Jackson College Board of Trustees Summer Retreat - August 12, 2022

Summer Retreat

August 12, 2022 07:30 AM

Agonda Tonic



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TO:Jackson College Board of TrusteesFROM: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

(BOARD POLICY: 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:

"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.



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

Subject to be Discussed and Policy Reference:

2.0 Declaration of Conflict of Interest

(**BOARD POLICY**: GOVERNANCE PROCESS: GP-09 Board Code of Conduct)

Description:

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.

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 at this time, given that this is a retreat meeting.

A query will be made of each member about any conflict.

Resource Impact:

None

Requested Board Action:

Consideration of any actual or perceived conflict of interest with agenda items.



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

Subject to be Discussed and Policy Reference:

3.0 Public Comments (limit of 5 minutes per person)

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

Description:

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.

The Chairperson may offer the following statement prior to persons offering comment:

"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.

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".

Resource Impact:

None

Requested Board Action:

Receive comments from persons wishing to address the Board.

Jackson College Board of Trustees Summer Retreat - August 12, 2022 - 8:03 AM - Ownership Linkage Committee Status / Next Steps

BOARD OF TRUSTEES SUMMER RETREAT Action & Information Report Board Meeting Date: August 12, 2022



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

Subject to be Discussed and Policy Reference:

4.0 Ownership Linkage Committee Status / Next Steps

(**BOARD POLICY**: GOVERNANCE PROCESS: GP-07.2 Ownership Linkage Committee Terms of Reference)

Description:

Based upon the feedback thus far, I believe that we can conclude additional meetings beyond the groups specified. Further, while a written survey (rather than a live meeting) has been requested by the Jackson Enterprise Group Board and the Jackson Young Professionals, I recommend that we not undertake this work at this time.

Rather, I would like us to engage in the work of reviewing final input, attached here, and determine if there are any changes you would like to make to Board policy.

Finally, I recommend that our next effort regarding OL would be an extensive OL survey that we would deploy in 3 years time.

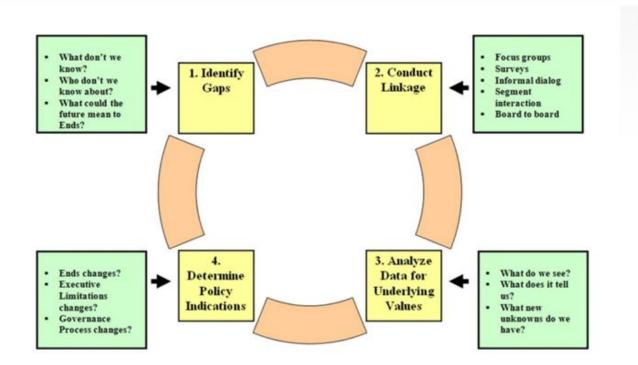
Resource Impact:

None

Requested Board Action:

Consider update from the committee and recommendations from the President.

Linkage Process



- Guiding you to Board Excellence and Organizational Accountability -

http://policygovernanceconsulting.com/improving-skills-in-policy-governance/ownership-linkage

Linkage and Policy Development

Once the linkage is complete you will have a lot of raw responses or, if you are using a firm or facilitator a list of themes or findings. The trick will be to turn that into usable knowledge. The board will have to determine what the information means for the topic being explored and then what impact if any it has on its policies. Depending on what is learned the board might find that it needs to change nothing, that there is the need for a new policy or that a policy needs to be changed.

http://policygovernanceconsulting.com/improving-skills-in-policy-governance/awnership-linkage



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

Subject to be Discussed and Policy Reference:

5.0 Board Officer Vacancies – Bylaws – Proposed Text

(**BOARD POLICY**: GOVERNANCE PROCESS: GP-03 Board Planning Cycle and Agenda Control)

Description:

Linked for your review are the Board's By-Laws. They can be viewed here.

I will have a copy of Roberts Rules of Order for you at the Retreat. Attached to this section is the last copy of Roberts Rules of Order for Small Assemblies.

I have recommendations for your consideration. See Attached

Resource Impact:

None

Requested Board Action:

Consideration of proposed text and approval for inclusion in the Board's By-Laws.

Proposed text for Jackson College ByLaws...

In the event of vacancy of a Board Officer, the Board will take immediate action to fill the officer vacancy, from its current membership, by the Board Chair opening the accepting nominations from the floor, closing the acceptance of nominations, and then all members voting openly for the candidates for officer. The candidate with the most votes, as declared by the Board Chair, shall fill the officer position until the next board reorganization meeting, which is held in January following the November gubernatorial election and the November presidential elections.

On the occasion that the vacated officer position is that of the Board Chair, the Vice-Chair shall conduct the election proceedings. However, if the Board's Vice-Chair wishes to be considered or is nominated for the Board Chair role, the Chief Executive Officer of the Board shall conduct the election proceedings for the Board Chair.

Chief Governance Officer...

The Board Chair is always designated as the Chief Governance Officer (CGO). The CGO is tasked with directing the members of the Board with ensuring that good governance is practiced through the Policy Governance methodology and the governance processes and practices of the board. As John Carver noted on this post: *The CGO is a first among equals in the sense that he or she has no authority except that granted by the board...The CGO assists the board be true to its group and individual commitments, be forced to confront itself, and efficiently get its job done. But the importance of this position is because of its effect on governance, not on management.*



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

Subject to be Discussed and Policy Reference:

6.0 Supreme Court Decision – Board Member Censure

(BOARD POLICY: GOVERNANCE PROCESS: GP-09 Board Code of Conduct)

Description:

Trustee Matt Heins proposed the below article for discussion:

Supreme Court Decision about Community College Raises Issues for Public Body Boards | Miller Nash LLP - JDSupra

https://www.jdsupra.com/legalnews/supreme-court-decision-about-community-2102574/

Resource Impact:

None

Requested Board Action:

Discuss Article



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

Subject to be Discussed and Policy Reference:

7.0 Practice Review: Board Travel Precautions

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

Description:

Following feedback from Trustee Barnes, particularly in consideration of the legal excerpt below, I am proposing a travel precaution that no more than 3 Trustees travel via the same vessel/aircraft at any given time.

MICHIGAN ELECTION LAW (EXCERPT) Act 116 of 1954

168.311 School board; appointment to fill vacancy; election; notice to school district election coordinator. Sec. 311.

(1) If less than a majority of the offices of school board member of a school district become vacant, the remaining school board members shall fill each vacant office by appointment. If a vacancy in the office of school board member is not filled within 30 days after the vacancy occurs or if a majority of the offices of school board member of a school district become vacant, the intermediate school board for that school district shall fill each vacancy by appointment. An individual appointed under this subsection serves until a successor is elected and qualified.

Resource Impact:

None

Requested Board Action:

Consider and approve the practice of no more than 3 Trustees traveling via the same vessel at any given time.

Jackson College Board of Trustees Summer Retreat - August 12, 2022 - 9:40 AM - Policy Review: College Building / Room Naming (Dr. Mathein)

BOARD OF TRUSTEES SUMMER RETREAT Action & Information Report Board Meeting Date: August 12, 2022



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

Subject to be Discussed and Policy Reference:

8.0 Policy Review: College Building/Room Naming

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

Description:

For your review, below is a link to Jackson College's Facility Naming Guidelines Policy for review:

https://www.jccmi.edu/wp-content/uploads/1502.pdf

Resource Impact:

None

Requested Board Action:

I request your feedback on this policy and how it applies.



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

Subject to be Discussed and Policy Reference:

9.0 Business Office / CFO Update

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

Description:

This time has been reserved in the agenda for me to provide an update on the current state of our Business Office and the below actions:

- 1. Contracting of Mike Volk (a Principal at Dan Carter Advisors in Grand Rapids) to provide an assessment of our Business Office and offer adjustments going forward, coaching of a new CFO. By this planning session, I may have some additional news regarding a new CFO.
- 2. Execution of a Special Audit Accounts Payable.

Resource Impact:

None

Requested Board Action:

Receive update and offer up questions or feedback.



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

Subject to be Discussed and Policy Reference:

10.0 Accreditation

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

Description:

As I had mentioned to the Board previously, we have completed the 4-year required assurance review for the Higher Learning Commission. We nearly had a completely positive review of our fair college, however the peer review team asked for our attention to budget development. A copy of the draft report is attached for your review. I'll discuss the particulars with you at our meeting.

Special thanks go to Zak McNitt, our Registrar and HLC liaison, for his work, and that of his team, on the construction of our submission.

Resource Impact:

None

Requested Board Action:

Engage in conversation of Accreditation.



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

Subject to be Discussed and Policy Reference:

11.0 BSN

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

Description:

I'll provide an update of the final legislation regarding the BSN, and my intentions going forward. A copy of the legislation is attached.

Resource Impact:

None

Requested Board Action:

Receive update and offer up questions or feedback.

ASSOCIATE DEGREE IN NURSING (ADN) TO BACHELOR OF SCIENCE (BSN) COMPLETION INITIATIVE

April 20, 2022

Purpose

The purpose of this initiative is to dramatically increase the number of nurses with bachelor's degrees by creating additional opportunities for nurses with associate degrees to seamlessly complete their BSN on community college campuses.

Initiative Goals

Our goal is to increase the number of BSN degree completers in a manner that ensures more seamless transfer of ADN students and that reflects a collaborative effort among the state's four-year postsecondary institutions, community colleges, and nursing workforce stakeholders. Our three goals focus on attainment, access, and affordability.

ATTAINMENT: Increase BSN degree completion among credentialed Registered Nurses (RN) who have completed an Associate degree

ACCESS: Expand BSN programs delivered on community college campuses, particularly in rural communities without a proximate university

AFFORDABILITY: Increase access to affordable ADN-to-BSN degree completion programs for students and develop partnerships that maximize the efficiency of offering BSN programs

Essential Elements of an ADN to BSN Partnership Framework

- Bachelor's degree granting institutions design, deliver and maintain ADN to BSN completion programs including admissions, curriculum design, and accreditation with strategic input from employers and community colleges.
- ADN to BSN completion programs leverage existing ADN to BSN completion programs including 3+1 agreements that allow community college students to maximize existing benefits of transfer such as the Michigan Transfer Agreement, credit for prior learning policies, and community college coursework that meets bachelor's degree requirements.
- 3. BSN completion courses are taught in person, at least partially, on community college campuses.
- 4. Qualified community college faculty teach BSN courses as adjunct or part-time faculty at the bachelor's degree granting institution.
- 5. ADN to BSN completion programs leverage a co-branding model to promote the university and community college as equal partners and increase opportunities for ADN graduates to clearly understand the partnership between the community college and the university.
- 6. Adequate student supports including academic advising, career services, financial aid support, mental health counseling, and other student basic needs services are offered by the community college or the bachelor's degree granting institution to ensure that students are likely to complete.

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- 7. ADN to BSN partnership agreements are designed to maximize a sustainable partnership between community colleges and bachelor's degree granting institutions. Agreements should be no less than five years with adequate data and evidence to support discontinuing the agreement before five years has elapsed.
- 8. Local employers that rely on a BSN-educated workforce should, to the greatest extent possible, provide financial aid to reduce costs and scheduling flexibility to ensure that students can attend in-person classes. Local Michigan Works! Agencies should provide wraparound support services to program participants and ensure they are directly connected to employers. Community colleges and their university partners should contain costs to minimize tuition costs for BSN completion programs.

Funding Proposal

The MCCA is requesting a \$50 million investment from the state of Michigan to increase access and affordability of Bachelor of Science in Nursing programs for students who completed their ADN at Michigan community colleges. The grants will be administered by the Department of Labor and Economic Opportunity (LEO) and will be awarded to Michigan community colleges through a competitive RFP. Sizes of grants will range from \$1M to \$4M based on the average number of ADN graduates between the 2017-2019 academic years. Eligible expenses include:

- Costs associated with the selection and development of an articulation agreement with BSN completion program partner(s) with input from local employers that rely on BSN-educated employees and the local workforce development agency
- 2. Subsidized personnel costs required to deliver BSN programs on community college campuses including, but not limited to travel, faculty and staff compensation, and benefits
- 3. Capital investment in community college facilities including labs, classrooms, and equipment
- 4. Outreach and recruitment to ADN graduates
- 5. Student financial aid to ADN graduates to reduce the cost of the BSN and promote BSN completion
- 6. Data and research on program effectiveness specifically focused on access, affordability, and attainment

Partner Organizations

Michigan Community College Association (MCCA) Michigan Association of State Universities (MASU) Michigan Independent Colleges and Universities (MICU) Michigan Department of Labor and Economic Opportunity (LEO) Michigan Health and Hospital Association (MHA) Michigan Association of Colleges of Nursing (MACN) <u>Michigan Works! Association (MWA)</u> Michigan Council of Nursing Education Administrators (MCNEA)

<u>8/11/20228/11/20225/2/2022+</u>

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Community Colleges, Universities See Nursing Program Agreement

The state's budget for community colleges passed Thursday includes \$56 million allowing certain students to pursue a fouryear nursing degree on a community college campus in partnership with a four-year college.

A scholarship program first proposed in the Senate budget did not make it into the final budget but \$250 million was put into a fund for a yet-to-determined postsecondary scholarship.

Education groups, including the Michigan Association of State Universities, signed onto the plan earlier this month. It comes as there has been disagreement over how to expand opportunities for individuals to obtain a four-year nursing degree at community colleges.

The focus of the plan is to allow nurses with associate degrees to complete their bachelor's degrees in nursing on community college campuses through partnerships with four-year colleges and universities.

Each of the state's 28 community colleges would be eligible for \$2 million in grant funding to implement the program under the proposal. Local employers and local workforce development agencies would also provide input and collaboration under the plan.

The Michigan Community Colleges Association also supported the proposal.

Additionally, as part of the budget, community colleges would see a net 3.8 percent operations increase with the addition of \$16.2 million, a 5 percent increase in operations, while losing \$3.2 million from one-time 2021-22 funds.

Similarly, universities would see a 3.7 percent net increase in operations with a \$52.3 million increase and the removal of \$14.6 million in one-time funding. The budget also begins a three-year phase-in to reach a \$4,500 funding floor based on fiscal year equated students.

The Michigan State University AgBioResearch Program would see a net increase of \$2.6 million and the Michigan Extension program would see a net increase of \$1.2 million.

\$10 million is also included for community colleges to provide catch-up programming for students.

Budgets for both also saw funding toward pregnant and parenting services and the university budget included \$5 million for research grants awarded to public universities that agree to not conduct research on "aborted fetal tissue."

- By Alethia Kasben



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

Subject to be Discussed and Policy Reference:

12.0 Board Consideration of Fall Planning Session Topics

(**BOARD POLICY**: GOVERNANCE PROCESS: GP-03 Board Planning Cycle and Agenda)

Description:

This time has been set aside to propose topics for the Board's Fall Planning Session.

Resource Impact:

None

Requested Board Action:

Consider and offer topics for the Board's Fall Planning Session.



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

Subject to be Discussed and Policy Reference:

13.0 Robert's Rules of Order Review

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

Description:

This time has been set aside to review Robert's Rules of Order, for Small Assemblies, as requested. A copy of the manual will be provided to each member at Wickwire.

Attached, please find Robert's Rules of Order Procedure in Small Boards, as well as The Basics for Small Boards.

Resource Impact:

None

Requested Board Action:

Review and ask questions as needed.

Excerpt from Roberts, H.M. et al. (2020) Robert's Rules of Order, 12th Edition. Public Affairs. p464-465

- § 49:21 Procedure in Small Boards. In a board meeting where there are not more than about a dozen members present, some of the formality that is necessary in a large assembly would hinder business. The Rules governing such meetings are different from the rules that hold other assemblies, in the following respects:
 - 1) Members may raise a hand instead of standing when seeking to obtain the floor, and may remain seated while making motions or speaking.
 - 2) Motions need not be seconded.
 - 3) There is no limit to the number of times a member can speak to a debatable question.³ Appeals, however, are debatable under the regular rules that is, each member (except the chair) can speak only once in debate on them, while the chair may speak twice.
 - 4) Informal discussion of a subject is permitted while no motion is pending
 - 5) When a proposal is perfectly clear to all present, a vote can be taken without a motion's having been introduced. Unless agreed to by unanimous consent, however, all proposed actions must be approved by vote under the same rules as in larger meetings, which is often a better method in small meetings.
 - 6) The chairman need not rise while putting questions to a vote.
 - 7) If the chairman is a member, he may, without leaving the chair, speak in informal discussions and in debate, and vote on all questions.⁴

³ However, motions to close or limit debate (**15**, **16**), including motions to limit the number of times a member can speak to a question, are in order even in meetings of a small board (but not in meetings of a committee; see 50:25), although occasions where they are necessary or appropriate may be rarer than in larger assemblies.

⁴ Informal discussion may be initiated by the chairman himself, which, in effect, enables the chairman to submit his own proposals without formally making a motion as described in 4:4-8 (although he has the right to make a motion is he wishes).

Robert's Rules of Order The Basics for Small Boards

Parliamentary procedure is a set of rules for conducting orderly meetings that accomplish goals fairly. Benefits of parliamentary procedure include the following:

- Justice and courtesy for all
- Maintenance of order
- Consideration of one item at a time
- All sides get heard
- Ability for each member to provide input
- Majority rule
- Protection of the rights of all members including the minority

Basic Principles

- A quorum must be present for business to be conducted
- All members have equal rights, privileges and obligations
- No person should speak until recognized by the chair
- Personal remarks or side discussions during debate are out of order

• Only one question at a time may be considered, and only one person may have the floor at any one time

• Members have a right to know what the pending question is and to have it restated before a vote is taken

• Full and free discussion of every main motion is a basic right

• A majority decides a question except when basic rights of members are involved or a rule provides otherwise.

• Silence gives consent. Those who do not vote allow the decision to be made by those who do vote.

• The Chair should always remain impartial.

Basic Definitions

Motion – A formal proposal made to bring a subject before an assembly for its consideration and action. Begins with "I move that..."

Second – A statement by a member who agrees that the motion made by another member be considered. Stated as "Second," or "I second the motion."

Amendment – Before the vote is taken on a motion, it may be amended by:

- Striking out words
- Inserting or adding words
- Striking out words and inserting others in their place
- Substituting one (1) paragraph or resolution for another

Presiding officer/Chair – The individual who facilitates the meeting, usually the President.

In the absence of the President, the Vice President is next.

If neither are present, the Secretary calls the meeting to order and conducts an election for a Chairman Pro Tem (a presiding officer for that meeting only).

Role of the Presiding officer

- To introduce business in proper order per the agenda
- To recognize speakers

- To determine if a motion is in order
- To keep discussion focused on the pending motion
- To maintain order
- To put motions to a vote and announce results

General procedure for Handling a Main Motion

- A member must obtain the floor by being recognized by the chair
- Member makes a main motion
- A motion must be seconded by another member before it can be considered
- If the motion is in order, the chair will restate the motion and open debate
- The maker of a motion has the right to speak first in debate
- The main motion is debated along with any secondary motions that are debatable.

• Debate on Subsidiary, Privileged and Incidental motions (if debatable or amendable) take precedence over debate on the main motion and must be decided before debate on the main motion can continue.

- Debate is closed when: Discussion has ended, or A 2/3 vote closes debate.
- The chair restates the motion, and if necessary clarifies the consequences of affirmative and negative votes

• The chair calls for a vote by asking "All in favor?" Those in favor say "Aye." Then asking "All opposed?" Those opposed will say "no"

• The chair announces the result

General rules of Debate for small Boards

- All discussion must be relevant to the immediately pending question
- No member should speak more than twice to each debatable motion. The second time takes place after everyone wishing to debate the motion has had an opportunity to speak once
- All remarks should be addressed to the chair no cross debate is permitted
- Debate must address issues not personalities
- When possible, the chair should let the floor alternate between those speaking in support and those speaking in opposition to the motion
- Members may not disrupt the assembly
- Rules of debate can be changed by a 2/3 vote or general consent without objection



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

Subject to be Discussed and Policy Reference:

14.0 Monitor Report Scheduling - Staggered vs. Yearly

(**BOARD POLICY**: BOARD-CEO DELEGATION: BCD-04 Monitoring President Performance)

Description:

This time on the agenda has been set aside for the Board to discuss potentially staggering the monitoring of some policies over multiple years as opposed to monitoring all policies yearly.

Resource Impact:

None

Requested Board Action:

Consider staggering some monitoring report over multiple years.

2022-2023 Board Meeting Date	Policy Reviews Due	Monitoring Reports Due
January 9, 2023 (Cancelled)	Review EL-10 Access to Education (JEREMY) Review GP-14 Handling Operational Complaints Review GP-11 Linkage with Ownership (2024 – Review GP-07.2 Ownership Linkage Committee ToR)	Monitor EL-09 Organization Culture (CINDY) Monitor EL-07 Compensation & Benefits (CINDY) Monitor GP-07.1 Audit Committee Terms of Reference (2024 - Monitor BCD-02 Accountability of the President)
February 13, 2023	Review EL-11Entrepreneurial Activity (CINDY/DARRELL)Review GP-01Governing StyleReview BCD-06President Compensation(2024 – Review GP-00Governance Commitment)	Monitor EL-10 Access to Education (JEREMY) Monitor GP-14 Handling Operational Complaints Monitor GP-11 Linkage with Ownership (2024 – Monitor GP-07.2 Ownership Linkage Committee ToR)
March 13, 2023	Review EL-12 Land Use (JASON) Review EL-02 Treatment of Staff (CINDY) Review GP-02 Board Job Contributions Review GP-04 Role of Board Chair Review GP-04 Role of Board Chair Review GP-10 Investment in Governance (2024 – Review BCD-00 Global Board Management Delegation)	Monitor EL-11 Entrepreneurial Activity (CINDY/DARRELL) Monitor GP-01 Governing Style Monitor BCD-06 President Compensation (2024 – Monitor GP-00 Governance Commitment)
April 10, 2022	Review EL-05 Asset Protection (DARRELL) Review EL-06 Investment (DARRELL) Review BCD-05 President Succession Review GP-03 board Planning Cycle & Agenda Control (2024 – Review GP-12 Board Linkage with Other Organizations)	Monitor EL-12 Land Use (JASON) Monitor EL-02 Treatment of Staff (CINDY) Monitor GP-02 Board Job Contributions Monitor GP-04 Role of Board Chair Monitor GP-10 Investment in Governance (2024 – Monitor BCD-00 Global Board Management Delegation)
May 8, 2022	Review EL-03 Planning (DARRELL) Review GP-10 Board Code of Conduct	Monitor EL-05Asset Protection (DARRELL)Monitor EL-06Investment (DARRELL)Monitor BCD-05President SuccessionMonitor GP-03board Planning Cycle & Agenda Control(2024 – Monitor GP-12Board Linkage with Other Organizations)
June 12, 2023	Review EL-00 General Executive Constraint (PHELAN) Review E-01 Ends (JEREMY)	Monitor EL-03 Planning (DARRELL) Monitor GP-10 Board Code of Conduct

August 8, 2022	Review BylawsReview BCD-03Delegation to PresidentReview BCD-04Monitoring President Performance(2023 - Review GP-07Board Committee Principles)	Monitor EL-00 General Executive Constraint (PHELAN) Monitor E-01 Ends (JEREMY)
September 12, 2022	Review EL-01 Treatment of Students (CINDY/JEREMY) Review BCD-01 Unity of Control Review GP-04 Role of Vice Chair (2023 – Review GP-08 Board & Committee Expenses)	Follow up: Monitor EL-02 Treatment of Staff (CINDY) Monitor BCD-03 Delegation to President Monitor BCD-04 Monitoring President Performance (2023 – Monitor GP-07 Board Committee Principles)
October 10, 2022	Review EL-04 Financial Conditions & Activities (DARRELL) Review EL-08 Communication & Support to the Board (CINDY)	Monitor EL-01 Treatment of Students (CINDY/JEREMY) Monitor BCD-01 Unity of Control Monitor GP-04 Role of Vice Chair (2023 – Monitor GP-08 Board & Committee Expenses)
November 14, 2022	Review EL-09 Organization Culture (CINDY) Review EL-07 Compensation & Benefits (CINDY) Review GP-07.1 Audit Committee Terms of Reference (2023 - Review BCD-02 Accountability of the President	Monitor EL-04 Financial Conditions & Activities (DARRELL) Monitor EL-08 Communication & Support to the Board (CINDY)



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

Subject to be Discussed and Policy Reference:

15.0 Board Member Attendance at Board Meetings

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

Description:

At the request of the Chairman, this time has been set aside on the agenda to encourage Board member attendance at all Board meetings.

Resource Impact:

None

Requested Board Action:

Board members aspire to attend all Board meetings.



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

Subject to be Discussed and Policy Reference:

16.0 Case Studies

(BOARD POLICY: GOVERNANCE PROCESS: GP-09 Board Code of Conduct)

Description:

At the request of the Chairman, this time has been set aside for case study exercises. Those attached to this section on the agenda were obtained during the ACCT GLI conference in D.C.

Resource Impact:

None

Requested Board Action:

Explore best practices as prompted by the case studies.

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 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

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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?

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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?

©Association of Community College Trustees 2022 ACCT Governance Leadership Institute, Washington, DC 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?

©Association of Community College Trustees 2022 ACCT Governance Leadership Institute, Washington, DC 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?

©Association of Community College Trustees 2022 ACCT Governance Leadership Institute, Washington, DC **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?

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Case Study 2: Ethics and the Community College Trustee

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?



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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?

©Association of Community College Trustees 2022 ACCT Governance Leadership Institute, Washington, DC 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?

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

Subject to be Discussed and Policy Reference:

17.0 ESG

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

Description:

This time on the agenda has been set aside for the Board to consider an ESG (environmental, social, and governance) reporting program, an increasingly popular investment strategy for socially conscious investors to evaluate companies that align with their values. ESG links below and literature are enclosed to aid in the Board's discussion.

https://www2.deloitte.com/hu/en/pages/energy-and-resources/articles/esg-explained-1-what-is-esg.html

https://theimpactinvestor.com/what-is-esg/

https://www.nerdwallet.com/article/investing/esg-investing

Resource Impact:

None

Requested Board Action:

Consider ESG reporting program as an investment strategy.



Elon Musk

Tesla has been <u>booted</u> from the S&P 500 ESG Index, and Elon Musk thought the decision was bad. After the news broke, he went on a Twitter tirade, calling ESG "an outrageous scam" that "has been weaponized by phony social justice warriors."

What is ESG?

Short for environmental, social, and governance, it's an increasingly popular investment strategy for socially conscious investors to evaluate companies that align with their values. Assets in ESG funds hit \$2.74 trillion at the end of last year, according to Morningstar.

This particular ESG index, which is controlled by the S&P Dow Jones Indices, ranks companies in the S&P 500 based on criteria like whether or not they release sustainability reports, use renewable energy, pay fair wages to their employees, have ethical supply chains, and have a diverse board of directors, among other metrics. During its annual rebalancing, the S&P said Tesla didn't make the cut for inclusion this year.

Why? Margaret Dorn, the S&P's head of ESG indices for North America, wrote in a blog post that Tesla lacked "low carbon strategy," amassed complaints of poor working conditions and racial discrimination in its Fremont factory, and mishandled investigations into injuries and deaths involving the car's Autopilot feature.

Musk calls hypocrisy

As part of his barrage, Musk argued that electric-vehicle leader Tesla has done "more for the environment than any company ever!" while noting that Exxon Mobil, which literally extracts oil from the ground, was rated in the top 10 for ESG. And a growing number of ESG critics think Musk has a point, arguing that the climate pledges and disclosures measured by the index lack the teeth to do anything but get them on a fancy list.

• For example: JPMorgan, the largest lender to the fossil-fuel industry, remains on the index this year. Same with Amazon, which has had its own spats with the National Labor Relations Board.

Even influential ESG proponents are questioning whether the approach has lived up to its principles. BlackRock, the largest asset manager in the world, said it won't support as many climate disclosure proposals this year because most are pretty arbitrary.

Zoom out: Musk's misery has companies. Delta Air Lines, Home Depot, Meta, Johnson & Johnson, and Warren Buffett's Berkshire Hathaway have all been left off of the S&P's ESG index.—*MM*

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

Subject to be Discussed and Policy Reference:

18.0 IT Security Update

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

Board)

Description:

This time has been set aside to discuss the College's current and aspirational levels of cybersecurity. Enclosed for your reference are answers to 6 important cybersecurity questions as they relate to the College. I will also be discussing with you our work on Continuity of Operations.

You were made aware of our new CIO, Collin Boyce, at Monday's Board meeting. Dr. Rose will be leaving Jackson College in a week.

Resource Impact:

None

Requested Board Action:

Accept IT security update and offer questions or feedback.



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

Subject to be Discussed and Policy Reference:

19.0 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 NYC this October, time has been set aside to consider logistics.

The link to the MCCA schedule at a glance is located below for your reference: https:// www.congress.acct.org/about-4-1

Requested Board Action:

Offer feedback on logistics.



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

Subject to be Discussed and Policy Reference:

20.0 State FY23 Budget Summary

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

Description:

Below are links to the State FY'23 Budget Summary information for discussion.

https://www.mcca.org/uploads/ckeditor/files/MCCA%20FY23%20Budget%20Summary.pdf

https://www.senate.michigan.gov/sfa/Departments/DecisionDoc/DDccl_web.pdf

If there are particular questions that you have, I will address them at this time. As I noted previously, the availability of Capital Outlay is an item that is outstanding.

Resource Impact:

None

Requested Board Action:

Discuss the Community College FY'23 Appropriations Summary



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

Subject to be Discussed and Policy Reference:

21.0 Board Consideration of Regular Meeting Frequency

(**BOARD POLICY**: GOVERNANCE PROCESS: GP-01 Governing Style)

This item on the agenda provides the Board the opportunity to consider the number of regular meetings held each year. There are currently 10 meetings, which if it pleases the Board, could be reduced to 9 meetings with the removal of the February meeting.

Chairman Crist and Trustee Simpson learned at GLI that nationally, the number of board meetings held for public community colleges range from 6 to 12 per year. Some community colleges also make use of pre-board meetings.

Resource Impact:

None

Requested Board Action:

Consideration and approval of eliminating the February Regular Board Meeting, thus reducing the number of regular meetings to 9 each year.



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

Subject to be Discussed and Policy Reference:

22.0 Meeting Content Review

(**BOARD POLICY**: GOVERNANCE PROCESS: GP-01 Governing Style)

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



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

Subject to be Discussed and Policy Reference:

23.0 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