

# Jackson College Board of Trustees Summer Retreat - June 23, 2023

Summer Retreat



June 23, 2023 08:00 AM

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**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
 Board Meeting Date: June 23, 2023



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

Subject to be Discussed and Policy Reference:	
8:00am	Board Breakfast [No Board discussion/decisions] <b><u>BOARD POLICY:</u></b> <a href="#">Open Meetings Act – Act 267 of 1976</a>
Description:	
<p>In accordance with the <a href="#">Michigan's Open Meetings Act (OMA)</a>, 1976 PA 267, MCL 15.261 et seq, all public bodies are required to hold their gatherings in public, if a quorum of the board is present.</p> <p>As further clarified in the <a href="#">Open Meetings Act Handbook</a>, prepared by Michigan Department of Attorney General's Office, while the OMA "does not apply to a meeting which is a social or chance gathering or conference not designed to avoid this act,"<sup>28</sup> a meeting of a public body must be open to the public. Though no board discussion or decisions are undertaken during the Board's breakfast, the Jackson College Board has broadly interpreted this gathering to be a 'meeting of a public body' and, as such, is open to the public, though there is no opportunity for the public's input during this breakfast gathering.</p>	
Resource Impact:	
None	
Requested Board Action:	
Board members partake in a purely social breakfast gathering, prior to the Summer Retreat.	
Action Taken:	

**BOARD OF TRUSTEES SUMMER RETREAT**  
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**TO:** Jackson College Board of Trustees  
**FROM:** Dr. Daniel J. Phelan, President & CEO

<b>Subject to be Discussed and Policy Reference:</b>
1.0 Call to Order & Pledge of Allegiance of the United States <u><b>BOARD POLICY:</b></u> GOVERNANCE PROCESS: GP-13 Special Rules of Order
<b>Description:</b>
Board Chairperson Crist will call all Trustees to Order in preparation for the Board Meeting, followed by a recitation of the Pledge of Allegiance:  <b>“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”.</b>
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Come to order, stand, and recite the Pledge of Allegiance to the United States.
<b>Action Taken:</b>

**BOARD OF TRUSTEES SUMMER RETREAT**  
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**TO:** Jackson College Board of Trustees  
**FROM:** Dr. Daniel J. Phelan, President & CEO

<b>Subject to be Discussed and Policy Reference:</b>
2.0 Declaration of Conflict of Interest  <b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-09 Board Code of Conduct
<b>Description:</b>
<p>Consistent with Board Policy, By-laws, and the standard 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 note the item in question, even though no formal action is requested of the board during the Summer Board Retreat.</p> <p>A query will be made of each member about any conflict of interest.</p>
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Consideration of any actual or perceived conflict of interest with agenda items.
<b>Action Taken:</b>

**BOARD OF TRUSTEES SUMMER RETREAT**  
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**TO:** Jackson College Board of Trustees  
**FROM:** Dr. Daniel J. Phelan, President & CEO

<b>Subject to be Discussed and Policy Reference:</b>
3.0 Public Comments (limit of 5 minutes per person)  <p style="text-align: right;"><b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-11 Board Linkage with Careholdership</p>
<b>Description:</b>
<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. Comments are limited to five (5) minutes, unless a significant number of people plan to speak, and, in that instance, the Board Chair may limit a person's comments to less than five (5) minutes.</p> <p>The Chairperson may offer the following statement prior to persons offering comment:</p> <p><b><i>"When addressing the Board, speakers are asked 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></b></p> <p><b><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></b></p>
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Receive comments from persons wishing to address the Board.
<b>Action Taken:</b>

**BOARD OF TRUSTEES SUMMER RETREAT**  
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**TO:** Jackson College Board of Trustees  
**FROM:** Dr. Daniel J. Phelan, President & CEO

Subject to be Discussed and Policy Reference:	
4.0	Careholdership Linkage Committee Status / Next Steps
	<b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-07.2 Careholdership 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 Careholdership Linkage Committee and receive any Board comment.</p> <p>The attached letter was recently sent as an update to the Careholders who participated in the 2020-2022 focus groups.</p> <p>I recommend that our next effort regarding CL would be an extensive CL survey that we would deploy in 2 years time. This survey would be distributed to a randomized sample of Careholders and would likely involve the use of an external project manager. This survey could be achieved by print or by phone. I look forward to your recommendations.</p>	
Resource Impact:	
None	
Requested Board Action:	
Consider update from the committee and recommendations from the President.	



**OFFICE OF THE PRESIDENT**

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June 9, 2023

Dear –

As our community welcomes Summer, the Jackson College Board of Trustees would like to continue its promise to you by keeping you abreast of how your focus group input has informed the Jackson College Strategic Agenda. Ultimately, what are we doing with the precious time and resources you donated?

Last October (2022), the Jackson College Leadership Council began building a list of important, strategic targets as they apply toward the achievement of the updated Jackson College Board ENDs (the Board's directive from you to the College: what good does the College do, for whom, and at what cost). The College will operationalize the strategic targets over the course of the next 18 months and evaluate them quarterly.

We are happy to report that these strategic targets have now been codified by combining your focus group input with that of our successful students and expert employees across the institution, whose input was collected via employee surveys (conducted both internally and externally), student experience workshops (facilitated externally), and multiple College departmental and committee meetings.

After all was considered, our **4 strategic targets** for the next 18 months were attributed to 4 essential buckets of service and have been deployed as follows:

**1. For our students:**

**Through an appreciation for each unique, whole-person learner, provide personalized and equitable educational experiences.**

**2. For our employees:**

**Elevate an inclusive, diverse, and human-centric culture of love, care, and service leading to recruitment and retention of premiere talent.**

**3. For our community:**

**Build future-focused, industry-aligned workforce and economic development services for our students, our employers, and our community.**

**4. For our organization:**

**Advance Jackson College, in part, through the leadership practices of discipline, the use of data, sound decision-making practice, innovation, curiosity, and a hypervigilance toward the changing ecosystem of higher education.**

The Board hopes that you will join them in their excitement to accomplish these meaningful and innovative targets. Rest assured that you will be hearing how these manifest via public announcement, social media, and personal invitation to our campuses. In fact, you will have already received an invitation for the ribbon cutting ceremony of the Jets Sports Complex on June 12<sup>th</sup>, 2023, at 5:00pm. We look forward to seeing as many of you on our Central Campus as possible as we share appreciation for this building's new and assuredly lasting contribution to our students and community.

You may also notice that the Board now refers to you as our steadfast "careholders" rather than "owners". The terminology change follows the global civil justice movement away from the word "owner", which carries a derogatory connotation to some in our contemporary setting. Equally as important, instilling the word "care" into your title helps to place you at the top of our minds in our efforts toward the love, care, and service of others.

Thank you once again for helping Jackson College apply the voice of our Careholders toward the Jackson College Strategic Agenda. You are an integral part in our Total Commitment to Student Success and mission: Together We Inspire and Transform Lives.

With respect and gratitude,

Daniel J. Phelan  
President & CEO  
Jackson College

**BOARD OF TRUSTEES**

John M. Crist, Chairperson • Sheila A. Patterson, Vice-Chairperson • Sam R. Barnes, Trustee • Matthew R. Heins, Trustee • Philip E. Hoffman, Trustee • Donna L. Lake, Trustee • Christopher A. Simpson, Trustee • Dr. Daniel J. Phelan, President

**BOARD OF TRUSTEES SUMMER RETREAT**  
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**TO:** Jackson College Board of Trustees  
**FROM:** Dr. Daniel J. Phelan, President & CEO

<b>Subject to be Discussed and Policy Reference:</b>	
5.0	Trusteeship in Community Colleges: Book Review
	<b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-10 Investment in Governance
<b>Description:</b>	
<p>The Trustees have engaged in reading the ACCT book Trusteeship in Community Colleges, for in depth discussion at this Summer Retreat. We will engage in a shared discussions about key findings from the book, including the following:</p> <ol style="list-style-type: none"> <li>1. Subject areas of affirmation for the Board</li> <li>2. Subject areas of interest by the Board</li> <li>3. Subject areas of disagreement by the Board</li> <li>4. Recommendations for the Board and/or CEO</li> </ol> <p>I look forward to a lively discussion by the Board on this text, particularly given that it is largely filled with content from outside the Policy Governance Perspective.</p>	
<b>Resource Impact:</b>	
None	
<b>Requested Board Action:</b>	
Discuss elements of the book, Trusteeship in Community Colleges.	



<p align="center"><b>BOARD OF TRUSTEES SUMMER RETREAT</b>  <b>Action &amp; Information Report</b>          Board Meeting Date: June 23, 2023</p>
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**TO:** Jackson College Board of Trustees  
**FROM:** Dr. Daniel J. Phelan, President

<b>Subject to be Discussed and Policy Reference:</b>
6.0 Governance Process Survey Results <u><b>BOARD POLICY:</b></u> GOVERNANCE PROCESS: GP-10 Investment in Governance
<b>Description:</b>
<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.</p> <p>Enclosed are the results of board survey questions over the past 12 months, wherein larger variations occurred in voting (i.e., 3 or more trustees voting alternatively). Discussion can provide clarity regarding areas for improvement by either the Board or the CEO.</p>
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Review of the selected results to determine alignment with policy statements and any changes that might be needed.
<b>Action Taken:</b>

# Board Self-Monitoring

## BCD-06 President Compensation

4.0: A committee process may be used to gather information and to provide options and their implications to the full Board for its decision.

- "I was having a difficult time with this question since, during my service to the board, we have not needed to form such a committee for said purpose."

Have we acted consistently with this item of policy?

Always	3
Most of the time	1
Some of the time	0
Rarely	1
Never	1



# Board Self-Monitoring

## GP-01 Governing Style

1.0: The Board will cultivate a sense of group responsibility. The Board, not the President, will be responsible for excellence in governing. The Board will initiate policy, not merely react to President initiatives. The Board will use the expertise of individual Trustees, Board committees and the President to enhance the ability of the Board, as a body, to make policy, rather than to substitute their individual judgements for the group's values.

- "I think we are still in the learning stage when it comes to initiating policy. I feel that we rely heavily on Dr. Phelan to guide us in this area. We most certainly approve the policies."

Have we acted consistently with this item of policy?

Always	4
Most of the time	1
Some of the time	1
Rarely	0
Never	0



# Board Self-Monitoring

## GP-03 Board Planning Cycle and Agenda

Opening Statement: To accomplish its job products with a governance style consistent with Jackson College Board of Trustee's policies, the Board will develop and follow a multi-year cycle that includes all elements of the Board's work.

- "Dan does."

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	0
Rarely	0
Never	1



# Board Self-Monitoring

## GP-03 Board Planning Cycle and Agenda

1.4: Risk assessment, including probability of risks and impact of particular risks, as background context for policy review.

- "This can be difficult at times due to present volume of risks."
- "Dan does a good job of making recommendations which the board adopts."
- "We have not created an impact risk matrix yet?"

Have we acted consistently with this item of policy?

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



## Board Self-Monitoring

### GP-7.1 Audit Committee Terms of Reference

3.3: The Committee shall appoint a Committee Chair from among its members."

- "I participated in the vote."
- "I think the Chair is appointed by the Board Chair during a regular meeting."

Have we acted consistently with this item of policy?

[More Details](#)

Always	3
Most of the time	1
Some of the time	2
Rarely	0
Never	0



## Board Self-Monitoring

### GP-09 Board Code of Conduct

10.0: Trustees shall review community college publications and regularly take part in educational activities including state, regional and national meetings and events will assist them in their ability to serve effectively as a member of the College's governing Board.

- "Not all Trustees take part in educational activities which include but not limited to state, regional and/or national. Further more, not all Trustees attend JC sponsored events, we should be attending."

Have we acted consistently with this item of policy?



# Board Self-Monitoring

## GP-09 Board Code of Conduct

12.0: Trustees who are found to have violated the Code of Conduct are subject to reprimand.

- "We hold ourselves to a high enough standard that I've never observed a board reprimand."
- "Never encountered this issue so I am not sure 'Always' is the correct answer."

Have we acted consistently with this item of policy?





## Board Self-Monitoring

### GP-13 Special Rules of Order

3.0: Trustees will not present an item for action or discussion at a Board meeting if it is not on the agenda.

- "We generally don't bring an item up for discussion unless we have notified the Board Chair first and then we might not bring it forward unless it would be important enough to warrant that exception."
- "Sometimes meaty topics come up and we talk about them under Board Comments that perhaps should be identified and follow-up at the next meeting so the board has time to prepare to speak and listen to the subject."

Have we acted consistently with this item of policy?



# Board Self-Monitoring

## GP-13 Special Rules of Order

8.1: The Chair may, to the same extent as any Board member, make motions, engage in debate, or vote on any matter to be decided.

- "We seem to avoid having the chair make a motion and that is ok in my mind."

Have we acted consistently with this item of policy?

Always	6
Most of the time	0
Some of the time	1
Rarely	0
Never	0



**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
Board Meeting Date: June 23, 2023



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

<b>Subject to be Discussed and Policy Reference:</b>
7.0 Attendance at Regular Board Mtg. Expectations  <b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-13 Special Rules of Order
<b>Description:</b>
This time has been set aside on the agenda to discuss expectations the Board would like to have regarding member attendance expectations at Board meetings.
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Board members aspire to attend all Board meetings.
<b>Action Taken:</b>

**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
 Board Meeting Date: June 23, 2023



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

**Subject to be Discussed and Policy Reference:**

8.0 Board Policy Review Process

**BOARD POLICY:** BOARD-CEO DELEGATION: GP-01 Governing Style

**Description:**

At the 04.07.23 Board Spring Planning Session, the Board discussed their Policy review and development process: The Trustees discussed creating a process by which policies are more directly reviewed by the Board, perhaps by assigning policies for pre-review to specific Board members, as a means of spreading out the responsibility, and then those Trustees sharing out suggestions for policy amendments (or lack thereof) at respective Board meetings for the full Board's consideration.

Attached is a draft chart that indicates when policies will be reviewed for the next year, with allocation of which Board members would focus specifically on each policy.

Also attached is a draft Policy Pre-review Process for consideration.

The proposed plan is to officially begin the new Board member engaged policy pre-review process at the 08.14.23 Board meeting.

The rationale for this timeline is to thoroughly include the Board in the creation of the process and provide a runway of at least 6 weeks to Board members for their review of respective policies (since after codification of the process at the Summer Retreat, the first Board members up to bat would have all of July and part of August to complete their review, considering there is no July Board meeting).

As a pilot to the process, Chairperson Crist, Keith Book and I met 2 weeks prior to the May and June Board meetings, to pre-review the policies already on the schedule. This allowed for Chairperson Crist to have a feel for how policies are best reviewed and help draft / tweak the new policy pre-review process for Board consideration along the way.

**Requested Board Action:**

Consideration of the proposed policy pre-review process.



## **BOARD OF TRUSTEES PROCESS**

**Process Type:** Board Governance

**Process Title:** Policy Review

**Date Adopted:**

**Version:** 1.0

**Date Last Reviewed:**

**Reviewing Committee:** Board of Trustees

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

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

### **Procedural Steps:**

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

2023-2024 Board Meeting Date	Policy Reviews Due	Trustees Responsible for Recommendations
August 4, 2023	<u>Bylaws</u>	Trustee Donna Lake Trustee Chris Simpson
	<u>BCD-03</u> Delegation to President	Trustee Donna Lake Trustee Chris Simpson
	<u>BCD-04</u> Monitoring President Performance	Trustee Donna Lake Trustee Chris Simpson
September 11, 2023	<u>EL-01</u> Treatment of Students	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<u>BCD-01</u> Unity of Control	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<u>GP-05</u> Role of Vice Chair	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<u>GP-08</u> Board & Committee Expenses	Trustee Phil Hoffman Vice-Chair Sheila Patterson
October 9, 2023	<u>EL-04</u> Financial Conditions & Activities	Trustee Sam Barnes Trustee Matt Heins
	<u>EL-08</u> Communication & Support to the Board	Trustee Sam Barnes Trustee Matt Heins
November 13, 2023	<u>EL-09</u> Organization Culture	Trustee Donna Lake Trustee Chris Simpson
	<u>EL-07</u> Compensation & Benefits	Trustee Donna Lake Trustee Chris Simpson
	<u>GP-06</u> Audit Committee Terms of Reference	Trustee Donna Lake Trustee Chris Simpson
	<u>GP-13</u> Special Rules of Order	Trustee Donna Lake Trustee Chris Simpson
	<u>BCD-02</u> Accountability of the President	Trustee Donna Lake Trustee Chris Simpson
January 9, 2024	<u>EL-10</u> Access to Education	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<u>GP-14</u> Handling Operational Complaints	Trustee Phil Hoffman Vice-Chair Sheila Patterson

	<b><u>GP-11</u></b> Linkage with Careholdership	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<b><u>GP-15</u></b> Handling Alleged Policy Violations	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<b><u>GP-07</u></b> Careholdership Linkage Committee ToR	Trustee Phil Hoffman Vice-Chair Sheila Patterson
<b>February 13, 2024</b>	<b><u>EL-11</u></b> Entrepreneurial Activity	Trustee Sam Barnes Trustee Matt Heins
	<b><u>GP-01</u></b> Governing Style	Trustee Sam Barnes Trustee Matt Heins
	<b><u>BCD-06</u></b> President Compensation	Trustee Sam Barnes Trustee Matt Heins
	<b><u>GP-00</u></b> Governance Commitment	Trustee Sam Barnes Trustee Matt Heins
<b>March 13, 2024</b>	<b><u>EL-12</u></b> Land Use	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<b><u>GP-02</u></b> Board Job Contributions	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<b><u>GP-04</u></b> Role of Board Chair	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<b><u>GP-10</u></b> Investment in Governance	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<b><u>BCD-00</u></b> Global Board Management Delegation	Trustee Phil Hoffman Vice-Chair Sheila Patterson
<b>April 10, 2024</b>	<b><u>EL-05</u></b> Asset Protection	Trustee Sam Barnes Trustee Matt Heins
	<b><u>EL-06</u></b> Investments	Trustee Sam Barnes Trustee Matt Heins
	<b><u>BCD-05</u></b> President Succession	Trustee Sam Barnes Trustee Matt Heins
	<b><u>GP-03</u></b> Board Planning Cycle & Agenda Control	Trustee Sam Barnes Trustee Matt Heins
	<b><u>GP-12</u></b> Board Linkage with External Organizations	Trustee Sam Barnes Trustee Matt Heins
<b>May 8, 2024</b>	<b><u>EL-03</u></b> Planning	Trustee Donna Lake Trustee Chris Simpson
	<b><u>GP-09</u></b> Board Code of Conduct	Trustee Donna Lake

		Trustee Chris Simpson
June 12, 2024	<u>EL-00</u> General Executive Constraint	Trustee Phil Hoffman Vice-Chair Sheila Patterson
	<u>E-01</u> Ends	Trustee Phil Hoffman Vice-Chair Sheila Patterson

DRAFT



**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
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**TO:** Jackson College Board of Trustees  
**FROM:** Dr. Daniel J. Phelan, President & CEO

<b>Subject to be Discussed:</b>
<p>9.0 Standing Committees vs. Ad Hoc Committees</p> <p style="text-align: center;"><b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-01 Governing Style</p>
<b>Executive Summary:</b>
<p>For your convenience, please find here the link to the <a href="#">full Bylaws</a>.                      Below you will find Section 7 of the Bylaws relating to Board Committees:</p> <p>7. Committees of the Board</p> <ul style="list-style-type: none"> <li>• Standing Committee – Audit: The Board of Trustees shall have a standing Audit Committee. The Audit Committee will bring forward recommendations to the entire Board for consideration and appropriate action, as warranted. The Committee alone holds no authority for decision making, as this is retained by the full Board only.</li> <li>• Standing Committee – Careholdership-Linkage: The Board of Trustees shall have a standing Careholdership-Linkage Committee. The Committee will bring forward recommendations to the entire Board for consideration and appropriate action, as warranted. The Committee alone holds no authority for decision making, as this is retained by the full Board only.</li> <li>• Special Committee(s): The Board of Trustees shall authorize such special committees as are deemed necessary. A special committee shall report recommendations to the board for appropriate action. A special committee shall be dissolved when final action on its report is taken by the Board.</li> </ul> <p>I'd like to have a conversation with the Board about the Policy Governance approach on this matter and get your recommendations about the possible discontinuation of the use of the committees, in favor of full discussions occurring with the full board given our size, a desire for full trustee awareness, as well as John Carver's view on the use of committees,</p>
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Discussion as to the Board's evaluation of the ongoing need for standing committees.

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

<b>Subject to be Discussed and Policy Reference:</b>
11:30am Board Lunch [No Board discussion/decisions] <b><u>BOARD POLICY:</u></b> <a href="#">Open Meetings Act – Act 267 of 1976</a>
<b>Description:</b>
In accordance with the <a href="#">Michigan's Open Meetings Act (OMA)</a> , 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. As further clarified in the <a href="#">Open Meetings Act Handbook</a> , prepared by Michigan Department of Attorney General's Office, while the OMA “does not apply to a meeting which is a social or chance gathering or conference not designed to avoid this act,” <sup>28</sup> a meeting of a public body must be open to the public. Though no board discussion or decisions are undertaken during the Board's lunch, the Jackson College Board has broadly interpreted this gathering to be a 'meeting of a public body' and, as such, is open to the public, though there is no opportunity for the public's input during this lunch gathering.
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Board members partake in a purely social lunch gathering, during the Summer Retreat.
<b>Action Taken:</b>

**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
Board Meeting Date: June 23, 2023



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

**Subject to be Discussed and Policy Reference:**

10.0 Millage Consideration & Tactics

**BOARD POLICY:** EXECUTIVE LIMITATIONS: EL- 08 Communication & Support of the Board

**Description:**

Over the years we have had discussion about the possibility of pursuing a mileage, and this fiscal year has been no exception. Certainly there are many issues to consider. I'd like to discuss our history on this matter, Board priority, a recommendation for your consideration, as well as possible timing.

**Resource Impact:**

None

**Requested Board Action:**

Consideration of millage action decision.

**Action Taken:**

**BOARD OF TRUSTEES SUMMER RETREAT**  
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Board Meeting Date: June 23, 2023



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

<b>Subject to be Discussed and Policy Reference:</b>
11.0 Case Studies  <b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-09 Board Code of Conduct
<b>Description:</b>
This time has been set aside for case study exercises, as recommended by the Board in a previous meeting.  Enclosed are a number of case studies from which we might choose 1 or 2 to discuss.
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Explore best practices as prompted by the case studies.
<b>Action Taken:</b>

## Case Study 1: Transformational Change

### Context:

Benton Community College is a single campus, comprehensive community college located in a suburban area in the Pacific Northwest. The college serves two counties, one in which the land grant university is located, which tends to be more liberal and prosperous and one more rural, poor and conservative. The college serves about 15,000 students and has close relationships with the university. There is a growing Latinx population and the college will soon be able to apply to be a Hispanic Serving Institution. (HSI)

The former president served for 25 years. The college has been relatively stable and, especially toward the end of his tenure, the president was reluctant to make some changes that needed to be made. On his retirement the Vice President of Academic Affairs was appointed as interim president for a year. During her tenure as interim president, she began to look at data and discovered that students of color were a full 10% behind white students in both leading and lagging indicators. She recognized the need for change to address this issue. She began to have conversations with faculty and staff regarding the need to review processes and practice. She experienced some resistance but continued to quietly raise up the data and engage in conversations about it. She had only been at the college for 18 months. In the state, BCC was known as an innovative leader, especially in pedagogy and service to students, so she felt confident that faculty would come around and changes could be made.

Meanwhile, the board of trustees was conducting a national search for the new president. The interim president had shared the data with the board and they were appalled at the equity gaps. Many of the trustees believed that under the former president, the college had become a bit complacent and was "resting on its laurels." One of the trustees was very active in the Association of Community College Trustees and had attended Governance Student Success Institutes which teach boards about their role in student success and the questions they should be asking. This trustee was pushing hard to select a president that would be a change agent and aggressively lead the transformation to be a more culturally relevant, student-ready college. The interim president was a finalist for the position. Some board members had heard some murmurings from faculty that she would not be the right person for the job. The board selected as their new president the Vice President of Academic Affairs from a neighboring college.

In the intervening time between the selection of the president and his first day on the job, the state dramatically reduced funding for the college. Due to declining enrollments and continued disinvestment in community colleges in the state, the college had spent down its healthy reserves and were below the amount required by policy and sound accounting practices. This additional reduction meant that the college had a gap of roughly 10% of the budget.

When the new president arrived the board charged him with transforming the college. The board gave general direction to the president expecting budget reductions to balance the budget, improvements in the performance measures such as improved graduation and transfer rates, and improved outreach to the Latinx population. The board made it clear that they expected some of the student success best practices to be implemented. The board expected that the college be returned to its former glory!

The president is now six months into his tenure. He has spent a great deal of time listening and building relationships. Based on the will of the board and advice from the former interim president, who believes

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that the college is ready to make substantive changes, the president developed a plan to achieve the goals including increasing faculty productivity, selective program reductions, enrollment increases and revenue generating activities and repurposing resources to fund student success initiatives.

He unveils his plan at spring convocation and presents it to the board that same day. The board approves the plan unanimously. There is an immediate outcry. The faculty and classified professional unions are opposed to lay-offs and are resisting productivity measures. Faculty and staff begin to show up at board meetings and raise concerns that there has been no process and poor communication. One of the board members whose spouse is a faculty member privately shares with the board and president that the faculty are considering a vote of "no confidence" in the president. Some board members are nervous. They did not sign on for conflict; they long for the good old days when board meetings lasted less than two hours and no one showed up. Individual trustees begin to privately share concerns with the president and tell him what he should be doing. The VP of Academic Affairs seems to be less engaged.

Questions to consider:

1. What are the factors of board governance to be considered?
2. What, if any, action should the trustees take?
3. How should the board respond if the "no confidence" vote by college staff takes place?
4. What expectations would the board have for the president?

## Case Study 2 What is Islam?

Columbia Community College is a comprehensive community college in a metropolitan area serving 25,000 students. The college has a deep commitment to Diversity, Equity and Inclusion, evidenced by a Strategic Equity Plan which is resourced and moving forward, a diversity class degree requirement, a policy framework that requires review with an equity-minded lens, and professional development focused on inclusive excellence particularly in teaching and learning.

The college offers about 400 credit-free continuing education classes each term. Different subject matter areas are staffed by Program Coordinators who have a lot of flexibility to be creative and tap not only topics that are relevant, but also instructors from the local community.

The president has been at the college for over 20 years and has served as president for 13 years. She is very connected to the college, its faculty and staff, and the broader community. She has excellent relations with local media and makes herself available to them whenever possible, including providing her cell phone number so they can access her when necessary.

She received a call from the local television network about a class that was being offered in about six weeks called, "What is Islam?" It was being taught by a local person. The president did not know the instructor, but something seemed familiar about his name. It appeared that the instructor had contacted the media to try to get the word out and generate enrollment in the class. Since the college offers so many continuing education courses, the president was not familiar with the class and offered to connect the reporter with someone the following day.

As the president thought about the class overnight she began to wonder if the class belonged as a continuing education class or whether the topic would benefit from the expertise of the tenured faculty in religion and ethics. She also was wracking her brain to figure out why the instructor's name was so familiar.

The following morning the President was hosting the nine Native American tribes of Oregon for a celebration and dedication of the opening of college's Native American Longhouse. The college had a large number of Native students and built the Longhouse to provide a sense of place for these students. Just prior to the event, the President alerted the Vice President of Academic Affairs about the class and asked her to have a quick huddle with the Continuing Education Dean and Program Coordinator to find out more and then respond to the reporter.

The Vice President's inquiry resulted in discovering that the instructor was part of an anti-Semitic and Islamophobic group in the community. He had no academic background in Islam and in fact was a part-time student at the college pursuing an Associate's degree. He was associated with a group called Pacifica Forum, which was started with good intentions regarding peace and justice by a local university professor but had devolved to include Holocaust deniers; it was listed as a hate group by the Southern Poverty Law Center. The Program Coordinator admitted that he had not followed the protocol for approving continuing

education instructors. In reviewing class enrollment, it was found that no one had registered for the class at that point. The Vice President concluded that the class should be cancelled and that she would ask the Religion and Ethics faculty to work on a community class that was grounded in academic knowledge. The instructor was notified that the class would not be offered. The Vice President communicated this decision to the President just as the Longhouse celebration concluded.

When the President returned to her office, she found an email that had been sent during the Longhouse event from the Council on American Islamic Relations (CAIR), a Muslim civil rights and advocacy group. CAIR demanded that the class be withdrawn and published the demand on the wire so it was broadcast nationally. The President felt that the timing was terrible as it looked like the college had cancelled the class in response to the demand rather than voluntarily assessing the class and making the decision. She called the state representative for CAIR and explained the situation. He was grateful about the decision but was not willing to retract the demand that was made.

The following Monday, the President was out of state presenting at a leadership program when her phone began to ring non-stop. She found 26 voice mails from staff and the local and national media that had arrived within the past hour. The gist of the calls was about the college withdrawing the class, succumbing to the demands of CAIR, and infringing on the instructor's First Amendment rights. She immediately organized a call with key college leaders and college legal counsel. She had the feeling this was going to escalate so she called a colleague who worked in public relations to help identify a crisis management consultant.

On Wednesday, the Board of Trustees would be meeting and there was concern that the instructor and his colleagues from the Pacifica Forum would show up and create a media circus. There was also concern that the local Muslim community would show up and there would be the possibility of conflict between the two groups. The President knew that she and the team needed to take some immediate actions.

#### Questions to Consider:

1. What is the next set of actions the president should take?
2. What action, if any, should the board take?
3. Did the college err in canceling the class? Why? Why not?
4. How should the college message about its decision?
5. Who should the college enlist to assist? Internal? External?
6. What is the best outcome that can be achieved given this is now a national story?



### Case Study 3 Faculty Contact

The faculty organization has developed a new methodology for compensation for both full time and adjunct faculty. It is claimed the proposal is expense neutral and the intent is to modernize the plan. You are contacted through a phone call by the president of the faculty organization to attend the organization's next meeting. The faculty senate president states the purpose of your attendance is to educate you on the plan and you will not be put in the position of expressing an opinion or make any immediate decision. The faculty president states it's important you hear directly from the faculty as part of your role as a trustee.

- What are the factors of board governance to be considered in this case study?
- How do you respond to the faculty senate president in the phone call?
- Do you accept the invitation?
- What are the considerations?

#### Case Study 4 Individual Trustee Request for Information

A new president was hired six months prior to you joining the Board. This is her first presidency. You have attended several board meetings since your term began. As a former faculty member of the college you feel the information presented at board meetings is inadequate. You contact the president and request specific reports on such items as compensation of individual staff members, details on vendor payments for certain consultants, travel costs for all vice presidents and deans, and the complete applications of all candidates that applied for a recently hired dean position. You also, have made a number of calls to the business vice president asking about the college's finances. You have made several requests to the business vice president for information to be sent to you. The president, being new, is eager to please board members and wants to maintain excellent relations.

- What are the factors of board governance to be considered in this case study?
- What action, if any, should the president take regarding this board member?
- Are the actions of the board member proper?
- What is the role of the other board members, if any, in relation to this board member?

### Case Study 5 New Board Member

Mr. Gary Woodard was appointed by the County Superintendent to fill in a vacant trustee seat for a large community college district Board. The trustees in the county are normally elected for 4-year terms in this state, and Mr. Woodard was appointed to complete a term that had 2 years remaining. Mr. Woodard assumed the trustee role with a great deal of enthusiasm and energy.

Mr. Woodard devoted a lot of time to visiting all college campuses in the district, including several un-announced visits because he wanted to find out how the colleges were really serving the taxpayers. In addition, Mr. Woodard read through the district Strategic Plan and Annual Reports of the previous years. He requested a meeting with the District Chancellor 3 months after his appointment.

At this meeting, Mr. Woodard told the chancellor that he was very concerned with his findings from his campus and his reading of district documents. Specifically, he expressed serious concerns with the performance of one of the college presidents who, he discovered, was a lesbian in the closet. Further, he recommended to the chancellor that the district should consider removing words like "diversity," "global," and "ethnicity" from all district documents because many of his constituents had written him to protest the fact that tax dollars were being spent on programs that did not serve community values well.

The district chancellor listened but declined to make any comment. The chancellor informed Mr. Woodard that he would consult with the Board Chair and engage the whole Board in a serious discussion about the concerns he had raised. Mr. Woodard was very disappointed with the chancellor's response.

#### Discussion Questions

1. Has Mr. Woodard acted appropriately in his role as a trustee? If so, in what ways? If not, how?
2. How should the chair and chancellor work together to address the issues raised by Mr. Woodard?

### Case Study 6 Demonstrations on Campus Policy

As we all know, our country is highly divided. In response to some very high-profile cases, this campus saw weekly demonstrations in support of Black Lives Matter. All the demonstrations were peaceful but as time went on, they got larger and larger. The President received a request from a White Nationalist Group to hold a demonstration on campus. The President, fearing violence, denied the request. A very conservative Trustee heard about the denial and, at an open board meeting, requested to see the Policy on demonstrations on campus. The President could not produce it. He cited the AAUP's resolution on Academic Freedom and the First Amendment as the operating principles for demonstrations, but he thought that the safety of the students and staff superseded these policies. The discussion at the Board meeting got heated. The Chair was able to calm the meeting by assuring the people present that the existing policy will be reviewed. The Chair of the Board ordered the President to present a College Policy on Demonstrations on Campus at the next Board meeting for a vote.

- What governance issues should be considered?
- Who should the President consult in crafting the policy?
- What should be considered to keep students and employees safe?

## Case Study 2: Ethics and the Community College Trustee

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A college trustee recently sent an email to the college president complaining that an acquaintance/friend did not get a job interview for a position he applied for at the school. In the same e-mail the trustee complained that the college did not do enough outreach to specific minority groups for hiring. The trustee told the president that the search should be halted, and the new search should ensure efforts were made to improve outreach.

The President felt that the trustee was using his position to address a personnel matter. However, the issue of not reaching out to a broader population when hiring was a matter of concern for president and the board.

The president brought the matter to the attention of the board chair. The board chair met with the trustee to discuss the ethics around his email.

1. What issues does this present to the board?
2. What else should the chair do to address the larger concern the trustee raised?

### Ethics Case Study 3

The student newspaper reports that two years before an employee accused the president of touching her inappropriately. At the time, the employee confronted the president and he apologized for standing too close and assured her it would never happen again. Since that time, the two have worked professionally together. However, the employee maintained a diary referencing the incident which she turned over to student reporters. The report has been picked up by the local newspaper.

The President has been there for 16 years and has grown the college, the endowment and stature of the college nationally. He is widely respected as an innovative leader. The board has been in place for most of his tenure and they have a great relationship, playing golf together and socializing outside of college events.

- What are the issues and as a board what immediate action should you take?

#### Case Study 4 Individual Trustee Request for Information

A new president was hired six months prior to you joining the Board. This is her first presidency. You have attended several board meetings since your term began. As a former faculty member of the college you feel the information presented at board meetings is inadequate. You contact the president and request specific reports on such items as compensation of individual staff members, details on vendor payments for certain consultants, travel costs for all vice presidents and deans, and the complete applications of all candidates that applied for a recently hired dean position. You also, have made a number of calls to the business vice president asking about the college's finances. You have made several requests to the business vice president for information to be sent to you. The president, being new, is eager to please board members and wants to maintain excellent relations.

- What are the factors of board governance to be considered in this case study?
- What action, if any, should the president take regarding this board member?
- Are the actions of the board member proper?
- What is the role of the other board members, if any, in relation to this board member?

**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
 Board Meeting Date: June 23, 2023



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

<b>Subject to be Discussed and Policy Reference:</b>
12.0 Board Consideration of Fall Planning Session Topics  ( <b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-03 Board Planning Cycle and Agenda)
<b>Description:</b>
This time has been set aside to propose topics for the Board's Fall Planning Session, currently slated for Friday, November 17, 2023.  I would like to propose that Rose Mercier of The Governance Coach join the Fall Planning Session to provide a Policy Governance booster, after having reviewed our progress. She would also bring an assessment tool called "Real Board Blueprint" that she would use with us.
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Consider and offer topics for the Board's Fall Planning Session.
<b>Action Taken:</b>



**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
Board Meeting Date: June 23, 2023



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

**Subject to be Discussed and Policy Reference:**

13.0 Annual ACCT Congress Preparations

(**BOARD POLICY:** EXECUTIVE LIMITATIONS: EL-08 Communication & Support to the Board)

**Description:**

In preparation for the Board's upcoming trip to the ACCT Leadership Congress in Las Vegas this October, time has been set aside to consider restaurant reservations and live performance options.

Attached, please find a full draft itinerary, including current reservations made and an opportunity for a live performance to consider.

**Requested Board Action:**

Offer feedback on restaurant reservations and live performance ticket purchasing.

**BOARD OF TRUSTEES SUMMER RETREAT**

**Action & Information Report**

Board Meeting Date: June 23, 2023



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

**Subject to be Discussed and Policy Reference:**

13.0 Annual ACCT Congress Preparations

13.1 Peer Benchmarking Discussion Topics

**BOARD POLICY:** GOVERNANCE PROCESS: GP-10 Investment in Governance

**Description:**

In preparation for the Board's upcoming trip to the ACCT Leadership Congress in Las Vegas this October, time has been set aside to consider discussion topics for the time to be scheduled with the North Central State University's Board.

Some suggested topics may include:

- Challenges with Policy Governance
- Careholdership Linkage
- Committee Usage
- Policy Review Process
- Monitoring Report Process

**Requested Board Action:**

Offer discussion topics for consideration.

**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
 Board Meeting Date: June 23, 2023



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

<b>Subject to be Discussed and Policy Reference:</b>
14.0 Meeting Content Review  <p style="text-align: center;"><b><u>BOARD POLICY:</u></b> GOVERNANCE PROCESS: GP-01 Governing Style</p>
<p>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.</p>
<b>Resource Impact:</b>
None
<b>Requested Board Action:</b>
Consideration of areas for meeting content improvement
<b>Action Taken:</b>

**BOARD OF TRUSTEES SUMMER RETREAT**  
**Action & Information Report**  
Board Meeting Date: June 23, 2023



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

**Subject to be Discussed and Policy Reference:**

15.0 Adjourn

**BOARD POLICY:** GOVERNANCE PROCESS: GP-13 Special Rules of Order

Board action is required to adjourn the meeting.

**Resource Impact:**

None

**Requested Board Action:**

Meeting Adjournment

**Action Taken:**