

MINUTES
NORTH CENTRAL MICHIGAN COLLEGE BOARD OF TRUSTEES
REGULAR MEETING – Library Conference Rooms 1 & 2
Tuesday, November 28, 2023 (4:00 p.m.)

1. CALL TO ORDER

Chairman Rasmussen called the meeting to order at 4:00 p.m.
He took a moment to welcome and introduce new Trustee Keith Pretty.

2. ATTENDANCE

PRESENT: Trustees Etienne, Fought, Keiswetter, Kring, Pretty, Rasmussen, and Shirilla
ABSENT: None

3. APPROVAL OF AGENDA

It was moved by Trustee Fought and supported by Trustee Etienne that the agenda be approved.

AYES: Trustees Etienne, Fought, Keiswetter, Kring, Pretty, Rasmussen, and Shirilla
NAYS: None
ABSENT: None

4. APPROVAL OF MINUTES

It was moved by Trustee Shirilla and supported by Trustee Kring that the minutes of the October 24, 2023, Regular Meeting be approved as drafted.

AYES: Trustees Etienne, Fought, Keiswetter, Kring, Pretty, Rasmussen, and Shirilla
NAYS: None
ABSENT: None

5. STUDENT SUCCESS

- a. NCMC NJCAA Division II National Championship Cross Country Athletes

Cross Country Coach Rod Anderson thanked the board for their support of the student-athletes. He and three NCMC cross country athletes travelled to the NJCAA Division II National Championship in Huntsville: Alabama. Emma Duncan, Rachel

Emma noted the weather was wonderful and the course was beautiful. Her race was good, although warmer than what they are used to up north. It was a huge field of competitors. It was definitely a challenge, and she set a new PR at 20:00 and placed 38th out of 300 in the 5K.

Zach shared that his experience was really good and intimidating. There were hundreds of athletes at various levels, and the course was good. He finished 151st in the 8K race. Zach noted there was a strong Michigan presence at the National level, and it was a fun experience to be a part of.

6. COMMUNICATIONS

a.

<https://www.petoskeynews.com/story/news/education/2023/11/03/ncmc-to-introduce-new-global-studies-mechatronics-degree-options/71411889007/>

c. PHSACF Youth Advisory Committee Thank You

The Petoskey-Harbor Springs Area Community Foundation, Youth Advisory Committee sent a very nice thank you to the college. They thank us for hosting their meetings and supporting their efforts. Special thanks go out to Laura Wolgast and her Food and Conference Services team for always doing a wonderful job to make them feel welcome.

7. SCHEDULED PUBLIC COMMENT

Chairman Rasmussen invited the leadership of both the Association of Faculty & Professional

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c.

b. Child Care Access Means Parents in School (CCAMPIS)

Jen Wixson shared a brief PowerPoint presentation with updates on NCMC's Child Care Initiative. The initiative consists of three phases, and she is currently working on Phase Two. There are two concepts to focus on within this phase: True Cost Fiscal Solutions, and the Early Childhood Education Ecosystem.

Funding is comprised of several sources: a Child Care Access Means Parents In School (CCAMPIS) grant, Petoskey Harbor Springs Area Community Foundation (PHSACF), Leadership Little Traverse (LLT), Emmet County, and NCMC, and the NCMC Foundation is assisting in these fundraising efforts in a big way, having made this a priority.

The core of this initiative is based on the key beliefs: child ca001 Tw [0 Tw -9(hi) (001)TJ0.001
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Trustee Shirilla reported that the Personnel Committee met on Thursday, November 16, 2023 to be brought up to date on any grievances and the contract negotiations.

d. Curriculum Committee

Trustee Shirilla reported that the Curriculum Committee met on Thursday, November 16, 2023 to conduct business.

At that time, a proposal dated August 31, 2023 from the Curriculum Review Development of Academic Programs (CRDAP) Committee, along with supporting documentation, was reviewed for consideration of a new Associate of Applied Science (AAS) Degree in Digital Art & Design. VPAA Strom and President Finley also lend their support of this proposal. The Committee reviewed the recommendations and Curriculum plan and recognized that this program benefits the students, faculty, and the college. Trustee Shirilla commended Anne Morningstar on the plan.

It was moved by Trustee Shirilla and supported by Trustee Keiswetter that the Board support the recommendation to establish the new AAS Degree in Digital Art & Design.

AYES: Trustees Etienne, Fought, Keiswetter, Kring, Pretty, Rasmussen, and Shirilla

NAYS: None

ABSENT: None

11. OLD BUSINESS.

Chairman Rasmussen shared a Board Statement regarding the Independent Investigation.

1. As you will recall, the Board voted in a Special Board Meeting on July 14, to have an independent investigation conducted regarding an altercation incident that occurred at a luncheon lecture event on June 22, 2023. The Faculty Association requested that an independent investigation occur, and the Board agreed this was appropriate.
2. The Board researched investigators and selected an independent firm with expertise in the topic area to conduct the investigation.
3. There were no limitations as to whom the independent firm contacted or interviewed in its process, nor any suggestions by the College as to what the results of the investigation should be. The direction to the investigators was to conduct an independent investigation and, regardless of the results, to report back to the Board.

- d. The investigation also involved a review of video, audio, and documentary evidence.
5. The findings are contained in an independent report that was provided to the Board last week.
6. The investigation was to review and answer two questions:
 - a. Whether the College's president or any College officials violated College policy in their handling of, or involvement in, the incident; and
 - b. Whether any First Amendment violation occurred in the College's handling of the incident.
7. As to those questions, the investigation concluded that:
 - a. Regarding whether President Finley or other personnel violated College policies in response to the incident:
 - i. College personnel were responding to what they reasonably believed in the moment was a threat to the attendees' safety. Their assessment was shared and supported by a substantial proportion of the attendees interviewed.
 - ii. President Finley's response to the incident was motivated by this concern, was not excessive, and did not violate any College policies.
 - iii. One action by an individual affiliated with the College toward one of the individuals removed was found to exceed reasonable bounds and to constitute a violation, though non-egregious, of the College's handbook. Corrective action was recommended.
 - iv. Other than this one instance, the investigation did not support a finding that any College personnel violated College policies in responding to the event.
 - v. Several of the actions depicted in video that drew the most public and media scrutiny were not actions of College personnel, but of individuals who were unaffiliated with the College who acted on their own volition.
 - b. On the First Amendment question, the investigation concluded there was no violation of First Amendment rights.
 - i. The individuals would have had the right to engage in expressive activity in any number of public common areas of the campus in accordance with published College policies.
 - ii. The individuals did not have a constitutional right to enter and disrupt a closed lecture event being conducted in a reserved space, or to violate the College's reasonable, neutral posted conduct rules for the event.
 - iii. The report suggested that there may have been a lack of awareness on the part of the individuals regarding the nature and limits of First Amendment protections.
8. The report also included recommendations for the College to consider for the future.
 - a. The report included suggestions that may improve public awareness of the College's commitment to expressive activity, and how it can be conducted at the College in a way that is effective, lawful, and in accordance with our policies.
 - b. The report also included suggestions that may help with staff preparedness and safety.

9. President Finley acknowledges that he has learned from the June 22 Luncheon Lecture incident, and he will work hard to ensure that a similar event does not occur again.
10. To make progress, we will be asking College leadership to consider the report