

Board of Trustees
Minutes of the Regular Meeting
Due to the current situation with COVID-19 and recommendation at the state level,
Board members will remote via video conference
March 24, 2020

CALL TO ORDER

Chair Johnson called the Regular Meeting of the Lake Michigan College Board of Trustees to order at 5:00 p.m.

ROLL CALL

Present: Paul Bergan, Jeff Curry, John Grover, Debra Johnson, Dr. Michael Lindley, Joan Smith, Mary Jo Tomasini

Absent:

SETTING OF THE AGENDA

The agenda stands as presented

APPROVAL OF MINUTES

Minutes of the February 5, 2019 Regular Board Meeting were approved as presented with a motion by Mr. Bergan supported by Mr. Curry.

VOICE VOTE

APPROVED

PETITIONS AND COMMUNICATIONS FROM THE FLOOR

None

PRESIDENT'S REPORT

Dr. Kubatzke gave an update on the state of the college with the Governor Whitmer's Executive Order to Stay a Home. All employees who are able, are working remotely from home. The College has identified essential personnel, who can enter the college, but must call public safety first so we know when/where there are on campus. Student Services continue to answer phone calls, emails, and are assisting students remotely. No employees are not getting paid at this time. No students or employees that we know of have tested positive.

We are working with Feed America to ensure adequate supplies are getting to our students. We are keeping students at Beckwith residence hall isolated and separated as much as possible.

The College donated all health science medical supplies to Lakeland and Bronson Hospitals.

OLD BUSINESS

Policies 2nd Read

HUMAN RESOURCES – CLASSIFIED STAFF INSTITUTIONAL DATA MANAGEMENT GENERAL EDUCATION REQUIREMENTS FOR GRADUATES STUDENT APPEAL COMMITTEE

Lake Michigan College Policy

HUMAN RESOURCES – CLASSIFIED STAFF

Office of Origin:	Human Resources
Responsibility:	Executive Director, Human Resources
Original Date Adopted:	07-29-82
Dates Reviewed:	12-11-17, 07-09-18, 02-05-20 DRAFT
Last Date Approved:	09-25-18, TBD

Lake Michigan College (the College) is an equal opportunity institution, as documented in the *Non-Discrimination* policy [[insert hyperlink](#)]. The College will comply with existing state and federal employment laws.

The College will administer employment of full- and part-time Classified Staff in accordance with this policy and any procedures related to Classified Staff. The College may at any time adopt new policies and procedures or amend those existing. Adoption or amendment will not become effective until such has been communicated to employees and published with the other policies/procedures.

APPLICABLE TO ALL CLASSIFIED STAFF

Classified Staff are non-exempt employees, in accordance with the Fair Labor Standards Act (FLSA). For the purposes of this document, the terms "Classified Staff" and "employees" are to be used interchangeably, and refer to those individuals employed by the College.

Appointment: Although appointment is for an indefinite term, Classified Staff are deemed at-will employees and either they or the College may terminate the employment relationship with or without cause or notice at any time.

Benefits Available to All Classified Staff:

- Michigan Public Schools Retirement System (MPSERS)

- Tuition Waiver: Refer to *Tuition Waiver - Faculty and Staff* policy [[insert hyperlink](#)]
- Mileage Reimbursement: Refer to *Mileage Reimbursement* policy [[insert hyperlink](#)]

Constitutional Rights: The Board of Trustees recognizes the right of any College employee to take or refrain from taking a stand on a political issue and to support or oppose any issue or candidate. Such activities, however, must be conducted on an individual's own time and off College premises. An individual must exercise reasonable care to show that he/she is acting in her/his capacity as a private citizen.

Discipline: The College will follow a system of progressive/corrective discipline. The supervisor and employee are encouraged to informally discuss the situation and/or performance problems before formal corrective steps become necessary.

- In normal circumstances, corrective steps, whether for related or unrelated infractions, will include written warning, followed by suspension with or without pay, and then termination.
- Discipline will be commensurate with the seriousness of the infraction; disciplinary steps may be repeated for less serious infractions or bypassed for more serious infractions.
- The immediate supervisor, in consultation with the department administrator and Human Resources (HR), will determine the seriousness of the action requiring discipline and determine the appropriate level of discipline.
- In determining the seriousness of an infraction, not only will the conduct of the employee be considered but also the consequences of the conduct to the College and its operations.
- The supervisor and HR may administer a Performance Improvement Plan (PIP) for the employee to support improved performance. Successful completion of a PIP does not guarantee continued employment.

Due Process: The due process provisions set forth here apply only to circumstances involving disciplinary suspension or termination of employment for reason of illness, disability or incapacity, or just cause.

Before employment is suspended or terminated, HR will provide the employee with a written notice of suspension or of intent to recommend termination of services. This notice will contain a statement of the reason(s) for the suspension or recommendation for termination in sufficient detail to enable the employee to be informed of the reasons and a

copy of the provisions for due process.

Within 5 working days of receipt of a notice of disciplinary suspension or intent to recommend termination of services, the employee may request a meeting with the Executive Director of HR or designee for discussion within 2 weeks. Failure to request a meeting within this time limit will be deemed a waiver of the right of a due process hearing, and the termination will be in effect as deemed appropriate by the supervisor and the executive administrator of the division, in consultation with Executive Director of HR. If upon meeting, the Executive Director of HR and the employee are unable to agree on the appropriateness of the termination, the employee may appeal to the President by submitting a written request for a meeting for discussion. The decision of the President will be final.

The College may terminate or suspend the services of an employee at any time where just cause exists for such termination or suspension. Just cause includes, by way of illustration but not limitation, unsatisfactory performance, gross insubordination, gross violation of College policies, procedures, rules or regulations, abandonment of duties, commission of crimes, or such other conduct as justifies the termination or suspension of employment.

Emergency Closures: Employees will be paid for scheduled work hours when the College has an Emergency Closure (e.g., closes due to emergencies such as weather conditions or other sudden, unexpected occurrences.) If the College closes for any reason and the employee is already at work, the employee will receive pay for the remainder of that day's work schedule.

Employee Responsibilities: The basic employment obligation of the Classified Staff is to assist in the implementation of the mission and goals of the College.

Employees may participate in College governance and long-range planning through membership in College committees and councils as assigned. All employees are expected to continually develop in professional growth and competence, and are encouraged to participate in service to the community. In addition to special assignments made by the supervisor, employees shall perform all duties and responsibilities as defined in the position job description.

Employment: Employment is for an indefinite term and may be terminated by the employee or the College, with or without cause, at any time. Classified Staff positions are considered "at will."

Illness or Disability: Refer to *Accessibility for Persons with Disabilities* policy [[insert hyperlink](#)].

The College may terminate employment if an employee is unable to satisfactorily perform or to resume her/his duties because of illness, disability or incapacity at the expiration of

any authorized medical leave of absence. Before employment is so terminated, a written notice of intent to terminate will be delivered to the employee, or to the guardian, spouse, or such other person as may be legally responsible for the employee. Upon receipt of such notice, the employee may request implementation of the provisions for due process set forth herein. No termination will become effective until completion of due process.

Jury Duty: An employee called and reporting for jury duty must use vacation pay or must remit the payment received from the court for jury duty service to the College when received.

Outside Employment: Refer to *Conflict of Interest Policy* [[insert hyperlink](#)].

Part-Time Faculty Arrangements: Refer to *Teaching by Staff* policy [[insert hyperlink](#)].

Personnel Records: There will be only one official personnel file for each employee, which will be maintained in HR. The employee has the right to review the contents of the personnel file, excluding letters of recommendation, with an appropriate administrator. Excluding authorized College personnel or agents, no third party will be permitted access to an employee personnel file without the written consent of the employee unless disclosure is ordered in a legal action or government claim.

Qualifications: HR possesses the right to judge the qualifications of employees and to determine the requirements for their hire, termination, transfer or assignment.

Administration will establish minimum qualifications for each job position and will publish the qualifications in job descriptions. Minimum qualifications will adhere to Higher Learning Commission guidelines, criteria, and assumed practices. Minimum qualifications may be amended or modified from time to time as approved by HR.

Participation in College Groups: With the approval of the supervisor, an employee may participate in College committees, taskforces, councils, and/or work groups and in College-approved volunteer opportunities occurring during regular College business hours (such as the Lake Michigan College Foundation Winner's Circle Auction and the Holiday Food Basket.) Employees will be paid for supervisor-approved participation in these activities.

Performance Review: Each employee will receive at least 1 performance appraisal annually by the supervisor, which will be maintained in the employee personnel file.

Reduction in Force: The College may terminate employment if it determines that a reduction in the workforce is necessary. In such case, the College will give written notice to the affected employee no less than 10 work days before the employee's services are to be terminated or will provide 2 weeks' pay in lieu of notice.

Resignation: Refer to *Resignation* policy [[insert hyperlink](#)].

Termination: If employment is terminated, the College will have no further obligations to the employee for salary or benefits from and after the date of termination subject to relevant statutes.

Vacancies: The Board of Trustees has delegated to the President or designee the sole authority to hire, transfer or reassign employees. All vacancies and new positions will be posted unless filled by reassignment or reorganization.

Temporary Military Leave: Leave will be granted to an employee called for temporary military duty according to Federal statutes.

Transfers: An employee may request a change in departmental assignment to another area within her/his competency by giving official written notice to her/his supervisor with a copy to the Executive Director of HR. A request does not guarantee approval of the transfer.

Vacation – Approval & Accumulation: Vacation must be approved in advance by the supervisor. Vacation is not cumulative, and is forfeited if not taken during the fiscal year earned or during the following fiscal year, up to a maximum of 20 days.

Vacation and Sick Leave – During Closure: If scheduled Vacation or Sick Leave (other than those on a continuous leave of absence) falls when the College has an Emergency Closure, the employee is not required to use Vacation or Sick Leave for that day or hours.

Vacation – Payout at Termination: Upon employee separation, unused vacation balance will be computed by subtracting the number of hours taken from that earned as prorated to the date of separation. The vacation balance will be paid out to the employee with the last payroll check if the employee has complied with the *Resignation* policy [[insert hyperlink](#)].

Wage Determination: The President or designee has the authority to offer wages, consistent with the College compensation philosophy and/or contractual obligations. The College may at any time develop and/or modify wage placement criteria and procedures, which will be published or disseminated among employees.

Work Locations: At the discretion of and with approval by supervisor, employee may work offsite (including at home) on an ad hoc, occasional basis.

APPLICABLE TO FULL-TIME CLASSIFIED STAFF

Full-time Classified Staff are Classified Staff employed for 30 or more hours per week for 40

or more weeks annually.

Compensation – College is Closed: Employees working during a Paid Holiday or Emergency Closure will be paid for hours actually worked in addition to emergency closure or holiday pay.

Compensations – Overtime: Employees who work over 40 hours per work week will be paid one-and-a-half times (1.5x) hourly base pay for the hours worked over 40. Work week is defined as Sunday through Saturday. Paid or unpaid leave hours are not considered as hours worked for overtime calculations (e.g., personal days, vacation time, sick leave, paid holidays, emergency closures, etc.)

Work Schedule: Employee work schedules are assigned by the supervisor in accordance with departmental and College needs. The work schedule will include a daily lunch time of 30 minutes or 1 hour, unpaid by the College, and two 15-minute paid breaks, paid by the College.

Benefits Specific to Full-Time Classified Staff:

- **Bereavement Leave:** Paid Bereavement Leave will be granted as follows upon the death of employee's family. Bereavement Leave will be granted for workdays falling within the period generally taken from the time of a death.

Immediate family member (current spouse/partner, child, stepchild, parent, parent-in-law, other relative residing in immediate household): up to 5 days

Brother, sister, grandparent, grandchild: 3 days

Grandparent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, niece, nephew: 1 day

Extenuating circumstances warranting use of Bereavement Leave over an extended period may be approved at the discretion of the supervisor in conjunction with the Executive Director of HR.

Extenuating circumstances warranting more than the days above may be approved at the discretion of the supervisor in conjunction with the Executive Director of HR, and would be subtracted from the employee's Sick Leave.

- **Classes During Work Schedule:** With supervisor approval, an employee may take 1 College class a semester during her/his work schedule up to 3 contact hours per week.

- **Holidays:** The College will close to recognize the following Paid Holidays, either on the actual holiday or on alternate week day near the holiday. The Paid Holiday dates will be announced at the beginning of each fiscal year. If the Paid Holiday falls on a date that the employee would have normally been scheduled to work, the employee will receive regular rate wages for the schedule that the employee would have normally worked on the Paid Holiday. This will not apply to employees on a continuous leave of absence.
 - Friday before Easter (date varies; 1 Paid Holiday)
 - Memorial Day (date varies; 1 Paid Holiday)
 - Independence Day (July 4; 1 Paid Holiday on or near July 4, as set by the College)
 - Labor Day (date varies, 1 Paid Holiday)
 - Wednesday before Thanksgiving, Thanksgiving Day, and the Friday following Thanksgiving Day (dates vary; 3 Paid Holidays)
 - Christmas Eve at 12pm through New Year's Day (December 24 at 12pm through January 1; number of Paid Holiday days will vary depending on where the dates fall on the calendar in relation to weekdays and weekends)
 - Any other days(s) announced by the College as additional holiday(s)

- **Insurance:** The College will offer insurance to full-time employees and eligible dependents (as applicable.) The employee cost of insurance and types of coverages offered will be determined by the College in compliance with federal and state law.

- **Personal Days:** Each year, 3 paid Personal Days will be granted for personal business. Personal Days are not cumulative and will be forfeited if not taken in the fiscal year earned. Personal Days are granted on a pro-rated basis upon hire and then annually on July 1.

- **Professional Development:** Paid Professional Development time may be granted with supervisor approval to attend conferences and participate in other development activities.

- **Sick Leave:** Full-Time Classified Employees will earn 3.69 Sick Leave hours per pay, and may accumulate up to 960 hours. Employees working less than 80 hours per pay period and employees working a reduced contract schedule will earn a pro-rated amount. The College may, at its discretion, require an employee to submit competent medical verification of any use of paid Sick Leave after 12 working days of absences.

- **Vacation:** Vacation begins accruing on date of hire. Beginning with the first payroll in July 2020, full-time Classified Staff will earn 6.16 hours per pay period, unless grandfathered in under prior policies. Until the first payroll in July 2020 (and

assuming not grandfathered in under prior policies), full-time classified staff will continue to earn vacation based on her/his years of service, as follows:

1st year through 4th year	10 days
5th year through 9th year	15 days
10th year on	20 days

Full-time employees working less than 40 hours per week or working a reduced contract schedule will receive a prorated vacation benefit based on the hours worked compared to a full-time schedule.

APPLICABLE TO PART-TIME CLASSIFIED STAFF

Part-time Classified Staff are Classified Staff employed for 29 or fewer hours per week.

Compensation – Holidays: Part-time Classified Staff will not be compensated for Paid Holidays unless actually working during a Paid Holiday. If a Part-time Classified Employee works during a Paid Holiday, the employee will be paid at her/his current rate of pay for hours actually worked.

Work Schedule: Employee work schedules are assigned by the supervisor in accordance with departmental and College needs. The work schedule is not required to include a lunch break or any 15-minute breaks unless the employee is under 18 years of age.

Benefits Specific to Part-Time Classified Staff:

- **Sick Leave:** Part-Time Classified Employees will earn a prorated amount of 3.69 Sick Leave hours per pay period based on the percentage of full-time schedule worked, with an accumulation up to 960 hours. The College may, at its discretion, require an employee to submit competent medical verification of any use of paid Sick Leave after 12 calendar days of absences.
- **Vacation:** Vacation begins accruing on the date of hire. Part-time Classified Staff will earn a pro-rated amount of up to 6.16 hours per pay period, based upon actual hours worked.

References: Accessibility for Persons with Disabilities policy [[insert hyperlink](#)]

Conflict of Interest policy [[insert hyperlink](#)]

Mileage Reimbursement policy [[insert hyperlink](#)]

Resignation policy [[insert hyperlink](#)]

Teaching by Staff policy [[insert hyperlink](#)]

Tuition Waiver - Faculty and Staff policy [[insert hyperlink](#)]

INSTITUTIONAL DATA MANAGEMENT

Office of Origin: Institutional Research
Date Adopted: 10-22-2013
Date Reviewed: 9-18-2018
Last Date Modified & Approved: 02-25-2020

Institutional data is defined as all data created, collected, maintained, recorded or managed by Lake Michigan College (the College). The College collects institutional data for multiple purposes, including data used for planning, managing, operating, controlling, or auditing College functions, and compliance reporting. Institutional data also includes research data that contains personally identifiable subject information and proprietary College information and trade secrets.

Institutional data is an **organizational asset** and therefore owned and managed by the College. The Data Management Policy and accompanying procedures articulates the protection of the College's institutional data from accidental or intentional unauthorized access, damage, alteration or disclosure while preserving the ability of authorized users to access and use institutional data for appropriate purposes and setting guidelines for publishing and reporting institutional data.

Policy Statements:

- 1) College administration is responsible for identifying authorized users and may limit the distribution of institutional data at its discretion.
- 2) The College will establish appropriate procedures to collect, maintain, and protect institutional data. These procedures are intended to protect the privacy of its students, faculty, staff, and patrons to the greatest extent possible, as well as to advance the mission of the College using institutional data.
- 3) College employees working with or using institutional data in any manner must comply with all federal, Michigan, and other applicable laws. Examples include the federal [Family Education Rights and Privacy Act \(FERPA\)](#), the [Health Insurance Portability and Accountability Act \(HIPAA\)](#), and the [college's policy on Acceptable Use of Technology Resources](#).
- 4) College employees are responsible for ascertaining, understanding, and complying with all laws, rules, policies, standards, contracts and licenses applicable to their own and their subordinates' specific uses of institutional data.
- 5) All published findings or hypothesis shared with outside organizations, not including federal or state agencies, must be approved in advance by the Institutional Review Board.

- 6) Data will at all times be used in an ethical manner that represents the best interest of the students, employees, and the mission of the College.
- 7) All institutional data must be managed and maintained in accordance with the College's Records Retention policy.
- 8) All requests for institutional data received under the Freedom of Information Act must be directed to the legal representative for the college.

Data User Roles:

College employees authorized to use institutional data must understand and fulfill the responsibilities associated with their assigned level of access to institutional data, including a signed copy of all relevant forms (FERPA, Confidentiality Agreement) in the employees' records. These responsibilities are assigned roles as follows:

- a) **Data Trustee:** a senior College administrator with management and policy responsibilities.
- b) **Data Steward:** a College employee with direct operational responsibility for the collection, storage, retrieval, and protection of any type of institutional data.
- c) **Data Custodian:** a College unit or employee responsible for the operation and management of systems and servers which collect, manage, and provide access to institutional data.
- d) **Data User:** a College unit, employee, or student using institutional data in the authorized conduct of College business.

Within one year of the date of approval of this policy, all employees will be designated by the Data User Roles system. A list of all employee data user roles, as defined above, will be assigned by the Office of Information Technologies, and maintained by the Office of Human Resources. All new positions created after the date of approval of this policy must have a Data User Role assigned prior to hire.

Data Use Classifications:

The College's institutional data is classified as one of the following categories below. Membership to a Data Use Classification category are assigned by the College's Data Security Management Team and approved by the President.

- a) **Public-** Data intended for broad distribution in support of the College's mission and/or freely available to any person or organization with no restrictions. Examples include aggregated data available on the public website and reported to state and federal agencies, e.g. IPEDS, VFA, STARR.
- b) **Limited Access-** Data available without restriction for College use, but whose integrity must be carefully maintained. Examples include anonymous data collected

via surveys, focus groups, interviews, or data used interdepartmentally where data is sanitized of any restricted information.

- c) **Restricted**- Data that is limited to College operations, protected or regulated by law. Restricted data must be shared using secure protocols such as an internal restricted shared drives or encrypted data files. Examples include but are not limited to: personal identifying information such as social security numbers, credit card numbers, personally identifiable healthcare data and student records, proprietary information, trade secrets, and any confidential information on surveys or interviews.

All data roles are responsible for classifying institutional data under their stewardship and managing it accordingly. This responsibility includes assessing the level of security required for confidential or sensitive information, controlling access to data appropriately, and informing those under their supervision or their responsibility to protect data to which individual employees are authorized to view, access, maintain, or distribute such.

Restricted Data Requirements:

While all institutional data should be protected, restricted data must be given the utmost protection. To help ensure this, at a minimum, restricted data must be:

- a) Stored and shared on a LMC protected internal drive or intranet site, e.g. SharePoint, MS Teams, etc.
- b) Encrypted if stored or used on portable devices issued by the College, if removed from a College location, or if electronically transmitted. See LMC Data Security Policy
- c) Never stored on a personally-owned computer or storage device.
- d) Never stored or used by a non-employee without non-disclosure agreement to provide appropriate protection to the same standards used by the College.

Breaches, losses, or unauthorized exposures of restricted data must be immediately reported to the IT.

Other Data Requirements:

Data Trustees, Data Stewards, Data Custodians, or specific College units may have additional policies covering institutional data within their areas of operational or administrative control. Consult your supervisor, unit management, or the appropriate data trustee, data steward, or data custodian if further information is needed.

College employees must report actual or suspected criminal activity associated with any institutional data to the HR and IT for action and coordination, if required, with law enforcement agencies. In a perceived emergency situation, College administration may take immediate steps, including denial of access to the College's network and institutional data as well as seizure and quarantine of College-owned data processing and storage

assets, to ensure the integrity of College data and systems and to protect the College from liability.

Enforcement:

College employees or non-employees acting on behalf of the College who violate this policy may be denied access to institutional data and may be subject to other penalties and disciplinary actions, up to and including termination.

Responsibility: Executive Director, Institutional Research

References: Acceptable Use for Technology Resources; Conflict of Interest – Employee; External Agencies – Compliance with Requirements; Family Education Rights to Privacy Act (FERPA) Compliance: Student Information; Freedom of Information Act and Guidelines; Health Insurance Portability and Accountability Act (HIPAA); Identity Theft Prevention and Red Flag Rules; Protection of Human Subjects in Research; Record Retention; Social Security Number; Student Records Retention and Disposal

GENERAL EDUCATION REQUIREMENTS FOR GRADUATES

Office of Origin:	Academic Services Affairs
Date Adopted:	11-22-05
Last Date Modified & Approved:	08-30-16, 01-16-2020, 02-25-2020
Approved by College Curriculum Committee:	07-27-16, 01-24-20

~~Policy Statement:~~

The General Education requirements for graduates of Lake Michigan College are as follows:

AA, AS, and ABA Degrees*

- 2 courses in English/Communications
 - o Must take ENGL 101 - AND - ENGL 102 or COMM 101
- 1 course in Mathematics
- 2 courses in Natural Sciences (from at least two academic disciplines; all LMC science courses have the required laboratory experience)
- 2 courses in Social Sciences (from at least two academic disciplines)
 - o ~~Must take POSC 101 or 102 or HIST 201 or 202~~
 - o ~~2nd course must be from a different discipline~~
- 2 courses in Humanities/Fine Arts (from at least two academic disciplines, excluding studio and performance classes)
 - ~~Must take PHED 200 or 212 or 214~~

AAS and AGS Degrees*

- 2 courses in English/Communications
 - o Must take ENGL 101 - AND - ENGL 102 or ENGL 103 or COMM 101
- 1 course in Mathematics
- 1 course in Natural Sciences
- 1 course in Social Sciences
- 1 course in Humanities/Fine Arts

*Courses taken to fulfill General Education requirements must be at the 100 level and above. Transitional Studies courses do not fulfill General Education requirements.

Responsibility: ~~Provost and~~ Vice President of Academic ~~Services~~ Affairs

References:

STUDENT APPEAL COMMITTEE

Office of Origin:	Student Services
Responsibility:	Executive Dean, Student Services Dean, Student Affairs Original
Date Adopted:	01-28-86
Dates Reviewed:	06-26-07
Last Date Approved:	10-24-08

1.I. Jurisdiction — The Student Appeal Committee shall hear and determine appeals in the following situations: Student-, faculty-, or staff-generated complaints concerning student conduct excluding grades and complaints covered under the Student Complaint – Academic policy. **The decision of the Student Appeals Committee is final.**

2.II. Composition — The Student Appeal Committee shall consist of two (2) students ~~from the Student Senate~~, two (2) faculty ~~one from each~~ outside of the division*, ~~or staff outside the department and the opposite Divisional Executive Dean~~, two (2) administrators outside of the division and one (1) classified staff. The Director of Intercollegiate Athletics will chair and facilitate the Student Appeal Committee and is a non-voting member. ~~The Student Senate, Divisions and Departments~~ **The student body, Division and Departments** will annually create a pool of participants from which to draw committee members. * Division refers to that of the faculty referenced in the complaint.

3. Ombudsperson — ~~any full-time staff and/or faculty member can serve as the Lake Michigan College ombudsperson and is appointed by the Dean of Student Affairs. The ombudsperson's primary duty is to assist students in resolving complaints or disputes within the college. The ombudsperson also helps staff members, instructors, and administrators sort through college rules and regulations that might apply to specific issues and concerns. The ombudsperson carries out these duties in a neutral, confidential, informal and independent manner.~~

~~The current Benton Harbor Campus ombudsperson is the Director of Advising, (269) 927-8185.~~

~~The Niles-Bertrand Crossing Campus ombudsperson is the Student Support Advisor/Manager, (269) 695-2988.~~

~~The South Haven campus ombudsperson is the Director of the Campus and can be reached at (269) 637-7500.~~

~~Following a request for assistance, the ombudsperson will take one or more of the following actions: (1) listen carefully to the concern, (2) explain relevant student rights and responsibilities, (3) review relevant college policies or regulations, (4) suggest fair and equitable options, 5) refer the individual to an appropriate college or community~~

resource, or (6) investigate, when necessary. The ombudsperson is available to all parties involved in Student Appeals Committee hearings, the final step in an effort to resolve a dispute.

NOTE: The ombudsperson is not an advocate for any group on campus; instead the ombudsperson is an advocate for fairness and be an information resource. The ombudsperson also does not provide legal service, represent students or faculty at academic grievance or disciplinary hearings or mediate disputes between or among faculty or between faculty and administrators. The office of the ombudsperson does not accept formal complaints or notice for the college. Members of the LMC community may contact the ombudsperson in person or by e-mail. At any point in the process, the student, faculty, or staff may enlist the assistance of the LMC ombudsperson for procedural assistance. Any informal records that are generated will be kept on file by the ombudsperson. The above procedure excludes issues covered under the Student Complaint – Academic policy as well as those related to sexual harassment, civil rights, Title IX, and disability concerns. Complaint procedures for these areas can be found in the college Policies section of the college catalog or directed to the Executive Director of Human Resources at (269) 927-8102. Any questions regarding your rights under Section 504 should be directed to the Student Outreach and Support Services office at (269) 927-8866.

References: College Handbook

Rationale: In the absence of recorded history, records do not reflect the active implementation of a Student Appeal Board since approval in 1986; moreover, current climate requires a judicial process based on the assumption that disciplinary procedures, when required, should be an educational process. To that end students at Lake Michigan College have rights and responsibilities as members of the community to participate actively in the judicial process. The general conduct of the community on campus and resolution of conflicts among members requires procedures of due process.

ACTION: The College administration requested that the Board of Trustees approve the above policies as presented.

MOTION by Ms. Tomasini with support by Mr. Bergan to approve the policy revisions as presented.

ROLL CALL VOTE

Yeas: Paul Bergan, Jeff Curry, John Grover, Debra Johnson, Michael Lindley, Joan Smith, Mary Jo Tomasini

Nays: None

Absent: None

APPROVED

NEW BUSINESS

LINE OF CREDIT

Lake Michigan College (the College) is anticipating that the COVID-19 virus pandemic will financially affect the College. Although the College is currently on solid financial footing – and maintains cash reserves as required by the Financial Reserves policy – the uncertainty around the longevity of COVID-19 and significance of the financial effects have resulted in a desire to expand funding options in the short term to address a variety of contingencies.

Accordingly, the College would like to issue a Request for Proposal to various financial institutions to establish a short-term (less than one year) line of credit for up to \$3,000,000.

ACTION:

It was recommended that the Board of Trustees approve the attached resolution authorizing the Chief Financial Officer to establish a line of credit in an amount up to \$3,000,000 with such financial institution and upon such terms and conditions as the Chief Financial Officer deem are in the best interest of the College.

DISCUSSION

Dr. Kubatzke stated that there is no cash emergency at this time and we're not anticipating one. It was noted that the Board would be brought into the decision prior to utilizing.

At the state level, colleges have been informed that there will be drastic budget cuts, and the future is unknown at this time. The college don't know what the fall will bring, and it's important to stay sound and keep the doors open for the community.

The line of credit will be for one year from date opened. If the trustees approve, the line will not be opened until the college needs to do a draw. It was noted that the college hasn't had the need for a line of credit in the last nine years because we cash flow appropriately year to year.

Ms. Smith commented that it's a great move.

MOTION by Mr. Bergan with support by Ms. Tomasini to approve the resolution authorizing the Chief Financial Officer to establish a line of credit in an amount up to \$3,000,000 with such financial institution and upon such terms and conditions as the Chief Financial Officer deem are in the best interest of the College.

ROLL CALL VOTE

Yeas: Paul Bergan, John Grover, Debra Johnson,
Michael Lindley, Joan Smith, Mary Jo
Tomasini, Jeff Curry

Nays: None

Absent:

APPROVED

FISCAL YEAR 2020-21 TUITION & FEE SCHEDULE

The fiscal year 2020-21 tuition and fee schedule has been presented for consideration at tonight's meeting.

ACTION:

It was recommended that the Lake Michigan College Board of Trustees approve the fiscal year 2020-21 tuition and fee schedule as presented.

Discussion:

Ms. Tomasini stated that she understands that a month ago this may have been the right decision, however given where we are right now [with COVID-19 pandemic], we may need to pull back and do something else. Any kind of price increase may not set well with our constituents. Dr. Kubatzke stated that we don't know what the fall semester will look like and we need to pivot at this point. Ms. Smith commented that it is well within our business to pull it back if we have to.

Mr. Bergan stated that the college needs to have the tuition costs out now so when the college publishes documents, students will know how much it's going to cost. Dr. Kubatzke also stated that tuition costs affect registration and financial aid.

Ms. Smith asked if once the trustees approve, would they have an opportunity change it.

Mr. Grover asked what the mechanism is if we decide to roll back the increase?
 Ms. Johnson asked how to allow for a caveat that we look at this again next month? Dr. Kubatzke answered that the college's executive leadership team is meeting daily and discussing. Passing the tuition rates now allows us to get our business and financial aid completed. When we award students, we have to have the actual cost of attendance.

Dr. Kubatzke stated that the Board can take it up any time as an action item and change the tuition.

Ms. Hahn stated that the college will continue to have operating costs that will not remain static. If we don't have revenue, we will have to look at cost cutting efforts. The MPSERS rates will continue to go up, as well as the union contractual costs with faculty and facilities, and health care costs. We've kept the increase at the bare minimum.

Lake Michigan College Tuition & Fees -- FY21

Tuition:	
In District	\$ 158.75
Out of District	\$ 224.75
International	\$ 309.25
Middle College	\$ 158.75
Direct Credit - In District	\$ 54.25
Direct Credit - Out of District	\$ 76.00

Fees:	
Academic	\$ -
Facility	\$ -
Technology	\$ -
Student Activity	\$ -
Student Senate Campus Fund	\$ -
Direct Credit Technology	\$ -
Waiver Fee	\$ 52.00

TOTAL Tuition + Fees:	
In District	\$ 158.75
Out of District	\$ 224.75
International	\$ 309.25

Middle College	\$	158.75
Direct Credit - In District	\$	54.25
Direct Credit - Out of District	\$	76.00
Waivers	\$	52.00

A - Baccalaureate program discontinued

MOTION by Ms. Smith, with support by Mr. Bergan to approve the fiscal year 2020-21 tuition and fee schedule as presented.

ROLL CALL VOTE

Yeas: Paul Bergan, John Grover, Debra Johnson,
Michael Lindley, Joan Smith, Mary Jo
Tomasini, Jeff Curry

Nays: None

Absent: None

BERNARD C. RADDE DISTINGUISHED SERVICE AWARD

The Bernard C. Radde Distinguished Service Award is named in honor of the late Dr. Bernard C. Radde, who served as a member of the Lake Michigan College Board of Trustees for twenty-five years. It is presented annually to an individual or individuals who have advanced the cause of Lake Michigan College and higher education. Tonight Board Chair Johnson will announce the recipient of the 2019 Bernard C. Radde Award.

The Board of Trustees announced the recipient of the 2019 Bernard C. Radde award is the honorable Mr. Edward Todd.

COVID-19 DISCUSSION:

Dr. Kubatzke stated there could be a policy based on Governor Whitmer’s executive order (EO) to adopt social distancing practicing and measures, and this could possibly require another meeting for the board to approve.

Dr. Lindley asked if the contactors are able to continue working. Dr. Kubatzke responded that Ms. Anne Erdman is working with the state as well as Mr. Mike Krombeen, Midwest Strategies who is working with information in Lansing.

ADJOURNMENT

MOTION by Mr. Bergan to adjourn the Regular Meeting of the Lake Michigan College Board of Trustees at 5:36 p.m.



Debra Johnson, Board Chair
Lake Michigan College Board of Trustees



Joan Smith, Board Secretary
Lake Michigan College Board of Trustees