

MINUTES

FOR ANNUAL MEETING

OF THE BOARD OF TRUSTEES

OF GRAND VALLEY STATE UNIVERSITY

The fourth meeting in 2018 of the Board of Trustees of Grand Valley State University was held on the 2nd Floor, Russel H. Kirkhof Center, on the Allendale Campus of Grand Valley State University on Friday, July 13, 2018.

The following members of the Board were present:

Victor M. Cardenas

Randall S. Damstra

David S. Hooker

John C. Kennedy, Chair

Mary L. Kramer, Vice Chair

John G. Russell

Megan S. Sall

Kate Pew Wolters

Thomas J. Haas, President, Ex Officio

The following Board officers and Executive officers were present:

Jesse M. Bernal, Vice President for Inclusion and Equity

Lynn M. Blue, Vice President for Enrollment Development

Thomas A. Butcher, Vice President and General Counsel

Maria C. Cimitile, Provost and Executive Vice President for Academic and Student Affairs

Brian Copeland, Treasurer, Board of Trustees

Teri L. Losey, Executive Associate to the President and Secretary, Board of Trustees

Karen M. Loth, Vice President for University Development

Matthew E. McLogan, Vice President for University Relations

Scott Richardson, Vice President for Administrative Services

Gregory J. Sanial, Vice President for Finance

The meeting was called to order at 11:02 a.m.

I. SECRETARY'S REPORT

18-4-1 (1) Approval of Minutes of Prior Meeting

On motion by Trustee Cardenas and second by Trustee Russell, the following resolution was adopted unanimously:

RESOLVED, that the minutes of the meeting, held April 27, 2018, are approved as distributed.

18-4-2 (2) Motion to Adopt Agenda

On motion by Trustee Hooker and second by Trustee Cardenas, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees agenda for the July 13, 2018, meeting is approved as distributed.

18-4-3 (3) Board Meeting Dates for 2019

On motion by Trustee Wolters and second by Trustee Damstra, the following resolution was adopted unanimously:

RESOLVED, that the meeting dates for 2019 for the Board of Trustees be established as follows:

Friday, February 8, 2019 Friday, April 26, 2019 Friday, July 12, 2019 Friday, November 1, 2019

18-4-4 (4) <u>Honorary Degree – Kennedy</u>

On motion by Trustee Cardenas and second by Trustee Sall, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees approves the granting of an Honorary Doctor of Public Service degree to John C. Kennedy III, to be awarded at the Commencement Ceremony on December 8, 2018, where he will be the Commencement speaker. Mr. Kennedy has been a member of the Grand Valley State University Board of Trustees since 2011 and previously served a term from 2002-2004. He has served on both Board committees and as Vice Chair and Chair of the Board. Mr. Kennedy is the President and CEO of Autocam Medical. He is a director of the Grand Valley University Foundation and a recipient of the GVUF Leadership and Enrichment awards. In addition to his long-standing commitment to Grand Valley, he is an entrepreneur, leader, and philanthropist.

I. SECRETARY'S REPORT, cont'd.

18-4-5 (5) Personnel Actions

On motion by Trustee Damstra and second by Trustee Wolters, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees approves the personnel actions as reported at this meeting.

II. GENERAL REPORTS

18-4-6 (6) <u>Development Division Report</u>

On motion by Trustee Hooker and second by Trustee Russell, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees gratefully accepts cash receipts of \$1,462,336.68 to the University presented at this meeting for April 1, 2018, through May 31, 2018.

18-4-7 (7) Naming of the Student Services Building

On motion by Trustee Cardenas and second by Trustee Hooker, the following resolution was adopted unanimously:

WHEREAS, the Student Services Building at Grand Valley State University is a facility that will provide a location for future and current students to find support services in areas such as admissions, registration, tutoring, career planning, financial aid, scholarships, and counseling; and

WHEREAS, Don and Nancy Lubbers came to West Michigan in 1969 when Don became Grand Valley's second president, then serving the longest tenure of any university president in the country at 32 years; and

WHEREAS, Nancy left her profession as a nurse to work in partnership with her husband to build Grand Valley from a small college into a regional university; and

WHEREAS, Don and Nancy together have been leaders in the creation of Grand Valley's Robert C. Pew Grand Rapids Campus, the Cook-DeVos Center for Health Sciences on Grand Rapid's Medical Mile, the Robert B. Annis Water Resources Institute in Muskegon, the Meijer Campus in Holland, and the Traverse City Regional Center; and

WHEREAS, Don and Nancy were instrumental in initiating and growing Grand Valley's nationally recognized study abroad program, the university's expansive art collection, and academic programs such as engineering, nursing, health professions, and business; and

WHEREAS, Don and Nancy's contributions to the community and support for the university continue to this day, most recently with creating the Don and Nancy Lubbers Opportunity Scholarship Endowment to help incoming freshmen with high academic achievement who do not qualify for other aid;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees approves the naming for the Student Services Building on the Allendale Campus as the Arend and Nancy Lubbers Student Services Center as presented at this meeting.

18-4-8 (8) <u>Discontinue Program Proposals</u>

Chinese Studies, B.A.

Radiologic and Imaging Sciences, B.S.

On motion by Trustee Sall and second by Trustee Cardenas, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees approves the changes to Chapter 3, Section 2.2, Undergraduate Degree Programs of the *Board of Trustees Policies*, to remove the Chinese Studies, B.A. and Radiologic and Imaging Sciences, B.S. programs, as presented at this meeting.

18-4-9 (9) <u>Revisions to Board of Trustees Policies</u>, Chapter 3, Section 1.3 – <u>Academic Support Units</u>

On motion by Trustee Sall and second by Trustee Wolters, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees approves the changes to Chapter 3, Section 1.3 of the *Board of Trustees Policies*, as presented at this meeting.

18-4-10 (10) Revisions to Board of Trustees Policies, Chapter 4,

Section 2 – Faculty

Section 2.9 – Areas of Evaluation for Renewal of Probationary

Appointments, Promotion, Tenure, and Periodic Performance Reviews

Section 2.10 – Procedures for Regular Faculty Appointment Renewal,

<u>Promotion, Tenure, Periodic Performance Review, and Dismissal for</u> Adequate Cause

Section 2.18 – Complaint Procedure

Section 2.25 – Procedures for the Awarding of Sabbatical Leave

On motion by Trustee Sall and second by Trustee Wolters, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees approves the changes to Chapter 4, Sections 2.9, 2.10, 2.18, and 2.25 of the *Board of Trustees Policies*, as presented at this meeting.

18-4-11 (11) Revisions to *Board of Trustees Policies*, Chapter 9, Section 2 –

Division of Inclusion and Equity

<u>Section 9.2.7 – Campus Interfaith Resources</u>

Section 9.2.8 – Sylvia and Richard Kaufman Interfaith Institute

Section 9.2.9 – Pathways to College Office

Section 9.2.10 – Veterans Upward Bound Program

On motion by Trustee Sall and second by Trustee Wolters, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees approves the additions to Chapter 9, Sections 2.7, 2.8, 2.9, and 2.10 of the *Board of Trustees Policies*, as presented at this meeting.

18-4-12 (12) <u>Title IX Reports Involving Employees</u>

On motion by Trustee Cardenas and second by Trustee Russell, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees authorizes the Board Chair to designate the trustee to receive and review Title IX reports received by the University involving employees as required by law and so certify for all reports beginning June 28, 2018.

FURTHER RESOLVED, the Vice President for Inclusion and Equity shall facilitate, for the Board and its designee, the reporting as mandated by law.

Note: Chair Kennedy appointed Trustee Kate Pew Wolters as the designee.

18-4-13 (13) <u>2018-2019 Tuition and Fee Schedule</u>

On motion by Trustee Cardenas and second by Trustee Sall, the following resolution was approved by a roll call vote:

RESOLVED, that the Board of Trustees approves the 2018-2019 Tuition and Fee Schedule as presented at this meeting.

Yeas: Victor M. Cardenas Randall S. Damstra John C. Kennedy Mary L. Kramer John G. Russell Megan S. Sall

Nays: David S. Hooker Kate Pew Wolters

18-4-14 (14) 2018-2019 General Fund Budget

On motion by Trustee Cardenas and second by Trustee Damstra, the following resolution was approved by a roll call vote:

RESOLVED, that the Board of Trustees approves the 2018-2019 General Fund Budget as presented at this meeting.

FURTHER RESOLVED, that the Board approves the preliminary spending authority at levels consistent with the 2018-2019 budget, as it may be subsequently amended by the Board, for fiscal year 2019-2020 until the 2019-2020 budget is adopted.

Yeas: Victor M. Cardenas Randall S. Damstra John C. Kennedy Mary L. Kramer John G. Russell Megan S. Sall

Nays: David S. Hooker Kate Pew Wolters

18-4-15 (15) <u>Charter Schools Report</u>

<u>Authorization of Martin Luther King Jr. Education Center Academy 6a</u> <u>Contract</u>

On motion by Trustee Sall and second by Trustee Cardenas, the following resolution was adopted unanimously:

WHEREAS, the Michigan Legislature has provided for the establishment of public school academies as part of the Michigan public school system by enacting Act No. 362 of the Public Acts of 1993; and

WHEREAS, according to this legislation, the Grand Valley State University Board of Trustees (the "Board of Trustees"), as the governing body of a state public university, is an authorizing body empowered to issue contracts to organize and operate public school academies; and

WHEREAS, the Michigan Legislature has mandated that public school academy contracts be issued on a competitive basis taking into consideration the resources available for the proposed public school academy, the population to be served by the proposed public school academy, and the educational goals to be achieved by the proposed public school academy; and

WHEREAS, the Grand Valley State University Board of Trustees, having requested applications for organizing public school academies and having reviewed the applications according to the provisions set forth by the Michigan Legislature.

NOW, THEREFORE, BE IT RESOLVED:

- 1. That the application for Martin Luther King Jr. Education Center Academy ("Academy"), located at 16827 Appoline Street, Detroit, MI 48235, submitted under Section 502 of the Revised School Code, meets the Board of Trustees' requirements and the requirements of applicable law, is therefore approved;
- 2. That the Board of Trustees establishes the method of selection, length of term and number of members of the Academy's Board of Directors as follows:

Method of Selection and Appointment of Academy Board Members:

- Initial Academy Board Member Nominations a. As part of the public school academy Appointments: application, the public school academy applicant shall propose to the Director of the University Charter Schools Office ("Director"), the names of proposed individuals to serve on the initial board of directors of the proposed public school academy. When the Director recommends an initial contract for approval to the Board of Trustees, he/she shall include recommendations for initial Academy Board members. These recommendations may, but are not required to, include individuals proposed by the public school academy applicant. To be considered for appointment, the nominees must have completed the required board member candidate application materials, including at least (i) the Academy Board Member Questionnaire prescribed by the University Charter Schools Office; and (ii) the Criminal Background Check Report prescribed by the University Charter Schools Office.
- b. <u>Subsequent Academy Board Member Nominations and Appointments:</u> Except as provided in paragraph (2) below, the Academy Board may nominate individuals for subsequent Academy Board of Director positions. As part of the appointment process, the Academy Board may submit to the Director: (i) the name of the nominee; (ii) the board member candidate application materials identified in paragraph (a) above; and (iii) a copy of the Academy Board nominating resolution. The Director may or may not recommend the proposed nominee submitted by the Academy Board. If the

Director does not recommend a nominee submitted by the Academy Board, the Director shall select a nominee and forward that recommendation to the Board of Trustees for appointment. The Board of Trustees shall have the sole and exclusive right to appoint members to the Academy Board.

- Exigent Appointments: When the Director determines an c. "exigent condition" exists which requires him/her to make an appointment to a public school academy's board of directors, the Director, with University President approval, may immediately appoint a person to serve as a public school academy board member for the time specified, but not longer than the next meeting held by the Board of Trustees when a regular appointment may be made by the Board of Trustees. Director shall make the appointment in writing and notify the public school academy's board of directors of the appointment. Exigent conditions include, but are not limited to when an Academy Board seat is vacant, when a Academy Board cannot reach a quorum, when the Board of Trustees determines that an Academy Board member's service is no longer required, when an Academy Board member is removed, when an Academy Board fails to fill a vacancy, or other reasons which would prohibit the Academy Board from taking action without such an appointment.
- 3. Qualifications of Academy Board Members: To be qualified to serve on the Academy Board, a person shall: (a) be a citizen of the United States; (b) reside in the State of Michigan; (c) submit all materials requested by the GVSU Charter Schools Office including, but not limited to, a GVSU Academy Board Member Questionnaire and a release for criminal history background check; (d) not be an employee of the Academy; (e) not be a director, officer, or employee of a company or other entity that contracts with the Academy; and (f) not be an employee or representative of GVSU or be a member of the Board of Trustees.
- 4. Oath /Acceptance of Office / Voting Rights: Following appointment by the Board of Trustees, Academy Board Appointees may begin their legal duties, including the right to vote, after they have signed an Acceptance of Public Office form and taken the Oath or Affirmation of Public Office administered by a member of the Academy Board, other public official or notary public.
- 5. <u>Length of Term; Removal:</u> An appointed Academy Board member is an "at will" board member who shall serve at the pleasure of the Board of Trustees for a term of office not to exceed three (3) years. Regardless of the length of term, terms shall end on June 30 of the final year of

service, unless shorter due to other provisions of this resolution. A person appointed to serve as an Academy Board member may be reappointed to serve additional terms. When an Academy Board member is appointed to complete the term of service of another Academy Board member, their service ends at the end of the previous Academy Board member's term.

If the Board of Trustees determines that an Academy Board member's service in office is no longer required, then the Board of Trustees may remove an Academy board member with or without cause and shall specify the date when the Academy Board member's service ends. An Academy Board member may be removed from office by a two-thirds (2/3) vote of the Academy's Board for cause.

- 6. Resignations: A member of the Academy Board may resign from office by submitting a written resignation or by notifying the Director. The resignation is effective upon receipt by the Director, unless a later date is specified in the resignation. A written notice of resignation is not required. If no such written notification is provided, then the Director shall confirm a resignation in writing. The resignation shall be effective upon the date the Director sends confirmation to the resigning Academy Board member.
- 7. <u>Vacancy:</u> An Academy Board position shall be considered vacant when an Academy Board member:
 - a. Resigns
 - b. Dies
 - c. Is removed from Office
 - d. Is convicted of a felony
 - e. Ceases to be qualified
 - f. Is incapacitated
- 8. <u>Filling a Vacancy:</u> The Academy Board may nominate and the Director shall recommend or temporarily appoint persons to fill a vacancy as outlined in the "Subsequent Appointments" and "Exigent Appointments" procedures in this resolution.
- 9. <u>Number of Academy Board Member Positions:</u> The number of member positions of the Academy Board of Directors shall be five (5), seven (7) or nine (9), as determined from time to time by the Academy Board.
- 10. Quorum: In order to legally transact business the Academy Board shall have a quorum physically present at a duly called meeting of the Academy Board. A "quorum" shall be defined as follows:

of Academy Board positions Five (5) Three (3)
Seven (7) Four (4)
Nine (9) Five (5)

11. <u>Manner of Acting:</u> The Academy Board shall be considered to have "acted," when a duly called meeting of the Academy Board has a quorum present and the number of board members voting in favor of an action is as follows:

of Academy Board positions # for Quorum # required to act Five (5) Three (3) Three (3)
Seven (7) Four (4) Four (4)
Nine (9) Five (5) Five (5)

12. <u>Initial Members of the Board of Directors:</u> The Grand Valley State University Board of Trustees appoints the following persons to serve as the initial members of the Academy's Board of Directors for the designated term of office set forth below:

Pending 1 year term expiring June 30, 2019
Audrey L. Bibbs 2 year term expiring June 30, 2020
Arthur Dudley 2 year term expiring June 30, 2020
Frankie L. James 3 year term expiring June 30, 2021
Brigette Johnson 3 year term expiring June 30, 2021

13. Conservator; Appointment by University President: Notwithstanding any other provision of the Contract, in the event that the health, safety, and welfare of the Academy students, property, or funds are at risk, the University President, after consulting with the University Board Chairperson, may appoint a person to serve as the Conservator of the Academy. Upon appointment, the Conservator shall have all powers of a Board of Directors of a Public School Academy and act in the place and stead of the Academy Board. The University President shall appoint the conservator for a definite term, which may be extended in writing. During the appointment, the Academy Board members are suspended and all powers of the Academy Board are suspended. All appointments made under this provision must be presented to the University Board for final determination at its next regularly scheduled meeting. During their appointment, the Conservator shall have the following powers: a) take into his or her possession all Academy property and records, including financial, board, employment, and student records; b) institute and defend board actions by or on behalf of the Academy; c) continue the business of the Academy including entering into contracts, borrowing money, and pledging, mortgaging, or otherwise encumbering the property of the Academy as security for the repayment of the loans, however, the power shall be subject to any

provisions and restrictions in any existing credit documents; d) hire, fire, and discipline employees of the Academy; e) settle or compromise with any debtor or creditor of the Academy, including any taxing authority; f) review all outstanding agreements to which the Academy is a party and to take those actions which the Academy Board may have exercised to pay, extend, rescind, renegotiate, or settle such agreements as needed; and g) perform all acts necessary and appropriate to fulfill the Academy's purposes as set forth under the Code or this Contract.

- 14. The Board of Trustees approves and authorizes the execution of a contract to charter a public school academy to the Academy and authorizes the University President or designee to issue a contract to charter a public school academy and related documents ("Contract") to the Academy, provided that, before execution of the Contract, the University President or designee affirms that all terms of the contract have been agreed upon and the Academy is able to comply with all terms and conditions of the Contract and Applicable Law. This resolution shall be incorporated in and made part of the Contract.
- 15. Within ten days after the Board of Trustees issues the Contract, the Director will submit the Contract to the Michigan Department of Education. Pursuant to the State School Aid Act of 1979, the Michigan Department of Education shall, within thirty days after the Contract is submitted to the Michigan Department of Education, issue a district code number to each public school academy that is authorized under the Revised School Code and is eligible to receive funding under the State School Aid Act. By approving and issuing the Contract, the Board of Trustees is not responsible for the Michigan Department of Education's issuance or non-issuance of a district code number. As a condition precedent to the Board of Trustees' issuance of the Contract, the Applicant, the Academy and the Academy's Board of Directors shall acknowledge and agree that the Board of Trustees, Grand Valley State University, its officers, employees and agents are not responsible for any action taken by the Academy in reliance upon the Michigan Department of Education's issuance of a district code number to the Academy, or for any Michigan Department of Education's decision resulting in the non-issuance of a district code number to the Academy.

Saginaw Covenant Academy Extended Start Date

On motion by Trustee Sall and second by Trustee Cardenas, the following resolution was adopted unanimously:

WHEREAS, the Board of Trustees, at its meeting on February 2, 2016, approved the issuance of a charter contract to Saginaw Covenant Academy; and

WHEREAS, the charter contract requires Saginaw Covenant Academy to open and hold classes by October 1, 2018, to avoid automatic contract termination; and

WHEREAS, Saginaw Covenant Academy requests flexibility to allow it to open after October 1, 2018, due to building construction timelines that are beyond the control of the Academy.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Article IX of the Terms and Conditions incorporated into the Academy's contract, the Board of Trustees approves the change of the October 1, 2018, deadline within the Academy's charter contract to no later than February 1, 2019.

Appointment of Charter School Board of Directors

On motion by Trustee Sall and second by Trustee Cardenas, the following resolution was adopted unanimously:

RESOLVED, the Board of Trustees appoints the Charter School Board of Directors as presented at this meeting.

18-4-16 (16) <u>Affordable Housing – Belknap Neighborhood</u>

On motion by Trustee Cardenas and second by Trustee Russell, the following resolution was adopted unanimously:

RESOLVED, that the Board of Trustees of Grand Valley State University authorizes the lease of certain real property totaling approximately 0.85 acres, on the south side of Trowbridge, between Lafayette and Prospect, in the Belknap area of the City of Grand Rapids, to Three CPK, a joint venture of Third Coast Development and PK Housing, for development of affordable housing, on such terms and conditions as are deemed appropriate by the University Treasurer and after review with the President and the Finance and Audit Committee of the Board.

FURTHER RESOLVED, that the Board authorizes the Treasurer and Assistant Treasurer to execute any and all documents to effectuate the transaction.

Note: City of Grand Rapids Mayor, Rosalynn Bliss, Ruth Kelly and Joe Jones, Second Ward Commissioners from the City of Grand Rapids, Todd Leinberger, Vice Chair of the Board for Neighbors of Belknap Lookout, and Pastor Jerome Burton from Coit Community Church were present at the meeting. Mayor Bliss, Commissioner Kelly, and Mr. Leinberger expressed their gratitude for Grand Valley, the City, and the community working together to fulfill the commitment of affordable housing as outlined in the Memorandum of Understanding between the University and the City.

18-4-17 (17) President's Report

III. CHAIR – PRIVILEGE OF THE FLOOR

18-4-18 (18) Report from the Nominating Committee

18-4-19 (19) Election of Board Chair

On motion by Trustee Cardenas and second by Trustee Damstra, the following resolution was adopted unanimously:

RESOLVED, that from its membership, the Board of Trustees elects Mary L. Kramer its Chair to serve from 12:01 a.m. on July 14, 2018 until the next annual meeting or until a successor shall have been elected.

18-4-20 (20) Election of Board Vice Chair

On motion by Trustee Wolters and second by Trustee Hooker, the following resolution was adopted unanimously:

RESOLVED, that from its membership, the Board of Trustees elects Megan S. Sall its Vice Chair to serve from 12:01 a.m. on July 14, 2018, until the next annual meeting or until a successor shall have been elected.

18-4-21 (21) Election of Other Board Officers

On motion by Trustee Wolters and second by Trustee Hooker, the following resolution was adopted unanimously:

RESOLVED, that from persons on the University staff, the Board of Trustees elects the following to the respective offices set after their names, each of whom shall serve from 12:01 a.m. on July 14, 2018 until the next annual meeting or until a successor shall have been elected and qualified; subject, however, to removal at any time during the election term by action of the Board of Trustees:

Teri L. Losey, Secretary Gregory J. Sanial, Treasurer Brian C. Copeland, Assistant Treasurer

18-4-22 (22) Recognition of John C. Kennedy

By acclamation of the Board of Trustees, the following resolution was adopted:

III. CHAIR – PRIVILEGE OF THE FLOOR cont'd.

John C. Kennedy

The Grand Valley State University Board of Trustees today honors John C. Kennedy for his two years of service as Chair of the Board of Trustees.

WHEREAS, today marks the final day of John Kennedy's chairmanship of the Grand Valley State University Board of Trustees; and

WHEREAS, Mr. Kennedy served with dedication and distinction at a crucial time in the university's history; and

WHEREAS, under the Board's guidance, the university completed the construction of Finkelstein Hall, commenced additional construction projects on the Grand Rapids Medical Mile, and enhancements were made to the Seymour and Esther Padnos College of Engineering and Computing through its Innovation Design Center for Engineering; and

WHEREAS, these undertakings confirm Grand Valley's leadership as the region's largest provider of superbly trained engineering and health care professionals; and

WHEREAS, the Board today announced an agreement to bring new belowmarket-rate housing options to areas adjacent to the university's health care facilities, underscoring the Board's commitment to the City of Grand Rapids and to the public good; and

WHEREAS, Mr. Kennedy's service as Chair of the Presidential Search continues, as does his Trusteeship,

NOW, THEREFORE BE IT RESOLVED, the Board of Trustees commends Mr. Kennedy for his remarkable service and steady leadership as Chair; and

BE IT FURTHER RESOLVED that a copy of this resolution, adopted unanimously, be presented to John C. Kennedy as evidence of the Board's esteem and appreciation on this 13th day of July, 2018.

18-4-23 (23) Motion to Adjourn

RESOLVED, on motion by Trustee Russell and second by Trustee Hooker, the meeting was adjourned at 12:11 p.m.

Mary L. Kramer, Chair

Board of Trustees

Teri L. Losey, Secretary
Board of Trustees