

**Jackson College  
Board of Trustees**

**MONITORING REPORT FOR EL – 01 TREATMENT OF STUDENTS  
DATE: 10/10/2022**

**Board Policy is indicated in bold typeface throughout.**

I hereby present this monitoring report regarding your Executive Limitations Policy: “Treatment of Students”, according to the schedule previously defined. I certify that the information contained in herein is true and represents compliance with a reasonable interpretation of the policy, unless specifically stated otherwise. Interpretations are unchanged from the previous report, unless otherwise noted.



10/10/22

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

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Date

**POLICY STATEMENT: The President shall not cause or allow conditions, procedures or decisions related to the treatment of students that are unsafe, unfair, disrespectful, or unnecessarily intrusive.**

INTERPRETATION:

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

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

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

INTERPRETATION:

Compliance will be demonstrated when:

- a) There are operational policies in place to protect students from any conditions that might threaten their health, safety or well-being, all of which are accessible on the College’s web page, which are reviewed every two years to ensure relevancy and currency. Specifically, these policies are:
  - a. Tobacco Free Environment 1715.
  - b. Threats and Violence 2609.
  - c. Student Rights, Responsibilities and Code of Conduct 2701.

- b) Safety Data Sheets (SDS) are maintained and accessible upon request to employees and students in compliance with OSHA standard 1910.1200(b)(4)(ii) *College maintains copies of any SDS that are received with incoming shipments of the sealed containers of hazardous chemicals, The College obtains a safety data sheet as soon as possible for sealed containers of hazardous chemicals received without a SDS. The College shall ensure that the safety data sheets are readily accessible during each work shift to employees when they are in their work area(s)*".
- c) There is a current plan in place for snow and ice removal.
- d) A current emergency reference guide is available on-line and new Emergency Posters have been installed on hallway walls throughout all College buildings. The guide content and placement of the guide is consistent with advice from local police and fire departments.
- e) A Drug Free Schools and Campus Plan, which is reviewed every two years and complies with the Drug Free Schools and Campuses Regulation (EDGAR Part 86), is accessible on the website. Additionally, Institutions of Higher Education (IHEs) receiving Federal funds or financial assistance are required to maintain programs which prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.
- f) A Campus Security Report is published annually and presents statistics for crimes reported to the Office of Campus Safety and Security during the last three years. This meets the requirement of Clery Act that colleges and universities publish a Campus Crime Annual Report.
- g) A pandemic plan is current and accessible on the College's website together with the most up to date information on COVID-19 for students and employees. All pandemic related efforts, including prototyping and reintroduction of College activities are reviewed by the College's Reintegration Task Force (RTF), and subsequently by the College's Leadership Council.
- h) Students and employees have easy access system which communicates campus closings and cancellations due to weather or other emergency situations and are aware of how to access the system.
- i) Annual elevator inspections, boiler inspections and quarterly fire system inspections are completed.
- j) Mental and physical health services, through Family Services & Children's Aid, and Henry Ford Jackson Hospital respectively, provide related services for all students and employees.

This interpretation is reasonable because it ensures compliance with some key legal requirements to ensure the safety of all who are on campus.

**EVIDENCE:**

- a) The Operations Coordinator confirmed on 10/5/22 that the following policies are accessible online and have been reviewed in the last two years:

- a. Tobacco Free Environment 1715 - last approved on 10/5/22.
  - b. Threats and Violence 2609 – last approved on 10/5/22
  - c. Student Rights, Responsibilities and Code of Conduct 2701 – last approved by the Leadership Council on 10/5/22.
- b) The Chief Campus Operations Officer confirmed on 9/30/22 that the Safety Data Sheets are current for all cleaning chemicals on Central Campus and accessible on the Jackson College website.
  - c) The Chief Campus Operations Officer confirmed on 9/30/22 that the operational plans are current to take care of snow and ice removal. This is an internal operational plan that is not posted online.
  - d) The Safety and Security Manager confirmed on 9/28/2022 that the emergency reference guide is available online.
  - e) The Safety and Security Manager confirmed on 9/28/2022 that the Drug and Alcohol Abuse and Prevention Program (DAAPP) is accessible online. The document was last updated in 2022 which is within the two year review period.
  - f) The Safety and Security Manager confirmed on 9/28/2022 that the 2022 Campus Crime and Fire Report is available online and contains statistics for 2019 to 2021.
  - g) The Chief Legal, Talent, Equity & Administrative Officer confirmed on 9/29/2022 that the College's Pandemic Plan is located online and that the COVID-19 information was current as of 9/28/2022.
  - h) The Safety and Security Manager confirmed on 9/28/2022 that the College still uses the Nixle alert system which students and employees can sign up for online. Information on Nixle signup is provided during the mandatory new employee orientation. Communication regarding emergencies is also sent via email.
  - i) The Chief Campus Operations Officer confirmed on 9/30/22 that these inspections are up to date. Documentation of inspections for elevator and boiler inspections and the Fire Safety & Extinguisher inspection reports are stored with the Chief Campus Operations Officer and/or his staff.
  - j) Annual contracts are issued and are on file with the Chief Legal, Talent, Equity & Administrative Officer that define provisions for the College's Oasis Center, which provides mental health services to students and employees, as well as for the College's Health Clinic, which provides medical care and evaluation to students and employees.

**1.1. Allow students to be without current, enforced policies that minimize the potential for exposure to harassment, provide remedy for harassment situations, and provide methods for dealing with individuals who harass.**

INTERPRETATION:

Compliance will be demonstrated when:

- a) The College has a Sexual Discrimination/Harassment Policy which is accessible to students and employees that is reviewed every two years, including legal review.
- b) An Incident Reporting Form and anonymous tip line are available to students to report issues of harassment and is easily accessible.
- c) The College has identified a full-time Compliance Officer who also assumes responsibilities of Title IX Coordinator and their contact information is easily accessible to students.
- d) Initial information is gathered in response to any incident report or anonymous tip of harassment and when warranted, the Title IX Officer works with the College investigator and the College attorney until there is a resolution.
- e) Results of all sexual discrimination and harassment investigations are retained by Human Resources.
- f) The annual federal filing of the Clery Act report includes a report of all harassment incidents.
- g) All employees complete the required periodic training on recognizing harassment.
- h) New employees review all College policies which includes the Sexual Discrimination/Harassment Policy.

The interpretation is reasonable because it includes all elements required for compliance with legal requirements required by the Clery Act and it is consistent with College's zero tolerance focus.

#### EVIDENCE:

- a) The Chief Legal, Talent, Equity & Administrative Officer confirmed on 9/28/2022 that the Sexual Discrimination/Harassment Policy 1717 was last reviewed on 12/8/2021 and is accessible on the website.
- b) The Chief Legal, Talent, Equity & Administrative Officer confirmed on 9/28/2022 that as described within policy 1717 the following reporting methods are available online for students and employees
  - a. The Chief Legal, Talent, Equity & Administrative Officer confirmed on 9/28/2022 that An incident reporting form is online.
  - b. The Chief Legal, Talent, Equity & Administrative Officer confirmed on 9/28/2022 that information on how to submit an anonymous tip using an online tip form online or via a text message are available online.
- c) The President designated the Chief Legal, Talent, Equity & Administrative Officer as the Title IX Coordinator. All related contact information is readily available online. This was confirmed by the Operations Coordinator on 9/28/2022.
- d) A clear Title IX Investigation Process is up to date and accessible online. This was verified by the Operations Coordinator on 9/28/2022

- e) The Chief Legal, Talent, Equity & Administrative Officer confirmed on 9/28/2022 that there was 1 investigation conducted in the monitoring period related to sexual discrimination or harassment. The claim was dismissed.
- f) The Safety and Security Manager confirmed on 10/1/2022 that the Clery Act report which was filed on 9/28/22 included a report of all incidents reported and investigated in this monitoring period.
- g) The Chief Legal, Talent, Equity & Administrative Officer confirmed on 10/2/2022 that out of 241 permanent full and part time employees, 237 have completed mandatory training.
- h) The Chief Legal, Talent, Equity & Administrative Officer confirmed on 9/29/2022 that 42 employees who are new to the College during this monitoring period signed off on a document stating *"I acknowledge that I have read and understand the Jackson College Administrative Policies and related materials which are available on the JC Policy web page. I understand that I am required to abide by college policies as a condition of employment. I am also aware that new policies may be added and that existing policies may be revised, amended or deleted at the discretion of the College and that it is my responsibility to periodically review the manual and policies for updates."*

## **2. Deliver programs in a manner that is insensitive to students' culture.**

### INTEPRETATION

Compliance will be demonstrated when:

- a) The College delivers or makes available equity training, cultural training and ongoing professional development to all employees.
- b) The Chief Diversity Officer ensures the curriculum is unbiased, is inclusive, and creates a sense of belonging.
- c) The College works with focus groups of students and staff, Affinity Group Representatives of various populations to increase understanding and connection with the respective local communities. This helps the College to better serve these diverse populations, and encourages a more welcoming institution. These affinity groups include African American, LatinX, Asian/Pacific Islander, LGBTQIA+, Elder & Faith. The LGBTQIA+ and Elder liaison positions are currently posted. The interpretation is reasonable because the processes reflect best practices and current thinking and research.

### EVIDENCE:

- a) The Chief Diversity Officer confirmed that on 9/28/2022 that all employees are required yearly to do a mandatory online training through safe colleges on microaggression and implicit bias training. John Willis, Chief Equity Officer, provided virtual microaggression training on 3/4/2022. Convocation Breakout Session for FL 2022 was "Equity is not Fair" presented by Daniel Mahoney & Jacob Inosencio on 8/22/2022.

- b) The Chief Diversity Officer is tri-chair of the Equity Design Team which guides institutional change and helping to close achievement gaps with an equity lens. The Equity Design Team is guided by Achieving The Dream coaches. The Chief Diversity Officer is a part of the Curriculum Committee which focuses on equity within the curriculum, pedagogy and help to create a diversity section of the course FL 202 to produce equitable outcomes.
- c) The following affinity groups have held various programming for students and employees. Here are few describing what Affinity groups have done.
  - African American: Assisted in relaunching MLK Courses at the Martin Luther King Recreation Center (August 2022) and virtual symposium on the impact of implicit bias from the perspective of a black professional (February 2022).
  - LatinX Hispanic Heritage Campus Celebration (September 15, 2022) and Hispanic Heritage Festival in Downtown Jackson (September 18, 2022).
  - Asian/Pacific Islander: Chinese New Year Celebration (January 31, 2022) and AAPI Heritage Origami Event (May 27, 2022).
  - Elder Foster Care: Free Tuition for Senior Citizens (Summer & Fall 2022) and Lunch & Learn with the Aging Community (August 8, 2022).
  - Faith Based: Kwanza Celebration (December 2021) Online Faith Community Directory Guide (Flyer 2022).
  - LBGTQIA+: Pride Fest (April 2022) and Hanging of the Pride Flag (June 2022).

**3. Permit violation of student confidentiality and privacy, except where specific disclosure is required by legislation or regulation.**

INTEPRETATION

Compliance will be demonstrated when:

- a) A policy is in place and current (reviewed every two years) that demonstrates the college is in compliance with the Family Educational Rights and Privacy Act (FERPA).
- b) Training is mandatory for all new employees and ongoing training is available for all employees.

The interpretation is reasonable because it ensures compliance with legal requirements and is a required training for new employees.

EVIDENCE

- a) On 9/26/22 the Chief Academic and Student Service Officer confirmed that the Access to Student Information policy is current and accessible online. The date of last review was 10/5/2022.
- b) On 10/4/2022, the Director of Human Resources confirmed that all employees completed the electronic FERPA training via Vector Solutions for the current monitoring period and all 42 new employees in the current monitoring period completed FERPA training within their first 14 days of employment. Prior to

COVID-19 restrictions, lastly in December 2020, the Registrar also conducted in-person training for faculty at Fall faculty learning days. The Registrar is scheduled to provide in-person training once again for faculty on FERPA at the faculty learning days in January and August of 2023.

**3.1. Use forms or procedures that elicit information for which there is no clear necessity.**

INTERPRETATION

Compliance will be demonstrated when:

- a) No requests for data/information are approved without having a necessary reason to do so as outline in policy 2801 Access to Student Information policy.
- b) Internal forms that undergo content change are reviewed by respective committees.

The interpretation is reasonable because it ensures compliance with the Colleges policy, which meets legal requirements.

EVIDENCE

- a) On 9/26/22 the Chief Academic and Student Service Officer confirmed that any requests being made are checked against policy 2801 Access to Student Information policy.
- b) Minutes are kept for all integrity committees as a check and balance for action taken.

**3.2. Use methods of collecting, reviewing, storing or transmitting student information that inadequately protects against improper access to personal information.**

INTERPRETATION

Compliance will be demonstrated when:

- a) Student information is collected, stored and transmitted using methods that are consistent with FERPA standards for protecting against improper access. These practices are defined through policy 1614 Information Security.
- b) An annual external Information Technology Security audit is conducted every year.

The interpretation is reasonable because these standards are aligned with FERPA standards and that external audit provides transparency and helps systematically review the colleges policies and practices to identify any potential security issues.

EVIDENCE:

- a) The College's policy Information Security is current and available online. This policy provides detailed procedures and processes that are meant to protect College data

that is generated, accessed, transmitted and stored by the college. The College has implemented the use of IronBox which allows the college to send and receive sensitive data securely.

- b) On 10/4/22 the College's Comptroller confirmed that the annual external Information Technology Security audit for 2021 was completed and presented to the Audit Committee of the Board of Trustees on 10/11/2021. This practice has been in place since 2017.

#### **4. Permit admission, registration, evaluation, or recognition processes that treat students unfairly.**

##### INTERPRETATION

Compliance will be demonstrated when:

- a) There is an academic complaint process for incidents where students feel they have been unfairly graded with successive levels of complaint.
- b) The College offers a wide variety of recognition methods which celebrate our students' differences. These include the Kente Celebration, Ready Set Jet ceremony, academic achievement celebration, Phi Theta Kappa honors, outstanding student award, student excellence awards, and academic and athletics scholarships.

The interpretation is reasonable because it identifies intentional actions which are consistent with the philosophical foundation in College's Equity statement.

##### EVIDENCE:

- a) On 9/29/2022 the Operations Coordinator confirmed that an Academic Complaint process is in place and that the process is clearly outlined online for students.
- b) On 9/29/2022 the Operations Coordinator confirmed with the Chief Diversity Officer that the above-mentioned recognition methods are still active.

#### **5. Permit unfair, inconsistent or untimely handling of student complaints.**

##### INTERPRETATION

Compliance will be demonstrated when

- a) A timeline that is prescribed for non-academic and financial aid appeals is in place and these timelines are included in the respective forms.
- b) Regarding academic complaints, the faculty follow a process that is outlined online.

The interpretation is reasonable because timelines are provided for students.

##### EVIDENCE:

- a) On 9/26/2022, the Chief Academic and Student Services Officer confirmed that timelines are still included on non-academic and financial aid appeals.



- b) On 9/26/2022, the Chief Academic and Student Services Officer confirmed that the Academic Complaint process is online and includes timelines.

**5.1. Permit students to be without a process for registering a complaint or concern, including an appeal process, or to be uninformed of the process.**

INTERPRETATION

Compliance will be demonstrated when:

- a) College employs a fulltime Student Resolution Advocate whose identity and contact information are on the website and accessible by students.
- b) Academic Complaint, Financial Aid Appeal and Non-Academic Appeal forms are accessible online with timelines
- c) Student Appeals policy and processes are reviewed every two years.

The interpretation is reasonable because the practices and policies have been developed over time with experience and with reference to practices by other Colleges and are subject to a third-party audit that verifies their appropriateness.

EVIDENCE:

- a) On 9/28/2022 the Operations Coordinator confirmed that a fulltime Student Resolution Advocate is employed and that her contact information is online and easily accessed.
- b) On 9/28/2022 the Operations Coordinator confirmed that all the Academic Complaint, Financial Aid Appeal and Non-Academic Appeal forms are on the Ombudsman's webpage and that they all provide the student with a timeline.
- c) On 9/28/2022 the Operations Coordinator confirmed that the Student Appeals policy is online and has been reviewed within the last two years.

**6. Permit students to be uninformed of student rights and responsibilities, including expectations for student behavior, and the consequences of failure to adhere to the expectations.**

INTERPRETATION

Compliance will be demonstrated when:

- a) The Student Rights, Responsibilities and Code of Conduct Policy is accessible on website and reviewed every year.
- b) There is standardized communication to new students regarding the Student Rights, Responsibilities and Code of Conduct Policy

The interpretation is reasonable because it is based on best practices used by other institutions.

EVIDENCE:

- a) The Chief Academic and Student Services Officer confirmed on 10/5/2022 that Policy 2701 Student Rights, Responsibilities and Code of Conduct is posted on the website. <https://www.jccmi.edu/wp-content/uploads/2701.pdf> is current and has been reviewed within two years.
- b) At the time of acceptance, new students receive a link to the Student Rights, Responsibilities and Code of Conduct Policy.

## **7. Retaliate against any student for non-disruptive expression of dissent.**

### INTERPRETATION

Compliance will be demonstrated when:

- a) The college has a Demonstrations Policy in place and up to date that protects student free expression.

The interpretation is reasonable because it is consistent with federal law and interpreted by legal counsel as a practical application

### EVIDENCE:

- a) On 10/5/22, the Operations Coordinator confirmed that Policy 2612 Demonstrations is current and accessible online. This policy was last reviewed on 9/28/22.

## **8. Permit decisions affecting students to be taken without appropriate notification to students.**

### INTERPRETATION

Compliance will be demonstrated when:

- a) The College maintains Student Consumer Information as required by the Higher Education Opportunity Act of 2008 and notifies students three times per academic year that this information is available.
- b) The College maintains a Transparency Reporting Web page as required by the State of Michigan Public Act 62 of 2013.
- c) The College maintains multiple methods of communication to include a weekly announcement sent out to students and social media sites.

The interpretation is reasonable because it ensures the College meets state and national requirements and that communication methods are in place for notifying students.

### EVIDENCE:

- a) On 9/28/2022 the Operations Coordinator verified that the Student Consumer Information page is active and up to date.
- b) On 9/28/2022 the Operations Coordinator verified that the Transparency Reporting Web page is active and up to date.
- c) On 9/28/2022 the Operations Coordinator verified with the Director of Marketing that weekly announcements are sent to all enrolled students. Also verified is that

the College has active social media accounts with Facebook, Twitter, YouTube and Instagram.

The Jackson College Board of Trustees accepted this monitoring report as fully compliant at the regular Jackson College Board Meeting on October 10, 2022.