

Alpena Community College Board of Trustees
125-C Besser Technical Center, 665 Johnson Street, Alpena, MI 49707 • (989) 358-7215

Notice of Regular Meeting

Meeting Date: Thursday, February 20, 2025
Meeting Time: 7:00 p.m. regular meeting
Location of Meeting: Room 400, Charles R. Donnelly Natural Resources Center, 665 Johnson Street, Alpena, Michigan, and Online Via Webex
Date of Notice: Friday, February 14, 2025

The Alpena Community College Board of Trustees will gather for its regular monthly meeting on Thursday, February 20, 2025. The meeting is scheduled to begin at 7:00 p.m. and will be held in the Roger C. Bauer Board Room, Room 400 of the Charles R. Donnelly Natural Resources Center, 665 Johnson Street. The meeting will also be broadcast remotely via Webex videoconferencing software.

All citizens are invited to participate in the meeting either in person or remotely via phone, computer, or a video conferencing system. Participants should be aware that the meeting may be recorded.

Join from the meeting link:

<https://alpenacc.webex.com/alpenacc/j.php?MTID=me225032dc764afef925dbfe0c04fb2b7>

Join by meeting number:

Meeting number (access code): 2424 431 0809

Meeting password: GMkSn3fqY46

Tap to join from a mobile device (attendees only):

+1-415-655-0003,,24244310809## US Toll

Join by phone:

+1-415-655-0003 US Toll

Join from a video system or application:

Dial [24244310809@alpenacc.webex.com](tel:24244310809)

You can also dial [173.243.2.68](tel:173.243.2.68) and enter your meeting number.

Webex attendees are asked to mute their microphones except when speaking during public comment.

Alpena Community College provides access for individuals with disabilities. Individuals with a disability who need a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting can contact Jay Walterreit, Secretary of the Board of Trustees, at (989) 358-7215 at least one week prior to the meeting or as soon as possible.

All official proceedings and agendas are kept in the Office of the Board of Trustees, 125-C Besser Technical Center, on the Alpena campus, and can be viewed upon request between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday.



Denis "Jay" Walterreit
Secretary of the Board of Trustees

REGULAR MEETING AGENDA
ALPENA COMMUNITY COLLEGE BOARD OF TRUSTEES
Thursday, February 20, 2025, 7:00 p.m.

400 Donnelly Natural Resources Center, 665 Johnson Street, Alpena, MI 49707

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Approval of Agenda
- 4) Approval of the Proposed Minutes of the January 15, 2025, Regular Meeting, and the January 31, 2025, Joint Board Meeting
- 5) Introduction of Guests and Public Comment
- 6) Communication(s)
- 7) Board Member and Subcommittee Reports
- 8) Student Report
- 9) Faculty Report
- 10) President’s Report
- 11) Action Items
 - 2.929 Rescinding Policy 7009A2
 - 2.930 Rental Agreement with the Iosco RESA Adult Education Program4
 - 2.931 Authorization to Sign Housing-Related Contracts5
- 12) Information Items
 - 4.142 Financial Report.....6
 - 4.143 Personnel Report.....10
 - 4.144 Gifts and Grants Report11
- 13) Board Discussion
- 14) New Business
- 15) Suggested Future Agenda Items
- 16) Next Regular Meeting: March 20, 2025, 7:00 p.m. The meeting is scheduled to be held in person in Room 400 of the Charles R. Donnelly Natural Resources Center.
- 17) Adjournment

2.929 Rescinding Policy 7009A

On October 17, 2024, the Alpena Community College Board of Trustees approved on second reading a new policy, Policy 7009A, Title IX Policy and Grievance Procedures for Complaints of Sex Discrimination and Sex-Based Harassment. This policy amended Policy 7009 in various respects as required by the 2024 Title IX Regulations enacted by the U.S. Department of Education in April, 2024. On January 9, 2025, the U.S. District Court for the Eastern District of Kentucky issued a [ruling](#) in which it vacated the 2024 Title IX regulations.

In light of the above developments ACC legal counsel has issued a memo to the College community indicating that the current College policies should comply with the 2020 Title IX Regulations, NOT the 2024 Title IX Regulations. In order to accomplish this, legal counsel has recommended that the Board of Trustees should formally rescind Board Policy 7009A, which should be treated as legally null, and the College should rely on Policy 7009, which is based on the 2020 Title IX Regulations.

Therefore, the following resolution is proposed:

The Alpena Community College Board of Trustees officially rescinds Policy 7009A, Title IX Policy and Grievance Procedures for Complaints of Sex Discrimination and Sex-Based Harassment. Policy 7009 remains in effect. Policy 7009A should be removed from the College website and all publications and handbooks.

LEGAL MEMO

From: Karen Jo Bennett, ACC Legal Counsel

To: Alpena Community College

Date: January 16, 2025

RE: STATUS OF 2024 TITLE IX REGULATIONS :

On January 9, 2025, the U.S. District Court for the Eastern District of Kentucky issued a [ruling](#) in which it vacated the 2024 Title IX regulations that went into effect in many states on August 1, 2024.

In response to the 2024 Regulations, Alpena Community College (ACC) along with other institutions across the country, enacted new policies and procedures as they were required by law to do. At ACC, these Policies and Procedures were contained within Board Policy 7009A.

The U.S. District Court held that the 2024 regulations exceeded statutory authority under Title IX when those regulations added protections on the basis of gender identity.

The Court further held that the regulations violate the First Amendment, the Spending Clause of the Constitution, and is vague and overbroad. Finally, the Court held that the regulations are arbitrary and capricious due to its departure from the U.S. Department of Education's longstanding interpretation of Title IX.

The Court focused on the gender identity portions of the regulations, however, made it clear that it was **vacating the entire rule, stating that the challenged provisions "fatally taint the entire rule."**

While the vacatur is widely presumed to be nationwide, we will watch for the U.S. Department of Education's statements on this case as they may be issued (both before and after January 20th, anticipating a change in approach with the new administration) so that institutions can be clear on the Department's enforcement intentions. It does not seem likely that the decision will be appealed, but we will continue to observe further developments and notify the ACC community if there is any change.

In the meantime, current policies should comply with the 2020 Title IX Regulations—NOT 2024. (NOTE: This includes the 2020 requirement that all training material be posted on the college website)

For ACC to revert back to 2020 Policies requires that Board Policy 7009A not be utilized and that it be rescinded. The Board of Trustees is notified that it should formally rescind Policy 7009A, as it follows the vacated 2024 Title IX Regulations. Until that occurs, this Memo shall serve as Notice to the Title IX Coordinator and all members of the ACC Community that Policy 7009 should be followed without reference to Policy 7009A, which should be treated as legally null.

2.930 Rental Agreement with the Iosco RESA Adult Education Program

In September 2024 Alpena Community College and the Iosco RESA Adult Education Program (AEP) entered into a multi-year agreement for the College to rent space in Besser Technical Center to the AEP to provide educational programming in Northeast Lower Michigan. The agreement calls for AEP to pay \$815 per month, billed annually in July.

ACC's Policy 5014, Facility Rental Policy, states:

“The Vice President for Administration and Finance shall have authority to enter into rental agreements on an annual basis for use of campus facilities. Any agreement exceeding one year shall be approved by the Board of Trustees.”

Therefore, the following resolution is proposed:

The Alpena Community College Board of Trustees approves the multi-year rental agreement with the Iosco RESA Adult Education Program agreement for the use of ACC facilities.

2.931 Authorization to Sign Housing-Related Contracts

ACC's new student housing project is funded in part by a grant from the U.S. Department of Agriculture. That grant stipulates ways in which the College can contract for services. The project has progressed to the point where ACC officials now need to begin signing contracts with vendors.

To satisfy the stipulations of the grant, ACC officials are asking the Board of Trustees to authorize Vice President of Administration and Finance Dr. Nick Brege to be able to sign contracts for grant-funded activities.

Therefore, the following resolution is proposed:

The Alpena Community College Board of Trustees authorizes Dr. Nick Brege, Vice President of Administration and Finance, to sign contracts related to the grant(s) funding ACC's new student housing project.

4.142 Financial Report

Monthly General Fund Revenue and Expense through January 2025 (Year-to-Year Actual Comparison)

- The property tax receipts of \$1,850,759 are \$204,553 more than those for January 2024.
- Tuition/fee receipts of \$7,091,746 are \$547,938 more than last year, primarily due to increased billable contact hours.
- State aid for the current year is \$2,593,212 and is \$65,511 more than January 2024.
- Interest is higher this year than last year because of how the College invests its funds. We fully utilize the higher rates available through certificates and interest-bearing savings accounts.
- Other revenue is lower this year than last because of the ADN-to-BSN Completion Grant reimbursement timing.
- Instructional and instruction support expenses are up due to contractual wage rate adjustments, benefits selections, and the timing of hire for new faculty. This category also includes instruction-related equipment maintenance (CDL trucks), which is also up this year (\$34,502) due to the expansion of the fleet and increased equipment use.
- Student Services is up slightly due to contractual wage rate adjustments and athletic waivers.
- Institutional Administration is down this year compared to last, primarily due to higher legal costs incurred in December 2023.
- Physical plant is up slightly compared to last year due to the timing of payments for campus security services.
- Net income through the first seven months of the year shows a gain of \$2,146,018, which is typical for this time of year as spring tuition revenue has accumulated.

Monthly General Fund Revenue and Expense through January 2025 (Budget-to-Actual Comparison)

- Spending on supplies is on track for the current year. The current year's budget for supplies expenses includes the cost of nursing supply packages, which was an unbudgeted expense last year.
- All other categories are in acceptable ranges for this year except as noted above.

General Fund Month-to-Month Comparison through January 2025

- Nursing supplies packages were purchased in January, causing that expense category to rise for the month.
- Tuition waivers and dues rose because athletic tuition waivers were processed in January.
- All other month-to-month comparisons are tracking as expected except as noted above.

Alpena Community College
General Fund
Year-to-Year Actual Comparison
For the Seven Months Ending January 31, 2025

Description	YTD Actual FY 2025	YTD Actual FY 2024	YTD Actual Variance
Revenue			
Property Tax	1,850,759	1,646,206	204,553
Tuition/Fees	7,091,746	6,543,808	547,938
Sales, Service, and Rent	24,634	25,285	(651)
State Aid	2,593,212	2,527,701	65,511
State	0	0	0
Federal	18,183	15,861	2,322
Cost Recovery	0	0	0
Interest	108,413	79,466	28,947
Other	61,809	97,762	(35,953)
Revenue	11,748,756	10,936,089	812,667
Expense			
Instruction	4,315,661	4,163,109	152,552
OIT	1,012,930	1,012,365	565
Public Service	0	0	0
Instruction Support	914,293	856,345	57,948
Student Services	902,596	885,292	17,304
Institutional Administration	1,456,199	1,557,103	(100,904)
Physical Plant	1,001,059	938,687	62,372
Expense	9,602,738	9,412,901	189,837
Income	2,146,018	1,523,188	622,830
Net Assets - Beginning of Year	2,779,800	2,555,318	224,482
Net Assets - End of Year	4,925,818	4,078,506	847,312

Alpena Community College
Comparative Income Statement
General Fund
For the Seven Months Ending January 31, 2025

Description	FY 2025 Budget	FY 2025 YTD Actual	FY 2025 Variance	FY 2025 Complete	FY 2024 Complete
Revenue					
Property Tax	3,372,500	1,850,759	(1,521,741)	54.88%	52.12%
Tuition/Fees	6,643,144	7,091,746	448,602	106.75%	105.03%
Sales, Services, and Rent	29,200	24,634	(4,566)	84.36%	86.59%
State Aid	6,825,794	2,593,212	(4,232,582)	37.99%	37.96%
Federal	29,000	18,183	(10,817)	62.70%	54.69%
Cost Recovery	81,754	0	(81,754)	0.00%	0.00%
Interest	40,000	108,413	68,413	271.03%	1589.32%
Other	276,826	61,809	(215,017)	22.33%	26.37%
Revenue	17,298,218	11,748,756	(5,549,462)	67.92%	66.04%
Expense					
Salaries	9,214,989	5,264,968	3,950,021	57.13%	56.80%
Fringe Benefits	4,603,588	2,434,374	2,169,214	52.88%	52.10%
Outside Services	1,214,353	880,816	333,537	72.53%	89.76%
Advertising	243,000	119,169	123,831	49.04%	52.11%
Supplies	279,750	177,283	102,467	63.37%	96.42%
Utilities	511,900	210,278	301,622	41.08%	39.19%
Telephone	25,300	11,371	13,929	44.94%	125.03%
Postage	30,000	16,084	13,916	53.61%	58.25%
Insurance	161,752	156,364	5,388	96.67%	109.37%
Travel & Mileage	50,954	30,530	20,424	59.92%	47.90%
Tuition Waivers and Dues	255,000	209,307	45,693	82.08%	85.73%
Library Books & Equipment	77,700	51,334	26,366	66.07%	79.03%
Other	77,000	40,860	36,140	53.06%	61.72%
Transfers	552,932	0	552,932	0.00%	0.00%
Expense	17,298,218	9,602,738	7,695,480	55.51%	56.84%

Description	FY 2025 Budget	FY 2025 YTD Actual
Income	0	2,146,018
Net Assets - Beginning of Year	2,779,800	2,779,800
Net Assets - End of Year	2,779,800	4,925,818

Alpena Community College
Month-to-Month Tracking
General Fund
For the Seven Months Ending January 31, 2025

Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD	Budget
Revenue														
Property Tax	131,358	542,269	14,926	5,037	3,685	283,843	869,641	0	0	0	0	0	1,850,759	3,372,500
Tuition/Fees	3,551,638	212,346	(71,992)	856,697	1,634,732	453,860	454,465	0	0	0	0	0	7,091,746	6,643,144
Sales, Services, and Rent	6,495	250	1,350	7,510	285	2,080	6,664	0	0	0	0	0	24,634	29,200
State Aid	0	8,521	0	666,999	737,060	590,316	590,316	0	0	0	0	0	2,593,212	6,825,794
Federal	0	1,215	1,590	5,854	6,153	1,761	1,610	0	0	0	0	0	18,183	29,000
Cost Recovery	0	0	0	0	0	0	0	0	0	0	0	0	0	81,754
Interest	0	20,308	19,989	21,124	19,932	14,457	12,603	0	0	0	0	0	108,413	40,000
Other	50	950	29,422	60	1,914	29,257	156	0	0	0	0	0	61,809	276,826
Revenue	3,689,541	785,859	(4,715)	1,563,281	2,403,761	1,375,574	1,935,455	0	0	0	0	0	11,748,756	17,298,218
Expense														
Salaries	642,139	621,963	673,741	929,347	1,028,071	729,239	640,468	0	0	0	0	0	5,264,968	9,214,992
Fringe Benefits	316,934	304,432	320,069	405,823	438,931	332,985	315,200	0	0	0	0	0	2,434,374	4,603,588
Outside Services	93,249	46,636	44,558	108,627	471,389	23,980	92,377	0	0	0	0	0	880,816	1,214,353
Advertising	1,225	26,868	23,140	27,772	6,908	(1,932)	35,188	0	0	0	0	0	119,169	243,000
Supplies	10,516	7,503	86,362	19,870	11,630	5,153	36,249	0	0	0	0	0	177,283	279,750
Utilities	458	17,294	6,152	34,808	43,712	36,772	71,082	0	0	0	0	0	210,278	511,900
Telephone	1,373	242	915	3,804	1,257	1,950	1,830	0	0	0	0	0	11,371	25,300
Postage	0	2,500	1,162	2,529	3,031	4,362	2,500	0	0	0	0	0	16,084	30,000
Insurance	73,201	0	34,460	2,840	6,282	6,121	33,460	0	0	0	0	0	156,364	161,752
Travel & Mileage	2,190	3,779	3,834	4,013	4,981	8,947	2,786	0	0	0	0	0	30,530	50,954
Tuition Waivers and Dues	33,071	91,390	3,256	22,067	100	0	59,423	0	0	0	0	0	209,307	255,000
Library Books & Equipment	26,054	3,131	1,105	15,680	617	652	4,095	0	0	0	0	0	51,334	77,700
Other	1,710	1,186	7,851	15,677	1,660	2,027	10,749	0	0	0	0	0	40,860	77,000
Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	552,932
Expense	1,202,120	1,126,924	1,206,605	1,592,857	2,018,569	1,150,256	1,305,407	0	0	0	0	0	9,602,738	17,298,221
Income	2,487,421	(341,065)	(1,211,320)	(29,576)	385,192	225,318	630,048	0	0	0	0	0	2,146,018	(3)

4.143 Personnel Report

New hires, terminations, and status changes from January 4 to January 31, 2025.

New Hires:

- Dane Werth, Temporary Faculty – Electronics Technician/Electrical Apprentice, effective immediately.

Re-Hires:

- None.

Transfers:

- Mary Eagan, Transferred from Director of Alumni Relations to Executive Director of ACC Foundation & Executive Director of Development, effective 01/28/2025.
- Robert Enslin, Transferred from Temporary Communications Technician to Interim Director of Alumni Relations, effective 01/29/2025.

Resignations:

- None.

Terminations:

- None.

Inactive:

- None.

Retirements:

- Mark Grunder, Director of Information Technology, effective 12/31/2024.

Name Changes:

- None.

Position Name Changes:

- None.

4.144 Gifts and Grants Report

This report reflects the following activity for pledges and gifts received by the ACC Foundation between January 7 and January 31, 2025.

Total Donors:	67
Number of Gifts:	97
New Gifts:	\$8,582.00
Pledge Payments:	\$0.00
New Pledges:	\$0.00