

Minutes of the Regular Meeting of the
Ferris State University Board of Trustees
Held on Friday, May 5, 2023
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, May 5, 2023 in room 203 of the David L. Eisler Center, 805 Campus Drive, Big Rapids, Michigan. Chair LaShanda R. Thomas called the meeting to order at 1:30 p.m. In addition to Chair Thomas, the following individuals were present: Trustees Michael B. Fisher, George K. Heartwell, Kurt A. Hofman, Michael D. Ryan, Anna P. Seibold; Ronald E. Snead, and Vivian TerMaat; University President Bill Pink; Provost and Vice President Bobby Fleischman; University Vice Presidents James D. Bachmeier, Daniel Eichinger, Kathy K. Mullins, David Pilgrim and Jeanine Ward-Roof; Vice President and General Counsel Miles J. Postema; President of Kendall College of Art and Design Tara E. McCrackin; Board Counsel Mark E. Nettleton; Secretary to the Board of Trustees Karen K. Huisman; and members of the University and area communities.

2. Hearing of the Public

No one responded to Chair Thomas' request 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 – New Student Government President Dylan Andrews provided a self-introduction and extended greetings to the Board.
- b. Academic Senate - Sandy Alspach, Academic Senate President, introduced the newly elected President, Emmanuel Jadhav. President Jadhav provided a brief overview of his background and thoughts of the future.
- c. Finance – Vice President Bachmeier extended his appreciation for his time at Ferris. Chair Thomas and President Pink presented Vice President Bachmeier with a certificate from the Board and President in recognition of his service and warm regards into retirement.

4a. Consent Calendar

It was moved by Trustee Snead, supported by Trustee Fisher, 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 approves the items contained in the Consent Calendar as presented in the appended documentation:

- a. Consent Calendar
 1. Minutes of February 17, 2023
 2. Personnel Items
 3. Appointment and Reappointments to the Boards of Directors of FSU-Authorized Charter School Academies
 4. Revision to Board-Approved FSU Code of Rules, Bylaws and Policies of Ferris State University, Subpart 4-7, Banking and Cash Management”

4b. Charter School Contract Amendments

It was moved by Trustee Snead, supported by Trustee Ryan, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following (3) Resolutions, as submitted on this date:

- 4b.1. Charter Contract Amendment: Hope Academy of West Michigan – Grade Configuration

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, on February 22, 2019 the University Board granted a three-year contract extension through June 30, 2022; and,

WHEREAS, on December 17, 2021 the University Board reauthorized the Academy for five years through June 30, 2027; and,

WHEREAS, the Academy currently has 350 students in grades PreK-12; and,

WHEREAS, the Academy Board of Directors requested the University Board to consider and approve a charter contract amendment to add an Early Middle College (the “EMC”) to the curriculum; and,

WHEREAS, the EMC curriculum effectively establishes a grade 13 for high schools as students transition to their post-secondary education; and,

NOW THEREFORE BE IT RESOLVED, that the University Board hereby approves a charter contract amendment for the addition of the EMC curriculum and an additional grade (grade 13) to their Charter Contract grade configuration.”

4b.2. Charter Contract Amendment: Lighthouse Academy – Grade Configuration

RESOLUTION

“WHEREAS, the Ferris State University Board of Trustees (the “University Board”) granted conditional approval to a Resolution (the “Initial Resolution”) dated March 21, 2008 for Lighthouse 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 February 22, 2013 the University Board reauthorized the Academy for five years through June 30, 2018; and,

WHEREAS, on February 16, 2018 the University Board reauthorized the Academy for seven years through June 30, 2025; and,

WHEREAS, the Academy serves as a Strict Discipline Academy that provides educational services for incarcerated, adjudicated or suspended at-risk teens; and,

WHEREAS, the Academy currently has 315 students in grades 5-12 at seven campuses located in West Michigan which are Eagle Village, Juvenile Justice Institute, Lighthouse Academy South, Muskegon County Juvenile Transition Center, Ottawa County Juvenile Detention Center, The Pier, and Waalkes School; and,

WHEREAS, the Academy Board of Directors requested the University Board to consider and approve a charter contract amendment to add an Early Middle College (the “EMC”) to the curriculum; and,

WHEREAS, the EMC curriculum effectively establishes a grade 13 for high schools as students transition to their post-secondary education; and,

NOW THEREFORE BE IT RESOLVED, that the University Board hereby approves a charter contract amendment for the addition of the EMC curriculum and an additional grade (grade 13) to their Charter Contract grade configuration.”

4b.3. Charter Contract Amendment: Marshall Academy – Grade Configuration

RESOLUTION

“WHEREAS, the Ferris State University Board of Trustees (the “University Board”) granted conditional approval to a Resolution (the “Initial Resolution”) dated May 5, 2000, for

Marshall 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 6, 2005 the University Board reauthorized the Academy for five years through June 30, 2010; and,

WHEREAS, on April 9, 2010 the University Board reauthorized the Academy for five years June 30, 2015; and,

WHEREAS, on February 20, 2015 the University Board reauthorized the Academy for 5 years through June 30, 2020; and,

WHEREAS, on May 8, 2020 the University Board reauthorized the Academy for 3 years through June 30, 2023; and,

WHEREAS, on February 17, 2023 the University Board reauthorized the Academy for 1 year through June 30, 2024; and,

WHEREAS, the Academy currently has 295 students in grades K-12; and,

WHEREAS, the Academy Board of Directors requested the University Board to consider and approve a charter contract amendment to add an Early Middle College (the “EMC”) to the curriculum; and,

WHEREAS, the EMC curriculum effectively establishes a grade 13 for high schools as students transition to their post-secondary education.

NOW THEREFORE BE IT RESOLVED, that the University Board hereby approves a charter contract amendment for the addition of the EMC curriculum and an additional grade (grade 13) to their Charter Contract grade configuration.”

4c. FSU Charter Contract Resolution Amendment: Allowance for Five-Member Boards of Directors

It was moved by Trustee Snead, supported by Trustee Fisher, 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 (the “University”) Board of Trustees (the “University Board”) granted conditional approval to resolutions (the “Approval Resolution”) which conditionally authorized the execution of Contracts with the following public charter school academies (the “Academies”): Battle Creek Montessori Academy, Benton Harbor Charter School

Academy, Blended Learning Academies Credit Recovery High School, Bridge Academy, Clara B. Ford Academy, Creative Technologies Academy, Hope Academy of West Michigan, Hope of Detroit Academy, Huron Academy, Joy Preparatory Academy, Lighthouse Academy, Marshall Academy, Michigan Collegiate, Michigan Connections Academy, Muskegon Montessori Academy for Environmental Change, New Bedford Academy, Northridge Academy, Pittsfield Acres Academy, Red Oak Academy and Voyageur Academy; and,

WHEREAS, the Approval Resolution for all of the above Academies states that the number of board member positions on the Academy’s Board of Directors shall be seven (7); and,

WHEREAS, Academy Boards are having difficulties recruiting board member candidates and maintaining a seven (7) member Board of Directors; and,

WHEREAS, the Ferris State University Charter Schools Office (“the CSO”) consulted with other authorizers of the Michigan Council of Charter School Authorizers (the “MCCSA”) regarding this matter; and,

WHEREAS, other authorizers of the MCCSA have five (5) or seven (7) member Academy Boards of Directors; and

WHEREAS, the CSO consulted with its attorney regarding this matter and he suggested the following language change in the Charter Contract Resolution:

4c. Number of Directors

1. “The number of board positions shall be seven (7), which may be reduced to five (5) or increased back to seven (7) if requested by the Academy and approved by the CSO Director. 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.”
2. **Quorum:** “In order to legally transact business, the Academy Board shall have a quorum present at a duly called meeting of the Academy Board. A “quorum” shall be defined as follows:

<u># of Academy Board positions</u>	<u># required for Quorum</u>
Five (5)	Three (3)
Seven (7)	Four (4)

A board member may participate in a meeting virtually only if unable to attend a meeting in person due to military duty, or in other circumstances where virtual attendance is permitted by law, and that member’s virtual presence shall count towards the required quorum and allow the virtual attendee to participate and vote on business before the board.”

3. **Manner of Acting:** “Notwithstanding any academy board bylaw to the contrary, any decision or action of the board must be approved by three directors if the board has

five authorized positions, and four directors if the board has seven authorized positions. Procedural motions such as a motion to adjourn, table or postpone a matter, to schedule a meeting, or a motion to request a reduction in the number of authorized board positions or nominate persons to fill vacancies, may be approved by a majority of a quorum.”

WHEREAS, on May 6, 2022 the University Board approved a Charter Contract Resolution Amendment to include the above language allowing a five-member Board of Directors; and,

WHEREAS, the CSO amended the Charter Contract language change to allow a five-member Board of Directors for thirteen FSU-authorized public school academies, which included Benton Harbor Charter School Academy, Blended Learning Academies Credit Recovery High School, Bridge Academy, Clara B. Ford Academy, Creative Technologies Academy, Hope Academy of West Michigan, Hope of Detroit Academy, Lighthouse Academy, Michigan Connections Academy, New Bedford Academy, Northridge Academy, Pittsfield Acres Academy and Voyageur Academy; and,

WHEREAS, seven FSU-authorized public school academies were not part of the contract language change to allow a five-member Board of Directors because they were in the process of Authorization or Reauthorization, which were Battle Creek Montessori Academy, Huron Academy, Joy Preparatory Academy, Marshall Academy, Michigan Collegiate, Muskegon Montessori Academy for Environmental Change, and Red Oak Academy.

NOW THEREFORE BE IT RESOLVED, that the Ferris State University Board of Trustees hereby approves the five-member Board of Directors language change in the Charter Contract Resolutions of Battle Creek Montessori Academy, Huron Academy, Joy Preparatory Academy, Marshall Academy, Michigan Collegiate, Muskegon Montessori Academy for Environmental Change and Red Oak Academy.”

4d. Elimination of Degree Program: Associate of Applied Science in Medical Laboratory Technology

It was moved by Trustee Snead, 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, the College of Health Professions proposes the elimination of the Associate of Applied Science in Medical Laboratory Technology degree program due to low enrollment; and,

WHEREAS, the program suspended admissions in spring 2022; and,

WHEREAS, a teach-out plan was created and students who remained in the program either graduated or enrolled in the Bachelor of Science in Medical Laboratory Science degree program; and,

WHEREAS, the proposed elimination of the Associate of Applied Science in Medical Laboratory Technology degree program has been reviewed and recommended for approval by the University Curriculum Committee, the Academic Senate, the Provost/Vice President for Academic Affairs, and the University President; and,

WHEREAS, Board of Trustees' approval is required for this action, pursuant to Board-approved Academic Affairs – Programming Responsibilities policy, Section 3-201(2), as it relates to the elimination of an existing degree program.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby accepts the recommendation of the University President that the Associate of Applied Science in Medical Laboratory Technology degree program be eliminated, as of summer 2023.

BE IT FURTHER RESOLVED that the Board of Trustees directs that no additional students shall henceforth be admitted to the Associate of Applied Science in Medical Laboratory Technology degree program, and that arrangements have been made for the timely completion of the program by students enrolled in the Associate of Applied Science in Medical Laboratory Technology degree program, all in accordance with applicable Board-approved policies and any pertinent provisions of the applicable collective bargaining agreement between the University and the Ferris Faculty Association, MEA/NEA.”

4e. Professional Services Agreements

It was moved by Trustee Heartwell, supported by Trustee Snead, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following (3) Resolutions, as submitted on this date:

4e.1. Professional Services Agreement with EDU Information Security Advisor, LLC

RESOLUTION

“WHEREAS, the University periodically needs the assistance of a professional service and expertise in specific areas of the University; and,

WHEREAS, the University has been utilizing EDU Information Security Advisor, LLC to provide administration, configuration, planning, and end-user analysis for the implementation of the Microsoft Telephony solution as an independent contractor; and

WHEREAS, the University is proposing to enter into a twelve-month professional services agreement with EDU Information Security Advisor, LLC to aid in the integration and configuration of the Microsoft Telephony system as a replacement for the existing PBX phone switch; and,

WHEREAS, services will include training to maintain the system and to manage the installation of all faculty, staff, and support space phones; and,

WHEREAS, Board approval is required to authorize this agreement 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 in accordance with Board-approved Contracting Policy, section 4-205, Matters Reserved to the Board, the Vice President of Administration and Finance or his designee is hereby authorized to enter into an agreement with EDU Information Security Advisor, LLC for a twelve-month period beginning July 1, 2023 and ending on or before June 30, 2024, in accordance with Board-approved policies, in an amount not to exceed \$150,000.

BE IT FURTHER RESOLVED, that funding for the professional services agreement will be provided from the Information Technology equipment replacement funds set aside for this purpose.”

4e.2. Professional Services Agreement with Encoura

RESOLUTION

“WHEREAS, Encoura is a platform that allows Ferris State University to acquire names and contact information of prospective students (as well as parents) to enter into the enrollment funnel; and,

WHEREAS, the University’s partnership in the Data Lab, as well as various resources available through Encoura, provide the ability to strategically select students that have higher likelihood of enrollment at Ferris, enabling more effective targeting; and,

WHEREAS, the Administration is requesting authorization of a new four-year agreement with Encoura, to include years 2024 through 2027, at a cost not to exceed \$71,800 per year in years 2024 and 2025 and \$76,800 per year in years 2026 and 2027, for a total not to exceed \$297,200 for four years; and,

WHEREAS, Board approval is required to authorize the agreement, 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 in accordance with Board-approved Contracting Policy, section 4-205, Matters Reserved to the Board, the Vice President of Administration and Finance or his designee is hereby authorized to enter into a four-year agreement with Encoura, upon legal review and approval and in accordance with Board-approved policies, at a cost not to exceed \$71,800 per year in years 2024 and 2025 and \$76,800 per year in years 2026 and 2027, for a total cost not to exceed \$297,200 for four years.

BE IT FURTHER RESOLVED that funding for this agreement will be provided from the Admissions/Student Affairs budget.”

4e.3. Professional Services Agreement with Grand River Solutions

RESOLUTION

“WHEREAS, Ferris State University has been utilizing Grand River Solutions to provide services for some of the University’s Title IX requirements, such as serving as hearing officers and investigators; and,

WHEREAS, upon the departure of the University’s Title IX Coordinator, the Administration reached out to Grand River Solutions to inquire about providing Title IX Coordinator services until a replacement coordinator can be secured; and,

WHEREAS, Grand River Solutions has proposed an agreement to provide a professional to serve as the University’s Title IX Coordinator, for the time period beginning May 5, 2023 through June 30, 2024, at a cost not to exceed \$200,000, including expenses; and,

WHEREAS, additionally, Grand River Solutions will serve as hearing officers, advisors, and investigators on an hourly basis as needed during FY2024; and,

WHEREAS, the Administration recommends approval of this agreement; and,

WHEREAS, Board approval is required to authorize this agreement 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 in accordance with Board-approved Contracting Policy, section 4-205, Matters Reserved to the Board, the Vice President of Administration and Finance or his designee is hereby authorized to enter into an agreement with Grand River Solutions for a period beginning May 5, 2023 through June 30, 2024, in accordance with Board-approved policies, in an amount not to exceed \$200,000.

BE IT FURTHER RESOLVED, that funding for the professional services agreement will be provided from the Student Life/Student Affairs budget.”

4f. 5 Lyon Housing Master Lease

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

RESOLUTION

“WHEREAS, ROCO is a property management corporation based in Bloomfield Hills, MI with multiple housing complexes across the state; and,

WHEREAS, ROCO took over management of the 5 Lyon property in 2021 and has been leasing rooms to Kendall College of Art and Design (KCAD) students; and,

WHEREAS, the University would like the opportunity to provide housing for students in the downtown Grand Rapids area by allowing students and parents to contract directly with the University for housing at 5 Lyon; and,

WHEREAS, this would require the authorization of the KCAD President to negotiate, execute, and enter into a Master Lease Agreement with ROCO at 5 Lyon; and,

WHEREAS, entering into a Master Lease Agreement requires full Board approval, in accordance with Board-approved Contracting Policy, Section 4-102, Contracting Authority of the Board, as it relates to a cost greater than \$150,000, to the extent that they are not governed by other policies; and,

WHEREAS, entering into a Master Lease Agreement requires full Board approval, in accordance with Board-approved Contracting Policy, Section 4-103, Delegation of Authority by the Board, as it relates to binding the University on contracts regarding items included within the budgets approved by the Board.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the President of Kendall College of Art and Design to negotiate, execute, and enter into a Master Lease Agreement with ROCO – 5 Lyon, upon legal review and in accordance with Board-approved policies, for a total amount not to exceed \$632,448 for the three-year term beginning August 15, 2023 through July 31, 2026.

BE IT FURTHER RESOLVED that funding for this lease is projected be provided from the rents received from the sublease to students.”

5. Hearing of the Public

No one responded to Chair Thomas’ second request to address the Board.

6. President’s Report

President Pink’s report included the following:

- Welcome to celebration week!
- We are graduating over 1,500 students in the next 2 days.
- Thank you to Dr. Alspach for her service on the Academic Senate.
- Welcome to new Academic Senate President, Dr. Emmanuel Jadhav.
- Thank you to Jim Bachmeier and Ron Rizzo for your service to the University.

- Welcome and introduction of new Vice President for Governmental and External Affairs, Dan Eichinger.

7. Comments from the Board of Trustees

Chair Thomas expressed her appreciation of the work President Pink has been doing within and outside the Ferris community. Trustee Fisher provided Board Chair Thomas' remarks included the following:

- He is extremely proud of what Ferris State University does, and this time of year is a good display of our efforts throughout the year.
- We hope to take inspiration from all of the ceremonies we will be a part of.

8. Reconfirmation of Next Meeting Date

The next regularly scheduled full Board meeting will be held on Friday, October 6, 2023, at 11:00 a.m. in Grand Rapids.

9. Adjournment

At 1:57 p.m., Chair Thomas adjourned the meeting.

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

Approved: October 6, 2023