

KIRTLAND COMMUNITY COLLEGE

AGENDA FOR A REGULAR MEETING of the BOARD OF TRUSTEES

July 15, 2021, at 7:00 p.m.

Face to Face Meeting – Community Room A
Kirtland-Grayling Campus, 4800 W. 4 Mile Rd., Grayling, MI 49738

To view this meeting virtually please contact: gina.mova@kirtland.edu

Special meeting to discuss Board member goals, 5:30 pm, Presidents Board Room

Kirtland President, Tom Quinn, will provide a tour of new construction at 6:30 p.m. starting from the President's office

1. Call to Order and Pledge of Allegiance

Mission: To provide innovative educational opportunities to enhance student lives and build stronger communities.

2. Roll Call

3. Welcome and Introduction of Guests

4. **Consent Agenda:** *The purpose of the Consent Agenda is to expedite business by grouping routine agenda items together to be dealt with by one Board motion without discussion. Any member of the Board or staff may ask that any item on the Consent Agenda be removed and placed later on the agenda for full discussion. Such requests will be automatically respected.*

If any item is not removed from the Consent Agenda, the action on the agenda is approved/accepted by a single Board action adopting the Consent Agenda.

- A. June 17, 2021, Regular Board Meeting Minutes
- B. June 17, 2021, Public Hearing on College Budget Minutes
- C. Revision of POL 2.240 Supplanting
- D. Revision of POL 5.400 Workers Compensation
- E. Revision of POL 6.030A Academic Probation and Academic Dismissal
- F. Revision of POL 2.210 Compliance with the ADA

Suggested Motion: *The Board of Trustees of Kirtland Community College approves the consent agenda as presented, and the policies presented (A-E) be approved as a second read.*

5. New Business

- G. Revision of POL 5.145 Terminations
- H. Revision of POL 5.365 Timesheets
- I. Revision of POL 6.031 Academic Amnesty
- J. Resolution to appoint a person to sign a perpetual lease with American Tower Company
- K. Signatures from Board members authorizing the sale of a lease to American Tower Company

Suggested Motion: *I move that Policy ____ be accepted as the first reading with corrections/amendments and forwarded to the agenda for a second reading during the August Board meeting.*

6. Old Business

7. President's Report

- Update on the ribbon cutting ceremony scheduled for August 10, 2021
- Update on opening the college for public meetings

8. Board Member Reports/Open Discussion

9. Public Comment

10. Announcements & Calendar Items

- July 20-22 MCCA Summer Conference (zoom)
- October 13-16 ACCT Leadership Congress – San Diego, CA
- August 25 and 26, Vaccination Clinic 11:00 to 1:00 each day
- Ribbon Cutting Friday, September 10, 10:00 AM
- Open House, Saturday, September 11, 9:00-11:30 AM
- August 1, Proposed completion of the construction project

11. Adjournment

APPENDIX A

Board minutes for June 17 regular meeting

to be inserted later

APPENDIX B

Minutes to the Public Hearing on the College Budget

to be inserted later

APPENDIX C

Consent agenda item

Administration recommends the following policy be repealed, in a second reading, as part of the consent agenda.

POL 2.240 Supplanting

Federal funds received under the Carl D. Perkins Vocational and Applied Technology Education Act will be so used as to supplement, and to the extent practicable, increase the amount of state and local funds that would in the absence of such federal funds be made available for the use specified in the Act, and in no case supplant such state or local funds.

Approved November 13, 1997

Proposed this policy be repealed on June 17, 2021

Included in the consent agenda for a second reading on July 15 , 2021

APPENDIX D

Consent agenda item

Administration recommends the following policy remain in effect as currently written and approved in a second reading.

POL 5.400 Workers' Compensation

If an employee suffers an injury arising out of and in the course of their employment, the college will pay workers' compensation benefits in accordance with the Michigan Workers' Compensation Act. All work-related injuries and/or accidents must be reported on an accident report form at the time of the injury and/or accident. For eligibility and claim procedures, contact the human resources office.

Approved April 13, 1995
Proposed review on June 17, 2021
Proposed for a second reading on July 15, 2021

To view the procedure, go to PRO 5.400 Workers' Compensation

APPENDIX E

Consent agenda item

The college administration recommends the following revised policy be approved in a second reading.

POL 6.03a Academic Probation and Academic Dismissal from College

Cumulative/career credit hours attempted/graded and cumulative/career grade point average (g.p.a.) will determine a student's good academic standing, probation, and dismissal status according to the following schedule.

Cum./Career Credit Hours Attempted/Graded	Good Standing Cum./Career g.p.a.	Probation Status Cum./Career g.p.a.	Dismissal Status Cum./Career g.p.a.
0-5	2.00 and above	--	--
6-11	2.00 and above	00.0-1.99	--
12-17	2.00 and above	1.00-1.99	0.99 or less
18-23	2.00 and above	1.26-1.99	1.25 or less
24-29	2.00 and above	1.53-1.99	1.52 or less
30 plus	2.00 and above	1.80*-1.99	1.79 or less

~~*Should the student not show academic progress (increasing cum./career g.p.a. towards 2.00) after completion of the next enrolled semester/session, he/she will be dismissed.~~

If a student is dismissed from the college and wishes to re-enter, he/she must submit an “application for reinstatement”. ~~for permission to re-enter. as a limited probationary student.~~ If permission is granted, the student will be allowed to re-enter with enrollment restrictions as stated in a signed contract between the student and the ~~student services-~~ college counselor. ~~Any adjustments to the limited probationary student’s schedule must be approved by the student services counselor.~~

~~A limited probationary-~~ reinstated student will be dismissed again from the college if he/she is not showing academic progress (increasing the cum./career g.p.a. towards 2.00) or if he/she does not meet all requirements as listed in the contract. Students being dismissed for a second time will be automatically required to sit out at least one semester.

~~Students being placed on academic probation or academic dismissal will be notified by email of their status through their Kirtland email.~~

Approved April 17, 1997

Proposed Revisions June 17, 2021

Proposed acceptance of the revision in a second reading on July 15, 2021

[To view the procedure, go to PRO 6.030A Academic Probation and Academic Dismissal from College](#)

APPENDIX F

Consent agenda item

The college administration recommends the following policy be approved in a second reading

POL 2.210 Compliance with the ADA

WHEREAS, Congress has enacted the American with Disabilities Act; and

WHEREAS, the Board of Trustees of Kirtland Community College intends to comply with the requirements of the Americans with Disabilities Act; and

WHEREAS, providing access to education for persons with disabilities is part of the mission of ~~this institution~~ the college;

THEREFORE, it is hereby resolved by the Board of Trustees that compliance with the Americans with Disabilities Act is a priority of ~~this institution~~ the college. The Board of Trustees hereby directs the administration to prepare, publish, and distribute policy statements and procedures to comply with the letter and spirit of the Americans with Disabilities Act and to take prompt action to implement the requirements of the Americans with Disabilities Act. ~~Policy statements shall be issued and procedures implemented covering the following areas:~~

A Compliance Officer for the Americans with Disabilities Act will be designated by the college President to provide training for employees, handle inquiries and/or complaints, refer cases to a specific department within the college, and document compliance as necessary. Given the many

facets of the ADA, employees throughout the college will implement procedures to follow the Act's guidelines in their areas unless these pose an undue burden or would result in a fundamental alteration of college programs.

- ~~2. —Preparation of a comprehensive self-evaluation of all programs and activities of the institution, including employment;~~
 - ~~3. —Appointment of a task force to assist the ADA coordinator in his or her functions, in preparation of the self-evaluation, and implementation of a plan of compliance;~~
 - ~~4. —Preparation of an institutional budget for the activities of the ADA coordinator, the self-evaluation, and provision of reasonable accommodation or auxiliary aids and services;~~
 - ~~5. —Other steps deemed necessary by the administration to comply with the Americans with Disabilities Act, unless these pose an undue burden or would result in a fundamental alteration of programs of the institution.~~
- ~~Further, the administration shall solicit the involvement of the community and individuals with disabilities in conducting the self-evaluation and in setting priorities for compliance.~~

~~The administration shall report to the Board of Trustees no less frequently than every three months during 1993 on the progress being made towards compliance with the Americans with Disabilities Act.~~

Proposed Revision March 18, 2021
Proposed Revisions June 17, 2021
Proposed for approval at a second
reading July 15, 2021

To view the procedure, go to [PRO 2.210.1 Service Animals](#)

APPENDIX G

New Business

The college administration recommends the approval of the following policy, as revised, in a first reading

POL 5.145 Termination

 kirtland.edu/policies-and-procedures/personnel-policies/pol-5-145-termination

Termination is treated in a confidential and dignified manner. The Human Resources Office will generally be responsible for monitoring termination procedures to ensure thorough, consistent, and equitable treatment of all existing employees.

Approved April 13, 1995
Proposed revision for a first reading, July 15, 2021

To view the procedure, go to [PRO 5.145 Termination](#).

APPENDIX H

New Business

The college administration recommends the approval of the following policy, as revised, in a first reading

POL 5.365 Timesheets

kirtland.edu/policies-and-procedures/personnel-policies/pol-5-365-timesheets

~~Each~~ Non-exempt employees ~~is~~ are responsible for keeping ~~his or her~~ their own timesheet indicating hours worked and time off from work. ~~for illness, vacation, bereavement, public service duty, leave of absence, etc.~~

Revised January 18, 1996
Proposed revision for a first reading, July 15, 2021

To view the procedure, go to PRO 5.365 Timesheets

APPENDIX I

New Business

The college administration recommends the approval of the following policy, as revised, in a first reading

POL 6.031 Academic Amnesty

kirtland.edu/policies-and-procedures/student-services-policies/pol-6-031-academic-amnesty

Academic amnesty is an action of forgiveness provided to certain students who have experienced poor academic performance at Kirtland Community College. Kirtland Community College understands that a student may “get off to a bad start” due to circumstances beyond ~~his/her~~ their own control. In addition, students may enroll ~~into~~ in a program which ~~he/she~~ they later finds does not suit ~~his/her~~ their needs. ~~Both situations may result in a student experiencing poor academic performance.~~ Through academic amnesty, a student will be awarded a “second opportunity” to achieve success at Kirtland by removing the negative impact of less than “C” grade courses on the student’s academic transcript.

To be eligible to apply for Academic amnesty, a student must have:

1. A cumulative grade point average (g.p.a.) of less than 2.00.
2. Completed at least six credit hours or more toward a new program of study and have maintained a 2.00 g.p.a. or higher since beginning the new program.
3. Allowed one year to elapse between the poor academic performance period and requirement #2.

Once eligible, a student may ~~petition the academic amnesty committee by submitting~~ submit the completed "Application for Academic Amnesty " form to the Registrar. ~~student services office.~~

~~The academic amnesty committee will review all requests for academic amnesty. This committee will include the dean of career & technical studies, the director of special populations and three faculty members (selected by the instructional deans). The presiding member of the committee will be a faculty member.~~

~~Committee tenure for faculty members will be based on a three year rotation. Each faculty chairperson of the committee will rotate off at the end of his/her year and be replaced by a new faculty person. The remaining two faculty members will each rotate to the chairmanship of the committee and eventually leave the committee at the end of his/her year.~~

If Academic amnesty is granted, ~~by the committee~~ it must be for one continuous period of enrollment in a program at Kirtland Community College, as indicated by courses taken by the students that are directly attributable to that program. ~~Once amnesty has been approved by the committee and applied by the director of student services to the student's (petitioner) transcript, the student will not be permitted to rescind the application of amnesty on his/her their academic record.~~ Other conditions include:

1. No coursework will be removed from a transcript.
2. A special notation explaining amnesty approval will be placed on the student's transcript. Honor points and credit hours attempted during the amnesty period will be subtracted from the current cumulative honor points and credit hours attempted. A new cumulative grade point average will then be established.
3. Courses ~~successfully~~ completed with a grade of "C" or better during the amnesty period can be used toward the student's certificate or degree requirements but do not count toward the student's g.p.a.
4. A student receiving academic amnesty will not be allowed to graduate with honors.
5. Academic amnesty, when granted, applies only to Kirtland Community College courses. There is no guarantee, expressed or implied, that academic amnesty will be recognized by any other college or university.
6. Academic amnesty can be granted only once to any student.

Adopted December 8, 1988

Proposed revision for a first reading, July 15, 2021

To view the procedure, go to [PRO 6.031 Academic Amnesty](#).

The college administration recommends the above revision to this policy.

APPENDIX J

New Business--Recommended resolution to appoint a person to sign a purchase agreement to sell a perpetual easement, on the Roscommon Campus, to American Tower Company

RESOLUTION AND CONSENT AFFIDAVIT

Kirtland Community College, a Michigan Community College District

Be it known that, under the pains and penalties of perjury, the undersigned Members, Partners, Directors, Shareholders, Officers or Trustees (collectively "**Affiants**") of the above referenced entity (the "**Seller**"), hereby declare and resolve the following:

1. Seller (*or its predecessor in interest*) has leased or subleased a portion of land to GTP Towers I, LLC, a Delaware limited liability company (*or its predecessor in interest*), (hereinafter "**Buyer**") under a Lease Agreement originally dated March 25, 2009 (as the same may have been amended, the "**Lease**").
2. Seller and Buyer desire to enter into an Option Agreement to Purchase Communications Easement, and an Easement and Assignment Agreement (collectively, the "**Easement**") which will grant Buyer a perpetual easement in, over, under, across and through land owned by the Seller and Buyer will provide a one-time, lump-sum payment to Seller as more fully set forth in the Easement.
3. Seller is a legal entity and in full compliance with all applicable laws required by the state in which Seller is located and originally created, or if not in compliance, the Affiants listed hereunder are all the only legal and equitable interest owners of Seller and are the only Members, Partners, Directors, Shareholders or Trustees of Seller.
4. The Affiants hereby consent to the Easement and all provisions therein and declare that Seller is hereby authorized to enter into the Easement with Buyer.
5. The Affiants also declare that they have full legal authority to bind Seller under the laws of the State or Commonwealth upon which Seller's property is located and Affiants have the full authority to execute any and all agreements on behalf of Seller and to nominate individuals to act on Seller's behalf.
6. The Affiants hereby nominate the below listed individual (the "**Nominee**") as attorney-in-fact to execute the Easement on behalf of Affiants and Seller, as well as any other documents necessary to complete the Easement transaction and comply with the provisions therein. The Nominee shall have full power and authority to act on behalf of Affiants and on behalf of Seller for the sole purpose of completing the Easement transaction. In addition, the Nominee shall have full authority to direct the manner in which all payments will be made by Buyer to Seller pursuant to the Easement, including identifying which bank accounts to transfer funds to in the event a wire payment is made by Buyer.

NOMINEE: (Print Name) _____
(Address) _____

This document shall become effective as of the date of the last notarized signature of Affiants listed below.

8. Buyer and any third party may rely on a faxed, scanned or otherwise electronically reproduced fully-executed copy of this document as if it were an original.
9. This document can only be amended by addendum or other instrument that is fully executed and notarized by all Affiants listed hereunder.

Roll call vote : Bruder, Yes _____ No _____ ; Ferrigan, Yes _____ No _____ ; Knepp, Yes _____ No _____ ; Kramer, Yes _____ No _____ ;

Pearen, Yes _____ No _____ ; Ritter, Yes _____ No _____ : Spangle, Yes _____ No _____

APPENDIX K

New Business

This document will be revised and duplicated for individual signatures of Board members in attendance at the meeting. It is requested by American Tower Company as documentation that the Board of Trustees has the authority to sell an easement on public property.

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY ON THE DATE WRITTEN BELOW:

AFFIANT NO. 1

Signature: _____

Print Name: _____

Date: _____

Title: (*circle one*) Member, Partner, Director,
Shareholder, Officer, Trustee

Percentage Ownership or Voting Interest:
_____ %

2 WITNESSES

Signature: _____

Print Name: _____

Signature: _____

Print Name: _____

WITNESS AND ACKNOWLEDGEMENT

State/Commonwealth of Michigan

County of Crawford

On this 15th day of July, 2021, before me, the undersigned Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

Print Name: _____

My commission expires: _____

{Seal}