

**From:** Kelly, James [REDACTED]  
**Sent:** Friday, January 5, 2024 4:00 PM  
**To:** Joe Moss; John Gibbs  
**Cc:** Shane, Matthew; Korpak, Michael  
**Subject:** MSU Extension - Ottawa County MOA  
**Attachments:** Ottawa County - Response to request.pdf

Joe,

Thanks for your time this afternoon, and for the open discussion regarding the status of the MSU Extension MOA for Ottawa County. As discussed, I have attached the formal response from Associate Director for MSU Extension, Matt Shane.

We take the requests of our county partners seriously. Our Extension leadership and University counsel reviewed your request to have us relocate Christian, and have determined that we are unable to implement requests that would violate an employee's rights to participate in political activities outside of their workdays and hours. There are multiple employee rights that we believe this action would potentially infringe.

1. First amendment –Because we are a governmental employer, staff have protection related to what they say as a private citizen about a matter of public concern.
2. Political persuasion – Taking action because of staffs political persuasion is prohibited under the Anti-Discrimination Policy (The claim might be that MSU gave in to demands by a group who was anti-Democrat).
3. Off-duty conduct/invasion of privacy – There is no employment policy that permits us to take this adverse action against an employee because of conduct that had nothing to do with his employment and on the basis of conduct that was separate from work on his own private time.

We strive to apply the law and our organizational policy in a manner that is defensible.

Based on our conversation today we are hopeful that you will allow the MSU Extension Memorandum of Agreement (MOA) to be placed on the consent agenda for the January 16 board meeting , just as it was before it was pulled out between the unanimous approval of the Finance Committee and the November 21, 2023, board meeting.

Your commitment to a quick turnaround in providing a clear response to this situation is much appreciated as I believe the potential for this issue to become public is growing daily. As discussed this afternoon, we have had to pause the search for a new 4-H Program Coordinator for 4-H in Ottawa County, due to the uncertainty of our MOA. It is highly likely that the 4-H community will see this gap in coverage as unusual and will seek an explanation. We also have 13 staff who are aware of the MOA delay and are concerned about the stability of their employment. We will look for your response, on behalf of the board, next week.

Again, I would happily entertain any communication from other board members with any questions or concerns regarding the role of MSU Extension in Ottawa County.

Regards,

JLK  
James Kelly

District Director (Lake, Mason, Muskegon, Newaygo, Oceana)  
Michigan State University Extension