## Minutes of the Quarterly Meeting of the Board of Regents Murray State University December 2, 2022

## Call to Order/Roll Call

The Murray State University (MSU) Board of Regents met on Friday, December 2, 2022, in Quarterly and Committee Session in the Pogue Library Jesse Stuart Room on the Murray State University campus. Chair Don Tharpe called the meeting to order at 8:30 a.m. and welcomed those joining the meeting in person and via livestream. The roll was called and the following Board members were present: Jessica Evans, Robbie Fitch, Virginia Gray, Ellie McGowan, David Meinschein, Leon Owens, Emily Roark, Melony Shemberger, Don Tharpe and Tom Waldrop. Absent: none.

Others participating in the meeting were: Robert L (Bob) Jackson, President; Jill Hunt, Senior Executive Coordinator for the President, Coordinator for Board Relations and Secretary to the Board; Tim Todd, Provost and Vice President for Academic Affairs; Jackie Dudley, Vice President for Finance and Administrative Services and Treasurer to the Board; Don Robertson, Vice President for Student Affairs and Enrollment Management; Bob Pervine, Senior Associate Provost; Renee Fister, Associate Provost; Roslyn White, Interim Assistant Vice President for Enrollment Management; Robert Miller, General Counsel; Nico Yantko, Director of Athletics; Shawn Touney, Executive Director of Marketing and Communication; Jordan Smith, Executive Director of Governmental and Institutional Relations; Academic Deans; Information Technology staff and members of the general public and news media.

#### AGENDA

<u>Call to Order</u>	Chair Tharpe		
Roll Call	Secretary Hunt		
Public Participation	Chair Tharpe		
<ul> <li><u>Consent Agenda</u> Chair Tharpe/President Jackson</li> <li>A. Minutes of the Board of Regents Retreat on September 8, 2022, and Minutes of the Quarterly Meeting and Committee Meetings on September 9, 2022*</li> <li>B. Report of the Registrar (August and December 2022 Conferral of Degrees)*</li> <li>C. Academic Excellence and Scholarly Activities Committee <ol> <li>University Appeals Board Appointments*</li> </ol> </li> <li>D. Audit and Compliance Committee (For Information Only) <ol> <li>Office of Internal Audit – Summary of Presidential Travel Report</li> </ol> </li> <li>E. Finance Committee <ol> <li>State Endowment Match Program Annual Report*</li> <li>Personal Services Contracts – Schedule of Expenditures (For Information Only)</li> </ol> </li> <li>F. Personnel Changes <ol> <li>Faculty Leave of Absence without Pay*Staff Leave of Absence without Pay*</li> </ol> </li> </ul>			
<u>Report of the Chair</u>	Chair Tharpe		
Report of the President	President Jackson		
<u>Report of the Treasurer</u> * (Quarterly Financial and Investment Reports)	Vice President FAS Dudley		
Board of Regents Self-Evaluation Results Update (For Information Only)	Sr. Associate Provost Pervine		
<u>Personnel Changes</u> A. Appointment of Internal Auditor – Rhonda M. Hend	President Jackson erson, CPA*		
Committee Reports/Recommendations			

A. Audit and Compliance

- 1) Audited Financial Statements General\*
  - a. Report to Governance on the Results of Annual Independent Audit
  - b. Required Auditor Communications (includes Representation Letter)
  - c. Independence/Peer Review Letter
  - d. House Bill 622 Compliance Report for the Year Ended June 30, 2022
  - e. Kentucky Lease Law Compliance Report for the Year Ended June 30, 2022
  - f. General Financial Statements for the Year Ended June 30, 2022
- 2) Audited Financial Statement Federal Funds\*
  - a. Single Audit Report for the Year Ended June 30, 2022
- 3) Annual Audit Report Athletics\*
  - a. National Collegiate Athletic Association Independent Accountant's Report on Application of Agreed-Upon Procedures for Intercollegiate Athletics for the Year Ended June 30, 2022
- 4) Annual Audit Reports WKMS-FM\*
  - a. Required Auditor Communications
  - b. Audited Financial Statement for the Year Ended June 30, 2022
- 5) Annual Audit Contract Renewal\*
- 6) Internal Audit Annual Audit Plan for Fiscal Year 2023\*
- B. Academic Excellence and Scholarly Activities
  - 1) Academic Program Changes\*
  - 2) New Degree Program Master of Science in Wildlife and Conservation Biology\*
  - 3) Nurse Anesthetist Program Agreement Affirmation\*
  - 4) Reaffirmation of the Updated 2020 2025 Strategic Plan\*
- C. Athletics Chair Tharpe 1) Racer Athletics Update (For Information Only)
- D. Marketing and Community Engagement 1) Office of Development Update (For Information Only) Regents Roark and Evans
  - 2) Capital Campaign Readiness Study Be Bold Forever Blue and Gold Update (For Information Only)
  - 3) Gifts-in-Kind
    - a. K. Kawai Grand Piano GE-1 Model Department of Music\*
    - b. Senaptec Sensory Station Promo Bundle Department of Athletics\*
- 12 noon (approx.) Break for Lunch
- 1 p.m. (approx.) Reconvene
- E. Buildings and Grounds Regent Fitch 1) Major Facilities Projects Update (For Information Only)
  - 2) Murray Electric System Utility Easement\*
- F. Enrollment Management and Student Success Regents Meinschein and McGowan
   1) Academic Year 2022 23 Enrollment, Retention and Recruitment Update (For Information Only)
- G. Finance

**Regent Owens** 

**President Jackson** 

**Regent Shemberger** 

- 1) Public-Private Partnership (P3) Pre-Development Agreement Extension\*
- 2) Doctor of Nursing Practice Nurse Anesthetist Program Fee Change\*
- 3) Projects Approval\*
- 4) Personal Services Contracts Approval\*
- 5) Property Acquisition Audubon Drive and Sunset Avenue, Paducah, KY\*
- H. Legislative and Economic DevelopmentRegent Gray1) Legislative Update Report (For Information Only)Regent Gray
- I. Honorary Doctorate Committee 1) Honorary Doctorate Degrees Approval\*
- NOTE: <u>Full Board action will follow Committee action</u>.

**Policy Changes** 

- A. Board of Regents Policy Manual Section 3.6 Leave of Absence without Compensation Revision – Second Reading\*
- B. Board of Regents Policy Manual Section 5.21 New Name, Image and Likeness Policy – Second Reading\*

## Supplemental Materials (For Information Only)

- A. "Good News" Report (Winter 2022)
- B. Quarterly Branding, Marketing and Communication Report (July September 2022)
- C. Sponsored Programs Grants and Contracts Report

## **Other Business**

## **Adjournment**

## (\*Requires Board of Regents Action)

## **Public Participation**

Chair Tharpe reported that no individuals signed up to address the Board during the Public Participation portion of the meeting.

## Consent Agenda, approved

Chair Tharpe reported that the following action and "For Information Only" items were included on the Consent Agenda for approval/acceptance (action items denoted with an asterisk):

- Minutes of the Board of Regents Annual Retreat on September 8, 2022, and Minutes of the Quarterly and Committee Meetings of the Board of Regents on September 9, 2022\*
- Report of the Registrar (August and December 2022 Conferral of Degrees)\* See Attachment #1
- Academic Excellence and Scholarly Activities Committee University Appeals Board Appointments\*

As stated in *Section 6.6* of the *Board of Regents Policy Manual*, decisions of the University Judicial Board may be appealed to the University Appeals Board. Decisions involving disciplinary suspension or expulsion are automatically appealed to the University Appeals Board. The nine-member University Appeals Board consists of six faculty members and three students. The following faculty members are recommended for appointment to the University Appeals Board from the present until their term expires in June 2025.

- Ann Johnson
   College of Humanities and Fine Arts
- Bikram SubediMegan Taylor
- Jones College of Science, Engineering and Technology Hutson School of Agriculture
- Audit and Compliance Committee Office of Internal Audit Summary of Presidential Travel Report (For Information Only)
- Finance Committee State Endowment Match Program Annual Report\* See Attachment #2
- Finance Committee Personal Services Contracts Schedule of Expenditures (For Information Only)
- Personnel Changes Faculty Leave of Absence without Pay\*

The Faculty Leave of Absence without Pay, as described below, has been recommended by all appropriate recommending levels.

## **President Jackson**

**President Jackson** 

Chair Tharpe

**Chair Tharpe** 

#### • Rebecca Rosen

## English and Philosophy

• Dr. Rosen has been granted a prestigious four-month fellowship by the National Endowment for the Humanities.

This Faculty Leave of Absence without Pay has the support of the Office of the Provost and Vice President for Academic Affairs.

• Personnel Changes – Staff Leave of Absence without Pay\*

Murray State University offers a variety of excused staff leaves without pay such as administrative leave, educational leave or a general leave of absence. Conditions and requirements of the specific types of leaves are defined in the Board-approved *Personnel Policies and Procedures Manual*. The Board is being asked to approve the Staff Leave of Absence without Pay that has been processed as of August 12, 2022.

## Carlos Lopez Simulation Center 06/10/2022-07/15/2022

On behalf of the Board of Regents, upon the recommendation of the President of the University, Vice Chair Owens moved for approval of the Consent Agenda items. Regent Shemberger seconded and the motion carried.

## **Report of the Chair, received**

Chair Tharpe reported President Jackson has provided several communications regarding the current state of higher education and the fact that fewer students are attending college. All were asked to be mindful that this equates to reduced budgets in the future. Several deferred maintenance projects have been completed as work toward preserving historic buildings on the Murray State campus is important. The National Panhellenic Council (NPHC) Plaza ribbon cutting was an emotional experience and it was touching to see all nine plaques that are part of the monument representing fraternities and sororities at historically black colleges. The event was well done and attended by many. Appreciation was expressed to all for their efforts in this regard. Homecoming was very well planned and the Centennial Gala that evening was successful. President Jackson announced a new fundraising campaign during the event and his remarks were very well received. Regents should be proud of the management of Murray State University and that includes the work of this Board. Appreciation was expressed to President Jackson and his leadership team in this regard. Many on campus work diligently to ensure this work is undertaken, including Provost Todd, Vice President Dudley, Vice President Robertson, Mr. Touney, General Counsel Miller and others who on a daily basis do a great job for the University and they do so for the love of Murray State. The Board gave a round of applause to these individuals.

## **Report of the President, received**

President Jackson expressed appreciation to Chair Tharpe for his kind words and reported the following:

- The centennial Homecoming commemorated 100 years of Murray State. During the event Gabe Maynard was named Homecoming King and Olivia Badalamenti was named Homecoming Queen. A photograph was shown depicting these individuals, as well as former Homecoming Queen Regent McGowan. These students represent great leaders on campus and mean a great deal to this institution.
- President Jackson, Regents Meinschein and Evans, along with Dean of the College of Education and Human Services Dave Whaley, met this week with regional school Superintendents. Appreciation was expressed to Dean Whaley for his work in this regard. The work of faculty, staff, administrators, the Board and students to help the University navigate the post-pandemic environment is very much appreciated as it has not been the easiest transition. Every college and school at Murray State is back to teaching and doing so was key, especially leading into the centennial year. As part of this work, meetings have been held with Regent Gray and Tennessee Valley Authority (TVA) colleagues. The meeting was designed to help determine ways the University can better work with the TVA Board, especially the Jones College of Science, Engineering and Technology and the School of Engineering. In the months to come, TVA will have one of their Board meetings at Murray State and representatives have already reached out to Secretary Hunt to begin planning in this regard. Appreciation was expressed to Regent Gray for helping to advance these efforts.
- A photograph was provided of nationally-recognized Psychology Professors at Murray State and Dr. Dan Wann was highlighted for his work in sports psychology.

- Appreciation was expressed to faculty, staff and students for their work in advancing Murray State's teaching and learning components. Regent McGowan's leadership as President of the Student Government Association (SGA) and the work of her colleagues have been key as these efforts continue.
- Dean of the Hutson School of Agriculture Tony Brannon was recognized. In May 2020, Dean Brannon was named in a national publication – *Site Selection* magazine – as the "Dean of Hemp." Dean Brannon has served Murray State University for 34.5 years and will be retiring December 31. Dean Brannon and his leadership will be missed. He is the only Dean to lead the Hutson School of Agriculture. Appreciation was expressed to Dean Brannon for all his efforts.
- Senior Breakfast represented a successful event on campus and appreciation was expressed to Vice Chair Owens who represented the Board. During the event, Murray State's Outstanding Senior – Mirielle Erpelding – was recognized. She will also speak at Commencement and is a wonderful leader and ambassador on campus.
- Recent rankings and reputational accolades for Murray State were presented. All should be very proud of Murray State's standing academically and in other ways. Dr. Jackson is most proud that Murray State has been named as a Best Value School (South) by U. S. News and World Report which measures the quality of academics and the value of the education received. Appreciation was expressed to the Board, faculty, staff, students, alumni and friends and donors for helping to achieve these significant accolades. This marks the 32<sup>nd</sup> consecutive year Murray State has been recognized at this level.
- The composition of the Murray State student body this semester is representative of 48 states, 50 countries and 109 counties. If anyone knows of a prospective student from Maine or Vermont they were encouraged to let the University know. The University offers a total of 148 degree programs and new programs that will meet the needs of students will be submitted to the Board today for approval. These programs are offered face-to-face, online and in hybrid formats.
- A reception for the Black Student Council, the Office of Multicultural Initiatives and the diversity scholars was held at Oakhurst this fall. These represent very active groups on campus under the leadership of Vice President Robertson and Dr. SG Carthell, Executive Director of the Office of Multicultural Initiatives, Student Leadership and Inclusive Excellence and Director of the Dr. Marvin D. Mills, Sr. Multicultural Center. Appreciation was expressed to Regents Waldrop and Fitch for attending the International Student Organization reception held at the CFSB Center prior to this group watching the game from the President's Box. Most of these students had never attended a basketball game and were thrilled to be there.
- Enrollment and retention has been affected by the pandemic and the world of higher education has been and will continue to be changed as a result. It is important for the University to be sensitive to these changes and alter its course accordingly. Post-pandemic, college enrollment is down 10 percent or more since 2020 on a national average. Since 2022, college enrollment is down 4.7 percent on a national average. Since 2020 there are 1.3 million fewer students and in the past ten years there have been four million fewer college attendees. Murray State is fortunate that it has been able to buck these trends due to the hard work of many. The college-going rate continues to decline but is currently at approximately 50 percent. This is discussed in great detail in Frankfort to determine what can be done from a policy standpoint to increase college-going rates by stressing the value and importance of higher education. Part of this work includes how to improve the Free Application for Federal Student Aid (FAFSA) completion rate which is currently at approximately 50 percent. Murray State requires completion of the FAFSA and that has served the institution well. Kentucky does not require completion of the FAFSA and the Legislature will be encouraged to make this a requirement for all college-going students. In states that require completion of the FAFSA, students go to college at a 94 percent rate. Students who do not complete the FAFSA attend college at one-half of that rate. It is important for families and students to be aware of the benefits of FAFSA completion and efforts in this regard will continue. Council on Postsecondary Education (CPE) President Aaron Thompson has been a strong advocate in regard to FAFSA completion and worked with President Jackson on drafting a new bill to be presented during the next Legislative Session.
- Over the past year the Commission on Academic Advising that was formed has served the University well. Retention is the best recruiting tool and Murray State is performing well in this regard due to the efforts of Associate Provost Fister; Assistant Provost Ashley Ireland; Executive Director Carthell; Vice President Robertson; Director of Student Engagement and Success Peggy Whaley; the Deans, Chairs, faculty, administrators and many others. Everyone at Murray State plays a role in regard to recruitment and retention. Murray State

has the highest retention rate among all of the comprehensive universities in Kentucky and this is a metric that helps determine the University's performance funding allocation.

- With regard to deferred maintenance and campus improvements, appreciation was expressed to Director of Facility Management Jason Youngblood; Vice President Dudley; Executive Director of Auxiliary Services David Looney and their teams for efforts in this regard. Lovett Auditorium has been brought back to life, work is being undertaken in Wrather Hall and efforts have begun in regard to the new School of Nursing and Health Professions and revamping Mason Hall. SSC and Murray State received a national award for the appearance of campus the 2022 Professional Grounds Management Society Green Star Award. The Grand Award went to MSU for athletic field maintenance provided by SSC. A rendering of work to be undertaken in the Curris Center for the Esports area was presented. This space is important as it represents a growing area of interest for students.
- Appreciation was expressed to Vice President Dudley; Director of Accounting and Financial Services Stephanie Jennings and their teams for efforts in regard to the finances of Murray State. The audit reports to be presented today represent a year-round process and their efforts in this regard are very much appreciated. One of the most important responsibilities of the Board and the administration is to ensure the fiscal soundness and integrity of this institution. This past week a Budget Advisory Committee meeting was held which included leadership from faculty, staff and students. This represents an important shared governance committee in regard to the budget for the University. Appreciation was expressed to all for their work in this regard.
- Murray State's new Internal Auditor Rhonda Henderson was recognized and welcomed to the University. She has a strong background in auditing and foundation work and will do an excellent job.
- Appreciation was expressed to Director of Student Financial Services/Bursar Wendy Cain and her team for their work in regard to financial aid and scholarships. The University recently received a Top 100 National Award which was published in *University Business* magazine for ranking among the highest universities in terms of offering the most transparent merit scholarship process and providing clear and easily accessible information about the awards and criteria utilized for determining successful recipients.
- All are proud of Murray State's athletics programs and appreciation was expressed to Mr. Yantko, Coaches, staff and student-athletes. Many of the teams are playing their first games in the Missouri Valley Conference and are representing the University well.
- Programs the Board has approved in the past as part of the budgetary process including regional tuition rates and the scholarship grid are working. The high schools and students transferring to Murray State from other colleges are confirming these initiatives are having a positive effect. As this Board knows, 72 percent of the University's budget is enrollment driven so recruiting and retaining students is key. Appreciation was expressed to the Enrollment Management office, Vice President Robertson, Interim Assistant Vice President White and others for their good work in this area. A few weeks ago, President Jackson, Regent McGowan and Executive Director Smith visited two high schools Crittenden County High School and Lyon County High School. It was quickly apparent that Regent McGowan is a rock star at both high schools. While in Crittenden County, the team recognized Kentucky High School Teacher of the Year Mandy Perez who is a Murray State alumna.
- Several ribbon cutting events have been held as part of centennial Homecoming activities including those for the NPHC Plaza and Lovett Auditorium. The Murray State centennial history book has been completed and well documents the history of this University. The Centennial Gala represented a successful event and appreciation was expressed to Executive Director of Development Tina Bernot, Director of Alumni Relations Carrie McGinnis, Executive Director Touney and CFSB Center staff for their work in this regard.
- The Honorary Doctorate Committee met at the end of September and will unanimously recommend to the Board later today two candidates for Honorary Doctorates Justice Bill Cunningham and a posthumous award to Mary Ford Holland who was Murray State's first African-American student in 1955 at the age of 48. Following her tenure at Murray State, Mrs. Holland had a wonderful teaching career in Lyon County. In its history, Murray State has produced four known Justices serving at the highest level of the judiciary and Bill Cunningham is one of those individuals. Justice Cunningham was President of the student body while on campus and is still a prolific author, speaker and historian.
- Since 2018, the University has been in the quiet phase of the Centennial Campaign Be Bold: Forever Blue and Gold. A \$100 million launch of the public phase of the Centennial Campaign has been recommended and one-half of monies raised will be allocated to access

and affordability and need-based scholarships for students. To date, \$52.5 million has been pledged or received and appreciation was expressed to all associated with this work. The University community is grateful to donors and friends who give generously and a report in this regard will be provided later.

- In approximately one month the Legislative Session begins and President Jackson and Executive Director Smith will spend a great deal of time in Frankfort. This represents a nonbudgetary legislative session but a lot of important work will still be undertaken to lay the groundwork for the next budget cycle.
- Appreciation was expressed to the Regents for all they do for this University. Their commitment to the institution and the region is crucial.

## Treasurer's Report, accepted

Vice President Dudley reported the following with regard to the Report of the Treasurer – Quarterly Financial and Investment Reports for the period of July 1, 2022, through September 30, 2022 (three months into the year):

- The final auditing account for June 30, 2022, was provided to the Board. Many on campus are involved in completing and ensuring a clean audit and appreciation was expressed to those involved in that process.
- > Budget trends are difficult to forecast during this first quarter for the remainder of the year.
- Cash is down slightly due to the fact that last year there was a large influx of Coronavirus Aid, Relief and Economic Security (CARES) funding. The majority of those funds have been spent but some dollars have been expended for projects which have not yet occurred. What is being presented today represents a more normal cash trend.
- Accounts receivables are up slightly and the University's net position increased this quarter compared to last year. The majority of pension entries occur at year end and will show a fluctuation in the balance sheet. The University also had bond proceeds from the \$12 million bond sale that have not been expended, further adding to the net position and cash balance.
- Education and General (E&G) net revenues and expenditures are both up by the same amount. This means that revenues went up the same amount as expenditures increased. Trends in auxiliary enterprises are also very consistent with the prior two years.
- For the overall balance sheet for the institution, there is an increase in net position primarily due to the pension adjustment at year end.
- Tuition and fees as of September are shy on gross tuition but the discount budget was increased this year to allow for increases in scholarship awards. This differential will balance out and it is being forecasted that the University will be just slightly short of meeting budget but it is only three months into the year.
- The E&G Fund represents where the University pays its bills and payroll from and is the operating budget. The net position is negative for E&G on the balance sheet and it has been but that negative is getting smaller due to the year-end pension entry because the University's pension liability decreased, resulting in a positive impact on helping to decrease the negative net position. This is because each school has been assigned a portion of the pension liability and the Legislature funded budget to help offset the liability, as well as the contributions all the universities are making (essentially a decrease in expenditures). Market performance also helps greatly in this area but that likely was not the case last year.

Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, accept the quarterly unaudited Financial and Investment Reports for the period of July 1, 2021, through June 30, 2022, as presented. Regent Shemberger seconded and the motion carried.

## (See Attachment #3)

## **Board of Regents Self-Evaluation Survey Results Update, received**

Senior Associate Provost Pervine reported that all Board members have now completed the Self-Evaluation Survey and expressed appreciation in this regard. He previously planned to present those results today but between the time the survey was issued and now the University's accreditor – the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) – has issued a document outlining potential changes to some of the standards and practices. Those will be voted on at the SACSCOC annual meeting later this month. He thought it might be a good idea to wait and see how many of the revised standards will be approved so

they can be combined with the results of the evaluation. This will be discussed in greater detail at the February 2023 Quarterly Board Meeting.

Shared governance is a key topic for SACSCOC and that accrediting body has a desire to make more of a distinction between the faculty and the administration. There are a number of instances in the document provided by SACSCOC where a new question has been added, "What is the role of the faculty?" There is clearly more focus on faculty in the proposed changes. There is also an interesting question that appears in the proposed changes that impacts the Board directly relative to how it receives input from the various constituencies. Regents representing the faculty, staff and students already serve on this Board and that may be one way to undertake the work that may be required. Dr. Pervine believes all need to think a little more about how these three Regents are gathering information from their respective constituencies and how that is communicated to the full Board. If there is a process in place already for this to occur, the constituency Regents will need to provide additional information in this regard for future reaffirmation documents. The revised SACSCOC document also includes diversity, equity and inclusion elements as those areas are becoming a larger focus. There will be a new diversity statement as SACSCOC is asking specific questions about what universities are doing to further diversity, equity and inclusion and also offers suggestions in this regard.

When the Board self-evaluation process first began it was undertaken annually but SACSCOC is now putting a three-year or fewer constraint on the self-evaluation process. It is fine to continue the annual evaluation but the Board may want to consider undertaking this process every other year – or in whatever way it will provide the most beneficial feedback. Dr. Pervine expects to have specific recommendations for the Board to consider at the February 2023 Quarterly Meeting. Dr. Pervine was asked to consider whether the Regents appointed by the Governor need to be more intentional in collecting feedback from their own constituencies.

This report was presented for informational purposes only and required no Board action.

#### Personnel Changes, approved

President Jackson reported that the Board will be asked to officially approve the appointment of Rhonda M. Henderson, Certified Public Accountant, as the University's new Internal Auditor and per the Delegation of Authority. Ms. Henderson started working at Murray State on November 1, 2022, but previously served as Chief Financial Officer for the Community Foundation of West Kentucky in Paducah, Kentucky. She holds the Bachelor of Science degree in Mathematics, with a minor in Accounting, from Murray State University. Prior to her tenure with the Community Foundation of West Kentucky, Ms. Henderson was employed locally in public accounting for over 15 years. In addition, she has served in several local civic organizations.

Ms. Henderson indicated that she is from and still lives in Graves County but has spent almost half of her life in Murray. She is thrilled to be at Murray State as an alumna and looks forward to serving the University in this capacity. Chair Tharpe and the Board welcomed Ms. Henderson to Murray State.

Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the appointment of Rhonda M. Henderson, CPA, as Internal Auditor at Murray State University, effective November 1, 2022, at a fiscal year salary of \$71,500. Regent Waldrop seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

#### **Committee Reports/Recommendations**

Audit and Compliance Committee

Tom Waldrop – Chair Ellie McGowan Leon Owens Emily Roark Don Tharpe Regent Waldrop called the Audit and Compliance Committee to order at 9:20 a.m. and reported all other members were present.

## Audited Financial Statements – General, accepted\*

Vice President Dudley introduced Lance Mann, Director from Dean Dorton Allen Ford, PLLC (Dean Dorton), an independent external auditing firm. Mr. Mann indicated he has spent a substantial number of years assisting higher education clients, including public universities in Kentucky, and is grateful to serve Murray State. Mr. Mann expressed appreciation to Vice President Dudley, Directors Jennings and Cain and their staffs who provide a substantial amount of data to the auditors within a limited amount of time. The University's audit must be submitted to the Commonwealth of Kentucky by September 30 each year and this represents a very large project. Mr. Mann highlighted the following with regard to the Report to Governance:

- Dean Dorton conducts quite a few audits for Murray State, primarily the University's financial statements, and also issues various other reports as required. The audit this year looks different than in the previous year due to new auditing standards that were issued and Dean Dorton was required to make.
- The General Financial Statements and the Independence Letter are distributed as required to the State Auditor of Public Accounts and the Finance and Administration Cabinet. The House Bill 622 Report is submitted to the State Auditor of Public Accounts and the Lease Law Compliance Report is submitted to the Council on Postsecondary Education.
- Contained within the Presentation on the Results of the Annual Audit, the Management Letter complies with the Statement on Auditing Standards (SAS) 112 which requires written communication regarding any control deficiencies discovered during the audit. The Representation Letter, also incorporated in the report, provides confirmation by management regarding the fairness of various elements of the financial statements and acknowledges that the accuracy of the statements is the primary responsibility of management.
- Dean Dorton audits the financial statements for WKMS-FM radio station as required by the Corporation for Public Broadcasting. Dean Dorton is also required to issue an unmodified opinion on the MSU Foundation.
- Dean Dorton completed the required audit of Agreed-Upon Procedures as they relate to the National Collegiate Athletic Association (NCAA) to ensure compliance with regulations on how money is spent and collected.
- There are two open projects one is a subsequent event audit. Murray State's financial statements are consolidated with those of the Commonwealth of Kentucky. The state will issue its financial statements around December 19 but prior to that Dean Dorton must deliver correspondence providing assurance that nothing substantial was discovered in Murray State's audit that needs to be reported to the state. The second open project is the Single Audit relative to federal government grants and ensuring compliance with laws and regulations relative to student financial aid, the Higher Education Emergency Relief Fund and other grant programs. Dean Dorton has substantially completed this audit and no findings are anticipated.
- The audit for Murray State went very well and there were no significant disagreements with management. The auditors did not experience any difficulty from management relative to being able to access information. Management has the option of seeking opinions from other accountants and Dean Dorton is unaware of this occurring. There were no transactions noted that lacked support or guidance and it represented a very clean audit. There were no significant transactions this year other than the bond sale.
- As the Board reviews the financial statements, attention should be paid to those items that are complicated and would warrant someone paying attention to those elements such as estimates, depreciation and useful life of capital assets and leases, pensions, Other Postemployment Benefits (OPEB) and allowance for uncollectible loans and student accounts receivable.
- In terms of sensitive disclosures beyond the primary financial statements, Note #5 relates to deposits, investments and investment income and shows where the University's cash is invested. Note #6 involves the University's endowments and Note #9 covers self-insurance. Note #10 pertains to CARES Act institutional funds and custodial/grounds outsourced contract services. Note #13 refers to bonds and notes payable so it is known when debts are due over the new few years. Note #16 involves the University's pension and OPEB liabilities and is quite lengthy. This next fiscal year there will likely be a reduction in the University's liability because it is anticipated the discount rate will increase due to interest rates going up. Note #23 pertains to the Higher Education Emergency Relief Funds. Murray

State did a very good job of not using this funding for operations but instead expended it for strategic projects but this represents a significant amount of money that the University will not have access to in the future.

- Governmental Accounting Standards Board (GASB) 87 was adopted by Murray State this year. This resulted in recording new assets, liabilities and deferred inflow of resources to lessee and lessor contracts. Leases are considered an off-balance sheet financing item. Any leases in excess of one year must now be recorded as an asset or liability.
- As part of the Single Audit, the major programs audited this year include Student Financial Aid, the Higher Education Emergency Relief Fund and the TRIO Cluster – and no findings were identified that are required to be communicated within the Single Audit Report as of today and there were no prior-year findings.

On behalf of the Audit and Compliance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, accept the following reports for 2021-22:

- a. Report to Governance on the Results of Annual Independent Audit
- b. Required Auditor Communications (includes Representation Letter)
- c. Independence/Peer Review Letter
- d. House Bill 622 Compliance Report for the Year Ended June 30, 2022
- e. Kentucky Lease Law Compliance Report for the Year Ended June 30, 2022
- f. General Financial Statements for the Year Ended June 30, 2022

Regent Roark seconded and the motion carried.

## Full Board Action – Audited Financial Statements – General, accepted

On behalf of the Audit and Compliance Committee, Regent Waldrop moved that the Board of Regents, upon the recommendation of the President of the University, accept the following reports for 2021-22:

- a. Report to Governance on the Results of Annual Independent Audit
- b. Required Auditor Communications (includes Representation Letter)
- c. Independence/Peer Review Letter
- d. House Bill 622 Compliance Report for the Year Ended June 30, 2022
- e. Kentucky Lease Law Compliance Report for the Year Ended June 30, 2022
- f. General Financial Statements for the Year Ended June 30, 2022

Regent Fitch seconded and the motion carried.

(See Attachments #4 – #9)

## Annual Audit Report – Athletics, accepted

On behalf of the Audit and Compliance Committee, Regent McGowan moved that the Board of Regents, upon the recommendation of the President of the University, accept the following report for 2021-22:

 Annual Audit Report – Athletics – NCAA Independent Accountant's Report on Application of Agreed-Upon Procedures for Intercollegiate Athletics for the Year Ended June 30, 2022.

Vice Chair Owens seconded and the motion carried.

## Full Board Action – Annual Audit Report – Athletics, accepted

On behalf of the Audit and Compliance Committee, Regent Waldrop moved that the Board of Regents, upon the recommendation of the President of the University, accept the attached report for 2021-22:

 Annual Audit Report – Athletics – NCAA Independent Accountant's Report on Application of Agreed-Upon Procedures for Intercollegiate Athletics for the Year Ended June 30, 2022. Regent Meinschein seconded and the motion carried.

(See Attachment #10)

## Annual Audit Reports – WKMS-FM, accepted

On behalf of the Audit and Compliance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, accept the following WKMS-FM reports for 2021-22:

- a. Required Auditor Communications
- b. Audited Financial Statement for the Year Ended June 30, 2022

Regent McGowan seconded and the motion carried.

## Full Board Action – Annual Audit Reports – WKMS-FM, accepted

On behalf of the Audit and Compliance Committee, Regent Waldrop moved that the Board of Regents, upon the recommendation of the President of the University, accept the attached WKMS-FM reports for 2021-22:

- a. Required Auditor Communications
- b. Audited Financial Statement for the Year Ended June 30, 2022

Regent Shemberger seconded and the motion carried.

(See Attachments #11 and #12)

## Annual Audit Contract Renewal, authorized

Vice President Dudley reported that under provisions of Kentucky Revised Statutes, Chapter 164A.570, the University is required to engage a qualified firm to conduct an annual audit of its financial statements. Other governing or sanctioning bodies (e.g., the U.S. Office of Management and Budget for federal grants and contracts and the National Collegiate Athletic Association) require annual financial or compliance audits. As a result of the request for proposals for audit services dated December 12, 2016 (RFP-236J-17), Dean Dorton Allen Ford, PLLC (Dean Dorton) was the successful firm.

At its February 24, 2017, meeting, the Board of Regents approved the issuance of a contract to Dean Dorton Allen Ford, PLLC (Dean Dorton) for the performance of the University's financial and compliance audits for the fiscal year ending June 30, 2017, and further authorized the University to enter into six subsequent contract renewals based upon mutual consent. The cost for the Fiscal Year 2022 contract is \$132,750, including the financial, compliance and up to four single audit programs. This represents the final year of Dean Dorton's current contract with the University.

On behalf of the Audit and Compliance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, authorize the University to extend the contract with Dean Dorton for the performance of the University's financial and compliance audits for the Fiscal Year ending June 30, 2023, at a cost of \$135,500. Regent Roark seconded and the motion carried.

## Full Board Action – Annual Audit Contract Renewal, authorized

On behalf of the Audit and Compliance Committee, Regent Waldrop moved that the Board of Regents, upon the recommendation of the President of the University, authorize the University to extend the contract with Dean Dorton for the performance of the University's financial and compliance audits for the Fiscal Year ending June 30, 2023, at a cost of \$135,500. Regent Shemberger seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs.

Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

## Internal Audit Annual Audit Plan for Fiscal Year 2023, approved

Internal Auditor Henderson reported that her predecessor Michelle Saxon, the President's Office, Vice President Dudley and others have helped her make the transition to Murray State and their assistance is very much appreciated.

The Annual Audit Plan is a description of the audit activities that are to be completed by the Office of Internal Audit during the fiscal year. The Audit Plan is developed each year by the Internal Auditor with input from the President of the University. The Audit Plan details work to be performed by the Office of Internal Audit in seven areas:

- Internal Reviews
- Compliance Reviews
- Operational Reviews
- Follow-Up Projects
- Audit Assistance
- Internal Audit Department Projects
- Unplanned Projects

The majority of these audits are routine and some are required by other entities. President Jackson added that consulting services are mentioned in the Audit Plan. If any component of the University needs consulting assistance from the Internal Auditor that assistance is available.

On behalf of the Audit and Compliance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the Internal Audit Annual Auditor Plan for Fiscal Year 2023 as presented. Regent McGowan seconded and the motion carried.

## Full Board Action – Internal Auditor Annual Audit Plan for Fiscal Year 2023, approved

On behalf of the Audit and Compliance Committee, Regent Waldrop moved that the Board of Regents, upon the recommendation of the President of the University, approve the attached Internal Auditor Annual Audit Plan for Fiscal Year 2023. Regent Shemberger seconded and the motion carried.

(See Attachment #13)

## **Adjournment**

The Audit and Compliance Committee adjourned at 9:40 a.m.

## Academic Excellence and Scholarly Activities Committee

Melony Shemberger – Chair Jessica Evans Virginia Gray David Meinschein Emily Roark

Regent Shemberger called the Academic Excellence and Scholarly Activities Committee to order at 9:40 a.m. and reported all other members were present.

## Academic Program Changes, approved

Provost Todd reported that his office and the academic Deans and Chairs conduct academic program reviews on a regular basis. A process is in place to conduct this review and the following academic programs were retired during Summer 2022 and Fall 2022 based on future trajectories and graduation rates.

CIP Code	Program Name	Degree	Term
13.1206	Teacher Education and Professional Development	Specialist in Education	F22
13.1206	Teacher Education and Professional Development/Elementary	Specialist in Education	F22
13.1206	Teacher Education and Professional Development/Middle School	Specialist in Education	F22
16.9999	Global Language/Japanese Translation & Interpretation Track	Bachelor of Arts	F22
16.9999	Global Language/Japanese Teaching Certification Track	Bachelor of Arts	F22
16.9999	Global Language/Japanese Track	Bachelor of Arts	F22
23.1302	Creative Writing	Bachelor of Fine Arts	SM22
23.1302	Creative Writing	Master of Fine Arts	SM22

Please note that a minor and certificate option in Japanese will continue.

These academic program changes have been approved by the University Academic Council and the Office of the Provost and Vice President for Academic Affairs. Delegation of Authority Item #5 states, "That the Board will approve the establishment or discontinuation of degree programs and academic majors and minors and any other major University program," and that is the action being sought today.

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Roark moved that the Board of Regents, upon the recommendation of the President of the University, approve the academic program updates listed above. Regent Gray seconded and the motion carried.

## Full Board Action – Academic Program Changes, approved

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the academic program updates as presented. Regent Fitch seconded and the motion carried.

## New Degree Program - Master of Science in Wildlife and Conservation Biology, approved

Provost Todd and Dean of the College of Science, Engineering and Technology Claire Fuller, reported that the Department of Biological Sciences seeks to offer a Master of Science (M.S.) degree in Wildlife and Conservation Biology. The M.S. program is designed to prepare students to assume an active career in the wildlife and conservation biology field or to pursue further graduate studies in wildlife and conservation biology.

The program will enhance the University's current Bachelor of Science in Wildlife and Conservation Biology program by providing students with the opportunity to continue their higher education at MSU. In addition, given the competitiveness of this field, the research projects Master of Science candidates would be working on will help these students obtain experience in the field, making them even more competitive for future wildlife and conservation biology jobs. A degree specific to wildlife and conservation biology will make Murray State students more competitive in the job market. Specifically, many organizations use a point system when hiring for wildlife and conservation positions and additional points are awarded to candidates with more specific degrees.

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Gray moved that the Board of Regents, upon the recommendation of the President of the University, approve the proposal for a new degree program: Master of Science in Wildlife and Conservation Biology. Regent Roark seconded and the motion carried.

## <u>Full Board Action – New Degree Program – Master of Science in Wildlife and</u> <u>Conservation Biology, approved</u>

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the proposal for a new degree program: Master of Science in Wildlife and Conservation Biology as outlined. Regent McGowan seconded and the motion carried.

Dean Fuller expressed appreciation to all who helped advance this initiative, including Dr. Andrea Darracq, Assistant Professor and Program Coordinator for Wildlife Biology; Dr. Howard Whiteman, Professor, Evolutionary Biology and Director of the Watershed Studies Institute; Dr. Sterling Wright, Associate Professor of Biological Sciences and from the Provost's Office Lori Roe, Director of Accreditation and New Programs. Their leadership in this regard is very much appreciated.

## Nurse Anesthetist Program Agreement Affirmation, affirmed

Provost Todd and Dean of the School of Nursing and Health Professions Dina Byers, provided an update on the Nurse Anesthetist Program agreement between Murray State University and Baptist Health Deaconess-Madisonville that the Board will be asked to affirm. The Nurse Anesthetist Program has been in place since the early 1990s. Brothers – two physicians at the Trover Foundation in Madisonville, Kentucky – started the program as a certification/certificate for nurses. In 1994 the accrediting body stated that the certificate program needed to be moved to a master's degree program and that is when Murray State became a partner. The agreement has been revised a few times over the years but it was time to renew the contract with Baptist Health Deaconess which provided an opportunity to review the processes that were in place. Regulation came into play with the Doctorate of Nursing Practice (DNP) program from the Kentucky Board of Nursing because that entity regulates nursing programs and the University is required to follow state regulations. Murray State has always maintained control of the curriculum and degree and that verbiage is contained within the contract. MSU will be assuming the employment of the current Nurse Anesthesia faculty in Madisonville who were previously employed by the hospital. All believe these changes represent a positive move into the future.

President Jackson expressed appreciation to Dean Byers, Provost Todd, General Counsel Miller and others who have worked on this project. Baptist Health Deaconess is an important healthcare provider in the Commonwealth and is very supportive of this change. There are 18 students per year in this program and currently 12 are located in Madisonville and six are in Lexington at another hospital. It is hoped the University's partnership with these clinical sites will continue to grow to further enhance the program. The old Trover system sold out to Baptist Health, which partnered with Deaconess, and this has triggered the necessary changes.

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Meinschein moved that the Board of Regents, upon the recommendation of the President of the University, affirm the Baptist Health Deaconess-Madisonville Agreement as submitted. Regent Gray seconded and the motion carried.

## Full Board Action – Nurse Anesthetist Program Agreement Affirmation, affirmed

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, affirm the attached Baptist Health Deaconess-Madisonville Agreement. Regent Fitch seconded and the motion carried.

(See Attachment #14)

## <u>Updated 2020 – 2025 Strategic Plan, reaffirmed</u>

Provost Todd and Associate Provost Fister reported that the revised Murray State University Strategic Plan – *The Finest Place We Know: 2020-2025* was approved by the Board of Regents on December 4, 2020. The discussion at that time was for a review of the Strategic Plan to be undertaken midway through the Plan's duration.

A scorecard was provided to the Board to illustrate where the University stands in terms of meeting the objectives of the Strategic Plan. The University has attained 25 of the 27 measures (93 percent). Work continues to accomplish the remaining two objectives.

Highlights from each of the four pillars contained in the Strategic Plan were provided. The University has closed the gap in the graduation rate for low-income students compared to the total student body. This represents a major difference that has been accomplished in just one year. Vice President Robertson has devoted resources to an underrepresented minority and low-income team that has worked well with the Registrar's Office and Academic Affairs. This past year represented one of the largest in terms of grants for the University – and 18 percent over Fiscal Year 2021 – with an increase of 6 percent in submitted grants. This speaks to the value of the faculty, staff and students and the Office of Sponsored Programs which are involved in this process. Students who have Murray State faculty mentoring them as a Faculty Advocate have achieved a 100 percent pass rate for law school and there are not many universities that can say the same. Appreciation was expressed to the College of Humanities and Fine Arts, faculty and many others for this achievement. The University also experienced a record year of fundraising through June 30, 2022.

As part of the Strategic Plan review process, minor changes in wording for the strategies were recommended but the strategic initiatives have been maintained. Updated membership for the Board of Regents and Chair, updated support letters and names/titles for the Executive Committee are included. The measures for the Strategic Plan remain intact and the annual process to review the Plan is in place, with collaboration from academic and administrative leadership.

Regent Gray moved that the Board of Regents, upon the recommendation of the President of the University, reaffirm the updated Strategic Plan – "The Finest Place We Know: 2020-2025" – with the amended information as outlined. Regent Roark seconded and the motion carried.

## Full Board Action – Updated 2020 – 2025 Strategic Plan, reaffirmed

Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, reaffirm the updated Strategic Plan – "The Finest Place We Know: 2020-2025" – with the amended information as presented. Regent Waldrop seconded and the motion carried.

#### (See Attachment #15)

## Paducah Regional Campus Director Report, received

Provost Todd reported that a new Director has been hired for the *Paducah Regional Campus* – Karami Underwood. She has outstanding marketing and administrative experience, is a life-long resident of Paducah and is a Murray State alumna. The Selection Committee was not only impressed by her skill set but also by her reliability and positive energy that will serve that campus well. Mrs. Underwood is a former Student Worker for Secretary Hunt. Vice Chair Owens expressed appreciation for this hire and indicated he would like to host a "Meet and Greet" for the new Director. Appreciation was expressed to Dan Lavit, Executive Director of the Center for Adult and Regional Education, for his leadership in this process.

## Resolution of Appreciation – Dr. Tony L. Brannon, accepted

Provost Todd read aloud the following:

## MURRAY STATE UNIVERSITY BOARD OF REGENTS

## **RESOLUTION OF APPRECIATION**

## Dr. Tony L. Brannon

*WHEREAS*, Dr. Tony L. Brannon has served as the first and only Dean of the Hutson School of Agriculture at Murray State since 2004; and

*WHEREAS*, he joined the faculty at Murray State University as an Assistant Professor of Agricultural Education in 1988, served as Chair of the Agriculture Department from 1997-2000 and Coordinator of Academic Programs for the School of Agriculture from 2000-2004; and

WHEREAS, Dr. Tony L. Brannon served as the 2006-2008 Chairperson of the Kentucky Agricultural Council (KAC) and was Chair of the statewide task force that developed "A Pathway for Kentucky's Agriculture and Its Rural Communities: 2007-2012 Strategic Plan" and again served as KAC Chair and provided leadership for the 2013-2018 Strategic Plan "Connecting Strategies to better Kentucky's Agricultural Economy and Rural Communities"; and

WHEREAS, he has led several successful United States Department of Agriculture and National Science Foundation grants during his long 34.5-year tenure at Murray State; and

WHEREAS, Dr. Tony L. Brannon served as a member of the Kentucky Department of Agriculture Hunger Initiative Statewide Task Force where he has represented the region in addressing the issue of food instability across the Delta Region and Commonwealth; and

WHEREAS, he has secured the donation of multiple school farms and donations that have propelled the Hutson School of Agriculture into the thriving and growing entity that it is today; and

WHEREAS, Dr. Tony L. Brannon's service has often required the sacrifice of valuable time and the contribution of many hours of difficult work which was rendered selflessly, without reference to personal inconvenience, without a personal agenda and always for the public good;

NOW, THEREFORE, ON THIS 2<sup>nd</sup> DAY OF DECEMBER, TWO THOUSAND AND TWENTY-TWO, BE IT RESOLVED that we mark this milestone reverently with words Dr. Tony L. Brannon will hear again at the last milestone, "Well done, good and faithful servant."

AND BE IT FURTHER RESOLVED by the Murray State University Board of Regents that this recognition of the contributions and dedication of Dr. Tony L. Brannon be preserved in the Minutes of the Board after having been read aloud and passed unanimously by the Board on this, the 2<sup>nd</sup> day of December 2022.

Dr. Don I. Tharpe

Chair - Board of Regents

Dean Brannon received a standing ovation and expressed appreciation to the Board and President Jackson. He stated it has been a pleasure to serve Murray State for a long time and he enjoyed the colleagues he has worked with and hopes he left agriculture better than he found it. He looks forward to the "Finest Place We Know" continuing to be sustainable and all believe the best days are ahead. Appreciation was expressed to all for their assistance, tolerance, patience and partnerships throughout the years as it is truly appreciated.

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Meinschein moved that the Board of Regents accept the Resolution of Appreciation for Dr. Tony L. Brannon. Regent Gray seconded and the motion carried.

## **Full Board Action – Resolution of Appreciation – Dr. Tony L. Brannon, accepted**

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Shemberger moved that the Board of Regents accept the Resolution of Appreciation for Dr. Tony L. Brannon as just read aloud. Regent McGowan seconded and the motion carried.

## **Adjournment**

The Academic Excellence and Scholarly Activities Committee adjourned at 10:20 a.m.

## **Athletics Committee**

Don Tharpe – Chair Robbie Fitch David Meinschein **Emily Roark** 

Chair Tharpe called the Athletics Committee to order at 10:20 a.m. and reported all other members were present.

## <u>Resolution of Acknowledgment and Appreciation – Coach Matt Lodge and the Soccer</u> <u>Team, accepted</u>

Director of Athletics Yantko thanked the Board for recognizing Coach Matt Lodge and the Soccer Team on their awesome season. All are excited for the future of the Soccer program, under the leadership of Coach Lodge. The Coach and Soccer Team received a standing ovation.

The following Resolution of Acknowledgment and Appreciation was read aloud:

#### MURRAY STATE UNIVERSITY BOARD OF REGENTS

#### **RESOLUTION OF ACKNOWLEDGMENT AND APPRECIATION**

#### COACH MATT LODGE AND THE SOCCER TEAM

## 2022 Season

*WHEREAS*, Coach Matt Lodge has faithfully served since being named as the Head Soccer Coach at Murray State University in 2018 and having served as Assistant Soccer Coach from 2014-2018, and

*WHEREAS*, the Soccer team finished the season as the runner up in the first season in the Missouri Valley Conference in the 2022 MVC Soccer Championship; and

*WHEREAS*, the Soccer team had five players named to the Missouri Valley All Conference Team. Saraya Young, All MVC First Team, Morgan Bodker, All MVC Third Team, Lauren Payne, All MVC Third Team, Sydney Etter All MVC All-Freshman Team, and Mary Hardy, MVC All-Freshman Team; and

*WHEREAS*, Saraya Young and Lauren Payne were named to the All MVC Scholar Athlete team for their academic accomplishments;

*NOW, THEREFORE, ON THIS 2<sup>nd</sup> DAY OF DECEMBER, TWO THOUSAND AND TWENTY-TWO, BE IT RESOLVED* that the members of the Murray State University Board of Regents unanimously express their appreciation for the achievements and service of Coach Lodge and the Soccer team;

*AND BE IT FURTHER RESOLVED* by the Murray State University Board of Regents that this recognition of the contributions and dedication of Coach Lodge and the Soccer team be preserved in the minutes of the Board after having been read aloud and passed unanimously by the Board on this, the 2<sup>nd</sup> day of December 2022.

Dr. Robert L Jackson President

Dr. Don I. Tharpe // Chair – Board of Regents

On behalf of the Athletics Committee, Regent Fitch moved that the Board of Regents accept the Resolution of Acknowledgment and Appreciation just read aloud. Regent Meinschein seconded and the motion carried.

## <u>Full Board Action – Resolution of Acknowledgment and Appreciation – Coach Matt Lodge</u> <u>and the Soccer Team, accepted</u>

On behalf of the Athletics Committee, Chair Tharpe moved that the Board of Regents accept the Resolution of Acknowledgment and Appreciation just read aloud. Regent Waldrop seconded and the motion carried.

## **Racer Athletics Update, received**

Athletic Director Yantko provided an update on his first 90 days in office with the following highlights:

- Athletics has experienced a great deal of momentum during his first 90 days and that would not have been possible without assistance provided by the President and Board of Regents, Secretary Hunt, the Vice Presidents, Director Hixon and General Counsel Miller and he is grateful for their assistance during his early tenure at Murray State. Appreciation was expressed to Regent McGowan for allowing Athletics to continue to engage and serve students on campus, as well as the Athletics staff, Coaches and student-athletes. In terms of fundraising efforts, donors and friends have responded well.
- During the interview process all indicated the Director of Athletics should be focused on the Missouri Valley Conference transition while continuing to embrace the tradition of excellence that is Murray State University. Athletics has embraced the branding slogan "The Race is On" for this reason. The guiding principles of innovating as a department, initiating a new direction, incentivizing support and inspiring Racers everywhere will continue.
- As of October 1, surveys of every team have been undertaken and meetings have occurred with students and campus groups such as SGA, NPHC, the Student-Athlete Advisory Committee, etc. Outreach has been undertaken with top civic/city organizations and alumni. Appreciation was expressed to Executive Director Bernot and Director McGinnis for their efforts in this regard. An External Engagement Plan has been established and monthly all-staff meetings have been scheduled to set the tone for athletics, outline baseline expectations and ensure inclusive conversations. Athletics needed to ensure its vision was in line with that of the University, President and Board of Regents.
- Appreciation was expressed to Vice President Dudley for supporting Athletics meeting with the University budget officers to undertake an overall budget review of salaries/personnel, organizational charts, vendor and Coach contracts, debt service, understanding future projections and a three-year history. This work has resulted in a strong and thorough understanding of where Athletics stands today.
- As of December 1, a student-athlete event was held for all sports and appreciation was expressed to those in the room who were able to attend. This event provided an opportunity for student-athletes across sports to interact. Efforts continue toward organizational assessment, SWOT analysis review, student-athlete surveys, external engagement and developing a Strategic Plan/Gap Analysis. Significant strides have been made in the process of establishing diverse executive and senior leadership teams to dissect the leadership structure to ensure it is reflective of the student-athlete and campus populations.
- > Strategic priorities that will support every decision Athletics makes include:
  - Investing in the Student-Athlete Experience
  - Investing and Prioritizing Recruiting and Revenue Generation
  - Investing in Success
  - Early in the process baseline expectations needed to be established for the entire staff to lay out a concise communication process to ensure it is thorough and inclusive. There is also a desire for everyone to bring energy, respect and integrity with the goal that all details matter. Athletics will compete every day in everything it does while also having fun along the way.
- A monthly communications schedule has been developed for student-athletes, staff and the University's fan base and highlights for each area were provided.
- Strategies and plans are being established and key components within each area were outlined. Key areas include:
  - Engagement Efforts in this regard led to record attendance at Homecoming since the 1990s with a crowd of over 15,000.
  - Fundraising and Revenue Generation
  - Student-Athlete Development Curriculum Appreciation was expressed to Vice Chair Owens for his investment of time and treasure to this initiative to develop a modern and innovative structure for student-athletes.
  - Budget and Administration
- An External Engagement Plan is being developed and priority areas for engagement were outlined.
- A comprehensive Capital Campaign is being developed with a focus on people, places and programs and initiatives in this regard were outlined. These areas will remain the top priorities as fundraising efforts move forward.
- In terms of what is next, this spring the process of developing a new Strategic Plan will begin. The early stages of creating user-friendly and a sophisticated renewal process are already underway. Consideration will also be given to the comprehensive Capital Campaign. Caravans will be offered in cooperation with Alumni Relations and discussions are ongoing regarding creating a modern and innovative Student-Athlete Development Program. Finally, Athletics will work with the Missouri Valley Conference and Missouri Valley Football Conference regarding the transition and next steps.

President Jackson expressed appreciation to Director of Athletics Yantko for the vast amount of work he is undertaking. One cannot replace enthusiasm, passion and hard work and all very much appreciate his efforts. Chair Tharpe added that the Director of Athletics is a huge position on campus and all are happy to have Mr. Yantko at Murray State performing that work.

This agenda item was submitted for informational purposes only and required no Board action.

#### Adjournment

The Athletics Committee adjourned at 10:50 a.m.

#### Marketing and Community Engagement Committee

Jessica Evans and Emily Roark – Co-Chairs Virginia Gray David Meinschein Tom Waldrop

Regent Evans called the Marketing and Community Engagement Committee to order at 10:50 a.m. and reported all other members were present.

#### Office of Development Update, received

Executive Director Bernot reported the following:

- The Centennial Gala represented a legendary event and appreciation was expressed to the Board for their participation. The Office of Development and University Advancement teams, with leadership provided by President Jackson, were commended for helping ensure a successful evening.
- The current fiscal year began on July 1, 2022, and slightly over 2,000 unique donors have made gifts since that time. Over 5,333 gifts have been made as many donors make more than one gift. Donors continue to be generous and thoughtful and a Week of Giving was held in September. Student Ambassadors made phone calls to donors to raise dollars for the Fund for Excellence in each respective college and school. Letters from the academic Deans have been sent out to all alumni from their respective areas providing them with an opportunity to find out what is occurring academically on campus and how they can be part of that work. Special projects and fundraising for the NPHC Plaza, Lovett Auditorium and Racer Band have continued. Several special events that also raised funds have been held, including A Taste of the Arts, Breakfast on the Farm and a golf outing for Racer Rodeo. Appreciation was expressed to Regent Gray for her assistance with Racer Rodeo projects. Many major special gifts and sponsorships have been developed, including support of the Hancock Biological Station and a new scholarship endowment. Appreciation was expressed to all of the University's generous donors for their assistance during this centennial year.
- Development hosted Giving Tuesday and raised over \$54,000 online. This represented a comprehensive effort across campus.
- The new Centennial Campaign video Be Bold: Forever Blue and Gold was shown. Appreciation was expressed to all involved in bringing the initiative to fruition. This represents a traditional campaign in a very untraditional climate. The quiet phase of the campaign began in 2018 and a public launch occurred as part of the Centennial Gala. The Readiness Study has also been conducted and those findings will be shared today. Work will continue to secure the major transformational gifts that will help ensure this effort is successful toward attaining the \$100 million goal.
- Work has begun to recruit volunteers from across the country to serve on a National Campaign Council. Due to the generosity of donors, the University has secured over \$53 million that has been committed to the campaign. Nearly \$29 million has already been received through gift and pledge payments since July 1, 2018. The greatest share of these gifts has been utilized for student access and support, including scholarship funding. This has resulted in an immediate impact on recruitment and retention and all are proud of the work that has been undertaken and the generosity of donors. Executive Director Bernot thanked the donors for their generosity and recognized President Jackson and MSU Foundation President Dr. David Durr for their leadership.

This report was submitted for informational purposes only and required no Board action.

## Capital Campaign Readiness Study - Be Bold: Forever Blue and Gold - Update, received

Executive Director Bernot introduced Alan Zacharias, President of Zacharias Advancement Consulting LLC, which is a full-service consultancy to nonprofit organizations specializing in strategic planning, major gift fundraising, planned giving, executive coaching and campaign consulting. Mr. Zacharias has helped clients raise over \$1.5 billion in charitable gifts among multiple institutions throughout the United States and Canada. He is a proud graduate of Murray State, holds a Master of Business Administration from Dominican University and is a Ph.D. candidate at the University of Missouri where he was named Doctoral Student of the Year for Scholarship and Practice.

Mr. Zacharias reported that the first part of the Capital Campaign began prior to the COVID pandemic. Once the pandemic occurred, efforts in regard to the campaign were shifted and appreciation was expressed to President Jackson, the Board of Regents, MSU Foundation President Durr and the Foundation Board of Trustees, Executive Director Bernot and many others in regard to helping move the campaign forward. The following findings and recommendations from the Campaign Readiness Study were presented:

- Normally with a Campaign Readiness Study, external interviews occur before the quiet phase to raise major leadership gifts. Events necessitated a change in plans but it has worked out in a serendipitous fashion. Dr. Jackson assumed the interim presidency in 2018 and as an advancement President he went to work raising funds to support the capital campaign because this is what a modern President does. Key stakeholder interviews transpired this fall beginning in August. This represented a key aspect of the study Zacharias Consulting, a third-party entity, was able to have conversations with key stakeholders who will provide the lead gifts as part of this effort. This represented a cultivation process and great care was taken in conducting the associated interviews.
- One question asked in regard to a major campaign involves how the economy will affect the raising of dollars. These are unusual and unsettled economic times but fundraising is not generally affected by regular economic cycles. At the advent of COVID, there was a slight dip in fundraising but that has rebounded and continues to perform well at Murray State and nationally. Right now, there is an open window – the great transfer of wealth that has been happening for the last 15 years – but that opportunity is slowly closing. This is primarily wealth that has moved from the greatest generation through the baby boomers and will now be given to the generations that follow. The boomer generation has been almost as generous as the greatest generation and they also had firm loyalty to the institution. What is not known is how the remaining generations – Gen Y and Z – will carry forth that tradition. Irrespective of that, it is the great transfer of wealth that provides an opportunity for asset accumulation on the part of the charitable organizations that will benefit. The campaign environment is actually quite good right now and a significant amount of money is being raised by a lot of different institutions. A chart was shown illustrating the general growth of giving compared to the Standard and Poor's 500 Index over the last 20 years. Fundraising is not subject to economic cycles. Another chart illustrating the growth of fundraising was provided during years when the United State's economy was in economic recession but fundraising went forth unaffected by those market undulations.
- Information was shared with regard to the components that comprise a successful campaign and how Murray State is perceived by the donors interviewed during the external portion of the study. Prior to the interview each donor was mailed a preliminary Case Statement. They were asked to review the Case Statement carefully and note where changes were needed or areas that were unclear so they would be prepared to discuss the document during the interview. The goal of the Campaign Readiness Study is clarity of the Case Statement, the mission and vision, strategic priorities that drive a campaign of this magnitude, efficacy and impact of Murray State's programs, leadership that is in place for both staff and volunteers, as well as the external stakeholder affinity and passion for the mission of the University and a willingness to give of time and financial resources in support of it. The initial Case Statement tested a \$100 million campaign.
- The first part of the interview with donors asked for perceptions regarding the interviewee's awareness and understanding of Murray State. People will generally give to support a mission they believe in but they will give sacrificially and make transformational gifts to a vision that they are part of and feel passionate about. Murray State scores very well in this area, especially for a public university. The level of clarity from a mission and vision standpoint is quite extraordinary for MSU. As a consultant, he is pleased with this finding.
- When asked about the strengths and weaknesses of the institution, no surprises were revealed. Strengths included academic excellence and quality graduates, family-like student-centered culture, committed faculty and staff, Racer Athletics, quality leadership in the current President and a strong alumni network. Weaknesses included lack of national grants and self-promotion. There is a perception that the University is not promoting itself effectively or what is shared is not being heard or effectively received. There is also a perceived lack of national stance beyond the service region and this comment came from seven individuals who live outside of the area, on the coasts

specifically, or in different regions of the country. They are somewhat disappointed that Murray State is not a nationally-known brand like many larger institutions.

- A graph was presented showing various aspects of the University that were rated. MSU leadership, faculty and staff, Board of Regents, private affiliations, loyalty to the University and alumni were rated the highest. This information provided the consultants with an understanding of how stakeholders, particularly alumni, view this institution and represent very strong findings. When asked to rate the preliminary Case Statement, the first question involved was to what extent the successful implementation of this campaign would serve to enable the advancement of the Murray State mission. Overwhelmingly, respondents indicated the campaign would enable the advancement of the mission. When asked to rate the quality of the preliminary Case Statement, respondents had a very strong response. It was indicated that the Case Statement is consistent, clear, concise and compelling. The only area that rated lower pertained to whether the Case Statement conveyed urgency. It is important to note that it is very difficult to convey a sense of urgency in a print document. It is also important to note that the Case Statement will never be sent to a donor by itself it will almost always be accompanied by a member of the advancement team or a volunteer to present the document for an individual's consideration. It is through this exchange that the sense of urgency will emerge.
- The Case Statement was very much appreciated for the professional presentation it offers, its clarity and consistency as a comprehensive document, a focus on the student-centered vision of the University, as well as on first-generation college students which remains a very important concept for many stakeholders.
- A number of improvements were suggested and most of those were fairly modest but they represented important recommendations that have been taken into account and have already been made in the next iteration of the Case Statement.
- Four major initiatives outlined in the Case Statement were ranked by respondents and in order of importance those were: student access and support, academic excellence and strategic modernization of campus facilities and renewing the historic campus and Racer Athletics. A majority of respondents indicated a very strong perception in this regard due to the importance of these initiatives to the future of Murray State and the accomplishment of its mission. A majority of respondents indicated that of utmost importance is the quality of the academic experience and the access MSU affords students at an affordable price while receiving a high-quality educational experience. It was conveyed to the consultants that the Case Statement elements were appropriate and would be supported by stakeholders.
- When asked to reflect on leadership aspects of the University, respondents indicated the President is perceived very strongly at a nearly 5.0 rating which is almost never heard of among public universities and this represents a very strong finding. In terms of the perception of the Foundation and the advancement staff, they were rated very high at 4.5 which is also a very strong finding that bodes well for the Capital Campaign.
- ➢ In terms of whether the institution will be able to recruit top volunteer leadership, there was a very strong and resounding positive response received from the respondents − 92 percent. Six individuals were nominated for the role of Chair of the National Campaign Council that will be formed and one person interviewed actually volunteered for that role. This also represents a very strong finding.
- The major finding from this study is whether the Capital Campaign will be able to generate the funds required for a successful campaign. In this case, that is a \$100 million goal. The Internal Revenue Service indicates that the typical American family supports on average five different charitable organizations. Noteworthy is that many are grateful for a great education and a caring community, particularly in regard to faculty. Alumni and parents of students expressed gratitude for the attention faculty members gave them while they were here and the transformation that occurred in their lives as a result. Also mentioned were the desire to advance the University as a vital asset throughout the region and the country, institutional loyalty and the essential mission and vision of Murray State. These are the indicators that drive individuals to want to support an institution.
- Another finding of this study was that several individuals indicated they would not be the person they are today without the influence of Murray State on their life.
- Of the 32 individuals interviewed, 23 consider Murray State among their top five general priorities. This is an important and positive finding because it is known that individuals who hold an institution or charitable organization among their top five charitable priorities will give to those organizations irrespective of the economic climate. Of the 32 individuals interviewed, 17 consider Murray State to be among their top three charitable giving priorities.
- Survey participants were asked a series of additional questions regarding whether this represents a campaign they would give to and if the University is included in their estate planning. If not, it was asked whether they would consider including Murray State in their estate planning in the future. Survey participants were asked whether they were interested in other types of deferred gifts, estate planning services the Foundation provides or if they would volunteer on behalf of the campaign and responses were very strong. Nine of the 32 respondents indicated Murray State is included in their estate planning, 23 indicated the University was not part of that plan and of those, 18 said they would consider adding the University in the future. These planned gifts will tell the long-term tale of this institution in terms of financial sustainability, strength and vigor. Institutions that are highly endowed

will survive and thrive in the tumultuous higher education environment. It is encouraging to know that there are donors who are willing, if asked, to include the institution in their estate plan.

- Of the 32 respondents, 31 who answered the question indicated they would make a special gift to the Capital Campaign and provided either a specific amount or a range for that contribution, with the average gift of this small sample being \$5.5 million. Eight individuals demurred when asked to cite potential gift size. These individuals have demonstrated a long history of very generous giving over the years. These findings support the Capital Campaign as projected based on the algorithms used to determine the extent of success that can be expected from a Murray State campaign. These findings were also presented to the Foundation Board of Trustees at their October meeting, along with five recommendations that would be forthcoming. The first recommendation is to authorize the launch of a seven-year Be Bold: Forever Blue and Gold comprehensive campaign for \$100 million and coinciding with the Homecoming 2022 Centennial Celebration of Murray State's value. The campaign was initially discussed as a five-year endeavor but the timeline has been changed to seven years. This is mainly due to the fact that the University essentially lost two years of vigorous fundraising during the pandemic. This is a comprehensive campaign which means all gifts received by the University and the Foundation during this period will be counted toward the \$100 million goal and will be driven by updated campaign policies.
- The second recommendation is the launch of a intensive social media campaign to raise awareness of and an affinity for Murray State University and the campaign. With the campaign launching at the Centennial Homecoming, this represented the beginning of the public phase for this effort. The University and the consultants are utilizing the results of the Campaign Readiness Study and the relationships that were deepened as a result of the interviews to propel this campaign forward among those individuals and take advantage of this cultivation experience. Murray State should be positioned and leveraged as a point of pride among alumni, parents and others regionally and nationally and the Town and Gown relationship should be utilized to promote the Murray State brand throughout the region.
- The third recommendation is that the Leadership and Major Gifts Program be significantly expanded and work in this regard is currently underway. Campaigns present an opportunity to be bold in asking key stakeholders to give generously. Institutions that are in a campaign raise 70 percent more than those that are not. It has been recommended that President Jackson should be leveraged and promoted to take advantage of the positive brand he represents in terms of vision for education throughout the region and nationally as a point of pride.
- The fourth recommendation was to develop and implement a campaign planning phase and this work is currently taking place. The Office of Development put forth a number of initiatives that will assist with this initiative.
- Key recommendation five is to fully engage the Trustees, Regents and other boards of directors in the campaign to endorse the case for the Capital Campaign by pledging their individual and collective support for this effort.
- The next several months will be spent solidifying the phase where conversations are being held with the University's closest friends and stakeholders and expanding that circle to other donors, especially those with means to provide a major gift. As the campaign moves forward, this effort will be broadened to include the vast expanse of alumni and friends and the universe of donors.
- Participants in the Campaign Readiness Study were asked for recommendations in terms of the three priorities Murray State must focus on in order to wage a successful campaign. The first was to clearly communicate the Murray State story, impact of the institution over its 100-year history, the vision guiding the University forward and the urgency of acting now in support of the campaign. The second was to implement a broad branding campaign to further solidify and broaden the understanding of Murray State's mission, vision and priorities. The third recommendation was to identify and secure these gifts.
- All the work being undertaken is in support of the teaching and learning that occurs at this fine institution.

Confirmation was provided that the Be Bold: Forever Blue and Gold Case Statement will not be finalized until the National Campaign Council that is currently being recruited is in place. A final iteration will be provided after this body has had a chance to review the document, likely by the end of March 2023. The second iteration of the document has already been developed based on discussions which occurred during the interviews. It was suggested that additional consideration be given to the campaign video that was shown to ensure there is diversity and inclusion.

President Jackson stated again that one cannot buy passion, enthusiasm and hard work. Dr. Bernot and her staff have done a fantastic job in this regard and their work is very much appreciated. Mr. Zacharias has been key to this work as well. He provided guidance during the last Capital Campaign where the University significantly exceeded its goal. Campaigns assist a university in many other ways – academic excellence, recruiting and retention, how the University is viewed by others, etc. He is proud of the work that has been and will continue to be undertaken.

This report was submitted for informational purposes only and required no Board action.

## Gifts-in-Kind

# <u>K. Kawai Grand Piano GE-1 Model – Department of Music, received, accepted and approved</u>

Executive Director Bernot reported that the Board is being asked to receive, accept and approve the gift of a K. Kawai Grand Piano GE-1 Model from Theresa Reynolds to the Department of Music at Murray State University for student classroom and performance use in the Music Program. Ms. Reynolds is a Nursing alumna who lives in Paducah, Kentucky.

On behalf of the Marketing and Community Engagement Committee, Regent Gray moved that the Board of Regents, upon the recommendation of the President of the University, receive, accept and approve the donation of the K. Kawai Grand Piano GE-1 Model with a value of \$9,500, from Theresa Reynolds of Paducah, Kentucky, for use by the Department of Music. Regent Meinschein seconded and the motion carried.

## <u>Full Board Action – K. Kawai Grand Piano GE-1 Model – Department of Music, received,</u> <u>accepted and approved</u>

On behalf of the Marketing and Community Engagement Committee, Regent Evans moved that the Board of Regents, upon the recommendation of the President of the University, receive, accept and approve the donation of the K. Kawai Grand Piano GE-1 Model with a value of \$9,500, from Theresa Reynolds of Paducah, Kentucky, for use by the Department of Music. Regent Shemberger seconded and the motion carried.

## <u>Senaptec Sensory Station Promo Bundle – Department of Athletics , received, accepted and approved</u>

Executive Director Bernot reported that the Board is being asked to receive, accept and approve the gift of Senaptec Sensory Station Promo Bundle training equipment to the Athletic Department at Murray State University for student-athlete use.

On behalf of the Marketing and Community Engagement Committee, Regent Meinschein moved that the Board of Regents, upon the recommendation of the President of the University, receive, accept and approve the donation of the Senaptec Sensory Station Promo Bundle with a value of \$8,000, from Chris Andrews of Granger, Indiana, for use by the Department of Athletics. Regent Roark seconded and the motion carried.

## <u>Full Board Action – Senaptec Sensory Station Promo Bundle – Department of Athletics,</u> <u>received, accepted and approved</u>

On behalf of the Marketing and Community Engagement Committee, Regent Evans moved that the Board of Regents, upon the recommendation of the President of the University, receive, accept and approve the donation of the Senaptec Sensory Station Promo Bundle with a value of \$8,000, from Chris Andrews of Granger, Indiana, for use by the Department of Athletics. Regent Shemberger seconded and the motion carried.

## **Adjournment**

The Marketing and Community Engagement Committee adjourned at 11:40 a.m.

Legislative and Economic Development Committee

Virginia Gray – Chair Ellie McGowan Leon Owens Tom Waldrop

## Legislative Update Report, received

Regent Gray called the Legislative and Economic Development Committee to order at 11:40 a.m. and reported all other members were present.

Executive Director Smith provided a legislative update with the following highlights:

- The 2023 Legislative Session dates have been set beginning on January 3. The first three days of the Legislative Session will be devoted to Committee assignments and providing orientation sessions for new legislators. March 17 28 are veto days and the official last day of the Legislative Session will be March 30, 2023.
- Legislative and governmental activity that has occurred since the Board last met include an event hosted by Murray State on November 4, 2022, featuring CPE President Thompson for the Regional Education and Economic Development Breakfast with community members, economic development leaders from across the region, the Murray-Calloway County Chamber of Commerce and legislators. Representatives Mary Beth Imes and Walker Thomas attended the event. Discussion occurred regarding items to be addressed in the upcoming Legislative Session.
- On November 14, Mr. Smith attended Legislative Preview Day in Lexington, Kentucky, and met with House Speaker David Osborne and Senate President Robert Stivers and others attending the event. This provided an opportunity to remind legislators about Murray State priorities for the upcoming Legislative Session.
- On December 7, President Jackson will serve as a Legislative Panel member, along with the Murray-Calloway County Chamber of Commerce, and local legislators have been invited to attend the event.
- On December 13, the University's regional legislators have been invited to attend the Murray State basketball game. This provides an informal setting to discuss Murray State priorities with these legislators for the upcoming Legislative Session.
- The Senate has not yet released the names of the Committee Chairman positions but it is hoped Murray State alumni will occupy some key positions. Representative Richard Heath is a proud alumnus of Murray State and has been reappointed House Agriculture Commissioner. Representative Chris Freeland is also a proud alumnus of Murray State and has been appointed Chair of the Budget Review Subcommittee on General Government. Representative Steve Rudy, also a distinguished Murray State alumnus, has been reelected House Floor Leader. Representative James Tipton will Chair the House Education Committee and he has been helpful to Murray State each Legislative Session, particularly with regard to education issues and performance funding. Senator Max Wise will most likely Chair the Senate Education Committee and he has been most helpful to Murray State.
- In terms of the University's legislative priorities, the FAFSA bill represents a major initiative as outlined earlier by President Jackson. This bill would make completion of the FAFSA a high school graduation requirement in every school district. Similar bills have been introduced in prior Legislative Sessions but were unsuccessful. The new bill will include a waiver option but parents and students must be made aware of the ramifications of not completing the FAFSA. The bill would require the school districts to offer FAFSA education sessions to ensure for the purpose of educating students that they will not be able to graduate with their high school diploma without FAFSA completion. Some high schools in the region have already voluntarily implemented completion of the FAFSA as part of their graduation criteria. All are confident this statutory guidance will pass, especially since the CPE President is on board with the recommendation and it has the support of all the Kentucky public university Presidents. The CPE is working with the Kentucky Department of Education to ensure representatives understand the bill and its implications for the high schools. Confirmation was provided that the federal government has greatly simplified and streamlined the FAFSA process.
- This represents a 30-day non-budget Legislative Session but many such sessions have been used to key up those issues that will be part of the larger Legislative Budget Session. One such initiative is the Performance Funding Work Group. The CPE and the university Presidents will discuss with legislators additional initiatives they would like to see included in the Performance Funding Model. The Performance Funding Work Group is required to meet and have a recommendation ready for the 2024 Legislative Session. Discussions based on data specific to Murray State will also occur to ensure the University's actual performance is being taken into consideration as part of the performance funding process.
- The only appropriation bill that is expected to occur is for additional support for west Kentucky for tornado relief, specifically Marshall and Graves counties and Dawson Springs, and for east Kentucky for flooding relief. If the budget discussions are opened further, Murray State is prepared to talk about deferred maintenance and asset preservation and securing additional funding to offset inflation and rising costs of labor and materials for current projects.
- On March 9, 2023, Regent McGowan will attend the Higher Education Rally in Frankfort as a member of the Board of Student Body Presidents. University representatives will also be in attendance at this event. Appreciation was expressed to Regent McGowan for her leadership in this regard.
- The University will be monitoring and following all bills that affect higher education and continuing to actively meet with constituency groups in Frankfort. Secretary Hunt will make sure the Board is

provided with the updated Legislative Bill Watch as it becomes available. The document will also be provided to President's Executive Council, Faculty Senate, the SGA Governmental Relations Committee and others.

Appreciation was expressed to Ronny Pryor, Legislative Lobbyist with Capitol Solutions, who is a very proud Murray State alumnus. Appreciation was also expressed to the Deans, Chairs, faculty and staff who provide a great deal of information and assistance to advance legislative priorities.

Chair Tharpe expressed appreciation to Regent Gray and Executive Director Smith for their work in this area as it is not easy. Their efforts are appreciated.

## **Adjournment**

The Legislative and Economic Development Committee adjourned at 11:55 a.m.

#### **Honorary Doctorate Committee**

Robert L Jackson – Chair Leon Owens Virginia Gray Melony Shemberger

The Honorary Doctorate Committee was called to order at 11:55 a.m.

#### Full Board Action – Honorary Doctorate Degrees, approved

President Jackson reported that the 2022-23 Honorary Doctorate Committee membership includes himself as Chair; Board Vice Chair Leon Owens; Regents Virginia Gray and Dr. Melony Shemberger and Senior Executive Coordinator for the President/Coordinator for Board Relations/Secretary to the Board Hunt. In Murray State's history, only 60 Honorary Doctorates have been awarded.

The Honorary Doctorate Committee met on Thursday, September 29, 2022, and unanimously approved posthumously bestowing upon Mary Ford Holland, the first African-American student to attend Murray State University, the Honorary Doctorate of Education in recognition of her passion for education and lifelong dedication to the teaching profession. Additional background information on Mary Ford Holland was provided in the eBoard book.

The Honorary Doctorate Committee also unanimously approved bestowing upon Justice William "Bill" Cunningham, a 1962 Murray State University alumnus, the Honorary Doctorate of Laws in recognition of his lifelong commitment to the judicial system in Kentucky; providing significant, life-changing assistance to benefit Murray State students and enhancing the University's educational, research and public service mission and commitment to being a lifelong learner and mentor for MSU students. Additional background information on Justice Bill Cunningham was provided in the eBoard book.

President Jackson moved that the Board of Regents, upon the unanimous recommendation of the Honorary Doctorate Committee and the President of the University, approve awarding the Murray State University Honorary Doctorate of Education to Mary Ford Holland and the Honorary Doctorate of Laws to Bill Cunningham during December 2022 Commencement exercises. Vice Chair Owens seconded and the motion carried.

## **Adjournment**

The Honorary Doctorate Committee adjourned at 11:56 a.m.

## **Policy Changes**

## <u>Board of Regents Policy Manual – Section 3.6 – Leave of Absence without Compensation</u> <u>Revision – Second Reading, approved</u>

President Jackson reported that proposed *Board of Regents Policy Manual – Section 3.6 – Leave of Absence without Compensation* revisions were recommended by the University's faculty and staff Insurance and Benefits Committee after institutional review and comparison of the

bereavement leave benefits offered at eight other Kentucky institutions. Revision of *Board of Regents Policy Manual – Section 3.6 – Leave of Absence without Compensation –* will ensure compliance with current privacy legislation and is consistent with industry best practices. The Board of Regents approved the first reading of the proposed policy change at its Quarterly Meeting on September 9, 2022.

Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, approve the *Board of Regents Policy Manual – Section 3.6 – Leave of Absence without Compensation* revisions as presented in this second reading. Regent Evans seconded and the motion carried.

(See Attachment #16)

## <u>Board of Regents Policy Manual – Section 5.21 – New Name, Image and Likeness Policy –</u> <u>Second Reading, approved</u>

President Jackson reported that recent legal changes, including new state laws, impact the ability of student-athletes to earn income based on use of their name, image and/or likeness. In furtherance of the University's commitment to provide information and assistance to student-athletes whenever possible, and in compliance with applicable laws, National Collegiate Athletic Association requirements and athletic conference requirements, the University recommends the adoption of a new policy – *Section 5.21 – Name, Image and Likeness* for the *Board of Regents Policy Manual*. The Board of Regents approved the first reading of the new policy at its Quarterly Meeting on September 9, 2022.

Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University and the Director of Athletics, approve the new policy – *Section 5.21 – Name, Image and Likeness* for the *Board of Regents Policy Manual* – as submitted in this second reading. Regent Fitch seconded and the motion carried.

(See Attachment #17)

## **Adjournment**

The Quarterly Board of Regents Meeting adjourned for lunch at 12 noon. It is anticipated the Board will reconvene at 12:45 p.m.

## Reconvene

Chair Tharpe reconvened the Quarterly Meeting of the Board of Regents at 12:50 p.m.

## **Buildings and Grounds Committee**

Robbie Fitch – Chair Jessica Evans Leon Owens Don Tharpe Tom Waldrop

Regent Fitch called the Buildings and Grounds Committee to order at 12:50 p.m. and reported all other members were present.

## Major Facilities Projects Update, received

Director of Facilities Management Youngblood provided an update on major facilities projects with the following highlights:

- New carpet and seating is expected to arrive later this month for the Wrather Hall Auditorium renovation. Supply chain issues for materials needed to complete the renovation of the facility continue. The University is still awaiting the arrival of a few windows and stage curtains for this project as well.
- Waterfield Library Phase II HVAC work began over the summer and is not expected to be completed until summer 2023 due to supply chain issues.

- The Request for Proposals (RFP) for the new nursing building has been sent out and architectural and engineering responses have been good with many participating in the pre-proposal meetings. Final proposals are due next week and the review process will begin to narrow the pool and conduct oncampus interviews. Mason Hall renovations will also be part of this project from a programming perspective to determine what the building will house once the new facility is completed.
- The process is currently underway to get the RFP out for the Applied Science Building project to select consultants.
- HVAC upgrade projects are underway in Pogue Library and both Fine Arts buildings. The planning process is underway for stairway repairs in the Price Doyle Fine Arts Building. Designs were completed as part of the external stairway project at the Fine Arts Building but plans are being reviewed for the interior project to address water intrusion issues related to HVAC and mechanical systems.
- Phase I renovations for the William Cherry Exposition Center are still in the planning stages and a contractor has not yet been hired. Efforts are underway to determine which projects can be completed as part of Phase I renovations.
- Many updates will be occurring in the Curris Center and photos were shown of progress to date in that facility. The Center for Student Involvement in the Curris Center is progressing well and will be the first project completed. It is anticipated occupants will be able to move into this space after the first of the year. This project has also been subjected to supply chain issues. The restrooms on the second floor in this facility have been gutted and are being renovated. The plumbing for these restrooms is located directly above the Esports area. Finishes cannot happen in the Esports space until the plumbing work is completed on the second floor. Floor demolition on the third floor of the Curris Center is in progress and the installation of replacement flooring will begin the week after finals. This project is on schedule at this time but there is still a lot of work to be done. The contractual completion date for work in the Curris Center is October 31, 2023.
- ➢ Work will be undertaken to address a sewer line issue at Faculty Hall and power testing will be conducted at Stewart Stadium. Much of this work will be undertaken during the holiday break.

Chair Tharpe expressed appreciation on behalf of the Board to Mr. Youngblood and his team. All appreciate their efforts with regard to campus facilities.

This report was presented for informational purposes only and required no Board action.

#### Murray Electric System Utility Easement, approved

Regent Fitch reported that Murray Electric System has requested a 10-foot utility easement on property located on College Farm Road. This easement would be a 610' +/- strip along the east property line that connects to Calloway County Board of Education property. A copy of the proposed easement was included in the eBoard book. Specifically, Murray Electric System has requested a permanent easement to install fiber to the back of one of the school buildings on the Calloway County Board of Education property. The permanent easement is for approximately 0.141 acres (610.97 feet in length and 10 feet wide). The easement includes the perpetual right to install, maintain, and replace necessary appurtenances outside the right-of-way for the service lines. A survey plat that indicates the location of the requested easement was also provided to the Board.

On behalf of the Buildings and Grounds Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, enter its order approving the granting of a permanent easement as indicated above to the Murray Electric System. Such approval shall be conditioned upon a full review by University Legal Counsel and the University receiving approval, if required, from the Kentucky Finance Secretary or his/her designee. Regent Waldrop seconded and the motion carried.

#### Full Board Action – Murray Electric System Utility Easement, approved

On behalf of the Buildings and Grounds Committee, Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, enter its order approving the granting of a permanent easement as indicated above to the Murray Electric System. Such approval shall be conditioned upon a full review by University Legal Counsel and the University receiving approval, if required, from the Kentucky Finance Secretary or his/her designee. Regent Meinschein seconded and the motion carried.

## <u>Adjournment</u>

The Buildings and Grounds Committee adjourned at 1 p.m.

## **Enrollment Management and Student Success Committee**

David Meinschein and Ellie McGowan – Co-Chairs Robbie Fitch Melony Shemberger

Regent Meinschein called the Enrollment Management and Student Success Committee to order at 1 p.m. and reported all other members were present.

#### Academic Year 2022 – 23 Enrollment, Retention and Recruitment Update, received

Regent McGowan introduced Vice President Robertson, Interim Assistant Vice President White and Director Whaley who provided the following enrollment and recruitment highlights:

- Appreciation was expressed to the University community for their assistance with regard to enrollment, retention and recruitment because this work truly represents a team effort.
- Dean Brannon was thanked for his service recruiting and retaining students and for leaving lasting legacies at the University. He has been a great friend to Student Affairs and Enrollment Management and all appreciate his service. All Deans are always willing to help the Enrollment Management team when called upon to do so and their assistance is very much appreciated.
- Winter term enrollment is up 50 percent and appreciation was expressed to Associate Provost Fister for providing the data presented today.
- Spring semester enrollment is even with where the University was at this point last year. This number does not take into consideration winter enrollment which will also count toward spring enrollment numbers.
- With regard to student engagement and success, overall retention for first-time freshmen is 77.4 percent, representing a 2 percent increase over last year. Underrepresented minority student retention is 71.4 percent, representing an 11 percent increase over last year. These increases are due to a number of factors, including students getting back to a more normal college experience; timely and purposeful outreach with faculty, staff and students and quality events being hosted by the academic units and Student Affairs.
- The fall-to-spring Recapture Campaign began in November and various initiatives associated with this process were outlined.
- Student Engagement and Success initiatives were outlined, including the Mental Health Awareness Campaign, First-Year Academic Advising Model, Back-to-School Ice Cream Social; Family Weekend, Fall Festival, 4<sup>th</sup> Annual First-Generation Celebration and timely outreach to students with retention notifications and increased communication with faculty and staff in this regard. The three major strategies relative to retention were outlined.
- In regard to low-income and minority retention, numbers are up in first-time freshmen and undergraduate and graduate students.
- Key recruitment strategies were outlined relative to first-time, graduate and international students; web recruitment and marketing and the Center for Adult and Regional Education (CARE). Appreciation was expressed to Director of Recruitment Shawn Smee and Director of Undergraduate and International Admissions and Transfer Center Maria Rosa for their efforts in this regard. To date, 668 visits have been completed across the state and country and applicant numbers are up significantly over last year. There are also over 100 events planned during the 2023 Spring Semester. Appreciation was also expressed to Director of Student Financial Services and Bursar Wendy Cain and her team who are a vital component of these efforts. Executive Director Touney and his team were also involved in recruitment efforts in significant ways and those initiatives were outlined. Oncampus individual and group visits are up and over 30 such events were held.
- Initiatives under the leadership of Director of Domestic Graduate Recruitment Matt Jones were outlined in regard to first-time student recruitment.
- International recruitment efforts under the leadership of Director of International Recruitment Dr. Ruben Ricardo were outlined, including signing agreements with new agents in strategic areas and exploring opportunities with the community colleges. Dr. Ricardo has been very active since his arrival on campus and already has in place many established relationships with great international partners.
- Web recruitment and marketing strategies were outlined and appreciation was expressed to Executive Director Touney and his team for their work in this regard.
- CARE strategies were outlined and appreciation was expressed to Executive Director Dan Lavit and his team for their efforts. This work is undertaken on the regional campuses and appreciation was expressed to the Directors and Coordinators in those areas to ensure Murray State is providing the services needed in those respective communities.
- Fall 2023 initial enrollment data was presented and all numbers are trending up. This includes firsttime freshmen (FTF) applications, FTF admitted overall and in the 18-county service region and scholarship and housing applications. These positive numbers are the result of the predictive analysis work undertaken by Associate Provost Fister.
- Confirmation was provided that as part of the acceptance process students are notified of their scholarship awards within a short period of time. Students are also eligible to apply for additional

Foundation scholarships. Confirmation was provided that last year the number of available students from feeder schools was down but that trend has somewhat stabilized.

The new tuition rate model was outlined and the presentation included new freshmen scholarship opportunities that are now available. Confirmation was provided that this information is being shared with all prospective students before they apply for admission at Murray State.

Chair Tharpe expressed appreciation to all for the social media efforts that are being employed as part of these efforts, as well initiatives to maintain the 18-county service region enrollment base. Confirmation was provided that key yield strategies are in place for both prospective and admitted students and admissions decisions are provided to these students in a very short window of time.

This report was presented for informational purposes only and required no Board action.

## <u>Adjournment</u>

The Enrollment Management and Student Success Committee adjourned at 1:30 p.m.

## **Finance Committee**

Leon Owens – Chair Robbie Fitch Virginia Gray Melony Shemberger Don Tharpe

Vice Chair Owens called the Finance Committee to order at 1:30 p.m. and reported all other members were present.

#### Public-Private Partnership (P3) Pre-Development Agreement Extension, executed

President Jackson reported that work to develop a P3 model was started pre-COVID. Appreciation was expressed to Vice President Dudley, Director of Facilities Management Youngblood and Executive Director Looney and their teams for work in this regard as it has represented a significant commitment of time and effort. This work was slowed for two years as the pandemic unfolded. Post-pandemic, the inflationary environment, labor shortages and supply chain issues were not anticipated and this sets the tone for the recommendation being made to the Board today.

Vice President Dudley indicated that information was provided on the goals and outcomes anticipated with a public-private partnership. It was anticipated that this planned project would be completed in phases to construct two residence halls north of the current Hart Hall, a new dining hall on the space currently occupied by Springer II/Old Franklin and Richmond Halls, razing Hart Hall and Winslow Dining Hall and development of a residential lawn green space and enhanced walking paths between the residential complex, the Wellness Center, the new dining hall and the CFSB Center.

Current primary project risk factors include the cost of construction, developer partner/ subcontractor availability of labor, supply chain issues for necessary materials and financing interest rates. These challenges are not unique to the current environment in west Kentucky and throughout the country. The project has been bid utilizing the University's partner – Rise – and the cost of construction is significantly more than anticipated, material and supply chains issues are noteworthy and there has been an unprecedented and historic increase in interest rates. Rise has indicated that the project is not financially feasible at this time and recommended that it be paused. Chair Tharpe and Vice Chair Owens have been kept apprised of current conditions. Due to current economic conditions and other risk factors outlined, the administration also feels the appropriate action is to temporarily pause this project and evaluate further throughout 2023 with Rise. Rise has requested that the University extend the Pre-Development Agreement (PDA) that is currently in place through June 30, 2023. The PDA extension requested by Rise is through December 2023. Plans are to continue to regularly monitor the project and determine at what point it should go out for bids again. On behalf of the Finance Committee, Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, approve temporarily pausing the Public-Private Partnership phased project and extending the Pre-Development Services Agreement with Rise Development, LLC from June 30, 2023, to December 30, 2023. Regent Gray seconded and the motion carried.

## <u>Full Board Action – Public-Private Partnership Pre-Development Agreement Extension,</u> <u>executed</u>

On behalf of the Finance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve temporarily pausing the Public-Private Partnership phased project and extending the Pre-Development Services Agreement with Rise Development, LLC from June 30, 2023, to December 30, 2023. Regent Shemberger seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

## Doctor of Nursing Practice – Anesthetist Program Fee Change, approved

Vice President Dudley reported that Murray State University's Doctor of Nursing Practice (DNP) – Nurse Anesthetist Program has been located at Baptist Health in Madisonville, Kentucky, since its inception. After considerable discussion with Baptist Health, the program administration is being incorporated into the MSU School of Nursing and Health Professions curriculum and the Board earlier received a presentation in this regard.

Under Baptist Health's administration, students paid a \$4,000 program fee to Baptist Health, in addition to the program fee that Murray State assessed (\$1,286). The proposed change in the program fee Murray State assesses being recommended today will consolidate those two fees. The additional fee will only be assessed to the DNP – Nurse Anesthetist Program students and will be used to cover associated program costs.

Murray State's current fee for the program is \$1,286 per semester (fall, spring and summer) per student which was approved at the June 3, 2022, Quarterly Meeting of the Board of Regents and they are paying \$4,000 to Baptist Health. The program fee for this program will change to \$5,286 per semester (fall, spring and summer) per student, effective with Summer of 2023. The students in the DNP – Family Nurse Practitioner and Post-Masters DNP will continue to only be assessed the program fee of \$1,286 per semester (fall, spring and summer) and the action being recommended today does not represent an increase to what students are already paying. Confirmation was provided that the action being requested today will benefit students by allowing them to use financial aid to help cover the cost but the net effect will be relatively neutral.

On behalf of the Finance Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the increase in the program fee for the Doctor of Nursing Practice – Nurse Anesthetist Program from \$1,286 to \$5,286, effective with the 2023 Summer Semester. Regent Fitch seconded and the motion carried.

## Doctor of Nursing Practice – Anesthetist Program Fee Change, approved

On behalf of the Finance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the increase in the program fee for the Doctor of Nursing Practice – Nurse Anesthetist Program from \$1,286 to \$5,286, effective with the Summer 2023 Semester. Regent Meinschein seconded and the motion carried.

## Projects, approved

Vice President Dudley reported that Delegation of Authority Item #20 states that "…Prior to moving forward, all projects, including price contracts related to capital projects, costing over \$500,000 and up to the threshold denoted by Kentucky statute should be reviewed by the Board Chair and the President and a determination made in terms of those projects requiring further Board approval." A schedule listing new projects or projects with a total estimated cost of over \$500,000 was provided in Board materials. One new project is being advanced for approval –

the Hancock Biology Station HVAC renovation project. Asset preservation funding has been identified as a source to cover the cost of this \$813,000 project. A second project on the listing provided is the Expo Center and the Board has already approved this project for \$950,000 but the funding source is being changed from Asset Preservation Funds from the state to proceeds from the University's Asset Preservation Fee pool.

On behalf of the Finance Committee, Regent Gray moved that the Board of Regents, upon the recommendation of the President of the University, approve the projects outlined on the listing provided. Regent Fitch seconded and the motion carried.

## Full Board Action – Projects, approved

On behalf of the Finance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the projects outlined on the attached listing. Regent Evans seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

(See Attachment #18)

## Personal Services Contracts, approved

Vice President Dudley reported that Item #11 of the Delegation of Authority stipulates that the Board: "....approve all Personal Services Contracts totaling more than \$50,000. The Board will be notified of all Personal Services Contracts between \$10,000 and \$50,000 before they are submitted to the Legislative Research Commission. Upon review, individual Board members may request that these be held for approval at the next Board meeting." The contracts on the listing provided require approval by the Board. All are for architectural and engineering services and represent price contracts. The University has multiple partners in this regard so in the event of an emergency when projects arises, the contracts are already in place with architectural and engineering firms. Confirmation was provided that the firms would be paid at the hourly rate that is determined by the state Finance Committee.

On behalf of the Finance Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the Personal Services Contracts as listed in the document provided per requirements of Delegation of Authority Item #11. Regent Fitch seconded and the motion carried.

## Full Board Action – Personal Services Contracts, approved

On behalf of the Finance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the Personal Services Contracts as listed in the attached document per requirements of Delegation of Authority Item #11. Regent Waldrop seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

## (See Attachment #19)

# <u>Property Acquisition – Audubon Drive and Sunset Avenue, Paducah, Kentucky, authorized</u>

President Jackson reported that the University's *Paducah Regional Campus* is adjacent to an undeveloped parcel of land that the owner is interested in selling. This is a desired property for the University based on its location. This property does not have any structures on it but the monument sign for the *Paducah Regional Campus* sits on the northeast corner of the property and the University has leased this small corner plot from the sellers since the campus has been open. Per the third-party appraisal, the property totals 48,500 square feet and indicates that there are no known environmental concerns with the area. The University currently maintains this property that the church across the street owns and does not want developed. The University is acquiring the property at less than appraised value as long as it continues to maintain it and does

not develop the area. One property owner adjacent to the area has a fence that comes over on the property by about one foot. The church asked that the University not require the property owner to move the fence and the President agreed, subject to Board approval. This provision is included in the proposed agreements. Vice Chair Owens indicated he walked the property and believes it would be appropriate for the University to place some type of marker at the property line for future reference. Regent Waldrop indicated an Encroachment Agreement might be appropriate in this situation.

On behalf of the Finance Committee, Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, authorize the President or his designee to enter negotiations for the purchase of a tract of land measuring approximately 48,500 square feet located at the corner of Audubon Drive and Sunset Avenue in Paducah, Kentucky, at a purchase price not to exceed \$45,000, exclusive of closing costs and taxes, with said authorization being contingent upon approval by the Secretary of Finance. Regent Shemberger seconded and the motion carried.

# <u>Full Board Action – Property Acquisition – Audubon Drive and Sunset Avenue, Paducah, Kentucky, authorized</u>

On behalf of the Finance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, authorize the President or his designee to enter negotiations for the purchase of a tract of land measuring approximately 48,500 square feet located at the corner of Audubon Drive and Sunset Avenue in Paducah, Kentucky, at a purchase price not to exceed \$45,000, exclusive of closing costs and taxes, with said authorization being contingent upon approval by the Secretary of Finance. Regent Meinschein seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

## <u>Adjournment</u>

The Finance Committee adjourned at 1:52 p.m.

## Supplemental Materials

President Jackson reported that supplemental materials were included in the eBoard book as follows: "Good News" Report (Winter 2022); Quarterly Branding, Marketing and Communication Report (July – September 2022) and Sponsored Programs – Grants and Contracts Report. The Litigation Status Report prepared by General Counsel Miller was provided in a separate, confidential eBoard book. These reports were provided for informational purposes only and required no Board action.

## **Other Business/Adjournment**

Chair Tharpe expressed appreciation to the Regents for their participation today and the time they devote to this Board. Appreciation was also expressed to President Jackson for preparing the Regents prior to today's meeting. Faculty and staff were thanked for their participation and attention to the important work of this University.

There being no further business to come before the Board, Chair Tharpe requested a motion for the Board of Regents Quarterly Meeting and Committee Meetings to adjourn. Regent Shemberger so moved, seconded by Regent Fitch, and the motion carried.

Adjournment was at 1:55 p.m.

Secretary Jill Hunt

Chair Don I. Tharpe