
8. In order to have the benefit of the committee's or board's matured judgment, no motions to close or limit debate (such as "calling the question") are permitted.

III. Amendments:

A "motion to amend" can accomplish one or more of the following: 1) Inserting new language; 2) Striking language; and 3) Striking language in favor of adding new language.

Any motion can be amended by a subsequent motion. If the person who made the original motion consent to the amendment, the amendment is then deemed to be "friendly" amendment and it does not require additional support from another person; additionally, the matter is not subject to debate. If an amendment is not deemed friendly, it does require a person to second the amendment. Such a motion must then be debated and voted upon, before the debate resumes on the original motion.

A person wishing to make an amendment cannot interrupt another speaker. The chair should allow full discussion of the amendment (being careful to restrict debate to the amendment, not the original motion) and should then have a vote taken on the amendment only, making sure the board members know they are voting on the amendment, but not on the original motion.

If the amendment is defeated, another amendment may be proposed, or discussion will proceed on the original motion.

If the amendment carries, the meeting does not necessarily vote immediately on the "motion as amended." Because the discussion of the principle of the original motion was not permitted during debate on the amendment, there may be members who want to speak now on the issue raised in the original motion.

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| <p align="center"> BOARD OF TRUSTEES MEETING Action & Information Report Board Meeting Date: October 16, 2023 </p> |
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TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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| Subject to be Discussed and Policy Reference: |
| 1.0 Call to Order & Pledge of Allegiance of the United States <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-13 Special Rules of Order |
| Description: |
| Board Chairperson Crist will call all Trustees to Order in preparation for the Board Meeting, followed by a recitation of the Pledge of Allegiance: The Pledge: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all". |
| Resource Impact: |
| None |
| Requested Board Action: |
| Come to order, stand, and recite the Pledge of Allegiance to the United States. |
| Action Taken: |
| |

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| <p align="center">BOARD OF TRUSTEES MEETING Action & Information Report Board Meeting Date: October 16, 2023</p> |
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TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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| Subject to be Discussed and Policy Reference: |
| <p>2.0 Adoption of Minutes 2.1 Regular Board Meeting of 09.11.23 2.2 Special Board Meeting of 09.25.23</p> <p><u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-01 Governing Style</p> |
| Description: |
| <p>Attached are the minutes of the most recent regular meeting, as well as the recent special meeting of the Board, for your review and consideration for placement into the formal record of the Jackson College Board of Trustees.</p> <p>Please note that, by State law, a preliminary draft of these minutes is posted within 8 days of each Board Meeting and are finalized as a permanent record upon Board approval at this, the subsequent board meeting.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Consideration of the minutes for approval to the formal record of the Board. |
| Action Taken: |
| |



REGULAR MEETING OF THE BOARD OF TRUSTEES

Jackson College

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

09.11.23

[DRAFT & UNOFFICIAL]

The Regular Meeting of the Board of Trustees of Jackson College was held on Monday, 09.11.23, 6:30pm, at the Central Campus of Jackson College, George E. Potter Center, 2nd Floor, Boardroom.

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

Board Member Absence: Trustee Philip Hoffman

Others Present Include:

Dr. Daniel Phelan, Cindy Allen, Jeremy Frew, Keith Everett Book, Jason Valente, Tiffany Thomas, Sandy DiCesare, Karissa Shay, Janel Elenbaas, Anthony Rana, Danielle Mackey, Karin Evans, Brenda Brandon, Kelly Holden Selby, Jidah Washington, Kaija Rose, Devin Eubanks, Ariel Maturine, Stephanie Waffle-Stephenson, L'Trell Hardiman, Muhammed Sangyang, Na'Tiyah Jones-Montgomery, Jacelia Dokes, Anabelle Turu, Rykia Tolbert, Sabria Tolbert, Lapree Brown-Russell, Emonie Doss, Demarian Robinson, Tyler Selby, Christina Coker, Zaria Newton, Myrian Williams, Madison Allen, Kyrsten Sheirpe, Tae Craishead, Precious Angel Shurn, Shailynn Ramero/Walker, Jessica Houston, Laura Thomas, Jacob Inosencio, Cindy Gilmore, Sara Perkin, Kelly Chambers, Heather Ruttkofsky

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

A MOMENT OF SILENCE WAS TAKEN IN REMEMBRANCE OF THE EVENTS OF SEPTEMBER 11TH.

ADOPTION OF MINUTES

The draft minutes of the Regular Meeting of the Board of Trustees on 08.14.23 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.

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”.

Former Jackson College Affinity Liaison member, Jacob Inosencio asked the Board to listen to the students of Jackson College. He shared his disappointment that the Jackson Hispanic Heritage Festival is not being hosted by Jackson College this year and described the unique challenges faced by Hispanic students.

Ready Set Jet (RSJ) mentor Jidah Washington shared curfew confusion amongst students, staff, and security, but otherwise positive experience with and advocacy for the RSJ program, as she reported.

RSJ mentor Kaija Rose described positive experiences with and advocacy for the RSJ program, as she reported.

RSJ student Sabria Tolbert described her a negative experience with security during a search of her room, but otherwise positive experience with and advocacy for the RSJ program, as she reported.

RSJ student Devin Eubanks described strict RSJ rules, but otherwise positive experience with and advocacy for the RSJ program, as he reported.

RSJ mentor Precious Shurn described positive experiences with the structure and leadership of the RSJ program, as she reported, and shared hardcopies of reenforcing messages from the RSJ mentor group text with the Board.

RSJ mentor Shailynn Walker described positive experiences with and advocacy for the structure and leadership of the RSJ program, as she reported. She expressed her understanding that the RSJ program will be discontinued. She also shared that the minor-age RSJ program participants and curfew RSJ policies were well-communicated by RSJ leadership, but not understood by security, as she reported. Lastly, she shared concern for the treatment of students.

RSJ mentor La'Trell Hardiman expressed concern for the treatment of students and employees, as well as disagreement with the staffing choice overseeing campus housing.

RSJ mentor Jacelia Dokes described negative experiences on campus during the February 2023 ice storm, mitigated only by RSJ leadership supporting them, as she reported.

Student NaTiyah Jones-Montgomery described negative experiences working in the food service department on campus, as she reported, as well as her dissatisfaction with the way her grievances were handled by the College. She provided documentation of said experiences to the Board.

RSJ mentor Muhammed Sangyang described his shared negative experiences (with that of student NaTiyah Jones-Montgomery) working in the food service area on campus, as he reported, as well as disagreement with the staffing choice overseeing campus housing. He also expressed concern for the treatment of students.

Student parent Kelly Holden Selby requested rationale behind RSJ ending abruptly, as she reported, as well as an update on her campus safety and security concerns. She also advocated for the RSJ leadership and expressed concern for the treatment of students.

JC Employee Sandy DiCesare shared her support of the students that spoke at this Board meeting. She expressed the love that she and fellow JC employees have for the students and her disappointment in the current treatment of employees and students, especially those in housing.

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 that the concerns presented during the public comment section of this meeting be investigated via an independent party hired and managed directly by the Board. Vice-Chairperson Patterson supported this idea.

Vice-Chairperson Patterson thanked those that spoke and attended this meeting. She expressed her concern about the treatment of students and employees. She also suggested that student and employee surveys be closely reviewed, as well as employee exit interviews.

Chairperson Crist read a note of thanks from absent Trustee Hoffman for the condolences he received at the passing of his mother.

OWNERSHIP LINKAGE ACTIVITY STATUS:

No comments.

ITEMS FOR DECISION

GOVERNANCE PROCESS ITEMS: BCD-01 Unity of Control – Policy Review

The Board's Board-CEO Delegation policy BCD-01 Unity of Control was reviewed by the Board for its regularly scheduled review. Chairperson Crist, Trustee Hoffman (prior to the meeting), Vice-Chairperson Patterson, and CEO Phelan proposed amendments for the Board's consideration.

GOVERNANCE PROCESS ITEMS: GP-05 Role of the Vice Chair – Policy Review

The Board's Governance Process policy GP-05 Role of the Vice Chair was reviewed by the Board for its regularly scheduled review. Chairperson Crist, Trustee Hoffman (prior to the meeting), Vice-Chairperson Patterson, and CEO Phelan did not have any amendments to propose for the Board's consideration.

GOVERNANCE PROCESS ITEMS: GP-08 Board & Committee Expenses

The Board's Governance Process policy GP-08 Board & Committee Expenses was reviewed by the Board for its regularly scheduled review. Chairperson Crist, Trustee Hoffman (prior to the meeting), Vice-Chairperson Patterson, and CEO Phelan proposed amendments for the Board's consideration.

MOTION BY TRUSTEE LAKE TO APPROVE THE POLICY BCD-01 UNITY OF CONTROL AS AMENDED, TO APPROVE POLICY GP-05 ROLE OF THE VICE CHAIR WITHOUT AMENDMENTS, AND APPROVE POLICY GP-08 BOARD & COMMITTEE EXPENSES AS AMENDED. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-01 Treatment of Learners – Policy Review

The Board's Executive Limitations policy EL-01 Treatment of Learners was reviewed by the Board for its regularly scheduled review. Chairperson Crist, Trustee Hoffman (prior to the meeting), Vice-Chairperson Patterson, and CEO Phelan proposed amendments for the Board's consideration.

Trustee Heins suggested that "proper training" be added as follows:

1. *Permit learners and others who use College property and equipment to be without **proper training** and reasonable protections against hazards or conditions that might threaten their health, safety, or well-being.*

THE FOLLOWING MOTION WAS RESCENDED LATER IN THE MEETING: MOTION BY TRUSTEE HEINS TO APPROVE POLICY EL-01 TREATMENT OF LEARNERS AS AMENDED. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-02 Treatment of Staff – Policy Review

The Board's Executive Limitations policy EL-02 Treatment of Staff was reviewed by the Board for its regularly scheduled review. Chairperson Crist, Trustee Hoffman (prior to the meeting), Vice-Chairperson Patterson, and CEO Phelan proposed amendments for the Board's consideration.

THE FOLLOWING MOTION WAS RESCENDED LATER IN THE MEETING: MOTION BY TRUSTEE LAKE TO APPROVE POLICY EL-02 TREATMENT OF STAFF AS AMENDED. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-01 Treatment of Learners – Interpretations Review

CEO Phelan presented his clarified interpretation recommendations for policy EL-01 to the Board for their regularly scheduled review.

THE FOLLOWING MOTION WAS RESCENDED LATER IN THE MEETING: MOTION BY TRUSTEE SIMPSON THAT THE BOARD HAS ASSESSED CEO PHELAN'S AMENDED INTERPRETATIONS OF POLICY EL-01 TREATMENT OF LEARNERS AND FINDS THAT THEY DEMONSTRATE A REASONABLE INTERPRATION OF THE POLICY. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-02 Treatment of Staff – Interpretations Review

CEO Phelan presented his clarified interpretation recommendations for policy EL-02 to the Board for their regularly scheduled review.

THE FOLLOWING MOTION WAS RESCENDED LATER IN THE MEETING: MOTION BY TRUSTEE SIMPSON THAT THE BOARD HAS ASSESSED CEO PHELAN'S AMENDED INTERPRETATIONS OF POLICY EL-02 TREATMENT OF STAFF AND FINDS THAT THEY DEMONSTRATE A REASONABLE INTERPRATION OF THE POLICY. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: Adrian Building Resolution

The Board considered a resolution for the State Building Authority (SBA), notifying same that the Board willingly commits to the complete responsibility of the building from the State of Michigan. (NOTE: The SBA has technically owned the building until the construction bonds were retired – which now has been done). CEO Phelan noted that once the Board approves this resolution then he can work with colleagues at the LISD to advance the sale of the facility. When the transition of ownership is completed with the LISD, Jackson College will enter into a rental agreement for classroom and office space in the building as student demand indicates.

MOTION BY TRUSTEE HEINS TO APPROVE THE ADRIAN BUILDING RESOLUTION. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

DRAFT

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF JACKSON COLLEGE REQUESTING CONVEYANCE
OF PROPERTY FOR THE LENAWEE EXTENSION CENTER AND ACCEPTING
OBLIGATIONS FOR THE FACILITIES**

A RESOLUTION of the Board of Trustees of Jackson College (the "Educational Institution") requesting and approving the conveyance of property and to provide matters relating thereto.

WHEREAS, the State Building Authority (the "Authority"), a statutory body corporate created under provisions of 1964 PA 183, as amended, is authorized to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage and maintain buildings, necessary parking structures or lots and facilities and sites therefore for use by the State or any of its agencies including institutions of higher education created pursuant to Sections 5, 6 and 7 of Article VIII of the Michigan Constitution of 1963; and

WHEREAS, the Educational Institution has been created and is maintained pursuant to Sections 7 of Article VIII of the Michigan Constitution of 1963; and

WHEREAS, the Authority has previously acquired the Lenawee Extension Center and the site upon which it was constructed (the Lenawee Extension Center and the site together are the "Facilities") and the Authority leased the Facilities to the Educational Institution and the State of Michigan (the "State") pursuant to a lease dated as of January 1, 2005, as amended (the "Lease"); and

WHEREAS, under the terms of the Lease, the Authority agreed to convey title to the Facilities to the Educational Institution upon request by the Educational Institution after the Bonds which financed the Facilities (the "Bonds" as defined in the Lease) and any additional bonds or other obligations as provided in the Lease are paid in full or provision for the payment thereof is made as provided in the Lease for consideration of one (\$1.00) Dollar and the assumption by the Educational Institution of all monetary obligations and legal responsibilities for the operation and maintenance of the Facilities; and

WHEREAS, the Bonds have been paid in full and all conditions established by the Lease as conditions precedent to conveyance of title to the Facilities by the Authority to the Educational Institution have occurred.



NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE EDUCATIONAL INSTITUTION THAT:

- 1. The Educational Institution hereby requests that the Authority convey title to the Facilities by Quitclaim Deed to the Educational Institution.**
- 2. The consideration for the conveyance of the Facilities shall be one (\$1.00) Dollar and the assumption by the Educational Institution of all monetary obligations and legal responsibilities for the operation and maintenance of the Facilities.**
- 3. The conveyance of the Facilities pursuant to the terms and conditions set forth above is approved and the President & CEO of the Educational Institution is authorized and directed to execute any documents to accomplish the conveyance in such form as may be requested by the Authority and approved by counsel for the Educational Institution.**
- 4. All ordinances, resolutions and orders or parts thereof in conflict with this resolution are, to the extent of such conflict, repealed.**
- 5. This resolution shall be effective immediately upon its adoption.**

2023-0382897-A/SBA Jackson CC Lenawee Ext Center/Resolution

DRY

CERTIFICATE REGARDING RESOLUTION
JACKSON COLLEGE
LENAWEE EXTENSION CENTER

I, the undersigned, hereby certify that:

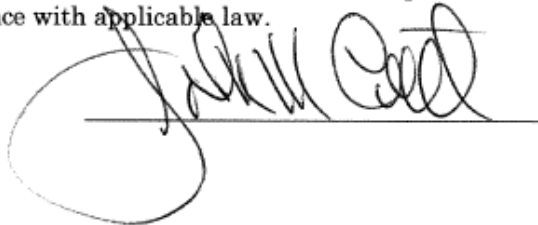
1. I am the Chairperson of the Board of Trustees of Jackson College, a Michigan body corporate.
2. The attached resolution is a full, true and compared copy of the Resolution of the Board of Trustees of Jackson College (the "Board") Requesting Conveyance of Property for the Lenawee Extension Center, Acceptance of Same and Accepting Obligations for the Facilities duly presented and adopted at a regular meeting duly called and held by said Board at Jackson, Michigan, on September 11, 2023, at which a quorum was present and voting.

The following were present: John M. Crist – Chairperson, Sheila A. Patterson – Vice Chairperson, Sam R. Barnes – Trustee, Matthew R. Heins – Trustee, Philip E. Hoffman – Trustee, Donna L. Lake – Trustee, and Christopher A. Simpson - Trustee

And the following were absent: none

3. The attached resolution will be duly recorded in the minute books of the Board and is still in full force and effect.

4. Notice of the meeting at which the attached resolution was adopted was given pursuant to and in full compliance with applicable law.



Dated: 9-11-23

2023-0382897-A/SBA Jackson CC Lenawee Ext Center Reconveyance/Certificate

CONSENT / REQUIRED APPROVAL AGENDA

Board Consideration: State Required Best Practices Resolution

Section 230 of PA 103 of 2023, the Fiscal Year 2024 community colleges appropriations bill contains the qualifications that must be met to receive the portion of each college's performance funding appropriation earmarked for local strategic value. The statute lists 15 separate best practices for community colleges to achieve. Institutions must satisfy 4 of 5 best practices in each of 3 different categories. To demonstrate eligibility for this funding, Section 230 requires that each community college certifies compliance to the State Budget Office by means of a Board of Trustees resolution certifying that the

college has met 4 of 5 best practices in each category. Further, each board resolution “shall provide specifics as to how the community college meets each best practice measure within each category.”

The Board considered the resolution certifying that the College not only meets but exceeds all the best practice standards required by State appropriations.

MOTION BY TRUSTEE LAKE TO APPROVE THE STATE REQUIRED BEST PRACTICES RESOLUTION. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY.

MONITORING CEO PERFORMANCE

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, along with the schedule for the Trustee’s policy pre-review process.

MONITORING BOARD PERFORMANCE

MONITORING BOARD PERFORMANCE: BCD-03 Delegation to CEO – Survey Results Review:

Chairperson Crist presented the aggregate responses from Board members to a Self-Evaluation Survey of BCD-03 Delegation to CEO.

Vice-Chairperson Patterson expressed her concerns with the use of Policy Governance. She requested that the Board consider requesting a review of staff and faculty surveys regularly again, along with presentations from staff of where the College needs to improve. She also suggested the Board request review of exit interviews.

Trustee Simpson suggested policy changes that may be needed to enhance the interpretation and evidence of compliance the Board may like to request going forward.

CEO Phelan reviewed the history of the Board’s use of Policy Governance (since 1994) and reviewed the process by which the Board uses Policy Governance to determine and measure outcomes, generally through systematic development and approval of the following: policy, CEO interpretations, and evidence of compliance.

Trustee Barnes suggested the Board consider reviewing policies of concern at the next Board meeting. Trustee Heins noted that the Board currently requests fewer reports by their own action.

Trustee Lake suggested that policies approved earlier in this meeting are the policies that may need further review (i.e., EL-01 Treatment of Learners and policy EL-02 Treatment of Staff). Discussion ensued, landing on the suggestion that Vice-Chairperson Patterson and Trustee Hoffman (who pre-reviewed these 2 policies this month) will do another pre-review of said policies and lead discussion of them once again at the November Board meeting.

MOTION BY TRUSTEE LAKE TO RESCEND THE PRIOR BOARD APPROVALS OF POLICY EL-01 TREATMENT OF LEARNERS AS AMENDED AND POLICY EL-02 TREATMENT OF STAFF AS AMENDED, AS WELL AS RESCEND THE PRIOR BOARD ASSESSMENTS OF CEO PHELAN'S AMENDED INTERPRETATIONS OF POLICY EL-01 TREATMENT OF LEARNERS AND POLICY EL-02 TREATMENT OF STAFF AS FINDING DEMONSTRATION OF A REASONABLE INTERPRATION OF THE POLICIES. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, SIMPSON, PATTERSON, LAKE, BARNES, AND CRIST VOTING AYE. MOTION PASSED UNANIMOUSLY

MONITORING BOARD PERFORMANCE: BCD-04 Monitoring CEO Performance – Survey Results Review:

Chairperson Crist presented the aggregate responses from Board members to a Self-Evaluation Survey of BCD-04 Monitoring CEO Performance. Brief discussion ensued as full compliance was mutually agreed upon.

INFORMATION REQUEST BY THE BOARD

8.14.23 Safety & Security, and RSJ Information Update:

CEO Phelan offered a memo in response to the Board's 8.14.23 request for additional information regarding Safety and Security, as well as the Ready Set Jet Program.

He noted that he had been working with Staff at making changes to the College's security operations for a number of months. He also thanked Trustee Heins and Trustee Simpson for the expertise they contributed to a recent meeting with him and security staff, which included a review of State laws related to community college law enforcement. Trustee Heins described the advantages of bringing security in-house as employees, noting that the team will take time to assemble and assimilate, but it will be a better system focused on key components of security. Trustee Simpson described the advantages of an in-house structure and knowledge of the College's fabric, as well as the opportunities to train staff correctly and provide proper supervision. CEO Phelan noted that the student criminal justice program may also benefit as a component of this security infrastructure.

Trustee Barnes requested the credentials of the individual overseeing JC security and housing. CEO Phelan will provide this to the Board.

At Vice-Chairperson Patterson and Trustee Barnes' requests, CEO Phelan explained further that the one-time grant funds for the RSJ program have concluded, but the College will continue to have a summer bridge program each summer going forward.

Millage Restoration Proposal Draft Presentation:

In preparation for the Board's upcoming millage restoration proposal on the November 7, 2023, ballot, CEO Phelan walked the Board through a draft of the presentation and handouts to be offered during upcoming meetings with owners. Trustee Simpson and Trustee Lake offered suggestions on the handouts, including indication of the minimal cost of a Headlee Override to homeowners with a taxable home valuation of \$100K monthly and the inclusion of a QR code. Trustee Lake and Chairperson Crist volunteered to participate in meetings with the owners.

At 8:30pm, Chairperson Crist requested a motion to continue the meeting past the 2-hour duration as stated in the Bylaws.

MOTION BY TRUSTEE BARNES TO CONTINUE THE MEETING PAST THE 2-HOUR DURATION AS STATED IN THE BYLAWS. TRUSTEES VOTED BY ROLL CALL VOTE:

TRUSTEES HEINS – NO

TRUSTEE SIMPSON – YES

VICE-CHAIRPERSON PATTERSON – YES

TRUSTEE LAKE – YES

TRUSTEE BARNES – YES

CHAIRPERSON CRIST – YES

THE MOTION PASSED.

ACCT Annual Congress Preparations:

In preparation for the Board's upcoming trip to the ACCT Leadership Congress in Las Vegas this October, the Board considered their itinerary. Upon review of the topics that will be reviewed in a policy governance experience share with North Central State College while at the conference, the consensus of the Board was positive.

Next Board Meeting Topics – October 16, 2023:

CEO Phelan provided the members with a portend of items that are to come at the 10.16.23, Jackson College Board of Trustees Meeting and took agenda suggestions.

Below are currently anticipated topics:

- Policy Review: EL-04 Financial Conditions & Activities
- Policy Review: EL-08 Communication & Support to the Board
- Interpretations Review: EL-04 Financial Conditions & Activities
- Interpretations Review: EL-08 Communication & Support to the Board
- Survey Results Review: BCD-01 Unity of Control
- Survey Results Review: GP-05 Role of Vice Chair

- Survey Results Review: GP-08 Board & Committee Expenses
- FY'23 Financial Audit Report

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.

Trustee Simpson shared appreciation for the suggestions to revisit the policy and interpretations reviews of policies EL-01 and EL-02.

MEETING CONTENT REVIEW

Trustees expressed that the content was sufficient.

ADJOURN

MOTION BY TRUSTEE LAKE “To adjourn.”

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

Meeting Adjourned at 8:35pm ET.



SPECIAL MEETING OF THE BOARD OF TRUSTEES

Jackson College

Central Campus, Bert Walker Hall,

Community Rooms 144 & 145

09.25.23

[DRAFT & UNOFFICIAL]

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 Vandeburgh, 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. Ballord, 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 Karl Newsome (Current JC Employee) – Via her 15-year association with JC, Kandice Karl 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.

DRAFT

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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|---|
| Subject to be Discussed and Policy Reference: |
| 3.0 Declaration of Conflict of Interest* <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-09 Board Code of Conduct |
| Description: |
| <p>Consistent with Board Policy, By-laws, and the standard of the Fiduciary Duty of Loyalty, this item is placed on the agenda for members to formally consider and disclose any item on the agenda wherein they may have any apparent or actual conflict of interest. This duty standard also requires members to act transparently.</p> <p>Should a conflict be present, it is requested that the member publicly note the item in question to the Board Chairperson and abstain from any action concerning said item.</p> <p>A roll call vote is required for this item.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Roll Call Consideration of any actual or perceived conflict of interest with agenda items. |
| Action Taken: |
| |

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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| Subject to be Discussed and Policy Reference: |
| <p>4.0 Ownership Linkage</p> <p>4.1 Public Comments (limit of 5 minutes per person)</p> <p><u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-11 Board Linkage with Ownership</p> |
| Description: |
| <p>This item is placed on the agenda for any citizen to provide comments to the Board of Trustees. This agenda item represents the only period during the Board Meeting wherein persons may address the Board directly. Public comments are limited to five (5) minutes, unless otherwise established at the call of the Board Chair.</p> <p>The Chairperson should read the following statement prior to persons offering comment, but regardless, is expected to be adhered to by persons wishing to address the Board:</p> <p><i>“When addressing the Board, speakers are asked to be respectful and civil. Be advised that, as an on-going practice, the Board does not respond in this Board Meeting setting when the matter presented concerns personnel, student issues, operations, or other matters that are being addressed through the established grievance or legal processes, or otherwise are a subject of review by the Board of Trustees”.</i></p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Receive comments from persons wishing to address the Board. |
| Action Taken: |
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BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023

TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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|---|
| Subject to be Discussed and Policy Reference: |
| 4.0 Ownership Linkage 4.2 Board & CEO Comments <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-11 Board Linkage with Ownership |
| Description: |
| This item is placed on the agenda for members, as well as the CEO, to make any prefatory comments before engaging in the board agenda and deliberations. As such, members can use this item to offer any comments of a non-action-oriented nature for the edification of other members and/or the CEO. However, good governance practice suggests that this is not an occasion to make statements to the attending audience, but rather is an opportunity for sharing items of interest among Trustees. |
| Resource Impact: |
| None |
| Requested Board Action: |
| Receive non-action item comments from members and/or the CEO. |
| Action Taken: |
| |

BOARD OF TRUSTEES MEETING
Action & Information Report
Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

Subject to be Discussed and Policy Reference:

4.0 Ownership Linkage
4.3 Ownership Linkage Status

BOARD POLICY: GOVERNANCE PROCESS: GP-11 Board Linkage with Ownership

Description:

This item is placed on the agenda for Trustees to provide any updates on ownership linkage activity.

Resource Impact:

None

Requested Board Action:

Consider updates from Trustees regarding Ownership Linkage progress.



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023

TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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| Subject to be Discussed and Policy Reference: |
| 5.0 Items for Decision 5.1 Executive Limitations 5.1.1 EL-04 Financial Conditions & Activities – Policy Review* <u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-04 Financial Conditions & Activities |
| Description: |
| <p>Attached for its regularly scheduled review is policy EL-04. Chairperson Crist, Trustee Heins, Trustee Barnes, and I are recommending a minor clarifying change for your consideration.</p> <p>The enclosed version tracks the recommended change.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Consideration of amendment to policy EL-04 Financial Conditions & Activities. |
| Action Taken: |
| |



JACKSON COLLEGE BOARD OF TRUSTEES POLICY

Policy Type: EXECUTIVE LIMITATIONS

Policy Title: Financial Conditions and Activities

Policy Number: EL 04

Date Adopted: 11.11.19

Version: 2.0

Date Last Reviewed: 10.10.22

Responsible Party: Chief Governance Officer

Reviewing Committee: Chairperson Crist,
Trustee Barnes, &
Trustee Heins

GLOBAL EXECUTIVE LIMITATIONS STATEMENT:

With respect to ~~the actual, ongoing~~ financial conditions and activities, the CEO shall not cause, or allow, the development of fiscal jeopardy, or actual expenditures, that are not aligned with achievement of the Board's ENDS.

Further, without limiting the scope of the above statement by the following list, the CEO shall not:

1. Expend more funds than have been received in the fiscal year to-date unless the debt guideline below is met.
 - 1.1. Incur debt in an amount greater than can be repaid by certain, otherwise unencumbered revenues within the current fiscal year or that can be repaid to accounts previously established by the Board for that purpose.
2. Use funds from restricted or designated accounts for purposes other than that for which the account was established.
3. Allow the College's cash position in any month to be less than is needed to satisfy obligations in that month.
 - 3.1. Allow a combined operating fund balance reserves to be less than the average of two months' operating expenses.
4. Allow the untimely payment of payroll and debts.
5. Write off receivables without having first aggressively pursued payment after a reasonable grace period.

6. Allow tax payments or other government ordered payments or reports to be overdue or inaccurately filed.
7. Acquire, encumber or dispose of land or buildings.

| Date Of Change | Version | Description of Change | Responsible Party |
|----------------|---------|--|-------------------|
| 11.11.19 | 1.0 | First release following Policy Governance consulting work. | Chief of Staff |
| 11.9.20 | 2.0 | Edits — removed statements not belong in this policy. | Chief of Staff |
| 10.10.22 | 2.0 | Regular Review – Approved | CEO |
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BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023

TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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|---|
| Subject to be Discussed and Policy Reference: |
| 5.0 Items for Decision 5.1 Executive Limitations 5.1.2 EL-08 Communication & Support to the Board – Policy Review* <p style="text-align: right;"><u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-08 Communication & Support to the Board</p> |
| Description: |
| <p>Attached for its regularly scheduled review is policy EL-08. Chairperson Crist, Trustee Heins, Trustee Barnes, and I are recommending clarifying changes for your consideration.</p> <p>The enclosed version tracks the recommended changes.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Consideration of amendments to policy EL-08 Communication & Support to the Board. |
| Action Taken: |
| |



JACKSON COLLEGE BOARD OF TRUSTEES POLICY

Policy Type: EXECUTIVE LIMITATIONS

Policy Title: Communication & Support to the Board

Policy Number: EL 08

Date Adopted: 11.11.19

Version: 2.0

Date Last Reviewed: 10.10.22

Responsible Party: Chief Governance Officer

Reviewing Committee: Chairperson Crist,
Trustee Barnes, &
Trustee Heins

GLOBAL EXECUTIVE LIMITATIONS STATEMENT:

The CEO shall not permit the Board to be uninformed or unsupported in its work.

Further, without limiting the scope of the above statement by the following list, the CEO shall not:

1. Withhold, impede, or confound information relevant to the Board's informed accomplishment of its job.
 - 1.1. Allow the Board to be without timely decision information to support informed Board choices, ~~including regular updates on the status of the Board's Policy Governance expenditures, environmental scanning data, and risk assessment.~~
 - 1.2. Neglect to submit timely monitoring data including, interpretations of Board policies that provide the observable metrics or conditions that would demonstrate compliance, rationale for why the interpretations are reasonable and evidence of compliance.
 - 1.3. Let the Board be unaware of any actual or anticipated non-compliance with any ENDs or Executive Limitations policy, regardless of the Board's monitoring schedule.
 - 1.4. Let the Board be unaware of any incidental information it requires, including:
 - Anticipated media coverage;
 - Actual or anticipated legal actions;
 - Material or publicly visible internal changes or events, including changes in executive personnel;

- Anticipated noncompliance with federal law, state law or local;
 - Quarterly financial statements;
 - Annual year-end financial report;
 - Names and titles of two executive administration members familiar with Board and CEO matters and processes;
 - At least every quarter a presentation from a designated area;
 - On a timely basis, an overview of new projects or initiatives;
 - Relevant trends and significant external changes.
- 1.5. Allow the Board to be unaware that, in the CEO's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behaviour which is detrimental to the work relationship between the Board and the CEO.
 - 1.6. Present information in unnecessarily complex or lengthy form, or in a form that does not clearly differentiate among monitoring, decision preparation, and general incidental or other information.
 2. Allow the Board to be without reasonable administrative support for Board activities.
 - 2.1. Allow the Board to be without a workable, user-friendly mechanism for official Board, officer or Board committee communications.
 - 2.2. ~~Allow the Board to be without administrative support to assist the Secretary of the Board in achieving the Secretary's assigned results.~~
 3. Impede the Board's holism, misrepresent its processes and role, or impede its lawful obligations.
 - 3.1. Deal with the Board in a way that favors or privileges certain Board members over others, except when (a) fulfilling individual requests for information or (b) responding to officers, or committees duly charged by the Board.
 - 3.2. Neglect to supply for the Required Approvals agenda all items delegated to the CEO, yet required by law, regulation or contract to be Board-approved, along with the applicable monitoring information.

| Date Of Change | Version | Description of Change | Responsible Party |
|-----------------------|----------------|--|--------------------------|
| 11.11.19 | 1.0 | First release following Policy Governance consulting work. | Chief of Staff |
| 11.9.20 | 2.0 | Edits to accurately reflect college processes and edits to reflect board requests following planning session | Chief of Staff |
| 10.10.22 | 2.0 | Regular Review – Approved | CEO |
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BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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|---|
| Subject to be Discussed and Policy Reference: |
| 5.0 Items for Decision 5.1 Executive Limitations 5.1.3 EL-04 Financial Conditions & Activities – Interpretations Review* <p style="text-align: center;"><u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-04 Financial Conditions & Activities</p> |
| Description: |
| <p>Enclosed for their regularly scheduled review are my interpretations for policy EL-04 Financial Conditions & Activities.</p> <p>I am recommending some changes to my interpretations since the Board last reviewed them for your consideration. Please find attached a version that tracks my recommended changes, as well as a clean version implementing my recommended changes.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Consideration of accepting or not accepting my interpretations for policy EL-04 Financial Conditions & Activities as demonstrating a reasonable interpretation of the policy. |
| Action Taken: |
| |



Jackson College Board of Trustees

Interpretations Assessment: EL – 04 Financial Conditions

Report Date: 10.16.23

Note: Board Policy is indicated in bold typeface throughout the report.

Board Policy is indicated in bold typeface throughout the report.

POLICY STATEMENT:

With respect to ~~the actual, ongoing~~ financial conditions and activities, the Chief Executive Officer shall not cause or allow the development of fiscal jeopardy or actual expenditures that are not aligned with achievement of the Board's Ends.

I have interpreted "...financial conditions and activities that would cause the development of fiscal jeopardy..." in policy items 1, 1.1, 2, 3, 3.1, 4, 5, 6 and 7. Compliance with this opening statement will be demonstrated by the evidence collectively provided for the numbered policy statements, as well as the following:

Compliance with the policy statement means that the CEO will not allow expenditures not aligned with the achievement of the Board's Ends.

The primary means of achieving the Board's Ends (for students and community) are through; (a) the people who teach, provide student support services, ensure efficient administration, maintain facilities and grounds, keep the campus safe, and by those who manage housing. These people, and their associated work, constitute approximately ~~66%2/3~~ of the College's expenditures; and (b) practical, operational expenditures including process of creating instructional programs, providing for instructional and operational technology, as well as providing for materials, rent, utilities & insurance, transfers and other related operating costs; which represents approximately ~~3324~~% of the College's annual budget.

This interpretation is reasonable because the budget is prepared by the College administration and ultimately approved by the Board of Trustees which outlines the broad expenditure plan for the fiscal year in question and to which the Board can make comparisons to its own ENDS policies.

Further, without limiting the scope of the above policy statement by the following list, the Chief Executive Officer shall not:

- 1. Expend more funds than have been received in the current fiscal year unless the debt guideline below is met.**

INTERPRETATION:

I have interpreted that compliance is demonstrated when a review of the College's Monthly financial statements over a ~~12-month~~12-month period (previous fiscal year), and the audited annual statement do not indicate that annual expenses exceeded general fund income.

This interpretation is reasonable because monthly audited statements provide a clear view of expenditure patterns of the institution on a month-by-month basis and ultimately conclude with the year-end budget which occurs on June 30th of each year wherein the Board can compare revenues to expenditures directly. Furthermore, these 12 monthly statements are eventually subject to audit by the Board's selected auditor for review and ultimate audit report, which would further indicate if there was an excess of expenditures over revenues.

- 1.1. Incur debt in an amount greater than can be repaid by certain, otherwise unencumbered revenues, within the current fiscal year, or that can be repaid to accounts previously established by the Board for that purpose.**

INTERPRETATION:

I interpret compliance will be demonstrated when the annual (previous fiscal year) debt service schedule of all annual obligations is not greater than that which can be repaid within the year. Further,

- a) No expenditures greater than \$100,000 are made that were not included in the annual general fund budget, or in the annual five-year master plan.

This is reasonable because it establishes Board limits to the President which may not be exceeded, and further the Board has the opportunity to ensure compliance to that end through monitoring.~~as an expenditure greater than this amount could not be covered by unencumbered revenues.~~

- b) Annual expenditures on debt service do not exceed the Board approved budget.

This interpretation is reasonable because the Board reviews the annual debt schedule as part of its annual approval process.

- 2. Use funds from restricted or designated accounts for purposes other than that for which the account was established.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) A review of the monthly -financial statements and the annual (previous fiscal year) audited financial statements confirm that the month end balance for the designated funds, which the board has set-aside for future operations, do not indicate allocations for purposes other than that which has been Board designated. has not changed (declined) month to month during this monitoring period (October through September previous fiscal year)-
- b) An external review of restricted fund use is conducted and confirms use has been limited to intended use.

This interpretation is reasonable because the College's financial statements are the vehicle by which all financial transactions are summarized, within a reporting period.

3. Allow the College's cash position in any month to be less than is needed to satisfy obligations in that month.

INTERPRETATION:

I have partially interpreted this policy in item #3.0 as compliance being demonstrated when, in addition to the evidence for 3.1, a review of the monthly financial statements for the monitoring period confirms that the cash position of the College is positive.

This interpretation is reasonable because the College's financial statements are the vehicle by which all financial transactions are summarized, within a reporting period.

3.1 Allow a combined operating fund balance reserves to be less than the average of two months' operating expenses.

INTERPRETATION:

Compliance will be demonstrated when, in addition to the above, a review of the College's monthly financial reports, for the monitoring period, confirm that an amount equal to, or greater than 2/12ths or 16.6% of average monthly expenses, is held in reserve.

This interpretation is reasonable because a Board review of monthly financial statements will demonstrate the College's current fund balances.

4. Allow the untimely payment of payroll and debts.

INTERPRETATION:

I interpret compliance will be demonstrated when:

- a) Employees are paid biweekly, which is consistent with payment schedule required by employment contract /labor agreement and appointment letters received by administrators, as well as the nonexistence of employee contract or grievances regarding lack of payroll payments.

This is reasonable because the College's payroll register is a principal vehicle to determine if employee compensation obligations are satisfied. Further, union contracts provide for grievance procedures to the College, should those represented by the union, go unpaid.

- b) Vendors are paid weekly consistent with vendor contracts and bond debt is paid semi-annually according to internal controls and processes reviewed by our external auditor. Additionally, the College has not received any complaints from vendors regarding the lack of payment for goods and services provided.

This interpretation is reasonable because the Board-selected auditor is an external, third-party review mechanism for determining if College obligations are satisfied.

5. Write off receivables without having first aggressively pursued payment after a reasonable grace period.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when there is a process in place, which is annually reviewed by the Comptroller-Director of Business and Student Financial Services and CFO, which defines the College's process for receiving past due payments from students, which minimally includes in-house communication made to students who have an outstanding balance at the end of the semester allowing students to make payment arrangements or make payment in full up to 45 days. After 45 days, delinquent accounts are turned over to College-contracted collections.

This interpretation is reasonable because it aligns with industry best practices.

6. Allow tax payments or other government ordered payments or reports to be overdue or inaccurately filed.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The year-end informational reports, required by the IRS, are submitted timely and with no penalties:-
- b) Sales Use and Withholding Tax returns are submitted monthly by required deadline:-
- c) Quarterly 941 Reports have been submitted to the IRS; and-
- d) Payroll withholding taxes are submitted on a biweekly basis that aligns with the payroll schedule.

This interpretation is reasonable because it addresses all required federal and state reporting requirements, timelines, and provides for verification of submissions. Failure to achieve the aforementioned steps would prompt a letter of concern to the College by the respective authority.

7. Acquire, encumber or dispose of land or buildings.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when the College's ~~Comptroller~~
Chief Financial Officer or Director of Finance confirms that there ~~has been~~^{is} no acquisition,
encumbrance, or disposal of land or buildings outside of the Board-approved five-year
master plan. Furthermore, unauthorized additional or sold building and lands do not
appear on the College's external audit, nor are there changes in the College's insurance
coverage register.

This is reasonable because it provides validation of compliance by the ~~Comptroller~~
Chief Financial Officer or Director of Finance, assuring that no such transactions have occurred.
Additionally, the external audit and the College's insurance register are the externally
generated documents that provide validation to any building and land transactions.



Jackson College Board of Trustees

Interpretations Assessment: EL – 04 Financial Conditions

Report Date: 10.16.23

Note: Board Policy is indicated in bold typeface throughout the report.

Board Policy is indicated in bold typeface throughout the report.

POLICY STATEMENT:

With respect to financial conditions and activities, the Chief Executive Officer shall not cause or allow the development of fiscal jeopardy or actual expenditures that are not aligned with achievement of the Board's Ends.

I have interpreted "...financial conditions and activities that would cause the development of fiscal jeopardy..." in policy items 1, 1.1, 2, 3, 3.1, 4, 5, 6 and 7. Compliance with this opening statement will be demonstrated by the evidence collectively provided for the numbered policy statements, as well as the following:

Compliance with the policy statement means that the CEO will not allow expenditures not aligned with the achievement of the Board's Ends.

The primary means of achieving the Board's Ends (for students and community) are through; (a) the people who teach, provide student support services, ensure efficient administration, maintain facilities and grounds, keep the campus safe, and by those who manage housing. These people, and their associated work, constitute approximately 66% of the College's expenditures; and (b) practical, operational expenditures including process of creating instructional programs, providing for instructional and operational technology, as well as providing for materials, rent, utilities & insurance, transfers and other related operating costs; which represents approximately 33% of the College's annual budget.

This interpretation is reasonable because the budget is prepared by the College administration and ultimately approved by the Board of Trustees which outlines the broad expenditure plan for the fiscal year in question and to which the Board can make comparisons to its own ENDS policies.

Further, without limiting the scope of the above policy statement by the following list, the Chief Executive Officer shall not:

- 1. Expend more funds than have been received in the current fiscal year unless the debt guideline below is met.**

INTERPRETATION:

I have interpreted that compliance is demonstrated when a review of the College's Monthly financial statements over a 12-month period (previous fiscal year) and the audited annual statement do not indicate that annual expenses exceeded general fund income.

This interpretation is reasonable because monthly audited statements provide a clear view of expenditure patterns of the institution on a month-by-month basis and ultimately conclude with the year-end budget which occurs on June 30th of each year wherein the Board can compare revenues to expenditures directly. Furthermore, these 12 monthly statements are eventually subject to audit by the Board's selected auditor for review and ultimate audit report, which would further indicate if there was an excess of expenditures over revenues.

- 1.1. Incur debt in an amount greater than can be repaid by certain, otherwise unencumbered revenues, within the current fiscal year, or that can be repaid to accounts previously established by the Board for that purpose.**

INTERPRETATION:

I interpret compliance will be demonstrated when the annual (previous fiscal year) debt service schedule of all annual obligations is not greater than that which can be repaid within the year. Further,

- a) No expenditures greater than \$100,000 are made that were not included in the annual general fund budget, or in the annual five-year master plan.

This is reasonable because it establishes Board limits to the President which may not be exceeded, and further the Board has the opportunity to ensure compliance to that end through monitoring.

- b) Annual expenditures on debt service do not exceed the Board approved budget.

This interpretation is reasonable because the Board reviews the annual debt schedule as part of its annual approval process.

- 2. Use funds from restricted or designated accounts for purposes other than that for which the account was established.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) A review of the monthly financial statements and the annual (previous fiscal year) audited financial statements confirm that the month end balance for the designated funds, which the board has set-aside for future operations, do not indicate allocations for purposes other than that which has been Board designated.
- b) An external review of restricted fund use is conducted and confirms use has been limited to intended use.

This interpretation is reasonable because the College's financial statements are the vehicle by which all financial transactions are summarized, within a reporting period.

3. Allow the College's cash position in any month to be less than is needed to satisfy obligations in that month.

INTERPRETATION:

I have partially interpreted this policy in item #3.0 as compliance being demonstrated when, in addition to the evidence for 3.1, a review of the monthly financial statements for the monitoring period confirms that the cash position of the College is positive.

This interpretation is reasonable because the College's financial statements are the vehicle by which all financial transactions are summarized, within a reporting period.

3.1 Allow a combined operating fund balance reserves to be less than the average of two months' operating expenses.

INTERPRETATION:

Compliance will be demonstrated when, in addition to the above, a review of the College's monthly financial reports, for the monitoring period, confirm that an amount equal to, or greater than 2/12ths or 16.6% of average monthly expenses, is held in reserve.

This interpretation is reasonable because a Board review of monthly financial statements will demonstrate the College's current fund balances.

4. Allow the untimely payment of payroll and debts.

INTERPRETATION:

I interpret compliance will be demonstrated when:

- a) Employees are paid biweekly, which is consistent with payment schedule required by employment contract /labor agreement and appointment letters received by administrators, as well as the nonexistence of employee contract or grievances regarding lack of payroll payments.

This is reasonable because the College's payroll register is a principal vehicle to determine if employee compensation obligations are satisfied. Further, union contracts provide for grievance procedures to the College, should those represented by the union, go unpaid.

- b) Vendors are paid weekly consistent with vendor contracts and bond debt is paid semi-annually according to internal controls and processes reviewed by our external auditor. Additionally, the College has not received any complaints from vendors regarding the lack of payment for goods and services provided.

This interpretation is reasonable because the Board-selected auditor is an external, third-party review mechanism for determining if College obligations are satisfied.

5. Write off receivables without having first aggressively pursued payment after a reasonable grace period.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when there is a process in place, which is annually reviewed by the Director of Business and Student Financial Services and CFO, which defines the College's process for receiving past due payments from students, which minimally includes in-house communication made to students who have an outstanding balance at the end of the semester allowing students to make payment arrangements or make payment in full up to 45 days. After 45 days, delinquent accounts are turned over to College-contracted collections.

This interpretation is reasonable because it aligns with industry best practices.

6. Allow tax payments or other government ordered payments or reports to be overdue or inaccurately filed.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The year-end informational reports, required by the IRS, are submitted timely and with no penalties;
- b) Sales Use and Withholding Tax returns are submitted monthly by required deadline;
- c) Quarterly 941 Reports have been submitted to the IRS; and
- d) Payroll withholding taxes are submitted on a biweekly basis that aligns with the payroll schedule.

This interpretation is reasonable because it addresses all required federal and state reporting requirements, timelines, and provides for verification of submissions. Failure to achieve the aforementioned steps would prompt a letter of concern to the College by the respective authority.

7. Acquire, encumber or dispose of land or buildings.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when the College's Chief Financial Officer or Director of Finance confirms that there has been no acquisition, encumbrance, or disposal of land or buildings outside of the Board-approved five-year master plan. Furthermore, unauthorized additional or sold building and lands do not appear on the College's external audit, nor are there changes in the College's insurance coverage register.

This is reasonable because it provides validation of compliance by the Chief Financial Officer or Director of Finance, assuring that no such transactions have occurred. Additionally, the external audit and the College's insurance register are the externally generated documents that provide validation to any building and land transactions.

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

| |
|--|
| Subject to be Discussed and Policy Reference: |
| <p>5.0 Items for Decision</p> <p>5.1 Executive Limitations</p> <p>5.1.4 EL-08 Communication & Support to the Board – Interpretations Review*</p> <p><u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-08 Communication & Support to the Board</p> |
| Description: |
| <p>Enclosed for their regularly scheduled review are my interpretations for policy EL-08 Communication & Support to the Board.</p> <p>I am recommending some changes to my interpretations since the Board last reviewed them for your consideration. Please find attached a version that tracks my recommended changes, as well as a clean version implementing my recommended changes.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Consideration of accepting or not accepting my interpretations for policy EL-08 Communication & Support to the Board as demonstrating a reasonable interpretation of the policy. |
| Action Taken: |
| |



Jackson College Board of Trustees

Interpretations Assessment: EL – 08 Communication & Support to the Board

Report Date: 10.16.23

Board Policy is indicated in bold typeface throughout the report.

POLICY STATEMENT:

The CEO shall not permit the Board to be uninformed or unsupported in its work.

INTERPRETATION:

I declare full compliance with this policy statement unless specified within the following report.

Further, without limiting the scope of the above statement by the following list, the CEO shall not:

- 1. Withhold, impede, or confound information relevant to the Board's informed accomplishment of its job.**

I have interpreted that compliance with this statement to mean that there shall be no withholding of information, or impeding the flow of information to the Board, nor shall there be any confounding of information needed by the Board for its optimal functioning.

This interpretation is reasonable because it directly contributes to Board holism, a core principle of Policy Governance.

~~**1.1. Allow the Board to be without timely decision information to support informed Board choices, including regular updates on the status of the**~~

~~**1.2.1.1. Board's governance expenditures, environmental scanning data, and risk assessment.**~~

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) The annual budget includes allocations for the Boards expenses which are allocated as follows: Audit, Legal, Subscriptions, Professional Development, Telephones and Meeting Expenses.
- b) The Board will be made aware if there are over expenditures in their overall annual governance budget.
- c) The Board is provided with relevant context, as well as full disclosure as to the strengths and weaknesses of the item before the Board for their deliberation (e.g., relevant environmental scanning, risk assessment, etc.) when being asked to make decisions.
- d) The Board is provided with regular communications from the CEO regarding major events; legal; federal, state, and local political considerations; concerns or threats to the College's reputation; fiscal solvency; and general operations.

This interpretation is reasonable because it provides a broad cross section for significant aspects of the College's functioning and the broad operations of the institution that the Board should be aware of for deliberations and general knowledge.

4.3.1.2. Neglect to submit timely monitoring data including interpretations of Board policies that provide the observable metrics or conditions that would demonstrate compliance, rationale for why the interpretations are reasonable and evidence of compliance.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) When monitoring reports are submitted to the Board as scheduled.
- b) When the Board, in assessing the monitoring reports, concludes that each has sufficient evidence of reasonable interpretation, as well as documented metrics that allow for a determination of compliance.

This interpretation is reasonable because the monitoring report is the basis for measuring outcomes, assuring the achievement of Board specified ENDS and Executive Limitations, which concurrently indicate the evaluation of the CEO and institution.

4.4.1.3. Let the Board be unaware of any actual or anticipated non-compliance with any Ends or Executive Limitations policy, regardless of the Board's monitoring schedule.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

The Chief Executive Officer has informed the Board when there is anticipated, and/or actual non-compliance of any EL or Ends policy, and that such communication has been documented. Additionally, such non-compliance would

also appear on the Board's compliance monitoring schedule which is reviewed by the Board on a monthly basis.

This interpretation is reasonable because each month the Board receives timely, scheduled communication of the status for all monitoring reports.

1.4. Let the Board be unaware of any incidental information it requires, including:

- **Anticipated media coverage;**
- **Actual or anticipated legal actions;**
- **Material or publicly visible internal changes or events, including changes in executive personnel;**
- **Anticipated noncompliance with federal law, state law or local;**
- **Quarterly financial statement;**
- **Annual year-end financial report; or**
- **Names and titles of two executive administration members familiar with Board and presidential matters and processes.**
- **At least every quarter a presentation from a designated area;**
- **On a timely basis, an overview of new project or initiatives;**
- **Relevant trends and significant external changes.**

INTERPRETATION:

I have interpreted that compliance of this statement will be demonstrated when:

- a) The Chief Executive Officer regularly provides *Trustee Briefings* to the Board that include the above-mentioned items, as needed. Further, additional email communications, and/or phone calls are deployed when necessary to inform Trustees of any urgent matters; Further, the College's Marketing Department provides a Media Packet to Trustees outlining media coverage and promotional communications to the media;
- b) Monthly financial statements, year-end financials, and annual audit reports are available and accessible online;
- c) Quarterly financial statements, including the annual audit report, are presented to the Board, as Monitoring Reports, by the Chief Executive Officer;
- d) The Board agendas, on a quarterly basis, include presentations on featured areas of the College; and
- e) Each month, the Board receives a legal update from the Board's attorney.

This interpretation is reasonable because it provides a continuous and circumstantially immediate flow of information to the Board directly from the College, with largely the bulk of the aforementioned items as part of the Board's Agenda and meeting calendar.

- 1.5. Allow the Board to be unaware that, in the CEO's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behavior which is detrimental to the work relationship between the Board and the President.**

INTERPRETATION:

I have interpreted that compliance of this statement will be demonstrated when:

- a) The Board is notified electronically or verbally ~~reminded~~ at a meeting (and recorded in minutes) that they are out of compliance with established Board policy(ies) in the moment or via a regular Board meeting agenda item of "Self-Evaluation of Governance Process & Board Performance at this Meeting":-
- b) During the Summer Board Retreat, time is provided to discuss Board/Chief Executive Officer's innerworkings, policy governance practice, and policy compliance.

This interpretation is reasonable because it provides both instantaneous and regularly scheduled opportunities for monitoring compliance by the Board.

- 1.6. Present information in unnecessarily complex or lengthy form, or in a form that does not clearly differentiate among monitoring, decision preparation, and general incidental or other information.**

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

Unless otherwise requested, the

- a) Board meeting pack content is clear and labeled appropriately so Trustees know what items are for decision making or informational only. Further, each item shall include a coversheet that outlines the issue before the Board and what is being asked of them regarding the item, and at a content length that is reasonably succinct.
- b) Each Board agenda includes an item regarding the quality and relevance of information presented.

This interpretation is reasonable because it presents information in a timely and specific manner as it pertains to the Board's work. Further, the Board has, at its disposal, an evaluation on the agenda, and at the conclusion of each board meeting, where Trustees can give direction to the CEO as to additional modifications they would like to see in the board meeting items on a go-forward basis.

- 2. Allow the Board to be without reasonable administrative support for Board activities.**

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when, in addition to evidence to 2.1 and 2.2:

- a) An individual is identified, by the Chief Executive Officer, to provide administrative support to the Board for all reasonably requested items, including but not limited to, Board meeting preparation, taking of meeting minutes, policy storage, and professional development arrangements.

This interpretation is reasonable because it facilitates undivided administrative support for Board activities, by providing a clear communication and support linkage to assist with the Board's needs, through the President's Chief of Staff.

2.1. Allow the Board to be without a workable, user-friendly mechanism for official Board, officer or Board committee communications.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) Board members are provided with a college-owned device for board meetings and communications.
- b) Board members have access to a dedicated system to access their board meeting packs and other resources (Diligent Board Books).

This interpretation is reasonable because it provides state of the market current and efficient technological means by which the Board can accomplish its work remotely or on campus.

~~2.2. Allow the Board to be without administrative support to assist the Secretary of the Board in achieving the Secretary's assigned results.~~

INTERPRETATION:

~~I have interpreted that compliance will be demonstrated when:~~

- ~~a) An individual is identified by the Chief Executive Officer to provide administrative support to the Board for all requested items including, but not limited to, Board meeting preparation, taking of meeting minutes, policy storage and professional development arrangements.~~

3. Impede the Board's holism, misrepresent its processes and role, or impede its lawful obligations.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) The Chief Executive Officer does not interfere with the Board's "one voice", its policy governance processes, or its legal, fiduciary, and ownership linkage

responsibilities.

This interpretation is reasonable because it specifically prohibits CEO action that would compromise the Board's role and responsibilities. Further, current Board policy provides the means by which to instruct the CEO when the CEO exceeds their authority under Policy Governance principles and policies.

3.1. Deal with the Board in a way that favors or privileges certain Board members over others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) The Chief Executive Officer ~~confirms-reports~~ that he/she has not favored any trustee over another.
- b) The Board Chairperson confirms that they have not received any notice from Board members as to their belief that one or more members are favored over others.

This interpretation is reasonable because the Chief Governance Officer and all Trustees are provided with the opportunity to confirm the absence or presence of Board Member favoritism.

3.2. Neglect to supply for the Required Approvals agenda all items delegated to the CEO, yet required by law, regulation or contract to be Board-approved, along with the applicable monitoring information.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) Items for required approval from the Board Planning Cycle and Agenda policy appear as a standing meeting agenda item ~~on the meeting-agendas.~~

This interpretation is reasonable because it consistently offers the Board and CEO the Board agenda-based opportunity to collaborate efficiently regarding required Board approvals.



Jackson College Board of Trustees

Interpretations Assessment: EL – 08 Communication & Support to the Board

Report Date: 10.16.23

Board Policy is indicated in bold typeface throughout the report.

POLICY STATEMENT:

The CEO shall not permit the Board to be uninformed or unsupported in its work.

INTERPRETATION:

I declare full compliance with this policy statement unless specified within the following report.

Further, without limiting the scope of the above statement by the following list, the CEO shall not:

- 1. Withhold, impede, or confound information relevant to the Board's informed accomplishment of its job.**

I have interpreted that compliance with this statement to mean that there shall be no withholding of information, or impeding the flow of information to the Board, nor shall there be any confounding of information needed by the Board for its optimal functioning.

This interpretation is reasonable because it directly contributes to Board holism, a core principle of Policy Governance.

- 1.1. Allow the Board to be without timely decision information to support informed Board choices.**

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) The annual budget includes allocations for the Boards expenses which are allocated as follows: Audit, Legal, Subscriptions, Professional Development, Telephones and Meeting Expenses.
- b) The Board will be made aware if there are over expenditures in their overall annual governance budget.
- c) The Board is provided with relevant context, as well as full disclosure as to the strengths and weaknesses of the item before the Board for their deliberation (e.g., relevant environmental scanning, risk assessment, etc.) when being asked to make decisions.
- d) The Board is provided with regular communications from the CEO regarding major events; legal; federal, state, and local political considerations; concerns or threats to the College's reputation; fiscal solvency; and general operations.

This interpretation is reasonable because it provides a broad cross section for significant aspects of the College's functioning and the broad operations of the institution that the Board should be aware of for deliberations and general knowledge.

1.2. Neglect to submit timely monitoring data including interpretations of Board policies that provide the observable metrics or conditions that would demonstrate compliance, rationale for why the interpretations are reasonable and evidence of compliance.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) When monitoring reports are submitted to the Board as scheduled.
- b) When the Board, in assessing the monitoring reports, concludes that each has sufficient evidence of reasonable interpretation, as well as documented metrics that allow for a determination of compliance.

This interpretation is reasonable because the monitoring report is the basis for measuring outcomes, assuring the achievement of Board specified ENDS and Executive Limitations, which concurrently indicate the evaluation of the CEO and institution.

1.3. Let the Board be unaware of any actual or anticipated non-compliance with any Ends or Executive Limitations policy, regardless of the Board's monitoring schedule.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

The Chief Executive Officer has informed the Board when there is anticipated, and/or actual non-compliance of any EL or Ends policy, and that such communication has been documented Additionally, such non-compliance would

also appear on the Board's compliance monitoring schedule which is reviewed by the Board on a monthly basis.

This interpretation is reasonable because each month the Board receives timely, scheduled communication of the status for all monitoring reports.

1.4. Let the Board be unaware of any incidental information it requires, including:

- **Anticipated media coverage;**
- **Actual or anticipated legal actions;**
- **Material or publicly visible internal changes or events, including changes in executive personnel;**
- **Anticipated noncompliance with federal law, state law or local;**
- **Quarterly financial statement;**
- **Annual year-end financial report; or Names and titles of two executive administration members familiar with Board and presidential matters and processes.**
- **At least every quarter a presentation from a designated area;**
- **On a timely basis, an overview of new project or initiatives;**
- **Relevant trends and significant external changes.**

INTERPRETATION:

I have interpreted that compliance of this statement will be demonstrated when:

- a) The Chief Executive Officer regularly provides *Trustee Briefings* to the Board that include the above-mentioned items, as needed. Further, additional email communications, and/or phone calls are deployed when necessary to inform Trustees of any urgent matters; Further, the College's Marketing Department provides a Media Packet to Trustees outlining media coverage and promotional communications to the media;
- b) Monthly financial statements, year-end financials, and annual audit reports are available and accessible online;
- c) Quarterly financial statements, including the annual audit report, are presented to the Board, as Monitoring Reports, by the Chief Executive Officer;
- d) The Board agendas, on a quarterly basis, include presentations on featured areas of the College; and
- e) Each month, the Board receives a legal update from the Board's attorney.

This interpretation is reasonable because it provides a continuous and circumstantially immediate flow of information to the Board directly from the College, with largely the bulk of the aforementioned items as part of the Board's Agenda and meeting calendar.

- 1.5. Allow the Board to be unaware that, in the CEO's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behavior which is detrimental to the work relationship between the Board and the President.**

INTERPRETATION:

I have interpreted that compliance of this statement will be demonstrated when:

- a) The Board is notified electronically or verbally at a meeting (and recorded in minutes) that they are out of compliance with established Board policy(ies) in the moment or via a regular Board meeting agenda item of "Self-Evaluation of Governance Process & Board Performance at this Meeting"
- b) During the Summer Board Retreat, time is provided to discuss Board/Chief Executive Officer's innerworkings, policy governance practice, and policy compliance.

This interpretation is reasonable because it provides both instantaneous and regularly scheduled opportunities for monitoring compliance by the Board.

- 1.6. Present information in unnecessarily complex or lengthy form, or in a form that does not clearly differentiate among monitoring, decision preparation, and general incidental or other information.**

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) Unless otherwise requested, the Board meeting pack content is clear and labeled appropriately so Trustees know what items are for decision making or informational only. Further, each item shall include a coversheet that outlines the issue before the Board and what is being asked of them regarding the item, and at a content length that is reasonably succinct.
- b) Each Board agenda includes an item regarding the quality and relevance of information presented.

This interpretation is reasonable because it presents information in a timely and specific manner as it pertains to the Board's work. Further, the Board has, at its disposal, an evaluation on the agenda, and at the conclusion of each board meeting, where Trustees can give direction to the CEO as to additional modifications they would like to see in the board meeting items on a going-forward basis.

2. Allow the Board to be without reasonable administrative support for Board activities.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when, in addition to evidence to 2.1 and 2.2:

- a) An individual is identified, by the Chief Executive Officer, to provide administrative support to the Board for all reasonably requested items, including but not limited to, Board meeting preparation, taking of meeting minutes, policy storage, and professional development arrangements.

This interpretation is reasonable because it facilitates undivided administrative support for Board activities, by providing a clear communication and support linkage to assist with the Board's needs, through the President's Chief of Staff.

2.1. Allow the Board to be without a workable, user-friendly mechanism for official Board, officer or Board committee communications.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) Board members are provided with a college-owned device for board meetings and communications.
- b) Board members have access to a dedicated system to access their board meeting packs and other resources (Diligent Board Books).

This interpretation is reasonable because it provides state of the market current and efficient technological means by which the Board can accomplish its work remotely or on campus.

3. Impede the Board's holism, misrepresent its processes and role, or impede its lawful obligations.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) The Chief Executive Officer does not interfere with the Board's "one voice", its policy governance processes, or its legal, fiduciary, and ownership linkage responsibilities.

This interpretation is reasonable because it specifically prohibits CEO action that would compromise the Board's role and responsibilities. Further, current Board policy provides the means by which to instruct the CEO when the CEO exceeds their authority under Policy Governance principles and policies.

3.1. Deal with the Board in a way that favors or privileges certain Board members over others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) The Chief Executive Officer reports that he/she has not favored any trustee over another.
- b) The Board Chairperson confirms that they have not received any notice from Board members as to their belief that one or more members are favored over others.

This interpretation is reasonable because the Chief Governance Officer and all Trustees are provided with the opportunity to confirm the absence or presence of Board Member favoritism.

3.2. Neglect to supply for the Required Approvals agenda all items delegated to the CEO, yet required by law, regulation or contract to be Board-approved, along with the applicable monitoring information.

INTERPRETATION:

I have interpreted that compliance with this statement will be demonstrated when:

- a) Items for required approval from the Board Planning Cycle and Agenda policy appear as a standing meeting agenda item.

This interpretation is reasonable because it consistently offers the Board and CEO the Board agenda-based opportunity to collaborate efficiently regarding required Board approvals.

| |
|--|
| <p align="center">BOARD OF TRUSTEES MEETING Action & Information Report Board Meeting Date: October 16, 2023</p> |
|--|



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

| Subject to be Discussed and Policy Reference: |
|---|
| <p>6.0 Consent / Required Approval Agenda</p> <p>6.1 Board Consideration: Special License Application – JC Reverse Raffle and Sportsman Banquet*</p> <p><u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-05 Asset Protection</p> |
| Description: |
| <p>Enclosed for your review are two (2) applications affiliated with the Jackson College Reverse Raffle on November 11, 2023 and the Annual Sportsman Banquet on February 10, 2024, both held in the Jackson College Fieldhouse...this is something that we have done each year.</p> <p>The first is a Special License Application requiring the Board's roll call vote approving the affiliated Resolution.</p> <p>The second is the affiliated Resolution requiring the signature of the Board's Chairperson. I do hope that members will be able to attend these events.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Board's approval of the Special License Application Resolution, as well as the signature of the Board's Chairman on the Resolution. |
| Action Taken: |
| |



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Mailing Address: P.O. Box 30005, Lansing, MI 48909
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC Use Only)

Special License Application

A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.

Part 1 - Applicant Organization Information

| | | |
|--|---------------------|--------------------------------|
| Applicant organization name: Jackson College | | |
| Applicant address: 2111 Emmons Rd. | | |
| City: Jackson | Zip Code: 49201 | |
| Contact name: Rick Smith | Phone: 517-740-9301 | Email: smithrichardt@jccmi.edu |
| Alternate contact name: Courtney Ivan | Phone: 814-8233515 | Email: civan@jccmi.edu |
| 1. Has the applicant organization previously received a Special License? <input checked="" type="radio"/> Yes <input type="radio"/> No | | Leave Blank - MLCC Use Only |
| Michigan organizations must provide current articles of incorporation filed with Michigan Corporations Division. Out-of-state organizations must provide: (a) current articles of incorporation from state of issuance; (b) current certificate of good standing from state of incorporation; and (c) current Certificate of Authority to Transact Business in Michigan issued by the Michigan Corporations Division. | | |
| 2. Has the applicant organization been established for one (1) year or longer? <input checked="" type="radio"/> Yes <input type="radio"/> No Date the applicant organization was established (month/day/year): 01/01/1928 | | |
| 3. Is the applicant organization a municipality? <input type="radio"/> Yes <input type="radio"/> No | | |

Part 2 - Event Information - For requests at more than one location, submit separate forms for each location.

| | |
|--|--|
| Address of event location: 2111 Emmons Rd. Jackson, Michigan. 49201 | |
| City, township, or village where event will be held: Jackson | County: Jackson <input type="button" value="v"/> |
| 1. Will you submit your completed application at least ten (10) business days before your event? <i>It is strongly recommended that you submit the application as soon as you know the date of your event(s).</i> <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| 2. Do you have permission from the property owner of the location listed above to hold your event(s) on the date(s) listed below (see pages 2-3) at this location? <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| 3. Has the local law enforcement agency with primary jurisdiction over the event location approved this application for a Special License? (See Part 5 on Page 5) <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| 4. Is the event location within 500 feet of a church or school? If Yes, the church or school must consent to the event(s). (See Part 6 on Page 5) <input type="radio"/> Yes <input checked="" type="radio"/> No | |
| 5. Is the event location outdoors or partially outdoors? <input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, list the exact dimensions of the outdoor area: Submit a clear diagram of the outdoor service area with your application form. <div style="display: flex; align-items: center; justify-content: center;"> <div style="border: 1px solid black; width: 80px; height: 30px; margin-right: 5px;"></div> <div style="margin: 0 5px;">feet X</div> <div style="border: 1px solid black; width: 80px; height: 30px; margin-right: 5px;"></div> <div style="margin: 0 5px;">feet =</div> <div style="border: 1px solid black; width: 80px; height: 30px; margin-right: 5px;"></div> <div style="margin: 0 5px;">square feet</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> Width Length </div> Describe type and height of the barrier that will be used to enclose the outdoor area: N. A. | |
| 6. Describe type of security that will be used for event(s) and how it will be utilized to secure and monitor to prevent sales to minors and visibly intoxicated persons: Jackson College Security will be present at all the events. The sales of beer will be regulated on a ticket system and each person purchasing beer will have to show proof of age. Each person can buy up to and not exceeding 5 tickets only. Security will be monitoring throughout the event too. | |

7. Is the event location situated in or on state owned land, such as a state park or National Guard armory? ☐ Yes ☒ No
If Yes, attach a copy of your documentary proof of approval to use the state owned land.

8. Is there an existing liquor licensee issued at the event location, such as a Class C or Club license? ☐ Yes ☒ No
If Yes, the existing licensee must request to place its license in escrow during the event(s). (See Part 7 on Page 5)

9. Will the event(s) involve an auction of donated wine? ☐ Yes ☒ No
If Yes, please check "Wine Auction" for the applicable event date(s) on pages 2-3. Only donated wine may be auctioned under a Special License; beer and spirits cannot be auctioned. If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.

10. Will marijuana be sold and consumed under a Temporary Marihuana Event License issued by the Cannabis Regulatory Agency (CRA) within the proposed event area where alcoholic liquor will be sold and consumed? ☐ Yes ☒ No

11. Is the event location within the commons area of a Social District? ☐ Yes ☒ No
If Yes, you must obtain written documentation from the local governmental unit, including a clear diagram, that delineates the part of the commons area of the Social District to be used exclusively for your event and the part to be used exclusively by the Social District permittees during the time period for your event pursuant to MCL 436.1551(3). Submit the documentation and the diagram with this application.

12. The applicant organization may request up to twelve (12) Special Licenses total (one Special License per day) in a calendar year. Please complete the information below **for each individual date** for which you are requesting a Special License at this location. **If you are requesting Special Licenses for consecutive days, completely fill out a separate box for each date. If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

| | | | | |
|---|------------|----------|---|--|
| 1 | 11/11/23 | | Describe event being held: Jackson College Reverse Raffle held in the Jackson College field house. | |
| | Date | | | |
| | 4pm | 10pm | Special License will be used for: <input checked="" type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction | |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No | |

| | | | | |
|---|------------|----------|---|--|
| 2 | 2/10/24 | | Describe event being held: Annual Sportsman Banquet held in the Jackson College field house | |
| | Date | | | |
| | 4pm | 10pm | Special License will be used for: <input checked="" type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction | |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No | |

| | | | | |
|---|------------|----------|--|--|
| 3 | | | Describe event being held: | |
| | Date | | | |
| | | | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction | |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No | |

| | | | | |
|---|------------|----------|--|--|
| 4 | | | Describe event being held: | |
| | Date | | | |
| | | | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction | |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No | |

| | | | | |
|---|------------|----------|--|--|
| 5 | | | Describe event being held: | |
| | Date | | | |
| | | | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction | |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No | |

| | | | | |
|---|------------|----------|--|--|
| 6 | | | Describe event being held: | |
| | Date | | | |
| | | | Special License will be used for: <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction | |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No | |

12. Special license date information Continued from Page 2.

| | | | |
|-----------------|-----------------------------------|----------|---|
| 7 | Date | | Describe event being held: |
| | Special License will be used for: | | <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 8 | Date | | Describe event being held: |
| | Special License will be used for: | | <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| LCC-110 (01-23) | | | |
| 9 | Date | | Describe event being held: |
| | Special License will be used for: | | <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 10 | Date | | Describe event being held: |
| | Special License will be used for: | | <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 11 | Date | | Describe event being held: |
| | Special License will be used for: | | <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |
| 12 | Date | | Describe event being held: |
| | Special License will be used for: | | <input type="checkbox"/> Beer & Wine Service <input type="checkbox"/> Beer, Wine, & Spirit Service <input type="checkbox"/> Wine Auction |
| | Start Time | End Time | Is this date a Sunday? <input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No |

A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is **strongly recommended** that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.

Part 3 - Special License Fees - Complete the Special License fee calculation on Page 4

For Organizations established less than one year or are municipalities - a \$50.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$7.50 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

For Organizations established one year or more - a \$25.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$3.75 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

The fees must be paid by check, bank or postal money order, or by credit card, using the attached Credit Card Authorization Form (LCC-300). Checks and money orders should be made payable to **State of Michigan**.

Part 3 Continued - Special License Fees Calculation

| | | | |
|---|--|--|-----------------------------|
| Special License Base Fee: <i>(per Special License requested)</i> | | If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses. Make checks payable to: State of Michigan | Leave Blank - MLCC Use Only |
| x Number of Special Licenses: | | | |
| = Special License Fees: <i>MLCC Fee Code: 4008</i> | | | |
| + Sunday Sales Permit (P.M.) Fees: <i>MLCC Fee Code: 4032</i> | | | |
| + Sunday Sales Permit (A.M.) Fee: <i>MLCC Fee Code: 4033</i> | | | |
| = TOTAL FEES DUE: | | | |

Part 4 - Signatures of Applicant Organization's Officers, Witnesses, and Notary

Pursuant to administrative rule R 436.575, the president and secretary of the organization making application shall sign the application and the signatures shall be notarized. Political candidates only need to sign the president section and have it notarized.

By signing below the applicant organization's officers attest that:

We certify that all profits from the sale of beer, wine and/or spirits or from a wine auction will go to the applicant organization and not to any individual. We further certify that any license issued by the Michigan Liquor Control Commission is a contract subject to suspension or revocation by the Commission, that there shall be no liability on the part of the State of Michigan, the Commission, or any of its officers or employees by reason of such suspension or revocation, and that the granting of the license does not create a vested right.

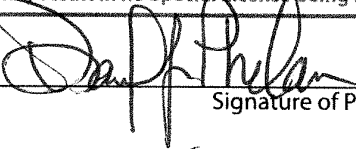
Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

We certify that the information contained in this form is true and accurate to the best of our knowledge and belief. We agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. We also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.

Dan Phelan 517-796-0800

Print Name and Phone Number of President



Signature of President

10.10.23

Date

Keith Everett Book

Print Name of Notary

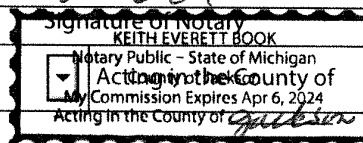


10.10.23

Date

Notary Public, State of Michigan, County of

Jackson



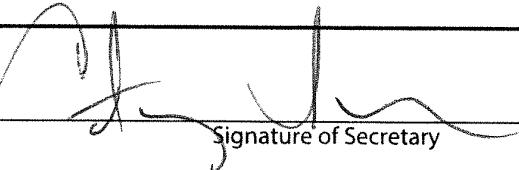
Jackson

My commission expires

4.6.2024

Courtney Ivan- 814-823-3515

Print Name and Phone Number of Secretary



Signature of Secretary

10/10/23

Date

Keith Everett Book

Print Name of Notary



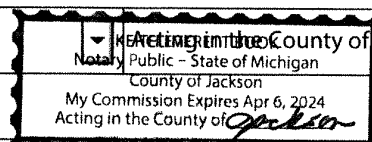
Signature of Notary

10/10/23

Date

Notary Public, State of Michigan, County of

Jackson



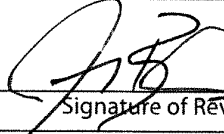
Jackson

My commission expires

4.6.2024

Part 5 - Local Law Enforcement Approval*

The local law enforcement agency with primary jurisdiction over the event location must complete this section.

| | |
|--|---|
| Name of law enforcement agency: <u>Jackson County Office of the Sheriff</u> | |
| Name & title of reviewing officer: <u>C.T. Jeremy Barnett</u> | |
| Phone number of officer: <u>517 768-7941</u> | Email of officer: <u>jbarnett@mijackson.org</u> |
| If event will be held on a Sunday, is the sale of alcohol from 7:00am to 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input type="radio"/> No | |
| If the event will be held on a Sunday, is the sale of alcohol after 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input type="radio"/> No | |
| I certify that I have reviewed the application of the applicant organization for a Special License and approve the issuance of a Special License by the Michigan Liquor Control Commission at the proposed event location. | |
| <div style="display: flex; justify-content: space-between;"> <div>  Signature of Reviewing Officer </div> <div> <u>9-6-23</u> Date </div> </div> | |

Part 6 - Church/School Consent (If Applicable)*

If the event location is located within 500 feet of a church or school, the applicant organization must obtain the consent of the church or school. A church or school within 500 feet of the event location may object based on such the sale of alcohol at the location adversely affecting the church or school's operations. If a proper objection is filed, the Commission shall hold a hearing to determine whether the granting of the application will adversely affect the operation of the church or school.

| | |
|--|-----------|
| Name of church or school: | |
| Address of church or school: | |
| City: | Zip Code: |
| Phone number: | Email: |
| Name of clergy member or superintendent: | |
| I, the authorized representative of the above named church or school, state that the church or school has no objection to the issuance of a Special License to the applicant organization at its proposed event location. | |
| <div style="display: flex; justify-content: space-between;"> <div> Signature of Clergy Member or Superintendent </div> <div> Date </div> </div> | |

***Please note: the Commission has the sole and only right to approve or deny this request for a Special License.**

Part 7 - Existing On-Premises Licensee Escrow Request (If Applicable)

If the event location is currently licensed with an on-premises license, the licensee must request that its license be placed into escrow for the date(s) and time(s) of the Special Licenses issued for use at the event location requested on this application. If the existing license would prefer to temporarily drop space from its licensed premises, it must submit a letter to the Commission requesting to drop space temporarily from its licensed premises during the event date(s) and time(s), accompanied by a diagram showing the area where the license will temporarily drop space from its licensed premises to accommodate the applicant organization.

| | |
|---|---------------------|
| Name of licensee: | Business ID Number: |
| Type of license held at this location (e.g. Class C, Club, Tavern, etc.): | |
| Phone number: | Email: |
| Name of authorized signer for licensee: | |
| I, the authorized signer, for the above named on-premises licensee, request that the licensee's licenses at this location be placed into escrow during the date(s) and time(s) specified for the Special Licenses issued for use at this location. | |
| <div style="display: flex; justify-content: space-between;"> <div> Signature of Authorized Signer for Licensee </div> <div> Date </div> </div> | |



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Mailing Address: P.O. Box 30005, Lansing, MI 48909
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC Use Only)

Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License

(Required under Administrative Rule R 436.576 - Not Required for Candidate Committee)

At a ☒ Regular ☐ Special meeting of the ☐ Membership ☒ Board of Directors

called to order by John M. Crist on October 16, 2023 at 6:30 pm
(Date) (Time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from Jackson College
(Name of Organization)

for a Special License to serve alcohol on November 11, 2023 and February 10, 2024
(Event Date or Dates)

to be located at Jackson College Fieldhouse, 2111 Emmons Rd, Jackson, MI 4920
(Physical Address - Include Location Name, Street Address, City, State, & Zip Code)

It is the consensus of this body that the application be Recommended for issuance.
(Recommended or Not Recommended)

Approval Vote Tally

Yeas: _____

Nays: _____

Absent: _____

Certification by Authorized Officer of Organization:

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the

☐ Membership ☒ Board of Directors at a ☒ Regular ☐ Special meeting held on October 16, 2023
(Date)

John M. Crist

Print Name & Title of Authorized Officer

Signature of Authorized Officer

10/16/23
Date

Business ID: _____
Request ID: _____
(For MLCC Use Only)

List the name and address of each person that has donated wine to the applicant organization for the wine auction and list the brand(s) and quantity donated. The applicant organization shall not accept donations of wine from a business licensed by the Michigan Liquor Control Commission. An authorized officer of the applicant organization must sign this donation record form.

[illegible]

I hereby certify that all persons listed above have donated wine to the applicant organization listed above for this wine auction, to be conducted pursuant to the Michigan Liquor Control Code, MCL 436.1527. The persons listed above have donated wine to the applicant organization as individuals and not for or on behalf of any retail or nonretail business licensed by the Michigan Liquor Control Commission.

Date _____



**Michigan Department of Licensing and Regulatory Affairs
Finance and Administrative Services
Revenue Services**

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (see note below).

Credit Card Authorization Form

**** FAX COMPLETED FORM TO SECURE FAX LINE: 517-284-8557 ****

**** DO NOT EMAIL OR MAIL THIS FORM ****

Requests with credit card payments that are not faxed to the above secure fax line will be destroyed along with the credit card authorization in order to ensure the security of applicants' personal credit card numbers.

****IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED****

Name on Card: _____

Payment Amount: _____

Billing Address: _____

Card Number: _____

City: _____ State: _____ Zip Code: _____

Check One:

Phone: _____

☐ MasterCard ☐ Visa ☐ Discover

Email: _____

Security Code/CVV Code: _____

Applicant/Licensee Name: _____ Request or Business ID #: _____

Expiration Date: _____

Payment is for: _____

Signature _____

IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED.

Credit Card Payment Itemization:

| Fee Type | Fee Amount | MLCC Fee Code |
|---|------------|---------------|
| <input type="checkbox"/> Inspection Fee(s): | _____ | 4036 |
| <input type="checkbox"/> Special License Fee(s): | _____ | 4008 |
| <input type="checkbox"/> Temporary Authorization Fee: | _____ | 4037 |
| <input type="checkbox"/> License Renewal Fee(s): | _____ | 4004 |
| <input type="checkbox"/> Manufacturer License(s): | _____ | 4038 |
| <input type="checkbox"/> Wholesaler License(s): | _____ | 4085 |
| <input type="checkbox"/> New Retailer License(s): | _____ | 4012 |
| <input type="checkbox"/> Transfer Retailer License(s): | _____ | 4034 |
| <input type="checkbox"/> Conditional License | _____ | 4012 |
| <input type="checkbox"/> New Add Bar <input type="checkbox"/> Transfer Add Bar: | _____ | 4012/4034 |
| <input type="checkbox"/> Sunday Sales Permit (AM): | _____ | 4033 |
| <input type="checkbox"/> Sunday Sales Permit (PM): | _____ | 4032 |
| <input type="checkbox"/> Catering Permit: | _____ | 4031 |

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (MLCC). Receipt of payment and application forms by LARA Revenue Services does not constitute receipt of an application by the MLCC. **Applications submitted through LARA Revenue Services may take up to two (2) additional business days to be received by the MLCC after receipt by LARA Revenue Services.**

For requests that require a timely receipt of an application by the MLCC to be processed, such as Special Licenses and temporary requests, please ensure that your application will be received in adequate time to be processed by the MLCC after the payment is received and processed by LARA Revenue Services.

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| <p align="center">BOARD OF TRUSTEES MEETING Action & Information Report Board Meeting Date: October 16, 2023</p> |
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TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

| Subject to be Discussed and Policy Reference: | |
|---|---|
| 6.0 | Consent / Required Approval Agenda |
| 6.2 | Board Consideration: Resolution for Historical Existence* |
| | <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-03 Board Planning Cycle & Agenda Control |
| Description: | |
| <p>The reason for this resolution is to have further documentation of Jackson College's formation. Each year we must renew our certification with SAM.gov so that Jackson College is eligible for federal awards. And, each year the agency presses administration for documentation of Jackson College's "incorporation".</p> <p>As advised by the legal counsel of Thrun, the attached resolution will help prove in the future if needed of Jackson College's "incorporation".</p> | |
| Resource Impact: | |
| None | |
| Requested Board Action: | |
| Board's approval of the Resolution for Historical Existence. | |
| Action Taken: | |
| | |

Jackson College, Michigan (the “College”)

A meeting of the board of trustees of the College (the “Board”) was held in the Community Rooms of Bert Walker Hall on Central Campus, within the boundaries of the College, on the 16th day of October, 2023, at 6:30 o’clock in the p.m. (the “Meeting”).

The Meeting was called to order by John M. Crist, Chairperson.

Present: Trustees Christopher A. Simpson, Donna L. Lake, Philip E. Hoffman, Matthew R. Heins, Sam R. Barnes, John M. Crist, Sheila A. Patterson

Absent: Trustees

The following preamble and resolution were offered by Trustee John M. Crist and supported by Trustee _____:

WHEREAS:

1. In 1928, the College was founded as Jackson Junior College and operated as a division of the Jackson Union School District; and
2. In 1962, the electors of Jackson County voted to approve a community college district pursuant to Public Act 188 of 1955, establishing the College as a community college; and
3. Public Act 188 of 1955 was repealed and replaced by the Community College Act of 1966, PA 331 of 1966; and
4. In 2013, the College changed its name from “Jackson Community College” to “Jackson College;” and
5. This Board, despite a reasonable search, cannot locate specific documentation evidencing the College’s initial operating date, but it can provide certain other information validating its historical existence, including the consideration and approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The College is a Michigan community college organized and operating under the provisions of the Michigan Constitution of 1963, Article VIII, §7 and the Community College Act of 1966, MCL 389.1, *et seq.*, as amended; accordingly, the College is a political subdivision of the State of Michigan created by the Michigan Legislature.
2. As established by the State of Michigan, the College’s municipal code is 38-6-010.
3. The College has published numerous official statements as a “state or local government” issuer of tax-exempt bonds as a part of its issuance of federally tax-exempt bonds issued pursuant to Section 103 of the Internal Revenue Code of 1986, as amended.
4. The College has established and maintains bylaws and policies directing its governmental operations.

5. Information related to the College's formation is provided on the College's verifiable, official government website, a screenshot of which is attached hereto as Exhibit A.

6. The College's historical information has been validated by the Michigan House of Representatives' House Fiscal Agency, per the Community Colleges FY 2011-12 Line Item and Boilerplate Summary, an excerpt of which is attached hereto as Exhibit B.

7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: Trustees Christopher A. Simpson, Donna L. Lake, Philip E. Hoffman,
Matthew R. Heins, Sam R. Barnes, John M. Crist, Sheila A.
Patterson

Nays: Trustees

Resolution declared adopted.

Chairperson, Board of Trustees

The undersigned duly qualified and acting Chairperson of the Board of Trustees of Jackson College, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at the Meeting, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the Meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, Public Acts of Michigan, 1976, as amended).

Chairperson, Board of Trustees

CJI/mdf



Exhibit A

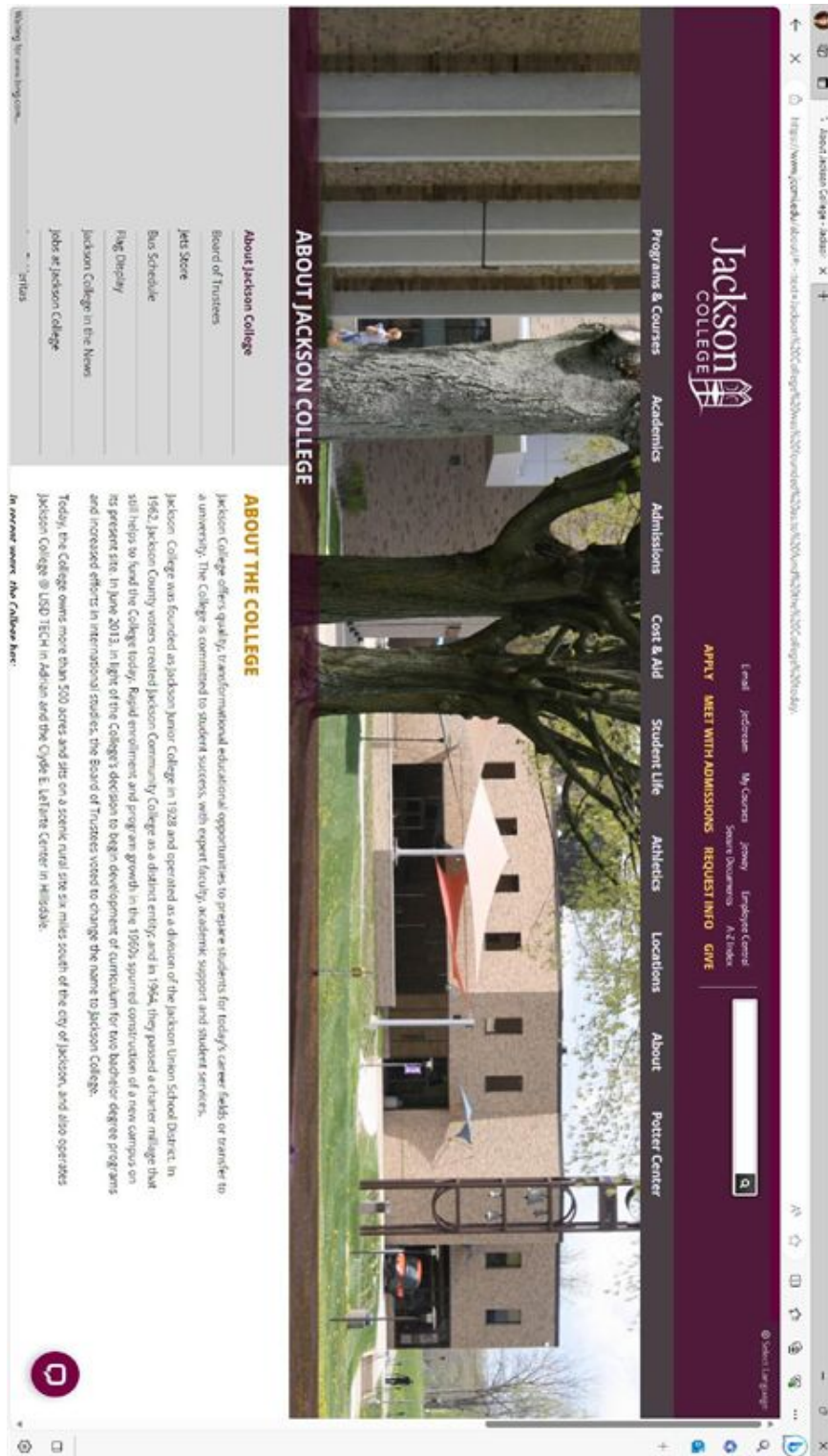


Exhibit B

| | | |
|------------------------------------|------------|---|
| Glen Oaks Community College | 2,320,900 | Established in 1965, Glen Oaks Community College is situated on a 300-acre campus in Centreville, St. Joseph County. The college's voting district consists of St. Joseph County, although the college also offers discounted tuition rates to Cass County residents in the Three Rivers, White Pigeon, or Constantine school districts, as well as residents in Elkhart, LaGrange, and Steuben counties in Indiana. Funding Source(s): Restricted 1,801,400 GF/GP 719,500 |
| Gogebic Community College | 4,140,500 | Originally founded in 1932 as part of the Ironwood School District, the Gogebic Community College district was established in 1965. The college is situated on a 260-acre campus in Ironwood, Gogebic County. The college continues to own and operate the Mt. Zion recreational complex, and offers courses at an extension office in Houghton. Funding Source(s): Restricted 2,857,000 GF/GP 1,283,500 |
| Grand Rapids Community College | 16,649,700 | Founded in 1914, GRCC was the state's first community college, and among the first community colleges in the country. The college was originally established as part of the Grand Rapids Public Schools, but separated from school district in July 1991. The college's voting district overlaps the Kent Intermediate School District, encompassing 20 public school districts. In addition to its downtown campus, the college offers classes at its Lakeshore campus in Holland, as well as other locations in the Grand Rapids area. Funding Source(s): Restricted 11,488,500 GF/GP 5,161,200 |
| Henry Ford Community College | 20,145,000 | Established in 1938, the college is organized as part of the Dearborn Public Schools (both the college and the school district have the same board.) The college's main campus is located on land originally donated to the college in 1956 by Ford Motor Company from the estate of Henry Ford. The college also offers courses at its east campus, which houses an M-TEC center and the college's nursing program, and its Dearborn Heights campus, which houses the Center for Lifelong Learning. Funding Source(s): Restricted 13,900,300 GF/GP 6,244,700 |
| Jackson Community College | 11,219,700 | Established in 1928 as part of the Jackson Union School District, the college became a separate district in 1962, with the college's voting district comprising Jackson County. The college's main campus is located on 500 acres south of the City of Jackson. In addition to its main campus, the college offers courses at the LISD Tech Center in Adrian, the LeTarte Center in Hillsdale, and the JCC Flight Center at the Reynolds Municipal Airport in Jackson. Funding Source(s): Restricted 7,741,700 GF/GP 3,478,000 |
| Kalamazoo Valley Community College | 11,522,700 | Established in 1968, the KVCC voting district comprises ten public school districts in the Kalamazoo area (Climax-Scotts, Comstock, Galesburg-Augusta, Gull Lake, Kalamazoo, Mattawan, Parchment, Portage, Schoolcraft, and Vicksburg). The college's main campus is located on 187 acres in Texas Township (southwest of Kalamazoo), which also houses an M-TEC center. The college's downtown Kalamazoo campus, the Arcadia Commons Campus, houses the Kalamazoo Valley Museum and the Center for New Media. Funding Source(s): Restricted 7,950,800 GF/GP 3,571,900 |

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| <p align="center">BOARD OF TRUSTEES MEETING Action & Information Report Board Meeting Date: October 16, 2023</p> |
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TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

| |
|---|
| Subject to be Discussed and Policy Reference: |
| 6.0 Consent / Required Approval Agenda 6.3 Board Consideration: Resolution for JC 2024 Refunding Bonds* <u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-06 Investments |
| Description: |
| The reason for this resolution is to pave the way for the possibility of refinancing the 2014 refunding bonds. The resolution provides a minimum savings section that needs to be achieved to proceed with the refinancing process. |
| Resource Impact: |
| None |
| Requested Board Action: |
| I recommend the Board's approval of the Resolution for JC 2024 Refunding Bonds. |
| Action Taken: |
| |

LIMITED TAX PLEDGE NOTICE

PLEASE TAKE NOTICE that there will be a meeting of the Board of Trustees of Jackson College, Michigan.

At said meeting, the Board of Trustees will consider for approval its proposed 2024 Refunding Bonds (General Obligation - Limited Tax). The proposed 2024 Refunding Bonds (General Obligation - Limited Tax), if issued, will contain the limited tax full faith and credit pledge of Jackson College, Michigan.

DATE OF MEETING: October 16, 2023

PLACE OF MEETING: Community Rooms 144 & 145, Bert Walker Hall,
Central Campus of Jackson College,
2111 Emmons Rd., Jackson, MI 49201

HOUR OF MEETING: 6:30 o'clock, p.m.

TELEPHONE NUMBER OF
PRINCIPAL OFFICE OF THE
BOARD OF TRUSTEES: 517-796-8443

BOARD MINUTES ARE
LOCATED AT THE PRINCIPAL
OFFICE OF THE BOARD OF
TRUSTEES: George Potter Center, Boardroom A-214,
2111 Emmons Rd., Jackson, MI 49201

John Globoker, Chief Financial Officer

AFFIDAVIT OF POSTING NOTICE

STATE OF MICHIGAN)
)ss
COUNTY OF Jackson)

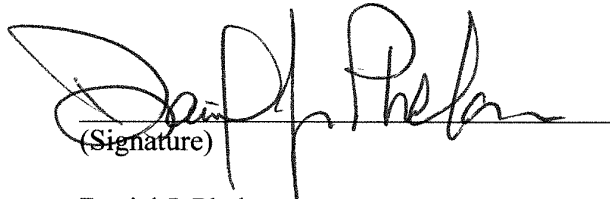
The undersigned, being first duly sworn, deposes and says that he/she posted the public notice attached hereto at least eighteen (18) hours prior to the below-referenced meeting of the Board of Trustees of Jackson College, Michigan, held on:

DATE OF MEETING: October 16, 2023

HOUR OF MEETING: 6:30 o'clock, p.m.

PLACE OF POSTING NOTICE: Boardroom, A-214, George Potter

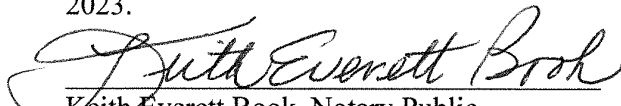
 2111 Emmons Rd., Jackson, MI 49201

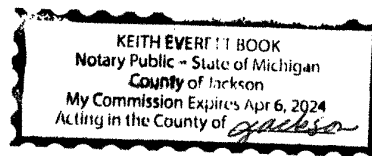


(Signature)

Daniel J. Phelan
(Print Name)

Subscribed and sworn to before me in Jackson County, Michigan, on the 10th day of October, 2023.


Keith Everett Book, Notary Public
State of Michigan, County of Jackson
My commission expires: 4/6/2024
Acting in the County of Jackson



**RESOLUTION AUTHORIZING THE ISSUANCE AND
DELEGATING THE SALE OR PRIVATE PLACEMENT OF
JACKSON COLLEGE
2024 REFUNDING BONDS**

Jackson College, Michigan (the “Issuer”)

A regular meeting of the board of trustees of the Issuer (the “Board”) was held in the Community Rooms of Bert Walker Hall on Central Campus, within the boundaries of the Issuer, on the 16th day of October, 2023, at 6:30 o’clock in the p.m. (the “Meeting”).

The Meeting was called to order by John C. Crist, Chairperson.

Present: Trustees Christopher A. Simpson, Donna L. Lake, Philip E. Hoffman,
Matthew R. Heins, Sam R. Barnes, John M. Crist, Sheila A.
Patterson

Absent: Trustees

The following preamble and resolution were offered by Trustee John M. Crist and supported by Trustee _____:

WHEREAS:

1. Part VI of Act 34, Public Acts of Michigan, 2001, as amended, the Revised Municipal Finance Act (the “Act”), permits the Issuer to refund all or part of its bonded indebtedness; and
2. The Issuer has received a proposal from PFM Financial Advisors LLC, to refund all or part of that portion of the Issuer’s outstanding 2014 Refunding Bonds, dated July 16, 2014, in the original amount of \$9,280,000, which are callable on or after May 1, 2024, and are due and payable May 1, 2025 through May 1, 2030, inclusive (the “Prior Bonds”); and
3. The Board determines that it is in the best interest of the Issuer to consider refunding the Prior Bonds; and
4. Prior to the issuance of bonds, the Issuer must either achieve qualified status or secure prior approval of the bonds from the Michigan Department of Treasury (the “Department of Treasury”) pursuant to the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Bonds of the Issuer designated 2024 Refunding Bonds (General Obligation - Limited Tax) (the “Bonds”) be issued in the aggregate principal amount of not to exceed \$5,500,000, as finally determined upon sale or private placement thereof, for the purpose of refunding all or a portion of the Prior Bonds. The Bonds shall be dated the date of delivery, or such other date as established at the time of sale; shall be numbered in the direct order of their maturities from 1 upwards; shall be fully registered Bonds as to principal and interest; shall bear interest at a rate or rates to be hereafter determined upon sale, but not exceeding five percent (5%) per annum, payable on November 1, 2024, or such other date as may be established at the time of sale, and semiannually thereafter on May 1 and November 1 in each year; and shall mature on May 1 in each year to be subsequently determined by the President,

Chief Financial Officer or Director of Finance of the Issuer (each an “Authorized Officer”), in the final principal amounts determined upon sale and may be subject to redemption, as determined by an Authorized Officer, in the amounts, at the times, in the manner, and at the prices determined upon sale of the Bonds.

2. An Authorized Officer is authorized to determine prior to the sale or private placement of the Bonds: the date of Bonds, the series designation, the method by which the Bonds will be sold (i.e., competitive sale, negotiated sale or private placement), final principal maturities to and including 2030, principal amounts, redemption features, and other terms, conditions and features necessary to sell the Bonds, according to and not inconsistent with the parameters established in this resolution.

3. The Bonds shall be in denominations of \$5,000 or any whole multiple thereof.

4. The principal of the Bonds and the interest thereon shall be payable in lawful money of the United States of America at or by a bank or trust company to be designated by an Authorized Officer at the time of sale (herein called the “Paying Agent”), which shall act as the paying agent and bond registrar or such successor paying agent-bond registrar as may be approved by the Issuer, on each semiannual interest payment date and the date of each principal maturity.

5. The interest on any one Bond shall be at one rate only and all Bonds maturing in any one year must carry the same interest rate. No bid will be considered for a price less than 98% or greater than 115% of the par value.

6. Book Entry. Unless otherwise requested by the initial purchaser, the ownership of one fully registered bond for each maturity, in the aggregate principal amount of such maturity, shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”). So long as the Bonds are in the book entry form only, the Paying Agent shall comply with the terms of the Blanket Issuer Letter of Representations to be entered into between the Issuer and DTC, which provisions shall govern registration, notices and payment, among other things, and which provisions are incorporated herein with the same effect as if fully set forth herein. An Authorized Officer is authorized and directed to enter into the Blanket Issuer Letter of Representations with DTC in such form as determined by an Authorized Officer, in consultation with bond counsel, to be necessary and appropriate. In the event the Issuer determines that the continuation of the system of book entry only transfer through DTC (or a successor securities depository) is not in the best interest of the DTC participants, beneficial owners of the Bonds, or the Issuer, the Issuer will notify the Paying Agent, whereupon the Paying Agent will notify DTC of the availability through DTC of the bond certificates. In such event, the Issuer shall issue and the Paying Agent shall transfer and exchange Bonds as requested by DTC of like principal amount, series and maturity, in authorized denominations to the identifiable beneficial owners in replacement of the beneficial interest of such beneficial owners in the Bonds, as provided herein.

So long as the book-entry-only system remains in effect, in the event of a partial redemption the Paying Agent will give notice to Cede & Co., as nominee of DTC, only, and only Cede & Co. will be deemed to be a holder of the Bonds. DTC is expected to reduce the credit balances of the applicable DTC Participants in respect of the Bonds and in turn the DTC Participants are expected to select those Beneficial Owners whose ownership interests are to be extinguished or reduced by such partial redemptions, each by such method as DTC or such DTC Participants, as the case may be, deems fair and appropriate in its sole discretion.

7. In the event the Bonds are no longer in book entry form only, the following provisions would apply to the Bonds:

The Paying Agent shall keep or cause to be kept, at its principal office, sufficient books for the registration and transfer of the Bonds, which shall at all times during normal business hours be open to inspection by the Issuer; and, upon presentation and surrender for such purpose, the Paying Agent shall, under such reasonable regulations as it may prescribe, transfer or cause to be transferred on said books, Bonds as herein provided.

Any Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by a duly authorized agent, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Paying Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Issuer shall furnish or cause to be furnished a sufficient number of manual or facsimile executed Bonds and the Paying Agent shall authenticate and deliver a new Bond or Bonds for like aggregate principal amount. The Paying Agent shall require the payment of any tax or other governmental charge required to be paid with respect to the transfer to be made by the bondholder requesting the transfer.

8. If any Bond shall become mutilated, the Issuer, at the expense of the holder of the Bonds, shall furnish or cause to be furnished, and the Paying Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution of the mutilated Bond, upon surrender to the Paying Agent of the mutilated Bond. If any Bond issued under this resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft and indemnity may be submitted to the Paying Agent, and if satisfactory to the Paying Agent and the Issuer, the Issuer at the expense of the owner, shall furnish or cause to be furnished, and the Paying Agent shall authenticate and deliver a new Bond of like tenor and bearing the statement required by Act 354, Public Acts of Michigan, 1972, as amended, being sections 129.131 to 129.134, inclusive, of the Michigan Compiled Laws, or any applicable law hereafter enacted, in lieu of and in substitution of the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond, the Paying Agent may pay the same without surrender thereof.

9. The Chairperson and Vice Chairperson are authorized to provide the Bonds in conformity with the specifications of this resolution by causing their manual or facsimile signatures to be affixed thereto, and upon the manual execution by the authorized signatory of the Paying Agent, the Treasurer is authorized and directed to cause said Bonds to be delivered to the purchaser upon receipt of the purchase price and accrued interest, if any.

Blank bonds with the manual or facsimile signatures of the Chairperson and Vice Chairperson of the Board affixed thereto, shall, at the direction of bond counsel and as necessary, be delivered to the Paying Agent for safekeeping to be used for registration and transfer of ownership.

10. There is hereby created a separate depository account to be kept with a bank located in the State of Michigan and insured by the Federal Deposit Insurance Corporation, previously approved as an authorized depository of funds of the Issuer, to be designated 2024 REFUNDING BOND DEBT RETIREMENT FUND (hereinafter referred to as the "DEBT RETIREMENT FUND"), with such account to receive all proceeds from taxes levied to be used for the purpose of paying the principal and interest on the Bonds authorized herein as they mature or are redeemed. Upon receipt of the Bond proceeds from the sale of the Bonds, the accrued interest, if any, shall be deposited in the DEBT RETIREMENT FUND. DEBT RETIREMENT FUND moneys may be invested as authorized by law.

11. The Issuer hereby irrevocably pledges to make the annual principal and interest payments on the Bonds beginning with the fiscal year 2024-2025 and during each fiscal year for which a budget is adopted, the first budget obligation within its authorized millage and other available funds until such time as the principal and interest on the Bonds have been paid in full.

12. Commencing with the 2024 tax levy, there shall be levied upon the tax rolls of the Issuer in each year for the purpose of the DEBT RETIREMENT FUND a sum not less than the amount estimated to be sufficient to pay the principal and interest on the Bonds as such principal and interest fall due, the probable delinquency in collections and funds on hand being taken into consideration in arriving at the estimate. The Issuer hereby pledges its limited tax full faith and credit for the payment of the principal and interest on the Bonds, payable from ad valorem taxes which will be levied within the authorized constitutional, statutory and charter tax limitations of the Issuer for such purposes and an irrevocable appropriation of a sufficient amount of taxes will be made each year from said millage rate for the payment of principal and interest on the Bonds as due, subordinate only to any first liens on said funds pledged for the payment of operating notes, lines of credit or tax anticipation notes heretofore or hereafter issued.

The Issuer not having the power to levy taxes for the payment of the Bonds in excess of its constitutional, statutory or charter tax rate limitation, the Bonds will be limited tax general obligations of the Issuer, and, if tax collections are insufficient to pay the principal of or interest on the Bonds when due, the Issuer pledges to use any and all other resources available for the payment of the Bonds.

13. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of the Prior Bonds set forth in the order approving sale. Upon receipt of the proceeds of sale or private placement of the Bonds, the accrued interest, if any, shall be deposited in the DEBT RETIREMENT FUND for the Bonds. From the proceeds of the Bonds there shall next be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated 2024 BOND ISSUANCE FUND (hereinafter referred to as the "BOND ISSUANCE FUND"). Moneys in the BOND ISSUANCE FUND shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the BOND ISSUANCE FUND after payment of issuance expenses shall be transferred to the DEBT RETIREMENT FUND for the Bonds.

14. The balance of the proceeds of the Bonds, together with any moneys transferred at the time of closing of the Bonds from the debt retirement fund for the Prior Bonds, shall be held as cash and/or invested in direct obligations of the United States of America, or obligations, the principal and interest of which are unconditionally guaranteed by the United States of America, or other obligations the principal and interest of which are fully secured by the foregoing (the "Escrow Funds"), and used to pay principal and interest on the Prior Bonds. The Escrow Funds shall be held by an escrow agent (the "Escrow Agent") in trust in an escrow account (the "Escrow Account") pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the Escrow Agent to take all necessary steps to call any Prior Bonds specified by an Authorized Officer upon sale or private placement of the Bonds for redemption, including publication and mailing of redemption notices, on the earliest date specified by an Authorized Officer that the respective series of Prior Bonds may be called for redemption. The investment held in the Escrow Account shall be such that the principal and interest payments received thereon will be sufficient, without reinvestment, to pay the principal and interest on the Prior Bonds as they become due pursuant to maturity or the call for redemption required by this paragraph. Following establishment of the Escrow Account, any amounts remaining in the debt retirement fund for the Prior Bonds shall be transferred to the DEBT RETIREMENT FUND for the Bonds.

15. An Authorized Officer, subject to final approval of the Board, is authorized to select an Escrow Agent to serve under the Escrow Agreement.

16. The Bonds shall be in substantially the form attached hereto and incorporated herein as Exhibit A.

17. If an Authorized Officer determines that the Bonds will be sold through a competitive sale, an Authorized Officer or designee is authorized to sell the Bonds in accordance with the Notice of Sale set forth in Exhibit B and, subject to the parameters set forth in this resolution, approve the winning bidder upon the sale of the Bonds and the interest rates on and final principal amounts of the Bonds and execute the written order accepting the bid. In the alternative, an Authorized Officer may determine to sell the Bonds to an underwriter through a negotiated sale, or to make a private placement of the Bonds to a purchaser, and accept an offer from such underwriter or purchaser subject to the parameters set forth in this resolution. If the Bonds are sold to an underwriter, an Authorized Officer shall be authorized to accept the terms of a Bond Purchase Agreement, and execute said agreement on the Issuer's behalf, subject to the parameters set forth in this resolution. If the Bonds are sold and issued through a private placement, an Authorized Officer may accept an offer from a purchaser, subject to the parameters set forth in this resolution, and, if necessary, accept the terms of a placement agreement, and execute said agreement on the Issuer's behalf, subject to the parameters set forth in this resolution. Further, if the Bonds are sold and issued through a negotiated sale to an underwriter, or through a private placement, an Authorized Officer is authorized to approve and execute any documents or agreements necessary to evidence or consummate the negotiated sale or private placement.

18. An Authorized Officer's or designee's authorization to approve the winning bid or offer to purchase the Bonds through a negotiated sale or private placement is subject to the following parameters:

- a. the average true interest cost rate on the Bonds shall not exceed 5%; and
- b. the present value savings from the refunding shall not be less than 2% of the par of the Prior Bonds; and
- c. the receipt of express written recommendation of the Issuer's financial consulting firm identified herein to (i) approve the winning bid, (ii) accept an offer to purchase the Bonds pursuant to a Bond Purchase Agreement, or (iii) accept an offer to purchase the Bonds pursuant to a private placement.

19. An Authorized Officer, or designee if permitted by law, is authorized to:

- a. File with the Department of Treasury an application for approval to issue the Bonds, if required, and to pay any applicable fee therefor and, further, within fifteen (15) business days after issuance of the Bonds, file any and all documentation required subsequent to the issuance of the Bonds, together with any statutorily required fee.
- b. Make application for municipal bond insurance if, upon advice of the financial consulting firm of the Issuer, the purchase of municipal bond insurance will be cost effective. The premium for such bond insurance shall be paid by the Issuer from Bond proceeds.



- c. Execute and deliver the Continuing Disclosure Agreement (the “Agreement”) in substantially the same form as set forth in Exhibit C attached hereto, or with such changes therein as the individual executing the Agreement on behalf of the Issuer shall approve, his/her execution thereof to constitute conclusive evidence of his/her approval of such changes. When the Agreement is executed and delivered on behalf of the Issuer as herein provided, the Agreement will be binding on the Issuer and the officers, employees and agents of the Issuer, and the officers, employees and agents of the Issuer are authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed, and the Agreement shall constitute, and is made, a part of this resolution, and copies of the Agreement shall be placed in the official records of the Issuer, and shall be available for public inspection at the office of the Issuer. Notwithstanding any other provision of this resolution, the sole remedies for failure to comply with the Agreement shall be the ability of any Bondholder or beneficial owner to take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under the Agreement.
- d. Approve circulation of a Preliminary Official Statement describing the Bonds.

20. The Chairperson or Vice Chairperson, Secretary, Treasurer, President, Chief Financial Officer, Director of Finance, and/or all other officers, agents and representatives of the Issuer and each of them shall execute, issue and deliver any certificates, statements, warranties, representations, or documents necessary to effect the purposes of this resolution or the Bonds.

21. The officers, agents and employees of the Issuer are authorized to take all other actions necessary and convenient to facilitate the sale/private placement and delivery of the Bonds.

22. Thrun Law Firm, P.C., is appointed as bond counsel for the Issuer with reference to the issuance of the Bonds authorized by this resolution. Further, Thrun Law Firm, P.C., has informed this Board that it represents no other party in the issuance of the Bonds.

23. Bids for the Bonds shall be conditioned upon the unqualified approving opinion of Thrun Law Firm, P.C., bond counsel, the original of such opinion will be furnished without expense to the purchaser of the Bonds at the delivery thereof.

24. The financial consulting firm of PFM Financial Advisors LLC, is appointed as financial consultant to the Issuer with reference to the issuance of the Bonds herein authorized.

25. The Issuer shall furnish Bonds ready for execution at its expense. The Bonds will be delivered without expense to the purchaser at a place to be mutually agreed upon with the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of delivery of the Bonds.

26. The Board covenants to comply with existing provisions of the Internal Revenue Code of 1986, as amended (the “Code”), necessary to maintain the exclusion of interest on the Bonds from gross income.

27. An Authorized Officer may designate the Bonds of this issue as “qualified tax-exempt obligations” for purposes of deduction of interest expense by financial institutions under the provisions

of the Code, if, in making said designation, an Authorized Officer determines that the reasonably anticipated amount of tax-exempt obligations which will be issued by the Issuer or entities which issue obligations on behalf of the Issuer during calendar year 2024 will not exceed \$10,000,000, excluding only those tax-exempt obligations as permitted by Section 265(b)(3)(C)(ii) of the Code; provided, however, that to the extent the Prior Bonds were designated by the Issuer as “qualified tax-exempt obligations” and provided that the other conditions required by the Code to deem all or a portion of the Bonds as designated as “qualified tax-exempt obligations” are satisfied, then only that portion of the par amount of the Bonds that exceeds the par amount of the Prior Bonds may be designated by an Authorized Officer as “qualified tax-exempt obligations” under this paragraph and the remaining portion of the Bonds are deemed designated as “qualified tax-exempt obligations”.

28. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

Ayes: Trustees Christopher A. Simpson, Donna L. Lake, Philip E. Hoffman,
Matthew R. Heins, Sam R. Barnes, John M. Crist, Sheila A.
Patterson

Nays: Trustees

Resolution declared adopted.

Chairperson, Board of Trustees

The undersigned duly qualified and acting Chairperson of the Board of Trustees of Jackson College, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at the Meeting, the original of which is part of the Board’s minutes. The undersigned further certifies that notice of the Meeting was given to the public pursuant to the provisions of the “Open Meetings Act” (Act 267, Public Acts of Michigan, 1976, as amended).

Chairperson, Board of Trustees

CJI/keh



EXHIBIT A

[No.]
UNITED STATES OF AMERICA
STATE OF MICHIGAN
JACKSON COLLEGE
2024 REFUNDING BOND
(GENERAL OBLIGATION - LIMITED TAX)

| | | | |
|-------------|----------------------|-------------------------------|------------------|
| <u>Rate</u> | <u>Maturity Date</u> | <u>Date of Original Issue</u> | <u>CUSIP No.</u> |
|-------------|----------------------|-------------------------------|------------------|

REGISTERED OWNER:
 PRINCIPAL AMOUNT:

JACKSON COLLEGE, STATE OF MICHIGAN (the “Issuer”), promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above in lawful money of the United States of America on the Maturity Date specified above, with interest from the Date of Original Issue until paid at the Rate specified above on the basis of a 360-day year, 30-day month, payable on _____, 20____, and semiannually thereafter on the first day of _____ and _____ of each year (the “Bond” or “Bonds”). Principal on this Bond is payable at the corporate trust office of _____, MICHIGAN (the “Paying Agent”), upon presentation and surrender hereof. Interest is payable by check or draft mailed to the Registered Owner at the registered address shown on the registration books of the Issuer kept by the Paying Agent as of the close of business on the 15th day of the month preceding any interest payment date. The Issuer may hereafter designate a successor paying agent/bond registrar by notice mailed to the Registered Owner not less than sixty (60) days prior to any interest payment date.

This Bond is one of a series of bonds of like date and tenor, except as to denomination, rate of interest and date of maturity, aggregating the principal amount of \$ _____ issued under and in pursuance of the provisions of Act 331, Public Acts of Michigan, 1966, as amended; Act 34, Public Acts of Michigan, 2001, as amended; and resolutions duly adopted by the Board of Trustees of the Issuer on October 16, 2023 and _____, 20____, for the purpose of refunding all or a portion of a certain prior bond issue of the Issuer.

The limited tax, full faith, credit and resources of the Issuer are hereby pledged for the payment of the principal and interest on the Bonds. The Bonds of this issue are payable primarily from ad valorem taxes, which will be levied within the authorized constitutional, statutory and charter tax limitations of the Issuer and an irrevocable appropriation of a sufficient amount of such taxes will be made each year as a first operating budget obligation for the payment of the principal of and interest on the Bonds as due, subordinate only to any first liens on said funds pledged for the payment of operating notes, lines of credit or tax anticipation notes heretofore or hereafter issued and, if taxes are insufficient to pay the Bonds when due, the Issuer has pledged to use any and all other resources available for the payment of the Bonds. The Issuer does not have the power to levy taxes for the payment of the Bonds in excess of its constitutional, statutory or charter tax rate limitations. The Issuer reserves the right to issue additional bonds of equal standing

MANDATORY REDEMPTION

The Bonds maturing on _____, 20__, are term Bonds subject to mandatory redemption, in part, by lot, on the redemption dates and in the principal amounts set forth below and at a redemption price equal to the principal amount thereof, without premium, together with accrued interest to the date fixed for redemption. When term Bonds are purchased by the Issuer and delivered to the Paying Agent for cancellation or are redeemed in a manner other than by mandatory redemption, the principal amount of the term Bonds affected shall be reduced by the principal amount of the Bonds so redeemed or purchased in the order determined by the Issuer.

| <u>Redemption Dates</u> | <u>Bonds due</u> | <u>Principal Amounts</u> |
|-------------------------|------------------|--------------------------|
| _____, 20__ | | \$ |
| _____, 20__ | | |
| _____, 20__ | | |
| _____, 20__ (maturity) | | |

NO OPTIONAL REDEMPTION

Bonds of this issue are not subject to redemption at the option of the Issuer prior to maturity.

Notice of redemption of any Bond shall be given not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption by mail to the Registered Owner at the registered address shown on the registration books kept by the Paying Agent. Bonds shall be called for redemption in multiples of \$5,000, and Bonds of denominations of more than \$5,000 shall be treated as representing the number of Bonds obtained by dividing the denomination of the Bond by \$5,000, and such Bonds may be redeemed in part. The notice of redemption for Bonds redeemed in part shall state that upon surrender of the Bond to be redeemed a new Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond surrendered shall be issued to the Registered Owner thereof. No further interest payment on the Bonds or portions of Bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption, provided funds are on hand with the Paying Agent to redeem the same.

If less than all of the Bonds of any maturity shall be called for redemption prior to maturity, unless otherwise provided, the particular Bonds or portions of Bonds to be redeemed shall be selected by the Paying Agent, in such manner as the Paying Agent in its discretion may deem proper, in the principal amounts designated by the Issuer. Upon presentation and surrender of such Bonds at the corporate trust office of the Paying Agent, such Bonds shall be paid and redeemed.

This Bond is registered as to principal and interest and is transferable as provided in the resolutions authorizing the Bonds only upon the books of the Issuer kept for that purpose by the Paying Agent, by the Registered Owner hereof in person or by an agent of the Registered Owner duly authorized in writing, upon the surrender of this Bond together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the Registered Owner or agent thereof and thereupon a new Bond or Bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolutions authorizing the Bonds, and upon payment of the charges, if any, therein provided. The Bonds are issuable in denominations of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

It is hereby certified and recited that all acts, conditions and things required to be done, to happen, and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed in due time, form and manner, as required by law.

This Bond shall not be deemed a valid and binding obligation of the Issuer in the absence of authentication by manual execution hereof by the authorized signatory of the Paying Agent.

IN WITNESS WHEREOF, Jackson College, State of Michigan, by its Board of Trustees, has caused this Bond to be signed in the name of the Issuer by the manual or facsimile signature of its Chairperson and countersigned by the manual or facsimile signature of its Vice Chairperson as of _____, 2024, and to be manually signed by the authorized signatory of the Paying Agent as of the date set forth below.

JACKSON COLLEGE
STATE OF MICHIGAN

Countersigned

By _____
Vice Chairperson

By _____
Chairperson

CERTIFICATE OF AUTHENTICATION

Dated:

This Bond is one of the Bonds described herein.

(Name of Bank)
(City, State)
PAYING AGENT

By _____
Authorized Signatory



ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____
_____ the within Bond and does hereby irrevocably
constitute and appoint _____ attorney to transfer the Bond
on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

NOTICE: The assignor's signature to this assignment
must correspond with the name as it appears upon the
face of the within Bond in every particular without
alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities
Transfer Association recognized signature guarantee program.

The Paying Agent will not effect transfer of this Bond unless the information concerning the
transferee requested below is provided.

Name and Address: _____

(Include information for all joint owners if the Bond is held by joint account.)

PLEASE INSERT SOCIAL SECURITY NUMBER OR
OTHER IDENTIFYING NUMBER OF ASSIGNEE

(if held by joint account, insert number
for first named transferee)

EXHIBIT B**OPTIONAL DTC BOOK-ENTRY-ONLY****OFFICIAL NOTICE OF SALE**

\$ _____

**JACKSON COLLEGE
STATE OF MICHIGAN
2024 REFUNDING BONDS
(GENERAL OBLIGATION - LIMITED TAX)**

BIDS for the purchase of the above 2024 Refunding Bonds (the “Bond” or “Bonds”) will be received electronically on behalf of Jackson College, Michigan (the “Issuer”), on _____, the _____ day of _____, 20____, until _____ .m., prevailing Eastern Time, by the Municipal Advisory Council of Michigan (the “MAC”) via email at munibids@macmi.com. The bids will be opened and read at the MAC at that time. Award of the bid will be made on behalf of the Issuer by an authorized officer of the Issuer by _____ o’clock in the _____ .m., prevailing Eastern Time, on that date.

ELECTRONIC BIDS: Bidders submitting signed bids electronically must ensure their bids are received prior to the time and date fixed for receipt of bids. Bidders submitting bids electronically bear the full risk of failed or untimely transmission of their bids, and bidders are encouraged to confirm the timely receipt of their full and complete bids by telephoning the MAC at (313) 963-0420.

PARITY: Bids may be presented via *PARITY* on the date and at the time shown above. To the extent any instructions or directions set forth in *PARITY* conflict with this Notice, the terms of this Notice shall control. For further information about *PARITY*, potential bidders may contact PFM Financial Advisors LLC, at (734) 994-9700 or *PARITY* at (212) 849-5021.

PURPOSE AND SECURITY: The Bonds are being issued for the purpose of refunding certain prior outstanding obligations of the Issuer (the "Refunded Bonds"). The Bonds are issued under the provisions of Act 331, Public Acts of Michigan, 1966, as amended, and Act 34, Public Acts of Michigan, 2001, as amended. The Issuer has pledged the limited tax full faith and credit of the Issuer for the payment of principal and interest on the Bonds. The Issuer has further pledged to levy sufficient ad valorem taxes within its authorized millage annually, as a first budget obligation, said levy must be subject to constitutional, statutory and charter tax rate limitations. The Issuer not having the power to levy taxes for the payment of the Bonds in excess of its constitutional, statutory or charter tax rate limitation, the Bonds will be limited tax general obligations of the Issuer, and, if tax collections are insufficient to pay the principal of or interest on the Bonds when due, the Issuer pledges to use any and all other resources available for the payment of the Bonds. The Issuer reserves the right to issue additional bonds of equal standing.

OPTIONAL DTC BOOK-ENTRY-ONLY: Unless otherwise requested by the winning bidder (the “Purchaser”), the Bonds will be initially offered as registered in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company, New York, New York (“DTC”) under DTC’s Book-Entry-Only system of registration. If DTC Book-Entry-Only is used, Purchasers of interests in the Bonds (the “Beneficial Owners”) will not receive physical delivery of bond certificates, and ownership by the Beneficial Owners of the Bonds will be evidenced by book-entry-only. As long as Cede & Co. is the registered owner of the Bonds as nominee of DTC, payments of

principal and interest payments will be made directly to such registered owner which will in turn remit such payments to the DTC participants for subsequent disbursement to the Beneficial Owners.

BOND DETAILS: Said Bonds will be fully registered Bonds, of the denomination of \$5,000 each or multiples thereof up to the amount of a single maturity, dated the date of delivery, numbered in order of issue from 1 upwards and will bear interest from their dated date payable on November 1, 2024, and semiannually thereafter.

The Bonds will mature on May 1 as follows:

| <u>Year</u> | <u>Amount</u> |
|-------------|---------------|
| 2025 | \$ 775,000 |
| 2026 | 795,000 |
| 2027 | 965,000 |
| 2028 | 985,000 |
| 2029 | 980,000 |
| 2030 | 1,000,000 |

TERM BOND OPTION: Bidders shall have the option of designating bonds maturing in any year as serial bonds or term bonds, or both. The bidder must designate whether each of the principal amounts shown above represent a serial maturity or a mandatory redemption requirement for a term bond maturity. There may be more than one term bond maturity. In any event, the above principal amount schedule shall be represented by either serial bond maturities or mandatory redemption requirements, or a combination of both. Any such designation must be made within one (1) hour of the Bond sale.

MATURITY ADJUSTMENT: The aggregate principal amount of this issue is believed to be the amount necessary to provide, in part, adequate funds to retire the Refunded Bonds and pay transactional costs. The Issuer reserves the right to increase or decrease the aggregate principal amount of the Bonds by not more than \$ _____ after receipt of the bids and prior to final award. Such adjustment, if necessary, will be made in increments of \$5,000, will not exceed \$ _____ per maturity and may be made in any maturity.

ADJUSTMENT TO PURCHASE PRICE: In the event of a maturity adjustment, the purchase price of the Bonds will be adjusted proportionately to the adjustment in principal amount of the Bonds and in such manner as to maintain as comparable an underwriter spread as possible to the winning bid.

PAYING AGENT: Principal and interest shall be payable at a bank or trust company qualified to act as a paying agent in Michigan (the "Paying Agent"), or such other Paying Agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any change in Paying Agent. In the event the Bonds cease to be held in book entry form only, the Paying Agent will serve as bond registrar and transfer agent, interest shall be paid by check mailed to the owner as shown by the registration books of the Issuer as of the close of business on the 15th day of the month preceding any interest payment date and the Bonds will be transferable only upon the registration books of the Issuer kept by the Paying Agent. See "Optional DTC Book-Entry-Only" above.

PRIOR REDEMPTION:**A. Mandatory Redemption – Term Bonds.**

Principal designated by the Purchaser of the Bonds as a term maturity shall be subject to mandatory redemption, in part, by lot, at par and accrued interest on the redemption dates corresponding to the maturities hereinbefore scheduled. When term Bonds are purchased by the Issuer and delivered to the Paying Agent for cancellation or are redeemed in a manner other than by mandatory redemption, the principal amount of the term Bonds affected shall be reduced by the principal amount of the Bonds so redeemed or purchased in the order determined by the Issuer.

B. Optional Redemption.

Bonds of this issue are not subject to redemption at the option of the Issuer prior to maturity.

Notice of redemption of any Bond shall be given not less than thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption by mail to the Registered Owner at the registered address shown on the registration books kept by the Paying Agent. Bonds shall be called for redemption in multiples of \$5,000 and Bonds of denominations of more than \$5,000 shall be treated as representing the number of Bonds obtained by dividing the denomination of the Bond by \$5,000 and such Bonds may be redeemed in part. The notice of redemption for Bonds redeemed in part shall state that upon surrender of the Bond to be redeemed a new Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond surrendered shall be issued to the Registered Owner thereof. No further interest payment on the Bonds or portions of Bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption, provided funds are on hand with the Paying Agent to redeem the same.

If less than all of the Bonds of any maturity shall be called for redemption prior to maturity, unless otherwise provided, the particular Bonds or portions of Bonds to be redeemed shall be selected by the Paying Agent, in such manner as the Paying Agent in its discretion may deem proper, in the principal amounts designated by the Issuer. Upon presentation and surrender of such Bonds at the corporate trust office of the Paying Agent, such Bonds shall be paid and redeemed.

INTEREST RATE AND BIDDING DETAILS: The Bonds shall bear interest at a rate or rates not exceeding five percent (5%) per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/100 of 1%, or both. The interest on any one Bond shall be at one rate only. All Bonds maturing in any one year must carry the same interest rate. No proposal for the purchase of less than all of the Bonds or at a price of less than 98% or greater than 115% of the par value, or at a price which will cause the true interest cost on the Bonds to exceed five percent (5%) per annum, will be considered.

AWARD OF BONDS: The Bonds will be awarded to the bidder whose bid produces the lowest true interest cost which is the rate that will discount all future cash payments so that the sum of the present value of all cash flows will equal the Bond proceeds computed from _____, 20__ (the anticipated date of delivery).

LEGAL OPINION: Bids shall be conditioned upon the unqualified approving opinion of Thrun Law Firm, P.C., East Lansing, Michigan, bond counsel, the original of which will be furnished without expense to the Purchaser of the Bonds at the delivery thereof. The fees of Thrun Law Firm, P.C. for services rendered in connection with such approving opinion are expected to be paid from Bond proceeds. Except to the extent necessary to issue its approving opinion as to the validity of the above Bonds, Thrun Law Firm, P.C. has not been requested to examine or review, and has not

examined or reviewed, any financial documents, statements or other materials that have been or may be furnished in connection with the authorization, marketing or issuance of the Bonds and, therefore, has not expressed and will not express an opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

TAX MATTERS: In the opinion of bond counsel, assuming continued compliance by the Issuer with certain requirements of the Internal Revenue Code of 1986, as amended (the “Code”), interest on the Bonds is excluded from gross income for federal income tax purposes, as described in the opinion, and the Bonds and interest thereon are exempt from all taxation in the State of Michigan, except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof. The Issuer has designated the Bonds as “**QUALIFIED TAX-EXEMPT OBLIGATIONS**” within the meaning of the Code, and has covenanted to comply with those requirements of the Code necessary to continue the exclusion of interest on the Bonds from gross income for federal income tax purposes.

OFFICIAL STATEMENT: Upon the sale of the Bonds, the Issuer will publish an Official Statement in substantially the same form as the Preliminary Official Statement, subject to minor additions, deletions and revisions as required to complete the Preliminary Official Statement. Promptly after the sales date, but in no event later than seven (7) business days after such date, the Issuer will provide the Purchaser with either a reasonable number of final Official Statements or a reasonably available electronic version of the same. The Issuer will determine which format will be provided. The Purchaser agrees to supply to the Issuer all necessary pricing information and any underwriter identification necessary to complete the Official Statement within twenty-four (24) hours after the award of Bonds. Additional copies of the final Official Statement may be obtained up to three months following the sale of the Bonds by a request and payment of costs to the financial consultant. The Issuer agrees to provide to the Purchaser at closing a certificate executed by appropriate officers of the Issuer acting in their official capacities, to the effect that as of the date of delivery the information contained in the Official Statement, and any supplement to the Official Statement, relating to the Issuer and the Bonds are true and correct in all material respects, and that the Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

CONTINUING DISCLOSURE: As more particularly described in the Official Statement, the Issuer will agree in the bond resolution or sales resolution to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 (the “Rule”) promulgated by the Securities and Exchange Commission, (i) on or prior to the end of the sixth month after the end of the fiscal year of the Issuer, commencing with the fiscal year ended June 30, 2023, certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the Bonds, (ii) timely notice of the occurrence of certain significant events with respect to the Bonds and (iii) timely notice of a failure by the Issuer to provide the required annual financial information on or before the date specified in (i) above.

BOND INSURANCE: In the event the Purchaser elects to obtain bond insurance for the Bonds, all costs and expenses related to such bond insurance shall be the responsibility of the Purchaser. The failure of such bond insurance to be issued at or before delivery of the Bonds shall not be a basis for the Purchaser to refuse to accept delivery of the Bonds. In the event the Purchaser obtains bond insurance, the bond insurer shall not be entitled to be designated as an addressee of any bond counsel opinion related to the Bonds, nor shall the bond insurer be entitled to a reliance letter associated

with the same. If the Purchaser obtains bond insurance, the Issuer agrees only to insert any reasonable and necessary insurance language in the Bonds.

CERTIFICATION REGARDING “ISSUE PRICE”: Please see Appendix __ to the Preliminary Official Statement for the Bonds, dated _____, 20__, for information and requirements concerning establishing the issue price for the Bonds.

CLOSING DOCUMENTS: Drafts of all closing documents, including the form of Bond and bond counsel’s legal opinion, may be requested from Thrun Law Firm, P.C. Final closing documents will be in substantially the same form as the drafts provided. Closing documents will not be modified at the request of a bidder, regardless of whether the bidder’s proposal is accepted.

DELIVERY OF BONDS: The Issuer will furnish Bonds ready for execution at its expense. Bonds will be delivered without expense to the Purchaser at a place to be mutually agreed upon with the Purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of the delivery of the Bonds. If the Bonds are not tendered for delivery by twelve o’clock, noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if the 45th day is not a business day, the Purchaser may on that day, or any time thereafter until delivery of the Bonds, withdraw the proposal by serving notice of cancellation in writing, on the undersigned. Accrued interest to the date of delivery of the Bonds shall be paid by the Purchaser at the time of delivery. Payment for the Bonds shall be made in federal reserve funds. Unless the Purchaser furnishes the Paying Agent with a list giving the denominations and names in which it wishes to have the certificates issued at least five (5) business days prior to delivery of the Bonds, the Bonds will be delivered in the form of a single certificate for each maturity registered in the name of the Purchaser, subject to the election under the “Optional DTC Book-Entry-Only” provisions herein.

CUSIP NUMBERS: CUSIP numbers will be printed on the Bonds at the option of the Purchaser; however, neither the failure to print CUSIP numbers nor any improperly printed CUSIP numbers shall be cause for the Purchaser to refuse to take delivery of and pay the purchase price for the Bonds. Application for CUSIP numbers will be made by PFM Financial Advisors LLC, municipal advisor to the Issuer. The CUSIP Service Bureau’s charge for the assignment of CUSIP identification numbers shall be paid by the Purchaser.

BIDDER CERTIFICATION - NOT “IRAN-LINKED BUSINESS”: By submitting a bid, the bidder shall be deemed to have certified that it is not an “Iran-Linked Business” as defined in Act 517, Public Acts of Michigan, 2012; MCL 129.311, et seq.

FURTHER INFORMATION may be obtained from PFM Financial Advisors LLC, 555 Briarwood Circle, Suite 333, Ann Arbor, Michigan 48108, telephone: (734) 994-9700.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

President

EXHIBIT C**FORM OF
CONTINUING DISCLOSURE AGREEMENT****§
JACKSON COLLEGE
STATE OF MICHIGAN
2024 REFUNDING BONDS
(GENERAL OBLIGATION - LIMITED TAX)**

This Continuing Disclosure Agreement (the “Agreement”) is executed and delivered by Jackson College, State of Michigan (the “Issuer”), in connection with the issuance of its \$_____ 2024 Refunding Bonds (General Obligation - Limited Tax) (the “Bonds”). The Bonds are being issued pursuant to resolutions adopted by the Board of Trustees of the Issuer on October 16, 2023 and _____, 2024 (together, the “Resolution”). The Issuer covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Agreement. This Agreement is being executed and delivered by the Issuer for the benefit of the Bondholders and in order to assist the Participating Underwriter in complying with the Rule. The Issuer acknowledges that this Agreement does not address the scope of any application of Rule 10b-5 promulgated by the SEC pursuant to the 1934 Act to the Annual Reports or notices of the Listed Events provided or required to be provided by the Issuer pursuant to this Agreement.

SECTION 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Agreement unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Agreement.

“Bondholder” means the registered owner of a Bond or any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including any person holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bond for federal income tax purposes.

“Dissemination Agent” means any agent designated as such in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation, and such agent’s successors and assigns.

“EMMA” shall mean the MSRB’s Electronic Municipal Market Access which provides continuing disclosure services for the receipt and public availability of continuing disclosure documents and related information required by Rule 15c2-12 promulgated by the SEC.

“Financial Obligation” shall mean (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of (a) or (b) provided; however, that a “Financial Obligation” shall not include any municipal security for which a final official statement has been provided to the MSRB consistent with the Rule.

“Listed Events” shall mean any of the events listed in Section 5(a) of this Agreement.

“MSRB” shall mean the Municipal Securities Rulemaking Board.

“1934 Act” shall mean the Securities Exchange Act of 1934, as amended.

“Official Statement” shall mean the final Official Statement for the Bonds dated _____, 2024.

“Participating Underwriter” shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with the offering of the Bonds.

“Resolution” shall mean the resolutions duly adopted by the Issuer authorizing the issuance, sale and delivery of the Bonds.

“Rule” shall mean Rule 15c2-12 promulgated by the SEC pursuant to the 1934 Act, as the same may be amended from time to time.

“SEC” shall mean the Securities and Exchange Commission.

“State” shall mean the State of Michigan.

SECTION 3. Provision of Annual Reports.

(a) Each year, the Issuer shall provide, or shall cause the Dissemination Agent to provide, on or prior to the end of the sixth month after the end of the fiscal year of the Issuer commencing with the fiscal year ending June 30, 2023, to EMMA an Annual Report for the preceding fiscal year which is consistent with the requirements of Section 4 of this Agreement. Currently, the Issuer’s fiscal year ends on June 30. In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by specific reference other information as provided in Section 4 of this Agreement; provided, however, that if the audited financial statements of the Issuer are not available by the deadline for filing the Annual Report, they shall be provided when and if available, and unaudited financial statements in a format similar to the financial statements contained in the Official Statement shall be included in the Annual Report.

(b) The Annual Report shall be submitted to EMMA either through a web-based electronic submission interface or through electronic computer-to-computer data connections with EMMA in accordance with the submission process, document format and configuration requirements established by the MSRB. The Annual Report shall also include all related information required by MSRB to accurately identify: (i) the category of information being provided; (ii) the period covered by the Annual Report; (iii) the issues or specific securities to which the Annual Report is related (including CUSIP number, Issuer name, state, issue description/securities name, dated date, maturity date, and/or coupon rate); (iv) the name of any obligated person other than the Issuer; (v) the name and date of the document; and (vi) contact information for the Dissemination Agent or the Issuer’s submitter.

(c) If the Issuer is unable to provide to EMMA an Annual Report by the date required in subsection (a), the Issuer shall send a notice in a timely manner to the MSRB in substantially the form attached as Appendix A.

(d) If the Issuer’s fiscal year changes, the Issuer shall send a notice of such change to the MSRB in substantially the form attached as Appendix B. If such change will result in the Issuer’s fiscal year ending on a date later than the ending date prior to such change, the Issuer shall provide notice of

such change to the MSRB on or prior to the deadline for filing the Annual Report in effect when the Issuer operated under its prior fiscal year. Such notice may be provided to the MSRB along with the Annual Report, provided that it is filed at or prior to the deadline described above.

SECTION 4. Content of Annual Reports. The Issuer's Annual Report shall contain or include by reference the following:

(a) audited financial statements of the Issuer prepared pursuant to State laws, administrative rules and guidelines and pursuant to accounting and reporting policies conforming in all material respects to generally accepted accounting principles as applicable to governmental units as such principles are prescribed, in part, by the Financial Accounting Standards Board and modified by the Government Accounting Standards Board and in effect from time to time; and

(b) additional annual financial information and operating data as set forth in the Official Statement under "CONTINUING DISCLOSURE".

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer or related public entities, which previously have been provided to each of the Repositories or filed with the SEC. If the document included by specific reference is a final official statement, it must be available from the MSRB. The Issuer shall clearly identify each such other document so included by reference.

SECTION 5. Reporting of Significant Events.

(a) The Issuer covenants to provide, or cause to be provided, notice in a timely manner not in excess of ten business days of the occurrence of any of the following events with respect to the Bonds in accordance with the Rule:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) modifications to rights of security holders, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution, or sale of property securing repayment of the securities, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer or other obligated person;
- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or other obligated person or the sale of all or substantially all of the assets of the Issuer or other obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or

- the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) incurrence of a Financial Obligation of the Issuer or other obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Issuer or other obligated person, any of which affect security holders, if material;
- (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Issuer or other obligated person, any of which reflect financial difficulties.

(b) Whenever the Issuer obtains knowledge of the occurrence of a Listed Event, the Issuer shall as soon as possible determine if such event would constitute material information for the Bondholders, provided that any event other than those listed under Section 5(a)(2), (6), (7), (8), (10), (13), (14) or (15) above will always be deemed to be material. Events listed under Section 5(a)(6) and (8) above will always be deemed to be material except with respect to that portion of those events which must be determined to be material.

(c) The Issuer shall promptly cause a notice of the occurrence of a Listed Event, determined to be material in accordance with the Rule, to be electronically filed with EMMA, together with a significant event notice cover sheet substantially in the form attached as Appendix C. In connection with providing a notice of the occurrence of a Listed Event described in Section 5(a)(9) above, the Issuer shall include in the notice explicit disclosure as to whether the Bonds have been escrowed to maturity or escrowed to call, as well as appropriate disclosure of the timing of maturity or call.

(d) The Issuer acknowledges that the “rating changes” referred to above in Section 5(a)(11) of this Agreement may include, without limitation, any change in any rating on the Bonds or other indebtedness for which the Issuer is liable.

(e) The Issuer acknowledges that it is not required to provide a notice of a Listed Event with respect to credit enhancement when the credit enhancement is added after the primary offering of the Bonds, the Issuer does not apply for or participate in obtaining such credit enhancement, and such credit enhancement is not described in the Official Statement.

SECTION 6. Termination of Reporting Obligation.

(a) The Issuer’s obligations under this Agreement shall terminate upon the legal defeasance of the Resolution or the prior redemption or payment in full of all of the Bonds.

(b) This Agreement, or any provision hereof, shall be null and void in the event that the Issuer (i) receives an opinion of nationally recognized bond counsel, addressed to the Issuer, to the effect that those portions of the Rule, which require such provisions of this Agreement, do not or no longer apply to the Bonds, whether because such portions of the Rule are invalid, have been repealed, amended or modified, or are otherwise deemed to be inapplicable to the Bonds, as shall be specified in such opinion, and (ii) delivers notice to such effect to the MSRB.

SECTION 7. Dissemination Agent. The Issuer, from time to time, may appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Agreement, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent.

SECTION 8. Amendment. Notwithstanding any other provision of this Agreement, this Agreement may be amended, and any provision of this Agreement may be waived to the effect that:

(a) such amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, a change in law or a change in the identity, nature or status of the Issuer, or the types of business in which the Issuer is engaged;

(b) this Agreement as so amended or taking into account such waiver, would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, in the opinion of independent legal counsel; and

(c) such amendment or waiver does not materially impair the interests of the Bondholders, in the opinion of independent legal counsel.

If the amendment or waiver results in a change to the annual financial information required to be included in the Annual Report pursuant to Section 4 of this Agreement, the first Annual Report that contains the amended operating data or financial information shall explain, in narrative form, the reasons for the amendment and the impact of such change in the type of operating data or financial information being provided. If the amendment or waiver involves a change in the accounting principles to be followed in preparing financial statements, the Annual Report for the year in which the change is made shall present a comparison between the financial statements or information prepared based on the new accounting principles and those prepared based on the former accounting principles. The comparison should include a qualitative discussion of such differences and the impact of the changes on the presentation of the financial information. To the extent reasonably feasible, the comparison should also be quantitative. A notice of the change in the accounting principles should be sent by the Issuer to the MSRB. Further, if the annual financial information required to be provided in the Annual Report can no longer be generated because the operations to which it related have been materially changed or discontinued, a statement to that effect shall be included in the first Annual Report that does not include such information.

SECTION 9. Additional Information. Nothing in this Agreement shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Agreement or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Agreement. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Agreement, the Issuer shall have no obligation under this Agreement to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the Issuer to comply with any provision of this Agreement, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Agreement. A default under this Agreement shall not be deemed an Event of Default under the Resolution or the Bonds, and the sole remedy under this Agreement in the event of any failure of the Issuer to comply with the Agreement shall be an action to compel performance.

SECTION 11. Duties of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Agreement.

SECTION 12. Beneficiaries. This Agreement shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriter, and the Bondholders and shall create no rights in any other person or entity.

SECTION 13. Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State, and any suits and actions arising out of this Agreement shall be instituted in a court of competent jurisdiction in the State. Notwithstanding the foregoing, to the extent this Agreement addresses matters of federal securities laws, including the Rule, this Agreement shall be construed and interpreted in accordance with such federal securities laws and official interpretations thereof.

JACKSON COLLEGE
STATE OF MICHIGAN

By: _____
Its: President

Dated: _____, 2024



APPENDIX A

NOTICE TO THE MSRB OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: Jackson College, Michigan

Name of Bond Issue: 2024 Refunding Bonds (General Obligation - Limited Tax)

Date of Bonds: _____, 2024

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by Section 3 of its Continuing Disclosure Agreement with respect to the Bonds. The Issuer anticipates that the Annual Report will be filed by _____.

JACKSON COLLEGE
STATE OF MICHIGAN

By: _____
Its: President

Dated: _____



APPENDIX B

NOTICE TO THE MSRB OF CHANGE IN ISSUER'S FISCAL YEAR

Name of Issuer: Jackson College, Michigan

Name of Bond Issue: 2024 Refunding Bonds (General Obligation - Limited Tax)

Date of Bonds: _____, 2024

NOTICE IS HEREBY GIVEN that the Issuer's fiscal year has changed. Previously, the Issuer's fiscal year ended on _____. It now ends on _____.

JACKSON COLLEGE
STATE OF MICHIGAN

By: _____
Its: President

Dated: _____



APPENDIX C**SIGNIFICANT EVENT NOTICE COVER SHEET**

This cover sheet and significant event notice should be provided in an electronic format to the Municipal Securities Rulemaking Board pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or other Obligated Person's Name: _____

Issuer's Six-Digit CUSIP Number(s): _____

or Nine-Digit CUSIP Number(s) to which this significant event notice relates: _____

Number of pages of attached significant event notice: _____

Description of Significant Events Notice (Check One):

1. _____ Principal and interest payment delinquencies
2. _____ Non-payment related defaults
3. _____ Unscheduled draws on debt service reserves reflecting financial difficulties
4. _____ Unscheduled draws on credit enhancements reflecting financial difficulties
5. _____ Substitution of credit or liquidity providers, or their failure to perform
6. _____ Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security
7. _____ Modifications to rights of security holders
8. _____ Bond calls
9. _____ Tender offers
10. _____ Defeasances
11. _____ Release, substitution, or sale of property securing repayment of the securities
12. _____ Rating changes
13. _____ Bankruptcy, insolvency, receivership or similar event of the Issuer or other obligated person
14. _____ The consummation of a merger, consolidation, or acquisition involving the Issuer or other obligated person or the sale of all or substantially all of the assets of the Issuer or other obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms
15. _____ Appointment of a successor or additional trustee or the change of name of a trustee
16. _____ Incurrence of a financial obligation of the Issuer or other obligated person
17. _____ Agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation that affect security holders
18. _____ Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Issuer or other obligated person that reflect financial difficulties
19. _____ Other significant event notice (specify) _____

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature: _____

Name: _____ Title: _____

Employer: _____

Address: _____

City, State, Zip Code: _____

Voice Telephone Number: (_____) _____

The MSRB Gateway is www.msrb.org or through the EMMA portal at emma.msrb.org/submission/Submission_Portal.aspx. Contact the MSRB at (703) 797-6600 with questions regarding this form or the dissemination of this notice. The cover sheet and notice may also be faxed to the MAC at (313) 963-0943.

**JACKSON COLLEGE
STATE OF MICHIGAN**

The Chairperson and Vice Chairperson of the Board of Trustees each should sign their name on the lines below, ensuring the signatures do not overlap. These signatures are needed for printing facsimile signatures on the bonds, if necessary.

CHAIRPERSON'S SIGNATURE

VICE CHAIRPERSON'S SIGNATURE

ALSO, please **type** in the names of the Chairperson and Vice Chairperson (as they sign legal documents) on the lines as indicated below:

John M. Crist
Chairperson

Sheila A. Patterson
Vice Chairperson

(Please notify our office if the names of the officers should change during this issue.)



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023

TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President

| |
|--|
| Subject to be Discussed and Policy Reference: |
| <p>7.0 Monitoring CEO Performance</p> <p>7.1 CEO Monitoring Compliance Schedule & Summary</p> <p><u>BOARD POLICY:</u> BOARD-CEO DELEGATION: BCD-04 Monitoring CEO Performance</p> |
| Description: |
| <p>Enclosed is the report that provides the monitoring compliance schedule, as well as an updated summary of my monitoring compliance reports, presented to the Board over the preceding 12 months with the compliance status noted.</p> <p>When 'partial compliance' is indicated, the expected date of full compliance is noted. Oftentimes, this is due to factors beyond my control (i.e., timing of data or other documentation).</p> |
| Requested Board Action: |
| <p>Discussion surrounding the President's compliance review.</p> |
| Action Taken: |
| |

| 2023 - 2024 BOARD POLICY REVIEWING & MONTORING SCHEDULE | | |
|---|---|--|
| 2023-2024 Board Meeting Date | Policy Reviews Due | Monitoring Reports Due |
| January 9, 2023 | <u>Review EL-10</u> Access to Education (JEREMY) <u>Review GP-14</u> Handling Operational Complaints <u>Review GP-11</u> Linkage with Ownership <u>Review GP-15</u> Handling Alleged Policy Violations | <u>Monitor EL-09</u> Organization Culture (CINDY) <u>Monitor EL-07</u> Compensation & Benefits (CINDY) <u>Monitor GP-13</u> Special Rules of Order <u>(2024 - Monitor BCD-02</u> Accountability of the CEO) |
| February 13, 2023 | <u>Review EL-11</u> Entrepreneurial Activity (CINDY/JOHN) <u>Review GP-01</u> Governing Style <u>Review BCD-06</u> CEO Compensation <u>(2024 – Review GP-00</u> Governance Commitment) | <u>Monitor EL-10</u> Access to Education (JEREMY) <u>Monitor GP-14</u> Handling Operational Complaints <u>Monitor GP-11</u> Linkage with Ownership <u>Monitor GP-15</u> Handling Alleged Policy Violations |
| March 13, 2023 | <u>Review EL-12</u> Land Use (JASON) <u>Review GP-02</u> Board Job Contributions <u>Review GP-04</u> Role of Board Chair <u>Review GP-10</u> Investment in Governance <u>(2024 – Review BCD-00</u> Global Board Management Delegation) | <u>Monitor EL-11</u> Entrepreneurial Activity (CINDY/JOHN) <u>Monitor GP-01</u> Governing Style <u>Monitor BCD-06</u> CEO Compensation <u>(2024 – Monitor GP-00</u> Governance Commitment) |
| April 10, 2023 | <u>Review EL-05</u> Asset Protection (JOHN) <u>Review EL-06</u> Investments (JOHN) <u>Review BCD-05</u> CEO Succession <u>Review GP-03</u> Board Planning Cycle & Agenda Control <u>(2024 – Review GP-12</u> Board Linkage with External Organizations) | <u>Monitor EL-12</u> Land Use (JASON) <u>Monitor GP-02</u> Board Job Contributions <u>Monitor GP-04</u> Role of Board Chair <u>Monitor GP-10</u> Investment in Governance <u>(2024 – Monitor BCD-00</u> Global Board Management Delegation) |
| May 8, 2023 | <u>Review EL-03</u> Planning (JOHN) <u>Review GP-09</u> Board Code of Conduct | <u>Monitor EL-05</u> Asset Protection (JOHN) <u>Monitor EL-06</u> Investments (JOHN) <u>Monitor BCD-05</u> CEO Succession <u>Monitor GP-03</u> Board Planning Cycle & Agenda Control <u>(2024 – Monitor GP-12</u> Board Linkage with External Organizations) |
| June 12, 2023 | <u>Review EL-00</u> General Executive Constraint (PHELAN) <u>Review EN-01</u> ENDS (JEREMY) | <u>Monitor EL-03</u> Planning (JOHN) <u>Monitor GP-09</u> Board Code of Conduct |
| August 14, 2023 | <u>Review Bylaws</u> <u>Review BCD-03</u> Delegation to CEO | <u>Monitor EL-00</u> General Executive Constraint (PHELAN) |

Jackson College Board of Trustees Meeting - Monitoring CEO Performance

| | | |
|--------------------|--|---|
| | <u>Review BCD-04</u> Monitoring CEO Performance | <u>Monitor EN-01</u> ENDS (JEREMY) |
| September 11, 2023 | <u>POSTPONED AS OF 9.11.23 PER THE BOARD: Review EL-01</u> Treatment of Students (CINDY/JEREMY) <u>POSTPONED AS OF 9.11.23 PER THE BOARD: Review EL-02</u> Treatment of Staff (CINDY) <u>Review BCD-01</u> Unity of Control <u>Review GP-05</u> Role of Vice Chair <u>Review GP-08</u> Board & Committee Expenses | <u>Monitor BCD-03</u> Delegation to CEO <u>Monitor BCD-04</u> Monitoring CEO Performance |
| October 16, 2023 | <u>Review EL-04</u> Financial Conditions & Activities (JOHN) <u>Review EL-08</u> Communication & Support to the Board (PHELAN) | <u>POSTPONED AS OF 9.11.23 PER THE BOARD: Monitor EL-01</u> Treatment of Students (CINDY/JEREMY) <u>POSTPONED AS OF 9.11.23 PER THE BOARD: Monitor EL-02</u> Treatment of Staff (CINDY) <u>Monitor BCD-01</u> Unity of Control <u>Monitor GP-05</u> Role of Vice Chair <u>Monitor GP-08</u> Board & Committee Expenses |
| November 13, 2023 | <u>Review EL-09</u> Organization Culture (CINDY) <u>Review EL-07</u> Compensation & Benefits (CINDY) <u>Review GP-13</u> Special Rules of Order <u>Review BCD-02</u> Accountability of the CEO | <u>Monitor EL-04</u> Financial Conditions & Activities (JOHN) <u>Monitor EL-08</u> Communication & Support to the Board (PHELAN) |



BOARD OF TRUSTEES PROCESS

Process Type: Board Governance

Process Title: Policy Review

Date Adopted:

Version: 1.0

Date Last Reviewed:

Reviewing Committee: Board of Trustees

To assist the full Board of Trustees in their work of annual policy reviews, Trustees will be assigned specific policies to which they will lend their enthusiasm, experience, and/or expertise toward a pre-review.

Via this pre-review, Trustees will offer recommendations for amendments (or lack thereof) to their assigned policies at the respective Board meeting at which the policy is up for review, for the consideration of the full Board.

Procedural Steps:

1. Annually at the Board's Summer Retreat, Trustees will discuss the specific policies they will pre-review for the upcoming fiscal year via the attached schedule.
2. At least two (2) Board members may be assigned to the pre-review for any given policy.
3. Trustees will offer their recommendations for amendments (or lack thereof) to the full Board via the Board packet 1 week prior to the Board meeting at which the policy is up for review.
4. The Chief Assistant to the President & CEO will assist in coordinating pre-review meetings as requested. The recommendation is to conduct the initial review of assigned policies one month in advance of the Board meeting at which recommendations are scheduled to be presented to the full Board. This initial review could take place at 5:00pm prior to a Board meeting dinner.
5. Pre-review meetings will include the participation of the CGO, CEO, and/or other Policy Governance consultant.

| 2023-2024 Board Meeting Date | Policy Reviews Due | Trustees Responsible for Recommendations |
|---------------------------------|--|---|
| August 14, 2023 | <u>Bylaws</u> | Trustee Donna Lake Trustee Chris Simpson |
| | <u>BCD-03</u> Delegation to CEO | Trustee Donna Lake Trustee Chris Simpson |
| | <u>BCD-04</u> Monitoring CEO Performance | Trustee Donna Lake Trustee Chris Simpson |
| | | |
| September 11, 2023 | <u>POSTPONED PER THE BOARD AS OF 9.11.23: EL-01</u> Treatment of Learners | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>POSTPONED PER THE BOARD AS OF 9.11.23: EL-02</u> Treatment of Staff | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>BCD-01</u> Unity of Control | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>GP-05</u> Role of Vice Chair | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>GP-08</u> Board & Committee Expenses | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | | |
| October 16, 2023 | <u>EL-04</u> Financial Conditions & Activities | Trustee Sam Barnes Trustee Matt Heins |
| | <u>EL-08</u> Communication & Support to the Board | Trustee Sam Barnes Trustee Matt Heins |
| | | |
| November 13, 2023 | <u>EL-09</u> Organization Culture | Trustee Donna Lake Trustee Chris Simpson |
| | <u>EL-07</u> Compensation & Benefits | Trustee Donna Lake Trustee Chris Simpson |
| | <u>GP-13</u> Special Rules of Order | Trustee Donna Lake Trustee Chris Simpson |
| | <u>BCD-02</u> Accountability of the CEO | Trustee Donna Lake Trustee Chris Simpson |
| | | |
| January 9, 2024 | <u>EL-10</u> Access to Education | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>GP-14</u> Handling Operational Complaints | Trustee Phil Hoffman Vice-Chair Sheila Patterson |

| | | |
|-------------------|---|---|
| | <u>GP-11</u> Linkage with Ownership | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>GP-15</u> Handling Alleged Policy Violations | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | | |
| February 13, 2024 | <u>EL-11</u> Entrepreneurial Activity | Trustee Sam Barnes Trustee Matt Heins |
| | <u>GP-01</u> Governing Style | Trustee Sam Barnes Trustee Matt Heins |
| | <u>BCD-06</u> CEO Compensation | Trustee Sam Barnes Trustee Matt Heins |
| | <u>GP-00</u> Governance Commitment | Trustee Sam Barnes Trustee Matt Heins |
| | | |
| March 13, 2024 | <u>EL-12</u> Land Use | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>GP-02</u> Board Job Contributions | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>GP-04</u> Role of Board Chair | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>GP-10</u> Investment in Governance | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>BCD-00</u> Global Board Management Delegation | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | | |
| April 10, 2024 | <u>EL-05</u> Asset Protection | Trustee Sam Barnes Trustee Matt Heins |
| | <u>EL-06</u> Investments | Trustee Sam Barnes Trustee Matt Heins |
| | <u>BCD-05</u> CEO Succession | Trustee Sam Barnes Trustee Matt Heins |
| | <u>GP-03</u> Board Planning Cycle & Agenda Control | Trustee Sam Barnes Trustee Matt Heins |
| | <u>GP-12</u> Board Linkage with External Organizations | Trustee Sam Barnes Trustee Matt Heins |
| | | |
| May 8, 2024 | <u>EL-03</u> Planning | Trustee Donna Lake Trustee Chris Simpson |
| | <u>GP-09</u> Board Code of Conduct | Trustee Donna Lake Trustee Chris Simpson |
| | | |

| | | |
|----------------------|--|---|
| June 12, 2024 | <u>EL-00</u> General Executive Constraint | Trustee Phil Hoffman Vice-Chair Sheila Patterson |
| | <u>EN-01</u> ENDS | Trustee Phil Hoffman Vice-Chair Sheila Patterson |

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President

| |
|--|
| Subject to be Discussed and Policy Reference: |
| 8.0 Monitoring Board Performance 8.1 BCD-01 Unity of Control – Survey Results Review <u>BOARD POLICY:</u> BOARD-CEO DELEGATION: BCD-01 Unity of Control |
| Description: |
| <p>As part of Policy Governance practice, the Board completes a Self-Evaluation Survey of Governance Process and Board CEO Delegation policies following the month the respective policy is reviewed.</p> <p>The intention is effort to assist Members in assessing the Board's compliance with Governance Process and Board CEO Delegation policies. The Board Chair will lead discussion at the meeting to consider aggregate responses from members and insights obtained from the compilation, relative to amending the policy in question, as well as points for consideration in future policy development and review.</p> <p>Enclosed are the results to help guide the board's discussion.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Review of the results to determine compliance with policy statements and any changes that might be needed. |
| Action Taken: |
| |



Jackson College Board of Trustees

BOARD SELF-MONITORING SURVEY RESULTS: BCD-01 UNITY OF CONTROL DATE: 10.16.2023

1. *Number of Response: 7*

2. *Policy opening statement:*

Only officially passed motions of the Board are binding on the CEO.

Have we acted consistently with this item of policy?

[More Details](#)

| | |
|-------------------------------------|---|
| Always | 8 |
| Most of the time | 0 |
| Some of the time | 0 |
| Rarely | 0 |
| Never | 0 |
| N/A | 0 |
| Issue has not been faced by the ... | 0 |



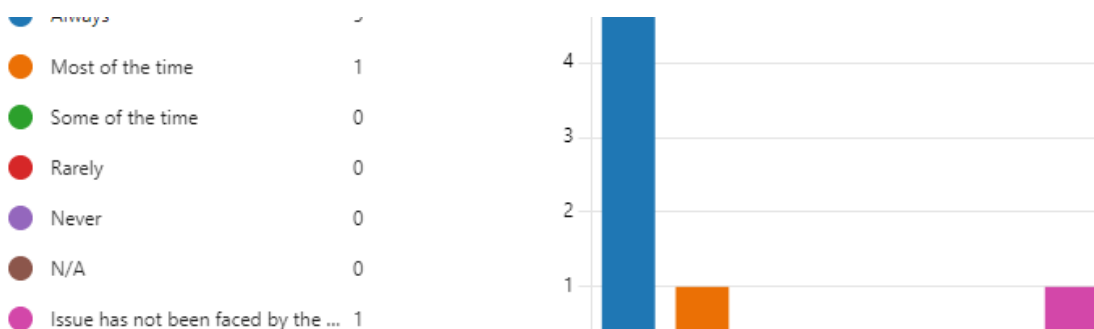
3. Provide specific representative examples to support your above response when applicable.

- N/A

4. *Item 1:*

Decisions or instructions of individual Trustees, officers or committees shall not be binding on the CEO.

Have we acted consistently with this item of policy?



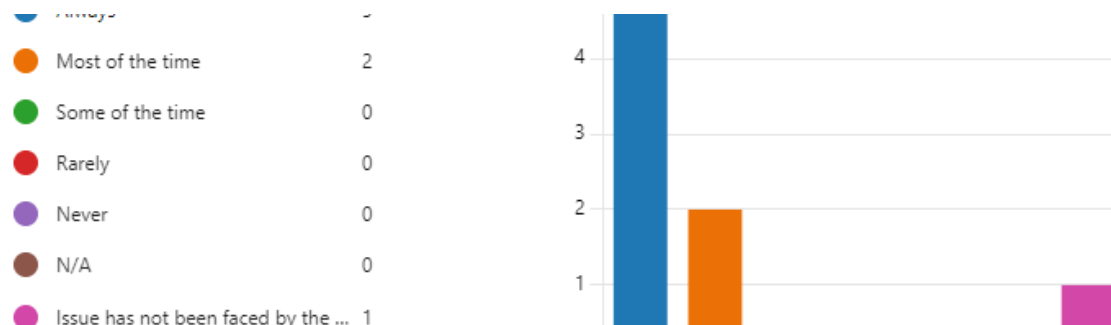
5. Provide specific representative examples to support your above response when applicable.

- *"We need to expand on this, I'm not certain this is clear or I understand. Needs more substance, maybe some examples."*

6. **Item 2:**

In the case of Board members or committees requesting information or assistance without Board authorization, the CEO may refuse such requests that require in the CEO's opinion, a material amount of staff time, other resources or is deemed disruptive.

Have we acted consistently with this item of policy?



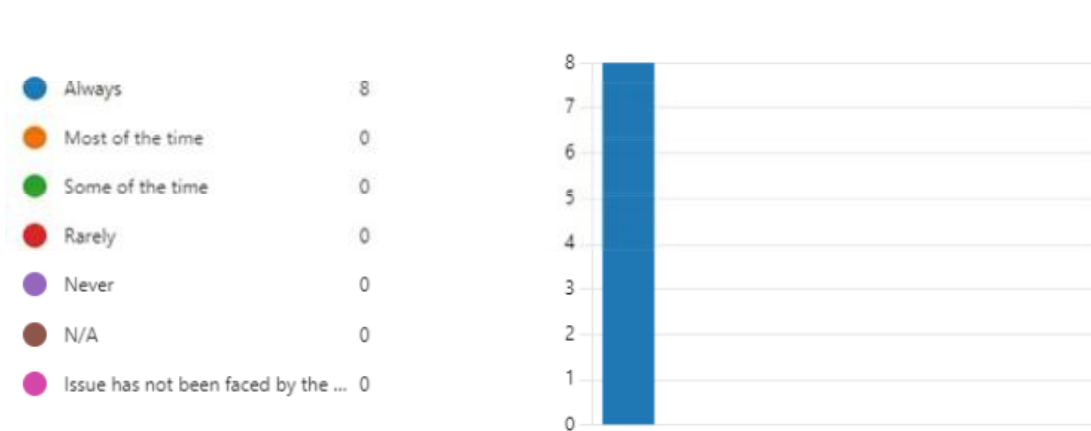
7. Provide specific representative examples to support your above response when applicable.

- N/A

8. **Item 3:**

Only the Board acting as a body politic may employ, terminate, discipline, or change the conditions of employment of the CEO.

Have we acted consistently with this item of policy?



9. Provide specific representative examples to support your above response when applicable.

- N/A

10. **Other Board Comments:**

- N/A

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President

| |
|--|
| Subject to be Discussed and Policy Reference: |
| 8.0 Monitoring Board Performance 8.2 GP-05 Role of Vice Chair – Survey Results Review <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-05 Role of Vice Chair |
| Description: |
| <p>As part of Policy Governance practice, the Board completes a Self-Evaluation Survey of Governance Process and Board CEO Delegation policies following the month the respective policy is reviewed.</p> <p>The intention is effort to assist Members in assessing the Board's compliance with Governance Process and Board CEO Delegation policies. The Board Chair will lead discussion at the meeting to consider aggregate responses from members and insights obtained from the compilation, relative to amending the policy in question, as well as points for consideration in future policy development and review.</p> <p>Enclosed are the results to help guide the board's discussion.</p> |
| Resource Impact: |
| None |
| Requested Board Action: |
| Review of the results to determine compliance with policy statements and any changes that might be needed. |
| Action Taken: |
| |



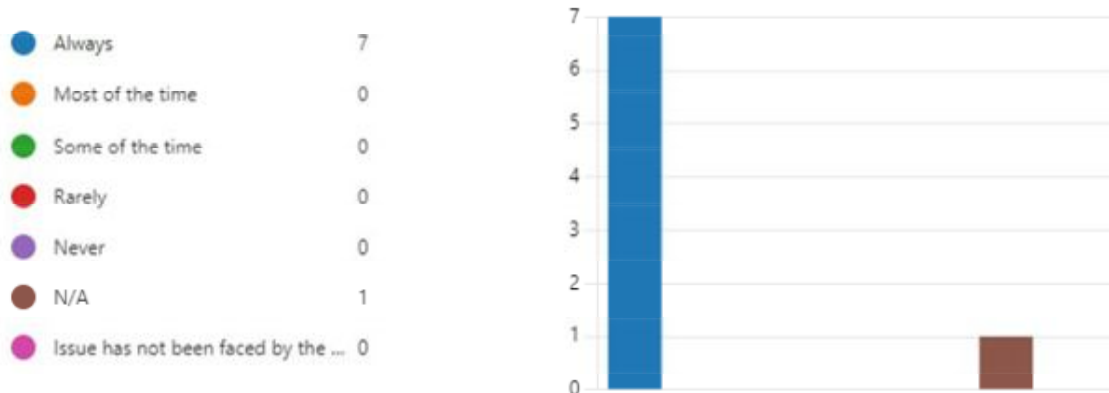
Jackson College Board of Trustees

BOARD SELF-MONITORING SURVEY RESULTS: GP-05 ROLE OF THE VICE CHAIR DATE: 10.16.2023

1. *Number of Response: 7*
2. *Policy opening statement:*

The Jackson College Board Vice Chair shall, in the absence of the Board Chair/CGO, preside at all meetings of the Board and have such other duties and powers as the Board may specify.

Have we acted consistently with this item of policy?



3. Provide specific representative examples to support your above response when applicable.
 - N/A
4. **Other Board Comments:**
 - N/A

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President

Subject to be Discussed and Policy Reference:

8.0 Monitoring Board Performance

8.3 GP-08 Board & Committee Expenses – Survey Results Review

BOARD POLICY: GOVERNANCE PROCESS: GP-08 Board & Committee Expenses

Description:

As part of Policy Governance practice, the Board completes a Self-Evaluation Survey of Governance Process and Board CEO Delegation policies following the month the respective policy is reviewed.

The intention is effort to assist Members in assessing the Board's compliance with Governance Process and Board CEO Delegation policies. The Board Chair will lead discussion at the meeting to consider aggregate responses from members and insights obtained from the compilation, relative to amending the policy in question, as well as points for consideration in future policy development and review.

Enclosed are the results to help guide the board's discussion.

Resource Impact:

None

Requested Board Action:

Review of the results to determine compliance with policy statements and any changes that might be needed.

Action Taken:



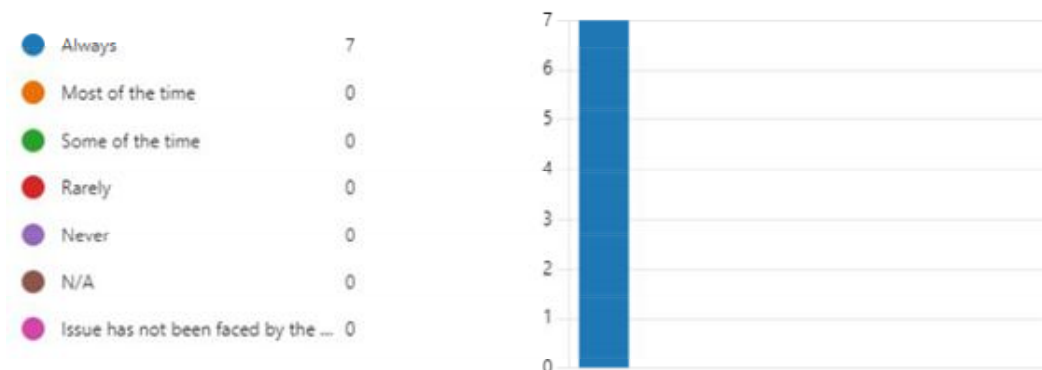
Jackson College Board of Trustees

BOARD SELF-MONITORING SURVEY RESULTS: GP-08 BOARD AND COMMITTEE EXPENSES DATE: 10.16.23

1. *Number of Response: 7*
2. *Policy opening statement:*

As provide by law 389.112 of Part 2, Chapter 11 of the Community College Act of 1996, the Jackson College Board of Trustees shall not receive any compensation for services rendered, but may be reimbursed for reasonable expenses incurred in the conduct of their Board duties. This may include, but is not limited to, all Board and Board committee meetings, conferences, professional development activity, as well as any meeting attended at the direction of the Board, or at the request of the CEO.

Have we acted consistently with this item of policy?



3. Provide specific representative examples to support your above response when applicable.
 - N/A
4. **Other Board Comments:**
 - N/A

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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| Subject to be Discussed and Policy Reference: |
| <p>9.0 Information Requested by the Board</p> <p>9.1 CEO Response to Public Comment</p> <p style="margin-left: 40px;"><u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-01 Treatment of Learners EXECUTIVE LIMITATIONS: EL-02 Treatment of Staff EXECUTIVE LIMITATIONS: EL-09 Organization Culture</p> |
| Description: |
| <p>In response to the Board's 09.25.23 request for the CEO to issue a report addressing the verbal complaints that have been presented to the institution during the 08.14.23, 09.11.23, and 09.25.23 Board meetings, I have attached such a report for your review and consideration. My team and I have worked as hard and expeditiously as time allowed. Be advised that the external legal investigation of the sexual harassment claim is still in process as of the time of this writing.</p> <p>As always, I will address any questions you may have.</p> |
| Resource Impact: |
| |
| Requested Board Action: |
| <p>Receive requested report from the CEO addressing the verbal complaints that have been presented to the institution during the 08.14.23, 09.11.23, and 09.25.23 Board meetings.</p> |
| Action Taken: |

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

| Subject to be Discussed and Policy Reference: | |
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| 9.0 | Information Requested by the Board |
| 9.2 | Next Regular Board Meeting Topics – November 13, 2023 |
| | <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-03 Board Planning Cycle and Agenda |
| Description: | |
| <p>This time has been set aside to help the Board anticipate topics for the next regular Board meeting (November 13, 2023). Below are currently anticipated topics:</p> <ul style="list-style-type: none"> • TBD: Policy Review – Part 2: EL-01 Treatment of Learners • TBD: Policy Review – Part 2: EL-02 Treatment of Staff • Policy Review: EL-09 Organization Culture • Policy Review: EL-07 Compensation & Benefits • Policy Review: GP-13 Special Rules of Order • Policy Review: BCD-02 Accountability of CEO • Evidence Review: EL-04 Financial Conditions & Activities • Evidence Review: EL-08 Communication & Support to the Board • FY'23 Financial Audit Report <p>Please feel free to offer other agenda items at this point on the agenda.</p> | |
| Resource Impact: | |
| None | |
| Requested Board Action: | |
| Review of currently anticipated topics. | |
| Action Taken: | |
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BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

| Subject to be Discussed and Policy Reference: | |
|---|---|
| 10.0 | Self-Evaluation of Governance Process & Board Performance at this Meeting |
| 10.1 | Principles of Policy Governance |
| | <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-01 Governing Style |
| Description: | |
| <p>This time has been set aside for the Board, as part of our continuous improvement work in order, to assess the Board's work and commitment towards the Ten Policy Governance principles, as well as its governance practice.</p> <p>The URL link below will provide an overview of the Policy Governance principles that you can use for determining the effectiveness and efficacy of the Board's work both in terms of this meeting and in general governance practice.</p> <p>https://governforimpact.org/resources/principles-of-policy-governance.html</p> | |
| Resource Impact: | |
| None | |
| Requested Board Action: | |
| Define particular areas for improvement in the governance process. | |
| Action Taken: | |
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BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: October 16, 2023



TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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| Subject to be Discussed and Policy Reference: |
| 11.0 Meeting Content Review <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-01 Governing Style |
| Description: |
| This item on the agenda provides the Board the opportunity to give the Board Chairman and the President feedback on the quality of the content provided during this Board Meeting. We would appreciate receiving suggestions wherein you would like to see changes made to future Board Meetings. |
| Resource Impact: |
| None |
| Requested Board Action: |
| Consideration of areas for meeting content improvement |
| Action Taken: |
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| <p align="center">BOARD OF TRUSTEES MEETING Action & Information Report Board Meeting Date: October 16, 2023</p> |
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TO: Jackson College Board of Trustees
FROM: Dr. Daniel J. Phelan, President & CEO

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| Subject to be Discussed and Policy Reference: |
| 12.0 Adjourn* <p align="center"><u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-13 Special Rules of Order</p> |
| Description: |
| Board action is required to adjourn the meeting. |
| Resource Impact: |
| None |
| Requested Board Action: |
| Meeting Adjournment |
| Action Taken: |
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