

Board of Trustees  
Minutes of the Regular Meeting  
[Virtual Meeting](#)  
Meeting ID: 991 7428 4550  
Passcode: 342876  
October 27, 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. Ms. Johnson opened the meeting with the Pledge of Allegiance.

**ROLL CALL**

On October 16, 2020, Governor Whitmer signed into law Senate Bill 1108 (Theis), now Public Act 228 of 2020, the following rules hold for public meetings:

The act makes clear that it covers hybrid meetings where participation may be both online and in person, as well as totally virtual meetings.

The allowance for virtual meetings is retroactive to March 18, 2020 and continues through the end of this calendar year.

For each member of the public body attending a meeting remotely, a public announcement that the member is attending the meeting remotely. If the remote attending is for a purpose other than for military duty, the member's announcement must identify the member's physical location from which he or she is attending the meeting remotely.

Present: Paul Bergan-Eau Claire MI, Jeff Curry-Reunion Florida, John Grover-Royalton Township, MI, Debra Johnson-St. Joseph MI, Dr. Michael Lindley-New Buffalo MI, Joan Smith, Sodus MI, Mary Jo Tomasini-Stevensville MI,

Absent:

**SETTING OF THE AGENDA**

The agenda stands as presented.

**APPROVAL OF MINUTES**

Minutes of the September 28, 2020 Regular Board Meeting and October 7, 2020 Special Board Meeting were approved as presented with a motion by Mr. Bergan supported by Mr. Curry.

**PETITIONS AND COMMUNICATIONS FROM THE FLOOR**

None

**PRESIDENT'S REPORT**

## **Academic Affairs**

Dr. Leslie Kellogg introduced Mr. Jeremy Burleson, Director of Regional Campuses who gave an update on campus life. Mr. Burleson thanked all of his staff at both campuses for the hard work they have been doing. He shared information on the check the College received from the South Haven Rotary Club, and reported that the Niles campus had their first trucking class.

Mr. Burleson introduced LMC student Ms. Paige Worley who shared her experiences as a student and the struggles she went through while trying to get her education while also being a parent. She stated how she sincerely appreciates all Lake Michigan College offers, and how the College impacts students, their children and their children's children. She expressed how much Lake Michigan College means to her.

## **PRESIDENT'S REPORT**

### **Student Affairs**

Mr. Nygil Likely gave an update on fall enrollment and the positive outlook for spring. He stated the College is reviewing the on-boarding process and listening to community feedback to ensure there are no barriers as students try to access the College. He also expressed the seriousness the College is taking with COVID safety protocols around campus.

Mr. Likely reported on the Future for Frontliners programs and the 186 fully eligible approved applications that award students free tuition at the College.

## **OLD BUSINESS**

### **POLICY REVISIONS**

The following policy revisions were presented to the Board of Trustees for a 2nd read and approval.

- Acceptable Use for Technology Resources
- Bank Accounts
- Email-Employees (delete)
- Investment

### **ACTION:**

College Administration recommended that the Board of Trustees approve the following revisions at today's meeting.

## **ACCEPTABLE USE OF TECHNOLOGY**

Office of Origin: Information Technologies

Responsibility: Director, IT Operations and Director, Enterprise Solutions  
Original Date Adopted: 02-20-96  
Dates Reviewed: 01-15-12, 06-28-18, 08-19-20  
Last Date Approved: ~~01-15-12~~ 10-27-20

All Lake Michigan College (LMC) employees, contractors, students, and guests (“users”) who have any form of access to technology resources that reside at any LMC facility or that attach to any LMC network or a cloud system that hosts LMC data (collectively, “technology”) are subject to this policy. Technology includes, but is not limited to, computer systems, email, internet, wireless/wired networks, network access, hardware, and software.

Use of LMC technology is a privilege, not a right, and must fall within the acceptable use in this policy. LMC has the right to monitor use of its technology, including internet use, sites visited, programs used, and electronic communications made. Monitoring may be conducted without notice. There should be no expectation of privacy when using LMC technology, including LMC email.

Users are responsible for all activities conducted with their LMC ID as well as any other individual credential.

Nothing in this policy precludes separate conditions of use from being implemented for individual technologies. Such conditions would be deemed to supplement, rather than replace, this policy.

In general, acceptable use is defined as use that is:

- legal
- ethical
- respects intellectual property rights
- maintains an individual’s right to privacy
- free from intimidation and harassment
- reflects academic honesty, and
- shows restraint in consumption of network resources.

The following are specifically prohibited using LMC technology:

1. Use of security access privileges for anything other than fulfilling job duties
2. Violating federal, state, and local laws/statutes
3. Engaging in libelous or slanderous activities
4. Violating privacy by sharing personal, confidential, or private information without an individual’s permission
5. Transmitting personal identifying information (e.g., social security or credit card numbers)
6. Altering, dismantling, or disfiguring messages to hide or disguise originator of the message

7. Use of a false identity, including representing someone else or completing work using the identity of another individual in an unauthorized manner
8. Using another person's ID or log-in information
9. Seeking to gain unauthorized access to technology or data
10. Sharing ID or account numbers, passwords ([Passwords](#) policy), or other protected information
11. Political campaigning
12. Advertising not related to LMC
13. Conducting personal business during paid working hours, other than during paid work breaks
14. Installing or using programs (software, freeware, shareware, games, etc.) unless approved by IT, including demo/evaluation
15. Installing LMC software on personal devices unless licensing agreement permits such use
16. Violating copyright laws, such as copying software if not the registered owner or illegally sharing or using copyrighted software or digital content.
17. Engaging in activities or using any equipment that may damage or disrupt technology or may transmit LMC network communication (e.g., creating or spreading viruses, malware, or ransomware; misuse of resources; overloading a network with excessive data requests)
18. Sending or making accessible actively aggressive, attacking, or harassing material
19. Sending unsolicited or mass messages (i.e., spam)
20. Using technology to obtain, view or disseminate pornography
21. Transmitting or making accessible any content that discriminates against any protected classification (see [Non-Discrimination](#) policy)

### **Email**

All employees and contractors acting on behalf of the College must use a College email account for conducting College business. All College email communications should be conducted solely using College email and not personal email accounts. In addition, College email is to be used for College business, and should not generally be used for personal matters.

Users should exercise extreme caution in using email to communicate confidential or sensitive matters, and should not expect that email is confidential. Confidential or sensitive information must not be shared outside of the College via email, without authorization, at any time.

All email correspondence conducted using College technology is part of the College email system and property of the College. In instances of alleged violation of College policies or procedures email messages may be retrieved and reviewed by administration.

### **Violation of Policy**

LMC may revoke user access any time this policy appears to have been violated until the investigative process is completed and resolution reached. Violation of this policy is subject to disciplinary procedures, up to and including suspension, discharge, dismissal, termination, expulsion, and/or legal action.

**References:**

- [Accessing E-mail Without Prior User Authorization](#) procedure
- [IT Governance](#) policy
- [Non-Discrimination](#) policy
- [Passwords](#) policy

**BANK ACCOUNTS – CORPORATE AUTHORIZATION RESOLUTION**

Office of Origin:	Finance
Responsibility:	Chief Financial Officer
Original Date Adopted:	06-23-09
Dates Reviewed:	01-15-12, 12-11-17
Last Date Approved:	<del>12-11-17</del> , 10-27-20 [next board meeting]

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The Lake Michigan College (College) Board of Trustees (Board) Chair and Secretary as well as the College President and Chief Financial Officer (CFO) are delegated by the Board with the authority to:

- Open an account in a **commercial** bank or any other financial organization and depositing College funds.
- ~~Open or~~ close **any depository** accounts ~~of the College's~~.
- Enter into written agreements on behalf and in the name of the College for merchant services agreements, remote check capture agreements, ~~or~~ electronic banking services,
- ~~Enter into written agreements for renting, maintaining, accessing, and/or terminating a~~ safe deposit boxes, ~~or~~ night drop depository boxes ~~and the like~~.
- Signing a *Corporate Authorization Resolution* on behalf of the College and Board.
- Determining authority levels to endorse checks and ~~orders for other~~ payments ~~of~~ money, approve **business** credit/debit card access devices, or otherwise withdraw or transfer funds on deposit with a bank.

Two signatures are required to transact each of the above authorized actions.

All account names must begin with "Lake Michigan College."

~~Copies of all signature cards will be maintained by the Director of Finance.~~

***This should be in the debt policy:***

~~The CFO does not have authority, without a written resolution approved by the Board, to:~~

- ~~• Sign, execute, or deliver promissory or other evidences of indebtedness to borrow money on behalf of or in the name of the College.~~
- ~~• Endorse, assign, transfer, mortgage or pledge accounts receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the College as security for sums borrowed, or to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.~~

**E-MAIL – EMPLOYEES Delete – Language Incorporated Into The Acceptable Use Of Technology Policy**

Office of Origin: Information Technologies  
Original Date Adopted: 04-24-01  
Dates Reviewed: 01-15-12, 07-18-18  
Last Date Modified & Approved: 08-28-18

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All employees will receive and must use a Lake Michigan College (the College) email account. All College email communications should be conducted solely using College email and not personal email accounts. College email is to be used for College business, and should not generally be used for personal matters.

Users should exercise extreme caution in using email to communicate confidential or sensitive matters, and should not expect that email is restricted or confidential. Confidential or sensitive information must not be shared outside of the College via email, without authorization, at any time.

All email correspondence conducted using College resources is part of the College email system and property of the College. In instances of alleged violation of College policies or procedures e-mail messages may be retrieved and reviewed by College administration.

The following uses of College email are prohibited and are subject to disciplinary action, up to and including termination:

- to transmit personal identifying information such as social security numbers, credit card data or other sensitive data,
- to transmit or make accessible actively aggressive, attacking, pornographic or harassing content
- to transmit or make accessible any content that discriminates against any protected classification as defined in the College's *Non-Discrimination* policy,

- for private business, product advertisement or political lobbying,
- to alter, dismantle, or disfigure messages to hide or disguise originator of the message,
- for copyright infringement, and
- for sending unsolicited messages (SPAM) or mass emails.

**Responsibility:** Chief Financial Officer

**References:** Acceptable Use for Technology Resources policy; E-Mail – Students policy; Non-Discrimination policy

## **INVESTMENTS**

Office of Origin: Finance  
 Responsibility: Chief Financial Officer  
 Original Date Adopted: 05-22-01  
 Dates Reviewed: 01-15-12, 11-20-17, 08-26-20  
 Last Date ~~Modified &~~ Approved: ~~11-20-17~~, 09-22-20 [board meeting]

~~It is the policy of~~ Lake Michigan College (the College) ~~Board of Trustees (the Board) to will~~ invest ~~College~~ funds in a manner that will comply with state ~~and federal~~ statutes governing the investment of public funds while providing the highest investment return ~~with maximum security~~ and meeting the ~~daily~~ cash flow needs of the College.

This policy applies to ~~all financial assets of the~~ College ~~investments~~ but excludes ~~assets those~~ of the Lake Michigan College Foundation.

~~The financial assets of the College are accounted for in various funds of the College, including the general fund, debt service fund, building and site fund, trust and agency fund, and any other funds established by the College. Investment income will be allocated to the various funds based on their respective participation and in accordance with Generally Accepted Accounting Principles.~~

~~The primary objectives of College banking and investment activities, in order of priority, are:~~

- ~~1. Safety – Investments will be undertaken in a manner that seeks to first and foremost ensure the safety of the principal and the preservation of capital in the overall portfolio.~~
- ~~2. Diversification – Investments will be diversified by security type, financial institution, and maturity in order to reduce portfolio and market risks.~~
- ~~3. Liquidity – The investment portfolio will remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.~~

~~4. Return on Investment – The investment portfolio will be designed with the objective of obtaining a rate of return throughout the budgetary and business cycles, taking into account risk constraints and cash flow characteristics of the portfolio.~~

~~Daily management responsibility for the investment program is delegated to the Chief Financial Officer and her/his designees.~~

### **Permissible Investments**

The College will comply with section 389.142 of the Michigan Community College Act of 1966 No. 331, as amended. ~~The College will comply with and~~ the Divestment from Terror Act of 2008; ~~see Appendix B.~~

~~The College will not commingle money for the purpose of making an investment authorized by this section. All earnings on an investment will become a part of the fund for which the investment was made.~~

**References:** Michigan Community College Act No. 331, as amended  
Divestment from Terror Act of 2008

### **Appendix A: COMMUNITY COLLEGE ACT OF 1966 (EXCERPT) - Act 331 of 1966**

389.142 Investment of funds; restrictions; commingling prohibited; disposition of earnings; limitation on investment or deposit of funds; compliance with divestment from terror act; definitions.

(1) Subject to subsections (3) and (4), the treasurer of a community college district, if authorized by resolution of the board of trustees, may invest debt retirement funds, building and site funds, building and site sinking funds, or general funds of the district, but investment is restricted to the following:

(a) Bonds, bills, or notes of the United States, or of an agency or instrumentality of the United States.

(b) Negotiable certificates of deposit, saving accounts, or other interest-earning deposit accounts of a financial institution.

(c) Bankers' acceptances that are issued by a bank that is a member of the federal deposit insurance corporation.

(d) Commercial paper that is supported by an irrevocable letter of credit issued by a bank that is a member of the federal deposit insurance corporation.

(e) Commercial paper of corporations rated prime by at least 1 of the standard rating services.



(f) Mutual funds, trusts, or investment pools composed entirely of instruments that are eligible collateral.

(g) Repurchase agreements against eligible collateral, the market value of which must be maintained during the life of the agreements at levels equal to or greater than the amounts advanced. An undivided interest in the instruments pledged for these agreements must be granted to the community college.

(h) Investment pools, as authorized by the surplus funds investment pool act, 1982 PA 367, MCL 129.111 to 129.118, composed entirely of instruments that are legal for direct investment by a community college.

(i) Certificates of deposit issued in accordance with the following conditions:

(i) The funds are initially invested through a financial institution that is not ineligible to be a depository of surplus funds belonging to this state under section 6 of 1855 PA 105, MCL 21.146.

(ii) The financial institution arranges for the investment of the funds in certificates of deposit in 1 or more insured depository institutions, as defined in 12 USC 1813, or 1 or more insured credit unions, as defined in 12 USC 1752, for the account of the community college district.

(iii) The full amount of the principal and any accrued interest of each certificate of deposit is insured by an agency of the United States.

(iv) The financial institution acts as custodian for the community college district with respect to each certificate of deposit.

(v) At the same time that the funds of the community college district are deposited and the certificate or certificates of deposit are issued, the financial institution receives an amount of deposits from customers of other insured depository institutions or insured credit unions equal to or greater than the amount of the funds initially invested by the community college district through the financial institution.

(j) Deposit accounts that meet all of the following conditions:

(i) The funds are initially deposited in a financial institution that is not ineligible to be a depository of surplus funds belonging to this state under section 6 of 1855 PA 105, MCL 21.146.

(ii) The financial institution arranges for the deposit of the funds in deposit accounts in 1 or more insured depository institutions, as defined in 12 USC 1813, or 1 or more insured credit unions, as defined in 12 USC 1752, for the account of the community college district.

(iii) The full amount of the principal and any accrued interest of each deposit account is insured by an agency of the United States.

(iv) The financial institution acts as custodian for the community college district with respect to each deposit account.

(v) On the same date that the funds of the community college district are deposited under subparagraph (ii), the financial institution receives an amount of deposits from customers of other insured depository institutions or insured credit unions equal to or greater than the amount of the funds initially deposited by the community college district in the financial institution.

(k) Obligations of this state or any of its political subdivisions that at the time of purchase are rated as investment grade by at least 1 standard rating service.

(2) The board of trustees, chief executive officer, or treasurer of a community college district shall not commingle money in the funds of the community college district for the purpose of making an investment authorized by this section, and all earnings on an investment shall become a part of the fund for which the investment was made.

(3) The board of trustees, chief executive officer, or treasurer of a community college district shall not invest or deposit any funds of the community college district in any financial institution that is not eligible to be a depository of surplus funds belonging to this state under section 6 of 1855 PA 105, MCL 21.146.

(4) The board of trustees, chief executive officer, or treasurer of a community college district shall comply with the divestment from terror act in making investments or depositing funds under this act.

(5) As used in this section:

(a) "Eligible collateral" means any securities that otherwise would qualify for outright purchase under this act.

(b) "Financial institution" means a state or nationally chartered bank or a state or federally chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government and that maintains a principal office or branch office located in this state under the laws of this state or the United States.

## **Appendix B: DIVESTMENT FROM TERROR ACT Act 234 of 2008**

AN ACT to prohibit the investment of certain state money or other assets in companies with certain types of business operations in countries designated as state sponsors of terror; to require divestment of any current investments in those companies; and to provide for the powers and duties of certain state and local governmental officers and entities.

129.292 Definitions.

Sec. 2. As used in this act:

(a) "Active business operations" means all business operations that are not inactive business operations. Active business operations do not include the activities of any business, legal, or governmental entity or institution that provides humanitarian aid to the people of any state sponsors of terror.

- (b) "Business operations" means engaging in commerce in any form with a state sponsor of terror, including by acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.
- (c) "Company" means any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those entities or business associations, that exists for profit-making purposes.
- (d) "Direct holdings" in a company means all securities of that company held directly by the fiduciary or in an account or fund in which the fiduciary owns all shares or interests.
- (e) "Fiduciary" means any of the following:
  - (i) The Michigan legislative retirement system board of trustees for the Tier 1 retirement plan available under the Michigan legislative retirement system act, 1957 PA 261, MCL 38.1001 to 38.1080.
  - (ii) The state treasurer for all of the following:
    - (A) The state police retirement system created under the state police retirement act of 1986, 1986 PA 182, MCL 38.1601 to 38.1648.
    - (B) The Tier 1 retirement plan available under the judges retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670.
    - (C) The Tier 1 retirement plan available under the state employees retirement act, 1943 PA 240, MCL 38.1 to 38.69.
    - (D) The public school employees retirement system created under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408.
  - (iii) The state treasurer in connection with his or her duties under any of the following:
    - (A) 1946 (1st Ex Sess) PA 9, MCL 35.602 to 35.610.
    - (B) 1855 PA 105, MCL 21.141 to 21.147.
    - (C) Section 7 of the Michigan trust fund act, 2000 PA 489, MCL 12.257.
    - (D) Children's trust fund under 1982 PA 249, MCL 21.171 to 21.172.
    - (E) The McCauley-Traxler-Law-Bowman-McNeely lottery act, 1972 PA 239, MCL 432.1 to 432.47.
    - (F) Section 503b of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503b.

- (iv) The board of trustees of a community college subject to the community college act of 1966, 1966 PA 331, MCL 389.1 to 389.195.
  - (v) The board of directors of the Michigan education trust described in section 10 of the Michigan education trust act, 1986 PA 316, MCL 390.1430.
  - (vi) The board of the Michigan strategic fund under the Michigan strategic fund act, 1984 PA 270, MCL 125.2001 to 125.2094.
- (f) "Inactive business operations" means the mere continued holding or renewal of rights to property previously operated for the purpose of generating revenues but not presently deployed for that purpose.
- (g) "Indirect holdings" in a company means all securities of that company held in an account or fund, including a mutual fund or other commingled fund, managed by 1 or more persons not employed by the fiduciary, in which the fiduciary owns shares or interests together with other investors not subject to the provisions of this act.
- (h) "Scrutinized company" means, except for a company described in subdivision (i), and for a social development company or a company that only meets the criteria of this subdivision because an independently owned franchisee of that company is a scrutinized company, any company that has business operations that involve contracts with or provision of supplies or services to a state sponsor of terror; companies in which a state sponsor of terror has any direct or indirect equity share, consortiums, or projects commissioned by a state sponsor of terror; or companies involved in consortiums and projects commissioned by a state sponsor of terror and 1 or more of the following:
- (i) More than 10% of the company's total revenues or assets are directly invested in or earned from or significantly contributed to a state sponsor of terror and the company has failed to take substantial action.
  - (ii) The company has, with actual knowledge, made an investment of \$20,000,000 or more, or any combination of investments of at least \$10,000,000 each, which in the aggregate equals or exceeds \$20,000,000 in any 12-month period, and which directly or significantly contributes to a state sponsor of terror, and the company has failed to take substantial action.
- (i) A scrutinized company does not mean a company which the United States government has excluded from any present federal sanctions regime relating to a state sponsor of terror, or which has obtained from the United States government an applicable license or approval to conduct a transaction with a state sponsor of terror.

- (j) "Social development company" means a company licensed by the United States department of treasury pursuant to the federal trade sanction reform and export enhancement act of 2000, P.L. 106-387, or a company lawfully operating under the laws of another country, whose primary purpose in a state sponsor of terror is to provide humanitarian goods or services including, food, other agricultural products, supplies or infrastructure, clothing, shelter, medicines or medical equipment, educational opportunities, journalism-related activities, information or information materials, spiritual-related activities, general consumer goods, or services of a purely clerical or reporting nature, to aid the inhabitants of a state sponsor of terror.
- (k) "State sponsor of terror" means, subject to section 10 as to applicability, any country determined by the United States secretary of state to have repeatedly provided support for acts of international terrorism.
- (l) "Substantial action" means adopting, publicizing, and implementing a formal plan to cease scrutinized business operations within 1 year and to refrain from any new business operations.

129.293 Scrutinized companies; identification by fiduciary.

Sec. 3. Within 90 days after the effective date of this act, the fiduciary shall make its best efforts to identify all scrutinized companies in which the fiduciary has direct or indirect holdings or has a current option to have such holdings in the future. The efforts may include 1 or more of the following:

- (a) Reviewing and relying, as appropriate in the fiduciary's judgment, on publicly available information regarding companies with business operations in a state sponsor of terror, including information provided by nonprofit organizations, research firms, international organizations, and government entities.
- (b) Contacting asset managers contracted by the fiduciary that invest in companies with business operations in a state sponsor of terror.
- (c) Contacting other institutional investors that have divested from or engaged with companies that have business operations in a state sponsor of terror.
- (d) Reviewing the laws of the United States regarding the levels of business activity that would cause application of sanctions against companies conducting business or investing in countries that are designated state sponsors of terror.

129.294 Scrutinized companies; assembly into list; modification; procedure to be adhered to by fiduciary.

#### Sec. 4.

(1) At the end of the 90-day period or by the first meeting of the fiduciary following the 90-day period described in section 3, the fiduciary shall assemble all scrutinized companies identified into a scrutinized companies list.

(2) The fiduciary shall update the scrutinized companies list described in subsection (1) on a quarterly basis based on evolving information from, among other sources, those sources listed in section 3. However, if a fiduciary receives credible information that shows that a scrutinized company was wrongfully identified as a scrutinized company, the fiduciary shall immediately modify the scrutinized company list to remove the name of the scrutinized company.

(3) The fiduciary shall adhere to the following procedure for companies on the scrutinized companies list described in subsection (1):

(a) The fiduciary shall immediately determine the companies on the scrutinized companies list in which the fiduciary oversees pursuant to its responsibilities as described in section 2(e).

(b) For each company identified in subdivision (a) with only inactive business operations, the fiduciary shall send a written notice informing the company of this section and encourage the company to continue to refrain from initiating active business operations in a state sponsor of terror until it is able to avoid scrutinized business operations and further encourage the company to engage in substantial humanitarian operations in the country. The fiduciary shall continue the correspondence on a semiannual basis.

(c) For each company newly identified in subdivision (a) with active business operations, the fiduciary shall send a written notice informing the company of its scrutinized company status and that it may become subject to divestment by the fiduciary. The notice shall offer the company the opportunity to clarify its state sponsor of terror-related activities and shall encourage the company, within 90 days, to either cease its scrutinized business operations or convert such operations to inactive business operations in order to avoid qualifying for divestment by the fiduciary.

(d) If, within 90 days following the fiduciary's first engagement with a company, that company ceases scrutinized business operations, the company shall be removed from the scrutinized companies list and this act shall cease to apply to it unless it resumes scrutinized business operations. If, within 9 months following the fiduciary's first engagement, the company converts its scrutinized active business operations to inactive business operations, the company shall not be subject to this act.

(e) If, after 90 days following the fiduciary's first engagement with a company, if the company has not developed and announced a plan to convert its active business operations to inactive business operations, and only while the company continues to have scrutinized active business operations, the fiduciary shall sell, redeem, divest, or withdraw all publicly traded securities of the company, according to the following schedule:

(i) At least 50% of the assets shall be removed from the fiduciary's assets under management within 9 months after the company's most recent appearance on the scrutinized companies list.

(ii) 100% of the assets shall be removed from the fiduciary's assets under management within 15 months after the company's most recent appearance on the scrutinized companies list.

(f) Except as provided in subdivision (g), at no time shall the fiduciary acquire securities of companies on the scrutinized companies list that have active business operations.

(g) Subdivisions (e) and (f) shall not apply to indirect holdings in actively managed investment funds. For purposes of this section, actively managed investment funds include private equity funds and publicly traded funds. Before the fiduciary invests in a new private equity fund that is not in the fiduciary's portfolio as of the effective date of this act, the fiduciary shall perform due diligence to prevent investment in any private equity fund in violation of this act. The fiduciary is not required to identify holdings in private equity funds or submit engagement letters to those funds. If the manager of a publicly traded, actively managed fund that is in the fiduciary's portfolio on the effective date of this act creates a similar publicly traded, actively managed fund with indirect holdings devoid of identified scrutinized companies with scrutinized active business operations as defined in this act, the fiduciary is not required to, but is strongly encouraged to, replace all applicable investments with investments in the similar fund in an expedited time frame consistent with prudent investment standards.

129.295 Internet website; collection and publication of information.

Sec. 5. The department of treasury shall collect and publish the following information on the department's internet website no later than 1 year after the effective date of this act and shall periodically update the information at reasonable intervals:

(a) All investments sold, redeemed, divested, or withdrawn in compliance with this section.

(b) All prohibited investments made under this section.

(c) Any progress made under section 4(3)(g).

129.296 Exemption from conflicting statutory or common law obligations.

Sec. 6. (1) With respect to actions taken in compliance with this act, including all good faith determinations regarding companies as required by this act, the fiduciary shall be exempt from any conflicting statutory or common law obligations, including any obligations in respect to choice of asset managers, investment funds, or investments for the fiduciary's securities portfolios.

(2) The fiduciary, members of an investment advisory committee, and any person with decision-making authority with regard to investments of the fiduciary shall not be held liable for any action undertaken for the purpose of complying with or executing the mandates required under this act.

129.297 Severability.

Sec. 7. If any provision, section, subsection, sentence, clause, phrase, or word of this act or its application to any person or circumstance is found to be invalid, illegal, unenforceable, or unconstitutional, the same is hereby declared to be severable and the balance of this legislation shall remain effective and functional notwithstanding such invalidity, illegality, unenforceability, or unconstitutionality.

129.298 Business with Sudan; fiduciary subject to provisions of public employee retirement system investment act.

Sec. 8. If a scrutinized company does business with the government of Sudan and the fiduciary is subject to the divestment provisions of section 13c of the public employee retirement system investment act, 1965 PA 314, MCL 38.1133c, for that period of time the fiduciary shall follow the divestment criteria contained in section 13c of the public employee retirement system investment act, 1965 PA 314, MCL 38.1133c, and not the divestment provisions of this act.

129.299 Business with Iran; fiduciary subject to provisions of public employee retirement system investment act.

Sec. 9. If a scrutinized company does business with the government of Iran and the fiduciary is subject to the divestment provisions of section 13d of the public employee retirement system investment act, 1965 PA 314, MCL 38.1133d, for that period of time the fiduciary shall follow the divestment criteria contained in section 13d of the public employee retirement system investment act, 1965 PA 314, MCL 38.1133d, and not the divestment provisions of this act.

129.300 Applicability of act; dates; extension.

Sec. 10.



(1) If a state sponsor of terror is any of the following countries, then, except as provided in subsection (2), the provisions of this act begin to apply on the following dates:

(a) Syria, January 1, 2010.

(b) Cuba, January 1, 2011.

(c) Any other country, 12 months following the determination by the United States secretary of state.

(2) The state treasurer may extend, not more than 2 times, 1 or more of the dates in which the provisions of this act apply that are described in subsection (1) for 1 year if the state treasurer determines 1 or more of the following:

(a) The constitutionality of the divestment provisions of this act are in conflict with federal law.

(b) The department of treasury is not able to gather sufficient information to prepare an accurate scrutinized companies list.

129.301 Divestment of funds; recommendations of department of treasury.

Sec. 11. Not later than October 1, 2010 and October 1, 2011, and not later than 9 months immediately following the determination of another country as a state sponsor of terror, the department of treasury shall make recommendations to each house of the legislature and to the standing committees of the senate and house of representatives having jurisdiction over issues pertaining to divestment of state funds on what statutory changes are needed to improve the effectiveness of this act and whether the department of treasury has extended or will extend 1 or more of the dates provided in section 10(1) and the reason for that extension as described in section 10(2).

**MOTION** by Mr. Bergan with support by Mr. Grover to approve the policy revisions as presented.

#### **ROLL CALL VOTE**

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

Nays: None

**APPROVED**

## **NEW BUSINESS**

### **HEALTH INSURANCES BENEFITS RENEWAL**

The Plan Year for the College's health insurances covers a 12-month period from January 1 to December 31. Open Enrollment, the period when employees can enroll in the health insurance plans, is held annually in November. Accordingly, the Board of Trustees are asked each October to approve the health and related insurances for the upcoming calendar year.

The College again worked with Arthur J. Gallagher & Co. to solicit bids and quotes for employee health and related insurance coverages. Based on the results of Gallagher's research and analysis of the options available in the insurance marketplace, the following plans are proposed for approval:

- **Dental** – Blue Cross Blue Shield of Michigan (self-funded)
- **Disability, Long-Term** – Cigna (note that short-term disability is currently self-administered and self-funded)
- **Life** – Cigna
- **Medical and Prescription** – Priority Health
- **Vision** – Guardian / VSP (self-funded)

The College will also continue to offer the following voluntary benefits to employees:

- Accidental death & dismemberment insurance
- Critical illness, whole life, and accident insurance
- Flexible spending account
- Legal Shield legal plan and identity theft protection insurance
- Life insurance for spouse and/or child and additional employee life insurance

Our recommendations are based on based on both cost and coverages.

### **ACTION:**

It was recommended that the Lake Michigan College Board of Trustees approve the 2021 health and related insurances presented above.

**MOTION** by Mr. Bergan with support by Mr. Curry to approve the 2021 health and related insurances as presented.

### **ROLL CALL VOTE**

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

Nays: None

**Comments:** Dr. Lindley thanked the Administration for the great job in keeping costs down for everybody.

## **APPROVED**

### **PUBLIC ACT 152 RECOMMENDATION**

In 2011 the Michigan Legislature passed *Public Act 152* (PA152), which limits the amount that a public employer may contribute to annual employee healthcare costs. PA152 includes options for compliance, namely either:

- 1) "Hard Cap" option, whereby a public employer may not pay more than the dollar limits established annually by the State of Michigan;
- 2) "80%/20%" option, whereby a public employer may not pay more than 80% of the total annual costs of all of the medical benefit plans it offers to its employees.

### **ACTION:**

We recommend that the Lake Michigan College Board of Trustees adopt the following resolution selecting the 80%/20% option, as this option is the least costly to employees.

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### **RESOLUTION TO ADOPT 80%/20% OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT**

**WHEREAS**, in 2011 the Michigan Legislature passed Public Act 152 ("PA152"), which limits the amount that a public employer may contribute to annual employee healthcare costs;

**WHEREAS**, PA152 contains options for complying with its requirements;

**WHEREAS**, the options for public employer contributions to employee healthcare are as follows:

- 1) "Hard Caps" Option – a public employer shall pay not more than the dollar limits established annually by the State of Michigan;
- 2) "80% / 20%" Option – a public employer shall pay not more than 80% of the total annual costs of all of the medical benefit plans it offers to its employees;

**WHEREAS**, Lake Michigan College has decided to adopt the 80%/20% option as its choice of compliance under PA152;

**NOW, THEREFORE, BE IT RESOLVED** Lake Michigan College elects to comply with the requirements of 2011 Public Act 152, the *Publicly Funded Health Insurance Contribution Act*, by adopting the 80%/20% option for the medical benefit plan coverage year January 1, 2021 through December 31, 2021.

**MOTION** by Mr. Bergan with support by Mr. Curry to adopt the following resolution selecting the 80%/20% option, as this option is the least costly to employees.

**ROLL CALL VOTE**

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

Nays: None

**APPROVED**

**FY '22 STATE OF MICHIGAN SUBMISSION – FIVE-YEAR CAPITAL OUTLAY PLAN**

Annually, the State of Michigan requires all community colleges update their capital outlay plans and post on their respective college websites. Complying with this request allows community colleges to request and receive capital outlay grant funding.

Lake Michigan College recently received a State of Michigan capital outlay grant for renovation of the College's Benton Harbor Campus Main Building.

**ACTION:**

It was recommended that the Lake Michigan College Board of Trustees approve the submission of the FY' 22 Five-Year Capital Outlay Plan, as proposed.

**MOTION** by Mr. Curry with support by Mr. Bergan to approve the submission of the FY' 22 Five-Year Capital Outlay Plan, as proposed.

**ROLL CALL VOTE**

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

Nays: None

## **APPROVED**

### **BENTON HARBOR CAMPUS – MAIN BUILDING SERVER ROOM A/C REPLACEMENT**

The project includes two new standalone package cooling systems to replace the Main building campus server room systems which are beyond their useful life. Total project budget for all work required, including design, construction and contingency, for this project is proposed to be \$123,930.

LMC administered the bidding phase with Contract Documents prepared jointly by LMC and Progressive AE. Contract Documents were released on September 1 and were made available to local plan rooms. The advertisement was also sent to a list of local contractors. Bids were received on September 14, 2020 and at 2:00 p.m. a virtual opening was conducted via Zoom. LMC conducted post-bid review with apparent low bidder on September 15. Based on the review of the bids with LMC and the outcome of the post-bid interview, Andy J. Egan Company is recommended for award.

Work is scheduled to be completed in early January.

### **ACTION:**

The College Administration recommended that the Lake Michigan College Board of Trustees authorize Benton Harbor Campus – Main Building Server Room A/C Replacement project for a total budget of \$123,930 and the award of the construction contract to for \$111,602 to Andy J. Egan Company.

**MOTION** by Mr. Grover with support by Ms. Tomasini to authorize the Benton Harbor Campus – Main Building Server Room A/C Replacement project for a total budget of \$123,930 and the award of the construction contract to for \$111,602 to Andy J. Egan Company.

## ROLL CALL VOTE

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

Nays: None

## APPROVED

### **COMMUNITY COLLEGE LOCAL STRATEGIC VALUE RESOLUTION**

Section 230 of Michigan Public Act 249 of 2016, the education omnibus appropriations act for fiscal year 2021, includes qualifications that must be met in order to receive the portion of each college's performance funding appropriation earmarked for local strategic value. To qualify for full funding, the statute lists 15 separate best practices for community colleges to achieve. Institutions must satisfy four out of five best practices in each of three different categories:

- Economic Development and Business or Industry Partnerships
- Educational Partnerships
- Community Services

The law requires the Lake Michigan College Board of Trustees pass a resolution certifying that the College meets at least four out of five of the best practices under each of the three categories, a qualification the College continually exceeds.

### **ACTION**

It was recommended that the Lake Michigan College Board of Trustees approve the following resolution, as presented, which provides specifics as to how Lake Michigan College meets the best practice measures within each category.

**MOTION** by Mr. Curry with support by Mr. Bergan to approve the Local Strategic Value Resolution as presented, which provides specifics as to how Lake Michigan College meets the best practice measures within each category.

## ROLL CALL VOTE

Yeas: Paul Bergan, John Grover, Debra Johnson,

Michael Lindley, Joan Smith, Mary Jo  
Tomasini, Jeff Curry

Nays: None

**APPROVED**

Lake Michigan College  
Local Strategic Value Report  
October 12, 2020



Category A: Economic Development and Business or Industry Partnerships (must meet 4 of 5)

1	The community college has active partnerships with local employers including hospitals and health care providers.	<p>The College has clinical agreements with multiple hospitals, outpatient clinics, long-term care facilities, and medical practices for students to perform their clinical education.</p> <p>Human Resources representatives from area medical centers, including Spectrum Health Lakeland and surrounding healthcare facilities, participate in short-term training programs offered by the College to speak with students about multiple career opportunities.</p> <p>The Dental Assisting program offers a competency-based program for dental workers in pursuit of professional licensure.</p> <p>The College has established an on-site partnership on its Benton Harbor and South Haven campuses with a local childcare provider who provides clinical rotations for students.</p> <p>The College has apprenticeship agreements with more than 40 different companies and works closely with the Berrien Tooling Coalition (BTC) and other local manufacturers to ensure programs meet industry standards. For the sixth consecutive year, the College supported manufacturing with the 2020 Pre-Apprentice Academy. Seven students participated in the 5-week, accelerated training, completing six courses and earning fourteen credits that will be applied towards the student's apprentice training pathway.</p> <p>The faculty from the College's Hospitality program work with Four Winds Casino in New Buffalo, Hartford, and Dowagiac for onsite delivery of Hospitality and Casino Management classes for Casino employees.</p> <p>The College has entered into a 10-year agreement with the Pokagon Band of Potawatomi Indians for programs to support tribal members and employees.</p> <p>All Career and Workforce Education (CWE) and Health Sciences programs at the College</p>
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	<p>have an advisory committee that includes representation from business and industry. Every CWE and Health Sciences program is required to have two advisory committee meetings per year.</p> <p>Spectrum Health Lakeland offers flu vaccines for health science students on campus or while attending their clinical education during the fall semester as a service for all students.</p> <p>Berrien County Health Department provided free TB skin tests for health science students.</p> <p>The College's Career &amp; Workforce Education Division collaborates with area employers to build co-op, internship, job shadowing, and other work-based learning opportunities for students while serving the workforce needs of employers.</p> <p>The College worked with 20 area vineyards and wineries to open a Wine &amp; Viticulture Technology program in 2015 aimed at educating and training the next generation of wine professional to support the expanding wine industry in Southwest Michigan. The Welch Center for Wine and Viticulture opened on August 27, 2019, on LMC's Benton Harbor Campus. This \$7 million, 14,000-square-foot teaching winery is designed to provide students with a state-of-the-art environment to gain hands-on education in art, science, and the business of winemaking. There are approximately 30 students enrolled for the Fall 2020 semester.</p> <p>Beckwith Hall, the College's student residence hall has partnered with Harbor Shores, the Senior PGA, Kinexus, and Whirlpool to host nearly 100 interns for the summer and hosted the Benton Harbor First Tee program.</p> <p>Lake Michigan College and Kinexus meet monthly for the purpose of partnership development and information sharing. Topics of discussion include updates regarding; shared business outreach, student training and employment opportunities, educational programing, resource opportunities (grants, federal programs), and shared referrals.</p>
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		The Mendel Center at Lake Michigan College regularly hosts business meetings and events for the local business community, typically renting our facility to more than 30 local businesses and organizations in a given year.
2	The community college provides customized onsite training for area companies, employees or both.	Customized onsite training is provided by the College's Career & Workforce Education (CWE) division to area companies and their employees. Trainings were conducted for companies such as: Albemarle, Palisades Nuclear Generating Station, Donald C. Cook Nuclear Plant, Wolverine Metal Stamping, and AACOA. Trainings include robot operation, blueprint reading, basic and advanced hydraulics, various welding techniques and various machine tool operations.
3	The community college supports entrepreneurship through a small business assistance center or other training or consulting activities targeted toward small businesses.	<p>The Business Department offers an Entrepreneurship course at both the College level and through the Early College program.</p> <p>The Fab Lab at Lake Michigan College is open to entrepreneurs for prototyping activities such as the open access digital fabrication studio. The lab provides access to information, tools, software and space for anyone who has an interest to learn and create. The Fab Lab provides open access to design software, laser cutters, 3D printers, vinyl cutters, woodshop, CNC router, CNC sewing machines and hand tools.</p> <p>The College works with the Women's Business Center, which is operated by Cornerstone Alliance and Small Business Technical Development Center which is located at Grand Valley State University.</p> <p>The South Haven campus works with the Chamber of Commerce to host regional economic development summits. Well-known speakers and state-wide business groups come together for the day to discuss the economy and to hear perspectives on the business climate and development.</p>

4	<p>The community college supports technological advancement through industry partnerships, incubation activities, or operation of a Michigan technical education center or other advanced technology center.</p>	<p>The College's Health Sciences delivers Certified Nurse Aide (CNA), Phlebotomy, Pharmacy Technician, Medical Assistant, and EMT-Basic programs in collaboration with area healthcare employers, including Spectrum Health Lakeland, InterCare Community Health, and other medical office facilities to develop programs and curriculum that meet the needs of area employers and provides expanded opportunities for students.</p> <p>The College's Hanson Technology Center (HTC) works with area businesses, Cornerstone Alliance, and Kinexus to help align business needs and employment opportunities with training offerings. HTC offers expanded manufacturing programming including Engineering Technology and a SIM classroom with a large touch screen available for simulation training use.</p> <p>At the Hanson Technology Center, the CWE provides credit and short-term training to both businesses and regional groups such as the National Tooling &amp; Machining Association and the Berrien Tooling Coalition. CWE works in partnership with academic divisions to create customized business solutions for clients. CWE also acts as a connector between regional businesses and organizations and the College.</p>
5	<p>The community college has active partnerships with local or regional workforce and economic development agencies.</p>	<p>The College has representatives on boards and committees of many local organizations, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Allegan County College Access Network</li> <li>• American Cancer Services - Day of Caring</li> <li>• Benton Harbor Promise Board</li> <li>• Berrien-Cass-Van Buren Educational Advisory Group</li> <li>• Berrien County Brownfield Redevelopment Authority</li> <li>• Berrien County Council for Children</li> <li>• Berrien County Superintendents</li> <li>• Boys and Girls Club</li> <li>• Cornerstone Alliance</li> <li>• Cornerstone Chamber Services</li> <li>• Greater Niles Area Chamber of Commerce</li> </ul>

		<ul style="list-style-type: none"> <li>• Harbor Country Chamber of Commerce</li> <li>• Kinexus</li> <li>• Michiana Public Broadcasting Corporation</li> <li>• Mi Works!</li> <li>• Rotary Club St. Joseph Benton Harbor</li> <li>• Rotary Club of South Haven</li> <li>• South Haven Brownfield Authority</li> <li>• South Haven Chamber of Commerce</li> <li>• South Haven Local Development Fund Authority</li> <li>• Southwestern Michigan Planning Commission</li> <li>• Southwestern Michigan Economic Growth Alliance</li> <li>• Strategic Leadership Council</li> <li>• SWM SHRM</li> <li>• United Way of Southwest Michigan</li> <li>• Women’s Small Business Center</li> </ul> <p>CWE works closely with Allegan MiWorks!, Kinexus, and WorkOne in South Bend, Indiana. The College works collaboratively with Kinexus to offer business and industry forums for the manufacturing, hospitality and healthcare industries to continue to development programs that meet employee education and training needs. The College also operates the Wagner-Pyser contract for Kinexus.</p>
<u>Category B: Educational Partnerships (must meet 4 of 5)</u>		
1	The community college has active partnerships with regional high schools, intermediate school districts, and career-tech centers to provide instruction through dual enrollment, direct credit,	<p>College staff serve on the Berrien County Superintendents’ Advisory Committee, and attend Counselors’, Principals’, and Career Technical Education Director meetings.</p> <p>The College has an active Early College/Middle College program with dual credit, dual enrollment, and academy classes for over 1,000 high school students per year. In addition, the College operates an Early College Academy with the Niles, Brandywine, and Buchanan school districts, and Middle Colleges with Berrien Regional Educational Service Agency</p>

<p>middle college, or academy programs.</p>	<p>(Berrien RESA), Van Buren Intermediate School District and the Allegan Area Educational Service Agency.</p> <p>The College supports the Professional Health Careers Academy (PHCA), which is operated with local school districts and Spectrum Health Lakeland and provides students with exposure to several professional health care fields. PHCA students take college level classes for academic credit. Staff serve on selection panels and provide support services throughout the school year.</p> <p>Brandywine High School in Niles and the College share space, faculty, and instructional equipment used in the Machine Tool and Manufacturing programs. Through this partnership, a “one + one” articulation agreement in manufacturing has been developed, which offers students the opportunity to earn up to 29 college credit hours prior to graduating from high school and then to seamlessly transition to the College to complete an associate degree in one year.</p> <p>The South Haven campus serves as an onsite location for South Haven Public School’s WAY Program (Widening Advancements for Youth); currently 65 students are enrolled in the program.</p> <p>The campus is also partnering with the Van Buren Intermediate School District’s Middle College Program.</p> <p>College staff are involved in the Michigan Early Middle College Association.</p> <p>124 students are part of the Early College Allegan County, a middle college partnership with seven school districts in Allegan County operated at the Allegan Tech Center The third cohort of 30 graduated in 2020; class of 2021 = 44; class of 2022= 36; class of 2023= 43</p> <p>175 students participate in the Berrien RESA Early Middle College program, which consists of twelve school districts. The second cohort of 46 graduated in 2020; class of 2021 = 49;</p>
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		class of 2022 = 54; class of 2023 = 72
2	The community college hosts, sponsors, or participates in enrichment programs for area K-12 students, such as college days, summer or after school programming, or Science Olympiad.	<p>Career Pathways is an annual event held at the Mendel Center at Lake Michigan College and provided by Berrien RESA. This event allows all area ninth graders from the tri-county area to meet with local educational and industry representatives to provide a roadmap from education to employment.</p> <p>The Culinary and Hospitality programs host a Chili Cook-off and information session for high school hospitality students every year. The popular event offers many local Hospitality and Culinary students an enriching and fun experience on a college campus.</p> <p>The College hosts the Southwest Michigan Band &amp; Orchestra Association (SWMBOA) annual band competition for K-12 schools in Berrien, Cass, and Van Buren counties.</p> <p>The College offers summer sports camps for basketball, softball, and volleyball. Scholarships are provided for members of the Boys &amp; Girls Club of Benton Harbor and to families with financial need to ensure the sports camps are accessible to all families within the region.</p> <p>The College has worked closely with the Benton Harbor Boys &amp; Girls Club to support academic interventions including offering COMPASS tests for junior and seniors.</p> <p>Nursing students operate a health fair for pre-school children; topics include heart health, hospital care, asthma, and germs.</p> <p>Dental Assisting students present dental health education programs to pre-school children each term.</p> <p>The College is co-sponsor and site for the Science Olympiad for Southwest Michigan.</p>

		<p>The College sponsors several robotics teams for local school districts and serves as the venue for the First Robotics kickoff each year. The teams from counties across southwest Michigan: Berrien, Cass, Van Buren, Ottawa, Indiana, and Grand Rapids gather in the Mendel's Grand Upton Hall.</p> <p>Each year the College holds College Days, Open Houses, and Career Days for middle and high school students and sponsors visits by high school juniors and seniors to each of the three campuses.</p> <p>In partnership with Michigan Rehabilitation Services (MRS) Student Life hosts a four-day camp for student interested in college.</p> <p>The Fab Lab at Lake Michigan College is available for local home school programs to supplement their curriculum. Summer camps are also available for participants 8 years and older to learn basic electronics, woodworking skills, 3D modeling through project-based learning.</p> <p>The Mendel Center hosts and provides sponsored support to community-based education and arts organizations including Children's Music Workshop's summer program and fall production, The Citadel Dance and Music Center, Dance Fusion, The Southshore Concert Band, Berrien RESA Spelling Bee and ESports Championships.</p> <p>There is a Mainstage volunteer program with Benton Harbor Area middle school students, as well as opportunities for Lake Michigan College and other student groups to volunteer for funding by providing Mendel Center event support.</p>
3	The community college provides, supports, or participates in programming to promote successful transitions to college for	<p>The College:</p> <ul style="list-style-type: none"> <li>• Sponsors the "Off to College" program, a grant-funded partnership with Berrien RESA for high school sophomores on individualized education programs or 504 Plans in their local schools. Students meet monthly to develop strategies for preparing to successfully attend college.</li> </ul>



<p>traditional age students, including grant programs such as talent search, upward bound, or other activities to promote college readiness in area high schools and community centers.</p>	<ul style="list-style-type: none"> <li>• Hosts an Upward Bound program on campus, serving academically at risk, low income students in grades 9 - 11. The program provides college prep services designed to promote college attendance and persistence while also seeking to improve high school achievement in test scores.</li> <li>• Actively works with the home school population in the area, offering recruitment and transition services as well as special events.</li> <li>• Hosts the College Fair, which links over 60 colleges and universities with high school students and parents to provide information on financial aid, transfers, and college applications.</li> <li>• Sponsors financial aid workshops and serves as a site for “College Goal” Sunday, Admissions Decision Week, and other Local College Access Network activities.</li> <li>• Co-sponsors a Career and Technical Education (CTE) banquet for high school students and awards scholarships to high performing CTE students.</li> <li>• The Career and Workforce Education and Health Sciences Education Divisions, in collaboration with Berrien RESA, hosts high school counselor breakfast meetings several times per year. College faculty and staff provide counselors with up-to-date information on programs and services available to students.</li> <li>• Arranges meetings with College academic leadership and each superintendent, high school principal, and counselors for the 16 high schools in the district where data is provided on academic progress of the graduates from each high school and comparative data on the county.</li> <li>• Has a summer for-credit college level course for all Benton Harbor Promise Zone students to increase college readiness through college success programming. Students are provided content related to college expectations and are given opportunities to practice skills necessary to be a successful student.</li> <li>• Partners with the Benton Harbor Boys &amp; Girls Club to co-teach a Degrees to Diploma college readiness curriculum at the Teen Center, which includes financial aid literacy, career exploration and planning, and college placement testing.</li> <li>• Operates a Start to Finish Program providing concentrated support for students challenged by college academic programming; there are currently over 200 students enrolled.</li> </ul>
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		<ul style="list-style-type: none"> <li>• Student Outreach and Support Services presents to area High Schools, Counselors, and Special Education professionals on going to college with IEP or 504 plans.</li> </ul>
4	The community college provides, supports, or participates in programming to promote successful transitions to college for new or reentering adult students, such as adult basic education, GED preparation, GED testing, or recruiting, advising, or orientation activities specific to adults.	<p>The College hosts a federal TRiO Educational Opportunity Center program designed to create Individualized Educational Development Plans for returning students; offers Pre-GED or college admissions/placement test tutoring; provides career information, assessment, and advising; and assistance with the admissions process for post-secondary enrollment.</p> <p>The TRiO Student Support Services program also targets displaced homemakers for academic support services.</p> <p>The College has an office with staff dedicated to serving returning veterans, including appropriating funds from the College's Foundation for emergent needs of veterans. In addition, the College has created a dedicated Veterans' Center on the Benton Harbor campus where a lounge area with computers and other career-oriented information exists to assist veterans. The College receives yearly recognition by the Michigan Veterans Affairs Agency for being a veteran-friendly school.</p> <p>The College's Assessment Center offers GED testing 2-3 times per month, as well as KeyTrain up-skilling, WorkKeys assessments, National Career Readiness Certification, Bennett Mechanical Comprehension Test, Certiport and many PearsonVue IT certification exams, currently by appointment.</p> <p>CWE faculty and dedicated CWE Advisors regularly provide program-level advising to adult students.</p>
5	The community college has active partnerships with regional 4-year colleges and universities to promote	The College has active partnerships with several regional 4-year colleges and universities, in various capacities including reverse transfer agreements, articulation agreements, consortium agreements, and on-campus extensions which allow for collaborative, smooth

<p>successful transfer, such as articulation, 2+2, or reverse transfer agreements or operation of a university center.</p>	<p>pathways for students to transfer from LMC to a baccalaureate program. Current agreements include:</p> <p>Reverse Transfer</p> <ul style="list-style-type: none"> <li>• Eastern Michigan University</li> <li>• Central Michigan University</li> <li>• Ferris State University</li> <li>• Grand Valley State University</li> <li>• Western Michigan University</li> <li>• Michigan State University</li> <li>• Northern Michigan University</li> <li>• University of Michigan</li> <li>• Siena Heights University</li> </ul> <p>Transfer Articulation Agreements</p> <ul style="list-style-type: none"> <li>• Andrews University</li> <li>• Davenport University</li> <li>• Ferris State University</li> <li>• Life University</li> <li>• University of Michigan – Flint</li> <li>• University of Phoenix</li> <li>• University of Wisconsin – Green Bay</li> <li>• Western Michigan University (WMU)</li> </ul> <p>In addition to the above, the College is a participating member of the Michigan Transfer Agreement, which is a statewide transfer agreement.</p> <p>Siena Heights University (SHU) offers bachelors and masters programs on the Benton Harbor campus; SHU accepts up to 90 credit hours from LMC towards a bachelor’s degree, which offers a great value to students.</p>
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		The College has a Financial Aid Consortium Agreement with GVSU whereby students can take classes at the same time at either institution and receive financial aid.
<u>Category C: Community Services (must meet 4 of 5)</u>		
1	The community college provides continuing education programming for leisure, wellness, personal enrichment, or professional development.	<p>The College offers occasional community education programs at all three campuses.</p> <p>The College has taken over the Economic Club of Southwestern Michigan and now presents a Speakers Series bringing to southwest Michigan an outstanding lineup of leaders, experts, and well-known personalities to share their insights and experiences.</p> <p>In Summer 2019, the College created the Center for Culture and Talent Success, which offers diverse professional development opportunities open to the public, employees and students.</p> <p>Fab Lab at Lake Michigan College is available to hobbyists and crafters to promote advanced manufacturing concepts and ideas. Programming includes panel discussions with local experts focusing on issues relevant to the local community.</p> <p>The South Haven campus partners with Michigan State University to host an Introduction to Farm Management taught in Spanish.</p>
2	The community college operates or sponsors opportunities for community members to engage in activities that promote leisure, wellness, cultural or personal enrichment such as	<p>The Culinary, Hospitality, and Wine and Viticulture Technology Programs offer various culinary, wine, and food related non-credit classes designed to promote personal enrichment.</p> <p>The College's Mendel Center provides sponsorship support of up to 100% of the total cost of an event to more than 100 events and organizations each year, such as Southshore Concert Band, Southwest Michigan Symphony Orchestra, United Way, Children's Music</p>

	<p>community sports teams, theater or musical ensembles, or artist guilds.</p>	<p>Workshop, veteran programs such as Lest We Forget, business trade shows, and special community programs. The Mendel Center regularly hosts not-for-profit organization fundraising events/ceremonies for some of the organizations listed above, as well as Bids for Barks, Forgotten Man Ministries and several others.</p> <p>Arts Factor subsidizes up to 100% of ticket cost for hundreds of tickets annually to Mainstage series through partnerships with local service organizations such as MI DHHS, Benton Harbor Area Schools, OutCenter, Lory's Place, All God's Children Community Choir, The Whitcomb, etc.</p> <p>The Performing Arts Department conducts 10-15 public performances each year in the form of plays, musicals, choral and instrumental concerts, and recitals. Community members can attend these performances at little or no cost.</p> <p>The College has seven intercollegiate athletic sports to which community members welcome to attend at little or no cost.</p>
3	<p>The community college operates public facilities to promote cultural, educational, or personal enrichment for community members, such as libraries, computer labs, performing arts centers, museums, art galleries, or television or radio stations.</p>	<p>The College's Mendel Center Mainstage performing arts center presents more than 15 national touring productions each year and 20 – 30 academic and community events each year. Professional productions include Broadway shows, well-known musical groups, children's and family programming, dance programs, and more, diverse in subject matter and artistry. Free workshops and masterclasses are often available for students and the general public.</p> <p>In total, The Mendel Center plays host to over 200 events annually which serve over 50,000 guests.</p> <p>The Mendel Center Mainstage donates thousands of dollars in tickets each year in support of more than 30 not-for-profit community organizations for fundraising events, drawings, auctions and giveaways.</p>

	<p>The Mendel Center also provides free access to well-known speakers and performances to College students and area youth that might not otherwise have access to such opportunities.</p> <p>The Music and Theatre Programs present student shows and recitals at the Mendel Center that are open to the public.</p> <p>Virtual, remote, and drive-in concerts, interviews, and events are a covid-era addition to Mendel Center activity, as well as enhanced cooperation and support of other community organizations.</p> <p>The bookstores offer books for community members in addition to texts for students.</p> <p>College faculty regularly offer community education topics for the Friends of the New Buffalo Library.</p> <p>The William Hessel Library and Learning Resource Center at LMC is open to the community along with free access to its computer lab.</p> <p>The College has a large art collection displayed among its campuses for public viewing and study.</p> <p>The College operates Fitness Trails at the Benton Harbor and Niles campuses and a Nature Area at its Benton Harbor campus.</p> <p>Childcare services are available for community use at the South Haven and Benton Harbor campuses.</p> <p>Senior citizens may take college courses without paying tuition. In addition, employee professional development offerings are available free of charge to the community.</p>
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		The College hosts multiple community events such as the State of Michigan public hearing for the Indiana Michigan Power Integrated Resource Plan to collaborating with The OutCenter of Southwest Michigan for a speaker series to learn more about issues facing the LGBTQ community.
4	The community college operates public facilities to promote leisure or wellness activities for community members, including gymnasiums, athletic fields, tennis courts, fitness centers, hiking or biking trails, or natural areas.	<p>The Natural Area on the Benton Harbor campus is a 50-acre area that contains more than a mile of trails that wind through five different habitats. These trails are maintained for educational use and the enjoyment of students, staff, and the community. Visitors can follow a boardwalk trail across a deciduous woods, pond and marsh, white pine forest, and old-field environments, and a prairie and grassland have been restored with native tall grasses. Together, they provide a home for numerous species of birds, amphibians, reptiles, and mammals including deer, rabbits, and squirrels.</p> <p>The South Haven Campus has a fitness room open to students, staff and faculty and hosts Weight Watchers Club Meetings for the community.</p> <p>The College offers summer youth programs in basketball, volleyball and softball.</p> <p>Fab Lab at Lake Michigan College is available to hobbyists and crafters to promote advanced manufacturing concepts and ideas.</p>
5	The community college promotes, sponsors, or hosts community service activities for students, staff, or community members.	<p>The College's Federal TRiO grant Upward Bound program has adopted adjacent roads to the Benton Harbor campus as part of the MDOT Adopt-a-Highway Clean Up Initiative.</p> <p>The College hosts a Martin Luther King program that is attended by 500+ community members. The College also sponsors a series of seminars on King's life and work as well as a day of service in his honor.</p> <p>The South Haven Campus hosts weekly meetings for the local Kiwanis Club.</p>

		<p>The College is an annual pace-setter organization for the area’s United Way and participates in many activities for the organization. The College also collaborates with the United Way to provide free tax preparation to students and local community members. College employees work together to support United Way funded partners, such as filling literacy bags with educational items for area children and the annual Rake a Difference day.</p> <p>The College coordinates an annual Holiday Food Basket program that benefits 100+ needy families.</p> <p>Reduce, Reuse and Recycle Day is held in cooperation with the Berrien County Parks Department for hazardous waste collection and disposal each year. The event collects more than 2,300 pounds of hazardous waste.</p> <p>The College regularly partners with area public safety providers to operate drills and safety training using one of the College campuses.</p> <p>The Mendel Center has 100+ community volunteers who provide support during events.</p> <p>Nursing faculty volunteer to provide care to indigent populations at the Herbie Clinic in Benton Harbor. In addition, nursing faculty and students volunteer at the local soup kitchen annually and provide basic health screening. The nursing students sponsor “Penny Wars” to raise money to support local community programs, purchase Christmas gifts for foster children that are distributed by the Berrien County Family Court and donate and assemble personal care kits to Berrien County Women’s Center.</p>
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## **POLICY REVISIONS**

As part of ongoing efforts to review college policies in support of continuous quality improvement efforts, the following policy revision has been presented to the Board of Trustees for a first read. The policies have been carried to the next Board of Trustees meeting for a second read and approval.

- **Insurance**
- **Interaction with External Auditors-delete**

## **INSURANCE**

Office of Origin:	Purchasing & Risk Management
Responsibility:	Manager, Purchasing & Risk Management
Date Originally Adopted:	1/24/17
Dates Reviewed:	5/19/17, 8/5/17, 12/8/20 board date
Last Date Approved:	<del>8/5/17</del> 12/8/20 board date

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Lake Michigan College (the College) maintains insurance coverage to protect the assets and resources of the College and mitigate the risk of loss. Certain risks ~~facing the College~~ are not insurable by nature, or, in other instances, the risk may be assumed by the College where the potential impact of a loss is not considered significant or where cost economies can be realized by retaining or self-insuring the exposures.

### **Responsibilities**

~~One of the functions of t~~The ~~Office of Manager, Purchasing &~~ Risk Management (Risk Management) is responsible for

- ~~to assess what~~ assessing the levels of loss the College can bear without insurance
- ~~as well as considering~~ how to mitigate overall risks facing the College
- ~~It is also the responsibility of Risk Management to~~ supporting filing and processing of claims with insurance carriers in an expeditious manner
- ~~It is the responsibility of Administrative Services to review reviewing~~ contracts and agreements to ensure ~~the College bears only its proportionate share of any liability or claims that may arise from the agreement, and to ensure~~ that appropriate insurance and other protective clauses are in the agreement.

It is the responsibility of ~~all~~ employees, students, and volunteers to report incidents of injury or damage to Risk Management immediately to determine if an incident may be covered under ~~the College's~~ insurance policies.

## Coverages

The following ~~presents a brief description of the~~ are the insurance policies the College will maintain ~~s to protect the College's assets and other resources and mitigate the risk of~~ ~~against loss~~. See the current insurance company declaration pages for the limits of liability per coverage.

### 1. Auto Liability, Auto Physical Damage, & Garage Coverage

This insurance covers potential liability for damages that may be owed to third parties arising out of ownership, maintenance, or use of an automobile, owned or leased by the College, plus certain medical expenses incurred by passengers as a result of an accident in an insured vehicle. Use of a personal auto on College business or while traveling to or from College business is covered with the College insurance as secondary (excess) coverage to the employee's personal coverage.

~~Coverages generally include:~~

- ~~— Bodily injury / property damage~~
- ~~— Broad form collision~~
- ~~— Comprehensive auto physical damage~~
- ~~— Covered autos (liability and physical damage)~~
- ~~— Garage liability~~
- ~~— Garagekeepers' legal liability~~
- ~~— Glass repair~~
- ~~— Hired and non-owned liability (liability and physical damage)~~
- ~~— Personal injury protection~~
- ~~— Property damage buy back~~
- ~~— Property protection coverage~~
- ~~— Rental reimbursement~~
- ~~— Towing~~
- ~~— Uninsured / underinsured motorist~~

~~It also covers College-owned or long-term leased vehicles for property damage resulting from collision, theft, and other perils based on a schedule of covered vehicles.~~

~~Generally, there is a \$500 deductible to be met for this coverage for physical damage due to collision and theft.~~

~~Refer to the College's Travel Policy for guidelines covering short-term rentals of vehicles.~~

### 2. Commercial General Liability

This insurance covers the College as well as its officers and its employees when acting on behalf of the College and within the scope of their duties for legal liability that might result in damages to third parties as a result of insured occurrences. This insurance does not provide for automatic medical coverage to injured visitors or for replacement of their damaged property; in order for such coverage to attach, liability on the part of the College

must be demonstrated. Coverage is not extended to individual employees or officers if the loss or injury is a result of a malicious or intentional act.

~~—It generally includes the following coverages:~~

- ~~—Bodily injury / property damage~~
- ~~—Employee benefits liability~~
- ~~—Fire legal liability~~
- ~~—Law enforcement legal liability~~
- ~~—Personal and advertising injury~~
- ~~—Premises medical payments~~
- ~~—Sexual misconduct~~

~~Insured incidents can include, but are not limited to, complaints about employment situations or claims for bodily injury or damages occurring on our grounds or while attending a College sponsored event.~~

### 3. Property Insurance

This insurance covers all College owned or leased buildings and business personal property as well as property owned by others for which the College is liable from loss due to ~~insured damage from fire, explosion, theft, smoke, vandalism, flood, earthquake, etc.~~ Losses to property resulting from wear and tear or lack of maintenance through consequential damage is generally not covered. It excludes personal property of students, employees, or third parties as well as the loss of currency.

~~Coverages generally include:~~

- ~~—Accounts receivable~~
- ~~—Builder's risk~~
- ~~—Buildings and property in the open~~
- ~~—Business income~~
- ~~—Business personal property~~
- ~~—Crime~~
- ~~—Data breach~~
- ~~—Debris removal~~
- ~~—Earth movement~~
- ~~—Electronic data~~
- ~~—Employee dishonestly blanket bond~~
- ~~—Equipment breakdown (boiler and machinery)~~
- ~~—Fine arts (non-scheduled)~~
- ~~—Fire department service charge~~
- ~~—Fungus, wet rot, dry rot and bacteria~~
- ~~—Inland marine (i.e., movable or specialized property)~~
- ~~—Library restocking cost~~
- ~~—Newly acquired business personal property~~

- ~~— Newly acquired real property~~
- ~~— Non-owned detached trailers~~
- ~~— Off premises utility service interruption (direct damage)~~
- ~~— Ordinance of law~~
- ~~— Outdoor property (non-scheduled)~~
- ~~— Personal effects and property of others~~
- ~~— Pollutants clean up and removal~~
- ~~— Preservation of property~~
- ~~— Property in transit~~
- ~~— Property off premises~~
- ~~— Terrorism and school violent acts~~
- ~~— Valuable papers and records~~
- ~~— Water / flood / wind driven rain~~

~~Inland marine includes athletic equipment, athletic uniforms, AV equipment, contractor's equipment, data/voice technology property, musical instruments, radios, and certain miscellaneous equipment.~~

~~Generally, once a deductible of \$10,000 per loss incident is met, the coverage includes the cost to repair or replace with property of like kind and quality.~~

#### 4. Crime Coverage

This insurance provides coverage for crime losses that are not insured under other policies. Briefly described, **generally** commercial crime insurance covers money, securities, and other property against a variety of criminal acts, such as employee theft, robbery, forgery, and extortion and computer fraud.

~~Coverages generally include:~~

- ~~— Computer fraud~~
- ~~— Employee dishonesty blanket bond~~
- ~~— Forgery or alteration~~
- ~~— Funds transfer fraud~~
- ~~— Robbery or safe burglary of other property (inside the premises)~~
- ~~— Theft of money and securities (inside or outside the premises)~~

#### 5. Cyber Liability / Data Breach

~~Most notably, but not exclusively,~~ cyber liability/data breach policies focus on liability for a data breach where individual personal information, such as social security or credit card numbers, is exposed or stolen by a hacker or other criminal who has gained access to the College's electronic network.

~~Coverages generally include:~~

- ~~— Data compromise response expenses~~

- ~~—Defense and liability~~
- ~~—Legal and forensic IT review~~

#### 6. Personal Liability – Employees

Employees will be covered up to ~~\$1,000,000~~ a maximum under general liability and ~~\$5,000,000~~ a maximum for professional liability policies per occurrence. This coverage extends to an employee fulfilling the reasonable requirements of employment whether on or off-campus. When acting as an agent of the College in community service and/or off-campus activities, the employee must seek the approval of the employee's ~~direct~~ supervisor ~~to participate~~; the College assumes no liability for an employee's activities or actions unless those activities or actions are within the normal requirements of employment or are otherwise authorized.

#### 7. Personal Liability – Volunteers

A volunteer at a College-sponsored event is covered for medical payments up to a ~~\$5,000~~ per person and ~~\$25,000~~ per occurrence maximum while acting for the College on-premises. This protection is extended to a volunteer while fulfilling the reasonable requirements of the volunteer activity. A College-sponsored event will be considered an event having the approval of the President or ~~his/her~~ direct ~~designee report~~.

#### 8. Professional Liability

This insurance includes coverage for claims against College officers, faculty, staff, and students who are participating in clinical experiences, so long as the action is within the scope of their duties. Coverage is not extended to individuals if the injury is a result of a malicious or intentional act.

#### 9. Educators Legal Liability (Directors & Officers Insurance)

This insurance covers the cost of defense as well as the payment of damages owed to third parties as a result of claims against employees or appointed or elected official of the College, including implicated employees, for actions within the scope of their duties as well as coverage for losses or damages as a result of claims ~~against the administration of the employee benefits plans.~~

~~Coverages generally include:~~

- ~~—Non-monetary relief defense costs (no deductible)~~
- ~~—Special education defense costs (no deductible)~~
- ~~—Wrongful act (subject to \$25,000 per claim deductible)~~

#### 10. Workers Compensation

~~Nearly all employers in Michigan are subject to~~The Workers' Disability Compensation Act (also known as "workers' comp".) ~~The~~ law requires that every covered employer ~~must~~ provide some way of assuring that benefits are paid to its workers if they become injured

while on the job, either by purchasing an insurance policy ~~from a private insurance company~~, self-insuring the risk, or joining a group fund.

~~See the College's WORKERS' COMPENSATION procedure adopted August 11, 2014 and BODILY INJURY/PROPERTY DAMAGE/THEFT procedure adopted February 15, 2003 for more information on workers comp insurance.~~

#### 11. Liquor Liability

This insurance covers bodily injury or property damage caused by an intoxicated person who was served liquor under the College's liquor licenses through The Mendel Center or Culinary Program.

#### 12. Underground Storage Tank Coverage

This insurance provides coverage for third-party bodily injury and property damage from pollution conditions coming from underground storage tanks.

#### Indemnification

College staff ("staff" being defined as employee and/or elected or appointed official) may be indemnified, and provided a legal defense, from certain claims that may arise against such staff ~~when~~ acting for the College and ~~acting~~ within the scope of their authority.

If a civil claim or action is brought against former or present College staff for an act or omission of that staff while acting within the scope of her/his professional authority, the College will provide legal representation for that person if necessary by authorizing ~~the College's~~ an attorney to act on behalf of the person being defended ~~or by employing other counsel of its choice~~ or by asserting the College's rights under any insurance policy that requires the insurer to provide the defense. Alternatively, the College may reimburse the staff for legal expenses reasonably incurred in connection with any civil claim or action. If the College provides for the legal defense of staff, the College may assume exclusive control over the representation of the person defended, which includes, but is not limited to, the right to investigate, compromise, settle, and/or pay a claim. Staff are required to participate in and cooperate with the legal defense provided by the College.

If a civil claim and/or action results in a judgment for damages being awarded against staff caused by staff while acting within the scope of such person's official employment and within the scope of such person's authority, the College will indemnify the staff and will pay, settle, or compromise the judgment.

The College will not, however, indemnify or provide legal representation to any former or current staff in connection with any civil claim or action that arises out of:

- an act or omission that is outside the scope of employment or authority of the staff
- the willful misconduct or gross negligence of the staff
- an intentional tort or fraud of the staff, or

- any act and/or omission of any staff while under influence of ~~controlled substances intoxicating liquor or narcotic drugs.~~

The College will also not indemnify or provide legal representation to any former or current staff in connection with any civil claim or action if the staff fails, in the sole discretion of the College, to participate in and/or cooperate with the legal defense offered by the College.

The College retains the right to assert all available defenses to any claim made against it, and nothing in this policy will be construed to be a waiver of any defense, including but not limited to governmental immunity, available to the College or its staff.

### **Certificates of Insurance**

~~A certificate of insurance is a document used to provide evidence that an entity is insured.~~ The College may be requested by outside parties to provide evidence of insurance, ~~for example to owners of premises or equipment rented or leased to the College, hospitals or other locations accepting students in clinical placement, equipment or fine arts on loan to the College for display or other usage.~~ Requests for a certificate of insurance should be made in writing to Risk Management.

### **Vendors/Contractors Insurance Requirements**

The College requires that certain vendors and contractors working for the College have a minimum amount of insurance; these requirements vary depending on the nature and hazard of the work being performed. Risk Management ~~can will~~ provide ~~guidance on~~ minimum insurance requirements and when a certificate of insurance is required from a vendor or contractor.

### **Claims Procedures:**

~~The following presents a brief description of the College's procedures for filing or reporting a claim.~~

It is important that Risk Management be notified immediately of an incident to determine if ~~an particular incident of~~ injury or damage is or may be covered under ~~these or other~~ insurance policies. Any event or situation that could be reasonably supposed to result in an insurance or legal claim should be reported immediately to Risk Management. If in doubt, call Risk Management or Director of Public Safety to determine if the event or situation merits reporting.

Risk Management should be notified of any property loss or potential loss as soon as possible, preferably before any cleanup activities have begun.

Although some incidents or claims may not be eligible for insurance coverage, ALL incidents involving property damage, theft, disturbances, etc., must be reported to Director of Public Safety using the Claim/Incident Report.

If an employee is served with a lawsuit related to the College or to work performed at or on behalf of the College, any such document should immediately be submitted to Risk Management. All legal paperwork, ~~(e.g., summons, complaint) or claims, (e.g., demands for money or services by third parties as a result of any alleged incident)~~ and police reports should be ~~reported /~~ provided immediately to Risk Management.

~~If a police report is provided or obtained related to any incident or claim, it should be immediately forwarded to Director of Public Safety.~~

~~In the case of significant property loss or damage, it is important that Risk Management be notified as soon as possible so that an insurance company claims representative can be contacted to tour the site.~~

~~See the College's BODILY INJURY/PROPERTY DAMAGE/THEFT procedure adopted February 15, 2003 for more information reporting injuries, property damage, and theft.~~

**References:** *Bodily Injury/Property Damage/Theft* procedure  
Claim/Incident Report  
Travel policy  
*Workers' Compensation* procedure  
Workers' Disability Compensation Act

## **INTERACTION WITH EXTERNAL AUDITORS** **DELETE POLICY**

Office of Origin:	Finance
Responsibility:	Chief Financial Officer
Original Date Adopted:	07-24-07
Dates Reviewed:	01-15-12, 11-20-17
Last Date Modified & Approved:	01-15-12, 11-20-17

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### Policy Statement:

It is the policy of Lake Michigan College (the College) to cooperate fully with all external auditors.

An external auditor is an independent professional who performs a prescribed set of procedures in accordance with specific rules or regulations on a component or set of components of the College or its programs. These procedures provide a basis for the independent auditor to make conclusions on the audit objective set and express an opinion.

An external auditor may be from a professional services firm or from a state, federal, or local governmental unit, among others.



As outlined in the related procedure (Interaction with External Auditors), it is expected that external auditors and College personnel will observe certain procedures intended to facilitate orderly audits and to minimize disruption of normal College operations.

**References:** Lake Michigan College *Interaction with External Auditors* procedure

**ADJOURNMENT**

MOTION by Mr. Bergan to adjourn the Regular Meeting of the Lake Michigan College Board of Trustees at 5:31 p.m.



Debra Johnson, Board Chair



Joan Smith, Board Secretary