

Jackson College Board of Trustees Meeting

Regular Meeting

April 10, 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.

**MICHIGAN LEGISLATIVE MEMBERS AND
BOARD OF TRUSTEES MEETING
Action & Information Report**



**Jackson College
Monday, 04.10.23 – Bert Walker Hall Community Rooms
4:30 PM – Michigan Legislative Members and Board Dinner**

AGENDA

- 1.0 Call to Order & Pledge of Allegiance**
- 2.0 Introductions, Dinner & Conversation**
- 3.0 Overview of Jackson College**
- 4.0 Legislative Priorities & Requests**
- 5.0 Adjourn***

(*) INDICATES A ROLL-CALL ITEM

**MICHIGAN LEGISLATIVE MEMBERS AND
BOARD OF TRUSTEES MEETING
Action & Information Report**



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

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:	
<p>Board Chairperson Crist will call all Trustees to Order in preparation for the Board Meeting, followed by a recitation of the Pledge of Allegiance:</p> <p>The Pledge:</p> <p>“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”.</p>	
Resource Impact:	
None	
Requested Board Action:	
Come to order, stand, and recite the Pledge of Allegiance to the United States.	
Action Taken:	



**MICHIGAN LEGISLATIVE MEMBERS AND
BOARD OF TRUSTEES MEETING
Action & Information Report**

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

Subject to be Discussed and Policy Reference:	
2.0	Introductions, Dinner & Conversation
3.0	Overview of Jackson College
4.0	Legislative Priorities & Requests
	<u>BOARD POLICY:</u> Open Meetings Act – Act 267 of 1976
Description:	
<p>Michigan Legislative Members will join the Jackson College Board of Trustees and Executive Council for dinner and conversation in the Bert Walker Community Rooms of Jackson College. This will be an opportunity for legislators to learn more about Jackson College, our proposals for consideration, and address any questions that members may have.</p> <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. This dinner and conversation is considered a Special Meeting of the Jackson College Board of Trustees. It has been announced to the public, who are welcome to attend, though there is no opportunity for the public's input during this dinner gathering. During the following regular Board meeting of the Board of Trustees beginning on the same date, April 10th, at 6:30pm, there will be an opportunity for public input.</p>	
Resource Impact:	
None	
Requested Board Action:	
Board members partake in dinner and conversation with Michigan Legislators, prior to the regular Board meeting.	
Action Taken:	



JACKSON COLLEGE

FY24 Executive Budget Recommendations

April 10, 2023

FY24 Executive Budget Recommendations

Community College Operations & Institutional Aid

- **Community College Operations:** 4% increase ongoing, \$13.6 million SAF distributed through the current funding formula
- **MPSERS:** \$30.9 million, bringing the total to \$136 million
- **North American Indian Tuition Waiver:** \$972,500
- **Renaissance Zone Tax Reimbursement:** \$2.2 million

Infrastructure, Technology, Equipment, and Maintenance (ITEM): \$58.7 million allocated to community colleges by enrollment (SAF, FY23 supplemental)

Boilerplate: Reorganizes and streamlines annual reporting requirements for community colleges, removing duplicative reporting where possible, while maintaining high standards for transparency and evidence-driven decision making.

Tuition Restraint: 4.5%

Student Financial Aid

- **Reconnect Expansion for MI Residents over age 21:** \$140 million (federal, one-time; FY23 supplemental)
- **Reconnect Continuation:** \$65.2 million (general fund)- a \$10.2 million increase
- **FASFA Completion Incentives:** \$15 million (federal, one-time) to K12 districts
- **Michigan Achievement Scholarship:** \$350 million total - a \$100 million increase
 - \$50 million ongoing, \$50 million one-time deposit
 - Boilerplate changes allow Treasury to use existing scholarship funding for outreach and communications.

Student Success

- **Student basic needs support:** \$30 million (general fund)
 - Eligible institutions: Public colleges and universities and tribal colleges
 - Eligible services: Emergency housing solutions, childcare, on-campus food pantries, emergency grants, mental health services, and to resolve institutional barriers that are preventing re-enrollment.
- **College Success Fund:** \$25 million (general fund)
 - To provide competitive grants to public institutions of higher education and tribal colleges to adopt national best practices in strategies shown to improve retention and completion rates.
- **Student Wellness Fund:** \$55 million (SAF, one-time, FY23 supplemental)
 - \$16.2 million of the total amount would go to assist community colleges with evaluating, identifying, and addressing student wellness needs on campus.

FY24 BUDGET PRIORITIES

for Michigan's Community Colleges



Increase in operational support for Michigan's community colleges.

Continue investing in Michigan Reconnect, a program that provides a tuition-free pathway to a certificate or associate degree for Michiganders that are 25 or older.

Expand Reconnect to Michigan residents over age 21 and make this permanent.

Funding for infrastructure, technology, equipment and maintenance (ITEM) improvements to ensure students have industry-current equipment and technology to learn with. Distribute by headcount.

Support for capital outlay projects at community colleges. Making investments in community college infrastructure will continue to serve students for decades to come. ***Jackson College's request is \$45MM for McDivitt Hall (STEM Education) for FY '23, and \$50.5MM for Whiting Hall Building Upgrade for FY '24. Our highest priority is McDivitt Hall.***

Dedicated funding for student basic needs beyond financial aid

Extend the sunset on Michigan New Jobs Training Program and regionalize the wage threshold to allow more companies to take advantage of low cost training programs for new jobs that pay a good wage. It currently ends on 12.31.23

Remove tuition restraint. Community colleges continue to be the most accessible and affordable option for thousands of students. We should respect the decision-making authority of locally-elected community college trustees.

Provide one-time funding to meet student housing needs at 10 community colleges through a matching grant program (\$63M).

Revise Michigan Achievement Scholarship boilerplate to clarify the scholarship covers the actual cost of tuition including contact hours and baccalaureate program rates. Eliminate the full-time requirement for summer semesters.

Support executive's proposal around streamlining compliance reporting requirements.

FY24 Executive Budget Recommendation Summary

This document summarizes the Executive Recommendation for the State of Michigan's Fiscal Year 2024 budget which would begin on October 1, 2023. The FY24 budget recommendation was presented to the Legislature during a joint hearing of the Senate and House appropriations committees on February 8, 2023. The fiscal year 2024 Executive Budget Recommendation, including all state and federal revenue, totals \$79 billion. The state's total General Fund Budget is \$15 billion and the state's School Aid Fund budget is \$19 billion.

The proposed budget includes a total investment of \$492.6 million ongoing funding for our state's community colleges. Additionally, the Governor recommends a \$74.8 million supplemental for fiscal year 2023 to invest in infrastructure improvements and student wellness support resources.

The Legislature will now begin the process of reviewing and adjusting the budget before adopting it.

OPERATIONS + INSTITUTIONAL AID

Community College Operations Increase

The Executive Recommendation includes a 4.0% increase to community college operations grants (\$13.6M SAF) distributed through the existing funding formula. Projected net increases to community colleges range from 2.3% to 5.7%, which also includes any adjustments MI Indian Tuition Waiver (MITW) payments.

Infrastructure, Technology, Equipment, and Maintenance (ITEM)

The Executive Recommendation includes \$58.7M (SAF) allocated to community colleges by FYES in the FY23 supplemental to support improvements in existing facilities, buildings, and other physical and technological infrastructure. These funds will help address deferred maintenance needs across college campuses and extend the lifespan of these critically important public spaces.

MPSERS

The Executive Recommendation includes \$30.9M for MPSERS, bringing the total line to \$136M.

Renaissance Zone Tax Reimbursement

The Executive Recommendation includes \$2.2M for RenZone reimbursement. These reimbursements hold community college districts harmless from the impact of property tax exemptions in designated state Renaissance Zones.

STUDENT FINANCIAL AID

Reconnect Continuation (LEO)

The Reconnect program receives a \$10.2M increase over the current year funding in the executive recommendation to recognize current annual cost estimates for the program, bringing the total appropriation for Reconnect to \$65.2M.

Reconnect Expansion (LEO)

The Executive Recommendation includes a one-time \$140M appropriation of federal funding in a FY23 supplemental to expand the Reconnect program to individuals whose education was disrupted by the pandemic. This program will expand access to free community college to individuals over age 21, in a manner similar to the Reconnect program.

Michigan Achievement Scholarship

The Executive Recommendation includes a \$50M ongoing deposit to support the Michigan Achievement Scholarship. Boilerplate language states the intent that appropriations to the Fund increase by \$50M each year until the MAS is fully implemented.

The proposed budget also includes a \$50M one-time deposit to support the Michigan Achievement Scholarship. Intent language in boilerplate calls for a total deposit of \$300.0 million for FY 2023-24; this item would be in addition to that amount.

Additionally, boilerplate changes allow the Department of Treasury to use a portion of existing scholarship funding for outreach and communications in both the FY24 budget and FY23 supplemental.

STUDENT SUCCESS

Student Wraparound Services and Basic Needs Supports (LEO)

The Executive Recommendation proposes \$30M one-time GF dollars for competitive grants to public colleges and universities and tribal colleges for enhanced "wraparound" services and basic needs support for students, including childcare support, on-campus food pantries, housing and other emergency needs, mental health supports, or funding to resolve institutional barriers that are preventing re-enrollment.

College Success Fund (LEO)

The Executive Recommendation includes \$25M one-time GF to provide competitive grants to public colleges and universities and tribal colleges to adopt national best practices in strategies shown to improve retention and completion rates.

Student Wellness Fund

The Executive Recommendation deposits \$55M one-time SAF in a FY23 supplemental. Of this, \$16.2 million will assist community colleges with evaluating, identifying, and addressing student wellness needs on campus. Funding is allocated based on enrollment.

BOILERPLATE

Tuition Restraint

The budget recommendation includes boilerplate language that the college must not increase its tuition and fee rates for in-district students for the 2022-23 academic year by 4.0% or \$205, whichever is greater. "Fees" include those that are authorized by the Board that is paid by more than ½ of all in-district students at least once during their enrollment. Colleges that exceed this gap may not be awarded performance funding or be eligible to receive state funding for a capital outlay project for the next two years.

Repealed Sections: 209 (transparency reporting), 209a (campus safety information and resources), 210h (COVID-19 mandatory vaccination exemptions), 215 {Title IX report}, 216 (Michigan Reconnect short-term training grants), 216a (community college academic catch-up), 216b {ADN to BSN completion grants}, 224 (student academic status), 225 (tuition and mandatory fees report), 226 (associate degree report), 226a (financial aid resources), 226b (COVID-19 report), 226d (campus free speech report), 226g (campus advocacy policy), 227 (college course equivalency exams), 227a (accelerated degree pathways), 228 (communication with legislators), and 230(5) (tuition restraint).

New Sections: 217a (new reporting section that combines most elements from Sec. 209, 209a, and 215), and 217b (new reporting section combining most elements of Sec. 225 and a portion of 230)

Executive Budget Recommendation Links

- [Executive Budget Presentation](#)
- [Executive Budget Book](#)
- [FY24 Education Omnibus](#)
- [FY24 General Omnibus](#)
- [Education Brief](#)
- [Michigan Reconnect and College Assistance Brief \(Page 21\).](#)
- [CaP-ital Outlay Project Request Review and Evaluations {Page 38}.](#)

**MICHIGAN LEGISLATIVE MEMBERS AND
BOARD OF TRUSTEES MEETING
Action & Information Report**



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

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

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

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:	



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023

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

Subject to be Discussed and Policy Reference:
2.0 Adoption of Minutes 2.1 Regular Board Meeting of 03.13.23 <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-01 Governing Style
Description:
Attached are the minutes of the most recent meeting of the Board for your review and consideration for placement into the formal record of the Jackson College Board of Trustees. Please note that, by 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.
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

03.13.23

[DRAFT & UNOFFICIAL]

The Regular Meeting of the Board of Trustees of Jackson College was held on Monday, 03.13.23, 6:30pm, at the Central Campus of Jackson College, George E. Potter Center, 2nd Floor, Boardroom.

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

Board Member Excused Absence: None

Others Present Include: Dr. Daniel Phelan, Ms. Cindy Allen, Mr. John Globoker, Mr. Doug Yenor, Ms. Kelly Crum, Ms. Ashley Van Heest, Mr. Keith Everett Book, Ms. Julie Hand, Ms. Xania Payne, Ms. Heather Ruttkofsky, and Dr. Todd Butler,

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

ADOPTION OF MINUTES

The draft minutes of the Regular Meeting of the Board of Trustees on 02.13.23 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:

None

CEO COMMENTS:

None

BOARD COMMENTS:

Trustee Lake shared spending the morning and afternoon at the MCCA PTK Award Ceremony and Luncheon which honored 4 Jackson College students, one of which was

selected as a 2023 Coca-Cola Academic Team Silver Scholar through Phi Theta Kappa and will receive \$1,250 scholarship.

Trustee Heins shared seeing a commercial for Jackson College on TV that he appreciated.

The Board discussed that each chapter summary of the current book they are reading (ACCT's Trusteeship in Community Colleges), will be discussed at their Summer Retreat.

LINKAGE COMMITTEE STATUS:

No update.

ITEMS FOR DECISION

GOVERNANCE PROCESS ITEMS: GP-02 Board Job Contributions – Policy Review:

Policy GP-02 was considered by the Board for its regularly scheduled review.

GOVERNANCE PROCESS ITEMS: GP-04 Role of Board Chair – Policy Review:

Policy GP-04 was considered by the Board for its regularly scheduled review.

GOVERNANCE PROCESS ITEMS: GP-10 Investment in Governance – Policy Review:

Policy GP-10 was considered by the Board for its regularly scheduled review.

MOTION BY TRUSTEE HEINS TO APPROVE POLICY GP-02 BOARD JOB CONTRIBUTIONS WITHOUT AMENDMENTS, POLICY GP-04 ROLE OF BOARD CHAIR WITHOUT AMENDMENTS, AND POLICY GP-10 INVESTMENT IN GOVERNANCE WITHOUT AMENDMENTS . TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, PATTERSON, LAKE, BARNES, HOFFMAN, CRIST, AND SIMPSON VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-12 Land Use – Policy Review:

Policy EL-12 was considered by the Board for its regularly scheduled review.

CEO Phelan recommended some expanded language to better align with Jackson College practices for the Board's consideration.

MOTION BY TRUSTEE LAKE TO APPROVE POLICY EL-12 LAND USE AS AMENDED. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, PATTERSON, LAKE, BARNES, HOFFMAN, CRIST, AND SIMPSON VOTING AYE. MOTION PASSED UNANIMOUSLY.

EXECUTIVE LIMITATIONS ITEMS: EL-12 Land Use – Interpretations Review:

CEO Phelan presented his clarified interpretation recommendations for Policy EL-12 to the Board for their regularly scheduled review.

MOTION BY TRUSTEE SIMPSON THAT THE BOARD HAS ASSESSED CEO PHELAN'S AMENDED INTERPRETATIONS OF POLICY EL-12 LAND USE AND FINDS THAT THEY DEMONSTRATE A REASONABLE INTERPRATION OF THE POLICY. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, PATTERSON, LAKE, BARNES, HOFFMAN, CRIST, AND SIMPSON VOTING AYE. MOTION PASSED UNANIMOUSLY.

CONSENT / REQUIRED APPROVAL AGENDA

SPRING PLANNING SESSION AGENDA:

CEO Phelan and Chairperson Crist shared the proposed agenda for the April 7th Board Spring Planning Session. Trustee Simpson requested a physical security update be added to the agenda.

TRUSTEE PRESENTERS FOR COMMENCEMENT:

The Board considered who among them would present the Distinguished Service Award to Dr. Ed Mathein at the 2023 commencement ceremony. Trustee Heins volunteered to present the Distinguished Service Award to retired Trustee Mathein.

MONITORING CEO PERFORMANCE

MONITORING CEO PERFORMANCE: EL-11 Entrepreneurial Activity – Evidence Review:

CEO Phelan presented the evidence (i.e., monitoring report) for Policy EL-11 Entrepreneurial Activity indicating full compliance according to his previously approved interpretations. He indicated that though there has not been any entrepreneurial activity this year, there would likely be an opportunity that may be revenue exchange related to this policy in the coming year.

MOTION BY TRUSTEE LAKE THAT THE BOARD HAS ASSESSED THE MONITORING REPORT FOR POLICY EL- 11 ENTREPRENEURIAL ACTIVITY AND FINDS THAT IT DEMONSTRATES COMPLIANCE WITH A REASONABLE INTERPRETATION OF THE POLICY. TRUSTEES VOTED BY ROLL CALL VOTE: TRUSTEES HEINS, PATTERSON, LAKE, BARNES, HOFFMAN, CRIST, AND SIMPSON VOTING AYE. MOTION PASSED UNANIMOUSLY.

MONITORING CEO PERFORMANCE: CEO Monitoring Compliance Schedule & Summary:

CEO Phelan provided an update on reports, presented to the Board over the preceding 12 months with the compliance status noted. He also provided a schedule of policy, interpretation, and evidence reviews for calendar year 2023. He noted that full compliance with policy EL-12 Land Use will be realized with the Master Plan in Fall of 2023.

MONITORING BOARD PERFORMANCE

MONITORING BOARD PERFORMANCE: GP-01 Governing Style:

Chairman Crist presented the aggregate responses from Board members to a Self-Evaluation Survey of GP-01 Governing Style. Brief discussion ensued as full compliance was mutually agreed upon. The Board discussed the expectation of attendance by Trustees at all regular Board meetings, held every second Monday of the month (excluding July and December when there is no regular meeting of the Board), except in instances that cannot be avoided. This will be further discussed at the Summer Retreat, as will all of the surveys, per previous Board discussion

MONITORING BOARD PERFORMANCE: BCD-06 President Compensation:

Chairman Crist presented the aggregate responses from Board members to a Self-Evaluation Survey of BCD-06 President Compensation. Brief discussion ensued as full compliance was mutually agreed upon. Discussion of the following item of the policy will be held at the Summer Retreat: A committee process may be used to gather information and to provide options and their implications to the full Board for its decision.

INFORMATION REQUEST BY THE BOARD

Next Board Meeting Topics – April 10, 2023:

President Phelan provided the members a portend of items that are to come at the 4.10.23, Jackson College Board of Trustees Meeting and took agenda suggestions.

Below are the currently anticipated topics:

- Policy & Interpretations Review: EL-05 Asset Protection
- Policy & Interpretations Review: EL-06 Investment
- Policy Review: BCD-05 President Succession
- Policy Review: GP-03 Board Planning Cycle & Agenda Control
- Evidence Review: EL-12 Land Use
- Survey Results Review: GP-02 Board Job Contributions
- Survey Results Review: GP-04 Role of Board Chair
- Survey Results Review: GP-10 Investment in Governance
- FY 2023 Q3 Financial Report
- Closed Session: Contract Negotiations

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

Principles of Policy Governance:

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

MEETING CONTENT REVIEW

Trustees expressed that the content was sufficient.

CEO Phelan shared a change by Policy Governance organizations to move toward the use of the words “careholders / careholdership” in place of “owners / ownership” so as to address some historically negative connotations affiliated with the later.

Trustee Hoffman shared that he will have to miss the 04.10.23 Board meeting and 04.29.23 Commencement due to unforeseen logistics. He asked for an excused absence, which was granted by the Board.

ADJOURN

MOTION BY TRUSTEE HOFFMAN “To adjourn.”

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

Meeting Adjourned at 6:58pm ET.

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

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 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: April 10, 2023



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

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 may offer the following statement prior to persons offering comment, but regardless, is expected to be adhered to by persons wishing to address the Board: <i>"When addressing the Board, speakers are asked to be respectful and civil. Should speakers, who wish to address the Board on matters of an individual, personnel or student nature, are requested to first present such matters to the appropriate College department, in advance of presenting them to the Board."</i></p> <p><i>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, 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".</i></p>
Resource Impact:
None
Requested Board Action:
Receive comments from persons wishing to address the Board.
Action Taken:



Subject to be Discussed and Policy Reference:	
4.0 Ownership Linkage 4.2 Board & CEO Comments	<p><u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-07.2 Ownership Linkage Committee Terms of Reference</p>
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.	
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: April 10, 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 Committee Status
<u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-07.2 Ownership Linkage Committee Terms of Reference	
Description:	
<p>This item is placed on the agenda for both Chairperson Crist and Trustee Lake, as co-chairs of the Committee, to provide an update of the Ownership Linkage Committee and receive any Board comment.</p> <p>Members may wish to use this time to discuss any outcomes from the Legislative Dinner that may inform Board Ends Policies. The Board may also wish to consider an additional meeting as an opportunity to meet with members who were not present. Thanks to Trustee Hoffman for the recommendation of this meeting.</p>	
Resource Impact:	
None	
Requested Board Action:	
Consider update from Trustees regarding Ownership Linkage progress.	



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023

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

Subject to be Discussed and Policy Reference:
5.0 Items for Decision 5.1 Closed Session: Contract Negotiations* (<u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-02 Treatment of Staff)
Description:
As provided by Public Act 15.268, Section 8, Sub-section (c) for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement, I hereby request closed hearing at this time for the above purpose as it relates to the contract negotiations with the support staff union.
Resource Impact:
None
Requested Board Action:
Affirm the request and move to closed session.
Action Taken:

BOARD OF TRUSTEES MEETING
Action & Information Report
Board Meeting Date: April 10, 2023



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

Subject to be Discussed and Policy Reference:

5.0 Items for Decision

5.2 Governance Process

5.2.1 BCD-05 President Succession – Policy Review*

BOARD POLICY: BOARD-CEO DELEGATION: BCD-05 President Succession

Description:

Linked for its regularly scheduled review is policy BCD-05. It can be viewed [here](#).

At this time, I am not recommending any changes, nor have I received any recommendations for change from members.

Resource Impact:

None

Requested Board Action:

Consideration of approving or amending policy BCD-05 President Succession.

Action Taken:

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

Subject to be Discussed and Policy Reference:	
5.0	Items for Decision
5.2	Governance Process
5.2.2	GP-03 Board Planning Cycle & Agenda Control – Policy Review*
<u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-03 Board Planning Cycle & Agenda Control	
Description:	
Linked for its regularly scheduled review is policy GP-03. It can be viewed here .	
At this time, I am not recommending any changes, nor have I received any recommendations for change from Members.	
Resource Impact:	
None	
Requested Board Action:	
Consideration of approving or amending policy GP-03 Board Planning Cycle and Agenda.	
Action Taken:	



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023

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

Subject to be Discussed and Policy Reference:
5.0 Items for Decision 5.3 Executive Limitations 5.3.1 EL-05 Asset Protection – Policy Review* <u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL-05 Asset Protection
Description:
Attached for its regularly scheduled review is policy EL-05. I am recommending some minor clarifying changes for your consideration. Please find attached a version that tracks my recommended changes, as well as a clean version implementing my recommended changes.
Resource Impact:
None
Requested Board Action:
Consideration of approving or amending policy EL-05 Asset Protection.
Action Taken:



Governance Process	Ends
Board- President Delegation	Executive Limitations

BOARD OF TRUSTEES POLICY

Policy Type: Executive Limitations

Policy Title: Asset Protection

Policy Number: EL-05

Date Adopted: 1/13/20

Version: 45.0

Date Last Reviewed: 5/9/22

Office Responsible: President's

Reviewing Committee: Board of Trustees

The ~~CEOPresident~~ shall not allow College assets to be unprotected, inadequately maintained or unnecessarily risked.

Further, without limiting the scope of the preceding statement by the following list, the ~~CEOPresident~~ shall not:

1. Permit the organization to have inadequate insurance against property, ~~and~~ casualty, and cyber (i.e., data) losses.
 - 1.1. Permit the organization to insure its property and operations with inadequate valuation and limits due to an insufficient scope of perils.
 - 1.1.1. Permit insurance of all buildings and contents to be at less than ~~90% of~~ the cost to replace, with a blanket limit of all buildings and contents.
 - 1.1.2. Permit the College to have inadequate insurance for theft, disappearance or destruction of money, and securities inside or outside the premises.
 - 1.2. Permit the organization to have inadequate privacy/cyber insurance.
2. Permit the Board members, ~~staff~~College employees, and other individuals engaged in activities on behalf of the organization, or the organization itself, to have inadequate liability insurance.
3. Permit individuals traveling out of the United States, on behalf of the College, to have inadequate travel accident insurance.

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4. Allow the College to have insurance for theft and crime coverage that is less than industry standards.
5. Unnecessarily expose the organization, its Board members or [staff/College employees](#) to claims of liability.
 - 5.1. Allow any material contracts or material internal human resource documents to be executed with inadequate review by qualified legal counsel.
6. Receive, process or disburse funds under controls which are insufficient to meet audit standards or [reasonably](#) insufficient to detect and prevent fraud.
7. Make any purchases that do not result in appropriate level of quality, after-purchase service, and value for dollar, or do not provide opportunity for fair competition.
 - 7.1 Make any purchase wherein normally prudent protection has not been ~~given~~ [evaluated](#) against conflict of interest.
 - 7.2 Make any purchase of over \$100,000 without having obtained comparative prices and quality from at least three competitive bids, [unless considered a 'sole-source' provider](#). Orders shall not be split to avoid these criteria.
 - 7.3 Make any purchase without a stringent method of assuring: 1) Long-term quality 2) Reasonable Cost; 3) Consideration of the financial support provided to the College by a bidder, and 4) Local vendor preference.
 - 7.4 Allow minority, women, and veteran vendors to be without information critical to their receiving equitable consideration in competitive bidding.
8. Allow College intellectual assets, to be unprotected or exposed to loss or significant damage.
9. Endanger the organization's public image, credibility, or its ability to accomplish [Board](#) Ends.
 - 9.1 Allow non-adherence to guidelines required for required institutional and ~~desired supplemental secondary~~ [program accreditations](#).
 - 9.2 Accept gifts or grants which obligate the College to make future expenditures other than those [provided that are reasonably required for](#) by the gift or grant.
 - 9.3 Publicly position the College in support of, or opposition to, any [known](#) political ~~party organization~~, or candidate for public office.

9.4 Develop or continue collaborative relationships with organizations whose principles or practices are incompatible with those of the College.

9.5. Allow relationships with owners-careholders and/or stakeholders to be inconsistent with the productive cooperation necessary to the achievement of Ends.

10. Change the organization's name or substantially alter its identity in the community.

11. Create or purchase any subsidiary corporation.

Date Of Change	Version	Description of Change	Responsible Party
11.11.19	1.0	First release following Policy Governance consulting work.	Chief of Staff
1.13.20	2.0	Edits to original policy recommend by CFO and CEO to enhance clarify of policy	Chief of Staff
10.05.21	3.0	Minor edits based upon actual practice	President & CEO
11.08.21	4.0	Minor edits based upon actual practice	President & CEO
5.9.22	4.0	Regular Review – Approved	CEO
<u>4.10.23</u>	<u>5.0</u>	<u>Minor clarifying edits</u>	<u>CEO</u>

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Governance Process	Ends
Board- President Delegation	Executive Limitations

BOARD OF TRUSTEES POLICY

Policy Type: Executive Limitations

Policy Title: Asset Protection

Policy Number: EL-05

Date Adopted: 1/13/20

Version: 5.0

Date Last Reviewed: 5/9/22

Office Responsible: President's

Reviewing Committee: Board of Trustees

The CEO shall not allow College assets to be unprotected, inadequately maintained or unnecessarily risked.

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

1. Permit the organization to have inadequate insurance against property, casualty, and cyber (i.e., data) losses.
 - 1.1. Permit the organization to insure its property and operations with inadequate valuation and limits due to an insufficient scope of perils.
 - 1.1.1. Permit insurance of all buildings and contents to be at less than the cost to replace, with a blanket limit of all buildings and contents.
 - 1.1.2. Permit the College to have inadequate insurance for theft, disappearance or destruction of money, and securities inside or outside the premises.
 - 1.2. Permit the organization to have inadequate privacy/cyber insurance.
2. Permit the Board members, College employees, and other individuals engaged in activities on behalf of the organization, or the organization itself, to have inadequate liability insurance.
3. Permit individuals traveling out of the United States, on behalf of the College, to have inadequate travel accident insurance.

4. Allow the College to have insurance for theft and crime coverage that is less than industry standards.
5. Unnecessarily expose the organization, its Board members or College employees to claims of liability.
 - 5.1. Allow any material contracts or material internal human resource documents to be executed with inadequate review by qualified legal counsel.
6. Receive, process or disburse funds under controls which are insufficient to meet audit standards or reasonably insufficient to detect and prevent fraud.
7. Make any purchases that do not result in appropriate level of quality, after-purchase service, and value for dollar, or do not provide opportunity for fair competition.
 - 7.1 Make any purchase wherein normally prudent protection has not been evaluated against conflict of interest.
 - 7.2 Make any purchase of over \$100,000 without having obtained comparative prices and quality from at least three competitive bids, unless considered a 'sole-source' provider. Orders shall not be split to avoid these criteria.
 - 7.3 Make any purchase without a stringent method of assuring: 1) Long-term quality 2) Reasonable Cost; 3) Consideration of the financial support provided to the College by a bidder, and 4) Local vendor preference.
 - 7.4 Allow minority, women, and veteran vendors to be without information critical to their receiving equitable consideration in competitive bidding.
8. Allow College intellectual assets, to be unprotected or exposed to loss or significant damage.
9. Endanger the organization's public image, credibility, or its ability to accomplish Board Ends.
 - 9.1 Allow non-adherence to guidelines required for required institutional and secondary program accreditors.
 - 9.2 Accept gifts or grants which obligate the College to make future expenditures other than those that are reasonably required by the gift or grant.
 - 9.3 Publicly position the College in support of, or opposition to, any known political organization, or candidate for public office.

9.4 Develop or continue collaborative relationships with organizations whose principles or practices are incompatible with those of the College.

9.5. Allow relationships with careholders and/or stakeholders to be inconsistent with the productive cooperation necessary to the achievement of Ends.

10. Change the organization's name or substantially alter its identity in the community.

11. Create or purchase any subsidiary corporation.

Date Of Change	Version	Description of Change	Responsible Party
11.11.19	1.0	First release following Policy Governance consulting work.	Chief of Staff
1.13.20	2.0	Edits to original policy recommend by CFO and CEO to enhance clarify of policy	Chief of Staff
10.05.21	3.0	Minor edits based upon actual practice	President & CEO
11.08.21	4.0	Minor edits based upon actual practice	President & CEO
5.9.22	4.0	Regular Review – Approved	CEO
4.10.23	5.0	Minor clarifying edits	CEO



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023

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

Subject to be Discussed and Policy Reference:
5.0 Items for Decision 5.3 Executive Limitations 5.3.2 EL-06 Investments – Policy Review* <u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL- 06 Investments
Description:
Attached for its regularly scheduled review is policy EL-06. I am recommending some minor clarifying changes for your consideration. Please find attached a version that tracks my recommended changes, as well as a clean version implementing my recommended changes.
Resource Impact:
None
Requested Board Action:
Consideration of approving or amending policy EL-06 Investments.
Action Taken:



Governance Process	Ends
Board- President Delegation	Executive Limitations

BOARD OF TRUSTEES POLICY

Policy Type: Executive Limitations

Policy Title: Investments

Policy Number: EL-06

Date Adopted: 11/11/19

Version: 24.0

Date Last Reviewed: 5/9/22

Office Responsible: President's

Reviewing Committee: Board of Trustees

The President-CEO shall not permit investments that are inconsistent with federal, state or local laws, nor to be managed in a way that is inconsistent with the primary investment objectives of capital preservation and reasonably assured revenue growth. Further, without limiting the scope of the above statement by the following list, the President-CEO shall not:

1. Permit investments to be managed without the active involvement of well-qualified investment advisors with a proven track record, and who are independent of any investment fund.
 - 1.1. Permit the advisor to take title to any assets.
 - 1.2. Permit the advisor to withdraw any funds from the accounts except to cover payment of previously agreed -to fees, or at the organization's specific direction of the College's Chief Financial Officer or President.
2. Permit investments that are insufficiently liquid to meet the organization's anticipated expenditures without incurring penalties.
3. Permit the investment of cash accounts (or operating capital) in anything other than what is defined in the Community College Act section 389.142 as being permitted by a Michigan community college high interest savings or FDIC-Insured/Repurchase Agreements.

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Date Of Change	Version	Description of Change	Responsible Party
11.11.19	1.0	First release following Policy Governance consulting work.	Chief of Staff
5.9.22	1.0	Regular Review - Approved	CEO
<u>4.5.23</u>	<u>2.0</u>	<u>Minor clarifying edits.</u>	<u>CEO</u>

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Governance Process	Ends
Board- President Delegation	Executive Limitations

BOARD OF TRUSTEES POLICY

Policy Type: Executive Limitations

Policy Title: Investments

Policy Number: EL-06

Date Adopted: 11/11/19

Version: 2.0

Date Last Reviewed: 5/9/22

Office Responsible: President's

Reviewing Committee: Board of Trustees

The CEO shall not permit investments that are inconsistent with federal, state or local laws, nor to be managed in a way that is inconsistent with the primary investment objectives of capital preservation and reasonably assured revenue growth.

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

1. Permit investments to be managed without the active involvement of well-qualified investment advisors with a proven track record, and who are independent of any investment fund.
 - 1.1. Permit the advisor to take title to any assets.
 - 1.2. Permit the advisor to withdraw any funds from the accounts except to cover payment of previously agreed-to fees, or at the specific direction of the College's Chief Financial Officer or President.
2. Permit investments that are insufficiently liquid to meet the organization's anticipated expenditures without incurring penalties.
3. Permit the investment of cash accounts (or operating capital) in anything other than what is defined in the Community College Act section 389.142 as being permitted by a Michigan community college.

Date Of Change	Version	Description of Change	Responsible Party
11.11.19	1.0	First release following Policy Governance consulting work.	Chief of Staff
5.9.22	1.0	Regular Review - Approved	CEO
4.5.23	2.0	Minor clarifying edits.	CEO

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

Subject to be Discussed and Policy Reference:
5.0 Items for Decision 5.3 Executive Limitations 5.3.3 EL-05 Asset Protection – Interpretations Review* <u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL- 05 Asset Protection
Description:
<p>Enclosed for their regularly scheduled review are my interpretations for policy EL-05 Asset Protection.</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-05 Asset Protection as demonstrating a reasonable interpretation of the policy.
Action Taken:



Jackson College Board of Trustees

Monitoring Report: EL – 05 Asset Protection

[COMPLIANCE]

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

I present this monitoring report to the Jackson College Board of Trustees which addresses the Board's Executive Limitations Policy: Asset Protection – EL-05. I certify that the information contained in herein is true and represents compliance, within a reasonable interpretation of the established policy

Please note that all of my interpretations of the policy remain unchanged from the previous report, unless otherwise noted.

Daniel J. Phelan, Ph.D.
President and CEO

04.10.23

Date

POLICY STATEMENT:

The CEO shall not allow College assets to be unprotected, inadequately maintained, or unnecessarily risked. Further, without limiting the scope of the preceding statement by the following list, the CEO shall not:

- 1. Permit the organization to have inadequate insurance against property, casualty, and cyber (i.e., data) losses.**

I have interpreted "inadequate insurance" in policy items #1.1 (including 1.1.1 and 1.1.2) to 1.24. Compliance with these items below constitutes compliance with this policy.

- 1.1. Permit the organization to insure its property and operations with inadequate valuation and limits due to an insufficient scope of perils.**

INTERPRETATION:

I have ~~partially~~ interpreted “insufficient scope of perils” in policy items 1.1.1 and 1.1.2 below. I am further interpreting the scope of perils to include disruption of College operations, due to unpredictable events or ‘Acts of God’ (i.e., force majeure), as well as exposure to danger or serious danger.

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Compliance with this policy will be demonstrated ~~by compliance with 1.1.1 and 1.1.2, as well as~~ when insurances of the College, in particular its ‘Umbrella Insurance’, for disruption of college operations, is consistent with coverage limits standards ~~s to for~~ an institution our size, type, and scope, and as well industry standards as when items 1.1.1 and 1.1.2, (below) are fully compliant.

This interpretation is reasonable because it is consistent with the recommendations of the College’s insurance consultant, and the Michigan Community College Risk Management Authority (MCCRMA) standards of coverage.

1.1.1. Permit insurance of all buildings and contents to be at less than the cost to replace, with a blanket limit of all buildings and contents.

INTERPRETATION:

I have interpreted compliance to be demonstrated when a schedule property of values is updated and signed each year, computing the blanket limit of coverage for buildings and contents, and that the College is in possession of insurance coverage documents to those amounts.

This interpretation is reasonable because it is based on insurance industry standards for replacement blanket insurance on building and contents.

1.1.2. Permit the College to have inadequate insurance for theft, disappearance or destruction of money, and securities inside or outside the premises.

INTERPRETATION:

I have interpreted compliance to be demonstrated when:

- a) The College is in possession of an related insurance policy provides for coverage for theft, disappearance or destruction of money and securities at the College, or at financial institutions holding College assets.

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- b) The levels/type of insurance coverage [provided](#) is consistent with the range recommended by the insurance industry consultant [\(see insurance type schedule below\)](#).

<u>Insuring Agreement</u>	<u>Limits of Liability</u>	<u>Deductibles</u>
Employee Theft	\$ 1,000,000	\$ 10,000
ERIDA Fidelity	\$ 1,000,000	\$ -
Forgery or Alteration	\$ 1,000,000	\$ 10,000
Premise Coverage	\$ 1,000,000	\$ 10,000
Transit Coverage	\$ 1,000,000	\$ 10,000
Computer Fraud	\$ 1,000,000	\$ 10,000
Restoration Expense	\$ 50,000	\$ 1,000
Funds Transfer Fraud	\$ 1,000,000	\$ 10,000
Credit, Debit or Charge Card Fraud	\$ 1,000,000	\$ 10,000
Money Orders and Counterfeit Money	\$ 1,000,000	\$ 10,000
Investigative Expense	\$ 50,000	\$ -

This interpretation is reasonable because the assessment of adequate insurance is provided by a third-party independent insurance consultant, [as noted in the schedule above](#) is an accepted industry standard.

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1.2. Permit the organization to have inadequate privacy/cyber insurance.

INTERPRETATION:

I have interpreted compliance to be demonstrated when:

- The [operational and disruptive](#) threat of Cyber Security is mitigated using preventative controls [and insurance protections are](#) consistent with what was identified in the annual cyber security audit. [This level of control will include the annual review of a Maintenance of Operations plan](#); and
- Insurance levels are consistent with the Michigan Community College Risk Management Authority (MCCRMA) standards of coverage for Cyber Liability.

~~Given that the cost of cyber liability insurance is prohibitive unless preventative controls are implemented, this~~ This interpretation is reasonable because the insurer is a third-party expert and [provides the College with](#) an

independent assessment of what adequate insurance is in the current environment, [as well as what constitutes an appropriate Maintenance of Operation plan, which is required before any cyber insurance can be issued.](#)

2. **Permit the Board members, College employees, and other individuals engaged in activities on behalf of the organization, or the organization itself, to have inadequate liability insurance.**

INTERPRETATION:

I interpret the level of adequate insurance (i.e., E & O for the board, as well, as other liability insurances for staff and related parties) to be determined by an industry expert, in this case, the Michigan Community College Risk Management Authority (MCCRMA) and their standards of coverage determinations, [and such policies are currently in place and on file.](#)

This interpretation is reasonable because the insurer is a third-party expert and an independent assessment of what adequate insurance is.

3. **Permit individuals traveling out of the United States, on behalf of the College, to have inadequate travel accident insurance.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The College has a professional activity form (i.e., pre-approval documentation) on file, granting approval to travel on behalf of the College. [Further, that this form is utilized by persons traveling on College business.](#)
- b) Employees are provided access to information about applicable travel insurance coverages prior to their approved travel.
- c) Coverages are consistent with 3rd party consultants' recommendations based on industry standards.

This interpretation is reasonable because prior approval to travel, [as well as provisions for applicable travel insurance,](#) is a standard practice among higher education institutions.

4. **Allow the College to have insurance for theft and crime coverage that is less than industry standards.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when the College is

ensuring its theft and crime coverages are at a level, identified by the
College's the 3rd party insurance consultant, has identified as standard for
an institution our type, size, and scope.

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are executed by the Board of Trustees. Finally, further, all performance bonds for \$100,000 projects and higher, include liability protections for the College, ensuring that work is performed of a nature and timeline consistent with the contract.

6. Receive, process, or disburse funds under controls which are insufficient to meet audit standards or reasonably insufficient to detect and prevent fraud.

INTERPRETATION:

I am interpreting fraud protection, involving the receipt, process, or distribution of funds to be achieved when adequate crime (i.e., fraud) insurance is filed and current, as well as when both internal and external auditors confirm adequate internal controls are in place.

I have further interpreted policy compliance to be demonstrated when:

Compliance will be demonstrated when:

- a) The external auditors do not find any deficiency in the internal controls process, as part of their annual audit; and
- b) Any deficiency noted in internal controls is corrected within 90 days.

This interpretation is reasonable because the use of internal and external third-party auditors to examine, evaluate, and recommend improvements and/or corrections to fraud protection practice is not only a higher education industry standard, but is also that standard for non-profit organizations.

7. Make any purchases that do not result in appropriate level of quality, after-purchase service and value for dollar, or do not provide opportunity for fair competition.

I have interpreted this policy to be in compliance when, purchasing practices utilized within the College, are consistent with those of like-sized, industry comparable institutions, within the Michigan Community College Association (i.e., Group II, MCCBOA), as well as when items 7.1, 7.2, 7.3, and 7.4 (below) are fully in compliance.

This interpretation is reasonable because it ensures the attention to all items below, but also that the College purchasing processes are attendant to the structure of Michigan laws, but also that they are evaluated against peer community colleges in the MCCA Group II classification, and in combination with CFO peers in the Michigan Community College Business Officers Association).

7.1 Make any purchase wherein normally prudent protection has not been evaluated against conflict of interest.

INTERPRETATION:

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Compliance will be demonstrated when:

- a) All administrators annually submit documentation regarding the absence of conflict of interest, or noting occasions wherein an actual or apparent conflict may occur. Further, the College Board of Trustees, and Trustees declare any conflict of interest that may exist in their decision-making at the College, and for Trustees, such declaration occurs prior to the commencement of any board meeting, as provided on the College's Board agenda;
- b) The external auditor notes there is no conflict of interest in transactions in the past fiscal year among employees or Trustees; and
- c) Material conflicts are disclosed in the annual audited financial report.

This interpretation is reasonable because not only are there formal practices for noting any actual or apparent conflicts of interest, a third-party auditor annual reviews these practices, and conducts annual sampling to determine if any violations of this process have occurred. Finally, regarding the Board of Trustees, such practices are consistent with the national of fiduciary standard for Duty of Loyalty among board members.

7.2 Make any purchase of over \$100,000 without having obtained comparative prices and quality from at least three competitive bids, unless considered a 'sole source' provider. Orders shall not be split to avoid these criteria.

INTERPRETATION:

I have interpreted compliance to be demonstrated when verification has occurred, for those College I have interpreted the policy requirement to be compliant when departments, which have the authority to initiate purchase order requisitions, have transmitted their request for -The approval through first, their Leadership Council Member, and then through of these is centralized in the Business Office. I have further concluded that compliance will be demonstrated when items a, b., and c. (below) are also compliant:

- a) The College's Internal Auditor conducts a review of a statistically valid sample of purchase order requisitions for policy compliance and confirms that all orders approved by the College's Comptroller are compliant with the required bid documentation if the purchase price is greater than \$100,000;:-

- a)b) The College's external auditor annual conducts a statistical sampling of the processes of purchases of \$100,000 or more, for process compliance; and

- c) The administrative purchasing policy is consistent with Board Policy.

This interpretation is reasonable because the process validation is conducted by both internal and external auditors of the College, which is an industry standard approach.

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7.3 Make any purchase without a stringent method of assuring: 1) Long-term quality 2) Reasonable Cost; 3) Consideration of the financial support provided to the College by a bidder, and 4) Local vendor preference.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) All College departments end employees with purchasing authority are provided the criteria of this policy;
- b) All College Administrators annually receive, and annually review, the College's purchasing policy in the Administrative Council Meeting annually; and
- c) The members of Leadership Council confirm the policy is being applied in their respective areas of responsibility.

This interpretation is reasonable because an annual review of the College's purchasing practices ensures familiarity with existing employees, as well as provides for the proper review of employees who are new to the organization.

7.4 Allow minority, women, and veteran vendors to be without information critical to their receiving equitable consideration in competitive bidding.

INTERPRETATION:

I have determined that compliance will be demonstrated when:

- a) Purchasing departments and their employees with purchasing authority have been provided this policy, which is annually reviewed, to ensure that ~~to make~~ purchases at the College are consistent with this criterion; and
- b) The members of the College's Leadership Council confirm the policy is being followed in their respective area of responsibility.

This interpretation is reasonable because an annual review of the College's purchasing practices relative to minority, women and veteran vendors ensures familiarity with existing employees, as well as provides for the proper review of employees who are new to the organization.

8. Allow College intellectual assets, to be unprotected or exposed to loss or significant damage.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when all College logos, names and characters of proprietary nature have registered trademarks or copyrights.

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This ~~interpretation is s~~reasonable because registration not only provides legal basis for protecting assets against improper or fraudulent use, but it is an industry standard relative to the protection of intellectual assets.

9. Endanger the organization's public image, credibility, or its ability to accomplish Board Ends.

INTERPRETATION:

I have interpreted compliance with this policy statement will occur when, I have demonstrated sufficient breadth of operational policies, processes, and training frequency for employees regarding the protection of the College's reputation, as well as when items 9.1 through 9.5 (below) are fully compliant, in policy items 9.1 to 9.4, and that compliance with these policy items constitute compliance with this policy.

basis for protecting assets against improper or fraudulent use, but it is an industry standard relative to the protection of intellectual assets.

This interpretation is reasonable because policy and process development, deployment, and training are current industry standard for protection of the College's image and reputation.

9.1 Allow non-adherence to guidelines required for required institutional and secondary program accreditors.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Institutional (i.e., Regional) and Program Secondary accreditation agencies confirm that all required data and documentation has been provided by required submission dates; and
- b) The College institutionally, as well as those programs which are accredited by secondary accrediting agencies report that they are in good standing. No Jackson College programs with supplemental accreditation standing ~~are on warning or conditional regarding~~ accreditation status.

This interpretation is reasonable because both the College's regional accreditor, as well as is secondary program accreditors are external to the College and have defined practices for determining the quality of the College and its program offerings.

9.2 Accept gifts or grants which obligate the College to make future expenditures other than those that are reasonably required by the gift or grant.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:___

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a. ~~All the grants considered by the College include agreements which detail - accepting a gift or grant specifies the nature of the grant, any match requirement, period of time in which the College is required to expend funds, prior to acceptance that does not last longer than the life of gift or grant. Further, all match requirements for the grant must be provided within the annual budgets of the College.~~

b. ~~All donations/gifts to the College must be codified by agreement that outline the nature of the donation/gift, the use of said donation/gift, and define any additional contributions or considerations by the College, prior to acceptance.~~

This interpretation is reasonable because it ensures that, prior to any pursuit of a grant or the rescript of any donation or gift, consideration has been given to obligations of the College and ensure the budgeting of same.

9.3 Publicly position the College in support of, or opposition to, any known political organization or candidate for public office.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Review of public sources leading up to election dates do not reveal or report instances of the College supporting or opposing political ~~parties-organizations~~ or candidates for public office;
- b) All political ~~parties-organizations and candidates for public office~~ are given equal opportunity to speak on campus;
- c) No signage supporting candidates appear on any college property; and
- ~~d) No faculty-College employees promote candidates in the classroom, their offices, nor do faculty or other employees promote candidates in their backgrounds on by virtue of backgrounds on-video meetings, internal print or digital~~
- d) ~~communications, on clothing, use of buttons, or other promotional materials, while on college property or when conducting college business.~~

This interpretation is reasonable because it is the law of the State of Michigan.

9.4 Develop or continue collaborative relationships with organizations whose principles or practices are incompatible with those of the College.

INTERPRETATION:

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

- a) All Leadership Council members and the College President have confirmed

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that they have not engaged in, created any partnership agreement, or obligated the College in any way with any organization whose principles or practices are incompatible with those of the College, ~~nor have they engaged with any organization unaligned or that are unaligned~~ with the College's mission, vision, values, and belief statements.

- b) If an incompatibility is discerned, ~~it will be reviewed by the~~ College President, ~~who~~ will make the final determination as to the cessation of the relationship with the offending party, understanding that the contractual and legal nature of the relationship, if present, must be adhered to, relative to contract cessation requirements.

This is interpretation is reasonable because only the Leadership Council members and the President are allowed to enter into contractual relationships.

9.5 Allow relationships with careholders and/or stakeholders to be inconsistent with the productive cooperation necessary to the achievement of Ends.

INTERPRETATION:

I have determined that compliance will be demonstrated when:

- a) A review of tracking software and/or consultation with student support offices confirms there is no outstanding, or unresolved issues with students with the College's Ombudsman-Student Resolution Advocate or with the College's Judicial Committee; ~~and~~

- b) There are no unresolved or public relations matters that have not been addressed; and,

- b)c) The College has a process to address other careholder/stakeholder concerns, including Freedom of Information Requests (FOIA), and that all are addressed within a reasonable period of time, even though a resolution may not be possible.

This interpretation is reasonable because such practices represent a common industry-based approach. Further, a record of such engagements is retained for validation in each of the aforementioned offices. Matters of resolving FOIA requests are defined by State law and are addressed by the College's Chief Operating Officer.

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10. Change the organization's name or substantially alter its identity in the community.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) On those occasions wherein a name is changed, it is noted by action of the Board of Trustees, as approved and recorded in the minutes;
- b) Proposed n Name changes are requested of and approved by the Higher Learning

Commission;

- c) ~~Proposed n~~Name changes are requested of and approved by the Michigan State Department Education; and
- d) Any change in the name, image, and likeness, or positioning of the College identity, ~~is would be~~ supported by a Board motion approved and recorded in the minutes.

This interpretation is reasonable ~~interpretation~~ because it is a requirement of the aforementioned ~~se~~ authorities to advance a name change.

11. Create or purchase any subsidiary corporation.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The establishment or purchase of any subsidiary corporation is documented on a College Board of Trustees agenda for consideration, and is subsequently placed in the minutes of the Board meeting at which it was approved; and
- b) The Board's auditor confirms that there has been no purchase or creation of a subsidiary corporation without prior approval by the Board of Trustees.

This interpterion is is reasonable because the Board of Trustees has retained the authority of the decision for the purchase of a subsidiary corporation and all Board decisions must report a duly recorded motion and the vote to approve such a decision.



Jackson College Board of Trustees

Monitoring Report: EL – 05 Asset Protection

[COMPLIANCE]

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

I present this monitoring report to the Jackson College Board of Trustees which addresses the Board's Executive Limitations Policy: Asset Protection – EL-05. I certify that the information contained in herein is true and represents compliance, within a reasonable interpretation of the established policy

Please note that all of my interpretations of the policy remain unchanged from the previous report, unless otherwise noted.

04.10.23

Daniel J. Phelan, Ph.D.
President and CEO

Date

POLICY STATEMENT:

The CEO shall not allow College assets to be unprotected, inadequately maintained, or unnecessarily risked. Further, without limiting the scope of the preceding statement by the following list, the CEO shall not:

- 1. Permit the organization to have inadequate insurance against property, casualty, and cyber (i.e., data) losses.**

I have interpreted "inadequate insurance" in policy items #1.1 (including 1.1.1 and 1.1.2) to 1.2. Compliance with these items below constitutes compliance with this policy.

- 1.1. Permit the organization to insure its property and operations with inadequate valuation and limits due to an insufficient scope of perils.**

INTERPRETATION:

I have interpreted “insufficient scope of perils” in policy items 1.1.1 and 1.1.2 below. I am further interpreting the scope of perils to include disruption of College operations, due to unpredictable events or ‘Acts of God’ (i.e., force majeure), as well as exposure to danger or serious danger.

Compliance with this policy will be demonstrated when insurances of the College, in particular its ‘Umbrella Insurance’, for disruption of college operations, is consistent with coverage limits standards for an institution our size, type, and scope, as well as when items 1.1.1 and 1.1.2, (below) are fully compliant.

This interpretation is reasonable because it is consistent with the recommendations of the College’s insurance consultant, and the Michigan Community College Risk Management Authority (MCCRMA) standards of coverage.

1.1.1. Permit insurance of all buildings and contents to be at less than the cost to replace, with a blanket limit of all buildings and contents.

INTERPRETATION:

I have interpreted compliance to be demonstrated when a schedule property of values is updated and signed each year, computing the blanket limit of coverage for buildings and contents, and that the College is in possession of insurance coverage documents to those amounts.

This interpretation is reasonable because it is based on insurance industry standards for replacement blanket insurance on building and contents.

1.1.2. Permit the College to have inadequate insurance for theft, disappearance or destruction of money, and securities inside or outside the premises.

INTERPRETATION:

I have interpreted compliance to be demonstrated when:

- a) The College is in possession of an insurance policy provides for coverage for theft, disappearance or destruction of money and securities at the College, or at financial institutions holding College assets.
- b) The levels/type of insurance coverage provided is

consistent with the range recommended by the insurance industry consultant (see insurance type schedule below).

<u>Insuring Agreement</u>	<u>Limits of Liability</u>	<u>Deductibles</u>
Employee Theft	\$ 1,000,000	\$ 10,000
ERIDA Fidelity	\$ 1,000,000	\$ -
Forgery or Alteration	\$ 1,000,000	\$ 10,000
Premise Coverage	\$ 1,000,000	\$ 10,000
Transit Coverage	\$ 1,000,000	\$ 10,000
Computer Fraud	\$ 1,000,000	\$ 10,000
Restoration Expense	\$ 50,000	\$ 1,000
Funds Transfer Fraud	\$ 1,000,000	\$ 10,000
Credit, Debit or Charge Card Fraud	\$ 1,000,000	\$ 10,000
Money Orders and Counterfeit Money	\$ 1,000,000	\$ 10,000
Investigative Expense	\$ 50,000	\$ -

This interpretation is reasonable because the assessment of adequate insurance is provided by a third-party independent insurance consultant, as noted in the schedule above) is an accepted industry standard.

1.2. Permit the organization to have inadequate privacy/cyber insurance.

INTERPRETATION:

I have interpreted compliance to be demonstrated when:

- a) The operational and disruptive threat of Cyber Security is mitigated using preventative controls and insurance protections are consistent with what was identified in the annual cyber security audit. This level of control will include the annual review of a Maintenance of Operations plan; and
- b) Insurance levels are consistent with the Michigan Community College Risk Management Authority (MCCRMA) standards of coverage for Cyber Liability.

This interpretation is reasonable because the insurer is a third-party expert and provides the College with an independent assessment of what adequate insurance is in the current environment, as well as what constitutes an appropriate Maintenance of Operation plan, which is required before any cyber insurance can be issued.

2. **Permit the Board members, College employees, and other individuals engaged in activities on behalf of the organization, or the organization itself, to have inadequate liability insurance.**

INTERPRETATION:

I interpret the level of adequate insurance (i.e., E & O for the board, as well, as other liability insurances for staff and related parties) to be determined by an industry expert, in this case, the Michigan Community College Risk Management Authority (MCCRMA) and their standards of coverage determinations, and such policies are currently in place and on file.

This interpretation is reasonable because the insurer is a third-party expert and an independent assessment of what adequate insurance is.

3. **Permit individuals traveling out of the United States, on behalf of the College, to have inadequate travel accident insurance.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The College has a professional activity form (i.e., pre-approval documentation) on file, granting approval to travel on behalf of the College. Further, that this form is utilized by persons traveling on College business.
- b) Employees are provided access to information about applicable travel insurance coverages prior to their approved travel.
- c) Coverages are consistent with 3rd party consultants' recommendations based on industry standards.

This interpretation is reasonable because prior approval to travel, as well as provisions for applicable travel insurance, is a standard practice among higher education institutions.

4. **Allow the College to have insurance for theft and crime coverage that is less than industry standards.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when the College is ensuring its theft and crime coverages are at a level, identified by the College's the 3rd party insurance consultant, as standard for an institution our type, size, and scope.

This interpretation is reasonable because it is not only a standard practice utilized by higher education institutions, but that the recommendations for coverage levels are provided by a third-party industry consultant.

5. Unnecessarily expose the organization, its Board members or College employees to claims of liability.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when the 'unnecessary exposure to claims of liability' are addressed in item 5.1 below, as well as when all College Trustees and employees have received required training on Title IX, Sexual Harassment Prevention, and the Jackson College Code of Ethics, as constituting compliance with this policy.

This is interpretation is reasonable because said training is required by the United States Department of Education.

5.1. Allow any material contracts or material internal human resource documents to be executed with inadequate review by qualified legal counsel.

INTERPRETATION:

I am interpreting the phrase "material contracts or material internal human resource documents" to include all Labor Agreements and all contracts with vendors and organizations, to have a direct or indirect financial liability of \$100,000 or more. I have further interpreted that compliance will be demonstrated when:

- a) A random statistical sampling of contracts is reviewed by the College's Internal Auditor to confirm all associated contracts greater than \$100,000 are reviewed by legal counsel prior to contract signing.
- b) A random statistical sampling of contract documents, reviewed by the College's Internal Auditor, reveal that performance bonds for contracts of \$100,000 or greater, are on file in the College's Business Office.

This is interpretation is reasonable because all labor agreements, and all contracts with vendors are reviewed by the College's legal counsel, and are additionally reviewed and signed by the College President. Further, all union labor agreements are executed by the Board of Trustees. Finally, all performance bonds for \$100,000 projects and higher, include liability protections for the College, ensuring that work is performed of a nature and timeline consistent with the contract.

6. Receive, process, or disburse funds under controls which are insufficient to meet audit standards or reasonably insufficient to detect and prevent fraud.

INTERPRETATION:

I am interpreting fraud protection, involving the receipt, process, or distribution of funds to be achieved when adequate crime (i.e., fraud) insurance is filed and current, as well as when both internal and external auditors confirm adequate internal controls are in place. I have further interpreted policy compliance to be demonstrated when:

- a) The external auditors do not find any deficiency in the internal controls process, as part of their annual audit; and
- b) Any deficiency noted in internal controls is corrected within 90 days.

This interpretation is reasonable because the use of internal and external third-party auditors to examine, evaluate, and recommend improvements and/or corrections to fraud protection practice is not only a higher education industry standard, but is also that standard for non-profit organizations.

7. Make any purchases that do not result in appropriate level of quality, after-purchase service and value for dollar, or do not provide opportunity for fair competition.

I have interpreted this policy to be in compliance when, purchasing practices utilized within the College, are consistent with those of like-sized, industry comparable institutions, within the Michigan Community College Association (i.e., Group II, MCCBOA), as well as when items 7.1, 7.2, 7.3, and 7.4 (below) are fully in compliance.

This interpretation is reasonable because it ensures the attention to all items below, but also that the College purchasing processes are attendant to the structure of Michigan laws, but also that they are evaluated against peer community colleges in the MCCA Group II classification, and in combination with CFO peers in the Michigan Community College Business Officers Association).

7.1 Make any purchase wherein normally prudent protection has not been evaluated against conflict of interest.

INTERPRETATION:

Compliance will be demonstrated when:

- a) All administrators annually submit documentation regarding the absence of conflict of interest, or noting occasions wherein an actual or apparent conflict may occur. Further, the College Board of Trustees declare any conflict of interest that may exist in their decision-making prior to the commencement

of any board meeting, as provided on the College's Board agenda;

- b) The external auditor notes there is no conflict of interest in transactions in the past fiscal year among employees or Trustees; and
- c) Material conflicts are disclosed in the annual audited financial report.

This interpretation is reasonable because not only are there formal practices for noting any actual or apparent conflicts of interest, a third-party auditor annual reviews these practices, and conducts annual sampling to determine if any violations of this process have occurred. Finally, regarding the Board of Trustees, such practices are consistent with the national of fiduciary standard for Duty of Loyalty among board members.

7.2 Make any purchase of over \$100,000 without having obtained comparative prices and quality from at least three competitive bids, unless considered a 'sole source' provider. Orders shall not be split to avoid these criteria.

INTERPRETATION:

I have interpreted compliance to be demonstrated when verification has occurred, for those College departments, which have the authority to initiate purchase order requisitions, have transmitted their request for approval through first, their Leadership Council Member, and then through the Business Office. I have further concluded that compliance will be demonstrated when items a, b., and c. (below) are also compliant:

- a) The College's Internal Auditor conducts a review of a statistically valid sample of purchase order requisitions for policy compliance and confirms that all orders approved by the College's Comptroller are compliant with the required bid documentation if the purchase price is greater than \$100,000;
- b) The College's external auditor annual conducts a statistical sampling of the processes of purchases of \$100,000 or more, for process compliance; and
- c) The administrative purchasing policy is consistent with Board Policy.

This interpretation is reasonable because the process validation is conducted by both internal and external auditors of the College, which is an industry standard approach.

7.3 Make any purchase without a stringent method of assuring: 1) Long-term quality 2) Reasonable Cost; 3) Consideration of the financial support provided to the College by a bidder, and 4) Local vendor preference.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) All College departments and employees with purchasing authority are provided the criteria of this policy;
- b) All College Administrators annually receive, and annually review, the College's purchasing policy in the Administrative Council Meeting annually; and
- c) The members of Leadership Council confirm the policy is being applied in their respective areas of responsibility.

This interpretation is reasonable because an annual review of the College's purchasing practices ensures familiarity with existing employees, as well as provides for the proper review of employees who are new to the organization.

7.4 Allow minority, women, and veteran vendors to be without information critical to their receiving equitable consideration in competitive bidding.

INTERPRETATION:

I have determined that compliance will be demonstrated when:

- a) Purchasing departments and their employees with purchasing authority have been provided this policy, which is annually reviewed, to ensure that purchases at the College are consistent with this criterion; and
- b) The members of the College's Leadership Council confirm the policy is being followed in their respective area of responsibility.

This interpretation is reasonable because an annual review of the College's purchasing practices relative to minority, women and veteran vendors ensures familiarity with existing employees, as well as provides for the proper review of employees who are new to the organization.

8. Allow College intellectual assets, to be unprotected or exposed to loss or significant damage.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when all College logos, names and characters of proprietary nature have registered trademarks or copyrights.

This interpretation is reasonable because registration not only provides legal basis for protecting assets against improper or fraudulent use, but it is an industry standard relative to the protection of intellectual assets.

9. Endanger the organization's public image, credibility, or its ability to accomplish Board Ends.

INTERPRETATION:

I have interpreted compliance with this policy statement will occur when, I have demonstrated sufficient breadth of operational policies, processes, and training frequency for employees regarding the protection of the College's reputation, as well as when items 9.1 through 9.5 (below) are fully compliant. basis for protecting assets against improper or fraudulent use, but it is an industry standard relative to the protection of intellectual assets.

This interpretation is reasonable because policy and process development, deployment, and training are current industry standard for protection of the College's image and reputation.

9.1 Allow non-adherence to guidelines required for required institutional and secondary program accreditors.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Institutional (i.e., Regional) and Secondary accreditation agencies confirm that all required data and documentation has been provided by required submission dates; and
- b) The College institutionally, as well as those programs which are accredited by secondary accrediting agencies report that they are in good standing. No Jackson College programs with supplemental accreditation standing regarding accreditation status.

This interpretation is reasonable because both the College's regional accreditor, as well as is secondary program accreditors are external to the College and have defined practices for determining the quality of the College and its program offerings.

9.2 Accept gifts or grants which obligate the College to make future expenditures other than those that are reasonably required by the gift or grant.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a. All grants considered by the College include agreements which detail the nature of the grant, any match requirement, period of time in which the

College is required to expend funds, prior to acceptance. Further, all match requirements for the grant must be provided within the annual budgets of the College.

- b. All donations/gifts to the College must be codified by agreement that outline the nature of the donation/gift, the use of said donation/gift, and define any additional contributions or considerations by the College, prior to acceptance.

This interpretation is reasonable because it ensures that, prior to any pursuit of a grant or the rescript of any donation or gift, consideration has been given to obligations of the College and ensure the budgeting of same.

9.3 Publicly position the College in support of, or opposition to, any known political organization or candidate for public office.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Review of public sources leading up to election dates do not reveal or report instances of the College supporting or opposing political organizations or candidates for public office;
- b) All political organizations and candidates for public office are given equal opportunity to speak on campus;
- c) No signage supporting candidates appear on any college property; and
- d) No College employees promote candidates in the classroom, their offices, nor do faculty or other employees promote candidates in their backgrounds on video meetings, internal print or digital communications, on clothing, use of buttons, or other promotional materials, while on college property or when conducting college business.

This interpretation is reasonable because it is the law of the State of Michigan.

9.4 Develop or continue collaborative relationships with organizations whose principles or practices are incompatible with those of the College.

INTERPRETATION:

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

- a) All Leadership Council members and the College President have confirmed that they have not engaged in, created any partnership agreement, or obligated the College in any way with any organization whose principles or practices are incompatible with those of the College, or that are unaligned with the College's mission, vision, values, and belief statements.

- b) If an incompatibility is decerned, the College President will make the final determination as to the cessation of the relationship with the offending party, understanding that the contractual and legal nature of the relationship, if present, must be adhered to, relative to contract cessation requirements.

This interpretation is reasonable because only the Leadership Council members and the President are allowed to enter into contractual relationships.

9.5 Allow relationships with careholders and/or stakeholders to be inconsistent with the productive cooperation necessary to the achievement of Ends.

INTERPRETATION:

I have determined that compliance will be demonstrated when:

- a) A review of tracking software and/or consultation with student support offices confirm there is no outstanding, or unresolved issues with students with the College's Student Resolution Advocate or with the College's Judicial Committee;
- b) There are no unresolved or public relations matters that have not been addressed; and
- c) The College has a process to address other careholder/stakeholder concerns, including Freedom of Information Requests (FOIA), and that all are addressed within a reasonable period of time, even though a resolution may not be possible.

This interpretation is reasonable because such practices represent a common industry-based approach. Further, a record of such engagements is retained for validation in each of the aforementioned offices. Matters of resolving FOIA requests are defined by State law and are addressed by the College's Chief Operating Officer.

10. Change the organization's name or substantially alter its identity in the community.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) On those occasions wherein a name is changed, it is noted by action of the Board of Trustees, as approved and recorded in the minutes;
- b) Proposed name changes are requested of and approved by the Higher Learning Commission;
- c) Proposed name changes are requested of and approved by the Michigan State Department Education; and
- d) Any change in the name, image, and likeness, or positioning of the College identity, is supported by a Board motion approved and recorded in the minutes.

This interpretation is reasonable because it is a requirement of the aforementioned authorities to advance a name change.

11. Create or purchase any subsidiary corporation.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The establishment or purchase of any subsidiary corporation is documented on a College Board of Trustees agenda for consideration, and is subsequently placed in the minutes of the Board meeting at which it was approved; and
- b) The Board's auditor confirms that there has been no purchase or creation of a subsidiary corporation without prior approval by the Board of Trustees.

This interpretation is reasonable because the Board of Trustees has retained the authority of the decision for the purchase of a subsidiary corporation and all Board decisions must report a duly recorded motion and the vote to approve such a decision.

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

Subject to be Discussed and Policy Reference:
5.0 Items for Decision 5.3 Executive Limitations 5.3.4 EL-06 Investments – Interpretations Review* <u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL- 06 Investments
Description:
<p>Enclosed for their regularly scheduled review are my interpretations for policy EL-06 Investments.</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-05 Asset Protection as demonstrating a reasonable interpretation of the policy.
Action Taken:



Jackson College Board of Trustees

Monitoring Report: EL – 06 Investments

[COMPLIANCE]

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

I present this monitoring report to the Jackson College Board of Trustees which addresses the Board's Executive Limitations Policy: "Investments". I certify that the information contained in herein is true and represents compliance, within a reasonable interpretation of the established policy, unless specifically stated otherwise below. Please note that all of my interpretations of the policy remain unchanged from the previous report, unless otherwise noted.

Daniel J. Phelan, Ph.D.
President and CEO

04.10.23

Date

POLICY STATEMENT:

The CEO shall not permit investments that are inconsistent with federal, state, or local laws, nor to be managed in a way that is inconsistent with the primary investment objectives of capital preservation and reasonable growth.

INTERPRETATION:

I have interpreted this policy statement to mean that any investments that are made by the College must not only adhere to all applicable laws for a public community college, but that any investments should be of low risk, with the intention of additional revenue generation. Further, I interpret that this investment work should be undertaken using an independent, qualified, third-party fund manager, with investment decisions made in consultation of the College administration.

This interpretation is reasonable because a licensed, (qualified) third-party investing agent is not only familiar with applicable laws, but that they are more skilled in the matters of investing are are more likely to direct the College toward revenue growth.

The College is a participant in Michigan Liquid Asset Fund Plus (MILAF+) whom has an independent board of trustees who hire an investment manager and advisor. The Michigan Liquid Asset Fund Plus ("MILAF+" or the "Trust") is a comprehensive cash management program created in 1987 by the Michigan Association of School Boards. The Trust was established for the purpose of allowing Michigan public agencies to pool their investment funds to seek the highest possible investment yield, while maintaining liquidity and preserving capital. The College also purchases securities from Comerica Securities who provides independent experienced financial consultants and security offerings that are compliant with the Community College Act 389-142.

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

1. Permit investments to be managed without the active involvement of well-qualified investment advisors with a proven track record, who are independent of any investment fund.

INTERPRETATION:

I have interpreted that cCompliance will be demonstrated when:

- a) The ~~MILAF+ trustees have~~College has an appointed an Asset Management as-Administrator, who can palso rovide a knowledgable custodian for the College's funds- PFM Asset Management LLC. The Trusts agreement with the Administrator is in affect and renews automatically to one-year terms subject to the approval of the MILAF+ trustees.
- b) The College utilizes Comerica Securities provides well-qualified investment advisors who actually make the securities purchases, who are also are independent of any investment fund.

This interpretation is reasonable because the investment of the College's available funds are achieved by a bonded, leagally accountable trust administrator, and secondary fund custodian. Further such investment recommendations are acted upon, based upon recommendations of an independent securities advisor,

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1.1. Permit the advisor to take title to any assets.

INTERPRETATION:

I have interpreted that Ccompliance will be demonstrated when:

- a) ~~The Trust structure-~~The College has engaged the use of a fund advisor, who is not also the fund custodian; ~~MILAF+ does not allow the advisor to be the custodian of funds. The funds are held in the College's name by Fifth Third Bank who is the current custodian of MILAF+.~~

- ~~e)b)~~ The funds held by the asset custodian, and security purchases made by investment advisor, are heldComerica securities makes security-purchases on behalf of Jackson College. The securities are held in the Colleges name only.

This interpretation is reasonable because of the way and structure of how the investments are managed.

- 1.2. Permit the advisor to withdraw any funds from the accounts except to cover payment of previously agreed-to fees, or at the s specific direction of the College's Chief Financial Officer or President.

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INTERPRETATION:

I have interpreted that cCompliance will be demonstrated when:

- a) Fees are specified in the agreements s of the engaged financial and asset management organizations.

This interpretation is reasonable because the way the fees are structured, ~~and the available~~ reporting, and that the agreements are legally binding instruments between the College and the third-party organizations that is available.

2. Permit investments that are insufficiently liquid to meet the organization's anticipated expenditures without incurring penalties.

INTERPRETATION:

I have interpreted that cCompliance will be demonstrated when:

- a) Investment maturity dates are structured to mature at times that meet cash flow needs of the College based upon a planned schedule; and-
- b) The actual interest-based revenue return matches the anticipated return without penalties for withdrawal.

This interpretation is reasonable because it maximizes the return on the investment and is compliant with the Community College Act.

3. Permit the investment of cash accounts (or operating capital) in anything other than what is defined in the Community College Act section 389.142 as being permitted by a Michigan community college.

INTERPRETATION:

I have interpreted that Ccompliance will be demonstrated when:

The College's participation in investment activities is done via an investment pool composed entirely of investment instruments that are legal for direct investment by a community college and or purchased from Camerica Securitiesa securities organization who only offers Jackson College legal direct investments by a community college.

This interpretation is reasonable because Michigan state law ~~does-~~defines what is permissible for a community college to direct inveinvestmentsset in.



Jackson College Board of Trustees

Monitoring Report: EL – 06 Investments

[COMPLIANCE]

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

I present this monitoring report to the Jackson College Board of Trustees which addresses the Board's Executive Limitations Policy: "Investments". I certify that the information contained in herein is true and represents compliance, within a reasonable interpretation of the established policy, unless specifically stated otherwise below. Please note that all of my interpretations of the policy remain unchanged from the previous report, unless otherwise noted.

04.10.23

Daniel J. Phelan, Ph.D.
President and CEO

Date

POLICY STATEMENT:

The CEO shall not permit investments that are inconsistent with federal, state, or local laws, nor to be managed in a way that is inconsistent with the primary investment objectives of capital preservation and reasonable growth.

INTERPRETATION:

I have interpreted this policy statement to mean that any investments that are made by the College must not only adhere to all applicable laws for a public community college, but that any investments should be of low risk, with the interior of additional revenue generation. Further, I interpret that this investment work should be undertaken using an independent, qualified, third-party fund manager, with investment decisions make in consultation of the College administration.

This interpretation is reasonable because a licensed, (qualified) third-party investing agent is not only familiar with applicable laws, but that they are more skilled in the matters of investing are are more likely to direct the College toward revenue growth.

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

- 1. Permit investments to be managed without the active involvement of well-qualified investment advisors with a proven track record, who are independent of any investment fund.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The College has an appointed an Asset Management Administrator, who can also provide a knowledgeable custodian for the College's funds.
- b) The College utilizes well-qualified investment advisors who actually make the securities purchases, who are also independent of any investment fund.

This interpretation is reasonable because the investment of the College's available funds are achieved by a bonded, legally accountable trust administrator, and secondary fund custodian. Further such investment recommendations are acted upon, based upon recommendations of an independent securities advisor.

1.1. Permit the advisor to take title to any assets.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) The College has engaged the use of a fund advisor, who is not also the fund custodian;
- b) The funds held by the asset custodian, and security purchases made by investment advisor, are held in the College's name only.

This interpretation is reasonable because of the way and structure of how the investments are managed.

1.2. Permit the advisor to withdraw any funds from the accounts except to cover payment of previously agreed-to fees, or at the specific direction of the College's Chief Financial Officer or President.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Fees are specified in the agreements of the engaged financial and asset management organizations.

This interpretation is reasonable because the way the fees are structured, the available reporting, and that the agreements are legally binding instruments between the College

and the third-party organizations.

2. Permit investments that are insufficiently liquid to meet the organization's anticipated expenditures without incurring penalties.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Investment maturity dates are structured to mature at times that meet cash flow needs of the College based upon a planned schedule; and
- b) The actual interest-based revenue return matches the anticipated return without penalties for withdrawal.

This interpretation is reasonable because it maximizes the return on the investment and is compliant with the Community College Act.

3. Permit the investment of cash accounts (or operating capital) in anything other than what is defined in the Community College Act section 389.142 as being permitted by a Michigan community college.

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

The College's participation in investment activities is done via an investment pool composed entirely of investment instruments that are legal for direct investment by a community college and or purchased from a securities organization who only offers Jackson College legal direct investments by a community college.

This interpretation is reasonable because Michigan state law defines what is permissible for a community college investments.

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

Subject to be Discussed and Policy Reference:
5.0 Items for Decision 5.3 Executive Limitations 5.3.5 EL-12 Land Use – Interpretations Review – Part II* <u>BOARD POLICY:</u> EXECUTIVE LIMITATIONS: EL- 12 Land Use
Description:
<p>Enclosed (as a follow-up review to their regularly scheduled review at the regular Board meeting on 3.13.23) are my interpretations for policy EL-12 Land Use.</p> <p>After spending more time with the interpretations, I felt that they needed to be further amended.</p> <p>Please find attached a version that tracks my recommended changes since those approved on 3.13.23, 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-12 Land Use as demonstrating a reasonable interpretation of the policy.
Action Taken:



Jackson College Board of Trustees

Monitoring Report: EL – 12 Land Use

Report Date: 04.10.23

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

I present this monitoring report to the Jackson College Board of Trustees which addresses the Board's Executive Limitations Policy: "Land Use". I certify that the information contained in herein is true and represents compliance, within a reasonable interpretation of the established policy, unless specifically stated otherwise below. Please note that all of my interpretations of the policy remain unchanged from the previous report, unless otherwise noted.

04.10.23

Daniel J. Phelan, Ph.D.
President and CEO

Date

POLICY STATEMENT:

The CEO shall not allow development of the campus or other College lands in a manner that is inconsistent with the core business of the College, environmentally irresponsible, aesthetically displeasing, or that does not make the most effective use of land.

INTERPRETATION:

The Board has further clarified "development that is inconsistent with the core business of the College" in policy items #1 and #2 below; "environmentally irresponsible" in policy item #3; and "aesthetically displeasing" in items #2 and #3; and "effective use of land" in policy items #1, #3 and #4 below. I interpret compliance with those four items will constitute compliance with this policy.

This interpretation is reasonable because it addresses, below, all aspects of the global policy statement.

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

1. Allow the College to be without a long-term land use plan for future development that will avoid infrastructure redundancy and redevelopment costs.

INTERPRETATION:

I have interpreted that cCompliance will be demonstrated when:

- a) There is an infrastructure plan documenting all existing utilities (gas, water, sanitary and storm sewers, electrical, and structured cabling) below ground prepared.
- b) There is a site development plan documenting all existing and future sites of performance spaces, fields, storage, parking lots, sidewalks, buildings, and roads.

This interpretation is reasonable because:

- An infrastructure plan is widely recognized in the industry as providing decision-making data necessary for any future development. Further, , and
- The infrastructure map of existing utilities, as well as and the site development plan, are consistent with architectural, engineering and construction codes, and all legal requirements necessary for any development to proceed.

2. Permit joint ventures or partnerships that do not provide for design and construction standards consistent with overall campus design.

INTERPRETATION:

I have interpreted that cCompliance will be demonstrated when:

- a) ~~Contracts for joint venture partnerships specify that proposed :~~
 - ~~Building designs are consistent with, and complementary to, existing campus design philosophy, facility design, and operational elements; and s.~~

- b) As president, I approve all joint ventures and partnerships, in part, according to other Board Executive Limitation Policies.

- a) ~~The President approves all joint ventures or partnerships.~~

This interpretation is reasonable because it ensures that the College-determined requirements for consistency with campus design are maintained and ultimately reviewed by the Board's CEO.

3. Permit development, new construction or reconstruction that is not energy efficient or does not, to a reasonable extent, minimize adverse environmental

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impacts and preserve the natural landscape.

INTERPRETATION:

I have interpreted that cCompliance will be demonstrated when:

- a) All development projects have met construction regulations set by local, state, federal environmental entities;
- b) A tThird party natural landscaping expert confirms that all College planned projects include complementary natural landscape elements; and-
- c) Project design provide for energy efficient, low-cost operation and considers the use of 'green bulding design' Leadership in Environmental Design (LEED) certification standards.

4. Permit new development that does not meet at least one of the following criteria:

- **Provision of enhanced learning and ancillary space consistent with ENDS achievement.**
- **Extending the College's alliances with business, industry, colleges, universities, or other organizationally mission-compatible non-profit organizations.**
- **Creation of opportunity to generate new revenue streams.**
- **An opportunity to differentiate the College's learning and co-curricular environment.**
- **Positioning the College as a leader in new programs targeted at future market opportunities.**

INTERPRETATION:

I have interpreted that cCompliance will be demonstrated when:

- a) All undertaken projects are consistent with at least one of the criteria listed in this policy section.
- b) At least one of the six aforementioned thresholds are achieved and is documented.

This interpretation is reasonable because the Board has identified the aforementioned specific criteria to be met, and requires the CEO to provide explicit demonstration of compliance, through monitoring, with said criteria.



Jackson College Board of Trustees

Monitoring Report: EL – 12 Land Use

Report Date: 04.10.23

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

I present this monitoring report to the Jackson College Board of Trustees which addresses the Board's Executive Limitations Policy: "Land Use". I certify that the information contained in herein is true and represents compliance, within a reasonable interpretation of the established policy, unless specifically stated otherwise below. Please note that all of my interpretations of the policy remain unchanged from the previous report, unless otherwise noted.

Daniel J. Phelan, Ph.D.
President and CEO

04.10.23

Date

POLICY STATEMENT:

The CEO shall not allow development of the campus or other College lands in a manner that is inconsistent with the core business of the College, environmentally irresponsible, aesthetically displeasing, or that does not make the most effective use of land.

INTERPRETATION:

The Board has further clarified "development that is inconsistent with the core business of the College" in policy items #1 and #2 below; "environmentally irresponsible" in policy item #3; and "aesthetically displeasing" in items #2 and #3; and "effective use of land" in policy items #1, #3 and #4 below. I interpret compliance with those four items will constitute compliance with this policy.

This interpretation is reasonable because it addresses, below, all aspects of the global policy statement.

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

- 1. Allow the College to be without a long-term land use plan for future development that will avoid infrastructure redundancy and redevelopment costs.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) There is an infrastructure plan documenting all existing utilities (gas, water, sanitary and storm sewers, electrical, and structured cabling) below ground prepared.
- b) There is a site development plan documenting all existing and future sites of performance spaces, fields, storage, parking lots, sidewalks, buildings, and roads.

This interpretation is reasonable because: An infrastructure plan is widely recognized in the industry as providing decision-making data necessary for any future development. Further, The infrastructure map of existing utilities, as well as the site development plan, are consistent with architectural, engineering and construction codes, and all legal requirements necessary for any development to proceed.

- 2. Permit joint ventures or partnerships that do not provide for design and construction standards consistent with overall campus design.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Contracts for joint venture partnerships specify that proposed Building designs are consistent with, and complementary to, existing campus design philosophy, facility design, and operational elements; and
- b) As president, I approve all joint ventures and partnerships, in part, according to other Board Executive Limitation Policies.

This interpretation is reasonable because it ensures that the College-determined requirements for consistency with campus design are maintained and ultimately reviewed by the Board's CEO.

- 3. Permit development, new construction or reconstruction that is not energy efficient or does not, to a reasonable extent, minimize adverse environmental impacts and preserve the natural landscape.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) All development projects have met construction regulations set by local, state, federal environmental entities;
- b) A third party natural landscaping expert confirms that all College planned projects include complementary natural landscape elements; and
- c) Project design provide for energy efficient, low-cost operation and considers the use of of 'green bulding design' Leadership in Environmental Design (LEED) certification standards.

This interpretation is a reasonable interpretation because it considers industry standards, as well as meets regulations set forth by local, state, and federal bodies. Further, LEED standards were developed by the external Green Building Council, as a globally accepted, building rating system, for every type of building, guiding construction methods, that provide for healthy, efficient, and cost-saving buildings, both in terms of construction methods, as well as in building operations.

4. Permit new development that does not meet at least one of the following criteria:

- **Provision of enhanced learning and ancillary space consistent with ENDS achievement.**
- **Extending the College's alliances with business, industry, colleges, universities, or other organizationally mission-compatible non-profit organizations.**
- **Creation of opportunity to generate new revenue streams.**
- **An opportunity to differentiate the College's learning and co-curricular environment.**
- **Positioning the College as a leader in new programs targeted at future market opportunities.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) All undertaken projects are consistent with at least one of the criteria listed in this policy section.
- b) At least one of the six aforementioned thresholds are achieved and is documented.

This interpretation is reasonable because the Board has identified the aforementioned specific criteria to be met, and requires the CEO to provide explicit demonstration of compliance, through monitoring, with said criteria.

BOARD OF TRUSTEES MEETING
Action & Information Report
Board Meeting Date: April 10, 2023



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

Subject to be Discussed and Policy Reference:

7.0 Monitoring CEO Performance

7.1 EL-12 Land Use – Evidence Review*

BOARD POLICY: EXECUTIVE LIMITATIONS: EL-12 Land Use

Description:

Enclosed for your review is the evidence (i.e., Monitoring Report) for EL- 12 Land Use.

You will note that my report indicates partial compliance according to previously established and approved interpretations. Full compliance will be realized with the Master Plan in Fall of 2023.

I will respond to any questions you have about the report.

Resource Impact:

None

Requested Board Action:

Board assessment of the report for Policy EL-12 for evidence of partial compliance with a reasonable interpretation of the policy.

Action Taken:



Jackson College Board of Trustees

Monitoring Report: EL – 12 Land Use

Report Date: 04.10.23

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

I present this monitoring report to the Jackson College Board of Trustees which addresses the Board's Executive Limitations Policy: "Land Use". I certify that the information contained in herein is true and represents compliance, within a reasonable interpretation of the established policy, unless specifically stated otherwise below. Please note that all of my interpretations of the policy remain unchanged from the previous report, unless otherwise noted.

Daniel J. Phelan, Ph.D.
President and CEO

04.10.23

Date

POLICY STATEMENT:

The CEO shall not allow development of the campus or other College lands in a manner that is inconsistent with the core business of the College, environmentally irresponsible, aesthetically displeasing, or that does not make the most effective use of land.

INTERPRETATION:

The Board has further clarified "development that is inconsistent with the core business of the College" in policy items #1 and #2 below; "environmentally irresponsible" in policy item #3; and "aesthetically displeasing" in items #2 and #3; and "effective use of land" in policy items #1, #3 and #4 below. I interpret compliance with those four items will constitute compliance with this policy.

This interpretation is reasonable because it addresses, below, all aspects of the global policy statement.

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

- 1. Allow the College to be without a long-term land use plan for future development that will avoid infrastructure redundancy and redevelopment costs.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) There is an infrastructure plan documenting all existing utilities (gas, water, sanitary and storm sewers, electrical, and structured cabling) below ground prepared.
- b) There is a site development plan documenting all existing and future sites of performance spaces, fields, storage, parking lots, sidewalks, buildings, and roads.

This interpretation is reasonable because an infrastructure plan is widely recognized in the industry as providing decision-making data necessary for any future development. Further, the infrastructure map of existing utilities, as well as the site development plan, are consistent with architectural, engineering and construction codes, and all legal requirements necessary for any development to proceed.

EVIDENCE:

- a) On March 31, 2023, Chief Facilities & Logistics Officer, Jason Valente confirmed that an infrastructure map exists in AutoCAD and that a deferred maintenance plan is in place as of 01.21.22. The deferred maintenance plan is a living document that is updated annually based on useful life cycles and other facility usage milestones and regulations. Additionally, a third party contractor, Parsons Group, of Grand Rapids, Michigan has provided a scope of work to complete an in-depth deferred maintenance assessment.
- b) On March 31, 2023, Chief Facilities & Logistics Officer, Jason Valente confirmed that a master plan begun, and will be updated following the installation of the Jet's Pavilion, the Jet's Air Station, the Astronomical Observatory, and the completed STEAM Factory area.

Based upon this evidence, I am reporting partial compliance with item #1.

- 2. Permit joint ventures or partnerships that do not provide for design and construction standards consistent with overall campus design.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) Contracts for joint venture partnerships specify that proposed building designs are consistent with, and complementary to, existing campus design philosophy, facility design,

and operational elements; and

- b) As president, I approve all joint ventures and partnerships, in part, according to other Board Executive Limitation Policies.

This interpretation is reasonable because it ensures that the College-determined requirements for consistency with campus design are maintained and ultimately reviewed by the Board's CEO.

EVIDENCE:

For this last monitoring period, there were no joint venture partnerships to report on.

Based upon this evidence, I am reporting full compliance with item #2.

- 3. Permit development, new construction or reconstruction that is not energy efficient or does not, to a reasonable extent, minimize adverse environmental impacts and preserve the natural landscape.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) All development projects have met construction regulations set by local, state, federal environmental entities;
- b) A third party natural landscaping expert confirms that all College planned projects include complementary natural landscape elements; and
- c) Project design provide for energy efficient, low-cost operation and considers the use of of 'green building design' Leadership in Environmental Design (LEED) certification standards.

This interpretation is a reasonable interpretation because it considers industry standards, as well as meets regulations set forth by local, state, and federal bodies. Further, LEED standards were developed by the external Green Building Council, as a globally accepted, building rating system, for every type of building, guiding construction methods, that provide for healthy, efficient, and cost-saving buildings, both in terms of construction methods, as well as in building operations.

EVIDENCE:

- a) Chief Facilities & Logistics Officer, Jason Valente, confirmed on 03.30.23 that the College meets with Summit Fire Department; County Drain Commissioner; State of Michigan Building and Permits Division; State of Michigan Environment, Great Lakes and Energy; and the State of Michigan Bureau of Fire Services and other relevant agencies. These partnerships have been strengthened during the

Potter Fire Restoration process.

- b) Chief Operations Officer, Jason Valente confirmed on 03.30.23 that Architects and Engineers were hired for site planning for the following projects during the monitoring period:
- Baseball and Softball Project
 - Jet's Pavilion
 - STEAM Factory Project
 - ASHRAE Compliant Plan for Campus HVAC Systems
 - Recloser Audit and Reprogramming
 - Baughman and Ruth Day Lighting Project
 - Jet's Air Station
 - Astronomical Observatory
- c) Chief Facilities & Logistics Officer confirmed on 03.30.23 that the College considered energy efficient standards by industry experts for the following projects during the monitoring period:
- Building Automation for Heating and Cooling Systems, HEERF and ASHRAE updates
 - Lighting Updates CV3

I am, therefore, reporting full compliance with item #3.

- 4. Permit new development that does not meet at least one of the following criteria:**
- **Provision of enhanced learning and ancillary space consistent with ENDs achievement.**
 - **Extending the College's alliances with business, industry, colleges, universities, or other organizationally mission-compatible non-profit organizations.**
 - **Creation of opportunity to generate new revenue streams.**
 - **An opportunity to differentiate the College's learning and co-curricular environment.**
 - **Positioning the College as a leader in new programs targeted at future market opportunities.**

INTERPRETATION:

I have interpreted that compliance will be demonstrated when:

- a) When all undertaken projects are consistent with at least one of the criteria listed in this policy section.
- b) At least one of the six aforementioned thresholds are achieved and is documented.

This interpretation is reasonable because the Board has identified the aforementioned specific criteria to be met, and requires the CEO to provide explicit demonstration of compliance, through monitoring, with said criteria.

EVIDENCE:

Project	Applicable Criteria
[Central Campus] Potter Center Fire Restoration: has consumed a large portion of the past fiscal year overseeing the restoration of transformers, duct work, electrical and lighting systems, etc.	Provision of enhanced learning and ancillary space consistent with ENDS achievement.
HEERF and ASHRAE compliant HVAC upgrades including high micron filtration and UVC lighting	Provision of enhanced learning and ancillary space consistent with ENDS achievement.
[Central Campus] Wayfinding: Signage standards (buildings, roadways and parking lots). Includes building address identifiers- Phase 2	An opportunity to differentiate the College's learning environment.
[Central Campus] Athletic Field Renovation Renovation: Baseball/Softball - dugouts, backstop, fencing, lighting ADA access, and landscaping	Provision of enhanced learning and ancillary space consistent with ENDS achievement.
[Central Campus] Refurbishment Refurbishment: Athletic - existing dugouts.	Provision of enhanced learning and ancillary space consistent with ENDS achievement; Creation of opportunity to generate new revenue streams.

[Central Campus] Tiny Homes: Family housing, site work, toddler playground	Provision of enhanced learning and ancillary space consistent with ENDS achievement.
[Districtwide] Pandemic Related: Planning for Facilities and Information Technology departments [Central Campus] Water Testing: Planning and service - Phase 2	Provision of enhanced learning and ancillary space consistent with ENDS achievement. Provision of enhanced learning and ancillary space consistent with ENDS achievement;
[Central Campus] Pandemic Checkpoint and Isolation Center: Potter Center parking lot, Building 1: (VersaTube) and Building 2:(ClearSpan) [Districtwide] Pandemic Related: Planning for Facilities and Information Technology departments	Provision of enhanced learning and ancillary space consistent with ENDS achievement. Provision of enhanced learning and ancillary space consistent with ENDS achievement;
[Dahlem Property] Trail: Bridge Replacement	Provision of enhanced learning and ancillary space consistent with ENDS achievement.
Central Campus: Jet's Store upgrades to sell ice cream and "c store" items. Central Campus: ARC Flash study and Recloser Reprograming Central Campus: Board Room and President's Dining Room Improvements to improve physical distancing.	Creation of opportunity to generate new revenue streams. Provision of enhanced learning and ancillary space consistent with ENDS achievement. Provision of enhanced learning and ancillary space consistent with ENDS achievement.

Based upon these evidences, I am reporting full compliance with item #4.



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 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>7.2 CEO Monitoring Compliance Schedule & Summary</p> <p><u>BOARD POLICY:</u> BOARD-CEO DELEGATION: BCD-04 Monitoring President 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).</p>
Requested Board Action:
Discussion surrounding the President's compliance review.
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>(2024 – Review GP-07</u> Ownership Linkage Committee ToR)	<u>Monitor EL-09</u> Organization Culture (CINDY) <u>Monitor EL-07</u> Compensation & Benefits (CINDY) <u>Monitor GP-06</u> Audit Committee Terms of Reference <u>Monitor GP-13</u> Special Rules of Order <u>(2024 - Monitor BCD-02</u> Accountability of the President)
February 13, 2023	<u>Review EL-11</u> Entrepreneurial Activity (CINDY/JOHN) <u>Review GP-01</u> Governing Style <u>Review BCD-06</u> President 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 <u>(2024 – Monitor GP-07</u> Ownership Linkage Committee ToR)
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> President 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> President 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> President 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 E-01</u> Ends (JEREMY)	<u>Monitor EL-03</u> Planning (JOHN) <u>Monitor GP-09</u> Board Code of Conduct

Jackson College Board of Trustees Meeting - Monitoring CEO Performance

August 4, 2023	<u>Review Bylaws</u> <u>Review BCD-03</u> Delegation to President <u>Review BCD-04</u> Monitoring President Performance	<u>Monitor EL-00</u> General Executive Constraint (PHELAN) <u>Monitor E-01</u> Ends (JEREMY)
September 11, 2023	<u>Review EL-01</u> Treatment of Students (CINDY/JEREMY) <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>Follow up:</u> <u>Monitor EL-02</u> Treatment of Staff (CINDY) <u>Monitor BCD-03</u> Delegation to President <u>Monitor BCD-04</u> Monitoring President Performance <u>Monitor GP-07</u> Board Committee Principles
October 9, 2023	<u>Review EL-04</u> Financial Conditions & Activities (JOHN) <u>Review EL-08</u> Communication & Support to the Board (PHELAN)	<u>Monitor EL-01</u> Treatment of Students (CINDY/JEREMY) <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-06</u> Audit Committee Terms of Reference <u>Review GP-13</u> Special Rules of Order <u>Review BCD-02</u> Accountability of the President	<u>Monitor EL-04</u> Financial Conditions & Activities (JOHN) <u>Monitor EL-08</u> Communication & Support to the Board (PHELAN)



President/CEO Monitoring Report Compliance

Jackson College

Policy	Date Monitoring Report Presented	Presented as Compliant? Yes/No Partial	Deficient Items?	Expected Date for Full Compliance	Date Deficiencies corrected	Extenuating Circumstances	Board's Formal Judgement
E – 01 Board Ends	8.8.22	Yes	n/a`	n/a	n/a	n/a	Compliant 8.8.22
EL – 00 General Executive Constraint	First presented 6.13.22, with evidence follow-up 9.12.22	Yes	As this was the first review of the policy, only the interpretations were available for review 6.13.22. Evidence was reviewed on 9.12.22.	n/a	n/a	No capacity for monitoring as scheduled in September 2021.	Compliant 9.12.22
EL – 01 Treatment of Students	10.10.22	Yes	n/a	n/a	n/a	n/a	Compliant 10.10.22
EL – 02 Treatment of Staff	4.11.22, - Fully Compliant Follow-up 9.12.22	Yes	n/a	n/a	n/a	n/a	Compliant 4.11.22 and 9.12.22
EL – 03 Planning	8.8.22	Yes		n/a	n/a	n/a	Compliant 8.8.22
EL – 04 Financial Conditions & Activities	11.14.22	Yes	n/a	n/a	n/a	n/a	Compliant 11.14.22



President/CEO Monitoring Report Compliance

Jackson College

EL – 05 Asset Protection	5.9.22	Yes	n/a	n/a	n/a	n/a	Compliant 5.9.22
EL – 06 Investments	5.9.22	Yes	n/a	n/a	n/a	n/a	Compliant 5.9.22
EL – 07 Compensation and Benefits	1.9.23	Yes	n/a	n/a	n/a	n/a	Compliant 1.9.23
EL – 08 Communication & Support to the Board	11.14.22	Yes	n/a	n/a	n/a	n/a	Compliant 11.14.22
EL – 09 Organization Culture	1.9.23	Yes	n/a	n/a	n/a	n/a	Compliant 1.9.23
EL – 10 Access to Education	2.13.23	Yes	n/a	n/a	n/a	n/a	Compliant 2.13.23
EL – 11 Entrepreneurial Activity	3.13.23	Yes	n/a	n/a	n/a	n/a	Compliant 3.13.23
EL – 12 Land Use	4.10.23 – Partially Compliant	No Partial	Item 1: A master plan begun, and will be updated following the installation of the Jet's Pavilion, the Jet's Air Station, the Astronomical Observatory,	Fall of FY'24		Installation of the Jet's Pavilion, the Jet's Air Station, the	Partially Compliant 4.11.22



President/CEO Monitoring Report Compliance

Jackson College

			and the completed STEAM Factory area.			Astronomical Observatory, and the completed STEAM Factory area not expected until Fall of FY'24	
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BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023

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

Subject to be Discussed and Policy Reference:
<p>8.0 Monitoring Board Performance</p> <p>8.1 GP-02 Board Job Contributions – Survey Result Review</p> <p><u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-02 Board Job Contributions</p>
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-02 Board Job Contributions DATE: 4.4.2023

1. *Number of Response: 6*

2. *Policy opening statement:*

As an informed agent of the Ownership, the Jackson College Board of Trustee's specific job products are those that ensure appropriate organizational performance.

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	0
Rarely	0
Never	0



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

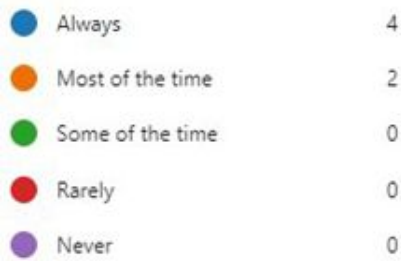
- N/A

4. *Item 1:*

Accordingly, the Board has direct responsibility to create:

The link between the Owners and the College.

Have we acted consistently with this item of policy?



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

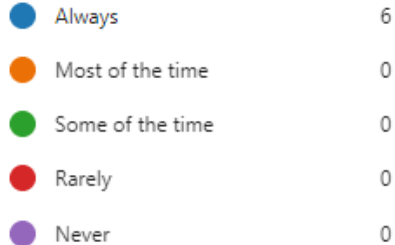
- N/A

6. **Item 2:**

Accordingly, the Board has direct responsibility to create:

Written governing policies that address the broadest levels of all organizational decisions and situations.

Have we acted consistently with this item of policy?



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

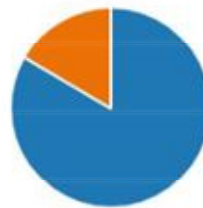
- N/A

8. **Item 2.1:**

Accordingly, the Board has direct responsibility to create:

Ends: What good or benefit the organization is to produce, for which recipients, at what worth.

Have we acted consistently with this item of policy?



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

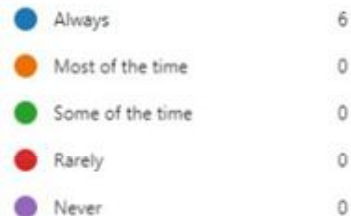
- N/A

10. **Item 2.2:**

Accordingly, the Board has direct responsibility to create:

Executive Limitations: Constraints on executive authority that establish the boundaries of prudence and ethics within which all executive activity and decisions must take place.

Have we acted consistently with this item of policy?



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

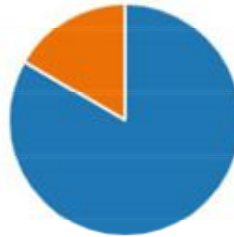
- N/A

12. **Item 2.3:**

Accordingly, the Board has direct responsibility to create:

Governance Process: Specification of how the Board conceptualizes, carries out, and monitors its own task.

Have we acted consistently with this item of policy?



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

- N/A

14. **Item 2.4:**

Accordingly, the Board has direct responsibility to create:

Board-Management Delegation: How authority is delegated and its proper use monitored, including the President role, authority, and accountability.

Have we acted consistently with this item of policy?



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

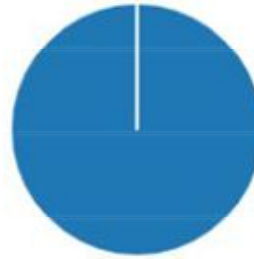
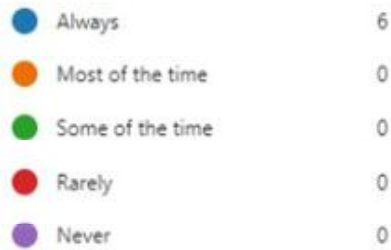
- N/A

16. **Item 3:**

Accordingly, the Board has direct responsibility to create:

Assurance of organizational performance on Ends and Executive Limitations.

Have we acted consistently with this item of policy?



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

- N/A

18. *Item 3.1:*

Accordingly, the Board has direct responsibility to create:

Continuity of the President role and function.

Have we acted consistently with this item of policy?



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

- N/A

20. *Item 3.2:*

Accordingly, the Board has direct responsibility to create:

Structured monitoring of the President as outlined in Board-Management Delegation policies.

Have we acted consistently with this item of policy?



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

- N/A

22. **Item 4:**

Accordingly, the Board has direct responsibility to create:

Advocacy on behalf of the College with federal, state, local governing bodies and other public and private entities.

Have we acted consistently with this item of policy?



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

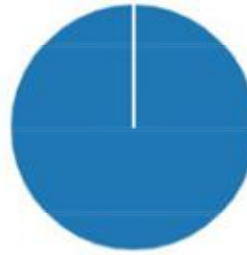
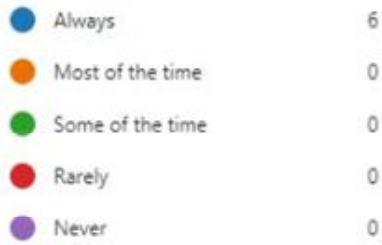
- N/A

24. **Item 5:**

Accordingly, the Board has direct responsibility to create:

Operational decisions that the Board has prohibited the President from making by its Executive Limitations policies.

Have we acted consistently with this item of policy?



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

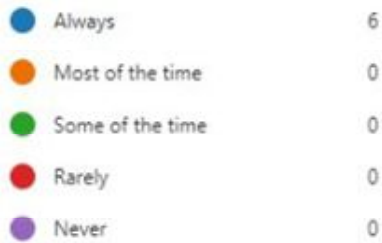
- N/A

26. **Item 5.1:**

Accordingly, the Board has direct responsibility to create:

*Decisions regarding acquisition, encumbering or disposal of land or buildings.
[EL-4 item 8]*

Have we acted consistently with this item of policy?



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

- N/A

28. **Item 5.2:**

Accordingly, the Board has direct responsibility to create:

*Decisions regarding individual expenditures that do not meet the conditions in
EL-5, item 6.*

Have we acted consistently with this item of policy?



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

- N/A

30. **Item 5.3:**

Accordingly, the Board has direct responsibility to create:

Decisions regarding change of organizational name or identity in the community. [EL-5 item 11]

Have we acted consistently with this item of policy?



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

- N/A

32. **Item 5.4:**

Accordingly, the Board has direct responsibility to create:

Decisions regarding the naming or change of the name of a College building or facility. [EL-5 item 12]

Have we acted consistently with this item of policy?



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

- N/A

34. **Item 5.5:**

Accordingly, the Board has direct responsibility to create:

Creation of a subsidiary that does not meet the conditions in EL-5, item 14.

Have we acted consistently with this item of policy?



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

- N/A

36. **Item 5.6:**

Accordingly, the Board has direct responsibility to create:

Decisions regarding the President's own compensation and benefits. [EL-6 item 1]

Have we acted consistently with this item of policy?



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

- N/A

38. Other Board Comments:

- N/A

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 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-04 Role of Board Chair – Survey Result Review

BOARD POLICY: GOVERNANCE PROCESS: GP-04 Role of Board Chair

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 in order 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-04 Role of Board Chair DATE: 4.4.2023

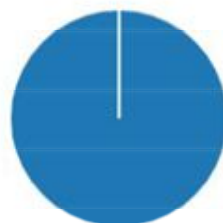
1. *Number of Response: 6*

2. *Policy opening statement:*

The Jackson College Board Chair (i.e., Chief Governance Officer - CGO), a specially empowered member of the Board, assures the integrity of the Board's process.

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	0
Rarely	0
Never	0



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

- N/A

4. *Item 1:*

The assigned result of the Board Chair/CGO's job is that the Board behaves consistently within its own rules and those legitimately imposed upon it from outside the organization.

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	0
Rarely	0
Never	0



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

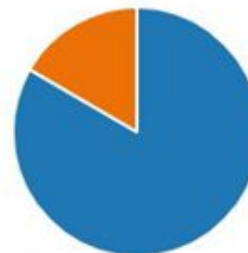
- N/A

6. **Item 1.1:**

Meeting discussion content will include only those issues that, according to Board policy, clearly belong to the Board to decide or monitor.

Have we acted consistently with this item of policy?

Always	5
Most of the time	1
Some of the time	0
Rarely	0
Never	0



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

- N/A

8. **Item 1.2:**

Information that is neither for monitoring performance nor for Board decisions will be avoided or minimized and always noted as such.

Have we acted consistently with this item of policy?



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

- N/A

10. **Item 1.3:**

Deliberation will be timely, fair, orderly, and thorough, but also efficient and kept to the point.

Have we acted consistently with this item of policy?



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

- N/A

12. **Item 1.4:**

The Board's Vice-Chair will be sufficiently informed of Board issues and processes to provide continuity in the event of planned or unexpected Board Chair/CGO absences.

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	0
Rarely	0
Never	0



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

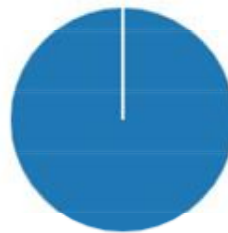
- N/A

14. **Item 2:**

The authority of the Board Chair consists in making decisions that fall within topics covered by Board policies on Governance Process and Board-Management Delegation, with the exception of (a) employment or termination of a President and (b) instances where the Board specifically delegates portions of this authority to others. The Board Chair/CGO is authorized to use any reasonable interpretation of the provisions in these policies.

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	0
Rarely	0
Never	0



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

- N/A

16. **Item 2.1:**

The Board Chair/CGO is empowered to chair Board meetings with all the commonly accepted power of that position, such as ruling and recognizing.

Have we acted consistently with this item of policy?



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

- N/A

18. *Item 2.2:*

The Board Chair/CGO is authorized to appoint the members of all Board committees.

Have we acted consistently with this item of policy?



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

- N/A

20. *Item 2.3:*

The Board Chair/CGO has no authority to make decisions about policies created by the Board within Ends and Executive Limitations policy areas. Therefore, the Board Chair/CGO has no authority to independently supervise or direct the President.

Have we acted consistently with this item of policy?



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

- N/A

22. **Item 2.4:**

The Board Chair/CGO may represent the Board to outside parties in announcing Board-stated positions and in stating the Board Chair/CGO's decisions and interpretations within the area delegated to the Chair.

Have we acted consistently with this item of policy?



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

- N/A

24. **Item 2.5:**

The Board Chair/CGO may delegate this authority, but remains accountable for its use.

Have we acted consistently with this item of policy?



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

- N/A

26. **Other Board Comments:**

- N/A

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 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-10 Investment in Governance – Survey Result Review <u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-10 Investment in Governance
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 in order 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-10 Investment in Governance DATE: 4.4.2023

1. *Number of Response: 6*

2. *Policy opening statement:*

Consistent with its commitment to excellence in governance, the Jackson College Board of Trustees will invest in its governance capacity.

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	0
Rarely	0
Never	0



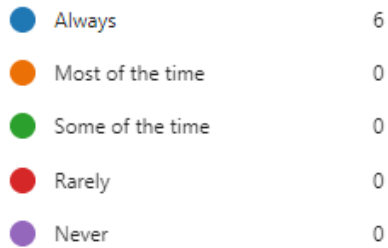
3. Provide specific representative examples to support your above response when applicable.

- N/A

4. *Item 1:*

Anyone who is, or is considering becoming a candidate for Trustee shall be provided with information that clearly outlines the role of the Board and the Board's expectations of a Trustee, including the Policy Governance methodology.

Have we acted consistently with this item of policy?



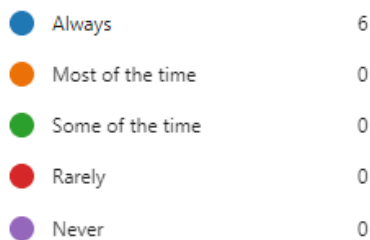
5. Provide specific representative examples to support your above response when applicable.

- N/A

6. **Item 2:**

Board skills, methods, and supports will be sufficient to assure governing with excellence.

Have we acted consistently with this item of policy?



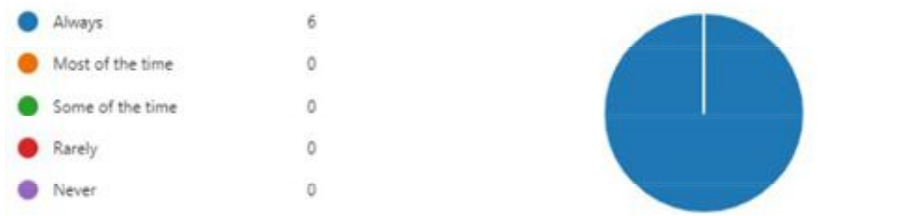
7. Provide specific representative examples to support your above response when applicable.

- N/A

8. **Item 2.1:**

New Trustees shall receive a complete orientation to ensure familiarity with the organization's issues and structure, and the Board's process of governance.

Have we acted consistently with this item of policy?



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

- N/A

10. *Item 2.2:*

Trustees shall have ongoing opportunity for continued education to enhance their Policy Governance capabilities.

Have we acted consistently with this item of policy?



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

- N/A

12. *Item 2.3:*

Outreach mechanisms will be used as needed to ensure the Board's ability to listen to owner viewpoints and values.

Have we acted consistently with this item of policy?



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

- N/A

14. **Item 2.4:**

Outside monitoring assistance will be arranged so that the Board can exercise sufficient control over organizational performance. This includes, but is not limited to fiscal audit.

Have we acted consistently with this item of policy?



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

- N/A

16. **Item 3:**

Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior governance capability.

Have we acted consistently with this item of policy?



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

- N/A

18. **Item 3.1:**

The Board will establish annually, prior to the budget cycle, an annual budget for its own governance and related functions, which shall include funds for Board and Board committee meeting costs; Board education, recruitment and orientation; costs of fiscal audit, legal counsel and any other outside monitoring assistance required; and costs of methods such as focus groups, surveys and opinion analyses to ensure the Board's ability to listen to owner viewpoints and values, professional development, travel, etc. The Board shall be accountable for the use of this budget.

Have we acted consistently with this item of policy?



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

- N/A

20. **Item 4:**

The Board will use its governance means policies as measurable standards against which the Board's performance can be evaluated.

Have we acted consistently with this item of policy?



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

- N/A

22. **Item 4.1:**

The Board will evaluate and discuss the Board's process and performance at each meeting.

Have we acted consistently with this item of policy?



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

- N/A

24. **Item 4.2:**

Under the leadership of the Board Chair, at least annually the Board will conduct a self- evaluation. As a result of this evaluation, the Board will establish a governance action plan for improvement of identified areas.

Have we acted consistently with this item of policy?



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

- N/A

26. **Item 4.2.1:**

The Board will monitor its adherence to its own Governance Process and Board – President Delegation policies regularly. Upon the choice of the Board, any policy can be monitored at any time. However, at minimum, the Board will monitor its own adherence to them, according to the following schedule:

Have we acted consistently with this item of policy?



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

- N/A

28. **Other Board Comments**

N/A

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

Subject to be Discussed and Policy Reference:
<p>9.0 Information Requested by the Board</p> <p>9.1 Next Regular Board Meeting Topics – May 8, 2023</p> <p><u>BOARD POLICY:</u> GOVERNANCE PROCESS: GP-03 Board Planning Cycle and Agenda</p>
Description:
<p>This time has been set aside to help the Board anticipate topics for the next regular Board meeting (May 8, 2023). Below are currently anticipated topics:</p> <ul style="list-style-type: none"> • Policy & Interpretations Review: EL-03 Planning • Policy Review: GP-09 Board Code of Conduct • Evidence Review: EL-05 Asset Protection • Evidence Review: EL-06 Investments • Survey Results Review: BCD-05 President Succession • Survey Results Review: GP-03 Board Planning Cycle & Agenda Control • Board Consideration: Summer Retreat Agenda • FY 2023 Q3 Financial 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:

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 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:	

BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023



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

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:



BOARD OF TRUSTEES MEETING
Action & Information Report
 Board Meeting Date: April 10, 2023

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

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