

MINUTES OF REGULAR MEETING BOARD OF TRUSTEES

A Regular meeting of the Board of Trustees of the Kalamazoo Valley Community College District, 6767 West O Avenue, Kalamazoo, Michigan, was held on Tuesday, June 11, 2013, at the KVCC Texas Township Campus, 6767 West O Avenue, Kalamazoo, Michigan, in Conference Room 4380.

Chairman Oberlin convened the meeting at 5:30 p.m. and led everyone in the reciting of the Pledge of Allegiance.

ROLL CALL

Present: Trustees Gustas, Oberlin, Miller, Patton, Schauer, Whitten, and Young
Marilyn Schlack, President
Kathy Johnson, Recording Secretary
Rick Ives, Director of Public Safety
Mike Collins, Executive Vice President for Instruction and Student Services
Dan Maley, Director of Facilities and Construction Management
Mike Olvitt, Operations Supervisor (beginning at 6:30 p.m.)
Daryl Irving, Facilities Site Manager- Arcadia (beginning at 6:30 p.m.)

Other

Attendees: Michael Bitar – Regional President – Cenergistic
Caitlin Brault – Public Observer (beginning at 6:30 p.m.)
Jim Farmer – Vice President – Cenergistic
Justin Thomas – Student Observer (beginning at 6:30 p.m.)
Yvonne Zipp – Kalamazoo Gazette (beginning at 6:40 p.m.)

MEMBERS' TIME

The Board discussed items of general interest, set the time for the July 2013 regular meeting as July 9, 2013, and scheduled the Board Planning meeting for Thursday July 25, 2013.

At 6:20 p.m., the Chairman recessed the meeting, indicating that the Board would reconvene in the Paul D. Jackson Board Room 3365 at 6:30 p.m.

The Chairman reconvened the meeting at 6:30 p.m.

APPROVAL OF AGENDA

President Schlack requested that the Agenda be amended to reflect that collective bargaining negotiations would also be discussed during Item 10 - Closed Session. It was **MOVED** by Trustee Patton, **SECONDED** by Trustee Miller, and **CARRIED** that the Agenda be approved as amended.

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PUBLIC HEARING – PROPOSED 2013-2014 BUDGET

At 6:31 p.m., Chairman Oberlin declared the Public Hearing on the Kalamazoo Valley Community College 2013-2014 Proposed Budget open and called on President Schlack for a report on the publication of Notice of Hearing.

President Schlack reported that Act 43 of the 1963 Public Acts, as amended, requires the College to hold a public hearing on its proposed 2013-2014 budget prior to its final adoption. In accordance with the statutes, notice of this public hearing was published in the *Kalamazoo Gazette* on Monday, June 3, 2013, a newspaper of general circulation within the community college district, and copies of the proposed budget have been available at the Office of the President for inspection by the public. Copies of the proposed budget are available for any persons present who desire to have a copy.

Treasurer Schauer presented the proposed 2013-2014 budget, and then the Chairman invited questions relative to the budget. There being no further discussion, the Chairman declared the Public Hearing for the Kalamazoo Valley Community College 2013-2014 Proposed Budget closed at 6:37 p.m.

CONSENT AGENDA

Secretary Whitten presented the Consent Agenda Items. It was MOVED by Trustee Schauer, SECONDED by Trustee Gustas, and CARRIED that the Secretary's Report be removed from the Consent agenda for additional discussion related to the May 2013 Regular Meeting Minutes.

It was MOVED by Trustee Schauer, SECONDED by Trustee Gustas, and CARRIED that the May 2013 Regular Meeting Minutes be amended to reflect that Trustee Patton (Chief Executive Officer of Kalamazoo Community Mental Health and Substance Abuse Services) recused himself and represented the Abstention vote reflected in the Recommendation – Culinary, Allied Health, Food Production and Distribution Planning and Partnership action item.

It was MOVED by Trustee Whitten, SECONDED by Trustee Miller, and CARRIED that the Secretary's Report for June 2013, (which includes the May 14, 2013, Regular Meeting Minutes as amended, and the May 14, 2013, Closed Meeting Minutes), the Treasurer's Report for June 2013, the Personnel Report for June 2013, and the Capital Expenditure Report for June 2013 be approved and that copies of the reports be attached to and made an official part of the minutes of the meeting.

PUBLIC PARTICIPATION

No one was present who desired to address the Board.

INFORMATION ITEMS

Presentation of Energy Education Award

President Schlack introduced Michael Bitar, Regional President Cenergistic, and Jim Farmer, Vice President Centergistic, who presented an "Energy Excellence Award" to the KVCC Board of Trustees in recognition of the Colleges significant energy savings success. Members of the College's energy management team also present – Dan Maley, Daryl Irving and Mike Olvitt – were commended for the implementation of the energy conservation program and the results that have been generated.

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President's Report

President Schlack reviewed the enrollment report for the summer semester, and indicated that the college's five-year facility master plan will be updated and presented for consideration in the near future.

ACTION ITEMS

Recommendation for Tuition and Fees

It was MOVED by Trustee Gustas, SECONDED by Trustee Young, and CARRIED that, effective with the fall 2013 semester, tuition at Kalamazoo Valley Community College shall be as follows and that a non-refundable \$30.00 per semester enrollment fee be charged to each student registering for credit courses:

In-District	\$ 88.00
Out-of-District	\$151.00
Out-of-State	\$204.00

Proposed 2013-2014 Budget

It was MOVED by Trustee Schauer and SECONDED by Trustee Patton that the General Appropriations Act Resolution be adopted:

General Appropriations Act Resolution

WHEREAS, the Board of Trustees in accordance with applicable law has authorized and directed the President to prepare a proposed budget for the 2013-2014 fiscal year; and

WHEREAS, copies of the proposed budget have been available to the public in the Office of the President of the College since June 3, 2013; and

WHEREAS, the Board has on this date held a public hearing on its proposed budget pursuant to a Notice of Public Hearing published in the *Kalamazoo Gazette*, a newspaper of general circulation within the Community College District; and

WHEREAS, the Board is required by law to adopt its budget prior to the beginning of the next ensuing fiscal year;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The proposed 2013-2014 budget, as submitted, is hereby adopted as the budget of the Kalamazoo Valley Community College District for the fiscal year beginning July 1, 2013.
2. Of the total revenues and unappropriated fund balances estimated to be available for appropriations in the General Fund; Designated Fund; Plant Development Fund (College); Plant Development Fund (Museum); Plant Development (College); Plant Renewals, Modifications and Replacement Fund (College); Auxiliary Services Fund; and Museum Plant Renewals, Modifications and Replacement Fund for the 2013-2014 fiscal year, the Board hereby appropriates the following amounts; namely, General Fund, \$56,480,220; Designated Fund, \$3,072,886; Plant Development (College), \$30,000; Plant Renewals, Modifications and Replacement Fund (College), \$2,442,991; Auxiliary Services Fund, \$8,573,224; and Plant Renewals, Modifications, and Replacement Fund (Museum), \$193,750; which amounts may be expended for the purposes more fully set forth in the budget as adopted.
3. A true copy of the budget as adopted shall be attached to and made a part of the official minutes of this meeting.

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The resolution was declared adopted by the following roll call vote:

AYES: 7

NAYS: 0

ABSENT: 0

ABSTENTIONS: 0

Establishment of Millage for 2013-2014 Levy

It was MOVED by Trustee Patton and SECONDED by Trustee Miller that the resolution for the establishment of the millage for the 2013-2014 levy be adopted:

Levy Resolution

WHEREAS, the Board has adopted a budget for the 2013-2014 fiscal year in order to adequately fund the educational program of the Community College District; and

WHEREAS, the Board is required by law to determine the total taxes required by the 2013-2014 fiscal year and to certify the approved tax rate to be levied and the amount of taxes to be raised to the proper assessing officer of each city and township in which territory of the Community College District is situated within the time provided by law; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A total of 2.8135 mills shall be levied in 2013 on all property within the Community College District for general operating purposes.
2. The President of the College, or her designee, is authorized and directed to certify the tax rate to be levied and the amount of taxes to be raised to the proper assessing officer of each city and township situated within the Community College District in the manner and time provided by law.
3. It is hereby certified pursuant to Act 35, 1979 Michigan Public Acts, as amended, that the requested millage had been reduced, if necessary, in compliance with Section 31, Article 9 of the State Constitution, as amended.

The resolution was declared adopted by the following roll call vote:

AYES: 7

NAYS: 0

ABSENT: 0

ABSTENTIONS: 0

Recommendation for Emeritus Status

It was MOVED by Trustee Young, SECONDED by Trustee Whitten, and CARRIED that, upon the recommendation of the President, *Emeritus Status* be granted to Susan Puckett and Nicholas Meier effective upon their retirement from Kalamazoo Valley Community College.

Recommendations for State of Michigan Office of Career and Technical Education Civil Rights Compliance Plan

1. It was MOVED by Trustee Gustas, SECONDED by Trustee Patton, and CARRIED that upon the recommendation of the

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President, the Civil Rights Compliance Plan for Career and Technical Educational Programs be adopted, that the Board secretary be authorized to sign the certificate of adoption below, and that a copy of the plan be attached to and made a part of the official minutes of the meeting.

CERTIFICATE OF KALAMAZOO VALLEY COMMUNITY COLLEGE BOARD OF TRUSTEES

I HEREBY certify that the attached Civil Rights Compliance Plan for Kalamazoo Valley Community College was approved by the Kalamazoo Valley Community College Board of Trustees on June 11, 2013. This Compliance Plan, as submitted, constitutes the basis for identifying, preventing and remedying discrimination in education programs pursuant to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990. All information and representations contained in this Plan are accurate and, to the best of my knowledge and belief, will be implemented within the established timelines.



Anna Whitten, Secretary
Kalamazoo Valley Community College
Board of Trustees

June 11, 2013

2. It was MOVED by Trustee Patton, SECONDED by Trustee Miller, and CARRIED that upon the recommendation of the President, the Executive Vice President for Instructional and Student Services be designated as the position responsible to coordinate compliance activities and investigate complaints of noncompliance for Title II.
3. It was MOVED by Trustee Miller, SECONDED by Trustee Gustas, and CARRIED that upon the recommendation of the President, the following notice of nondiscrimination be adopted:

It is the policy of Kalamazoo Valley Community College not to discriminate on the basis of race, religion, color, national origin, sex, disability, height, weight, or marital status in its programs, services, employment or activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies: Executive Vice President for Instructional and Student Services, 6767 West O Avenue, P.O. Box 4070, Kalamazoo, Michigan 49003-4070; (269) 488-4434.

4. It was MOVED by Trustee Young, SECONDED by Trustee Gustas, and CARRIED that upon the recommendation of the President, the grievance procedure below for Title VI, Title IX, Section 504, and Title II be adopted:

**GRIEVANCE PROCEDURES FOR
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
TITLE IX OF THE EDUCATION AMENDMENT ACT OF 1972
SECTION 504 OF THE REHABILITATION ACT OF 1973
TITLE II OF THE AMERICANS WITH DISABILITY ACT OF 1990**

Section I

Any person believing that Kalamazoo Valley Community College or any part of the school organization has inadequately applied the principles and/or regulation of (1) Title VI of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) Section 504 of the Rehabilitation Act of 1973, and (4) Title II of the Americans with Disability Act of 1990 may bring forward a complaint, which shall be referred to as a grievance to:

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Civil Rights Coordinator
Executive Vice President for Instructional and Student Services
Kalamazoo Valley Community College
6767 West O Avenue, P.O. Box 4070
Kalamazoo, MI 49003-4070
(269) 488 4434

Section II

The person who believes a valid basis for grievance exists shall discuss the grievance informally and on a verbal basis with the Civil Rights Coordinator, who shall in turn investigate the complaint and reply with an answer within five (5) business days.

If the complainant feels the grievance is not satisfactorily resolved, they may initiate formal procedures according to the following steps.

Step 1

A written statement of the grievance signed by the complainant shall be submitted to the Civil Rights Coordinator within five (5) business days of receipt of answers to the informal complaint. The coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) business days.

Step 2

A complainant wishing to appeal the decision of the local Civil Rights Coordinator may submit a signed statement of appeal to the President of Kalamazoo Valley Community College within five (5) business days after receipt of the Coordinator's response. The President shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

Step 3

If still unsatisfied, the complainant may appeal through a signed, written statement to the Board of Trustees within five (5) business days of receiving the President's response in Step 2. In an attempt to resolve the grievance, the Board of Trustees shall meet with the concerned parties and their representative within forty (40) days of the receipt of such an appeal. A copy of the board's disposition of the appeal shall be sent to each concerned party within ten (10) days of this meeting. The decision of the Board of Trustees shall be final.

The local Coordinator, on request, will provide the complainant with a copy of the College's grievance procedure in accordance with this procedure. A copy of the acts and regulations on which this notice is based may be found in the Civil Rights Coordinator's office.

CLOSED SESSION TO DISCUSS PROPERTY ISSUES AND COLLECTIVE BARGAINING NEGOTIATIONS

It was MOVED by Trustee Oberlin, and SECONDED by Trustee Miller, that the Board recess the open meeting and go into a closed session to discuss property issues and collective bargaining negotiations. The motion CARRIED by the following ROLL CALL VOTE:

AYES: 7 NAYS: 0 ABSENT: 0 ABSTENTIONS: 0

The Board recessed the open meeting at 7:00 p.m.

At 7:12 p.m., the Board reconvened the open meeting.

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OTHER ITEMS

No other items were shared.

FUTURE AGENDA ITEMS AND EVALUATION OF MEETING AND MATERIALS

No additional items were discussed.

ADJOURNMENT

It was MOVED by Trustee Miller, SECONDED by Trustee Young, and CARRIED to adjourn the meeting. Chairman Oberlin declared the meeting adjourned at 7:13 p.m.



Derl Oberlin, Chairman


Anna Whitten, Secretary
Kathy Johnson, Rec. Sec.