

**Delta College**  
**Board of Trustees Special Meeting**  
**Virtually via Zoom (1-929-205-6099 Webinar ID 823 2092 2342)**  
**Held virtually in accordance with Public Act 228 of 2020 due to the COVID-19 Pandemic**  
**Tuesday, October 27, 2020**  
**7:00 p.m.**

**BOARD PRESENT** M. Benecke, A. Buckley, R. Emrich, S. Gannon, K. Lawrence-Webster, D. Middleton, M. Nash, M. Rowley, M. Thomas

**BOARD ABSENT** None

**OTHERS PRESENT** D. Allen, N. Bovid, L. Brown, T. Brown, J. Carroll, P. Clark, E. Clement, A. Cramer, M. Crawmer, R. Curley, R. Curry, C. Curtis, J. Dorsey, S. DuFresne, D. Fairchild, J. Foco, J. Garn, J. Goodnow, L. Govitz, B. Handley-Miller, S. Harrison, L. Krukowski, S. Lewless, D. McQuiston, J. Mulders, C. Rader, S. Raube, K. Rishe, S. Roche, E. Roth, K. Schuler, I. Stone, P. Sturdy, C. Thomas, A. Ursuy, J. Young

**PRESS PRESENT** None

**CALL TO ORDER** Board Chair Middleton read a meeting overview at 7:00 p.m.

“Good evening,

I would like to take a minute to explain how I will run today’s meeting.

As I stated earlier this evening, the Board is authorized to hold this virtual meeting with participation through the Zoom platform in compliance with the Michigan Open Meetings Act as amended (Public Act 228 of 220).

The Zoom platform allows participants to participate virtually via phone or computer and ensures that the public can participate in this meeting.

For those joining us today, we want to ensure everyone can hear the board meeting. To minimize audio feedback, we ask all virtual participants NOT to use any speakerphone options.

All participants are currently muted to prevent any background noise or feedback. Board members will be unmuted to allow full participation during the meeting when recognized by the Board Chair. *For clarity, please state your name prior to speaking.*

- If you are joining via phone and wish to be recognized, please press \*9.
- If you are joining via the video option on your computer, please press the “raise hand” option.

I have asked our Assistant Board Secretary, Talisa Brown; and Kay Schuler, Administrative Assistant in the President’s Office, to serve as moderators to assist me

with today's meeting.

Our moderators will note those who wish to address the Board and unmute your lines one by one, announcing who is being unmuted.

Please note that all votes will be taken via roll call by our Board Secretary, Andrea Ursuy.

In addition, "the amendments (to the Open Meetings Act that went into effect on October 16, 2020) impose a new requirement for any member of the public body participating remotely to publicly announce, at the outset of the meeting, that he or she is participating remotely. If the announcing member's remote participation is for any reason other than military duty, the member must announce his or her physical location "by stating the county, city, township, or village and state from which he or she is attending the meeting remotely." The member's public announcement must be included in the meeting minutes."

Therefore, our Board Secretary, Andrea Ursuy, will take attendance immediately after I call the meeting to order. When she calls your name, please say "here" and announce the location from which you are attending the meeting remotely.

If members of the public wish to address the Board, you may do so during the public comment portion of the meeting, which is on our agenda and will be announced by the Board Chair. At that time, those wishing to address the Board should indicate their desire to speak by pressing \*9 (star-9).

Notes on rules for public comment, please press \*9 to be recognized by the Board Chair. When you are acknowledged by the Board Chair, we ask that you state your name and you may state your county of residence. As outlined in the Board of Trustees Bylaws, please limit your comments to five minutes.

Again, note all participants have been muted, except for the Board Chair. I will recognize you and you will be unmuted."

Board Chair Middleton called the meeting to order at 7:04 p.m.

## **BOARD MEMBER ATTENDANCE**

Board Secretary A. Ursuy took attendance. Each Trustee indicated their presence, township or city, and county of residence in Michigan from which they were participating in this meeting.

A. Buckley – Present, Midland, Midland County  
M. Benecke – Present, Frankenlust Township, Bay County  
R. Emrich – Present, Saginaw Township, Saginaw County  
S. Gannon – Present, Jerome Township, Midland County  
K. Lawrence-Webster – Present, City of Saginaw, Saginaw County  
D. Middleton – President, Williams Township, Bay County  
M. Nash – Present, Larkin Township, Midland County  
M. Rowley – Present, Hampton Township, Bay County  
M. Thomas – Present, Saginaw Township, Saginaw County

**APPROVAL OF THE AGENDA**

Board Chair, D. Middleton, read the agenda so that those participating by phone would know what the Board was being asked to approve. Board Chair Middleton called for approval of the agenda. R. Emrich made a motion to approve the agenda. M. Rowley seconded the motion.

The results of the roll call vote to approve the agenda are as follows:

- A. Buckley – Yes
- M. Benecke – Yes
- R. Emrich – Yes
- S. Gannon – Yes
- K. Lawrence-Webster – Yes
- D. Middleton – Yes
- M. Nash – Yes
- M. Rowley – Yes
- M. Thomas – Yes

Motion passed unanimously.

**PUBLIC COMMENTS**

Board Chair, D. Middleton, called for public comment.

Mr. Isaiah Stone of Saginaw said he was referred to the Board by Trustee Lawrence-Webster. He said he is interested in starting a petition to add Track and Field as a sport at Delta College. He said many of the students in the area would benefit from such a program.

Dr. Goodnow said that Mr. Stone could call her office to discuss his proposal.

**TREASURER’S REPORT**

S. DuFresne said the Board has received the financials for the month ended September 31, 2020. She said that state aid revenue shows zero as the first payment from the State of Michigan will not be received until October. S. DuFresne said that the College should not need to use the one-time transfer from our contingency fund of \$900,000 because the State did not cut the College’s funding as anticipated. The estimated variance in tuition is about (\$200,000) at this time because the College did not quite meet projections. At this time there are no other material differences to point out.

M. Nash asked what changed at the State to take us from an anticipated 15% reduction to being flat. S. DuFresne said that at the last revenue estimating conference, it turned out that the State’s projections on deficits in the budget were not as large as anticipated. The State changed their estimates and were able to use some Federal CARES dollars to backfill.

**CONSENT AGENDA**

D. Middleton called for approval of the consent agenda. R. Emrich made a motion to approve the consent agenda with support from M. Benecke.

The results of the roll call vote to approve the consent agenda are as follows:

- A. Buckley – Yes

M. Benecke – Yes  
R. Emrich – Yes  
S. Gannon – Yes  
K. Lawrence-Webster – Yes  
D. Middleton – Yes  
M. Nash – Yes  
M. Rowley – Yes  
M. Thomas – Yes

Motion passed unanimously.

The consent agenda passed unanimously resulting in:

Acceptance of Minutes:

1. Board Regular Meeting, September 8, 2020

**BOARD ACTION**

Delta College Five-Year  
Capital Outlay Master Plan  
**(BA5346)**

It is the recommendation of the administration that the Board of Trustees approve the Delta College Five-Year Capital Outlay Master Plan for the State of Michigan's 2022 fiscal year as required by the State Budget Office.

M. Rowley made a motion to approve the recommendation. R. Emrich seconded the motion.

N. Bovid noted that the College is participating in a facilities assessment that had to be paused because of COVID. He said that he will incorporate the results of the assessment into next year's plan.

The results of the roll call vote to approve the recommendation are as follows:

A. Buckley – Yes  
M. Benecke – Yes  
R. Emrich – Yes  
S. Gannon – Yes  
K. Lawrence-Webster – Yes  
D. Middleton – Yes  
M. Nash – Yes  
M. Rowley – Yes  
M. Thomas – Yes

Motion passed unanimously.

**BOARD ACTION**

Delta College - Strategic  
Value  
**(BA5347)**

It is the recommendation of the administration that the Delta College Board of Trustees certify to the State Budget Director that Delta College has met ALL 5 of the best practices in each of the 3 categories, thus exceeding the legislative requirements. This report will allow Delta College to comply with Public Act Number 165 of 2020, Section 230 (3), which went into effect on October 1, 2020.

R. Emrich made a motion to approve the recommendation. M. Thomas seconded the motion.

J. Goodnow encouraged the Board to read the report in totality and said she is very proud to present this work. She acknowledged the team that put it together and said that P. Clark takes the lead to compile this report. This would not be possible without the good work of our students, faculty, and staff.

S. Gannon said she found the report to be educational and a great reference. She congratulated the entire team who put it together.

M. Nash noted that we continue to achieve 5/5 categories when only 3 are required. He asked if we have data to benchmark if other community colleges achieve the same results. P. Clark said that we do not have that data, but she does know that the State was allowing colleges to resubmit last years data given the COVID environment. She said that she is happy that we can complete and keep the report current.

The results of the roll call vote to approve the recommendation are as follows:

A. Buckley – Yes  
M. Benecke – Yes  
R. Emrich – Yes  
S. Gannon – Yes  
K. Lawrence-Webster – Yes  
D. Middleton – Yes  
M. Nash – Yes  
M. Rowley – Yes  
M. Thomas – Yes

Motion passed unanimously.

**BOARD ACTION**

November Board Meeting

Date

**(BA5348)**

Dr. Goodnow said that the Board’s regularly scheduled, October 13, Board of Trustees meeting was canceled to allow time for the College and Board to gain clarity about the Michigan Supreme Court Decision regarding the Governor’s Executive Orders (specifically about the OMA and virtual meetings during COVID) and to prepare as necessary.

Board Chair Middleton asked us to post this special meeting for tonight.

As a result of postponing, we are now left with only two weeks between this meeting and our November meeting which is currently scheduled for November 10.

Dr. Goodnow asked that the Board take action this evening to move the November meeting date to Tuesday, November 17.

R. Emrich made a motion to move the November regular meeting date to Tuesday, November 17, 2020. M. Nash seconded the motion.

The results of the roll call vote to approve the motion are as follows:

A. Buckley – Yes  
M. Benecke – Yes

R. Emrich – Yes  
S. Gannon – Yes  
K. Lawrence-Webster – No  
D. Middleton – Yes  
M. Nash – Yes  
M. Rowley – Yes  
M. Thomas – Yes

Motion passed with a vote of 8 in favor. K. Lawrence-Webster voted in opposition to the motion.

**BOARD DISCUSSION –**  
Diversity, Inclusion, Equity,  
and Social Justice (Loyce  
Brown)

Dr. Goodnow introduced Loyce Brown. Loyce has been employed by Delta College since the Fall of 2012. She serves as the Director of Employee Development and the Equity, and Title IX Coordinator at the College.

In addition to serving as the leader of training and development in our Center for Organizational Success, and leading our Equity/Title IX Office, Loyce is passionate about Diversity, Equity, Inclusion, and Social Justice and the mission of community colleges. She is currently in the last year of her doctoral program in Community College Leadership at Ferris State University. Her dissertation topic is “How stereotype threats and bias are barriers to student success in community colleges.”

This evening she will be delivering a summary of the presentation that Dr. Damon Williams delivered to the MCCA Presidents in August. She will then open the presentation up for a discussion amongst the Board.

L. Brown highlighted the following summarizing Dr. Williams’ presentation.

**Introduction of Dr. Damon A. Williams**

- Chief Catalyst for the Center for Strategic Diversity Leadership and Social Innovation
- Presented at the Michigan Community College Association August’s 2020 Meeting
- Title: “Signal and Noise: A Presidential Primer on Strategic Diversity Leadership During a Time of COVID-19 and Black Lives Matter”

**Meeting the Diversity challenge**

- American population is more diverse
  - It’s our greatest strength and challenge
- Diversity includes, but is not limited to:
  - Generations
  - Age
  - Ability

**Campus leaders must become strategic about diversity**

- Strategic Leaders understands...
- The definitions of:
  - Diversity
  - Equity

- Multiculturalism
- Inclusion
- Inclusive Excellence

#### **Diversity, Defined**

- “All of the ways in which people differ, including primary characteristics... and secondary characteristics.”

#### **Equity, Defined**

- “The process of creating equivalent outcomes for historically underrepresented and oppressed individual and groups.”

#### **Multiculturalism, Defined**

- “Acknowledges and promotes the acceptance and understanding of different cultures living together within a community.”

#### **Inclusion, Defined**

- “Describes the sense of belonging that traditionally marginalized individuals and groups feel when they are empowered to participate in the majority culture as full and valued members, shaping and redefining that culture in different ways.”

#### **A Pictorial explanation**

By: Center for Urban Education

#### **Inclusive Excellence, Defined**

- “An aspirational state that exists when an organization is strategically well positioned to meet the needs of a changing world and embraces a culture that views diversity as fundamental to organizational success, effectiveness, and excellence.”

#### **Noise vs. Signal**

- Examples of Noise:
  - Superficial training efforts
  - Performative DEI statements and plan
  - DEI efforts are one person’s responsibility
  - Lack of leadership commitment on DEI
- Examples of Signal:
  - 5 year DEI plan
  - Multi-level DEI Infrastructure
  - Innovation
  - Leadership programs for BIPOC students

#### **The ROI for diversity**

- Those that recruit, retain, advance, and pursue diverse groups’ needs can expect the following benefits:
  - Win the war on talent
  - Higher employee engagement

- Better outcomes on decisions and innovation
- A positive association with diverse issues
- Positive collaboration amongst employees which positively impacts financial performance

**Hard Questions that must be answered**

- Are we positioned for success in today’s world?
- Do we have a consistent voice on diverse issues and causes?
- Are our efforts viewed as tone deaf by diverse communities?
- To whom are we serving?
- Are we recruiting the most diverse employees and students?
- Are existing efforts evidence-based, strategic, and measurable?
- Are all of our efforts synergized with one another?

“Diversity should not be viewed as an end product, but rather the key ingredient to creating a brighter, more inclusive, and productive future. Those who choose to listen closely, to hear the signal above the noise, will be the newest leaders and innovators...”

At the conclusion, L. Brown opened the presentation up for discussion.

K. Lawrence-Webster thanked L. Brown for her recap and said it was excellent. She said that having a diverse faculty and staff can draw diverse students and that she would like to see more focus on faculty and staff diversity.

M. Thomas also said that the presentation was excellent and that she enjoyed viewing Dr. Williams’ full presentation. M. Thomas asked what the College will do next.

J. Goodnow said that the College will be conducting a DEI audit to obtain baseline information regarding where we are on DEI issues. In addition, we have already taken action regarding changes to the curriculum for the Police Academy.

R. Curry said that the College is applying for an Achieving the Dream Grant on Racial Equity. The grant would provide us with a coach and provides an external benchmarking framework around one specific issue relating to DEI. The application is due next week and a team of staff has been working to write the application.

K. Rishe reinforced the excellent academic addition that Dr. Angela Guy-Lee has provided to the Police Academy. He said that one of the focus areas from his office has been around student access to computers and internet in this time of COVID-19.

M. Thomas said that she appreciates the plan to conduct the audit. She added that the College needs a long term plan to address the students coming in.

K. Lawrence-Webster asked J. Goodnow what she is doing to address the concerns of faculty and staff that came up during the President’s meeting with the Black Faculty and Staff Association.



J. Goodnow said she has hosted listening groups for several groups of employees and will be responding to concerns.

R. Curry said that one of the concerns of the Black Faculty and Staff Association is for an improved pathway for upward mobility and development to foster retention of employees.

M. Nash said he is interested in best practices for structuring diversity offices. He noted that most corporate structures rely on a centralized model with a chief diversity officer. Dr. Williams' approach suggested that a decentralized approach is better.

M. Benecke said that no one doubts that Delta College has good programs, but we need more and need to understand where we need to do more. She said we need to work harder and are never done.

M. Thomas said that it is important to focus the College's plan for DEI.

## **PRESIDENT'S REPORT**

### Enrollment Report

Classes for the Fall 2020 Semester began on August 29. As of today, 6,961 students are enrolled (4,543 part-time, 2,418 full-time).

We projected 75,095 contact hours for the fall semester and are currently at 97.95% (73,553.6 contact hours) of projection.

### Personnel Report

The complete report of hires, promotions, and separations for the month of September can be found in Board packets this evening.

### Information Sharing

- Dr. Goodnow said she has been working on revising her goals for the 2020-21 Academic Year. She said she will be sending a draft to the Trustees by the end of this week. Dr. Goodnow would ask that Trustees take a look and provide me with feedback on my goals and said she will bring the draft to the Board for approval in November.
- Dr. Goodnow recognized the staff members that were instrumental in gathering the information for the 2020 Strategic Values Report. They are Pam Clark, Lindsey Bourassa, Jennifer Carroll, Emily Clement, Pete Fox, Lynn Hoerauf, Sherrill Irish, Sheryl Kiscadden, Kim Klein, Lisa Lawrason, Dionne McCollum, Terry Morse, Mike Murray, Elsa Olvera, Drew Ornelas, Danielle Petersen, Michele Pratt, Jason Premo, Shelly Raube, Sue Roche, Gwen Serbus, Leslie Siefka, Colleen Thomas, Patrick Tobin, Melissa Wallace, Michelle White and Joe Yezak. Thanks to all of you for your efforts in completing this comprehensive report.
- The College has received notification from the United States Department of Education that Delta College is not subject to any sanctions based on our 3-year cohort default rate. Our fiscal year 2017 official cohort default rate was 14.6.
- The Michigan Community College Association signed an agreement on behalf of its member colleges with Western Governors University (WGU). WGU offers bachelor's and master's degrees in Business, Information Technology, Healthcare and Education.

- Students enrolled in Delta’s Associate of Applied Science (AAS) in Nursing program can enroll concurrently with Davenport University to complete their Bachelor of Science (BSN). Students wanting to build on their knowledge base can also choose one of three Master of Science in Nursing (MSN) concentrations: Generalist, Family Nurse Practitioner (FNP), or Nurse Educator programs. This is a renewed articulation plan.
- New Articulation Plan - Delta College’s Associate in Applied Science, Chemical Technology degree to Davenport University’s Bachelor of Science-Biological Laboratory Science (BLS) degree program.  
New Articulation Plan - Delta College’s Associate in Applied Science, Computer Science and Information Technology-IST-Cyber Security and Davenport University’s Bachelor of Science, Cyber Defense degree program.
- On Thursday, October 8, Dr. Goodnow participated in a virtual regional townhall about the “Future for Frontliners” program. The townhall was hosted by Kerry Ebersole, Sixty by 30 Director for the State of Michigan. This last-dollar scholarship program for Michigan residents provides tuition-free access to public community college for frontline workers in essential industries to earn an associate degree or an industry-recognized certificate. Thousands of applications have been received statewide. At Delta College, we have had 6,503 students apply for the Frontliners scholarship. 1,064 have been deemed eligible through the state funded program and the other 5,439 are being reviewed further to determine their eligibility to qualify for the federal Pell grant program as a funding source.
- The College Central Network Michigan Consortium is the recruitment platform our Office of Career Development launched this past summer. This platform provides our students and recent graduates with a wide range of employment opportunities and allows employers to get their open positions posted to our Pioneer Jobs Board. We have had an increase in the number of positions posted by employers in each month:
  - July – 71
  - August – 98
  - September – 108

Thanks to Lindsey Bourassa and everyone working in the Career Development Office for their efforts in continuing to serve the needs of our students and employers.
- Delta College Public Media’s station, WDCQ-TV, worked in conjunction with the Saginaw Bay Symphony Orchestra recently. The SBSO created a virtual recording of their first concert of the season and our station staff provided assistance on acquiring broadcast rights and the technical file conversion so that we could broadcast the production on WDCQ-TV. The one-hour program aired this past Saturday and was well received by many viewers.
- WDCQ-TV also produced a documentary called “Breached”, which explored the dam failure and flooding from earlier this summer. Producers Bob Przybylski of Delta College and Ron Beacom, a community volunteer, started working on this project two days after the dams on Wixom and Sanford Lakes were breached in May 2020. The program first aired on October 6 and has been available for viewing online as well. The Facebook post with the link to the full documentary was shared by 53 people and seen by 11,820 people.
- Congratulations to Board Chair Diane Middleton who is the recipient of the 2020

Leadership Alumni Award from the Bay Area Chamber of Commerce. She was presented this award sponsored by TCF Bank at the Bay Area Chamber Annual Meeting on September 29.

- Dr. Goodnow said she hopes the Trustees will participate virtually for A Chocolate Affair. A Chocolate Affair will be held from November 5-11. There is no cost and no calories to view this online event. This event raises dollars to support the Possible Dream program, which helps at risk sixth through twelfth grade students to stay focused on their studies and plan for college.

## TRUSTEE COMMENTS

K. Lawrence Webster said that “during our May or June board meeting, we had a lengthy dinner meeting agenda titled diversity and inclusion. I want to note that the staff person who held that title was listed last on the agenda and was given two minutes to report out. After I requested providing the staffer additional time, it was granted during our regular meeting. Based on numerous questions from myself and others, the staffer shared his comprehensive role at the college. It became obvious that the President had not asked him to share his entire role as part of the dinner meeting presentation. It also became obvious that he was being marginalized during the presentation as his role was limited and items that fell under his job description was being reported on by either his superiors or his peers, but never did we get a sense of how comprehensive his responsibility was until we asked pointed questions. This isn't our past practice. Normally, the President has the person who is responsible for the subject matter to lead the discussion so that the audience is provided a clear and cohesive presentation. Because of the seriousness of this subject matter, diversity and inclusion, I asked that the board revisit the staffer's comments and not sweep our Delta College's actual experiences under the rug. I appreciate all of the expertise that Loyce brought to the table today and Dr. Williams, his sharing with us, but there's nothing like our own experience. So, we need to try to clean up our known house first before moving forward. The last thing I want to comment on is that tonight is another night that we are talking about diversity and inclusion and the staffer who holds that title was not available to present such information to us. And therefore, going back to I think a point that Trustee Thomas made, who's leading the charge? And if we don't have a clarity on who's leading it and how that organizational chart flows, we'll never get to an end result. But I know the goal is to continue to work. But the point is, is that we've had months, I think May, June, July, August, September, and this is October, and we've had a lot of rhetoric, a lot of conversation, but not necessarily substantial forward movement. Thank you.”

R. Emrich said that he and his wife, Carol, were able to make a donation to the foundation to endow a scholarship to support healthcare students.

M. Thomas said that she appreciated having the Board hear the summary of Dr. Williams' presentation this evening. She said that it is good to keep having DEI on the agenda and said she appreciates the conversation.

M. Rowley shared information on NextGenTV and Vince Curren. He suggested that NextGenTV could be a possible answer to help our students who don't have access to the internet.

M. Rowley thanked L. Brown for the great presentation this evening. He also said he attended the recent politics online event and said it was very well done.

M. Rowley added that he “disagrees that we’ve swept anything under the rug.”

M. Benecke said that she is confident that this Board will continue to require and encourage progress on DEI at Delta College.

A. Buckley said that Loyce did a great job this evening. He said he appreciated the synopsis of the presentation. A. Buckley also thanked Dr. Emrich and his wife for their contribution to the Foundation.

M. Nash asked if there was a link available to view the Delta College Public Media documentary, Breeched.

M. Nash asked if there was an easier way to view the packet in the new version of BoardBook. T. Brown said she would follow-up with him.

M. Nash asked for an update on the West Campus Project. S. DuFresne and N. Bovid responded that the observatory is on pause, the baseball field is ready, and the multi-purpose building is almost complete.

S. Gannon thanked Dr. Emrich for the scholarship contribution. She also thanked Loyce for the presentation summary. In regard to DEI, she said that we need to put some structure around the Board statement on DEI and social justice. She said the audit will help. S. Gannon added that ACCT has marvelous resources for the Board.

## **CHAIR COMMENTS**

D. Middleton said that she is happy to hear about the great response to the Futures for Frontliners program. It will help our students and the College.

D. Middleton said that ACCT is hosting a webinar on the PELL Grant and said she would share the communication with the Board.

She said that she has not had a chance to view the Breeched documentary but has heard positive feedback and looks forward to receiving the link.

D. Middleton thanked Dr. Goodnow for her leadership and the staff and faculty for their work to serve students. She offered her gratitude on behalf of the Board.

Finally, D. Middleton said that this evening she would be appointing a Board DEI committee. The purpose of the committee is to provide focus and direction of the Board and College at-large for diversity, equity, and inclusion efforts. She said that the following trustees have agreed to serve:

Trustee Gannon

Trustee Nash

Trustee Thomas

D. Middleton said that Dr. Goodnow will be appointing staff as well.

**VOTE TO GO INTO  
CLOSED SESSION**

S. Gannon made a motion that the Board go into closed session to discuss material exempt from disclosure under the attorney-client privilege, MCL 15.243(1)(g), pursuant to MCL 15.268(h), specifically: *The written legal opinion prepared by the law office of Cummings, McClorey, Davis & Acho, P.L.C. regarding recently adopted legislation related to the Open Meetings Act, as well as the specific pending case of Vermilya v Delta College, Case No. 16-028824-CZ, Hon. Darnell Jackson.*

R. Emrich seconded the motion.

The results of the roll call vote to go into closed session are as follows:

- A. Buckley – Yes
- M. Benecke – Yes
- R. Emrich – Yes
- S. Gannon – Yes
- K. Lawrence-Webster – Yes
- D. Middleton – Yes
- M. Nash – Yes
- M. Rowley – Yes
- M. Thomas – Yes

Motion passed unanimously.

The Board went into closed session at 9:18 p.m.

**RETURN TO OPEN SESSION**

The Board returned to open session at 9:52 p.m.

Chair Middleton said that The Board is returning to open session from closed session where *the written legal opinion prepared by the law office of Cummings, McClorey, Davis & Acho, P.L.C. regarding recently adopted legislation related to the Open Meetings Act, as well as the specific pending case of Vermilya v Delta College, Case No. 16-028824-CZ, Hon. Darnell Jackson.* The Board is taking no action based upon the legal opinion reviewed and discussed during the closed session.

**ADJOURNMENT**

There being no further business, Board Chair Middleton adjourned the meeting at 9:54 p.m.

---

Andrea Ursuy, Board Secretary