

Minutes of the Regular Meeting of the
Ferris State University Board of Trustees
Held on Friday, February 22, 2019
The University Center Building
Big Rapids, Michigan

1. Call to Order and Roll Call

A Regular Meeting of the Ferris State University Board of Trustees was held on Friday, February 22, 2019 in room 202c of The University Center Building, 805 Campus Drive, Big Rapids, Michigan. Chair Anna P. Seibold called the meeting to order at 11:08 a.m. In addition to Chair Seibold, the following individuals were present: Trustees Kurt A. Hofman, Lori A. Gwizdala, Robert J. Hegbloom, Ana L. Ramirez-Saenz, Kari L. Sederburg, Rupesh K. Srivastava and LaShanda R. Thomas; University President David L. Eisler; Provost and Vice President Paul Blake; University Vice Presidents David Pilgrim, Jerry L. Scoby, Shelly L. Pearcy and Jeanine Ward-Roof; University Vice President and General Counsel Miles J. Postema; President of Kendall College of Art and Design Leslie Bellavance; Secretary to the Board of Trustees Karen K. Huisman; and members of the University and area communities.

Chair Seibold and President Eisler presented the Bulldog Football and Volleyball teams with Citations of Merit for their exceptional seasons.

2. Hearing of the Public

No one responded to Chair Seibold's invitation to address the Board.

3. Administrative Reports

The following Administrative Reports were presented. Copies of written reports are located in the official file for this meeting:

- a. Student Government: Bobby Gill, Student Government President
- b. Academic Senate: Sandy Alspach, President of the Academic Senate
- c. Finance: Jerry Scoby, Vice President for Administration and Finance
- d. Critical Success Factors: Paul Blake, Provost and Vice President for Academic Affairs
- e. Diversity Plan Update: David Pilgrim, Vice President for Diversity and Inclusion
- f. Strategic Planning Progress: David Pilgrim, Vice President for Diversity and Inclusion

4a. Consent Calendar

It was moved by Trustee Ramirez-Saenz, supported by Trustee Hegbloom, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as amended and submitted on this date:

"RESOLVED, that the Ferris State University Board of Trustees hereby approves the items contained in the Consent Calendar as presented in the appended documentation:

- a. *Consent Calendar*
 1. *Minutes of December 14, 2018*

2. *Personnel Items*
3. *Appointments and Reappointments to the Boards of Directors of FSU-Authorized Charter School Academies*
4. *Revisions to Board-Approved Policy, Subpart 4-3 and Addition of Sec. 4-307 Other Real Estate Matters”*

4b. Honorary Doctorate Candidates, May 2019

President Eisler provided an overview of the Honorary Doctorate candidates. It was then moved by Trustee Srivastava, supported by Trustee Sederburg, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“RESOLVED that the Ferris State University Board of Trustees hereby accepts the Administration’s recommendation to confer upon Timothy Murphy the Honorary Doctorate of Public Service degree at the May 2019 commencement ceremonies.

BE IT FURTHER RESOLVED that the Ferris State University Board of Trustees hereby accepts the Administration’s recommendation to confer upon Michael Shibler the Honorary Doctorate of Public Service degree at the May 2019 commencement ceremonies.

BE IT FURTHER RESOLVED that the Ferris State University Board of Trustees hereby accepts the Administration’s recommendation to confer upon Teresa Weatherall Neal the Honorary Doctorate of Public Service degree at the May 2019 commencement ceremonies.”

4c. Sabbatical Leave Requests 2019-2020

It was moved by Trustee Hegbloom, supported by Trustee Ramirez-Saenz, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“RESOLVED, that the Board of Trustees hereby approves the Sabbatical Leave Requests for Academic Year 2019-2020 as recommended by the Provost/Vice President for Academic Affairs and endorsed by the Board of Trustees’ Academic Affairs/Student Affairs Committee.”

4d. Reauthorization of Hope of Detroit Academy

It was moved by Trustee Hegbloom, supported by Trustee Srivastava, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, the Ferris State University Board of Trustees (the “University Board”) granted conditional approval to a Resolution (the “Initial Resolution”) dated May 7, 1999, for Hope of Detroit Academy (the “Academy”), which conditionally authorized the execution of a contract with the Academy to charter an academy (“Original Charter Contract”) and conditionally authorized

the Chairperson of the University Board to execute the Original Charter Contract between the Academy and the University Board; and,

WHEREAS, on May 7, 2004 the University Board reauthorized the Academy for five years through June 30, 2009; and,

WHEREAS, on March 20, 2009 the University Board reauthorized the Academy for five years through June 30, 2014; and,

WHEREAS, on February 21, 2014 the University Board reauthorized the Academy for five years through June 30, 2019; and,

WHEREAS, the Academy has 935 students in grades K-12 with a population of 90% Hispanic/Latino students, 8% Black or African American and 2% Caucasian with 95% receiving free and reduced lunch rate; and

WHEREAS the Academy has an English Language Learners population of 65% and has a 13% special education rate; and,

WHEREAS, the Academy exceeds the resident district average in grades 3 – 7 in Math and English Language Arts and grade 8 exceeds in English Language Arts Michigan State Test of Academic Performance (M-STEP); and,

WHEREAS, the Academy is below the resident district average in Math and English Language Arts on the Scholastic Aptitude Test (SAT); and,

WHEREAS, the Academy has met all 14 Ferris State University Charter Schools Office contractual goals for school growth percentile on the NWEA-MAP test in both Reading and Math; and,

WHEREAS, the Academy is fiscally sound with a 14% fund balance; and,

WHEREAS, the Academy has an extremely close bond within the community it serves and partners with Health and Human Service agencies to offer additional services, such as English language and computer literacy, to both its students and community members; and,

WHEREAS, the University Board desires to reauthorize the Academy pursuant to the terms of a new contract to charter an academy (“New Charter Contract”) in substantially the form provided to the University Board in connection with its consideration of this reauthorization resolution (the “Reauthorization Resolution”) for five years through June 30, 2024; and,

WHEREAS, the University Board intends that the New Charter Contract shall supersede and replace the Original Charter Contract in all respects.

NOW THEREFORE BE IT RESOLVED:

- 1. The application for the reauthorization of Hope of Detroit Academy (the “Academy”) submitted to the Ferris State University Charter Schools Office (FSU CSO) for a term ending on June 30, 2024, is approved contingent upon the Academy Board approving the New Charter Contract (including without limitation the Terms and Conditions and all of the Schedules incorporated therein) and its execution, delivery and filing of the same in the name of and on behalf of the Academy.*

The University Board establishes the method of selection, length of term, number of members, qualification of members, the procedure for removal of members, and other matters pertaining to the Academy’s Board of Directors, as follows:

a. *Method of Selection.* *The University Board shall prescribe the methods of appointment for members of the Academy Board. Ferris State University’s Director of Charter Schools (“CSO Director”) is authorized to administer the University Board’s academy board selection and appointment process (including a Public School Academy Board Member Questionnaire or School of Excellence Board Member Questionnaire or Strict Discipline Academy Board Member Questionnaire, as applicable, and required background checks), as provided below:*

1. *The University Board shall appoint initial and subsequent members of the Academy Board of Directors by formal resolution, except as prescribed by subparagraph (4) of this subparagraph (a). The CSO Director shall recommend nominees to the University Board based upon a review of the applicable Academy Board Member Questionnaire, required background checks and each nominee’s resume. Each nominee shall be available for interview by the University Board or the CSO Director. The University Board may reject any or all Academy Board nominees.*
2. *The Academy Board shall be provided an opportunity to nominate its subsequent members, by resolution and majority vote, except as provided herein. The Academy Board shall recommend at least one nominee for each vacancy. The Academy Board’s nominees shall submit the applicable Academy Board Member Questionnaire for review by the Ferris State University Charter Schools Office (“CSO”). If the University Board elects not to appoint any of the Academy Board’s nominees for a vacant position on the Academy Board or elects to make its own nomination(s), it may nominate and appoint an Academy Board member of its own choosing for that vacant position, or it may request additional nominees from the Academy Board.*
3. *An individual appointed to fill a vacancy created other than by expiration of the term shall be appointed for the unexpired term of that vacant position.*
4. *Under exigent conditions, and with the approval of the University Board’s Chair, the CSO Director may appoint a qualified individual to the Academy Board. All appointments made under this provision must be presented to the University Board for final determination at its next regularly scheduled formal session. The University Board reserves the right to review, rescind, modify, ratify, or approve any appointments made under the exigent conditions provision.*

b. *Length of Term.* *Each member of the Academy Board shall serve at the pleasure of the University Board. The initial terms of the members of the Academy Board shall be staggered in a manner determined by the CSO Director, but no individual member’s term shall exceed a period of four (4) years. The subsequent term of each member of the Academy Board shall be for a period of four (4) years. The terms for each position shall begin on July 1st and end on June 30th of the pertinent year.*

c. *Number of Directors.* *The number of board member positions on the Academy’s Board of Directors shall be seven (7). The number of board member positions shall never be fewer than five (5) nor more than seven (7), as determined from time to time by the University Board. If the Academy Board fails to attain or maintain its full membership by making appropriate and timely nominations, the University Board or the CSO Director, may deem that failure an exigent condition.*

A vacancy may be left on the initial Academy Board for a parent or guardian representative to allow sufficient time for the Academy Board to interview and identify potential nominees.

d. Qualifications of Members. To be qualified to serve on the Academy Board, a person shall, among other things: (1) be a citizen of the United States; (2) be a resident of the State of Michigan; (3) submit all materials requested by the CSO including, but not limited to, the applicable Academy Board Member Questionnaire which must include authorization to process a criminal background check of the nominee; and (d) submit annually a conflicts of interest disclosure as prescribed by the CSO.

The Academy Board shall include as a member (1) at least one parent or guardian of a child attending the Academy; and (2) one professional educator, preferably a person with school administrative experience. The Academy Board shall include representation from the local community in which the Academy serves.

The members of the Academy Board shall not include (1) any member appointed or controlled by another profit or non-profit corporation; (2) Academy employees or independent contractors performing services for the Academy; (3) any current or former director, officer, or employee of an educational management company that contracts with the Academy; and (4) Ferris State University officials or employees.

e. Oath. Before beginning his/her service, each member of the Academy Board shall take and sign the constitutional oath of office before a justice, judge, or clerk of a court, or before a notary public. The Academy shall cause a copy of such oath of office to be filed with the CSO. No appointment shall be effective prior to the taking, signing and filing of the oath of public office.

f. Removal of Members. The University Board may remove an Academy Board member with or without cause at any time by notifying the affected Academy Board member. The notice shall specify the date when the Academy Board member's service ends. Any Academy Board member may also be removed by a two-thirds (2/3) vote of the Academy Board for cause.

With the approval of the University Board Chair, the CSO Director may suspend an Academy Board member's service, if in his/her judgment the member's continued presence would constitute a risk to persons or property, or would seriously impair the operations of the Academy. Any suspension made under this provision must be presented to the University Board for final determination at its next regularly scheduled meeting. The University Board reserves the right to review, rescind, modify, ratify, or approve any suspension made under this provision.

g. Tenure. Each member of the Academy Board shall hold office until such member's replacement, death, resignation, removal or until the expiration of the term, whichever occurs first.

h. Resignation. Any member of the Academy Board may resign at any time by providing written notice to the Academy or the CSO. Notice of resignation will be effective upon receipt or at a subsequent time designated in the notice. Any Academy board member who fails to attend three (3) consecutive Academy board meetings without prior notification to the Academy Board President, may, at the option of the Academy Board, the University Board, or the CSO Director, be deemed to have resigned, effective at a time designated in a written notice sent to

the resigning Academy board member. A successor shall be appointed as provided by the method of selection adopted by the University Board.

i. Board Vacancies. An Academy Board vacancy shall occur because of death, resignation, removal, failure to maintain United States citizenship or residency in the State of Michigan, disqualification, enlargement of the Academy Board, or as specified in the Code.

j. Compensation. An Academy Board member shall serve as a volunteer director and without compensation for his/her services. By resolution of the Academy Board, the Academy Board members may be reimbursed for their reasonable expenses incidental to their duties as an Academy Board member.

k. Current Members of the Board of Directors. The University Board re-confirms the appointments of the following persons to their existing terms set forth below as members of the Academy's Board of Directors:

- Thomas Rys, 5631 Harvey, Detroit, MI 48209
Term Expiration: June 30, 2019*
- Rosalyn Love, P.O. Box 954, Southfield, MI 48037
Term Expiration: June 30, 2020*
- Kimberly Farrow, 10 Peterboro Avenue, Detroit, MI 48207
Term Expiration: June 30, 2019*
- Joe Gappy, 5931 Michigan Avenue, Detroit, MI 48210
Term Expiration: June 30, 2021*
- James Krol, 2585 Warwick, Bloomfield Hills, MI 48034
Term Expiration: June 30, 2021*
- Tina McCullar, 29260 Franklin, Apt. 322, Southfield, MI 48034
Term Expiration: June 30, 2021*
- Vacant
Term Expiration: June 30, 2022*

2. The University Board hereby approves the New Charter Contract in substantially the form provided to the University Board in connection with its consideration of this Reauthorization Resolution, and upon being presented with the counterpart of the same that has been fully executed by a duly authorized representative of the Academy Board in its name and on its behalf, the President of the University, or his designee, is hereby authorized to execute the same in the name of and on behalf of the University Board, and the New Charter Contract shall thereupon take immediate effect and supersede and replace the Original Charter Contract in all respects."

4e. Extension of Contract – Hope Academy of West Michigan

It was moved by Trustee Hegbloom, supported by Trustee Sederburg, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, the Ferris State University Board of Trustees (the “University Board”) granted conditional approval to a Resolution (the “Initial Resolution”) dated July 14, 2010, for Hope Academy of West Michigan (the “Academy”), which conditionally authorized the execution of a contract with the Academy to charter an academy (“Original Charter Contract”) and conditionally authorized the Chairperson of the University Board to execute the Original Charter Contract between the Academy and the University Board; and,

WHEREAS, on December 18, 2015 the University Board granted a three-year contract extension through June 30, 2019; and,

WHEREAS, the Academy has 367 students in grades PreK-12 with a population of 75% Hispanic/Latino students and 25% Black or African American with 99% receiving free and reduced lunch rate; and

WHEREAS the Academy has an English Language Learners (ELL) population of 67% and has a 7% special education rate; and,

WHEREAS, the Academy is below both the composite and resident district average in all grades in Math and English Language Arts Michigan State Test of Academic Performance (M-STEP); and,

WHEREAS, the Academy has met all 14 Ferris State University Charter Schools Office contractual goals for school growth percentile on the NWEA-MAP test in both Reading and Math; and,

WHEREAS, the Academy is fiscally sound with a 17% fund balance; and,

WHEREAS, the Academy has received extensive support from the Ferris State University Charter Schools Office School Support Team that provided staff workshops focusing on comprehensive data analysis, instruction, classroom observations and curriculum development; and,

WHEREAS, the Academy receives support from the Kent County Intermediate School District, the DeVos Family Foundation and Amplify Grand Rapids that provides additional consultants and staff; and,

WHEREAS, the Ferris State University Charter Schools Office believes that with continued support, intervention and monitoring the Academy can improve their academic performance relative to surrounding schools; and,

WHEREAS, the University Board desires to extend its current contract in substantially the form provided to the University Board in connection with its consideration of this extension of contract resolution (the “Extension of Contract Resolution”) for three year through June 30, 2022; and,

WHEREAS, the University Board intends that the Extended Charter Contract shall supersede and replace the Original Charter Contract in all respects.

NOW THEREFORE BE IT RESOLVED:

- 1. The extension of contract of Hope Academy of West Michigan (the “Academy”) submitted to the Ferris State University Charter Schools Office (FSU CSO) for a term ending on June 30, 2022, is approved contingent upon the Academy Board approving the Extension of Contract (including without limitation the Terms and Conditions and all of the Schedules incorporated therein) and its execution, delivery and filing of the same in the name of and on behalf of the Academy.*

The University Board establishes the method of selection, length of term, number of members, qualification of members, the procedure for removal of members, and other matters pertaining to the Academy’s Board of Directors, as follows:

a. Method of Selection. The University Board shall prescribe the methods of appointment for members of the Academy Board. Ferris State University’s Director of Charter Schools (“CSO Director”) is authorized to administer the University Board’s academy board selection and appointment process (including a Public School Academy Board Member Questionnaire or School of Excellence Board Member Questionnaire or Strict Discipline Academy Board Member Questionnaire, as applicable, and required background checks), as provided below:

- 1. The University Board shall appoint initial and subsequent members of the Academy Board of Directors by formal resolution, except as prescribed by subparagraph (4) of this subparagraph (a). The CSO Director shall recommend nominees to the University Board based upon a review of the applicable Academy Board Member Questionnaire, required background checks and each nominee’s resume. Each nominee shall be available for interview by the University Board or the CSO Director. The University Board may reject any or all Academy Board nominees.*
- 2. The Academy Board shall be provided an opportunity to nominate its subsequent members, by resolution and majority vote, except as provided herein. The Academy Board shall recommend at least one nominee for each vacancy. The Academy Board’s nominees shall submit the applicable Academy Board Member Questionnaire for review by the Ferris State University Charter Schools Office (“CSO”). If the University Board elects not to appoint any of the Academy Board’s nominees for a vacant position on the Academy Board or elects to make its own nomination(s), it may nominate and appoint an Academy Board member of its own choosing for that vacant position, or it may request additional nominees from the Academy Board.*
- 3. An individual appointed to fill a vacancy created other than by expiration of the term shall be appointed for the unexpired term of that vacant position.*
- 4. Under exigent conditions, and with the approval of the University Board’s Chair, the CSO Director may appoint a qualified individual to the Academy Board. All appointments made under this provision must be presented to the University Board for final determination at its next regularly scheduled formal session. The University Board reserves the right to review, rescind, modify, ratify, or approve any appointments made under the exigent conditions provision.*

b. Length of Term. Each member of the Academy Board shall serve at the pleasure of the University Board. The initial terms of the members of the Academy Board shall be staggered in a manner determined by the CSO Director, but no individual member’s term shall exceed a period of four (4) years. The subsequent term of each member of the Academy Board shall be for a period of four (4) years. The terms for each position shall begin on July 1st and end on June 30th of the pertinent year.

c. Number of Directors. The number of board member positions on the Academy’s Board of Directors shall be seven (7). The number of board member positions shall never be fewer than five (5) nor more than seven (7), as determined from time to time by the University Board. If the

Academy Board fails to attain or maintain its full membership by making appropriate and timely nominations, the University Board or the CSO Director, may deem that failure an exigent condition.

A vacancy may be left on the initial Academy Board for a parent or guardian representative to allow sufficient time for the Academy Board to interview and identify potential nominees.

d. Qualifications of Members. To be qualified to serve on the Academy Board, a person shall, among other things: (1) be a citizen of the United States; (2) be a resident of the State of Michigan; (3) submit all materials requested by the CSO including, but not limited to, the applicable Academy Board Member Questionnaire which must include authorization to process a criminal background check of the nominee; and (d) submit annually a conflicts of interest disclosure as prescribed by the CSO.

The Academy Board shall include as a member (1) at least one parent or guardian of a child attending the Academy; and (2) one professional educator, preferably a person with school administrative experience. The Academy Board shall include representation from the local community in which the Academy serves.

The members of the Academy Board shall not include (1) any member appointed or controlled by another profit or non-profit corporation; (2) Academy employees or independent contractors performing services for the Academy; (3) any current or former director, officer, or employee of an educational management company that contracts with the Academy; and (4) Ferris State University officials or employees.

e. Oath. Before beginning his/her service, each member of the Academy Board shall take and sign the constitutional oath of office before a justice, judge, or clerk of a court, or before a notary public. The Academy shall cause a copy of such oath of office to be filed with the CSO. No appointment shall be effective prior to the taking, signing and filing of the oath of public office.

f. Removal of Members. The University Board may remove an Academy Board member with or without cause at any time by notifying the affected Academy Board member. The notice shall specify the date when the Academy Board member's service ends. Any Academy Board member may also be removed by a two-thirds (2/3) vote of the Academy Board for cause.

With the approval of the University Board Chair, the CSO Director may suspend an Academy Board member's service, if in his/her judgment the member's continued presence would constitute a risk to persons or property, or would seriously impair the operations of the Academy. Any suspension made under this provision must be presented to the University Board for final determination at its next regularly scheduled meeting. The University Board reserves the right to review, rescind, modify, ratify, or approve any suspension made under this provision.

g. Tenure. Each member of the Academy Board shall hold office until such member's replacement, death, resignation, removal or until the expiration of the term, whichever occurs first.

h. Resignation. Any member of the Academy Board may resign at any time by providing written notice to the Academy or the CSO. Notice of resignation will be effective upon receipt or at a subsequent time designated in the notice. Any Academy board member who fails to attend three (3) consecutive Academy board meetings without prior notification to the Academy Board President, may, at the option of the Academy Board, the University Board, or the CSO Director,

be deemed to have resigned, effective at a time designated in a written notice sent to the resigning Academy board member. A successor shall be appointed as provided by the method of selection adopted by the University Board.

i. Board Vacancies. An Academy Board vacancy shall occur because of death, resignation, removal, failure to maintain United States citizenship or residency in the State of Michigan, disqualification, enlargement of the Academy Board, or as specified in the Code.

j. Compensation. An Academy Board member shall serve as a volunteer director and without compensation for his/her services. By resolution of the Academy Board, the Academy Board members may be reimbursed for their reasonable expenses incidental to their duties as an Academy Board member.

k. Current Members of the Board of Directors. The University Board re-confirms the appointments of the following persons to their existing terms set forth below as members of the Academy's Board of Directors:

- Barth Roberts, 2683 Alger Street SE, Grand Rapids, MI 49546
Term Expiration: June 30, 2022
- Todd Medendorp, 974 Dreamfield, Byron Center, MI 49314
Term Expiration: June 30, 2020
- Peter Kladder, III, 607 Cascade West Parkway, Grand Rapids, MI 49546
Term Expiration: June 30, 2019
- Robert Berkhof, 3201 Burton Street SE, Grand Rapids, MI 49546
Term Expiration: June 30, 2019
- Dennis Cuson, 11475 Woodgate NW Grand Rapids, MI 49534
Term Expiration: June 30, 2021
- Barbara Foster, 6823 Wildwood Drive, Saranac, MI 48881
Term Expiration: June 30, 2020
- Bernard Ayoola, 4101 Weymouth Drive SE, Grand Rapids, MI 49508
Term Expiration: June 30, 2021

2. *The University Board hereby approves the New Charter Contract in substantially the form provided to the University Board in connection with its consideration of this Reauthorization Resolution, and upon being presented with the counterpart of the same that has been fully executed by a duly authorized representative of the Academy Board in its name and on its behalf, the President of the University, or his designee, is hereby authorized to execute the same in the name of and on behalf of the University Board, and the New Charter Contract shall thereupon take immediate effect and supersede and replace the Original Charter Contract in all respects.”*

4f. Extension of Contract, Voyageur Academy

It was moved by Trustee Hegbloom, supported by Trustee Ramirez-Saenz, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, the Ferris State University Board of Trustees (the “University Board”) granted conditional approval to a Resolution (the “Initial Resolution”) dated May 8, 1998, for Voyageur Academy (the “Academy”), which conditionally authorized the execution of a contract with the Academy to charter an academy (“Original Charter Contract”) and conditionally authorized the Chairperson of the University Board to execute the Original Charter Contract between the Academy and the University Board; and,

WHEREAS, on July 14, 2000 the University Board granted a five-year contract extension through June 30, 2008; and,

WHEREAS, on July 14, 2006 the University Board granted a one-year contract extension through June 30, 2009; and,

WHEREAS, on March 20, 2009 the University Board reauthorized the Academy for five years through June 30, 2014; and

WHEREAS, on May 9, 2014 the University Board reauthorized the Academy for one year through June 30, 2015; and

WHEREAS, on May 8, 2015 the University Board granted a four-year contract extension through June 30, 2019; and

WHEREAS, the Academy has 1148 students in grades K-12 with a population of 77% Black or African American, 18% Hispanic/Latino, 4% Caucasian and 1% other with 96% receiving free and reduced lunch rate; and

WHEREAS the Academy has an English Language Learners (ELL) population of 15% and has a 9% special education rate; and,

WHEREAS, the Academy exceeds the resident district average in grades 3 - 5 in Math and grade 6 in English Language Arts with other grades below average Michigan State Test of Academic Performance (M-STEP); and,

WHEREAS, the Academy meets 8 of 14 Ferris State University Charter Schools Office contractual goals for school growth percentile on the NWEA-MAP test; and,

WHEREAS, the Academy is fiscally sound with a 22% fund balance; and,

WHEREAS, the Academy developed a new strategic plan with emphasis on improving academic performance for all grades and subjects; and,

WHEREAS, the Ferris State University Charter Schools Office believes that with continued support, intervention and monitoring the Academy can improve their academic performance relative to surrounding schools; and,

WHEREAS, the University Board desires to extend its current contract in substantially the form provided to the University Board in connection with its consideration of this extension of contract resolution (the “Extension of Contract Resolution”) for three year through June 30, 2022, conditioned upon the Academy’s continuous compliance with the following requirements throughout the extended term of the contract:

- 1. Current or former members of the Academy Board will be prohibited from serving the Academy in any capacity (other than as Academy Board members if and to the extent they are appointed to serve as such by the FSU Board of Trustees). For example, no current or former Academy Board member may be hired by the Academy Board, the Academy or its ESP to serve as a school leader, consultant, administrator, teacher, teacher assistant, etc.*

2. *Current or former school leaders and administrators at the Academy will be prohibited from serving the Academy as a school leader or as a district superintendent. Current or former school leaders or administrators at the Academy may, if requested by the ESP, serve the Academy in a non-leadership role that is defined by the ESP. Any such service by current or former school leaders or administrators at the Academy shall be performed for the ESP at its sole direction and control, and the individual performing such services shall be employed or contracted for solely by and report solely to the ESP; and,*

WHEREAS, the University Board intends that the Extended Charter Contract shall supersede and replace the Original Charter Contract in all respects.

NOW THEREFORE BE IT RESOLVED:

1. *The extension of contract of Voyageur Academy (the “Academy”) submitted to the Ferris State University Charter Schools Office (FSU CSO) for a term ending on June 30, 2022, is approved contingent upon the Academy Board approving the Extension of Contract (including without limitation the Terms and Conditions and all of the Schedules incorporated therein) and its execution, delivery and filing of the same in the name of and on behalf of the Academy.*

The University Board establishes the method of selection, length of term, number of members, qualification of members, the procedure for removal of members, and other matters pertaining to the Academy’s Board of Directors, as follows:

a. Method of Selection. The University Board shall prescribe the methods of appointment for members of the Academy Board. Ferris State University’s Director of Charter Schools (“CSO Director”) is authorized to administer the University Board’s academy board selection and appointment process (including a Public School Academy Board Member Questionnaire or School of Excellence Board Member Questionnaire or Strict Discipline Academy Board Member Questionnaire, as applicable, and required background checks), as provided below:

1. *The University Board shall appoint initial and subsequent members of the Academy Board of Directors by formal resolution, except as prescribed by subparagraph (4) of this subparagraph (a). The CSO Director shall recommend nominees to the University Board based upon a review of the applicable Academy Board Member Questionnaire, required background checks and each nominee’s resume. Each nominee shall be available for interview by the University Board or the CSO Director. The University Board may reject any or all Academy Board nominees.*
2. *The Academy Board shall be provided an opportunity to nominate its subsequent members, by resolution and majority vote, except as provided herein. The Academy Board shall recommend at least one nominee for each vacancy. The Academy Board’s nominees shall submit the applicable Academy Board Member Questionnaire for review by the Ferris State University Charter Schools Office (“CSO”). If the University Board elects not to appoint any of the Academy Board’s nominees for a vacant position on the Academy Board or elects to make its own nomination(s), it may nominate and appoint an Academy Board member of its own choosing for that vacant position, or it may request additional nominees from the Academy Board.*

3. *An individual appointed to fill a vacancy created other than by expiration of the term shall be appointed for the unexpired term of that vacant position.*
4. *Under exigent conditions, and with the approval of the University Board's Chair, the CSO Director may appoint a qualified individual to the Academy Board. All appointments made under this provision must be presented to the University Board for final determination at its next regularly scheduled formal session. The University Board reserves the right to review, rescind, modify, ratify, or approve any appointments made under the exigent conditions provision.*

b. Length of Term. Each member of the Academy Board shall serve at the pleasure of the University Board. The initial terms of the members of the Academy Board shall be staggered in a manner determined by the CSO Director, but no individual member's term shall exceed a period of four (4) years. The subsequent term of each member of the Academy Board shall be for a period of four (4) years. The terms for each position shall begin on July 1st and end on June 30th of the pertinent year.

c. Number of Directors. The number of board member positions on the Academy's Board of Directors shall be seven (7). The number of board member positions shall never be fewer than five (5) nor more than seven (7), as determined from time to time by the University Board. If the Academy Board fails to attain or maintain its full membership by making appropriate and timely nominations, the University Board or the CSO Director, may deem that failure an exigent condition.

A vacancy may be left on the initial Academy Board for a parent or guardian representative to allow sufficient time for the Academy Board to interview and identify potential nominees.

d. Qualifications of Members. To be qualified to serve on the Academy Board, a person shall, among other things: (1) be a citizen of the United States; (2) be a resident of the State of Michigan; (3) submit all materials requested by the CSO including, but not limited to, the applicable Academy Board Member Questionnaire which must include authorization to process a criminal background check of the nominee; and (d) submit annually a conflicts of interest disclosure as prescribed by the CSO.

The Academy Board shall include as a member (1) at least one parent or guardian of a child attending the Academy; and (2) one professional educator, preferably a person with school administrative experience. The Academy Board shall include representation from the local community in which the Academy serves.

The members of the Academy Board shall not include (1) any member appointed or controlled by another profit or non-profit corporation; (2) Academy employees or independent contractors performing services for the Academy; (3) any current or former director, officer, or employee of an educational management company that contracts with the Academy; and (4) Ferris State University officials or employees.

e. Oath. Before beginning his/her service, each member of the Academy Board shall take and sign the constitutional oath of office before a justice, judge, or clerk of a court, or before a notary public. The Academy shall cause a copy of such oath of office to be filed with the CSO. No appointment shall be effective prior to the taking, signing and filing of the oath of public office.

f. Removal of Members. The University Board may remove an Academy Board member with or without cause at any time by notifying the affected Academy Board member. The notice shall specify the date when the Academy Board member's service ends. Any Academy Board member may also be removed by a two-thirds (2/3) vote of the Academy Board for cause.

With the approval of the University Board Chair, the CSO Director may suspend an Academy Board member's service, if in his/her judgment the member's continued presence would constitute a risk to persons or property, or would seriously impair the operations of the Academy. Any suspension made under this provision must be presented to the University Board for final determination at its next regularly scheduled meeting. The University Board reserves the right to review, rescind, modify, ratify, or approve any suspension made under this provision.

g. Tenure. Each member of the Academy Board shall hold office until such member's replacement, death, resignation, removal or until the expiration of the term, whichever occurs first.

h. Resignation. Any member of the Academy Board may resign at any time by providing written notice to the Academy or the CSO. Notice of resignation will be effective upon receipt or at a subsequent time designated in the notice. Any Academy board member who fails to attend three (3) consecutive Academy board meetings without prior notification to the Academy Board President, may, at the option of the Academy Board, the University Board, or the CSO Director, be deemed to have resigned, effective at a time designated in a written notice sent to the resigning Academy board member. A successor shall be appointed as provided by the method of selection adopted by the University Board.

i. Board Vacancies. An Academy Board vacancy shall occur because of death, resignation, removal, failure to maintain United States citizenship or residency in the State of Michigan, disqualification, enlargement of the Academy Board, or as specified in the Code.

j. Compensation. An Academy Board member shall serve as a volunteer director and without compensation for his/her services. By resolution of the Academy Board, the Academy Board members may be reimbursed for their reasonable expenses incidental to their duties as an Academy Board member.

k. Current Members of the Board of Directors. The University Board re-confirms the appointments of the following persons to their existing terms set forth below as members of the Academy's Board of Directors:

- Curtis Wade, 9311 Cloverlawn, Detroit, MI 48204
Term Expiration: June 30, 2019
- Minika Benning, 22480 Current Drive, Macomb, MI 48044
Term Expiration: June 30, 2021
- Anita Gibbs, 15396 Kentucky Street, Detroit, MI 48238
Term Expiration: June 30, 2020
- Barbara Smith, 252 Auburn Drive, Inkster, MI 48141
Term Expiration: June 30, 2019
- Asenath Andrews, 17305 Wildemere, Detroit, MI 48221
Term Expiration: June 30, 2020

- Gabriela Santiago-Romero, 6322 Cadet Street, Apt 1W, Detroit, MI 48209
Term Expiration: June 30, 2021
 - Dale Williams, 27070 Berkshire Drive, Southfield, MI 48076
Term Expiration: June 30, 2022
2. *The University Board hereby approves the New Charter Contract in substantially the form provided to the University Board in connection with its consideration of this Reauthorization Resolution, and upon being presented with the counterpart of the same that has been fully executed by a duly authorized representative of the Academy Board in its name and on its behalf, the President of the University, or his designee, is hereby authorized to execute the same in the name of and on behalf of the University Board, and the New Charter Contract shall thereupon take immediate effect and supersede and replace the Original Charter Contract in all respects.*
3. *The University Charter Schools Office shall provide the University Board’s Academic Affairs / Student Affairs Committee with annual updates during the Term of the New Charter Contract with respect to (a) performance of the Academy’s students on the Michigan State Test of Educational Progress, (b) the Academy’s progress in meeting or exceeding the Academy’s contractual assessment goals, and (c) the Academy’s progress in delivering higher educational outcomes for its students.”*

4g. 2019 Housing Facility Improvement Plan

It was moved by Trustee Thomas, supported by Trustee Gwizdala, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, to provide more desirable living spaces for our on-campus residents, the administration is recommending several housing facility improvement projects to existing resident halls including Clark, Hallisy, North and South Bond, and Brophy and McNerney Halls; and,

WHEREAS, a cross functional team including staff from Auxiliary Enterprises, Housing and Residential Life, and Physical Plant worked collaboratively to study several opportunities which would enhance our current resident hall offerings; and,

WHEREAS, the administration believes it is critical for our student retention success that we continue to strategically reinvest in selected housing facilities to make them more attractive for current and prospective students; and,

WHEREAS, the goal is to complete these housing facility improvements prior to the start of school in August 2019; and,

WHEREAS, contracting for these services requires full Board approval in accordance with Board approved Purchasing Policy, Section 4-205, Matters Reserved to the Board, as it relates to capital construction services and professional service contracts.

NOW THEREFORE BE IT RESOLVED that in accordance with the Board approved Contracting Policy, Sec. 4-103, the Vice President for Administration and Finance, or his designee, is hereby authorized to negotiate and enter into any and all contracts that are required for the improvements as summarized in the attached 2019 Housing Facility Improvement Plan for a total

cost not to exceed \$1,000,000.00, upon the legal review and in accordance with Board- approved policies.

BE IT FURTHER RESOLVED that funding for these improvements will be provided from the Housing Maintenance and Renovation Fund.”

4h. Hagerman Pharmacy Building Renovation Project Phase 1

It was moved by Trustee Thomas, supported by Trustee Hofman, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, in an effort to provide desirable living spaces for our students who live on campus, the Administration is recommending several maintenance and facility improvement projects to existing resident hall facilities which include Clark, Hallisy, North/South Bond, Pickell and Vandercook Halls, in addition to some wireless technology upgrades in various housing facilities; and,

WHEREAS, the goal is to complete these housing facility improvements prior to the start of school in August 2018; and,

WHEREAS, contracting for these services requires full Board approval in accordance with Board approved Purchasing Policy, Section 4-205, Matters Reserved to the Board, as it relates to capital construction services and professional service contracts.

NOW THEREFORE BE IT RESOLVED that in accordance with the Board approved Contracting Policy, Sec. 4-103, the Vice President for Administration and Finance, or designee, is hereby authorized to negotiate and enter into any and all agreements that are required for the improvements as submitted for a total cost not to exceed \$1,500,000.00, upon the legal review and in accordance with Board-approved policies.

BE IT FURTHER RESOLVED that funding for these improvements will be provided from the Plant Fund housing maintenance reserves.”

4i. Professional Services Agreement, 160over90

It was moved by Trustee Thomas, supported by Trustee Hegbloom, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, on June 14, 2018, the Board of Trustees approved the Administration’s request to issue a Request for Proposals to identify and contract with a marketing firm to provide professional services to assist the University in enhancing its branding and marketing efforts; and,

WHEREAS, 160over90, was selected as the vendor to perform the services; and,

WHEREAS, before a contract was entered into between the parties, discussions with 160over90 caused the Administration to conclude that the full benefit of all resources brought to the table by 160over90 would not be realized without substantially increasing the previously contemplated scope of services and the resulting cost for this contract; and,

WHEREAS, the University has contracted with 160over90 for a substantially increased scope of services, covering the period from October 15, 2018 through September 30, 2019, at a total cost not to exceed \$499,500.00, plus related expenses; and,

WHEREAS, it is the mutual desire of the Administration and 160over90 to continue working together after September 30, 2019 to ensure consistency and success in shaping the Ferris brand over time, and in responding to market trends that affect brand awareness and recruitment; and,

WHEREAS, the Administration seeks Board ratification and approval of the existing agreement with 160over90 to allow for the increased level of services and resulting expenditures during the period from October 15, 2018 through September 30, 2019, and to enter into an extended agreement for additional branding and marketing services with 160over90 for a further two years, at a total cost not to exceed \$349,600.00 per additional year, plus related expenses; and,

WHEREAS, Board of Trustees approval is required for this agreement, and the requested extensions, pursuant to Board-approved Purchasing Policy, Section 4-205, Matters Reserved to the Board, as it relates to Professional Services Contracts.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby ratifies and approves the existing professional services contract for Marketing Services with 160over90 covering the period from October 15, 2018 through September 30, 2019, at a total cost not to exceed \$499,500.00, plus related expenses, and authorizes the Vice President for Administration and Finance, or his designee, to extend that contract for a further two years, in accordance with Board-approved policies, in an additional amount not to exceed \$349,600.00 per additional year, plus related expenses, for a two-year term beginning October 1, 2019 and ending September 30, 2021.

BE IT FURTHER RESOLVED that funding for the agreement will be provided by Central and University Advancement and Marketing accounts.

BE IT FURTHER RESOLVED that upon approval of this item, this agreement will be placed on the recurring contracts list within the annual budget documents.”

4j. Naming of Room 114 in the Granger Center for Construction and HVACR

It was moved by Trustee Thomas, supported by Trustee Gwizdala, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, Phillip Frederickson, and his son, Steven, both of whom have been long-connected with Ferris State University’s Construction Management program, have made a joint commitment of \$150,000.00 to the Construction Management Experiential Technical Learning Endowment to support program and student enhancement; and,

WHEREAS, in recognition of Phillip and Steven Frederickson’s generous gift, the Administration and President David L. Eisler recommend that Room 114 in the Granger Center for Construction and HVACR be named the “Frederickson Family Mechanical and Electrical Construction Practices Lab,” and,

WHEREAS, Board approval is required for this action, pursuant to Board-Approved FSU Code of Rules, Bylaws and Policies, Subpart Part 4-11, Naming of Buildings, Rooms and Areas, Sec. 4-1102, State-Funded Buildings.

NOW THEREFORE BE IT RESOLVED the Board of Trustees hereby approves the recommendation of President David L. Eisler and names Room 114 in the Granger Center for

Construction and HVACR the “Frederickson Family Mechanical and Electrical Construction Practices Lab,” effective immediately.”

4k. Professional Services Request for Proposals for HVAC Study and Construction Documentation Services, Kendall College of Art and Design

It was moved by Trustee Thomas, supported by Trustee Gwizdala, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

“WHEREAS, Kendall College of Art and Design of Ferris State University (KCAD) has identified a need and developed a plan to evaluate replacement options for the self-contained air handling units for the 17 Fountain Street Division Building serving Basement through Floor 7; and,

WHEREAS, KCAD has evaluated their needs and has compiled the proposed plans; and,

WHEREAS, each floor has a water-cooled self-contained air handling unit that is over thirty years old and uses R22, a refrigerant that is being phased out by 2020, and there are significant sound issues in various spaces due to air noise; and,

WHEREAS, the administration of KCAD requests authorization to issue a Request for Proposals for professional services for a study to evaluate replacement options for the self-contained air handling units for the 17 Fountain Street Division Building serving Basement through Floor 7 and providing drawings and specifications for the option that will be used based on the study; and,

WHEREAS, contracting for these services requires full Board approval, in accordance with the Board-approved Purchasing Policy, Section 4-205, Matters Reserved to the Board, as it relates to Professional Services Contracts, and Board-approved Contracting Policy, Section 4-103.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes President David L. Eisler, or his designee, to proceed with the issuance of a Request for Proposal and to proceed with the review of proposals and negotiation of and entering into an agreement with the selected vendor for the HVAC Study and Construction Documentation Services required for Kendall College of Art and design of Ferris State University, upon legal review and in accordance with Board-approved policies, at a cost not to exceed \$110,000.00.

BE IT FURTHER RESOLVED that funding for this project will be provided from University general fund resources.”

5. Hearing of the Public

Ferris Associate Professor Christopher Cosper encouraged the Trustees to visit campus on their own and noted a substantive victory is needed for the University. No one else responded to Chair Seibold’s invitation to address the Board.

6. President’s Report

President Eisler extended his appreciation to new Trustees Kurt Hofman and Kari Sederburg for joining our Board of Trustees and to the new leadership on the Board and the administration for attending the working sessions this week. He distributed and discussed the 2019 Festival of the

Arts brochure and schedule of events, noted the traveling exhibit “Hateful Things” located across the hall at the University Art Gallery, and extended his appreciation for the tour of the University Recreation Center. He highlighted data from the 2018-2019 Fact Book which has a wealth of information about the University.

7. Comments from the Board of Trustees

Trustee Seibold provided comments on behalf of the Board of Trustees, including:

- Appreciation to the Board members and staff for their assistance in her new role as Chair.
- The University’s mission and success is different than other universities, and we need to focus on the wins whenever a student crosses the stage.
- We need to remember to assume goodness of intentions.
- We are uniquely situated to handle our challenges, and many good things are heading our way.

8. Reconfirmation of Next Meeting Date

The next regularly scheduled full Board meeting will be held on Friday, May 10, 2019 in Big Rapids.

9. Adjournment

At 12:23 p.m. Chair Seibold adjourned the meeting.

Approved by:
Anna P. Seibold, Chair

Submitted by
Karen K. Huisman, Secretary to the Board of Trustees