



SUBJECT: Board of Regents Annual Retreat, Thursday, August 30, 2018

DATE: August 28, 2018

TO: Members of the News Media

FROM: Jill Hunt
Secretary to the Board

The Murray State University Board of Regents will convene for the Annual Retreat on Thursday, August 30, 2018, beginning at 8:30 a.m. (Central Standard Time) in the Wrather Museum Auditorium on the main campus of Murray State University.

A schedule and agenda for the Annual Retreat are attached.

Attachments

cc: Interim President Robert L. Jackson
Chair Susan Guess



**Murray State University Board of Regents
Schedule of Events**

Thursday, August 30, 2018

- 8:30 a.m.** **Board of Regents Annual Retreat**
Wrather Museum Auditorium (16th Street and University Drive)
- 12 noon (approx.)** **Break for Lunch – Wrather Museum *Wrather Room***
- 3 p.m. (approx.)** **Adjournment**
- 3 p.m. (approx.)** **Facilities Walking Tour**
- **Wrather Museum**
 - **Wilson Hall**
 - **Waterfield Library**
 - **Fine Arts Building**
 - **Lovett Auditorium**
 - **Wells Hall**



**AGENDA
BOARD OF REGENTS ANNUAL RETREAT**

**Wrather Museum Auditorium
Thursday, August 30, 2018
8:30 a.m.**

- | | | |
|----|--|---|
| 1. | <u>Call to Order</u> | Chair Susan Guess |
| 2. | <u>Welcome and Agenda Review</u> | Chair Susan Guess |
| 3. | <u>Fiscal Year 2018-19 Focus Areas</u> | President Bob Jackson |
| 4. | <u>The Roles and Partnership of the Board, the President and the University – What Makes an “Effective Board”</u> | Chair Susan Guess/
President Bob Jackson |
-
- | | |
|----|--|
| a. | Delegation of Authority Review |
| b. | Training Session <ul style="list-style-type: none">- Conflict of Interest<ul style="list-style-type: none">- Murray State Board of Regents Statement of Conflict of Interest AY18-19- Kentucky Revised Statute – Conflict of Interest- Association of Governing Boards (AGB) Conflict of Interest with Guidelines on Compelling Benefit- Undue Influence- Open Meetings/Open Records Law<ul style="list-style-type: none">- Your Duty Under the Law (Open Records/Open Meetings)- Managing Government Records (Public Records Law)- Family Education Rights and Privacy Act (FERPA)<ul style="list-style-type: none">- FERPA Institutional Policy- FERPA Annual Notification- Title IX<ul style="list-style-type: none">- Title IX – Reporting and Resources- Title IX – Campus Resources- National Collegiate Athletic Association (NCAA)<ul style="list-style-type: none">- The Inside Track – Guide of NCAA Rules for Alumni, Fans and Friends of Racer Athletics |
| c. | Board Self-Assessment <ul style="list-style-type: none">- Southern Association of College and Schools Policies Applicable to the Board of Regents- Self-Assessment Process- Committee Structure- Communications- Consent Agenda and Style of Minutes- eBoard Book Resource Center |

5. Strategic Enrollment Management

President Bob Jackson

- a. **Enrollment Update and Projection**
 - **Dr. Charlotte Tullos – Interim Chief Enrollment Officer Introduction**
 - ***President’s Commission on Strategic Enrollment Management (CSEM)***
 - SWOT Analysis**
 - **CSEM Focus Areas for 2018-19**
- c. **New Enrollment Strategies**
 - **Road Scholars**
 - **Regents’ Involvement**
 - **RaiseMe Scholars Program**
 - **Accelerate U! and Summer Bridge Concept**
- d. **Investment in Enhanced Marketing Efforts for FY 2018-19**

Break for Lunch

12 noon (approx.)

Reconvene

1 p.m. (approx.)

- ## 6. Performance Funding Update

**President Bob Jackson/
Vice President Jackie Dudley**

- ## 7. Compensation Study Update

**Vice President Jackie Dudley/
Director of Human Resources
Joyce Gordon**

- ## 8. Deferred Maintenance Update

Vice President Jackie Dudley

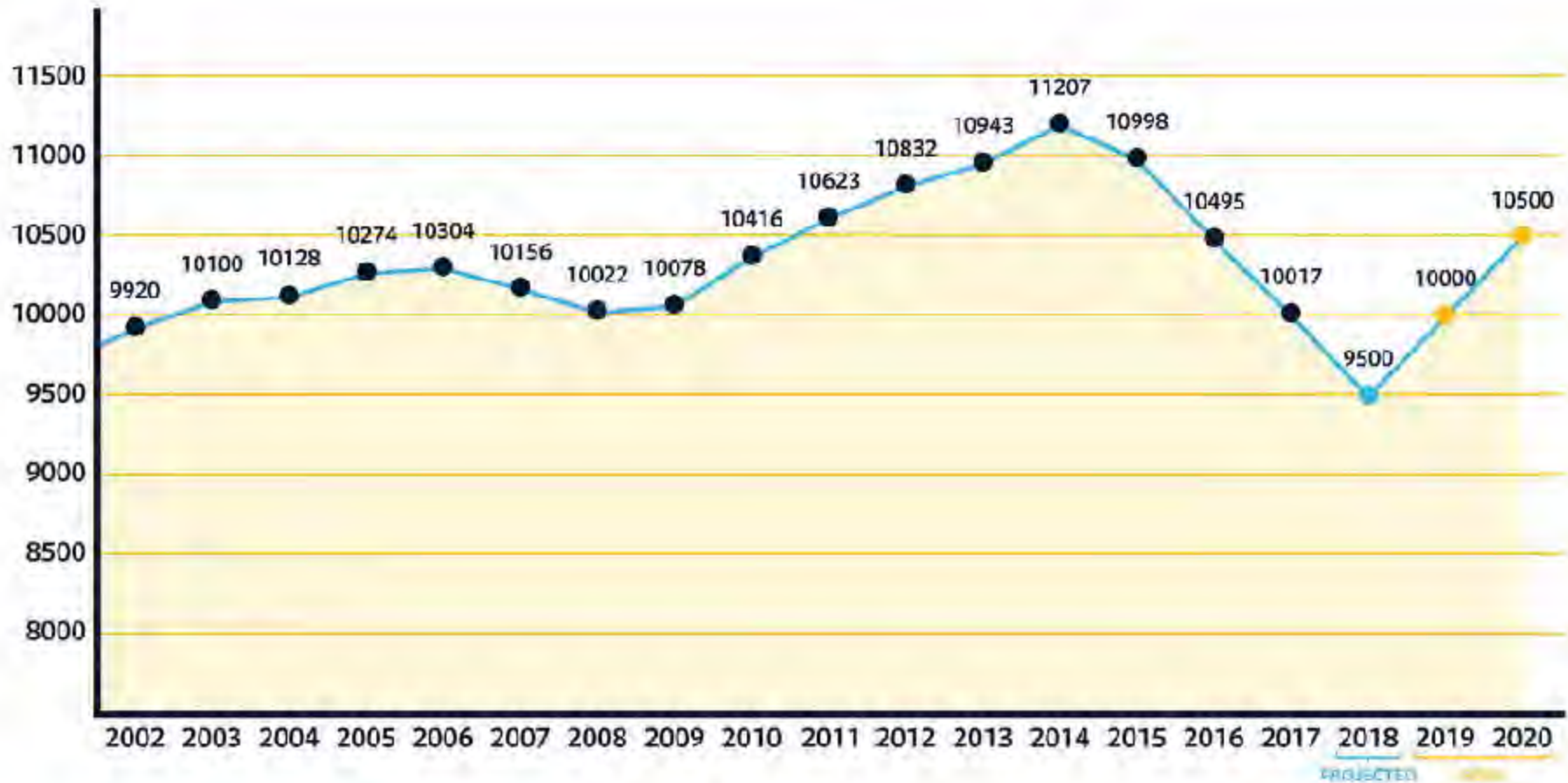
- 9. Final Thoughts/Other Business/Adjournment**

Chair Susan Guess

- ## 10. Facilities Walking Tour

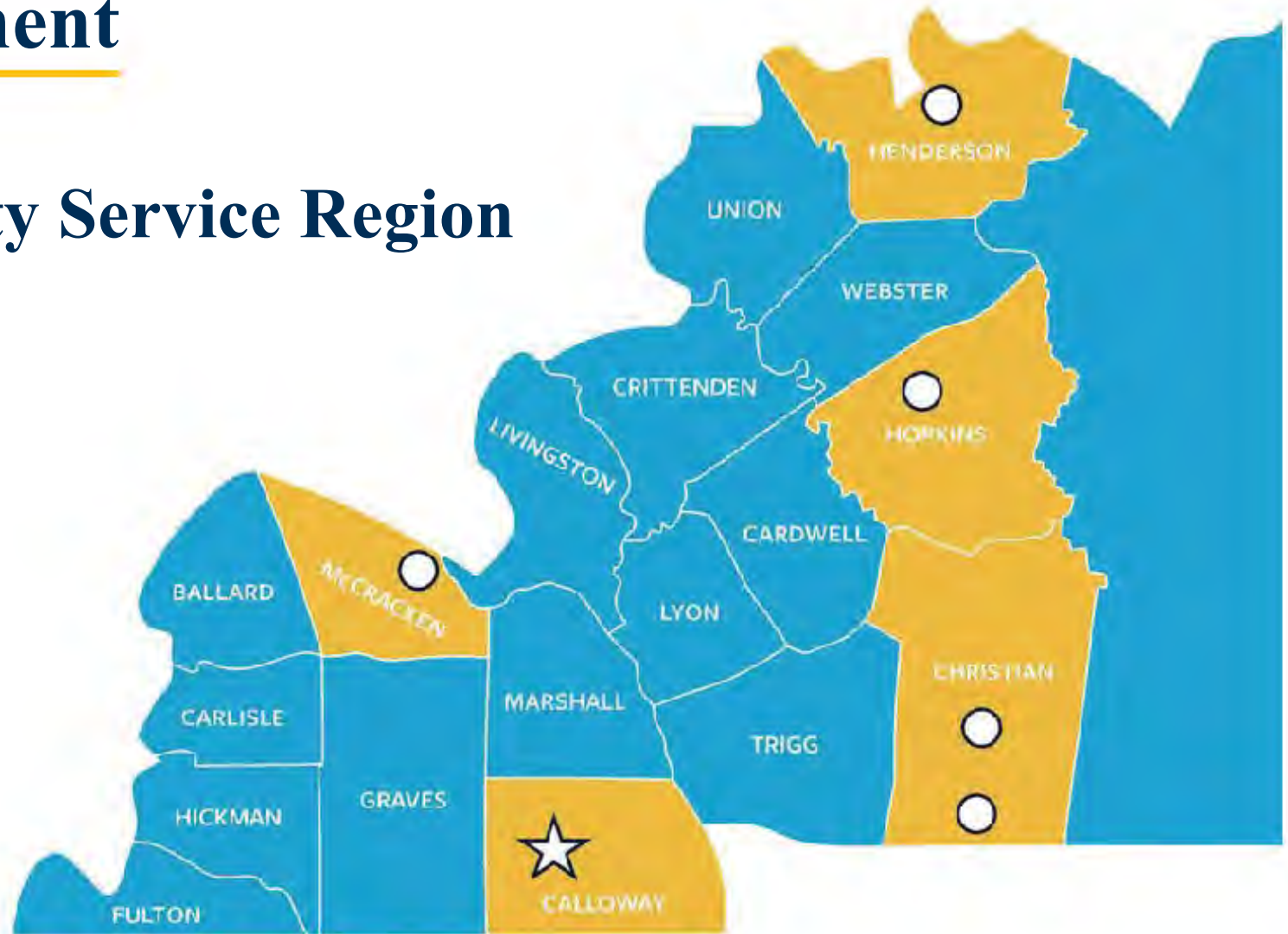
President Bob Jackson
Vice President Jackie Dudley

Fall Headcount – Enrollment Trends



Enrollment

18-County Service Region



Enrollment

Growth Opportunities



Enrollment



MURRAY STATE UNIVERSITY BOARD OF REGENTS DELEGATION OF AUTHORITY

The Murray State University (MSU) Board of Regents (BOR) delegates the authority to conduct University business to the President, except where the Board has established official policies and for the following enumerated functions for which the Board reserves specific authority. It is understood that 1) University policies currently in effect so remain unless in direct conflict with this statement, and 2) while the Board does not wish to engage in the daily management of the University, it acknowledges an oversight responsibility in accordance with Association of Governing Boards (AGB) recommended practices.

1. Consistent with provisions of Kentucky Revised Statutes (KRS), determine and periodically review the University's mission, vision, and strategic directions/ initiatives and approve plans for the attainment, implementation, and evaluation of these aforementioned elements;
2. Appoint the President of the University and periodically evaluate the performance of the President, as well as the functioning of the Office of the President and the Board of Regents;
3. Consistent with provisions of Kentucky Revised Statutes, determine the Board's meeting schedule, committee structure, and meeting agendas;
4. Approve the establishment or discontinuation of schools, colleges and departments that are academic in nature that have a budget of at least \$50,000 and reports to a Dean or the Provost. The Board will receive a report on any additional institutional centers that are formed within these colleges/schools, departments and units that do not meet these thresholds.
5. Approve the establishment or discontinuation of degree programs and academic majors and minors, and any other major University program; (Consistent with its commitment to academic excellence, the pursuit of specialized accreditation does not require Board approval unless that accreditation entails significant financial commitment.)
6. Consistent with provisions of Kentucky Revised Statutes, approve University student admission standards and graduation requirements;
7. Approve the establishment or discontinuance of intercollegiate athletic programs/teams, as well as National Collegiate Athletic Association (NCAA) classifications and conference affiliations;

8. Approve the promotion of faculty and the awarding of tenure to faculty pursuant to existing policies;
9. Establish the compensation/benefits for the President and approve the appointments of and compensation/benefits for Vice Presidents and academic Deans. The Board will be apprised of new upper level administrative positions added to the organizational structure and will receive reports of appointments to positions between the Vice President and Dean levels made outside of the regular budget cycle;
10. Consistent with provisions of Kentucky Revised Statutes, approve changes to compensation/benefit policies for faculty and staff.
11. Approve new employment contracts made outside of the regular budget cycle, and approve all personal services contracts totaling more than \$50,000. In addition, 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 (LRC). Upon review, individual Board members may request that these be held for approval at the next Board meeting.
12. Approve annual operating budget which includes Education and General and auxiliary budgets. Approve issuance of any bonds pursuant to the Kentucky Revised Statutes.
13. Approve any "program statement" that may be prepared for a capital construction project requiring approval by the Kentucky General Assembly prior to implementation of the program statement. The Board will also approve major renovations of executive offices, the Presidential residence and other similar projects which will exceed \$25,000.
14. Review auditing proposals, select the external auditors and approve the University's contract with the external auditors. Approve the appointment of the General Counsel and Internal Auditor at the appropriate meeting of the Board as determined by the Board Chair;
15. Receive and accept summaries of internal audit and compliance reports. If a significant issue with a report is discovered, the Audit and Compliance Committee of the Board could request additional information.
16. Approve University real property and facilities' leases under which 1) the University is the lessee if the annual rental is in excess of \$100,000 or 2) the University is the lessor of University real property or facilities and the lease has a non-cancellable term exceeding one year. No additional approval will be required if an approved lease is renewed pursuant to the same terms and

conditions but the Board will be advised of any such renewal. A listing of all leases will be provided to the Board annually. Approve the granting of permanent easements which could adversely impact University operations;

17. Approve the transfer or acquisition by purchase of title to real property.
18. The Board will approve major contractual agreements that affect the overall operation of the university while allowing the administration to manage the routine and repetitive contractual options;
19. Approve investment policies;
20. Approve capital projects, as defined by Kentucky statutes and which require approval by the Kentucky General Assembly, prior to the commitment of funds. Prior to moving forward, all projects costing over \$200,000 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.
21. Receive, accept and approve a report of donated gifts-in-kind (non-cash) of more than \$10,000 and approve gifts-in-kind (non-cash) of more than \$25,000. Approve substantial matching funds for grants that require University commitments in addition to those already provided in unit budgets;

Reasoning: Routinely when grants are submitted, the in-kind support must be identified and approved at that time. Current process of approval has involved the Dean and other supervisors. The timing of the needed approvals is critical to meet the grant submission guidelines.

22. Approve rates for tuition, mandatory fees, and room and board;
23. Approve conduct codes and procedures for disciplinary action, except as may be otherwise provided by the Board;
24. Approve the awarding of degrees, including honorary degrees;
25. Approve the naming of facilities and memorials;
26. Approve funding priorities to be presented to the legislature and, where appropriate, determine institutional priorities and significant public policy and advocacy positions;
27. In the event of an emergency or in the event immediate action is in the best interests of the University, the President, after consultation with the Board Chair,

is authorized to act, pursuant to authority otherwise available but for this
Delegation of Authority.

Reviewed/Revised:

August 24, 2017
September 8, 2016
August 28, 2015
December 4, 2014



**Board of Regents
Murray State University**

**Statement of Conflict of Interest
Academic Year 2018 – 19**

Pledge:

"As a Regent of Murray State University I recognize that I hold a position of public trust and, accordingly, I will place the best interests of the University above any personal or parochial interest.

In the event that I have an actual or implied conflict of interest on any issue under consideration, I will publicly acknowledge such a conflict of interest and will recuse myself from the deliberations and voting on the issue in question – both in committee and when the full Board is in session.

I will strive to maintain a sense of integrity and ethical awareness in all actions as a Regent of Murray State University."

Disclosure:

_____ I have no conflict of interest to report.

_____ I have the following conflict of interest to report (please specify other nonprofit or for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or immediate family members are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own. Please use the back of this page if necessary for additional disclosures.

1. _____
2. _____
3. _____
4. _____
5. _____

Certification:

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

(Signature)

(Date)

45A.340 Conflicts of interest of public officers and employees.

- (1) No officer or employee of the General Assembly, or officer or employee of an agency as defined in KRS 45A.335, shall knowingly receive or agree to receive, directly or indirectly, compensation for any services to be rendered, either by himself or another, in negotiations with the state or an agency for the purchase by the state or an agency of an interest in real property. This section shall not apply to appearances before any court, except that negotiations shall be prohibited as aforesaid at any time.
- (2) No officer or employee of an agency or member of a state board or commission, may be in any manner interested, either directly or indirectly, in his own name or in the name of any other person, association, trust, or corporation, in any contract for the performance of any work in the making or letting or administration of which such officer or employee may be called upon to act or vote. No such officer or employee may represent, either as agent or otherwise, any person, association, trust, or corporation, with respect to any application or bid for any contract or work in regard to which such officer or employee may be called upon to act or vote. Nor may any such officer or employee take, solicit, or receive, either directly or indirectly, any money or other thing of value as a gift or bribe or means of influencing his vote or action in his official character. Any contract made and procured in violation hereof is void. For the purposes of this section the holding of less than five percent (5%) of the stock of a corporation is not considered an interest.
- (3) No officer or employee of the General Assembly or officer or employee of any agency shall, for compensation, appear before an agency as an expert witness.
- (4) No officer or employee of the General Assembly, or officer or employee of any agency, shall act as officer or agent for the Commonwealth or any agency in the transaction of any business with himself, or with any corporation, company, association, or firm in which he or his spouse has any interest greater than five percent (5%) of the total value thereof.
- (5) No officer or employee of an agency or appointee shall knowingly himself or by his partners or through any corporation which he controls or in which he owns or controls more than ten percent (10%) of the stock, or by any other person for his use or benefit or on his account, undertake, execute, hold, or enjoy, in whole or in part, any contract, agreement, sale, or purchase of the value of twenty-five dollars (\$25) or more, made, entered into, awarded or granted by any agency, unless said contract, agreement, sale or purchase:
 - (a) Was made or let after public notice and competitive bidding; or
 - (b) Results from the sale of a craft item to a state park if the employee is an interim state park employee designated as a craftsman under KRS 148.257.
- (6) No officer, employee, or appointee of an agency, including persons who serve without salary or other payment for their services, shall knowingly receive or agree to receive, directly or indirectly, compensation for any services rendered or to be rendered, either by himself or another, in any cause, proceeding, application, or

other matter which is before said agency or before the department of state government in which said agency functions.

- (7) No member of a board of trustees or regents shall have an interest in any contract with a state university unless such contract shall have been subjected to competitive bidding in compliance with KRS Chapter 45A, unless such trustee or regent shall have been the lowest bidder and unless such trustee or regent shall have first notified in writing the remaining members of the board, and to the newspaper having the largest circulation in the county in which the state university is located, of his intention to bid on such contract.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 68, sec. 2, effective July 12, 2006. -- Amended 1990 Ky. Acts ch. 496, sec. 29, effective July 13, 1990. -- Amended and reenacted as KRS 45A.340, 1978 Ky. Acts ch. 110, sec. 68, effective January 1, 1979. -- Amended 1976 Ky. Acts ch. 206, sec. 29; and ch. 262, sec. 17. -- Amended 1974 Ky. Acts ch. 261, sec. 2. -- Created 1960 Ky. Acts ch. 181, secs 3 to 9.

Formerly codified as KRS 61.096.

Legislative Research Commission Note (7/14/92). The text of subsection (7) of this statute was enacted by 1978 Ky. Acts ch. 392, sec. 2, as subsection (4) of the former KRS 61.094, which was reenacted as KRS 45A.335 by 1978 Ky. Acts ch. 110, sec. 67. In codifying the amendment to KRS 45A.335 in 1982 Ky. Acts ch. 282, sec. 3, the Reviser of Statutes acting under KRS 7.136(1) renumbered the former KRS 45A.335(4) as KRS 45A.340(7).



AGB Board of Directors' Statement on
Conflict of Interest
with Guidelines on Compelling Benefit



This Statement and the related Guidelines were approved on November 20, 2009, and April 12, 2013, respectively, by the Board of Directors of the Association of Governing Boards of Universities and Colleges. They are intended to guide boards in the governance of colleges, universities, and systems; inform them of their roles and responsibilities; and clarify their relationships with presidents, administration, faculty, and others involved in the governance process.

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AGB ASSOCIATION OF
GOVERNING BOARDS OF
UNIVERSITIES AND COLLEGES



Preface

In response to requests for policy guidance from presidents, board chairs, trustees, and other higher education leaders, in 2009 the AGB Board issued AGB's "Statement on Conflict of Interest." As the introduction to the Statement noted, "Because boards are responsible for institutional autonomy in our unique governance system, and in light of a number of high profile conflict of interest violations across the not-for-profit sector, there is a pressing need for boards to conduct thorough and periodic reviews of their conflict of interest policies and to ensure adherence." The Statement, drafted after a careful deliberative process guided by a distinguished panel—and with input from presidents, trustees, and other higher education leaders—recommended 12 principles to inform board decisions and discussion on conflict of interest. Those principles can be found on pages 4 and 5. However, because the document was a Statement of high-level principle, it intentionally did not extensively "drill down" into details of implementing those principles.

The companion "Guidelines on Compelling Benefit," issued by the AGB Board in 2013, provides more specific, sometimes technical, guidance to boards seeking to implement the 2009 Statement. The Guidelines, listed on pages 6 to 9, focus on one important aspect of the Statement—the recommendation that transactions involving conflict of interest should be approved only if the board finds that the transaction would bring compelling benefit to the institution. The purpose of the Guidelines is to help boards, advised in appropriate situations by institutional counsel, apply the compelling benefit standard to a wide range of circumstances in which conflicts may figure. Informed by nearly four years of institutional experience with the 2009 Statement, the Guidelines resulted from a collaborative process that took input from presidents, trustees, and legal experts including institutional counsel. In the process, an effort was made to identify many kinds of conflicted transactions that boards review and to provide guidance on how the compelling benefit standard should apply in each. As institutions gain more experience with the 2009 Statement, AGB may periodically review and revise these Guidelines.

Richard D. Legon
President
April 2013

AGB Board of
Directors' Statement on
Conflict of Interest
with Guidelines on Compelling Benefit

Introduction to the 2009 Statement

This AGB "Statement on Conflict of Interest," adopted by the AGB Board of Directors in 2009, was occasioned by increasingly frequent requests for policy guidance and clarification from presidents, board chairs, trustees, and other leaders of American colleges and universities. Because boards are responsible for institutional autonomy in our unique governance system, and in light of a number of high profile conflict of interest violations across the not-for-profit sector, there is a pressing need for boards to conduct thorough and periodic reviews of their conflict of interest policies and to ensure adherence. Additionally, boards are facing increased external scrutiny of governance by government agencies, such as the enactment of the revised Internal Revenue Service Form 990, which sets up new expectations regarding financial accountability. Also, faculty are subject to increased external and institutional regulation of conflicts of interest related to research, and can be expected to question whether institutional boards set similarly high standards for themselves. In response to these and other challenges, and given that boards must monitor their own governance standards, AGB's Board of Directors authorized this Statement to inform board discussions on conflicts of interest.

To begin work on this initiative, AGB's Board of Directors requested that a panel of experts lead a consideration process and develop a draft set of principles that might be broadly applicable to boards. This process included a thorough review of the literature and a review of conflict of interest policy provisions from approximately 30 colleges and universities, as well as governmental agencies, including the Internal Revenue Service, the National Institutes of Health, and the legislative and judicial branches of the United



HISTORICALLY, AGB HAS NOT PRESCRIBED A SPECIFIC SET OF PRINCIPLES FOR BOARD MANAGEMENT OF CONFLICTS OF INTEREST, BUT DURING THIS TIME OF HEIGHTENED CALLS FOR ACCOUNTABILITY, THE ASSOCIATION OFFERS THIS GUIDANCE ON STANDARDS AND PRACTICES.

State government. While this Statement is intended to provide guidance for boards, AGB understands that these principles must be translated into practice diplomatically and consistently. Historically, AGB has not prescribed a specific set of principles for board management of conflicts of interest, but during this time of heightened calls for accountability, the association offers this guidance on standards and practices. This Statement is not intended to be prescriptive; rather it serves as a template and resource for discussion of good governance policies related to issues of conflict of interest.

Adoption by the AGB Board of Directors of this "Statement on Conflict of Interest" reflects a prevailing set of conditions. As originally stated in the AGB "Statement on Board Accountability" (2007), the incidence of "lapses and failures in the integrity and governance of certain participants in the nonprofit and higher education communities—particularly in such areas as conflict of interest, executive compensation, and financial oversight—has raised troubling questions."

While financial conflicts tend to dominate board conflict of interest discussions, the subjects of political gain, unmerited preference in hiring, student admissions decisions, and other conflicts can compromise the integrity that boards should hold in trust. Examples of potential areas of conflict can include backlash from board approvals of excessive executive pay packages and institutional foundation boards providing loans to former board members.

For sound reasons, no one template or single policy on board member conflicts of interest can well serve all colleges and universities. For instance, law on trustee conflicts varies among the states, and fiduciaries of public institutions typically are governed in legally ineducible respects by particular requirements of conflict of interest laws applicable to state government personnel. Also, the experience, needs, and administrative structures of institutions vary considerably and counsel against a "one size-fits-all" approach.

AGB believes, however, that guiding principles in a number of areas can be recommended that are likely to be generally applicable and useful to college and university governing boards as they address how best to update their conflict of interest policies and practices to meet the contemporary environment and the challenges ahead. Those principles are identified here. Although the recommended principles do not exhaust considerations relevant to formulation and administration of board conflict of interest policy, they address the most sensitive issues boards in higher education face on this topic today.

Conflict of Interest Principles

1. Each board must bear ultimate responsibility for the terms and administration of its conflict of interest policy. Although institutional officers, staff, and legal counsel can assist in administration of the policy, boards should be sensitive to the risk that the judgment of such persons may be impaired by their roles relative to the board's.
2. We believe that the following standard properly gauges whether a board member's actual or apparent conflict of interest should be permissible, with or without (as the situation warrants) institutional management of the conflict: (a) If reasonable observers, having knowledge of all the relevant circumstances, would conclude that the board member has an actual or apparent conflict of interest in a matter related to the institution, the board member should have no role for the institution in the matter. (b) If, however, involvement by the board member would bring such compelling benefit to the institution that the board should consider whether to approve involvement, any decision to approve involvement should be subject to carefully defined conditions that assure both propriety and the appearance of propriety.
3. (a) When a board member is barred by actual or apparent conflict of interest from voting on a matter, ordinarily the board member should not participate in or attend board discussion of the matter, even if to do so would be legally permissible. (b) If, however, the board determines that it would significantly serve the interests of the board to have the conflicted board member explain the issue or answer questions, the board, if legally free to do so, may consider whether to invite the board member for that limited purpose. Any resulting invitation should be recorded in the minutes of the meeting.
4. A board should not confine its conflict of interest policy to financial conflicts, but should instead extend that policy to all kinds of interests that may (a) lead a board member to advance an initiative that is incompatible with the board member's fiduciary duty to the institution, or (b) entail steps by the board member to achieve personal gain, or gain to family, friends or associates, by apparent use of the board member's role at the institution.

6. Board members should be required to disclose promptly all situations that involve actual or apparent conflicts of interest related to the institution as the situations become known to them. To facilitate board members' identification of such conflicts, institutions should take affirmative steps at least annually to inform their board members of major institutional relationships and transactions, so as to maximize awareness of possible conflicts.
8. Board members should be required to disclose not less often than annually interests known by them to entail potential conflict of interest.
7. At institutions that receive substantial federal research funding, financial thresholds for mandatory disclosure of board members' conflicts of interest should not be higher than the thresholds then in effect that regulate conflicts of interest by faculty engaged in federally sponsored research. Boards of institutions that do not receive substantial federal research funding should take into account the federal sponsorship-related thresholds in determining thresholds for mandatory disclosure of board member conflicts of interest.
8. Interests of a board member's dependent children, and of members of a board member's immediate household, should be disclosed and regulated by the conflict of interest policy applicable to board members in the same manner as are conflicts of the board member.
9. Institutional policy on board member conflicts of interest should extend to the activities of board committees and should apply to all committee members, including those who are not board members.
10. Boards should consider whether to adopt conflict of interest policies that specifically address board members' parallel or "side-by-side" investments in which the institution has a financial interest.
11. Boards should also consider whether to adopt especially rigorous conflict of interest provisions applicable to members of the board investment committee.
12. To the extent that the foregoing recommendations exceed but are not inconsistent with state law requirements applicable to members of public college and public university boards, such boards should voluntarily adopt the recommendations.

Guidelines on Compelling Benefit Needed for Approval of any Board Member Conflict of Interest

In its 2009 "Statement on Conflict of Interest," AGB's Board of Directors recommended this standard for boards to determine whether a board member's conflict of interest should be permitted:

➤ We believe that the following standard properly gauges whether a board member's actual or apparent conflict of interest should be permissible, with or without (as the situation warrants) institutional management of the conflict: (a) If reasonable observers, having knowledge of all the relevant circumstances, would conclude that the board member has an actual or apparent conflict of interest in a matter related to the institution, the board member should have no role for the institution in the matter. (b) If, however, involvement by the board member would bring such **compelling benefit** to the institution that the board should consider whether to approve involvement, any decision to approve involvement should be subject to carefully defined conditions that assure both propriety and the appearance of propriety.

The standard connotes that permissible conflict transactions will be rare, and provides that the board in no event should approve a conflict of interest transaction unless the transaction (1) would bring compelling benefit to the institution, and (2) is subjected to warranted carefully defined conditions that assure propriety and the appearance of propriety. This guidance pertains to the first condition, by addressing the meaning of "compelling benefit."

The compelling benefit standard pertains to conflicted **transactions**. It does not pertain to non-transactional situations involving institutional policy or personnel decisions—such as whether to raise tuition or close an academic program—but, in accord with AGB's 2009 Statement, conflicted board members should have no involvement in such decisions.

We assume that when conflicted transactions are proposed, institutions will prohibit them in the great majority of cases. The proposer of the transaction will have the burden of persuading the board that the transaction would bring the institution compelling benefit. The board will subject that assertion to searching examination in accordance with the principles described here.¹

Although under AGB's 2009 "Statement on Conflict of Interest" as well as applicable law, the board is ultimately accountable for decisions involving conflicts of interest of its members and their covered family members, boards often delegate review of such matters to a board committee or other group of board members, who may be advised as may the board, by designated administrative personnel. Where such delegation occurs, recourse to the full board is appropriate should the subordinate body's decision or recommendation be questioned.

Conflicts of interest can be challenging to regulate because the risks and costs they entail, although major, are often hidden. A perception that board members benefit inappropriately from their association with an institution erodes public trust in the institution. Higher education institutions depend on that trust. Donors, government, and the public presuppose that institutional fiduciaries serve solely in the institutions' best interest. That understanding also influences the institutions' interactions with government and other regulators. Too, faculty and staff, who are expected to comply with conflict of interest standards, devalue those standards if board members are not held to them. Board member conflicts of interest thus can corrode institutional culture and perniciously undermine basic institutional aims.²

Although application of the "compelling benefit" standard may or may not in a given situation correspond to performance of a legal duty, we believe the standard prudent. It is different than standards prescribed by state conflicts of interest laws, and different than IRS standards such as the intermediate sanctions rules for tax-exempt organizations. Some of those standards require the board or a committee of disinterested board members to make a finding, which may be based on consideration of comparable transactions, that a conflict of interest transaction is fair, reasonable, and in the organization's interest. The standard this document addresses requires the board to find as well that the proposed transaction brings the institution compelling benefit.

In light of the risks and costs that conflicts of interest entail, a plausible conclusion might be that board member conflicts of interest should never be tolerated. Yet board members have a fiduciary duty not to dismiss out of hand transactions of great benefit to the institution. Accordingly, the risks and costs of conflicts of interest may be tolerated only where countervailing benefit to the institution is compelling.

These principles should guide a board's consideration of whether a benefit is compelling:

1. A paramount concern should in all cases be the institution's integrity and reputation. The board may well conclude in a particular situation that a conflict should be prohibited even if the financial benefit to the institution would be great.
2. If there is only slight benefit to the institution—for instance, if the transaction involving the board member is not significantly more valuable to the institution than sound alternatives, or there is an equally good or better alternative—the conflict of interest should not be permitted.

² Board member interests referenced in this document include financial interest and family members.

3. In gauging whether the benefit is compelling, a board may consider **the degree to which the conflict would affect the institution's procedural regularity and businesslike dealings**. For example, a decision to pursue a transaction that resulted from the institution's established procurement policy could be considered differently.
4. In gauging whether there is compelling benefit, **availability of means to manage a conflict, while relevant, is not sufficient** to permit a conflicted transaction. The board should not permit the transaction absent a separate determination that the transaction would bring the institution compelling benefit.
5. Compelling benefit is **not limited to financial benefit**. For example, if a proposed hiring would result in significant advancement of a key aspect of the institutional mission, such as recruitment of a nationally eminent person, the proposal could be considered under the compelling benefit standard.
6. Whether **institutional resources** should be taken into account in gauging compelling benefit is not an easy question. For example, a college with a modest endowment may find that a transaction involving a board member brings compelling benefit, and an institution with a very large endowment may find that a transaction which brings the same value does not.
7. A board may differently analyze the cost of **losing an existing arrangement** than the benefit of entering into that same arrangement. For example, an institution that has a longstanding relationship with a bank may determine that the benefit of retaining that relationship, at least during a transition period, is compelling, when an executive officer of the bank joins the institution's board.
8. **A benefit replaceable without heavy burden** is presumptively not compelling. On the other hand, **a benefit that is unique or irreplaceable** may possibly be compelling. For example, if a college purchases its electricity from the only electric utility in the area, the college may permit the relationship even when an executive officer of the utility is a board member who has a conflict of interest.
9. **Speculative benefit** will rarely be compelling.
10. Compelling benefit should be subject to **independent confirmation** by the non-conflicted board members. A conflicted board member's assurances regarding the benefit of the transaction should be independently verified. The board should engage expert advice as needed and appropriate, but the final decision should be made by the board.
11. In situations that **do not meet the definition of conflict of interest** under the AGB Statement (i.e. where reasonable observers, having knowledge of all the relevant circumstances, would **not** conclude that the board member has an actual or apparent conflict of interest in a matter related to the institution)—such as a board member who votes for himself or herself for board chair—neither compelling benefit nor non-involvement of the board member is required.

12. Conflicts that arise from a board member's **fiduciary or other non-remunerative relationship with an institutional affiliate or a charitable organization**, such as membership on the board of an affiliated hospital, will generally meet the compelling benefit standard.
 13. Compelling benefit should not take into account **threats, quid pro quos**, or actual or anticipated negative or inappropriate conduct by a board member. For example, a board member's overt or implicit threat to resign from the board or withdraw support if a transaction is not approved, or the board's anticipation of such action, should not drive analysis of compelling benefit.
 14. A transaction involving a board member should **not** be considered compelling unless it is **compared to alternatives**. Usually, such comparison will entail a rigorous effort to gauge the market for similar transactions and a subsequent conclusion that the terms the board member offers are so much more valuable to the institution than any sound alternative as to be compelling.
 15. The compelling benefit standard applies to **institutional investments**. When considering whether the board should approve a proposed investment transaction in which a board member has a conflict of interest, the board should take into account such considerations as the uncertain nature of the benefit to the institution, available alternatives, and the benefit to the board member. The board should rely on independent information and, as needed, independent advice and should not rely on unconfirmed advice of a conflicted board member.
 16. **Professional services relationships** between an institution and a board member or his or her firm present special conflict of interest concerns, related to such factors as the potential for adversity following provision of advice that leads to bad results, and the difficulty of identifying objective measures of quality and value of service. In addressing compelling benefit in this context, the board should weigh such factors as whether the relationship between the institution and the firm is longstanding, the cost and quality of services and reputation of the firm relative to sound alternatives, the conflicted board member's role in the relationship, and financial and other benefits to the institution, firm, and board member. The board may consider that the firm may be perceived to benefit from its known association with the institution, even if it provides services at reduced rates or without charge.
 17. For each conflicted transaction the board approves, the reasons for approval, including the compelling benefit to the institution, should be **memorialized**.
- These principles are not intended to violate any obligation under **applicable law**.

AGB Project Advisory Council for Board of Director's 2009 "Statement on Conflict of Interest"

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Former Member, U.S. House of Representatives
and U.S. Senate*

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The Association of Governing Boards of Universities and Colleges strengthens and protects this country's unique form of institutional governance through its research, services, and advocacy. AGB is committed to citizen trusteeship of American higher education. For more information, visit www.agb.org.

AGB Resources

The following publications and others concerning trustee and board engagement are available at www.agb.org/bookstore:

Effective Governing Boards: A Guide for Members of Governing Boards Independent for Public Colleges and Universities. (AGB Press, 2010).

Janice M. Abraham, "Risk Management: An Accountability Guide for University and College Boards." (AGB Press, 2013).

Alexander E. Dreier and Martin Michaelson, "A Guide to Updating the Board's Conflict of Interest Policy." (AGB, 2006).

David Leslie and Terry MacTegert, *The New Ethics of Trusteeship: How Public College and University Trustees Can Meet Higher Public Expectations*. (AGB, 2008).

Robert M. O'Neil, "Updating Board Bylaws: A Guide for Colleges and Universities" (AGB Press, 2013).

The AGB Board of Directors has issued other statements that discuss important board responsibilities:

"AGB Statement on External Influences on Universities and Colleges" (2012)

"AGB Statement on Board Responsibility for the Oversight of Educational Quality" (2011)

"Statement on Board Responsibility for Institutional Governance" (2010)

"AGB Board of Director's Statement on Conflict of Interest" (2009)

"AGB-CIEA Joint Advisory Statement on Accreditation & Governing Boards" (2009)

"AGB Statement on Board Responsibilities for Intercollegiate Athletics" (2009)

"AGB Statement on Board Accountability" (2007)



AGB ASSOCIATION OF
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Your Duty Under the Law

The Kentucky Open Records and Open Meetings Acts

**Office of the Attorney General
Andy Beshear, Attorney General**

August 2018

Your Duty Under the Law explains the procedural and substantive provisions of the Open Meetings Act, KRS 61.800 to 61.850, and the Open Records Act, KRS 61.870 to 61.884, and contains basic information about the Acts. Pursuant to KRS 15.257(1), the Office of the Attorney General distributes this written information to assist the public officials of Kentucky in complying with the Open Meetings and Open Records Acts.

The Office of the Attorney General welcomes suggestions for improvements to this work, as well as ideas for future publications. Comments may be sent to the Attorney General's Office, 700 Capital Avenue, Frankfort, Kentucky 40601, or to our website, <https://ag.ky.gov/>.

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The Open Records and Open Meetings Acts:

Your duty under the law

Kentucky's laws on open records and open meetings affect every public official and every public agency. It is important that you be prepared to deal with the numerous legal questions that arise under those laws. This brochure provides an analysis of the Open Records and Open Meetings Acts and is designed to assist you in answering these questions. It contains a description of the general requirements of the laws, the procedures you must follow in implementing them, the exceptions you may invoke in appropriate circumstances, and the role of the Attorney General in interpretation and enforcement. Please note that the italicized and bulleted text reflects the courts' and the Attorney General's interpretation of the Acts. Because the Attorney General's Office acts as an impartial tribunal in open records and open meetings appeals, we cannot advise public agencies and public officials on how to deal with specific situations. The following information should, however, prove useful to you in complying with Kentucky's laws on open records and open meetings.

The Open Records Act

In 1976, the General Assembly enacted the Open Records Act, KRS 61.870 to KRS 61.884, which establishes a right of access to public records. The General Assembly recognized that the free and open examination of public records is in the public interest. The General Assembly has also recognized that there is an essential relationship between proper records retention and management and records access. All public records, whether they are stored in a computer or on paper, must be open for inspection unless the records are exempted by one or more of the sixteen exemptions found in the Act. All public agencies are required to make nonexempt public records available to any requester, and to provide suitable facilities for exercise of the right of inspection. A public agency may not consider the requester's identity or purpose in seeking access to public records.

What are public records?

The Open Records Act applies to public records maintained by state and local government agencies. The agencies covered by the Act include:

- state and local government officers, departments, and legislative bodies;
- county and city governing bodies, school district boards, special district boards, and municipal corporations;

- state or local government agencies created by statute or other executive and legislative acts;
- bodies created by state or local authority in any branch of government;
- bodies that receive at least 25% of their funds from state or local authority, within any fiscal year, excluding funds derived from a state or local authority in compensation for goods or services that are provided by a contract obtained by a public procurement process;
- an entity where the majority of its governing body is appointed by a public agency;
- agencies created and controlled by public agencies; and
- interagency bodies of two or more public agencies.

Subject to sixteen exemptions, records that are prepared, owned, used, possessed, or retained by a public agency are public records and must be made available upon request.

- *The term "public records" includes all such records even if they are not subject to inspection under an exemption and therefore not "open records."*
- *The term "public record" includes emails, databases, and other records electronically generated and/or stored.*
- *The term "public record" includes public agency records that are not maintained on the agency's premises.*
- *The term "booking photographs and photographic record of inmate" is defined at KRS 61.870(9) as "a photograph or image of an individual generated by law enforcement for identification purposes when the individual is booked into a detention facility as defined in KRS 520.010 or photograph and image taken pursuant to KRS 196.099."*
- *KRS 61.8746 prohibits the use in a publication or the posting on a website of booking photographs or official inmate photographs if removal of the photograph requires payment of a fee.*

What are the general requirements of the Open Records Act?

Suitable facilities. Each public agency must make suitable facilities available for persons who wish to exercise the right to inspect nonexempt public records.

Time for inspection. First a person must precisely describe the public records, and the records must be readily available within the public agency. Each public agency must permit inspection of nonexempt public records during the regular office hours of the agency. Agencies must, upon request, mail copies to a person whose residence or principal place of business is outside the county in which the records are located. The agency may require advance payment of copying fees and the cost of mailing.

Official custodian. Each public agency must appoint an official custodian of the agency's records. The official custodian is the chief administrative officer or any other officer or employee of the agency who is responsible for the maintenance, care, and keeping of the agency's records, regardless of whether the records are in his actual personal custody and control.

Rules and regulations. Each public agency must adopt rules or regulations which conform to the Open Records Act. The rules and regulations must be displayed by the agency in a prominent location which is accessible to the public. The rules and regulations must include:

- the principal office of the public agency and its regular office hours;
- the title and address of the official custodian of record;
- the fees charged for copies;
- the procedures to be followed in requesting public records.

The uniform rules and regulations drafted by the Finance and Administration Cabinet, which are found at 200 KAR 1:020, may be adapted for each agency's use. (See, Sample open records rules and regulations at page 22.)

Compiling information/creating documents/specially tailoring format. A public agency is not required to compile information or to create a document that does not already exist in response to an open records request. If a public agency is asked to produce a record in a format other than the format it already maintains the record in, or to tailor the format to meet a request, the agency may, but is not required to, provide the requested format. The agency may then recover staff costs as well as any actual costs it incurs.

- *A requester must be permitted to conduct on-site inspection of records if he or she expresses a desire to do so, even if the public agency prefers to honor his or her request by delivery of copies through the mail.*
- *Public agencies must permit on-site inspection during regular office hours and no other restriction on hours of access can be imposed.*
- *Public agencies may require a requester to conduct an on-site inspection, before receiving copies, if the requester resides or has his or her principal place of business in the county where the records are located and/or if he or she fails to precisely describe the records.*
- *The absence of the public agency's official records custodian does not extend the agency's response time; the agency should designate an acting custodian to ensure a timely response.*
- *Masking exempt information contained in an otherwise nonexempt public record is not equivalent to records creation; the agency must discharge this statutory duty and bear associated costs.*
- *A request for information ("How much are the city's employees paid?") need not be honored; a request for existing public records containing the*

information sought ("Please produce copies of the city's payroll records.") must be honored unless the requested records are exempt.

What is the procedure for inspecting a public record?

Request to inspect records. The request should be made to the official custodian of the public agency's records. The custodian may require that the request be in writing, signed by the requester, with his name printed legibly on it, describing the records to be inspected. The request may be hand-delivered, mailed, or sent via facsimile to the agency.

Response to request. The public agency must respond to the request in writing and within three days from the date it was received, excluding Saturdays, Sundays, and legal holidays. If the request is denied, the response must include a statement of the specific exception which authorizes the agency to withhold the record, and a brief explanation of how the exception applies to the record withheld. The response must be issued by the official custodian or under his authority.

Application to wrong agency. If the public agency which receives the request does not have custody or control of the record requested, the agency must notify the requester and furnish the name and location of the official custodian of the appropriate agency's public records.

Record not available. If the record requested is in active use, in storage, or not otherwise available, the public agency must notify the requester in writing and indicate a place, time, and date for inspection not to exceed three days from receipt of the request. If the record cannot be produced within three days, the agency must notify the requester in writing and provide a detailed explanation of the cause for the delay. The agency must also state the earliest date on which the record will be available.

Overly burdensome request. The public agency may refuse to permit inspection, or mail copies, if the request places an unreasonable burden on the agency in producing records or if the custodian believes that repeated requests are intended to disrupt the agency's essential functions. Refusal for either of these reasons must be supported by clear and convincing evidence.

Copies of records. A requester has the right to obtain copies of all nonexempt public records upon payment of a reasonable fee, including postage where appropriate. The agency may require prepayment for copies of records. Nonexempt public records must be made available for copying in either standard electronic or standard paper format, depending on the requester's wishes, if the agency maintains the records in both formats. If the agency maintains the records in paper format only, it must make the records available in paper format. Agencies are not required to convert paper format records to electronic format.

The agency may prescribe a reasonable fee for making copies of nonexempt public records. The fee must not exceed the agency's actual costs of copying the record, including the cost of the medium on which it is copied and the cost of mechanically reproducing it, but not including staff costs. In general, ten cents per copy has been deemed a reasonable fee for records in paper format. The Open Records Act authorizes public agencies to impose a higher copying fee for requests made for a commercial purpose. Commercial purpose is defined as "any use by which the user expects a profit either through commission, salary, or fee," but excludes print or electronic media and attorneys representing parties in litigation. As explained on page 5, commercial use of booking photographs or official inmate photographs is prohibited where the commercial user publishes or posts the photograph and requires payment of a fee for removal of the photograph from the publication or website.

Online access. A public agency may provide online access to public records in electronic format. The agency may require that the requester enter into a contract, license, or other agreement with the agency, and may charge fees. The fees cannot exceed the cost of physical connection to the system and the reasonable cost of computer time access charges.

- *Public agencies may use a preprinted request form but cannot require use of the form or demand more information on the form than the statute allows (requester's name printed legibly, signature, description of records).*
- *Public agencies are not required to honor emailed open records request but should develop a standard response notifying the requester to submit his or her request by U.S. Mail, fax, or in person and immediately issue the standard response.*
- *A public agency's three day response time begins to run the day after the request is received.*
- *Denials based on an unreasonable burden to the agency or a belief that requests are intended to disrupt its essential functions must be supported by clear and convincing evidence; for example, the number of records requested, the estimated amount of time and expense to the agency to fulfill the request, the duplicative nature of the requests.*
- *An agency may impose copying fees greater than ten cents per page only if a specific statute authorizes the agency to do so or the agency can prove that its actual copying costs, not including staff costs, are greater than ten cents per page.*
- *No fee can be imposed for inspecting public records.*

What records are exempt from public inspection?

The Open Records Act permits a public agency to withhold certain records from a requester unless the requester obtains a court order directing their release. The exemptions are located at KRS 61.878(1) and include:

- (a) records containing information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;
- (b) records confidentially disclosed to an agency and compiled and maintained for scientific research;
- (c) records confidentially disclosed to an agency or required by the agency to be disclosed to it which are generally recognized as confidential or proprietary and which if disclosed would permit an unfair commercial advantage to competitors, including records which are compiled and maintained in conjunction with an application for or the administration of a loan or grant; the application for or the administration of assessments, incentives, inducements, or tax credits; or the regulation of a commercial enterprise;
- (d) records that relate to the prospective location of a business or industry which has not previously disclosed that it is interested in locating, relocating, or expanding in Kentucky;
- (e) records developed by an agency in conjunction with the regulation or supervision of financial institutions which reveal the agency's internal examining or audit criteria;
- (f) real estate appraisals, engineering or feasibility estimates, and evaluations made by or for a public agency, in the course of acquiring property, until all of the property has been acquired;
- (g) test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination before the exam is given or if it is to be given again;
- (h) records of law enforcement agencies or agencies involved in administrative adjudication if disclosure of the records would harm the agency by premature release (such records may be inspected after enforcement action is completed or a decision is made to take no action, unless they were compiled and maintained by a county or Commonwealth's attorney or unless another exception applies);
- (i) and (j) preliminary documents including drafts, notes, correspondence with private individuals, recommendations,

and memoranda in which opinions are expressed or policies formulated;

- (k) and (l) public records that are prohibited from disclosure by state or federal law;
 - (m) records the disclosure of which would have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act, as defined in the exemption, and limited to eight precisely described categories of records; and
 - (n) records having historic, literary, artistic, or commemorative value that are accepted by the archivist of a public university, museum, or government depository from a donor or depositor other than a public agency if nondisclosure is requested in writing by the donor or depositor.
 - (o) records of a procurement process under KRS Chapter 45A or Chapter 56. This exemption shall not apply after a contract is awarded; or the procurement process is canceled without award of a contract and there is a determination that the contract will not be resolicited.
 - (p) Communications of a purely personal nature unrelated to any governmental function.
- *The exemptions are "a shield and not a shackle" and an agency may elect to release records that are otherwise exempt except for records made confidential by federal or state law; an agency should also exercise caution before releasing records protected by the privacy exemption.*
 - *A public agency employee is entitled to inspect any record that "relates" to him or her, even if the record is otherwise exempt, unless the requested record is part of an ongoing criminal or administrative investigation by the agency, the requested record is an examination, or the requested record is a record made confidential by federal or state law.*
 - *Public agencies are encouraged to share otherwise exempt public records with other public agencies if the sharing of the records serves a "legitimate governmental need."*
 - *A public agency cannot withhold a public record which contains both exempt and nonexempt information, but must mask the exempt portion of the record and release the nonexempt portion of the record.*
 - *Although Commonwealth's and county attorneys' litigation records are permanently exempt from public inspection, Commonwealth's and county attorneys are not relieved of their duty to respond to an open records*

request for those records, and cannot deny access to other nonexempt records of their offices (for example, contracts, payroll records, time sheets, travel vouchers).

What is the role of the Attorney General?

If a public agency denies a request for public records, the requester may file an appeal with the Attorney General for review of the agency's actions. The appeal consists of a letter describing the circumstances of the denial, a copy of the written request, and a copy of the agency's written denial, if the agency issued a denial. Unless the requester is an inmate confined in a jail or correctional facility, and he or she is aggrieved by a denial issued by the Kentucky Department of Corrections, the requester may bypass the Attorney General's Office and file an appeal in circuit court.

The Attorney General may request additional documentation from the agency, and may also request a copy of the records involved. The Attorney General will not, however, disclose the records.

The Attorney General will review the appeal and issue a decision stating whether the agency violated the Open Records Act. The burden of proof rests with the agency to sustain its action. On the day the Attorney General issues the decision, the Attorney General will mail a copy to the agency and a copy to the person who requested the disputed records. The decision will be issued in twenty days, excluding Saturdays, Sundays, and legal holidays. In unusual circumstances, this deadline may be extended an additional thirty days, excluding Saturdays, Sundays, and legal holidays.

Both the requester and the agency may appeal the Attorney General's decision to the circuit court of the county where the agency has its principal place of business or where the record is maintained. The Attorney General must be notified of any circuit court action, but must not be named as a party in the action.

If an appeal is not filed within thirty days, the Attorney General's decision has the force and effect of law, and can be enforced in circuit court. If the requester prevails against an agency in circuit court, he or she may be awarded costs, including reasonable attorney fees, if the court finds that the records were willfully withheld. The court may also award the requester up to \$25 for each day that the requestor was denied the right to inspect the records. The Open Records Act contains criminal penalties for public officials who willfully conceal or destroy records with the intent to violate the act. Officials who fail to produce records after entry of final judgment directing that records be produced may be found guilty of contempt.

- *The Attorney General will not consider an appeal that does not include a copy of the written request and the written denial, if the agency issued a denial.*
- *Upon receipt of an open records appeal, the Attorney General will issue notification of the appeal, and a copy of the appeal, to the public agency against which the appeal was filed, and the agency may respond in writing to the Attorney General; the agency must send a copy of its response to the individual who filed the appeal.*
- *Because the Open Records Act provides for judicial review of the issues raised in an appeal, the Attorney General will not reconsider an open records decision.*
- *The Attorney General will not consider an appeal if the requested documents are released to the requester after his or her appeal is filed but before an open records decision is rendered.*
- *The Attorney General will consider an appeal based on the allegation that the public agency "subverted the intent of the Act short of denial of inspection;" this includes appeals based on the imposition of excessive copying fees.*
- *Since 1992, open records decisions have been designated ORDs rather than OAGs because they are legally binding on the parties if not appealed.*
- *The designation "Not to be Published" that appears in ORDs issued from 1992 to 1999 does not mean that the ORD cannot be cited as precedent or made public; such ORDs carry the same weight as ORDs designated "To be Published."*
- *Because the public agency has the burden of proof to support its actions, the courts have directed that the agency "provide particular and detailed information in response to a request for documents," and not just a "brief explanation;" the agency should also take the opportunity to try to meet its burden of proof in preparing its supplemental response to the notification of appeal.*
- *The Attorney General's role in open records appeals is to issue a decision stating whether the public agency violated the Open Records Act; the Attorney General cannot enforce his decision by imposing penalties.*
- *A public agency that is dissatisfied with an ORD must appeal the decision within thirty days; if the public agency fails to appeal the decision, the decision has the force and effect of law, the agency is legally bound by the decision, and the circuit court must enforce it.*

The Open Meetings Act

In 1974, the General Assembly enacted the Open Meetings Act, KRS 61.800 to KRS 61.850, which establishes a right of access to public meetings. The General Assembly recognized that the formation of public policy is public business and should not be conducted in secret. The Act requires that all meetings of a quorum of the members of a public agency where public business is discussed or action is taken must be public meetings. Public meetings must be open to the public at all times unless the subject of the meeting falls within one or more of the thirteen exceptions found in the statute. Members of the public may attend any public meeting and cannot be required to identify themselves in order to attend.

What is a public meeting?

The Open Meetings Act applies to all meetings held by state and local government agencies. The agencies covered by the act include:

- state and local government boards, commissions, and authorities;
- state and local legislative boards, commissions, and committees;
- county and city governing bodies, councils, school district boards, special district boards, and municipal corporations;
- state and local government agencies, including policy making boards of educational institutions, that are created by state or local statute or other legislative act;
- bodies created by state or local statute or legislative act in the legislative or executive branch of government;
- an entity where the majority of its governing body is appointed by a public agency;
- agencies, including committees, advisory committees, and ad hoc committees, which are established, created, and controlled by a public agency; and
- interagency bodies of two or more public agencies.

Subject to fourteen exceptions, all gatherings of a quorum of the members of a public agency at which public business is discussed or action is taken are public meetings and must be open to the public, regardless of where they are held, and whether they are regular or special or informational or casual gatherings held in anticipation of a regular or special meeting. An agency's meetings may be conducted by videoteleconference, which is defined as a meeting occurring in two or more locations where individuals can see and hear each other by means of video and audio equipment, subject to specific legal requirements.

- *The courts have stated that the Open Meetings Act must be "interpreted most favorably to the public" since "failure to comply with the strict letter of the law in conducting meetings violates the public good."*
- *The Open Meetings Act applies to meetings of a quorum of the members of a public agency at which public business is discussed **or** action is taken; a discussion of public business by a quorum of the agency's members triggers the requirements of the Act even if no action is taken.*
- *The definition of "public agency" under the Open Meetings Act is narrower than the definition of "public agency" under the Open Records Act and does not include "state and local government officers" and bodies which receive "at least 25% of their funds from state or local authority funds;" this means, for example, that the mayor of a city is a public agency for open records purposes but not for open meetings purposes.*
- *A committee of a public agency, even if its function is purely advisory, is a public agency for open meetings purposes and a quorum of its members is calculated on the basis of the committee's membership and not the membership of the public agency that created it (the city commission, consisting of five members, creates a budget committee, consisting of three members – a quorum of the commission exists if three members are present and a quorum of the committee exists if two members are present); the committee must comply with all requirements of the Act.*
- *A work session and a retreat are public meetings under the Open Meetings Act, but a quorum of the members of a public agency may attend a conference sponsored by another entity without triggering the requirements of the Act as long as the members do not discuss the public business of the agency they serve while at the conference.*
- *"Public business" is not defined by statute but has been defined by the courts as "the discussion of the various alternatives to a given issue about which the [agency] has the option to take action."*
- *A quorum of the members of a public agency can attend a social gathering, sporting event, church service, etc. without triggering the requirements of the Open Meetings Act but cannot discuss the public business of the agency they serve while at these gatherings.*
- *Public agencies cannot conduct their meetings by telephone; an absent member may listen to the meeting by speakerphone but cannot be counted toward the quorum and cannot vote or otherwise participate.*

What are the general requirements of the Open Meetings Act?

Time and place of meetings. All meetings of public agencies, and committees or subcommittees thereof, must be held at specified times and places which are convenient to the public. Public agencies must evaluate space requirements, seating capacity, and acoustics in considering locations for public meetings so as to ensure, insofar as feasible, meeting room conditions that allow effective public observation. Public agencies should provide for a schedule of regular meetings by ordinance, order, resolution, bylaws, or by other means. This schedule of regular meetings must be made available to the public.

Minutes of meetings. Public agencies must keep minutes of action taken at every meeting which set forth an accurate record of votes and actions taken. These minutes must be open for inspection by the public no later than the conclusion of the agency's next public meeting.

Public attendance at meetings. To the extent possible, meeting room conditions should allow for effective public observation of the meetings. No person attending the meeting can be required to identify himself in order to attend a meeting. The agency cannot place conditions on attendance of the public at a meeting other than the conditions required to maintain order. Since the General Assembly has not established procedural rules for the conduct of meetings and citizen participation, each agency must adopt its own rules of procedure, but those rules cannot conflict with the Open Meetings Act.

News media coverage. Public agencies must permit news media coverage, including recording and broadcasting.

Requirements for holding special meetings. All meetings which are not regular scheduled meetings are special meetings, and are subject to the following requirements:

Who may call a special meeting. The presiding officer or a majority of the members of the public agency may call a special meeting.

Notice requirements and content. The public agency must provide written notice of the special meeting consisting of the date, time, and place of the special meeting and the agenda. Discussion and actions at the meeting must be limited to the items on the agenda.

As soon as possible, written notice must be personally delivered, transmitted by facsimile, or mailed to every member of the agency and each media organization which files a written request to receive notice of special meetings. Notice should be received at least twenty-four hours before the special meeting.

Written notice of special meetings may be transmitted by electronic mail to public agency members and media organizations that have filed a written request with the public agency indicating a preference to receive email notification. The written request must include the electronic mail address of the agency member or media organization.

As soon as possible, written notice must also be posted in a conspicuous place in the building where the special meeting will take place and in a conspicuous place in the building where the agency has its headquarters. Notice should be posted at least twenty-four hours before the special meeting.

In the case of an emergency which prevents the public agency from complying with these requirements, the agency must make a reasonable effort to notify the members of the agency, media organizations which have filed a written request to be notified, and the public, of the emergency meeting. At the beginning of the emergency meeting, the person chairing the meeting must describe for the record the emergency which prevented compliance with the notice provisions, and these comments should appear in the minutes. Discussions and actions at the emergency meeting must be limited to the emergency for which the meeting was called.

- *The courts have stated that the Open Meetings Act does not require agencies to conduct business "only in the most convenient locations at the most convenient times"; the Act is "designed to prevent governmental bodies from conducting [their] business at such inconvenient times or locations as to effectively render public knowledge or participation impossible, not to require agencies to seek out the most convenient time or location."*
- *Agencies are not required to take minutes in closed sessions.*
- *If the public agency directs that an audio or video recording of its meeting be made, and the recording is created with agency equipment at agency expense, the recording of the meeting is a public record upon creation and must be made available for inspection within three business days of an open records request.*
- *The right of the public to attend a public meeting under the Open Meetings Act does not include the right to participate in the meeting and address the members of the agency; it is a statutory right "to observe with their eyes and ears what transpires at those meetings."*
- *A member of the public, as well as the media, must be permitted to record a meeting.*
- *The notice of a special meeting must include the agenda, containing specific agenda topics ("new business," "old business," "open to floor," etc. are not acceptable), in addition to the date, time, and place of the meeting. Because an agenda is not statutorily required for **regular** meetings, discussions at a regular meeting are not restricted to agenda topics if an agenda is prepared.*
- *Although the public agency can post notice of the special meeting on the agency website, web notice of the meeting does not satisfy the statutory requirement and must be in addition to, rather than in lieu of, delivery of the notice by U.S. Mail, facsimile, in person, or by email, where requested, and physical posting of the notice in a conspicuous place.*
- *The public agency is not obligated to provide notice to "interested" individuals who have requested notice of special meetings, only to the parties identified in the statute.*
- *The Attorney General has rarely found that conditions were sufficiently grave to justify a public agency's decision to call an emergency meeting.*

What subjects may be discussed in a closed session?

The Open Meetings Act permits a public agency to discuss certain subjects in a closed or executive meeting if notice is given in the regular meeting of the general nature of the business to be discussed, the reason for the closed session, and the specific exception authorizing the closed session. A closed session may be held only after a motion is made and carried in open session, and no final action may be taken in closed session. The exceptions to the Open Meetings Act are found at KRS 61.810(1) and include:

- (a) deliberations of the Kentucky Parole Board;
- (b) deliberations on the future acquisition or sale of real property by a public agency when publicity would be likely to affect the value of the property;
- (c) discussions of proposed or pending litigation involving a public agency;
- (d) grand or petit jury sessions;
- (e) collective bargaining negotiations between public employers and their employees;
- (f) discussions or hearings that might lead to the appointment, dismissal, or discipline of an individual employee, member, or student. However, general personnel matters may not be discussed in private;
- (g) discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion, or upgrading of the business;
- (h) state and local cabinet meetings and executive cabinet meetings;
- (i) committees of the General Assembly other than standing committees;
- (j) deliberations of judicial or quasi-judicial bodies involving individual adjudications or appointments. This does not include meetings of planning commissions, zoning commissions, or boards of adjustment; and
- (k) and (l) meetings which federal or state law or the Constitution require to be conducted privately; and
- (m) portions of meetings devoted to a discussion of a specific public record exempted from disclosure under KRS 61.878(1)(m).
- (n) Meetings of any selection committee, evaluation committee, or other similar group established under KRS Chapter 45A or 56 to select a successful bidder for award of a state contract.

The Open Meetings Act prohibits any series of less than quorum meetings, where the members attending one or more of the meetings collectively constitute

at least a quorum of the members of the agency, if the meetings are held to avoid the requirements of the Act. This prohibition does not restrict discussions between individual members if the purpose of the discussion is to educate the members on specific issues.

- *The courts have stated that public agencies must give "specific and complete notification in the open meeting of any and all topics which are to be discussed during the closed meeting;" the Attorney General has stated that "notification must include both a statement of the exception authorizing the closed session and a description of the business to be discussed couched in sufficiently specific terms to enable the public to assess the propriety of the agency's actions."*
- *The courts have stated that the exception for proposed or pending litigation applies to "matters inherent to litigation, such as preparation, strategy, or tactics, but not just when an attorney is present."*
- *Before going into closed session to discuss a personnel issue under KRS 61.810(1)(f), an agency must state whether the discussion will relate to either the appointment of, the dismissal of, or the discipline of an individual employee, member, or student, but the agency is not required to identify the individual by name.*
- *The prohibition on a series of less than quorum meetings conducted for the purpose of avoiding the requirements of the Open Meetings Act was added in 1992, prompting the courts to declare that the Act "prohibits a quorum from discussing public business in private or meeting in numbers less than a quorum for the express purpose of avoiding the open meetings requirement of the Act."*
- *The Act does not prohibit all discussions between public officials outside of a public meeting (for example, at a social event, at church, or during a casual encounter), but does prohibit a quorum of the members of the agency from privately discussing the agency's business or privately meeting in groups consisting of less than a quorum to discuss the agency's business in order to defeat the requirements of the Act. This includes telephone discussions.*
- *The Act formerly prohibited agencies from conducting closed sessions through video teleconference, but the Act was amended in the 2018 General Session to remove that prohibition. Effective April 26, 2018, agencies may conduct any meeting through video teleconference. The amendment also changed the requirement for the notice of the video teleconference so that the notice only has to identify the primary location of the video teleconference where all members can be seen and heard and the public may attend in accordance with KRS 61.840.*
- *The Act was amended in the 2018 General Session to create a new exemption for "meetings of any selection committee, evaluation committee, or other similar group established under KRS Chapter 45A or 56 to select a successful bidder for award of a state contract."*

What is the role of the Attorney General?

If a person believes that a public agency has violated the Open Meetings Act, he may file a written complaint with the presiding officer of the agency. The complaint must state the circumstances of the violation and what the agency should do to correct it.

Within three business days of receipt of the complaint, the public agency must decide whether to correct the violation and notify the complaining party of its decision in writing. If the agency believes that no violation has occurred and rejects the proposed remedy, it must issue a written response which cites the statute authorizing its actions and briefly explain how the statute applies.

The complaining party may appeal to the Attorney General for review of the agency's action within sixty days of receipt of the agency's response. The appeal must include a copy of the written complaint and a copy of the agency's response, if the agency issued a denial. The Attorney General will review the appeal and issue a decision stating whether the agency violated the Open Meetings Act within ten business days. Both the complaining party and the agency will receive a copy of the decision. Both may appeal the Attorney General's decision to the circuit court of the county where the public agency has its principal place of business or where the violation occurred. If an appeal is not filed within thirty days, the Attorney General's decision has the force and effect of law and can be enforced in circuit court.

If the complaining party prevails against an agency in circuit court, he or she may be awarded costs, including attorney fees, if the court finds that the violation was willful. The court may also award the complaining party up to \$100 for each violation.

- *A complainant must appeal a public agency's denial of, or failure to respond to, his or her open meetings complaint within sixty days, and if he or she does not do so the appeal is time-barred; there is no similar statutory limitation on bringing an open records appeal.*
- *Upon receipt of an open meetings appeal, the Attorney General will issue notification of the appeal, and a copy of the appeal, to the public agency against which the appeal was filed, and the agency may respond in writing to the Attorney General; the agency must send a copy of its response to the individual who filed the appeal.*
- *The Attorney General will not consider an appeal that does not include a copy of the written complaint and a copy of the written denial, if the agency issued a denial.*
- *Because the Open Meetings Act provides for judicial review of the issues raised in an appeal, the Attorney General will not reconsider an open meetings decision.*
- *Since 1992, open meetings decisions have been designated OMDs rather than OAGs because they are legally binding on the parties if not appealed.*

- *The designation "Not to be Published" that appears in OMDs issued from 1992 to 1999 does not mean that the OMD cannot be cited as precedent or made public; such OMDs carry the same weight as OMDs designated "To be Published."*
- *The Attorney General's role in an open meetings appeal is to issue a decision stating whether the public agency violated the Open Meetings Act; the Attorney General cannot comment on, or direct the implementation of, proposed remedial measures. Nor can he enforce his decision by imposing penalties.*
- *A public agency that is dissatisfied with an OMD must appeal the decision within thirty days; if the agency fails to appeal the decision, the decision has the force and effect of law, the agency is legally bound by it, and the circuit court must enforce it.*

Sample Forms

Sample open records response

Jane Q. Citizen
100 Maple Avenue
Anytown, Kentucky

Dear Ms. Citizen:

This will acknowledge receipt of your request for public records. You requested access to and copies of:

1. All contracts that the city has with Home Wrecker Service;
2. All invoices that the city has received from Home Wrecker Service;
3. All complaints received by the city that relate to Home Wrecker Service's performance of duties under its contract with the city.

Contracts and invoices are available for inspection in my office Monday through Friday from 8:00 a.m. to 4:30 p.m. You may wish to contact me in advance to schedule an appointment and facilitate prompt access to these records.

Alternatively, we will send you copies of these records by mail at a cost of 10¢ per page. The cost to you, including postage, which is payable in advance, will be \$2.46 (15 pp. at 10¢ per page, plus 96¢ postage). Please contact me if you would prefer to receive copies by mail.

One complaint has been filed against Home Wrecker Service. The city is currently investigating that complaint and considering an enforcement action. Release of the complaint at this time might harm the city by revealing the identity of the complainant, who has requested anonymity. Therefore, pursuant to KRS 61.878(1)(h), we must deny that portion of your request.

Sincerely,

John Q. Public
City Clerk

Sample open meetings response

John Q. Citizen
Commonwealth Avenue
Anytown, Kentucky

Dear Mr. Citizen:

In your recent letter to the city you stated that the city council, at its meeting held on June 30, 20XX went into an executive or closed session to discuss general personnel matters.

While the city recognizes that it cannot discuss general personnel matters in a closed or executive session, the city is permitted, pursuant to KRS 61.810(1)(f), to go into a closed session to discuss matters that might lead to the appointment of an individual employee.

The office of director of the streets and parks department is currently vacant and two persons have applied for the position. The matters discussed by the council during the closed session on June 30, 2016, involved the council's evaluations of the two applicants for that office and such matters may be discussed at a closed session.

Sincerely,

Jane Q. Public
Mayor

Sample open records rules and regulations

NOTICE

ADMINISTRATIVE REGULATIONS GOVERNING INSPECTION OF THE PUBLIC RECORDS OF THE

(Name of State Administrative Agency)

(Office, Bureau, Division, etc.)

Pursuant to KRS 61.870 to 61.884, the public is notified that, as provided herein, the public records of the above named Agency of the Commonwealth of Kentucky are open for inspection by any person on written application to _____ (name), _____ (title), official custodian of the public records of the _____ (state administrative agency) whose address is _____ or to _____ (name), _____ (title), official custodian of the public records of the _____, (office, bureau, division, etc.) whose address is _____, from ____ a.m. to ____ p.m., Monday through Friday, each week, except holidays. Application forms for the inspection of the public records of this agency will be furnished on request to any person by an employee in this office. Assistance in completing the application form will be provided by an employee on request.

Applicants for the inspection of public records shall be advised of the availability of the records requested for inspection, and shall be notified in writing not later than three (3) working days after receipt of an application for inspection of any reason the records requested are not available for public inspection.

Copies of written material in the public records of this agency shall be furnished to any person requesting them on payment of a fee of ten (10) cents a page; copies of nonwritten records (photographs, maps, material stored in computer files or libraries, etc.) shall be furnished on request, on payment of a charge equal to the actual cost of producing copies of such records by the most economic process not likely to damage or alter the record.

This the _____ day of _____, 20____.

(Agency Head or Designated Representative)

Open meetings and open records publications and decisions on-line and related publications:

Open Meetings Decisions and Open Records Decisions (OMDs and ORDs) issued by the Attorney General from 1993 to the present may also be accessed on our website at <http://ag.ky.gov/civil/civil-enviro/orom/Pages/default.aspx>. If you know the OMD or ORD number you wish to review, you may "Find all decisions for a particular year" (for example, 04-ORD-216 may be accessed by selecting the year 2004 and scrolling through the decisions for that year until 04-ORD-216 is located). If you wish to review OMDs or ORDs relating to a specific subject, you may "Search for an ORD or OMD" by word search or query (for example, "work sessions," "accident reports," "timely access," or "adequate notice"). You may also access a particular ORD or OMD by typing the ORD or OMD citation in the search query box.

These additional resources will further enhance the public official's understanding of his or her duties under the Open Meetings and Open Records Acts as well as related records management duties:

1. "Kentucky Open Meetings Open Records Laws: Statutes and Q&A"
<http://www.lrc.ky.gov/Lrcpubs/OpenMtgsRecords.pdf>
2. Local Records Retention Schedules
<http://kdla.ky.gov/records/recreentionschedules/Pages/LocalRecordsSchedules.aspx>
3. State Records Retention Schedules
<http://kdla.ky.gov/records/recreentionschedules/Pages/statechedules.aspx>
4. "Managing Government Records: An Introduction to Kentucky's Public Records Management Law"
http://kdla.ky.gov/records/Documents/Managing_Government_Records_Final.pdf
5. Kentucky Revised Statutes Chapter 61
KRS 61.800 – 61.850, Kentucky Open Meetings Act
KRS 61.878 – 61.884, Kentucky Open Records Act
<http://www.lrc.ky.gov/statutes/chapter.aspx?id=37294>

Managing Government Records A Cooperative Undertaking

An Introduction to
Kentucky's
Public Records Management Law

Revised August 2015

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Introduction

Managing Government Records: A Cooperative Undertaking

All public employees need appropriate records to do their jobs. Proper record keeping and sound records management help assure effective and efficient administration of programs, fulfill legal responsibilities, provide an adequate audit trail, and record the history and intent of public policy. Employees of publicly-funded institutions have a responsibility under Kentucky law to see that information created and maintained in government offices -- **public records**, as defined by statute -- is organized and accessible for use. This requirement is outlined in the Commonwealth of Kentucky's Open Records Act (Kentucky Revised Statute [KRS] 61.870-884). The Act explicitly recognizes the connection between managing government records and making them accessible to the public, barring any statutory restrictions.

Implementation of a records management program involves the participation of agency personnel, led by the agency's Records Officer, working in cooperation with staff from the Kentucky Department for Libraries and Archives (KDLA) and the State Archives and Records Commission (SARC). Under KRS 171.410-740, the head of a public agency, KDLA, and SARC each has different responsibilities to help ensure that records are created and well-managed and that permanently valuable records are preserved, protected, and accessible.

What are public records?

Public records are defined by KRS 171.410 (1) as *"all books, papers, maps, photographs, cards, tapes, disks, diskettes, recordings, and other documentary materials, regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by a public agency."*

Public records are recorded information that is created or received by a state or local government agency in any format, which documents a transaction or activity by or with any public official or employee of that agency.

What is a public agency?

For public records management purposes, a **public agency** is defined by KRS 171.410 (4) as *"every state or local office, state department, division, bureau, board, commission and authority; every legislative board, commission, committee and officer; every county and city governing body, council, school district board, special district board, municipal corporation, and any board, department, commission, committee, subcommittee, ad hoc committee, council or agency thereof; and any other body which is created by state or local authority and which derives at least twenty-five percent (25%) of its funds from state or local authority."*

Do agencies have to document their activities?

Under the terms of KRS 171.640, agency heads are assigned explicit responsibility for ensuring that records containing adequate and proper documentation of the organizational functions, policies, decisions, procedures, and essential transactions of the agency are created and preserved. This includes records designed to furnish information necessary to protect the legal and financial rights of the government and of persons directly affected by a government agency's activities.

What is records management?

Records management is the systematic control of recorded information, regardless of format, from original creation to ultimate disposition. Every office creates records, which may be paper, microfilm, electronic, or some other format.

These records can be a burden to maintain. Records management allows an organization to:

- Meet its legal and regulatory responsibilities;
- Decide which records to keep and which to destroy;
- Ensure an adequate documentary record of its functions, policies, decisions, procedures, and essential transactions;
- Identify and properly control records of continuing or archival value;
- Operate effectively, economically, and efficiently; and
- Provide the right information to the right person, at the right time, at the lowest possible cost.

Who has responsibility for public records management in Kentucky?

A publicly-funded agency is required to have a records management program and to work with KDLA and SARC to implement that program.

All state and local government employees are responsible for the records they create and maintain and all employees can make a major contribution to good records management in their agencies on a daily basis.

Kentucky law (KRS 171.410 - 740) assigns oversight of the management of state and local government records to KDLA. The statutes also set out specific responsibilities delegated to the head of any public agency and to SARC.

What are the records management responsibilities of an agency head?

Under KRS 171.680, an agency head is required to establish and maintain an active, continuing program for the economical, efficient management of the agency's records. KRS 171.680 (2), mandates that this program should include:

- Effective controls over the creation, maintenance, and use of records in the conduct of current business;
- Cooperation with KDLA in applying standards, procedures, and techniques designed to improve the management of records;
- Promotion of the maintenance and security of records deemed appropriate for preservation;
- Facilitation of the segregation and disposal of records of temporary value; and
- Compliance with the provisions of KRS 171.410-740 and the rules and regulations produced by the Department.

What are the responsibilities of a Records Officer?

A Records Officer is the person named by the agency head to serve as the official liaison with KDLA on records management issues and to coordinate records management within the agency (725 KAR 1:010). Agencies should contact KDLA's State Records Branch (See page 11.) to submit proper documentation of the appointed Records Officer. The Records Officer typically works with his/her agency's staff to compile or update a Records Retention Schedule in *draft* form, prior to its review by KDLA personnel and SARC. The schedule is subject to detailed analysis at this stage, including an assessment by legal and audit staff.

In addition to maintaining a current Agency Retention Schedule, the Records Officer coordinates records management practices in the agency by inventorying, analyzing, and advising the staff on records management procedures; participates in the agency's information technology planning process; oversees the transfer of records and publications; and supervises the destruction of records that is authorized to occur within the agency. The Records Officer should note the authorization for said destruction and the amount of records destroyed, and make an annual report of this record to a designated supervisor and to the Director of the Archives and Records Management Division, per 725 KAR 1:010, Section 2 (2).

What is the function of the State Archives and Records Commission?

SARC, under KRS 171.420 and 171.670, has the authority to review and approve all records retention schedules submitted by state and local public agencies through the Department. In this task, it considers the importance and potential uses of the record to the creating agency and the value of information within a particular record. It also analyzes recommendations jointly developed by agencies and KDLA's Archives and Records Management Division as to how long particular records should be kept, and determines any further disposition that should take place. SARC is concerned with preserving information of continuing value and making timely disposition of information of temporary value.

SARC also advises the Department on a range of other matters relating to archives and records management.

What is the Commission's responsibility and who are its members?

In all cases, SARC has final and exclusive authority to determine the ultimate disposition of Kentucky's public records. Per KRS 171.420, its decisions are binding on all parties concerned, and those decisions can only be modified or otherwise changed by its own actions.

SARC is a seventeen member body composed of:

- the State Librarian, who serves as Chair of the Commission;
- the Secretary of the Education and Workforce Development Cabinet;
- the Auditor of Public Accounts;
- the Chief Justice of the Supreme Court;
- the Director of the Legislative Research Commission;
- the Attorney General;
- the Director of the Governor's Office for Policy and Management;
- the Commissioner of the Commonwealth Office of Technology;
- one member representing the University of Kentucky;
- one member representing the Kentucky Historical Society;
- one member representing the Kentucky Library Association;
- one member representing regional universities and colleges;
- one member representing local governments; and
- four citizens-at-large.

SARC meets and approves new and revised schedules four (4) times a year. The meetings are held on the second Thursday of each March, June, September and December.

What is records retention scheduling?

Records retention scheduling is the systematic process of identifying, describing, and analyzing each record and each electronic records system created by an agency. This

leads to a preliminary assessment of the administrative, legal, fiscal, and future historical or research value of each record type. These values, and any special directions for the management or disposition of this information during and after its active office life, are documented in a draft Records Retention Schedule. Draft schedules are submitted to the SARC, for its review.

What is a records retention schedule?

A current and accurate records retention schedule represents a comprehensive inventory of the information holdings of a government agency and is the basis for an agency's records management program. A records retention schedule is a list of each record type, termed a "record series," and each electronic records system created by a public agency. A record series is either a document or a set of documents maintained together because they relate to a particular subject or function, result from the same activity, take the same form, or because of some other relationship arising out of their creation, receipt or use.

A schedule shows the title of each record type, a unique number by which it can be identified, a description of the record series and its contents, and disposition instructions explaining how long to maintain the record and what to do with it once the retention period has ended.

Approved records retention schedules furnish public agencies with clear legal authority to make disposition of their records accordingly, and with a strong resource for management control. They help public officials and employees identify which records must be retained permanently and which records may be destroyed after a certain period of time. They also help an agency ensure that adequate documentation of its activities has been created and is being maintained, as required by statute.

Schedules ensure accountability for the information being produced, serve as a critical asset in a state agency's strategic information technology planning and provide agencies with a valuable resource with which to respond to information requests under Kentucky's Open Records Law. Without an approved Records Retention Schedule, state or local agencies do not have the legal authority to destroy any of its records, regardless of format, and can incur substantial costs or liabilities if such destruction does occur. (KRS 519.060)

Having a schedule approved by SARC is an important first step for an agency as it develops a records management program. For a records management program to be fully implemented, however, an approved schedule must be used on a regular basis by agency personnel.

When an agency finds it must create new records or electronic systems or when it determines that certain records or systems are obsolete and are no longer being created, the schedule must be revised to reflect these changes. Once new or revised schedules are approved by SARC, per KRS 171.420 and 171.670, agencies may apply

schedules to their records management needs, with the confidence that they have the legal authority to make disposition of their records when following the directions contained in the schedule.

Records retention schedules for state government agencies are available on KDLA's website: <http://kdla.ky.gov/records/retentionschedules/Pages/stateschedules.aspx>.

Records retention schedules for local government agencies are available on KDLA's website: <http://kdla.ky.gov/records/retentionschedules/Pages/LocalRecordsSchedules.aspx>.

The General Schedule for Electronic and Related Records is available on KDLA's website at: <http://kdla.ky.gov/records/retentionschedules/Documents/State%20Records%20Schedules/erecordsgeneral.PDF>.

What is disposition?

As it is used in this document, the term "disposition" refers to what is done with records when those records are no longer needed for current business. Disposition possibilities include transferring records from one agency to another when functions are officially transferred, transferring records to the State Records Center, destroying temporary records at an approved time, or transferring records of historical value to the State Archives.

What about the proper storage and protection of records?

Another important role delegated to the agency is ensuring the proper storage of records. Under KRS 171.690, whenever an agency head determines that substantial economies or increased operating efficiency can be achieved, the agency head is directed to provide for the storage, processing, and servicing of appropriate records in the State Records Center maintained and operated by KDLA, or in a location maintained and operated by the agency itself that has been approved by KDLA.

Providing for the protection of records is another essential responsibility delegated to government agencies. As directed by KRS 171.710, the agency head is required to establish such safeguards against removal or loss of records as she or he believes necessary and as may be required by KDLA rules and regulations. These safeguards must include making it known to all officials and employees of the agency that no records are to be transferred, turned over to another entity, or destroyed except in accordance with the law; and calling their attention to the penalties provided by law for the unlawful removal or destruction of records.

The agency head is also directed to notify KDLA of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of the agency that come to his/her attention, and with the Department's assistance, to initiate

action through the Office of the Attorney General for recovery of any records which may have been unlawfully removed and for any other redress as may be provided by law. Penalties are established in statute for violations of the key elements of Kentucky's public records management law. For state employees, these can include dismissal from state government. Kentucky's tampering with public records statute (KRS 519.060), and laws dealing with unlawful access to a computer (KRS 434.845 - 850) and misuse of computer information (KRS 434.855) describe various records-related offenses punishable as felonies under the Kentucky Penal Code.

How are state agency publications managed?

A state publication or report is any published material, regardless of format, issued for general distribution, which documents agency-related functions or activities. As such, a state publication may be considered a "published record." State government agencies publish hundreds of reports, newsletters, and studies each year, either in traditional paper format or on websites. At times, a state publication may provide the only documentation of an agency or program's activities. State publications complement the information contained in agency files to present a full accounting of agency activity over time.

Under KRS 171.450 and 725 KAR 1:040, Section 2 state agencies must forward three (3) copies of all publications produced for general public distribution to the KDLA, Archives and Records Management Division, unless the publication is submitted electronically. Agencies only need to forward one (1) copy of an electronic publication.

After a state publication is received, a bibliographic entry is added to the Department's online catalog.

What is the role of the Office of the Attorney General?

All records produced by a public agency are subject to the provisions of the Open Records Act (KRS 61.870 – 884). Certain records and confidential information are exempt from inspection; these exemptions are stated in KRS 61.878. If, in the course of an open records investigation, the Office of the Attorney General determines that an agency has not appropriately managed its records, per KRS 171.410 – 740, the matter may be referred to KDLA for a records management review.

KRS 15.257 (1) requires the Office of the Attorney General to distribute to all county judge/executives, mayors, county attorneys, city attorneys, superintendents of public school districts, presidents of each state public postsecondary educational institution, and attorneys of public school districts and postsecondary educational institutions throughout Kentucky written information that explains the procedural and substantive provisions of the Open Records Act together with information required by KRS 171.223 to be prepared by the KDLA concerning proper retention and management of public records. This distribution occurs whenever there is a change in the Open Meetings or Open Records Act.

What records management services does KDLA provide?

Under the provisions of KRS 171.450, KDLA is responsible for managing and controlling records, in whatever medium, created by state and local government agencies in the Commonwealth. Specifically, as provided in KRS 171.410 - 740, KDLA establishes standards, procedures, and administrative regulations for recording, managing, preserving, and reproducing government-created or maintained records. Chapter 1 of 725 KAR provides further explanation of records management in Kentucky government.

KDLA works in close collaboration with government agencies and their records officers, to prescribe policies, principles and administrative regulations to be followed by state and local government agencies in managing their records; provides records analysis and scheduling assistance to agencies; furnishes technical assistance to agencies whose records have been damaged in disasters; and provides records management training and educational programs for public agencies.

KDLA also serves as the central repository for archival public records in Kentucky, and creates finding aids for records in archival custody. Records housed at the State Archives are made available for research through the Department's Archives Research Room. At the State Records Center, KDLA offers centralized high-density, low-cost storage and access services for government records of non-permanent retention. KDLA also sets rules governing the transfer of records from one agency to another.

Where should I go for assistance or more information?

All public records management services are provided through the Department's Archives and Records Management Division, which can be reached at (502) 564-8300.

If you work for a state government agency, a public university or community college, or an office of the judicial branch, contact the State Records Branch for assistance and information about services at (502) 564-1703 or jim.cundy@ky.gov.

If you work for an agency of local government, contact the Local Records Branch for assistance and information about services at (502) 564-1724 or trace.kirkwood@ky.gov.

If you have a question relating to records management requirements for electronic records, contact the Electronic Records Management Branch at (502) 564-1720 or beth.shields@ky.gov.

If you have questions concerning research at the State Archives or the holdings of the State Archives, contact the Archival Services Branch at (502) 564-8348 or tim.tingle@ky.gov.

If you would like advice on the conversion of original paper records to microfilm or other image management formats, including digital scanning, or have other questions about

the Department's micrographic services, contact the Micrographics and Digital Imaging Services Branch at (502) 564-1757 or mark.stone@ky.gov.

If you have a question about the physical preservation of original paper records or would like to secure these services from the Department, contact the Document Preservation Lab at (502) 564-1741 or melissa.shields@ky.gov.

For all other questions or information, please call (502) 564-1722 or e-mail renita.van@ky.gov.

There are many helpful resources and information available on the KDLA website. Please refer to the following for assistance:

Information and Services for Government Records Management
<http://kdla.ky.gov/records/Pages/default.aspx>

725 KAR Chapter 1, Archives
<http://www.lrc.ky.gov/kar/TITLE725.HTM>

Records Retention Scheduling: A Procedural Guide
<http://kdla.ky.gov/records/Documents/Retention%20Scheduling%20Guidelines.PDF>

Records Description and Analysis (form)
<http://kdla.ky.gov/records/Documents/daform.doc>

Transfer of Public Records: A Procedural Guide
<http://kdla.ky.gov/records/Documents/Records%20Transfer%20Procedures,January,%202010.PDF>

Records Transmittal to the State Archives Center or State Records Center (form)
<http://kdla.ky.gov/records/Documents/Transmittal.doc>

Destruction of Public Records: A Procedural Guide
<http://kdla.ky.gov/records/Documents/Destruction%20Guidelines.PDF>

Records Destruction Certificate (form)
<http://kdla.ky.gov/records/Documents/kyrecordsdestruction.doc>

Microfilming and Digital Imaging of Public Records: A Procedural Guide
<http://kdla.ky.gov/records/recmgmtguidance/Documents/MicrofilmingandDigitalImagingofPublicRecords-012010.PDF>

Family Education Rights and Privacy Act (FERPA)**Institutional Policy**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records, including:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. A parent of a dependent student as defined in section 152 of the Internal Revenue Code may request permission to view a student's educational records upon showing proof of dependency. Release of such information is at the discretion of the Registrar.

2. The right to request the amendment of the student's education records that are believed to be inaccurate or misleading. The student should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for an amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent, as follows:

a) Disclosure without the student's consent is permissible to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); the University attorney; appropriate community safety and emergency personnel to whom information regarding students is to be provided pursuant to KRS 164.9495; a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a contractor, consultant, volunteer, or other person or entity to which the University has outsourced institutional services or functions, and who is limited as to use, maintenance, and re-disclosure of information; a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. In addition, the following groups are specifically recognized as "school officials" within the definition of FERPA for the limited purpose of receiving at any time listings of names and addresses of students, including incoming students, and/or student directory information: MSU Alumni Association; Murray State University Foundation, Inc; a person or company who performs a service for MSU that serves a legitimate educational interest; authorized representatives of federal or state supported education programs if disclosure is in connection with an audit or evaluation of supported programs or for the enforcement of or compliance with legal requirements that relate to those programs.

A school official has a legitimate educational interest if the official needs to review or receive any education record in order to fulfill his or her professional responsibility or if the service to or for MSU is of a type that MSU would normally perform itself including one which MSU has outsourced.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records - including your Social Security Number, grades, or other private information - may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

b) FERPA allows the institution to routinely release information defined as "directory information."

The following student information is included in the definition:

- the student's name
- addresses
- telephone listings
- campus e-mail address
- date and place of birth
- fields of study
- photograph
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of attendance
- enrollment status (including full-time, part-time, not enrolled)
- degrees (pending and received)
- awards or honors received and the most recent previous educational institution attended

When a student wants the directory information to remain confidential, an official request form must be completed in the Registrar's Office within the first five days of class of the school term. If a student requests directory information withheld during a term and does not return to Murray State after that term, that request remains in force until such a time as a formal written statement removing that hold is received from the student rescinding that request. Murray State will release directory information to school officials or others with a legitimate educational interest.

4. The right to file a written complaint with the Family Compliance Office of the United States Department of Education concerning an alleged failure by MSU to comply with the provisions of FERPA.

a) The complaint must contain specific allegations of fact giving reasonable cause to believe that a FERPA violation has occurred. A complaint does not have to allege that a violation is based on a policy or practice at MSU.

b) To be timely, a complaint should be submitted to the Family Compliance Office within 180 days of the date of an alleged violation. The Family Compliance Office may extend the time limit for good cause shown.

c) The complaint may be filed at: Family Compliance Office, U.S. Department of Education, 400 Maryland Ave, S.W., Washington D.C., 20202.



Office of the Registrar
Murray State University
113 Sparks Hall
Murray, KY 42071

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT
Annual Notification

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. ***The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.*** Students should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. ***The right to request the amendment of the student's education records that are believed to be inaccurate or misleading, or otherwise in violation of the student's privacy rights.*** The student should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student in writing of the decision and advise the student of his or her right to a hearing regarding the request for an amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. ***The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.***

The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); the University attorney; appropriate community safety and emergency personnel to whom information regarding students is to be provided pursuant to KRS 164.9495; a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a contractor, consultant, volunteer, or other person or entity to which the University has outsourced institutional services or functions, and who is limited as to use, maintenance, and re disclosure of information; a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

In addition to the above listing, the following groups are specifically recognized as “school officials” within the definition of FERPA for the limited purpose of receiving at any time listings of names and addresses of students, including incoming students, and/or student directory information: MSU Alumni Association; Murray State University Foundation, Inc.; a person or company who performs a service for MSU that serves a legitimate educational interest; authorized representatives of federal or state supported education programs if disclosure is in connection with an audit or evaluation of supported programs or for the enforcement of or compliance with legal requirements that relate to those programs.

A school official has a legitimate educational interest if the official needs to review or receive any education records in order to fulfill his or her professional responsibility or if the service to or for MSU is of a type that MSU would normally perform itself including one which MSU has outsourced.

FERPA allows the institution to routinely release information defined as “directory information.” The following student information is included in MSU’s definition of directory information:

- the student’s name
- addresses
- telephone listings
- campus e-mail address
- date and place of birth
- field(s) of study
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of attendance
- enrollment status (including full-time, part-time, not enrolled)
- degrees (pending and received)
- awards or honors received
- the most recent previous educational institution attended
- the student’s photograph

When a student wants the directory information to remain confidential, an official request form must be completed in the Registrar’s Office within the first 5 days of class of the school term. If a student requests directory information withheld during a term and does not return to Murray State after that term, that request remains in force until such a time as a formal written statement removing that restriction is received from the student.

4. ***The right to file a written complaint with the Family Compliance Office of the United States Department of Education concerning an alleged failure by MSU to comply with the provisions of FERPA.***
 - a) The complaint must contain specific allegations of fact giving reasonable cause to believe that a FERPA violation has occurred. A complaint does not have to allege that a violation is based on a policy or practice at MSU.

- b) To be timely, a complaint should be submitted to the Family Compliance Office within 180 days of the date of an alleged violation. The Family Compliance Office may extend the time limit for good cause shown.

- c) The complaint may be filed at: Family Compliance Office, U.S. Department of Education, 400 Maryland Ave. S.W., Washington D.C., 20202.

A complete copy of Murray State's FERPA policy may be accessed here:

<http://support.murraystate.edu/default.asp?id=322&Lang=1&SID=>

Murray State will provide a paper copy of the FERPA policy upon request.

Please contact the Office of the Registrar with any questions.

113 Sparks Hall
Murray, KY 42071-3312

Phone

(270) 809-5630
(800) 272-4678

Fax

(270) 809-3777: Registrar
(270) 809-5727: Registration
(270) 809-3050: Veterans Affairs

Office Hours

Monday - Friday

January - May

8:00 AM - 4:30 PM CST/CDT

June - July

7:30 AM - 4:00 PM CDT

August - December

8:00 AM - 4:30 PM CST/CDT

If you have experienced Sexual Misconduct, Sexual Harassment, Relationship Violence, Stalking or Sexual Exploitation

IMMEDIATE STEPS

Go to a safe place. Seek out a friend, your RA's room, or any open offices on campus.

Call someone you trust. A friend, family member, or victim advocate are good resources. You do not have to go through this alone.

Preserve evidence. After sexual violence, do not shower until you have considered whether to have a no-cost forensic sexual assault examination at the hospital, and save the clothes you were wearing (unwashed) in a paper bag. After sexual violence, relationship violence, and/or stalking, take photos of any damage or injury and keep communication records (texts, images, social media, email, etc).

WITHIN 24 HOURS

Confidential support. You may want to turn to a confidential advocate or counselor for support and advice. They will talk with you about your options for additional support services and reporting.

Get medical attention. After unwanted physical contact, get medical attention. A medical provider can check for and treat physical injury, sexually transmitted infections and pregnancy. You do not need to make a formal report or press charges to receive medical care.

NEXT STEP OPTIONS

Make a formal report. You are encouraged to report what happened to both the police and the Title IX Coordinator in the Office of Institutional Diversity, Equity and Access (IDEA). You, as the impacted party, can decide how much you would like to participate in any investigation process. There may be time limits for you to file a formal complaint with IDEA; thus, you should contact the Office of IDEA as soon as possible for assistance.

Murray State University can help. The Office of IDEA can help you with interim measures or changes to your on-campus housing, classes, on-campus work assignments and more. You do not need to make a formal complaint or press charges to receive help from Murray State.

Murray State University's Commitment to a Safe and Supportive Community

Murray State is committed to creating and maintaining a campus environment free from all forms of sexual misconduct, sexual harassment, relationship violence, stalking and sexual exploitation. The University takes all reports seriously.

PROCEDURES TO ADDRESS ALLEGATIONS OF SEXUAL MISCONDUCT, SEXUAL HARASSMENT, RELATIONSHIP VIOLENCE, STALKING AND SEXUAL EXPLOITATION

This pamphlet is a summary of University policies and practices. Reference should be made to the following for complete information:

Grievance Procedures: murraystate.edu/idea/grievance

Student Disciplinary Procedures: murraystate.edu/studentaffairs/policies

Sexual Misconduct Policy: murraystate.edu/sexualmisconduct
Penalties for violations of Murray State's policies which condemn acts of sexual harassment, sexual violence and misconduct, relationship violence and stalking can include sanctions up to and including termination (for employees), expulsion (for students), and ban from campus (for non-University individuals).

Questions?

If you have any questions, please contact the Executive Director of IDEA/Title IX Coordinator.



ADDITIONAL RESOURCES

How to Obtain a Protective Order
courts.ky.gov/resources/publicationsresources/Publications/P123ProtectiveOrderBooklet.pdf

Resources for Legal Representation

kybar.org/search/custom.asp?id=2947

Resources for Immigration Relief

kybar.org/search/custom.asp?id=2947

TERMS TO KNOW

Please note that the full definitions for these terms are contained within Murray State University's Policy prohibiting Sexual Violence and Misconduct. Visit murraystate.edu/sexualmisconduct for additional information.

What is sexual violence and misconduct?

Sexual violence and misconduct refers to any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Examples include: sexual assault (such as rape, fondling or incest) and sexually exploitative behavior.

What is consent?

Consent is informed, freely given and mutually agreed-upon sexual activity. Consent to one form of sexual activity (like kissing) does not imply consent to other forms of sexual activity (like sex). The lack of a negative response is not consent. An individual who is incapacitated by alcohol and/or other drugs, both voluntarily or involuntarily consumed, may not give consent. Past consent to sexual activity does not imply ongoing future consent.

What is relationship violence?

Relationship violence is a term which includes dating and domestic violence. Dating violence includes sexual or physical abuse or the threat of such abuse committed by a person who is/has been in a romantic or intimate relationship with the victim. Domestic violence means physical injury, serious physical injury, sexual abuse or assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse or assault, or any felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is living with/has lived with the victim as a spouse or intimate partner; or by another person against a victim protected under the domestic or family violence laws where the crime occurred. Relationship violence can be verbal, and/or physical. Examples include: slapping, pulling hair, name calling, damaging property and threats of abuse or physical harm.

What is stalking?

To stalk someone means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. Examples include: repeated non-consensual communications (in person, text, phone, social media, email), surveillance or showing up at the targeted person's classroom or workplace.

What is sexually exploitative behavior?

Sexually exploitative behavior occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior is not rape, fondling, incest or statutory rape. Examples include: video/audio-taping or photographing of sexual activity, or posting or distribution of materials involving the sexual activity of another person via the Internet or other media, exposing one's genitals, inducing incapacitation for the purpose of engaging in sexual conduct, or observing without consent a person who is naked, in the process of undressing or engaging in sexual acts.



REPORTING and RESOURCES

A guide for addressing allegations of Sexual Misconduct, Sexual Violence, Relationship Violence, Stalking and Sexual Exploitation



Office of Institutional Diversity, Equity and Access
(IDEA)

103 Wells Hall • Murray, KY 42071
270-809-3155 • 270-809-6887 fax • 270-809-3361 TDD
murraystate.edu/idea

Executive Director of IDEA/Title IX Coordinator:
Camisha Pierce Duffy

Deputy Title IX Coordinator and Investigator:
Blair Bushart and Hannah Durbin

August 2018



REPORTING AND INVESTIGATIONS

Victim-survivors are strongly encouraged to make a report to both the police and to the Office of Diversity, Equity and Access (IDEA) for assistance and investigation. Reporting can help to ensure the safety of the victim-survivor and the entire campus community. Victim-survivors have the right to report assaults without further participation in any investigation. Victim-survivors have the option to decline to notify law enforcement if a sexual offense, domestic violence, dating violence, sexual assault or stalking has occurred.

Murray State University Police Department

Available 24 hours a day, 7 days a week
Corner of Chestnut and 16th Streets • 270-809-2222

- Responsible for all criminal investigations for on-campus crimes
- Will take a report from you but you are not required to press charges
- Website provides for a Sexual Assault Anonymous Report form

The Office of Diversity, Equity and Access (IDEA) and the Title IX Coordinator

Office Hours 8 a.m. – 4:30 p.m., Monday – Friday
103 Wells Hall • 270-809-3155 msu.titleix@murraystate.edu

- Investigates allegations of violations of Murray State's policies that condemn acts of sexual harassment, sexual violence and misconduct, relationship violence and stalking, including matters which may have occurred off campus
- Provides University no contact orders and works with University Police to act on lawful orders issued by the courts related to Title IX
- IDEA's executive director and Title IX coordinator, Camisha Pierce Duffy, coordinates the institutional response for matters related to sexual harassment, sexual violence and misconduct, relationship violence and stalking that are reported to IDEA
- Oversees ongoing educational sessions offered by IDEA

CAMPUS RESOURCES

To address occurrences of Sexual Misconduct, Sexual Harassment, Sexual Assault, Sexual Violence, Relationship Violence, Stalking and Sexual Exploitation

Title IX Coordinator Camisha Pierce Duffy

Executive Director
103 Wells Hall
270-809-3155
msu.titleix@murraystate.edu

Counseling for NON-STUDENTS

Employees have the EAP (Employee Assistance Program) for professional help with issues such as: emotional difficulties, stress, relationship problems, parent/child/family conflicts, financial and legal, alcohol/drug problems, marital distress, etc.

1-800-441-IEAP

Free and Confidential.



ADDITIONAL RESOURCES

Health Services (via Fast Pace Connect) - available to provide non-emergency medical attention or information, 270-809-3809.

Murray-Calloway County Hospital (Murray) 270-762-1100. External to main campus, contact local hospital in your area.

Murray State University Police – contact immediately if you are injured, in need of emergency assistance, any type of harassment has occurred or a potential crime has been committed, 270-809-2222

Murray Campus access to local Police – call 911, (Murray Police) 270-753-1621, (Calloway County Sheriff) 270-753-3151

Office of Institutional Diversity, Equity and Access – contact immediately if you experience or become aware of illegal harassment or discrimination or violation of University's Non-discrimination Statement, 270-809-3155

Office of Student Affairs and Student Judicial Board – contact if there is a student policy violation, 270-809-6832

Women's Center – promotes women's physical and mental health including advocacy, 270-809-3140

University Counseling – contact if there are mental health concerns, 270-809-6851

Domestic Violence Resource - Merryman House Domestic Violence Crisis Center 1-800-585-2686

Regional Campuses access to local Police – Hopkinsville 270-890-1500, Madisonville 270-885-4572, Henderson 270-831-1295 and Paducah 270-444-8550

Regional Campuses access to Counseling – Hopkinsville and Madisonville -- Sanctuary, Inc. 800-887-6200 / 270-885-4572, Henderson -- New Beginnings 800-226-7273 (in Owensboro), and Paducah -- Purchase Area Sexual Assault Center 800-928-7273

This poster may be accessed online at: murraystate.edu/headermenu/administration/titleix/resources.aspx

Equal education and employment opportunities M/F/D, AA employer. Murray State University supports and clean and healthy campus. Please refrain from personal tobacco use.

CONFIDENTIAL RESOURCES*

NOT required to report personally identifiable information to Title IX Coordinator or the University Police when operating in their respective role as counselor or victims advocate.

Women's Center

Office hours 8 a.m. – 4:30 p.m., Monday – Friday
103C Applied Science Bldg. • 270-809-3140
• Education and advocacy
• Accessible by appointment, walk-in or after-hours emergency

University Counseling

Office hours 8 a.m. – 4:30 p.m., Monday – Friday
104C Applied Science Bldg. • 270-809-6851
• Counseling for recent or past victim-survivors
• Accessible by appointment or walk-in

After Hours Emergencies:

- Contact Public Safety: 270-809-2222

Murray State University Psychological Center

401 Wells Hall • 270-809-6851

Murray State University Counseling and Assessment Center

3rd Floor Alexander Hall • 270-809-6466

*Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

HEALTH RESOURCES

*Unless the victim requests anonymity, in which event the University Police are not provided personally identifiable information, whereas IDEA should be provided all information including personally identifiable information.

If you report a matter related to sexual harassment, sexual violence and misconduct, relationship violence and stalking to a University employee, other than one listed above under Confidential Resources, the matter, including personally identifying information, will be reported to the Executive Director of IDEA/Title IX Coordinator.



Campus Resources

To address occurrences of Sexual Misconduct, Sexual Harassment, Sexual Assault, Sexual Violence, Relationship Violence, Stalking, and Sexual Exploitation

Title IX Coordinator

Camisha Pierce Duffy

Executive Director

103 Wells Hall

270-809-3155

msu.titleix@murraystate.edu

Counseling for NON-STUDENTS

Employees have the EAP

(Employee Assistance Program)
for professional help with issues
such as: emotional difficulties,
stress, relationship problems,
parent/child/family conflicts,
financial and legal, alcohol/drug
problems, marital distress, etc.

1-800-441-1EAP

Free and Confidential.

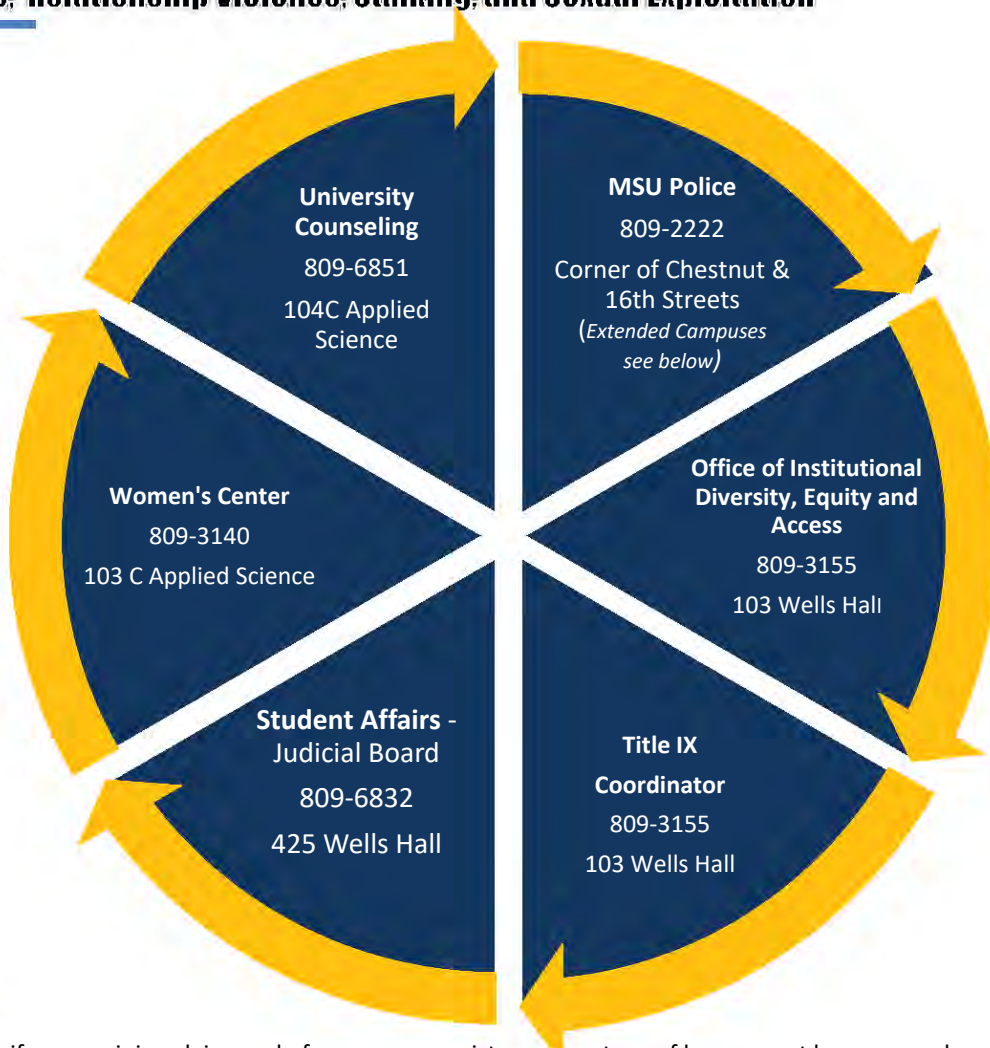


LiveSafe®

GET THE APP for SAFETY

Quick access to Public Safety
Reporting & Prevention Tool
Download LiveSafe today!

Free in iTunes or Android store



- **MSU Police** – contact immediately if you are injured, in need of emergency assistance, any type of harassment has occurred or a potential crime has been committed, 270.809.2222.
- **Murray Campus access to local Police** - call 911, (Murray Police) 270.753-1621, (Calloway County Sheriff) 270.753.3151.
- **Office of Institutional Diversity, Equity and Access** – contact immediately if you experience or become aware of there is any illegal harassment or discrimination or violation of University's Non-discrimination Statement, 270.809.3155.
- **Office of Student Affairs and Student Judicial Board** – contact if there is a student policy violation, 270.809.6832.
- **Health care** – Emergencies? Visit the Murray Calloway County Hospital Emergency Room. Local health care providers include Calloway County Health Department, Fast Pace Urgent Care, Murray Calloway County Hospital, Murray Medical Associates and Primary Care Medical Center. Murray Calloway County Hospital (Murray) 270.762.1100. **Extended Campuses**, contact local hospital in your area.
- **Women's Center** – promotes women's physical and mental health including advocacy, 270.809.3140.
- **University Counseling** – contact if there are mental health concerns, 270.809.6851.
- **Domestic Violence Resource** - Merryman House Domestic Violence Crisis Center 1.800.585.2686.
- **Extended Campuses access to local Police** – Hopkinsville 270.890.1500, Madisonville 270.885.4572, Henderson 270.831.1295 and Paducah 270.444.8550.
- **Extended Campus access to Counseling** – Hopkinsville & Madisonville -Sanctuary, Inc. 800.887.6200/270.885.4572, Henderson – New Beginnings 800.226.7273 (in Owensboro), and Paducah – Purchase Area Sexual Assault Center 800.928.7273.

This poster may be accessed online at: www.murraystate.edu/headermenu/administration/titleix/resources.aspx

Equal education and employment opportunities M/F/D, AA employer

Revised 7/2018



PROHIBITION OF "EXTRA BENEFITS"

Boosters are not permitted to provide enrolled student-athletes and prospective student-athletes, or their relatives/friends with any "extra benefits." The NCAA defines an "extra benefit" as any special arrangement made which is not expressly authorized by NCAA legislation.

The following are **some** examples of items considered to be "extra benefits":

- Providing cash or loans in any amount or signing/co-signing for a loan;
- Giving gifts of any kind, including birthday/holiday gifts and "Get Well Soon" cards;
- Offering free or reduced-cost services such as meals, car repairs, haircuts, dental work, etc;
- Providing the use of an automobile or transportation;
- Offering free or reduced-cost rent or housing;
- Giving tickets to athletic or community events, even if you received the tickets for free;
- Employing relatives or friends of a prospective student-athlete as an inducement to attend Murray State;
- Providing course supplies, typing or duplicating costs; or
- Entertaining a prospect or enrolled student-athlete or their friends and families.

FREQUENTLY ASKED QUESTIONS

Q: A booster owns a local restaurant and wants to pick up the tab when a Murray State coach brings in prospects on a recruiting weekend. Is this permissible?

A: No. The booster may not directly cover the cost of the meal. The booster may, however, make a donation to the program to cover the cost of recruiting meals.

Q: May a booster donate to a current or prospective student-athlete through an online fundraiser (i.e., crowdfunding)?

A: No, it is not permissible to give money or items directly to a PSA/student-athlete.

Q: If an MSU booster is attending a high school game, is it permissible for the booster to discuss recruiting matters with the parents of a prospect.

A: No. Boosters are prohibited from having any interaction with the parents of prospects other than inadvertent contact.

Q: Is it permissible for a booster to post messages on a prospect's Facebook page, send message via Twitter or make contact through other social networking websites?

A: No. Boosters are prohibited from making contact with a prospect through any medium, including Facebook, Twitter, other social networking websites, newspapers or billboard ads, or letters.



ASK BEFORE YOU ACT!



**MURRAY STATE
RACERS**

ATHLETICS COMPLIANCE

217 STEWART STADIUM
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The Inside Track

*Guide of NCAA Rules
for Alumni, Fans and Friends
of RACER Athletics*



ALUMNI AND FRIENDS

Murray State University is proud of its great tradition in intercollegiate athletics. Our athletics program would not be where it is today without the support of loyal alumni and friends like you. Your support is equally important in our efforts to maintain Ohio Valley Conference and NCAA compliance. As an NCAA member, Murray State is responsible for the actions of those whom the NCAA considers "representatives of its athletics interests," traditionally known as boosters.

This guide provides the basic information concerning the NCAA rules regarding the recruitment of prospective student-athletes and contact with currently enrolled student-athletes.

If a well-meaning but misguided fan or booster commits a violation, Murray State will be held responsible, and the consequences may negatively impact the future of Murray State athletics.

Please review this guide and share the information with others who support Murray State Athletics. The scope and complexity of NCAA rules preclude us from addressing every possible situation in a short guide such as this. Always ask before you act, so feel free to contact the Athletics Compliance Office.



INTERACTION WITH PROSPECTS

What is a Prospect?

The NCAA defines a "prospective student-athlete" as any student who has either begun classes in the ninth grade or who has accepted extra benefits from a booster and has not yet enrolled at a four-year institution. In addition, select sports allow the definition of a prospective student-athlete to include individuals who have completed high school but have not yet enrolled in college. Prospective student-athletes are subject to the same rules as currently enrolled student-athletes.

Prospective student-athletes are not considered "prospects" until they have accepted an offer of admission to a four-year institution.

No Contact With Prospects or Their Families

Boosters may not have contact with prospects or their families, including, but not limited to:

- Direct or indirect contact with a member of a prospect's family.
- Contact with a prospect or family member of a prospect by phone, text message, or social media.

Boosters may not attempt to make contact with a prospect or a prospect's family, including wishing good luck or congratulations at games.

Boosters are prohibited from offering a prospect to a booster club or fan club.

Pre-existing Relationships

Boosters are prohibited from making contact with a prospect or a prospect's family member.

- If a pre-existing relationship has been established between a booster and a prospect or family member, the booster must disclose the relationship to the Athletics Compliance Office.

The booster should refrain from engaging the prospect in any discussion of Murray State University and/or athletics programs and instead refer the prospect's questions to the Athletics Compliance Office.

Summer Employment of Prospects

- Boosters are prohibited from employing prospects who have not earned a National Letter of Intent, provided the prospect has graduated from high school.
- The prospect must be paid at the minimum wage for similar jobs in the area and may only be compensated for work actually performed.
- Please contact the Athletics Compliance Office prior to employing any Murray State student-athletes.

INTERACTION WITH CURRENT STUDENT-ATHLETES

A prospect becomes a student-athlete on the first day of initial collegiate enrollment at a four-year institution. Different sets of rules pertaining to boosters and athletes apply.

Employing a Student-Athlete

Boosters may employ a student-athlete provided:

- The student-athlete is paid the going rate for work actually performed.
- The student-athlete's compensation may not include any form of payment for the student-athlete's family, reputation, family or personal following that he or she has achieved as a result of his or her participation in intercollegiate sports.
- Transportation is provided to and from employment.
- The student-athlete is not involved in any activity that benefits the university.
- Please contact the Athletics Compliance Office prior to employing a Murray State student-athlete.

Student-Athletes Attending Booster Club Functions

Once per year, student-athletes are permitted to attend booster club functions, provided:

- The activity occurs within 100 miles of campus;
- No awards are presented to the student-athletes;
- Student-athletes are not compensated for attending or speaking at such a function; and
- The activity is pre-approved by the Murray State coaching staff and the Athletics Compliance Office.

It is NOT PERMISSIBLE to take a student-athlete out to eat at a restaurant.

Occasional Home Meals

Boosters are allowed to provide a student-athlete with an occasional home meal.

Boosters should contact the Athletics Compliance Office prior to providing a home meal to a student-athlete.

Autographs

Boosters are prohibited from requesting a student-athlete to sign an autograph. Boosters may not request an autograph for a personal or business purpose. An autograph is not considered a business purpose.

Student-Athlete Appearances

Within certain circumstances, student-athletes may make promotional appearances at charitable, educational or non-profit agency events. Please contact the Athletics Compliance Office for more information.

ARE YOU A "REPRESENTATIVE OF ATHLETICS INTERESTS"?

More commonly known as a "booster," you are considered to be a representative of the Murray State University's athletics interests if you meet any of the following criteria:

- You have participated in or been a member of an agency or organization promoting Murray State University's intercollegiate athletics program (e.g., a booster club).
- You are a former Murray State student-athlete.
- You have made a financial contribution to the University's Athletics Department or to a booster's booster organization that is a student-athlete.
- You have ever assisted in providing benefits or services to student-athletes or their families (e.g., summer job or housing).
- You have ever been involved in a situation where a student-athlete's participation in a sport or activity has been negatively impacted by an individual or organization.

Once booster status is established, you are considered a booster **FOREVER.**



PENALTIES FOR BOOSTERS VIOLATIONS

Under NCAA Bylaw 6.1.2.1, Murray State University reserves the right to withhold any benefit or privilege associated with the status of a member from individuals who are involved in an NCAA rules violation, including revocation of booster club membership and other privileges.

Equal education and employment opportunities: MTD, AA employer. Murray State University supports a clean and healthy environment and refrains from personal tobacco use.

Accreditation by

The Southern Association of Colleges
and Schools Commission on Colleges
SACSCOC

Philosophy of Accreditation

- At the heart of SACSCOC's philosophy of accreditation, the concept of quality enhancement assumes that each member institution is engaged in ongoing improvement of its programs and services and can demonstrate how well it fulfills its stated mission.

Murray State's Timeline

- 10-year reaffirmation in 2014
- 5th-year interim report and QEP impact report due March 16, 2020
- Next reaffirmation in 2024

The Principles of Accreditation

- SECTION 1: The Principle of Integrity
- SECTION 2: Mission
- SECTION 3: Basic Eligibility Standards
- SECTION 4: Governing Board
- SECTION 5: Administration and Organization
- SECTION 6: Faculty
- SECTION 7: Institutional Planning and Effectiveness

The Principles of Accreditation

- SECTION 8: Student Achievement
- SECTION 9: Educational Program Structure and Content
- SECTION 10: Educational Policies, Procedures, and Practices
- SECTION 11: Library and Learning/Information Resources
- SECTION 12: Academic and Student Support Services
- SECTION 13: Financial and Physical Resources
- SECTION 14: Transparency and Institutional Representation

Section 4: The Governing Board

- The institution's governing board holds in trust the fundamental autonomy and ultimate well-being of the institution. As the corporate body, the board ensures both the presence of viable leadership and strong financial resources to fulfill the institutional mission. Integral to strong governance is the absence of undue influence from external sources.

Section 4: The Governing Board

- The institution has a governing board of at least five members that:
 - is the legal body with specific authority over the institution.
 - exercises fiduciary oversight of the institution.
 - ensures that both the presiding officer of the board and a majority of other voting members of the board are free of any contractual, employment, personal, or familial financial interest in the institution.
 - is not controlled by a minority of board members or by organizations or institutions separate from it.
 - is not presided over by the chief executive officer of the institution.

Section 4: The Governing Board

- The governing board:
 - ensures the regular review of the institution's mission.
 - *ensures a clear and appropriate distinction between the policy-making function of the board and the responsibility of the administration and faculty to administer and implement policy.*
 - selects and regularly evaluates the institution's chief executive officer.
 - defines and addresses potential conflict of interest for its members.
 - has appropriate and fair processes for the dismissal of a board member.
 - protects the institution from undue influence by external persons or bodies.
 - **defines and regularly evaluates its responsibilities and expectations.**

Board Evaluation

- Good institutional governance requires that the board systematically asks itself, “How are we doing? What are we doing? Are we as effective as a board as we can be?”
- How this is done is something best determined by a governing board itself. Some institutions use a board retreat format. Some boards build self-reflection into an annual orientation/ reorientation of the board. Some boards facilitate this process by using external resources such as a facilitator or a book, although that is not a requirement of this standard. **What is expected of this standard is something more substantive than a statement that “the board conducted a self-evaluation.”**

Board Evaluation

- Questions to Consider
 - What are the legal obligations of board members? Does each member of the board understand these expectations?
 - Do bylaws and other written documents for board procedures make clear the role of and limits of board actions?
 - Do bylaws and other written documents for board distinguish the roles between the board (policy- making) and the CEO (administrative)?
 - Is the board structure working well? Are committee responsibilities well defined?
 - Is the orientation of new board members effective?
 - How does the board stay informed as to the financial health of the institution?
 - How does the board maintain its focus on the institutional mission?

Board Evaluation

- Is review of the mission statement a regular expectation of the governing board?
- What is the relationship between the institution's chief executive officer and the institution's governing board?
- What protections are built into the board structure to ensure the board is not subject to undue influence by a minority of members or by external forces?
- Are board minutes clear and accurate? Do they provide sufficient detail to capture the results of deliberations?
- Do board procedures regarding protection from internal conflicts of interest work appropriately?
- Does the board have a functioning self-evaluation process?
- Are procedures for CEO succession clear?

BOARD OF REGENTS: 02/26/16

Agenda Item: 3.

**TOPIC: Nonprofit Leadership Studies – Board of Regents – Self-Assessment Project
(For Information Only)**

STAFF CONTACT: Bob Long, Distinguished Visiting Professor

BACKGROUND:

At the August 2015 Board of Regents Annual Advance, the Board discussed the necessity of developing a self-assessment instrument to be utilized for the purpose of evaluating the performance of the Murray State University Board of Regents. A recommendation was made during the discussion for the administration to proceed in developing such an instrument, utilizing available campus resources through the Nonprofit Leadership Studies Program.

Dr. Bob Long, Distinguished Visiting Professor, has taken the lead in facilitating this project and is utilizing students in the Nonprofit Leadership Studies (NLS) 465/665 class to complete this project during the Spring 2016 semester. A review of current best practices in board self-assessment has been undertaken and a proposed implementation plan was presented and endorsed by the Board at the Quarterly Meeting in December 2015.

The report being presented today represents an effort to further update the Board of Regents regarding progress being made in regard to the Board self-assessment initiative.

SUBMITTED FOR INFORMATION ONLY: Robert O. Davies, President

BOARD ACTION: Report received.

Board Self-Assessment Project

Design Stage—Completed

Interview Stage—March

Seeking Regent Volunteers- Randomly Select for Phone Interviews

1 Constituent Regent

3 Other Regents

Survey Stage—Early April

Seeking Input on Areas to Focus Question

Board Orientation & Development

Financial Development

Assessment & Evaluation

Board & Committee Meetings

Board Roles & Responsibilities

Policy Making Practices

President-Board Relations

Internal Board Relations

External Relations Practices

Transparency

Analysis Stage—April

Reporting Stage—May/June

Murray State University Board of Regents

Roles, Duties and Responsibilities

An effective Board nurtures and enhances the legacy of the institution. It recognizes its special responsibility to students for the quality and value of their educational experience. The members of the Board represent and advocate for the institution in the larger community. Most assuredly, a productive Board commits itself and the University to due process and academic freedom for faculty and staff. In its collective nature, a Board commits adequate time and energy not only to its basic tasks but also to the enjoyment of the Board experience. The Board's role is preserving the University's autonomy, determining its needs and pursuing its interests.

According to Kentucky Revised Statute (KRS) 164.310: There shall be a Board of Regents for each of the state universities. The Murray State University Board of Regents shall consist of eight (8) members appointed by the Governor, one (1) member of the teaching faculty, one (1) member of the university non-teaching personnel and one (1) member of the student body of the university. The members of the Board shall select a chairperson annually. The terms of appointed members shall be for six (6) years and continue until their successor is appointed. The government of Murray State University is vested in the Board of Regents. The Board of Regents, when members have been appointed and qualified, shall constitute a body corporate, with the usual corporate powers, and with all immunities, rights, privileges and franchises usually attaching to the governing bodies of educational institutions.

General powers and duties of the Board of Regents may include receiving grants of money and expending the same for the use and benefit of the University; adopting bylaws, rules and regulations for the government of its members, officers, agents and employees and enforcing obedience to such rules; requiring such reports from the President, officers, faculty and employees as it deems necessary and proper from time to time; determining the number of divisions, departments, bureaus, offices and agencies needed for the successful conduct of the affairs of the university or college and granting diplomas and conferring degrees upon the recommendation of the President and faculty.

The Board of Regents shall periodically evaluate the institution's progress in implementing its missions, goals and objectives to conform to the Council on Postsecondary Education strategic agenda. Officers and officials shall be held accountable for the status of the institution's progress.

Duties:

The Board of Regents must act in accordance with the fiduciary duties of care, loyalty and obedience. This will require the Board to make careful decisions collectively and in the best interests of the institution, consistent with its public mission, independent from undue influence from any party or from financial interests.

The Board of Regents has a duty of care which requires Regents to carry out their responsibilities in good faith and using a degree of diligence, care and skill that prudent persons would reasonably exercise under similar circumstances.

The Board of Regents has a duty of loyalty which requires Regents to act in good faith and in a manner that is reasonably believed to be in the best interests of the University and its public purposes rather than their own interests.

The Board of Regents has a duty of obedience which is the duty of Board members to ensure that the University is operating in furtherance of its stated purpose and in compliance with the law.

Additional Roles and Responsibilities:

The official spokesperson for the Board of Regents will be the Board Chair, although the entire Board is representative of the University. Similarly, the President is the official spokesperson for the University.

Each member of the Board of Regents must serve on at least two (2) committees of the Board.

The Board of Regents must/should:

- Ensure the University's mission is kept current and is aligned with the strategic goals of the institution for the public good.
- Assume responsibility for selecting the President to lead the institution.
- Support and periodically assess the performance of the President and establish and review presidential compensation.
- Charge the President of the University with the task of leading a strategic planning process, participate in that process, approve the Strategic Plan and monitor its progress.
- Ensure the institution's fiscal integrity, preserve and protect its assets for posterity and engage in fundraising and philanthropy.
- Ensure institutional policies and processes are current and properly implemented.
- Engage regularly, in concert with senior administration, with the University's major constituencies.
- Conduct the Board's business in an exemplary fashion with appropriate transparency, adhering to the highest ethical standards and complying with Kentucky open meetings and open records law; promulgate the currency of Board governance policies and practices and periodically assess the performance of the Board, its committees and its members.
- Ensure that the business of the Board, including actions of individual Regents, does not present any perception of conflicts of interest or undue influence within the University.
- Understand and respect the vital difference between governing and managing and nurture and support presidential leadership.
- Balance the institution's interests and welfare, with the needs and priorities of the state.
- Balance advocacy and oversight.
- Observe and impose the highest ethical standards and avoid even the appearance of conflict of interest.
- Speak with one voice, even when sharply divided. No matter the diversity of paths or intensity in the difference among the views, Board members should speak publicly with a single voice, even on the most contentious issues.
- Listen and learn from the University's constituencies without giving any of them a veto.

Sources: Kentucky Revised Statutes (KRS) 164.350
 Effective Governing Boards, Association of Governing Boards of Colleges and Universities (AGB)
 AGB Consequential Boards – Adding Value Where It Matters Most and Board of Director's Statement on the Fiduciary Duties of Governing Board Members

Approved: Board of Regents
 December 11, 2015

Revised: Board of Regents
 December 9, 2016

BOARD OF REGENTS: 12/11/15

Agenda Item: 14.

TOPIC: Board of Regents – Self Assessment Project (For Information Only)

STAFF CONTACT: Bob Long, Distinguished Visiting Professor Kellogg Foundation

BACKGROUND:

At the August 2015 Board of Regents Annual Advance, the Board discussed the necessity of developing a self-assessment instrument to be utilized for the purpose of evaluating the performance of the Murray State University Board of Regents. A recommendation was made during the discussion for the administration to proceed in developing such an instrument, utilizing available campus resources through the Nonprofit Leadership Studies Program.

Dr. Bob Long, Distinguished Visiting Professor, Kellogg Foundation, has taken the lead in facilitating this project and plans to utilize students in the Nonprofit Leadership Studies (NLS) 465/665 class to complete this project during the 2016 Spring Semester.

To date, a review of current best practices in board self-assessment has been undertaken and the following proposed implementation plan has been developed:

Design Stage – Students will explore the underlying principles and range of current professional practice in board self-assessment in the nonprofit sector and in higher education settings. The class will work together to develop a proposed plan of work for consideration by the Board Self-Assessment Committee. With input and associated revisions, the students will organize into small work groups to implement the elements of the plan. **Timing** – Proposed Plan will be presented at the February 2016 Quarterly Board of Regents Meeting.

Interview Stage – A student work group will interview selected Board members to inform the process, gathering information about the purpose and process. The intent is to help ensure the project will meet the needs of the Board and allow for input in the development of the survey. **Timing** – March

Survey Stage – Students will develop and test a survey instrument with selected Board members. A student work group will manage the survey implementation process, gathering input from all Board members. **Timing** – Early April

Analysis Stage – Students will participate in a class-based analysis activity, designed to support the development of a final report on the project. **Timing** – Late April

Reporting Stage – A student work group will prepare a preliminary report for presentation to the Board Self-Assessment Committee for review. As a result, a final report will be submitted. **Timing** – A draft report will be produced in early May, in advance of the end of the Spring Semester. The final report will be presented in advance of the August Annual Board Advance.

Workshop Stage – The Board will integrate the Report into the Annual Advance as they move to develop an **Action Plan Stage**.

SUBMITTED FOR INFORMATION ONLY: Robert O. Davies, President

BOARD ACTION: Report received.

Board Self-Assessment Report May 24, 2016

Project Overview

The Report is presented on behalf of the students enrolled in the 2016 Spring Semester offering of the Nonprofit Leadership Studies course on "Policy, Legal Issues, and Advocacy for Social Change in Nonprofit Organizations". The students requested that the report start with their congratulations on the very positive findings of the survey. They were all very excited to find that their MSU Board of Regents reported overall quality relationships and engagement practices in pursuit of the institution's mission. The report offers their analysis of the survey findings and recommendations for your consideration as you continue the self-assessment effort.

The Board Self-Assessment Project provided a remarkable real-world opportunity to study and apply a set of principles central to organizational development and governance. The self-assessment was guided by the criteria established in the Board's "Roles, Duties and Responsibilities Document". The student course evaluations offer very positive reflections on the quality of their learning and the appreciation they have for the opportunity to engage in this important project. The Nonprofit Leadership Studies Program values the opportunity to be a resource to the MSU Board of Regents.

The NLS 465/665 class included twenty undergraduate students from five different academic majors and six graduate students from three different programs of study. While examining the current standards of practice in board development, the students worked through each Stage of the Self-Assessment Proposal presented to the MSU Board of Regents at the December 11, 2015 meeting. A representative group of students provided an update report to the Board during the February 26, 2016 meeting, focused on gathering input into the content and design of the survey instrument.

After completing the Design Stage, students conducted the Interview Stage with a random sample of four Regents, to inform the final content of the instrument used in the Survey Stage. The Survey Monkey system was used with the data collection being based on scaled responses to a set of principle statements aligned with the "Roles, Duties and Responsibilities Document". Nine Regents submitted the survey. Once the Survey Stage was completed, students engaged in the Analysis Stage through which they reviewed the survey data and developed the content for this Report. (Attached you will find the data provided by Survey Monkey.)

We trust that the report will be useful as you move forward with the ongoing work associated with your self-assessment efforts.

Reporting Stage

Current standards of practice in board self-assessment suggest that the analysis lead to the presentation of areas of strength and identification of areas where improvement efforts could focus. Given the overall positive and supportive nature of the survey results, the students spent a good deal of time considering what to offer in the latter category. While not a requirement of all board assessments, the students wanted to share a set of recommendations that came from class sessions in which they were asked to reflect on what the Board might do in response to the survey findings. It was an exciting and creative experience. The recommendations must be

Column A - BOR Self-Assessment 2016

taken in the context of the limited experience in board development that the students brought to the effort. However, they took the opportunity very seriously and spent time in research and discussion as the recommendations were developed. We hope that their recommendations are useful.

- **Relative Areas of Strength** – This section presents the areas in which the Board seems to be performing well. As you can see, there is a lot to celebrate as you apply the findings in your self-assessment process. The list is sorted by to the "Agree" and "Somewhat Agree" responses.

- **Nine "Agree"**
 - The board observes and imposes the highest ethical standards.
 - After decisions have been made, the board speak with one voice.
 - The board nurtures and supports presidential leadership.
 - The board charges the President with the task of leading a strategic planning process. The Board participates in the process, approves the strategic plan and monitors progress.
- **Eight "Agree" and One "Somewhat Agree"**
 - The board thoroughly examines the pros and cons of all major issues and makes fully informed decisions.
 - The board ensures the University's mission is kept current and is aligned with the strategic goals of the institution.
 - The board acts in accordance with the fiduciary duties of care, loyalty and obedience.
 - Board members are fully aware of their legal responsibilities for the organization's fiscal management.
- **Seven "Agree" and Two "Somewhat Agree"**
 - The board understands and respects the vital difference between governing and managing.
 - The board's ad hoc and standing committees streamline work processes and seek to increase board effectiveness
 - The board ensures the institution's fiscal integrity, preserve its assets for posterity and engage in fundraising and philanthropy.
 - The board conducts its business in an exemplary fashion with appropriate transparency.
 - The board complies with the Kentucky open meeting and open records law.
 - The board balances advocacy and oversight in its external relationships.

- **Identify Areas of Improvement** – This section presents areas in which the Board may consider incorporating strategic responses as the self-assessment process moves forward. During analysis the students selected the following survey items for your consideration:

- Board members are provided needed orientation and ongoing training to be effective in their work.
- The board periodically assesses its performance, its committees and members.
- The board engages regularly, in concert with senior administration, the University's major constituencies (such as students, parents, staff and faculty, the Murray Community, among others).

Column A - BOR Self-Assessment 2016

- The board regularly assesses the effectiveness of institutional relations with key external constituent groups (such as donors and funders, professional associations, partner organizations, CPE, state legislators, among others).
- **Other Comments or Concerns** – The following responses were provided in the survey:
 - The MSU Board adheres to all State and Board policies and takes its responsibilities and duties seriously. The Directors respect and engage well with the President of the College. They have the best interests of all University groups in mind when making decisions. The first question asked by the Board in its fiduciary role, "Is this beneficial for students?" The MSU Board is a first-class group of individuals who work for the good of the university without any personal agenda. I am proud to serve with the other fine individuals who want to the MSU mission every day.
 - I believe we have a strong and cohesive board. I think more training is always welcome. I do sometimes see that we cross the line between oversight and management. I don't think it is intentional or heavy handed but I do think we need to remain sensitive to not involving ourselves in the day to day operations of the university.
 - Survey is well prepared.
- **Recommendations** – Following are those that the Board might consider as it moves forward in working within the identified elements of the Roles, Duties and Responsibilities Document. The students' recommendations do not correlate with the survey findings. The student's wanted to explore ideas for supporting board development across several of the elements of the Document:
 - **Organizational Culture:**
 - The Board observes and imposes the highest ethical standards.*
Create and distribute a document outlining the ethical standards by which the Board agrees to comply and incorporate the document into new member orientation.
 - After decisions have been made, Board members speak with one voice.*
Incorporate this commitment into the ethical standards referenced above and make it an important element of new member orientation.
 - The Board thoroughly examines the pros and cons of all major issues and makes fully informed decisions.*
Ensure that Board members receive adequate information prior to meetings so that all aspects of the decision may be addressed.
- **President-Board Relations:**
 - The Board understands and respects the vital difference between governing and managing.*

Column A - BOR Self-Assessment 2016

Include definitions of governing and managing in the new member orientation and the opportunity to discuss examples to improve understanding and appreciation of the importance of the principle.

- **Board & Committee Meetings:**

Board members are provided needed orientation and ongoing training to be effective in their work.

Insure that training is kept relevant and up-to-date in relation to the work of the Board of Regents periodically surveying members.

Consider a mentor program where a current Board member mentors a new Board member and introduces them to their Board roles.

The Board is provided with the information and materials needed to address assigned roles, duties, and responsibilities.

Provided both electronic and hard copies, as requested by each Regent, of materials in advance of all Board meetings.

Establish a policy to ensure that all materials are distributed a certain of time before the meeting. Emergency materials can be distributed at the earliest possible time.

The Board ensures the University's mission is kept current and is aligned with the strategic goals of the institution.

Use mission statement as a heading on all official emails and handouts.

The Board charges the President with the tasks of leading a strategic planning process. The Board participates in the process, approves the strategic plan, and monitors progress.

Ensure there are policies and processes in place for mutual accountability across the strategic planning process.

The Board ensures that institutional policies and processes are current and properly implemented.

Review policies and processes yearly.

The Board periodically assesses its performance, its committees, and its members.

Survey Regents for committee satisfaction, gathering comments and concerns.

Schedule regular performance evaluations, using the findings to inform the ongoing development of policies and procedures.

- **Transparency:**

The Board complies with the Kentucky Open Meeting and Open Records Laws.

Make this an important part of the new member orientation and periodically review the requirements of the entire Board.

- **External Relations Practices:**

Column A - BOR Self-Assessment 2016

The Board regularly engages, in concert with senior administration, with the University's major constituencies (such as students, parents, staff, faculty, and the Murray Community – among others).

Work alongside the constituent population through relationships with students, staff, faculty, and the community to keep and increase transparency with the public.

Develop a policy for constituent input as a part of ongoing evaluation to better develop and grow current relationships and to create new partnerships with the public.

Conclusion

On behalf of the students, I want to thank the Board of Regents and President Davies for the confidence and trust they have in our capacity to take on this important Project. It was a remarkable learning experience. I am very proud of the work the students did. We trust that the results will be useful in the ongoing discussions and deliberations in support of the Board's commitment to its ongoing development.

We encourage the Board to celebrate strengths evident in the report and congratulate yourselves on the great work you have done in building a high performing governance group for the institution. This is particularly true because of the overall positive nature of the survey findings. The areas of improvement offer a foundation for exploring dynamics that contribute to any opportunities for further development across the range of elements presented in the Roles, Duties and Responsibilities Document. As you undertake these discussions, we encourage you to consider a range of strategies, such as retreats, workshops, study sessions, or readings in areas where knowledge or clarification is needed.

Thank you for the chance to support your commitment to board development. If there is ever anything that I can do to help in the future, do not hesitate to call.

Board of Regents Policy Manual – Section 1.1 – Bylaws

E. Committees.

The Chair of the Board shall, at the first regular meeting of the Board of Regents following his election, appoint members of the Board to standing committees of the Board of Regents. In addition, the Chair will appoint members to such special committees as the Board may from time to time deem appropriate. The Chair of the Board and the President of the University are ex-officio members of every Committee, except the President shall be a non-voting member. The standing committees of the Board of Regents and their duties are:

1. Academic Excellence and Scholarly Activities – Oversight responsibilities for strategies and initiatives pertaining to academic program approval recommendations, academic policy review (including admission standards), international programs (including study abroad programs) and inter-institutional relationships and agreements.
2. **Athletics – Oversight responsibilities for the strategies and initiatives for athletics and the Athletics Mission, for the fiscal integrity of the program and for ensuring compliance with University policies and procedures as well as with National Collegiate Athletic Association and Ohio Valley Conference requirements.**
3. Audit and Compliance – External audit selection (subject to Board approval), internal audit oversight (in concert with the President) and policy compliance matters, particularly relating to non-discrimination, Title IX and affirmative action issues.
4. Buildings and Grounds – Oversight responsibilities for strategies and initiatives related to facilities and property, with particular responsibility for major expenditures of capital funds and property acquisition.
5. Enrollment Management and Student Success – Review and approve student life policies, oversight of enrollment management programs and serving as the "Student Disciplinary Committee" in connection with appeals of student suspension or expulsion for disciplinary reasons.
6. Finance – Fulfill fiduciary responsibilities relative to budget adoption and maintenance, the investment portfolio and other financial matters and recommend appropriate action to the full Board.
7. Legislative and Economic Development – Oversight responsibilities for strategies and initiatives for governmental relationships with regional, state and federal entities and economic development programs and initiatives.
8. Marketing and Community Engagement – Oversight responsibilities for strategies and initiatives for University branding and marketing, public relations, publications, alumni affairs, development and community projects, including off-campus centers, public service activities and regional projects.

Pursuant to KRS 164.370, a student suspended or expelled for disciplinary reasons may appeal the decision to the Board of Regents. The appeal will be instituted by the student's presenting a detailed statement of the grounds for appeal to the President of the University no later than five working days after

the date of the decision of the University Appeals Board. The President will advise the members of the Board of Regents and refer the appeal to the members of the Student Disciplinary Committee.

The Student Disciplinary Committee will review the appeal. The Student Disciplinary Committee may determine from the statement of appeal that the appeal can be decided based upon a review of the previous proceedings. In that case, it will afford all parties the opportunity to present arguments, will review the record and the arguments presented, and will submit its recommended outcome to the Board of Regents which may accept or reject the recommendation or determine that a hearing or additional proceedings are warranted. If the Student Disciplinary Committee believes that a hearing or other proceedings are warranted, it will refer the matter to the Board of Regents. The Board will develop its rules of procedure for any matter before it. The final decision in all such appeals will be made by the Board of Regents.

All Committees whose recommendations have budgetary implications shall report those recommendations to the Finance Committee prior to submission for action to the full Board.

The Board may at any time establish such ad hoc committees as it deems necessary or desirable.



**BOARD OF REGENTS
MURRAY STATE UNIVERSITY
Standing Committees
2018-2019**

Academic Excellence and Scholarly Activities	Chair	Katherine Farmer Virginia Gray Lisa Rudolph
Athletics	Chair	Eric Crigler Sharon Green Jerry Rhoads Phil Schooley Don Tharpe
Audit and Compliance	Chair	Don Tharpe Susan Guess Lisa Rudolph
Buildings and Grounds	Co-Chairs	Sharon Green and Phil Schooley Susan Guess Daniel Kemp Don Tharpe
Enrollment Management and Student Success	Co-Chairs	Lisa Rudolph and J. T. Payne Eric Crigler Virginia Gray Katherine Farmer
Finance	Chair	Daniel Kemp Eric Crigler Katherine Farmer Jerry Rhoads Phil Schooley
Legislative and Economic Development	Chair	Jerry Rhoads Daniel Kemp J. T. Payne
Marketing and Community Engagement	Chair	Virginia Gray Sharon Green Susan Guess J. T. Payne

Ad Hoc Committees and Appointments

BOR Bylaws and Policy Committee	Chair	Vacant
MSU Foundation Ex-officio Members		Jerry Rhoads Susan Guess
NCAA Liaison		Phil Schooley
Board Self-Assessment and Orientation	Chair	Vacant

**Murray State University
Board of Regents eBoard Book**

Resource Center – Column A

- BOR Contact Information – Private (2018-19)
- BOR Meeting Dates (2018-19)
- BOR Committee Roster (2018-19)
- BOR Delegation of Authority (August 24, 2017)
- BOR Rules, Duties and Responsibilities
- BOR Statement and Position on Performance Funding
- BOR Self-Assessment Report (May 24, 2016)
- Murray State University Strategic Plan (Approved by Board of Regents on June 5, 2015)
 - Revised Strategic Plan – 2018-22 (Approved by Board of Regents on June 8, 2018)
- Murray State University Organizational Charts (2018-19)
- Association of Governing Boards (AGB) Conflict of Interest Statement
 - Murray State Conflict of Interest Signature (2018-19)
- AGB Board of Directors' Statement on the Fiduciary Duties of Governing Board Members
- AGB Governing During Institutional Crisis: 10 Fundamental Principles
- AGB Board of Directors' Statement on Governing Board Accountability for Climate, Inclusion and Civility
- AGB Statement on Board Responsibilities for Intercollegiate Athletics
- AGB – Trust, Accountability and Integrity – Board Responsibilities for Intercollegiate Athletics
- Noel Levitz – Why It's Time to Throw Away your Communication Plan – Transforming Enrollment Marketing Through Student-Driven Engagement
- American Association of University Professors Statement on Government of Colleges and Universities
- Kentucky Managing Government Records and Your Duty Under the Law: Open Records/Open Meetings Act
- Council on Postsecondary Education Strategic Agenda: Stronger by Degrees 2016-2021
- Title IX Information
 - Campus Resources
 - Reporting and Resources
- Family Educational Rights Privacy Acts Information
 - Murray State Annual Notification
 - Murray State Institutional FERPA Policy
- National Collegiate Athletic Association: The Inside Track (2018)
- House Bill 1

Resource Center B

- MSU Auxiliary Services Review and Analysis – Final Report
- Economic Impact Study – Final
- 2018 Staff Perspective Survey

CHARLOTTE ELAM TULLOS, Ed.D.

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celamtullos@yahoo.com

509-859-2499

HIGHER EDUCATION ENROLLMENT MANGEMENT ADMINISTRATION

SELECTED ACHIEVEMENTS

Thirty five years of experience in higher education at a large, state supported, research-comprehensive university, medium sized comprehensive, masters level university, private liberal arts college, and a small, state supported liberal arts university.

Twenty-six years of Vice President level experience in Enrollment Management, Student Affairs and Advancement.

Brought two national honorary societies to Central Washington University.

Co-lead the building and financing for the state-of-the-art 228,000 square foot Student Union-Recreation Center.

Developed a five-year enrollment management plan and a 30-year master housing plan.

Named "Pillar of the Profession" by NASPA Foundation, 2012

Elected to the NASPA Foundation Board 2012-2018

NASPA International Exchange delegate to New Zealand/Australia Student Affairs Conference 2013

Director of the NASPA Alice Manicur Symposium, 2014

Member of Graduate Faculty, Central Washington University, 2006-2011

Elected to the Board of Trustees, Westminster College, Salt Lake City, Utah, 2016-2020

PROFESSIONAL EXPERIENCE

San Francisco State University, San Francisco, CA, November 2017 – February 2018

Interim Senior Associate Vice President/ Dean of Students

Responsible for Deans of Students staff, Recreation Center, Student Activities, Residential Life, Student Conduct, Career Center and Leadership Development, New Student Orientation.

Louisiana State University, Baton Rouge, LA, May 2016 – March 2017

Associate Vice President for Enrollment Management

Responsible for enrollment management, undergraduate admissions, recruitment, communications, programming and financial aid and scholarships. Working on enrollment planning, financial aid leveraging and strategies, as well strategies to increase the footprint of the university.

Louisiana State University, Baton Rouge, LA, June 2015 –May 2016

Interim Appointment Associate Vice President for Enrollment Management

Responsible for enrollment management, undergraduate admissions, recruitment, communications, programming and financial aid and scholarships. Working on enrollment planning, financial aid leveraging and strategies, as well strategies to increase the footprint of the university.

Keystone College, La Plume, PA, August – November 2014

Vice President for Enrollment Management

Interim Appointment through the Registry for College and University Presidents

Responsible for enrollment management, admissions, and financial aid. Worked on enrollment planning, financial aid leveraging and strategies, new student orientation, and the Jenzabar EX database system.

Antioch University, Yellow Springs, OH 2013-2014

Vice Chancellor of Enrollment Management

Interim Appointment Through The Registry for College and University Presidents

Responsible for enrollment management, admissions, financial aid, recruitment at four campuses. Worked with the development of financial aid strategies, the training of new and existing staff, communication plans for Hopson's CRM system, and enrollment planning.

University of North Texas, Dallas, TX 2011- 2012

Associate Provost for Student Success and Dean of Students

Interim Appointment through the Registry for College and University Presidents

Responsible for strategic enrollment management, enrollment management systems, student retention research, student activities, orientation, FYE, student wellness, counseling services, career services, disability services. Provided oversight of recruitment, admissions, financial aid/scholarships, registration, new student orientation, outreach and college readiness, student life, first year experience, and overall accountability for all aspects of student affairs and enrollment management.

Additional activities: Behavioral Intervention Team, Executive sponsor of the PeopleSoft implementation, President Cabinet, Institutional Effectiveness Committee

Central Washington University, Ellensburg, WA 2010-2011

Vice President for Student Success 2010-2011

Responsible for the creation, design and development of a new division dedicated to the success of new freshmen and transfer students. Conducted a comprehensive study of the division of Advancement to define organizational needs, ways to increase alumni participation and to identify new strategies for enhancing fund raising activities.

Vice President for Student Affairs and Enrollment Management 2001-2010 Central Washington University

Responsible for the areas of enrollment management, admissions, financial aid, registrar, university housing and new student programs/orientation, health center, counseling center, wellness center, student union, recreation center, student activities, center for student empowerment, diversity education center, civic engagement center, early childhood learning center, enrollment management systems, CAMP, HEP and EOC grants, student transition program, center for excellence in leadership, center for disability services, student affairs media services, career services, university centers student affairs programs, the CWU Welcome Center, Wildcat Welcome Weekend, and Retention research and programming.

Enrollment Management Accomplishments: Enrollment growth since 2001 increased 24 percent, Student Retention increased from 72 percent to 78 percent (measured from freshman to sophomore year), helped with modifying the university brand, worked with the design of marketing materials, helped with the design and implementation of a new university welcome center and worked with the implementation of PeopleSoft and the selection, purchasing and implementation of Hopson's CRM (Connect and Retain) software systems for recruitment and retention of students.

Student Affairs Accomplishments: Worked on the design, financing and implementation of a new Student Union-Recreation Center (\$54 Million), new resident hall (\$34 Million), a complete redesign of new student orientation, university housing retention programming, worked on the development of Living-Learning Communities, developed an student affairs assessment program, promoted the redesigned of Career Services, Center For Excellence In Leadership, Student Activities, Diversity Education Center, Civic Engagement Center, Recreation activities, and adult student marketing and retention.

Professional Associations Activities: CWU Representative to WA. ACT Association, the College Board, AACRAO, NASPA, five-year appointment to the board of NASPA's James E. Scott Academy Board addressing

senior student affairs officers' professional development., 2010-2015 NASPA Center for Women Advisory Board, (ex-officio member),

Other Campus Activities: Member of the President's Cabinet, President's Advisory Council, Native American Advisory Council, ODK adviser, Co-Chair, Athletic Compliance Committee, Chair, University Waiver Committee, University Budget committee, Development Priorities Committee, faculty assignment in the College of Education.

Henderson State University, Arkadelphia, AR 2000-2001

Associate Professor of Counseling/Consultant, School of Education 2000-2001

Develop graduate courses in School and community counseling, advise graduate students, teach graduate level courses, and conduct research. Consultant in the areas of leadership development, enrollment management, institutional advancement, and student retention.

Vice President for Institutional Advancement and Henderson State University Foundation Secretary 1997-2000

Responsible for the areas of institutional development, annual giving, corporate relations, planning giving, public relations, alumni, university relations/admissions, and recruitment.

Additional Activities: Chairperson for the University Enrollment Board Management Committee, President's Cabinet, University Strategic Committee, the Henderson State University Foundation Investment Committee, Student Retention Research and the Early Warning System, and held rank of Associate Professor in the area of Community Counseling.

Vice President for Student Services 1997

Responsible for the areas of Dean of Students, judicial affairs, parents programming, greek system, freshman year experience, new student orientation, student activities, university relations/admission, financial aid, counseling and career services, residence life, university police, student health services, minority affairs, and garrison conference center. Chairperson of the University Enrollment Management committee, President's Cabinet, member of the university strategic planning committee and university retention research and programming.

Louisiana College, Pineville, LA 1991-1997

Vice President for Student Development

Responsible for the administration of residence life, food service, Baptist student union, student center, student activities, orientation, counseling, career planning and placement, freshman year seminar, retention programs, early warning system, the post office, parents' programs, chapel programs, retention research, leadership development, health services, international students, welcome week, summer conferences, campus club sports, and the college calendar. Duties included academic teaching, personnel selection, program development, retention research, grant writing, and budget management.

Additional Responsibilities: Strategic planning, institutional effectiveness, and assessment in the areas of student development, and served as the campus retention officer.

Additional Activities: Chairperson of retention committee, student development committee, and recycling task force. Instructor, freshman year seminar member, college planning committee, general education

Director of Career Planning and Placement 1991

Administration, teaching, university and grant budgets, public relations, program development, research, and selection of personnel. *Department includes:* Placement Center, Career Center, Student Employment Offices, and Cooperative Education.

Additional Activities: Corporate/Industrial relations and recruitment. Organized and implemented the annual career fair and the education career fair. Staffed and taught an academic class on job interview techniques.

Chair, University Residence Life and Food Service Committee. Grant writing and program research. Member of Enrollment Management Task Force. Coordinated placement activities with the academic departments. Facilitator of University Marketing Focus Groups. Designed and implemented a Senior Year experience academic seminar.

Director of Student Orientation and Retention 1988-1991

Administration, teaching, university and grant budgets, public relations, program development, research, and selection of personnel. Department includes: General Studies Advisement Center, The Career Center, New Student Orientation, Extended Orientation (University 101), and Student Retention (research and programming). **Additional Activities:** Conducted orientation, advisement, and career counseling for adult students. General Studies students' advisement. Marketed and organized the University 101 program and new student orientation. Faculty training and selection for General Studies and University 101 courses. Grant writing. Member of the Enrollment Management Team. Developed an early warning system to identify non-persisters. Selected and trained Southern Style- the university host and hostess student group, new student orientation facilitators, University Committee for Residence Life and Food Service. Activity Director, Title III Grant, Student Retention, 1986-1989. Chair, Parents' Weekend. Developed a five-year USM student retention plan. Co-Presented, campus-wide student retention faculty workshops.

Director of Academic Advisement Center for General Studies and Student Career Development Center Cooperative Education and Adult Services 1981-1988

Administration, teaching, university and grant budgets. Public relations, program development, research, and hiring of personnel.

Additional Activities: Promoted and planned USM Career Day Events. Active involvement in new student orientation. Active in the handicapped student program. Worked closely with business and industry conducting job development for the Cooperative Education Program. Adult's student recruitment, retention, and program development. Developed and instructed an academic course in Life/Career Planning. Developed and managed an Academic Advisement Center for General Studies (undecided students). Co-chaired Task Force for the development and implementation of campus-wide student retention program. Participant on numerous TV and radio programs concerning adult development, career development, career choices, and career changes. Chair, University Housing committee. Chair, Committee on Services and Resources for Women. Developed a student retention database. Conference Director for a National Conference on Enrollment Management in Higher Education. New Orleans, Louisiana. Developed and marketed the Career Development Center Computer-Assisted Guidance Systems. Designed and implemented a University 101 course. Activity Director, Title II Grant for Student Retention, 1986-89. Conference Director, National Conferences on Enrollment Management, for New Orleans, LA; and Chicago, IL.

RELATED EXPERIENCE

Northwestern University of Louisiana, Natchitoches, LA 1995-1997

Adjunct Faculty, Department of Education
Student Personnel/Counselor Education

Center for Individual and Family Counseling, Alexandria, LA 1995-1997
Career Development Consultant

Autumn Woods Psychological Group, Jackson, MS 1993-1997

Career Development Counselor

William Carey College, Hattiesburg, MS 1981-1991

Associate Faculty Member, Department of Psychology

Academic course development and instruction in the Graduate Program of Counseling Psychology.

University of Southern Mississippi, Hattiesburg, MS 1981, 1987-1988

Adjunct Faculty, College of Business Administration 1987-1988

Instructor of a Creative Marketing course.

Coordinator for Adult Services 1981

Recruitment, retention, program development, and advisement of nontraditional aged students. Implications for Higher Education, graduate level course and Life/Career Planning, course designed for the retention of transfer students and undecided majors.

Instructor, United States Department of Interior: Park Services – USM, Hattiesburg, MS

Criminal Justice Department, University of Southern Mississippi, Hattiesburg, MS 1988

UNIVERSITY COMMITTEE APPOINTMENTS

University of Southern Mississippi

Staff Excellence Committee, Chair

University Traditions Committee

Enrollment Management Task Force

University Classification Committee

Personnel Board, University Security Department

The University Fraternity-Sorority Committee

The University Sales and Solicitation Committee

The Committee for Services and Resources for Women, Chair (3 years)

Public Safety Advisory Committee

The University Retention and Recruitment Task Force for Non-Traditional Students and Traditional Students

Co-Chair, Task Force on Handicapped Students

University World's Fair Committee

University Residence Life and Food Service Committee, Chair (4 years)

University Marketing Consortium

Executive Board, The University Club

CONSULTATIONS

Hope House, Alexandria, LA, 1995. The Development and Implementation of a Career Development Program,

Nicholls State University, Thibodaux, LA, 1994-1995, Developing a Campus Wide Student Retention Program

Mississippi College, Clinton, Mississippi, 1992-1993, A Campus-Wide Student Retention Study

Copiah-Lincoln Junior College, Wesson, Mississippi, The Development of a Career Development center and

Academic Advisement Center

Marketing Research Focus Group Facilitator, Mississippi Power Company, Gulfport, Mississippi

Consultant/Lecturer, Pine Grove Recovery Center. Conduct programs for patients with drug and alcohol addictions.

Consultant/Program Developer, "Teacher's Changing Career's" workshops Mississippi Gulf Coast Junior College, The Development and Administration of a Career Development Center located on three campuses, Gulfport, Mississippi,

Southwest Junior College, the Development and Administration of a Career Development Center, Summit, Mississippi

Consultant with the National Association of Women Bankers

Consultant, Math Anxiety Dissipation Experience (final grant proposal presented to the Comprehensive Program Fund for the Improvement of Post-Secondary Education)

Consultant, Cooperative Education, Western Kentucky University

EDUCATION

University of Southern Mississippi, Hattiesburg, Mississippi

Doctor of Education

Adult Education/Counseling Psychology

Dissertation: *The interrelationships between sex role identities, educational and career aspirations, and parental educational levels of women in science careers.*

University of Southern Mississippi, Hattiesburg, Mississippi

Master of Education

Counseling and Guidance

University of Southern Mississippi, Hattiesburg, Mississippi

Bachelor of Science

Physical Education, Recreation and Health

Secondary Education, Management

ADDITIONAL EDUCATION (selected)

Carnegie Mellon University, Pittsburgh, PA

College Management Program

Richard F. Stevens Institute, Incline Village, NV

National Association of Student Personnel Administrators

Harvard University, Cambridge, MA

Institute for Educational Management

Wellesley College, Wellesley, MA

Higher Education Resource Services (HERS), Management Institute for Women in Higher Education

University of Virginia, Charlottesville, VA

Center for the Study of Higher Education, Higher Education Management

University of Northern Colorado, Greeley, CO

Women as Learners, Received Fellowship from the Council for the Advise ment of Experiential Learning

PRESENTATIONS (selected)

Engaging Student Affairs Professionals in Division-Wide Assessment, NASPA Western Regional Conference, Portland, OR, November 2010.

Developing Student Affairs Leaders, NASPA, Chicago, March 2010.

Working with a New President: If We Knew Then What We Know Now, NASPA, Chicago, IL, March 2010.

Student Affairs Professionals and Student Retention, Louisiana Association of Colleges & Universities Student Personnel Administrators, Northwestern State University, Natchitoches, LA, October 1996

The Future of Student Affairs, Louisiana Associations College and University Student Personnel Administrators, Nicholls State University, Thibodeaux, LA, October 1995

The Role of Student Affairs Professional in Retention National Association of Student Personnel Administrators, Xavier University, New Orleans, LA, October 1995

Professional Growth: The NASPA Stevens Institute. National Association of Student Personnel Administrators, Region III, Daytona Beach, FL, November 1995

Steps to Effective Career Planning. The Professional Women's Exchange Career Conference, Alexandria, LA, April 1995

Developing and Implementing Freshman Programs Conference of the Louisiana Colleges and Universities, centenary College of Louisiana, Shreveport, LA, March 1995
 Second Time Around: Changing Careers; Crossroads Hospital, Alexandria, LA, August 1994
 Life/Career Planning and Preparing for the Real World Presentations to the Kappa Delta Sorority National Convention, Dallas, TX, June 1993
 Preparing a World Class Workforce, a presentation for the congressional hearing concerning the re-authorization of the higher Education Act, Jackson, MS, May 1991
 Strategies for Preventing School Dropout, a presentation for the National School Board Association National Conference, San Francisco, CA, April 1991
 Lesson's Learned, National Conference on Student Success Courses, Orlando, FL, March 1989
 The Focusing on Curriculum Planning and course Structure: Creative Insights for University 101, National conference on Freshmen Year Experience, University of California, Irvine, CA, January 1989
 Student Retention: A Campus-Wide Responsibility, Southern Association of College Student Personnel Administration, New Orleans, LA, November 1988
 Recruiting Returning Learners on a Shoestring Budget- Straight Talk about Recruiting and Retaining Adults, National Conference on Student Retention, Washington, D.C., July 1987
 Options for Mid-Life, Sales and Marketing Executives, Mobile, AL, January 1987
 Is the Mid-Life Crisis Real? Sales and Marketing Executives, Jackson, MS, November 1986
 Recruiting Adult Students, the College Board Southeastern Regional Conference, Atlanta, GA, February 1986
 Career Change, Mississippi Women in Educational Leadership, Jackson, MS, December 1985
 Planned Direction, presentation to the Public Relations Association of Mississippi, Jackson, MS, October 1985
 Recruiting Adult Students, The College Board, Office of Adult Learning Services, Jackson, MS, October 1985
 The Career Change Process, presentation International Association of Business Communicators, May 1985
 Looking at Adult Learning in Mississippi, Governors Conference on Adult Learning, Jackson, MS, March 1985
 Market Oneself, Mississippi Association for Home Economist Conference, March 1985
 Changes and Choices, Conference for Singles, February 1985
 Managing Through Others, Mississippi Women Bankers Association, September 1984
 Changing Careers, Mississippi Business Women's Conference, September 1984
 Career Development Through the Life Stages, a presentation on ACCESS, the Mississippi Educational Television Network, February 1984
 Achieving Your Goal, presentation to the National Secretary's Association (Mississippi Chapter), September 1983
 Career Development and Life Choices, a 30-minute television presentation Dimension Seven WDAM-TV, June 1983
 Planned Change, presentation on the Federal Women's Association, March 1983
 Career Education, presentation to the South Pike School District, McComb, MS, April 1982
 The Career Development and Recruitment of the Nontraditional Student in Higher Educations, presentation to the Gulf Coast Regional Interstate Collegiate Consortium, Lafayette, LA, March 1982
 Planning for Employment or Returning to School, USM Division of Continuing Education, February 1982
 Career Development: Are You Willing to Grow? USM Division of Continuing Educations, February 1982
 The Adult Student: Recruitment and Retention, presentation to the Southern Association of Admissions Officers and Registrars, Biloxi, MS, February 1982

PUBLICATIONS AND RESEARCH PRESENTATIONS

Cade, Ruth Ann and Tullos, Charlotte. (1981). A Study of the Androgynous Characteristics of Mississippi Women College Students. Journal of the Mississippi Academy of Sciences.
 Tullos, Charlotte and Cade, Ruth Ann. (1981). A Study of the Effects of Intensive Exposure to Role Models on the Androgynous Characteristics, Career Aspirations, and Educational Levels of Women College students. (Published by a grant funded by the Women's Education Equity Act).
 Tullos, Charlotte. (1985). A Study of the Effects of Intensive Exposure to Role Models on the Androgynous Characteristics, Career Aspirations, and Educational Levels of Women College Students. Paper presented to a Fabric on Our Own Making: Southern Scholars on Women, Atlanta, Georgia.

Tullos, Charlotte. (1986). A Study of Sex Roles Education Aspirations Career Aspirations and Expected Salaries of Southern Women. Paper presented at the Seventh Annual Conference on Research on Women in Education, Washington, D.C.

Tullos, Charlotte. (1988, June). The Mid-Life Career Change. Paper presented to the Education and Training for Human Development Conference sponsored by The Higher Education for Adult Mental Health Project, The National Institute of Mental Health, and College of Education, Memphis State University.

GRANTS

Project Director. The President's Quality Incentive Grant, Louisiana College, The Development of a comprehensive career Development center, 1993-1994

Project Director. 1988-1989 Title VIII Seventh Year Cooperative Education Administration Grant, US Department of Education. (\$109,000)

Project Director. 1987-1988 Title VIII Sixth Year Cooperative Education Administration Grant, US Department of Education

Activity Director. 1986-1989 Student Retention Program Development, funded by Title II. (\$87,500)

Co-Director. Women in Science Careers Workshops, funded by the National Science Foundation, 1979-1981.

Co-Director. Assisting the Needs of Re-Entry Women, funded by the University of Southern Mississippi, 1982.

Project Director. Cooperative Education 5th year grant, Title VIII.

Project Director. Cooperative Education Supplementary Grant, 1982-1988.

Author. Grants funded after departure from the University of Southern Mississippi, Amoco Foundation, 1991, \$10,000.00. U.S. Department of Education, Development of Academic Assistance Centers, Title II, 1991-1993, \$97,000.00.

HONORS AND AWARDS

NASPA's 2012 Pillar of the Profession, 2012.

Awarded NASPA Region V: Distinguished Service to the Profession Award 2008

Center for Excellence in Leadership Diversity Award 2005

Women's Achievement Award, Central Washington University, 2004

NASPA, Region III, Robert D. Brandshaw Award for Outstanding Service to Students 1996

Woman of Achievement, an award presented at the 1993 Kappa Delta National Convention

American Association of State Colleges and Universities Certificate of Excellence Award for the University of Southern Mississippi's Adult Mentor Program

First Annual "Faculty Member of the Year" award presented by the National Pan-Hellenic Conference and National Delta Zeta Sorority, December 1990

ACT/NACADA National Recognition Program for Academic Advising, one of 12 institutions to be Certificate of Merit winner for the General Studies Advisement Program 1989

Achievers, an award for professional advancement and community services 1985

Omicron Delta Kappa, National Leadership Honor Society

Order of the Pearl, A National Award for Leadership from the National Kappa Delta Sorority

PROFESSIONAL ORGANIZATIONS

Louisiana Chapter of American Council on Education/National Identification Project

Mississippi Chapter of American Council on Education/National Identification Project

Arkansas Council for Women in Higher Education Leadership

Council for Advancement and Support of Education

National Association of Student Personnel Administrators

National Academic Advising Association

Mississippi Cooperative Education Association

Cooperative Education Association

American Association of Registrars and Admissions Officers

Phi Delta Kappa

Kappa Delta Pi

American Geriatrics Society
Southern Association for College Student Affairs
Hattiesburg Chamber of Commerce – USM Voting Representative
National Council on Aging
Adult Education Association of America
American Association of Engineering Educators
The Career Women’s Association
Mississippi Association for Women in Higher Education
National Center for Higher Education Management Systems, USM Liaison Officer
Mississippi Economic Council – USM Representative
National Orientation Director’s Association

PROFESSIONAL AND COMMUNITY ACTIVITIES APPOINTMENTS (selected)

Chair, NASPA’s Alice Manicur Symposium For Women Aspiring to be SSAO’s 2012
Elected to the NASPA Foundation Board 2008.
President, Vice Chair, Board Member of the Kittitas County Economic Development Group. Kittitas County, Ellensburg, WA 2005-2011
Head Start Board. Vice Chair and Chair, Ellensburg, WA 2006-2011
Board Member, Kittitas County Community Hospital Foundation, Ellensburg, WA 2006-20011
Board Member and Planned Giving Chair, Board Member, CASA (Court Advocates of Kittitas County), Ellensburg, WA 2004-2011
Member of the Planning Commission of Kittitas County, Ellensburg WA 2007-2011
Chair, Ellensburg Business Development Authority, Ellensburg WA 2007-2011
NASPA Region V Advisory Board, planning committee (development/fund raising chair and co-chair) for NASPA Regions V and VI, 2007, 2009 and 2010 conferences
Director, NASPA Region V Senior Student Affairs Officers conferences, 2004-2009
Board Vice President, United Way, Ellensburg WA 2004-2007
Board member, Head Start of Kittitas County, Ellensburg WA
Chamber of Commerce Board, Arkadelphia, AR 1999-2003
Team Leader, Vision 2010, University of Arkansas Cooperative Extension Project for Community Development 1999
Board Member, South Arkansas Community Development 1999
Rotary Club, Arkadelphia, Arkansas 1999
Leadership America, Class of 1999
Leadership Louisiana, Class of 1996
State Director, Louisiana National Association of Student Personnel Administrators (NASPA) 1996-1998
Board of Directors, Region III, NASPA 1996-1999
Board of Directors and Loaned Executive, United Way of Central, Alexandria, LA 1993
Executive Committee, Conferences on Louisiana Colleges and Universities 1996-1997
Executive Committee and Private College Representative, Louisiana Association of College and Universities
Board of Directors, New Horizons, Alexandria, LA 1996-1999
Advisory Board of Cross Roads Psychiatric Hospital, Alexandria, LA 1996
Louisiana Co-Director, Office of Women in Higher Education, National Identification Project, American Council on Education, Alexandria, LA 1995-1997
State Coordinator Adult and Commuter Student Committee, Region III of National Association of Student Personnel Administrators, Alexandria, LA 1995
Board of Directors, Executive Committee, and Vice President for Membership; Central Louisiana Chamber of Commerce, Alexandria, LA 1995-1998
Region II Director, Student Leadership Conference Coordinating Committee, Baptist Association for Student Affairs, Alexandria, LA 1994-1995
Campaign Cabinet, Central Louisiana United Way, Alexandria, LA 1994
Chair, Membership Committee, Central Louisiana Chamber of Commerce, Alexandria, LA 1994

Professional Women's Exchange, Executive Committee, Vice President, Alexandria/Pineville Commission on Women, Alexandria, LA 1993-1994
Advisory Board, Louisiana Commission on Youth, Chair, Leadership Central Louisiana Alumni, Alexandria, LA 1993-1994
Board Member and Executive Committee, Alexandria Community Support Services, Alexandria, LA 1994-1998
Leadership Central Louisiana, Class of 1993, Central Louisiana Chamber of Commerce, Alexandria, LA
Board Member, Central Louisiana Chapter of the American Cancer Society, Alexandria, LA
Board Member Executive Committee, Louisiana College and Universities Association, Alexandria, LA
Board of Directors, American Cancer Society, Forrest County Chapter, Hattiesburg, MS
Board Member, William Carey College Development Board, Hattiesburg, Hattiesburg, MS
Chapter II Advisory Board, Mississippi State Department of Education, Hattiesburg, MS
President and Trustee, Hattiesburg Public School Board, Hattiesburg, MS 1983-1991
Board of Directors, Mississippi Association of Women in Educational Leadership, Hattiesburg, MS
Board Member, Opportunity House, Hattiesburg, MS
Board Member, Forrest-Lamar County Mental Health Association Hattiesburg, MS
Advisory Board, Hattiesburg Area Education Foundation, Hattiesburg, MS
Board of Directors, University of Southern Mississippi Forrest County Alumni Association, Hattiesburg, MS
Board of Directors, Hattiesburg Youth Orchestra, Hattiesburg, MS
Publicity Chairperson, Forrest County March of Dimes, Hattiesburg, MS
USM Group Captain, United Way Campaign, Hattiesburg, MS
President, Kappa Delta Alumni Association, Hattiesburg, MS
Vice President, Mississippi Gerontological Society for Employment, Constitution and By-Laws, History and Awards, Hattiesburg, MS
Board of Directors, Mississippi Gerontological Society, Hattiesburg, MS
Executive Board, Committee on Services and Resources for Women, University of Southern Mississippi, Hattiesburg, MS
Board of Directors, Hattiesburg Little Theatre, Hattiesburg, MS
Board of Directors, League of Women Voters, MS
Vice President, Mississippi Association of Women in Higher Education, MS
President, Mississippi Association of Women in Higher Education, MS
Board of Directors, Hattiesburg Junior Auxiliary Youth Home, Hattiesburg, MS
Chair, Committee on Services and Resources for Women, University of Southern Mississippi, Hattiesburg, MS
Vice President, Mississippi Cooperative Education Association, 1983-1984, Hattiesburg, MS
President, Mississippi Cooperative Education Association, Hattiesburg, MS
Secretary, Mississippi Cooperative Education and Placement Association Treasurer, Hattiesburg, MS
State Leader, Mississippi Co-op and Placement Association, Hattiesburg, MS

REFERENCES

David L. Coppola, Ph.D.
Keystone College
President
david.coppola@keystone.edu
570-945-8500

Jerilyn McIntyre, Ph.D.
Central Washington University
President Emeritus
mcintyrej@cwu.edu
509-899-4275

Ellen Wood Hall, Ph.D.
Antioch University, Midwest
Former President
Ellenwoodhall@hotmail.com
315-515-8354

John Ellis Price, Ph.D.
University of North Texas at Denton
President Emeritus, University of North Texas at Dallas and Professor of Accounting
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President's Commission on Strategic Enrollment Management SWOT
August 15, 2018

The Commission received its charge from President Bob Davies on June 5, 2018. The charge was to identify factors affecting enrollment trends at Murray State University, report the findings of the study to the Board, and develop a strategic enrollment plan for the next five years. Once accepted by the Murray State Board of Regents, the plan would be incorporated into the University's strategic plan.

Membership on the Commission is as follows:

Name	Office	Name	Office
Layal Atieh	Student Affairs	Dan Lavit	Center for Adult and Regional Education
Susana Bloomdahl	Educational Studies, Leadership and Counseling	Tyson Mannering	International Recruiting
Tony Brannon	Hutson School of Agriculture	Maria Rosa	Transfer Office
Wendy Cain	Bursar's Office	Shawn Smee	Admissions
SG Carthell	Office of Multicultural Affairs	David Whaley	College of Education and Human Services
Barbara Cobb	University Advising	Peggy Whaley	Student Engagement and Success (Retention)
Christian Cruce	Scholarships Office	Roslyn White	African-American Recruitment
David Eaton	Economics and Finance	Don Robertson*	Student Affairs
Matthew Jones	Graduate Recruiting	Mark Arant*	Academic Affairs
Adrienne King	University Advancement		

*Co-chair

The work of the Commission was subdivided into taskforces, each with the charge of analyzing specified areas. The areas are chronicled below.

The 18 County Region	Discount Rates	Minority and First Generation Recruitment
Academic Advising	Graduate Recruitment	Retention
Academic Programs	International Recruitment	Scholarships
Admission Standards	Low Income Student Retention	Transfer Students
Adult Learners	Marketing	Undergraduate Recruitment

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The analyses from the taskforces were then reviewed and the strongest themes collected into a draft document, presented to Dr. Davies on June 29. After his review and comments were incorporated, the draft was presented to the Commission for further discussion. This document contains the findings of the Commission and serves to inform the Board of the strengths, weaknesses, opportunities, and threats that currently influence enrollment at Murray State University.

Working Document

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STRENGTHS

Three categories of Strengths were identified: Academics; Cost, Tuition, Aid, and Student and Community Life. These are not listed in order of priority or impact.

Academics

- The advising model used at Murray State uses a coordinated mixture of University-level and department-level efforts. This model is often cited as a best practice in retention efforts.
- College and departmental administrators are noted as student-centered and responsive to the needs of students and the community.
- Retention efforts at Murray State produce retention rates that consistently exceed national norms.
- The University Libraries are student friendly and are hubs of student activities.
- The academic accreditations held by colleges and programs on campus are testaments to Murray State's commitment to excellence and figure strongly into recruiting and retaining quality students and faculty.
- The University's commitment to experiential learning leads to greater student engagement. Examples of this effort include laboratories, studios, field work, internships, work studies, graduate assistantships, Hancock Biological Station, etc.
- Commonwealth Honors Academy and the Honors College recruiting and retention successes represent a commitment to enrolling and retaining high performing students.
- Murray State enjoys recognition through its annual appearance in national ranking publications.
- Murray State has a reputation for numerous quality educational experiences in national and international venues such as its various exchange programs and Education Abroad.
- Enrollment in Racer Academy continues to grow, providing a rich recruiting ground for Murray State.
- Work opportunities on the Murray campus provide ways for students to stay connected to support groups and earn income to help defray the cost of attendance.
- The transition courses offered by the various majors in concert with the student success seminars have documented impact on improving student retention.
- Quality undergraduate research opportunities are hallmarks of experiential learning at Murray State, adding to its prominence.
- A large number of first-generation faculty and staff allow for a strong connection with the large number of first-generation students.
- Engaging and supportive faculty and staff members are often cited in commentaries of students and alumni as positively impacting their career at Murray State.
- The hiring practices of the departments and the colleges successfully identify faculty compatible with Murray State's mission.
- Faculty possess credentials that add to the quality of the educational experience for the students.

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- Murray State's campuses are located in a manner provides greater access to the more distant areas of the service region.
- The Murray campus boasts new and vibrant educational facilities, e.g. the Engineering and Physics Building and Alexander Hall while the Paducah, Hopkinsville, and the new Madisonville facilities provide modern educational surroundings.
- Articulation agreements and collaborations with area community colleges aid students in transferring to Murray State.

Cost, Tuition, and Aid

- The new international scholarship grid will make Murray State more competitive in international markets.
- The merit scholarship grid attracts high performing students aiding to the retention and graduation rates.
- Students can apply for scholarships at Murray State with a single application.
- The cost of attendance at Murray State is reviewed conservatively with affordability and quality as guiding principles.
- The new graduate tuition will positive effects on increasing student credit hour production.

Student and Community Life

- The Murray State Campus has a well-planned footprint with appealing architecture. The view of campus upon entering Murray makes a good first impression.
- The campuses and surrounding communities are regarded as safe places.
- The centralized structure of the international programs facilitates and responsiveness to the needs of the students.
- Murray State has enjoyed symbiosis with its communities and efforts such as the Town & Gown program support good relations.
- Murray State is committed to minority student recruitment as outlined in the strategic plan.
- Murray State faculty and staff are involved in the community and local schools.
- The quick responsiveness of many offices on campus is noted in comments by students.
- Academic programming and student life initiatives are complimentary in many aspects. Numerous academic clubs and service learning projects exist.
- The inclusive atmosphere and welcoming environment at Murray State fosters a sense of family.
- Alumni of Murray State University are engaged as many volunteer to assist in recruitment activities.
- Local school relationships with Murray State lead to numerous campus visits for academic or social events.

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- Office of Multicultural Affairs offers a supportive environment that engages the student holistically. Its efforts range from supporting academic performance to teaching life skills.
- In many instances, students can be admitted onsite at high schools and community colleges.
- Racer One Stop has proven to be successful in admissions and retention processes.
- Many services for students with disabilities exist on campus.
- The TRIO programs offer outreach and support to middle school, high school and college students as they pursue their academic goals.
- The Wellness Center supports a healthy lifestyle for students and is a good recruiting tool for students.

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WEAKNESSES

Five categories of Weaknesses could be identified: Academics, Communication, Environment, Financial and Support. These are not listed in order of priority or impact. Weaknesses are opportunities for improvement.

Academics

- Online course and program offerings are limited in comparison to competitors. It is acknowledged that implementation of online policies requires a measured approach as to assure all student demographics can be successful at Murray State. Online is not for everyone.
- Some articulation agreements are dated and should be refreshed. The process for establishing and reporting such agreements need improvement.
- Work study opportunities are limited on regional campuses.

Communication

- Internal communications regarding recruitment are uncoordinated.
- Key offices have difficulty sharing data in a timely fashion.
- A perception exists that graduate programs and international programs are less important than undergraduate programs yet all contribute to enrollment.
- There is limited contact and engagement with international alumni.
- Inconsistent tone and poor tact exist in some official communications to students.
- The tier system nomenclature unintentionally profiles students.
- Key websites and social media forums related to recruiting and admissions are not user friendly and are out-of-date.

Environment

- An atmosphere of risk aversion is developing due to declining resources.
- Declining morale among faculty and staff is threatening the supportive atmosphere.
- Recent reorganizations have been a distraction for offices focused on admissions and enrollment.
- Internal interpretation of policies and regulations is comparatively more conservative than most competitors.
- The lack for cross-training in critical offices causes work to stop or slow significantly when key individuals are out of the office.
- The lack of customer service training for high-touch offices has resulted in students being turned away with bad perceptions of Murray State.
- Some offices focus only on their functions and cease to be helpful when the question extends beyond their areas.

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- No strategies for Hispanic and Latino recruitment exist. Limited retention efforts are in place for these students.
- The low staff, faculty, and student diversity on campus is a challenge in recruiting minority students.
- Differed maintenance on campus and reduced attention to campus aesthetics (landscaping, building façades, cleanliness of offices) is negatively influencing student recruitment and retention.
- The current state of the Richmond site hinders recruitment efforts and does not reinforce assertions of campus safety.
- Support for student life is diminishing due to diminishing resources.

Financial

- Payment options for students are too limited.
- Students have limited abilities to use financial aid for study abroad opportunities.
- Alumni have a limited number and amount of tuition discounts.
- There are too few opportunities for need-based aid or grants.
- Graduate assistantships are declining in number and have not kept pace with market trends.
- Transfer student scholarships and grants are limited.
- The order of how financial aid is applied is not beneficial to some students.
- The cost of attendance is not competitive with some other regional institutions vying for the same students.
- Cost of online courses and programs are well above market for some key programs.
- Successive increases in the cost of attendance (tuition, fees, room and board, etc.) must be scrutinized to avoid becoming uncompetitive.
- All students pay the same mandatory fees though some may be physically unable to avail themselves of the services provided by the fees.
- Regional tuition rates are a barrier to recruiting many out-of-state students.
- The tuition change for 100T courses adds a new financial burden to students who have historically not had to pay for this course.
- The lack of a comprehensive financial literacy education program or model misses opportunities to retain students who struggle with their personal finances.

Support

- Support for University Advising and Pathways efforts is insufficient to fulfill the missions of those initiatives.
- Racer Academy students are slowed in their transition to Murray State by the current application processes.
- Availability of student support services on regional campuses is significantly less than those offered on the Murray campus.

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- Changes in health services have raised a number of questions with potential students and parents, adding a layer of skepticism about attending Murray State.
- Evaluation of transfer credit is more restrictive than competitors and the timeliness of transfer evaluation is not efficient.
- The graduate admissions process is outmoded.
- Insufficient IT support and staffing prevents more universal use of automation and institutional research methodologies.
- Lack of on-campus child-care availability prevents some adult students and other students with children from attending.
- Limited marketing resources and venues prevents Murray State from articulating its mission and vibrancy.
- Limited international support resources does not allow Murray State to achieve its market share of students from foreign countries.
- Limited resources and space for the Office of Multicultural Affairs initiatives hinders recruitment and retention of underrepresented minority students.
- Limited use of automation in recruiting and retention efforts reduces response times and is not reflective of the techno-centric environment the students expect of a modern institution of higher education.
- Online undergraduate admissions application is not user-friendly.
- Vacancies exist in key offices involved in recruiting and retention resulting in systemic inefficiencies.
- No clear overall strategy for first-generation students exists.

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OPPORTUNITIES

Five categories of Opportunities could be identified: Academics, Communication, Environment, Financial and Students. These are not listed in order of priority or impact.

Academics

- Additional academic advising and Pathways support would improve retention efforts.
- Accelerate U! will provide a path to Murray State for students who may not be accepted initially.
- Accelerated programs will appeal to students needing a faster path to a degree, whether graduate or undergraduate.
- Adult students are a largely untapped audience for Murray State.
- Bridge programs can assist in getting students prepared for their course of study at the undergraduate and graduate levels.
- Increased concurrent enrollment efforts will reap benefits for community colleges and Murray State.
- Creation of a Graduate College would provide streamlined enrollment, recruiting, and governance of graduate efforts at Murray State.
- Departmental and collegiate advising can be enhanced by the strategic addition of advisors and software.
- Increased dual credit matriculation to Murray State would increase the population of motivated, talented students.
- Expansion and investment in the Commonwealth Honors Academy and the Honors College would reap greater numbers from programs that are already proving successful in enhancing Murray State's academic reputation.
- Expanding key spaces (e.g., virtual lab and 3D printers, etc.) in locations such as Waterfield Library would engage creativity on campus and in the community, further enhancing Murray State's quality academic image.
- Increased regional focus and outreach through academic programming such as camps, professional development, and support of businesses would strengthen the ties between the community and mission of Murray State.
- Flexibility within the academic calendar such as increasing the number of entry points and moving more courses to compressed, accessible schedules will reach more students more effectively.
- New graduate programs that are tailored for the working adult students with accessible times and deliveries will reach new audiences.
- Increased Canvas use by faculty would enhance communication and assist in retention efforts.
- Interdisciplinary curricula addressing modern needs will enhance relevancy at Murray State.
- New international partnerships will enhance the cultural diversity sought by Murray State while increasing the enrollment.

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- Expanded micro-credentialing efforts, in both academic and professional development arenas, will address the needs of modern employers.
- New and planned curricula are essential in recruiting new students addressing their future aspirations. Relevancy in Murray State's offerings will aide in the recruitment and retention efforts.
- A new summer school model could provide new ways of reaching students through new modalities and allow students to complete their coursework faster.
- An Online Program Manager will assist Murray State to get its degrees into new markets as well as performing assessments on daily operations that would reveal efficiencies and better ways of connecting with students.
- Expanded use of prior learning assessments would allow accomplished students to move toward completing their credentials more rapidly. With over 35 million Americans with some college experience but with no degree, leveraging their work experience toward a degree would increase their chances of returning to school.
- Each college should develop and maintain a recruitment and retention plan that is integrated into their strategic plan to help guide curriculum efforts and budgetary prioritization.
- All transfer agreements with community colleges should be reevaluated for opportunities.
- Murray State should rethink the four year experience by looking at better ways to increase the path to graduation and graduate school e.g. 3+2 programs.
- Curriculum processes should be reviewed for enhancement to ensure a minimal time for ideas to become reality.
- Many universities are having success with good second-chance policies. Murray State should review its efforts in this arena.
- Signature programs at Murray State should be identified and receive investment. There should be at least one signature program in each college. The objective would be that the successes of these programs would aid in the growth of all programs.
- As a parallel to Murray State's recognized Education Abroad program, efforts should be made to enhance a national Study Away program and participation in National Student Exchanges. This could serve as lower cost compliments to Education Abroad.
- Revision of University Studies will provide opportunities for flexibility within the curricula at Murray State as well as ease the path for transfer students.
- Virtual advising for students (e.g., regional and international students) would aid in their transition to Murray State and will assist in their persistence to graduation.
- New high school to college transition programs have good potential of recruiting students such as summer bridge programs and 1+3 articulations.
- A Murray State app and a chat bot can be effective tools in reaching students who live and learn in a technological age.
- The use of virtual and augmented realities in instruction would provide Murray State a competitive edge.

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Communications

- The timing of scholarship award deadlines and notifications needs review to ensure Murray State is at a competitive advantage in the State.
- Murray State should use in modern communication instruments and strategies to maximize its reach.
- Coordinated efforts between the campuses and communities of Murray State should routinely occur for new student and planned campus visits.
- Hometown press releases, announcing students that were awarded scholarships, should be employed.
- The Center for Adult and Regional Education needs to have marketing strategies to reach transfer and adult students.
- Promotion of college signing days, utilizing social media and photos, should be a priority.
- Showcase academic activities such as students using the libraries, labs, studios, or the farms in powerful imagery and video efforts.
- Showcasing the value of a Murray State degree from the perspective of alumni would be a powerful message to capture and promote.
- The use of social media to promote activities by Murray State for recruitment and retention is a must. All messaging should be relevant, coordinated, and current.
- The regular use of student panels for feedback in recruiting efforts should be pursued.

Environment

- Murray State should consider flex scheduling for key offices to assist more students.
- Advances in technology, such as big data, automation, communications, should be leveraged to the greatest extent possible to help with institutional agility and data-informed decision making.
- The ground is fertile for a number of business and university partnerships in all of Murray State's communities.
- The commitment to Murray State as a family environment must be evident in everything the university does.
- The Curris Center has the potential to increase its effectiveness as a university hub with new programming.
- Greek Life is an essential part of the campus life. It should be leveraged in recruiting and retention efforts.
- Increase and enhance student space through renovations of current buildings to support a greater sense of community.
- A Learning Commons should be explored as a one-stop shop for academic support and expression.
- The Residential Colleges should be reinvigorated to further promote retention among the students.

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Financial

- Military rates need to be implemented for enhanced recruitment and retention of military personnel.
- One regional tuition rate would simplify advertisement and recruitment of regional students.
- Increases to Pell Grant will enhance the affordability of college and will give Murray State an opportunity to recruit low income students.
- Re-evaluation of current Illinois tuition rate will reveal an opportunity to better reach Illinois students.
- The graduate tuition model can undergo further revisions for greater affordability and simplification.

Students

- Murray State can enhance its recruiting efforts of international students by further implementation of its "You Are Welcome" campaign.
- An admission policies review may reveal an opportunity to include more variables in recruiting quality students to Murray State.
- The opportunity to pair alumni with students in mentorship programs exists.
- With some of the initial successes of the self-reporting of new freshman data, a similar effort may yield good results for transfer students.
- A review of campus visits will reveal opportunities to increase their effectiveness in recruitment.
- Expanded use of the Career Services Office will connect students to careers more firmly, aiding in the persistence of students to graduation.
- A commuter student retention strategy would benefit all of Murray State's campuses.
- Murray State can connect with diversity offices at community colleges to aid in recruiting underrepresented minorities.
- A greater focus should be placed on gaining at least 20% of the college-going market in each county in Murray State's service region.
- The Student Ambassador program should be reviewed for enhancement.
- Murray State should explore recruitment and tuition opportunities in capacity states such as California and Texas.
- International government sponsorships of students have been good sources of students from Saudi Arabia. With those numbers declining, other similar possibilities should be sought.
- Murray State's alumni do well in the marketplace. Using their employability statistics in marketing would tell a powerful story.
- Murray State can reach adult students, Hispanic, Latino, and urban centers as new demographics.
- Middle school outreach should become a key component of recruitment and community engagement.

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- Military recruitment should be coupled with a flexibility that meets their needs.
- New international markets exist on all continents that should be explored and strategies developed for recruitment and partnerships.
- Phi Theta Kappa, the national honor society for transfer students, can be leveraged for social, academic and financial opportunity for transfer students.
- Recruitment strategies for St. Louis, Nashville, Louisville, Indianapolis, and Memphis should be enhanced.
- The aid of community organizations with diversity foci would be immensely beneficial in diversifying recruiting efforts.
- The Graduate Student Council needs to be reinvigorated for assistance in recruiting and retaining graduate students
- A renewed commitment encouraging students to graduate in four years should be launched.
- A review of Summer Orientation processes and protocols may reveal opportunities to improve the yield of those events.
- There are a number of State Department funded programs that should be explored for opportunities.
- The use of standardized test scores should be reviewed to determine their effect on enrollment and predictive accuracy of Murray State freshmen.
- Transfer degree audits should be fully automated.
- Yield of admitted students to enrolled students must be improved.
- Young parent support group would help with the retention of students with children.
- Institutionalized financial literacy education program will help offset one of the largest factors in losing students.
- Housing assignment processes need review to ensure the most effective arrangements are made to help with retention.

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THREATS

Five categories of Threats could be identified: Demographics, Financial, Perceptions, and Political. These are not listed in order of priority or impact. Threats must be perpetually addressed and minimized.

Demographics

- Murray State should be diligent in addressing aggressive recruitment and scholarship strategies from competing higher education institutions through offerings, affordability, and admissions.
- Murray State must be aware of local saturation for certain degrees.
- The traditional college-eligible student population will decline in many areas of the country over the next few years. New audiences must be sought to replace those numbers.
- Student from large urban settings may have difficulty adjusting to the rural nature of Murray State's campuses. The largest city in the area is Nashville, about two hours away.
- Students have a large number of choices and will exercise those choices during the summer, reducing the efficiency of Summer O efforts.

Financial

- Declining state financial support will continue to challenge the mission of higher education.
- The elimination of Perkins Loan and KHEAA work study programs removes funding for a number of students.
- A number of off-campus housing opportunities exist in Murray, increasing the opportunity for students to move off campus.
- Performance funding efforts in Kentucky will continue to challenge Murray State's ability to support its mission financially.
- The pending retirement system changes will remove funding support from the mission of the institution.

Perceptions

- The community's perception of declining enrollment is causing some damage to the relationship it has with the university.
- Support from external audiences for Murray State is impacted by negative news stories about Murray State.
- Society's apathy towards higher education is growing.
- Difficult budget decisions have caused reductions in force at Murray State leading those in the community to question Murray State's commitment to the community.

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Political

- Certain national and state policies and stances have limited Murray State's ability to reach specific audiences.
- Increasing compliance complexity and demands are distracting the University from its mission and pulling funds away from the educational process.
- Uncertainty of credentialing of teachers is impacting Murray State greatly as several of its premiere programs are focused on teacher quality.

Working Document

CSEM Focus Areas for 2018-19

Updated: August 15, 2018

Academic Year 2018-2019	Date of Completion/Implementation
Implement the Road Scholars Plan: More potential students on campus for visits	August 9, 2018 (launch date)
Hire an online program manager (OPM) to focus on undergraduate and graduate programs	August 15, 2018 (March 2019 launch)
Review Illinois rate / Possibly implement a revised Illinois tuition discount	August 31, 2018
Develop a recruiting plan for each of these areas: Community colleges (incorporate strategic planning processes being conducted at regional sites); International high schools; Military; Graduate students; Adult students; Middle schools; St. Louis, Illinois metro area; Nashville; Memphis; Daviess County/Owensboro; Louisville/Jefferson County; Kentucky	August 31, 2018
Develop a consistent message of "who we are." / Develop draft statement	September 1, 2018
Create hometown press releases announcing students that were awarded scholarships	September 1, 2018
Place a greater focus on gaining at least 20% of the college going market in each county within the Murray State service region	September 1, 2018
Enhance marketing and advertising plan in order to strengthen recruitment and enrollment efforts/image-building	September 15, 2018
Update key websites and social media related to recruitment to ensure ease of use and currency (Bursar, Financial Aid, Scholarship, CARE, Undergraduate Admissions)	September 15, 2018
Review and enhance the campus visit experience	September 15, 2018
Improve campus appearance (deferred maintenance) to enhance campus aesthetics for recruiting purposes	September 15, 2018
Revisit Alumni Legacy Grant program	September 15, 2018
Implement a Fort Campbell enrollment strategy to include pricing and programs	October 1, 2018
Contract with an outside consultant to conduct an audit of data processes and policies	October 1, 2018
Develop yield conversion strategies and timeline	October 15, 2018
Reevaluate course fee presentation in fee schedule	October 15, 2018
Review undergraduate admission standards for implementation in 2019-20	December 1, 2018
Review tier scholarship system	December 15, 2018
Reevaluate graduate assistantships	December 15, 2018
Academic Year 2019-2020	
Strengthen Racer Academy recruiting options	
Explore summer bridge programs	

Road Scholars

Objective:

The objective of the Road Scholars program is to increase student enrollment by heightening the awareness of Murray State University and its services, academic offerings and enrollment opportunities throughout high schools located in our service region and beyond.

Goals:

- Increase Freshman class enrollment for Fall 2019 by at least 125 students.
 - Each team should strive to increase their high school's freshman class enrollment by 10% over the previous year.
- Year 1: Focus on all high schools in the western-most 26 counties; our 18-county primary service region plus Daviess, Breckenridge, Todd, Logan, Butler, Muhlenberg, McLean, Ohio AND Jefferson/Oldham. Approximately 100 high schools.
 - Specifically, identify all high schools for benefit of faculty/staff/alumni involvement.
- Year 2: Shawn to determine expansion into West Tennessee, Southern Illinois, Southern Indiana, Southeast MO, Nashville, St. Louis, Memphis, (other KY counties), etc.
- Designate a small, strategically-chosen team of Murray State University faculty and staff (include targeted alumni) who will be assigned to each of the high schools.
- Each team will make at least one visit per semester to the high school.
- Coordinate one "bus in" campus visit per high school per academic year.
- Organize a Murray State Information Fair (for students, parents, teachers, etc.) in conjunction with and at the local high school (College Fair, Academic Expo, Financial Aid evening, etc.).
- Allocate \$1,000 per high school for two scholarships awarded by the Road Scholars Scholarship team.

Timeline:

The Road Scholars Program will kick off on August 9, 2018 with training and teams will begin visiting and coordinating with their high schools in late August. Team visits to be completed and scholarships awarded by December 1, 2018.

Resources Needed:

- One Admission Counselor to coordinate Road Scholars efforts and serve as the central reporting contact.
- Four student worker positions to assist with campus visits, student follow up and information fairs.

Budget:

The following is the budget needed to be successful during the 2018-19 academic year:

Scholarships \$100,000 (100 High Schools x \$1,000)

Operational Funds:

Transportation Costs:	\$ 5,000
Student Work Salaries	\$ 5,500
Supplies	\$ 7,500
Meals	\$ 15,000
Racer Nights (100 High Schools x \$75)	\$ 7,500
Shirts/Student Giveaways	\$ 7,500
Bus Expenses (\$1.40/mile)	<u>\$ 12,500</u>
	\$ 60,500
Total	\$160,500*

**Foundation is providing \$35,000 in private funds.*

RaiseMe Scholarship Program

High school students looking to learn more about scholarships and receive financial assistance have an added resource to prepare for admission to Murray State University: a new partnership with RaiseMe.

RaiseMe gives high school students the ability to earn micro-scholarships for college starting as early as ninth grade. The incremental micro-scholarships can be earned for numerous categories, including academic achievements, classroom attendance, extracurricular activities, community service and even by scheduling a campus visit to Murray State.

The partnership is the latest in a series of University initiatives that make a Murray State education more accessible to students. To date, 1,982 high school students are connected with RaiseMe through the University's web page at raise.me/join/murraystate.

“Murray State University's innovative partnership with RaiseMe allows us to provide a valuable tool that motivates and rewards students who work hard both inside and outside of the classroom to prepare them for a transformative experience at Murray State.”

In order to be eligible for scholarships, soon-to-be high school graduates of the Class of 2019 are encouraged to create an account by September 1 and begin applying for scholarships.

Bridge Programs

Academic Affairs will present explorations of potential bridge programs, such as Accelerate U!, to encourage greater enrollment at Murray State University (MSU). The effect of the new enrollment guidelines on developmental education will be discussed. Best practices at other institutions will be presented as well.

Background

Accelerate U! is a cohort model designed to provide an “on ramp” for underprepared students, allowing them to bypass developmental education, by enrolling directly in college-level classes with additional supports. Accelerate U! students will live on campus at Murray State University and take a combination of West Kentucky Community and Technical College (WKCTC) and MSU courses during their first year of college. Accelerate U! will strive to increase student retention, self-efficacy, and success through layered supports in the first-year of college. Encouraging underprepared students to begin their postsecondary education with WKCTC and MSU through Accelerate U! will increase the likelihood of students completing a postsecondary credential at WKCTC and/or MSU, thereby providing a multitude of positive impacts for students, institutions, our region, and society as a whole. WKCTC and MSU are committed to working together in an effort to break through the barriers of accessibility, affordability, and college readiness by providing resources through this strong partnership. MSU and WKCTC agree to take fiscal responsibility for Accelerate U!, and are committed to the academic success of students participating in Accelerate U! using appreciative advising, guided college credential pathways, multiple engagements, and ongoing communication.

PROGRAM OVERSIGHT: An advisory committee will be comprised of WKCTC and MSU Presidents, MSU Provost, WKCTC Vice President of Academic Affairs, MSU Associate Provost for Undergraduate Education, WKCTC Associate Vice President of Academic Affairs, WKCTC Vice President of Business Affairs, MSU Bursar, WKCTC Director of Accelerate U! MSU Director of Accelerate U!, WKCTC and MSU Accelerate U! representatives for curriculum and instruction.

RESPONSIBILITIES OF PARTNERS: MSU and WKCTC will share responsibilities to guide activities related to Accelerate U!. Through Accelerate U!, MSU and WKCTC will provide input, advice, and guidance on academic policies and supports for students who participate in Accelerate U!. Additionally, MSU and WKCTC will provide advice and information to parents of Accelerate U! students as well as associated costs of Accelerate U! which involve, but are not limited to, housing, courses, meal plans, and fees at MSU and WKCTC. MSU and WKCTC will also provide advice and support in communicating the impact of Accelerate U! on activities such as concurrent enrollment, financial aid eligibility, and admission to selective programs at respective institutions. MSU and WKCTC will explore the possibility of grants to help support Accelerate U!, as well work jointly on publications and presentations associated with Accelerate U!.

MSU and WKCTC will collaborate between respective areas associated with Accelerate U! students:

- Accelerate U! students will be concurrently enrolled in MSU and WKCTC course(s) each semester.
- Accelerate U! student transcripts will be shared between MSU and WKCTC each semester at no charge.
- WKCTC will serve as the home campus for the first year of enrollment for students in Accelerate U! and will administer federal and state aid in accordance with federal and state regulations.
- Accelerate U! students will be required to live on MSU’s campus and follow MSU residence hall policies.

Accelerate U! students will be automatically enrolled in the MSU/WKCTC Reverse Transfer Program which enables transfer of MSU courses for use toward completion of an associate’s degree at WKCTC.

Proposal

Investment in Enhanced Marketing Efforts FY 2018-19

Focus #1: Recruitment, Enrollment and Retention (~80%)

Focus#2: Marketing Identified Academic Programs (~20%)

During the coming weeks and months, Murray State University must make strategic investments in order to enhance our regional and multi-state marketing efforts in FY 2018-19, utilizing all media/marketing platforms, including network/cable TV ads, among other methods, with an aggressive campaign in order to enhance image-building, a new and enriched focus on recruitment, enrollment and retention efforts, and to promote strategically-identified existing and new academic programs, both undergraduate and graduate. *These investments will not include international recruiting marketing, since this area is handled very differently; but enhanced recruiting efforts will occur in this area too in the weeks ahead.*

While retention efforts and numbers have improved in recent years, our recruiting and enrollment efforts have suffered. Therefore, it is recommended, that we invest up to \$950,000 for FY 2018-19, one-time, non-recurring funds, from an identified funding source, to enhance our marketing efforts for a plan to be developed as soon as possible.

We will seek the assistance of an outside marketing/advertising firm (through an RFP process), a firm specializing in higher education marketing, branding and advertising, to assist us as we develop the overall marketing/advertising plan, messaging and approach, identification of key markets and strategies in Kentucky and within an ~250 mile radius. Also, we will utilize various social media strategies and identification of targeted academic programs to enhance recruiting, enrollment and retention of students for Fall 2019 and beyond.

With this new chapter of Murray State University, we will renew our focus and attention on recruitment, enrollment and retention, with a goal for Fall 2019 of 10,000 students (headcount) and 10,500 for Fall of 2020. We will call on the entire Racer community – alumni, donors, friends, faculty, staff and students to assist us in the months ahead.

Performance Funding Concepts

This document provides information regarding the Performance Funding Model that public universities in Kentucky compete for funding dollars.

Definitions

- Low Income (LI) students – students who have received a Federal Pell Grant at any time since 2005-2006 at the graduating institution.
- Underrepresented Minority (URM) students – students who categorize themselves as Hispanic or Latino, American Indian or Alaska Native, Black or African American, Native Hawaiian or Pacific Islander or two or more races.
- STEM + H – Science, technology, engineering, mathematics and health disciplines
- Bachelor's Degrees per 100 Full-Time Equivalent (FTE) Student– Total bachelor's degrees awarded during the academic year divided by the total Fall semester undergraduate FTE student enrollment divided by 100

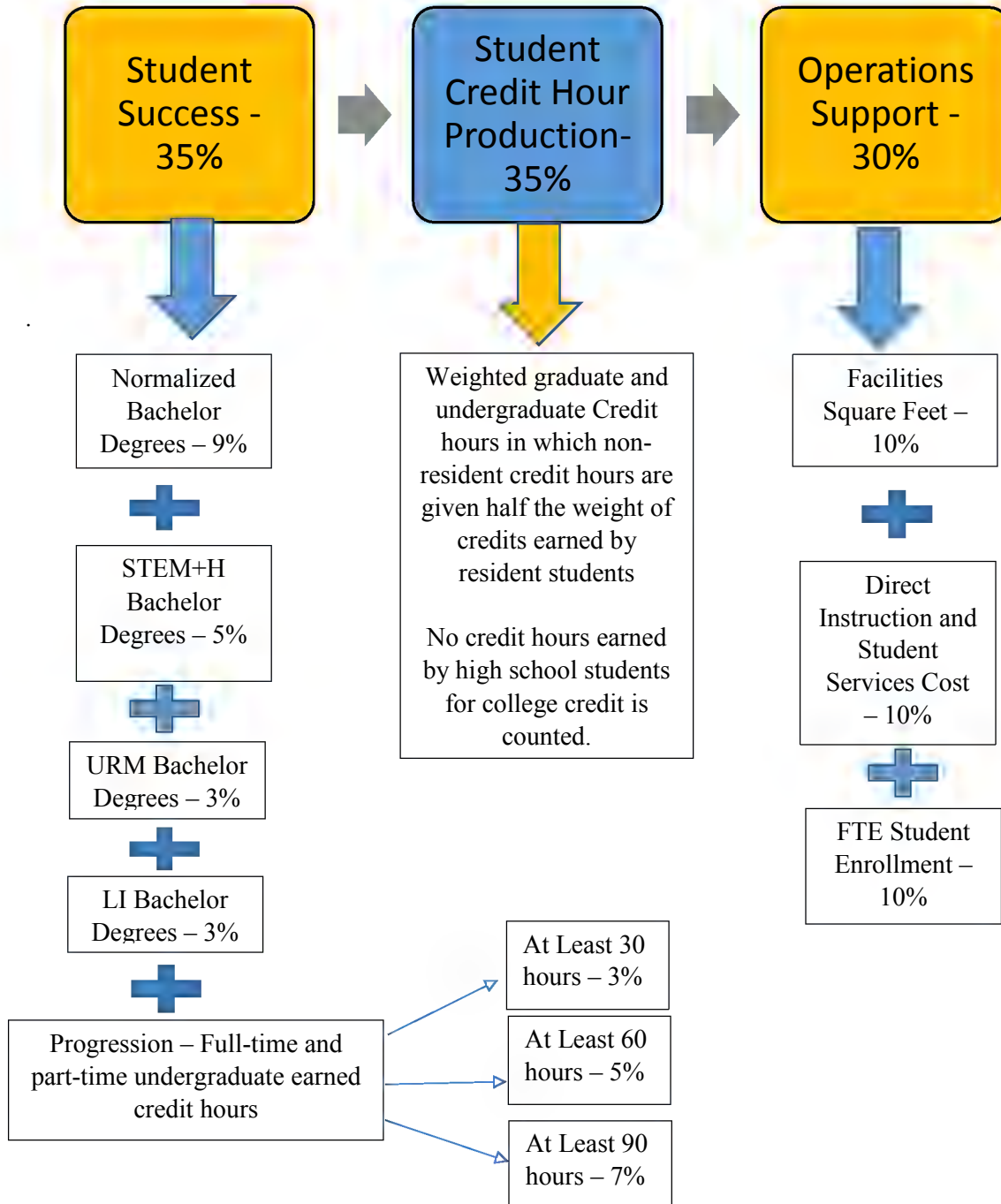
Items

- Metric Weighting – Bachelor's degrees, earned credit hours, facilities square feet, instruction and student services costs and full-time equivalent student enrollment are calculated with differential weights for research and comprehensive universities.
- Three Year Rolling Average – Each metric is calculated by averaging the three most recent years of finalized data

Components

- Student Success – 35 percent of total university allocable resources shall be certified to each institution based on its share of the total volume of student success outcomes related to bachelor's degree production and student progression as noted in graphic below.
- Student Credit Hour Production – 35 percent of total university allocable resources shall be certified for distribution to each institution based on its share of total volume of weighted student credit hours earned during an academic year.
 - *This includes both graduate and undergraduate credit hours.*
 - *Credit hours earned by non-resident students shall be given half the weight of those earned by resident students in comparable programs of study.*
 - *Credit hours earned by high school students taking courses for college credit will NOT be counted.*
- Operational Support – 30 percent of total university allocable resources shall be certified for distribution to each institution in support of vital campus operations.
 - 10 percent for facilities square feet used for instructional purposes
 - 10 percent for direct instruction and student services costs as reported on each institution's annual audited financial statement
 - 10 percent for FTE student enrollment

Performance Funding Concepts



Council on Postsecondary Education
Funding Model for the Public Universities

June 6, 2017

Metric Weighting Chart

<u>Funding Model Metrics</u>	<u>Research Universities</u>	<u>Comprehensive Universities</u>
Bachelor's Degrees (Normalized)	1.67345	1.00000
STEM+H Bachelor's Degrees	1.54105	1.00000
URM Bachelor's Degrees	1.22322	1.00000
Low Income Bachelor's Degrees	2.35120	1.00000
Student Progression (@ 30 Credit Hours)	1.49386	1.00000
Student Progression (@ 60 Credit Hours)	1.45320	1.00000
Student Progression (@ 90 Credit Hours)	1.56076	1.00000
Student Credit Hours Earned (Weighted)	1.14208	1.00000
Facilities Square Feet	1.36134	1.00000
Instruction and Student Services Costs	0.90251	1.00000
FTE Student Enrollment	1.34278	1.00000

Council on Postsecondary Education

Performance Funding Model for the Public Universities

Final Verified Distribution

June 20, 2018

Table 1 - Calculated Adjusted Net General Fund by Sector and Institution
Fiscal Year 2018-19

	(A - B - C)					
	A	B	C	D		
Institution	Enacted 2018-19 General Fund	Adjustments to General Fund	2018-19 Mandated Program Funding	2018-19 Adjusted Net General Fund		
University of Kentucky	\$250,224,300	(\$848,500)	(\$79,382,500)	\$169,993,300		
University of Louisville	124,610,600	0	(695,200)	123,915,400		
Eastern Kentucky University	60,801,700	0	(2,071,900)	58,729,800		
Kentucky State University	25,459,000	0	(6,651,400)	18,807,600		
Morehead State University	38,852,400	0	(2,822,400)	36,030,000		
Murray State University	45,014,500	0	(3,200,000)	41,814,500		
Northern Kentucky University	48,477,500	0	(1,323,900)	47,153,600	Percent	Sector
Western Kentucky University	70,034,800	0	(5,497,700)	64,537,100	of Total	Allocations
Subtotal	\$663,474,800	(\$848,500)	(\$101,645,000)	\$560,981,300	77.93%	\$24,157,000
KCTCS	167,729,000		(8,819,400)	158,909,600	22.07%	6,843,000
Total	\$831,203,800		(\$110,464,400)	\$719,890,900	100.00%	\$31,000,000
				Math Check:	100.00%	\$31,000,000

Council on Postsecondary Education

Performance Funding Model for the Public Universities

Table 5 - Comparison of Three-Year Averages Used for 2017-18 and 2018-19 Iterations of the Funding Model

"X" Indicates Rate of Growth Greater than the Sector Average for a Given Metric

For Discussion Purposes

July 24, 2018

	Degrees				Progression			Cr Hrs Earned	Sq. Ft.	Instr. + S.S.	FTE Students	# Above	# Below
	Bachelors - N	STEM+H	URM	Low income	20 Hrs	60 Hrs	90 Hrs						
UK	X	X	X	X	X	X	X	X	X	X	X	11	0
UofL						X	X	X	X	X	X	6	5
EKU		X			X			X	X		X	5	6
KSU	X	X		X								3	8
MoSU	X	X	X				X			X		5	6
MuSU	X		X	X						X		4	7
NKU			X	X								2	9
WKU							X					1	10

Council on Postsecondary Education
Performance Funding Model for the Public Universities
Table 7 - Change in Funding Model Metric Three-Year Rolling Averages (Weighted Activity Volume)
Between 2017-18 and 2018-19

Draft - For Discussion
Purposes
July 24, 2018

35% Student Success Component

9% Bachelor's Degrees (Normalized)	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	6,922	7,286	364	5.3%	Above	31.0%	31.7%
UofL	4,783	4,843	60	1.2%	Below	21.4%	21.1%
EKU	2,698	2,651	-47	-1.7%	Below	12.1%	11.5%
KSU	247	307	61	24.7%	Above	1.1%	1.3%
MoSU	1,111	1,188	77	6.9%	Above	5.0%	5.2%
MuSU	1,571	1,694	122	7.8%	Above	7.0%	7.4%
NKU	2,258	2,285	27	1.2%	Below	10.1%	9.9%
WKU	2,724	2,721	-3	-0.1%	Below	12.2%	11.8%
Sector	22,314	22,975	661	3.0%		100.0%	100.0%

5% STEM+H Bachelor's Degrees	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	2,257	2,487	230	10.2%	Above	33.8%	34.7%
UofL	1,241	1,321	81	6.5%	Below	18.6%	18.4%
EKU	703	764	61	8.7%	Above	10.5%	10.7%
KSU	57	65	7	12.8%	Above	0.9%	0.9%
MoSU	312	335	24	7.6%	Above	4.7%	4.7%
MuSU	649	698	49	7.5%	Below	9.7%	9.7%
NKU	636	681	45	7.1%	Below	9.5%	9.5%
WKU	813	819	6	0.7%	Below	12.2%	11.4%
Sector	6,667	7,169	502	7.5%		100.0%	100.0%

Council on Postsecondary Education
Performance Funding Model for the Public Universities
Table 7 - Change in Funding Model Metric Three-Year Rolling Averages (Weighted
Activity Volume)
Between 2017-18 and 2018-19

Draft - For Discussion
Purposes
July 24, 2018

	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
3% URM Bachelor's Degrees							
UK	574	648	74	12.9%	Above	25.7%	26.9%
UofL	597	642	46	7.7%	Below	26.7%	26.7%
EKU	219	211	-8	-3.5%	Below	9.8%	8.8%
KSU	157	161	4	2.5%	Below	7.0%	6.7%
MoSU	61	79	18	29.5%	Above	2.7%	3.3%
MuSU	136	151	14	10.5%	Above	6.1%	6.3%
NKU	192	213	21	10.9%	Above	8.6%	8.9%
WKU	296	304	8	2.8%	Below	13.2%	12.6%
Sector	2,232	2,409	178	8.0%		100.0%	100.0%
3% Low Income Bachelor's Degrees							
UK	3,182	3,344	162	5.1%	Above	27.9%	28.8%
UofL	2,794	2,782	-12	-0.4%	Below	24.5%	24.0%
EKU	1,364	1,383	19	1.4%	Below	12.0%	11.9%
KSU	203	215	11	5.6%	Above	1.8%	1.8%
MoSU	728	742	13	1.8%	Below	6.4%	6.4%
MuSU	722	752	29	4.1%	Above	6.3%	6.5%
NKU	1,023	1,049	26	2.5%	Above	9.0%	9.0%
WKU	1,375	1,340	-35	-2.5%	Below	12.1%	11.5%
Sector	11,392	11,606	214	1.9%		100.0%	100.0%

Council on Postsecondary Education
Performance Funding Model for the Public Universities
Table 7 - Change in Funding Model Metric Three-Year Rolling Averages (Weighted
Activity Volume)
Between 2017-18 and 2018-19

Draft - For Discussion
Purposes
July 24, 2018

3% Student Progression @ 30 Hours	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	5,566	5,690	124	2.2%	Above	33.2%	34.1%
UofL	3,225	3,125	-100	-3.1%	Below	19.2%	18.7%
EKU	1,710	1,886	176	10.3%	Above	10.2%	11.3%
KSU	192	176	-16	-8.3%	Below	1.1%	1.1%
MoSU	1,087	993	-93	-8.6%	Below	6.5%	6.0%
MuSU	1,065	1,042	-23	-2.2%	Below	6.4%	6.2%
NKU	1,624	1,589	-35	-2.2%	Below	9.7%	9.5%
WKU	2,290	2,193	-98	-4.3%	Below	13.7%	13.1%
Sector	16,759	16,693	-65	-0.4%		100.0%	100.0%

5% Student Progression @ 60 Hours	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	5,589	5,759	170	3.0%	Above	32.2%	33.0%
UofL	3,529	3,545	16	0.5%	Above	20.3%	20.3%
EKU	1,867	1,872	5	0.3%	Below	10.7%	10.7%
KSU	210	199	-11	-5.1%	Below	1.2%	1.1%
MoSU	1,069	1,039	-29	-2.7%	Below	6.1%	6.0%
MuSU	1,186	1,136	-51	-4.3%	Below	6.8%	6.5%
NKU	1,669	1,652	-17	-1.0%	Below	9.6%	9.5%
WKU	2,263	2,253	-10	-0.5%	Below	13.0%	12.9%
Sector	17,382	17,455	73	0.4%		100.0%	100.0%

Council on Postsecondary Education
Performance Funding Model for the Public Universities
Table 7 - Change in Funding Model Metric Three-Year Rolling Averages (Weighted
Activity Volume)
Between 2017-18 and 2018-19

Draft - For Discussion
Purposes
July 24, 2018

7% Student Progression @ 90 Hours	2017-18	2018-19	Change	Change	Status	Share	Share
UK	6,716	6,978	262	3.9%	Above	31.8%	32.4%
UofL	4,369	4,491	122	2.8%	Above	20.7%	20.8%
EKU	2,380	2,317	-62	-2.6%	Below	11.3%	10.7%
KSU	255	254	0	-0.1%	Below	1.2%	1.2%
MoSU	1,214	1,249	35	2.9%	Above	5.7%	5.8%
MuSU	1,555	1,583	28	1.8%	Below	7.4%	7.3%
NKU	1,996	1,980	-16	-0.8%	Below	9.4%	9.2%
WKU	2,648	2,714	67	2.5%	Above	12.5%	12.6%
Sector	21,132	21,567	435	2.1%		100.0%	100.0%

35% Course Completion Component

Student Credit Hours Earned	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	1,288,895	1,325,525	36,631	2.8%	Above	29.7%	30.2%
UofL	986,282	1,001,962	15,681	1.6%	Above	22.7%	22.8%
EKU	507,491	514,645	7,154	1.4%	Above	11.7%	11.7%
KSU	43,271	42,126	-1,145	-2.6%	Below	1.0%	1.0%
MoSU	248,856	245,380	-3,476	-1.4%	Below	5.7%	5.6%
MuSU	299,767	298,293	-1,474	-0.5%	Below	6.9%	6.8%
NKU	401,594	397,220	-4,374	-1.1%	Below	9.3%	9.1%
WKU	561,137	562,284	1,147	0.2%	Below	12.9%	12.8%
Sector	4,337,293	4,387,436	50,143	1.2%		100.0%	100.0%

Council on Postsecondary Education
Performance Funding Model for the Public Universities
Table 7 - Change in Funding Model Metric Three-Year Rolling Averages (Weighted Activity Volume)
Between 2017-18 and 2018-19

Draft - For Discussion
Purposes
July 24, 2018

10% Maintenance and Operations

Square Feet Data	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	6,877,143	7,436,380	559,237	8.1%	Above	33.4%	34.4%
UofL	3,929,274	4,198,248	268,974	6.8%	Above	19.2%	19.4%
EKU	2,158,778	2,278,872	120,094	5.6%	Above	10.5%	10.5%
KSU	673,000	660,927	-12,073	-1.8%	Below	3.3%	3.1%
MoSU	1,270,435	1,293,008	22,573	1.8%	Below	6.2%	6.0%
MuSU	1,893,488	1,905,861	12,373	0.7%	Below	9.2%	8.8%
NKU	1,773,092	1,774,563	1,471	0.1%	Below	8.6%	8.2%
WKU	2,025,605	2,072,595	46,990	2.3%	Below	9.8%	9.6%
Sector	20,600,815	21,620,454	1,019,639	4.9%		100.0%	100.0%

10% Institutional Support

Instruction and Student Services	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	2,947	3,085	138	4.70%	Above	27.0%	27.5%
UofL	2,775	2,854	79	2.90%	Above	25.4%	25.5%
EKU	1,129	1,147	18	1.60%	Below	10.3%	10.2%
KSU	178	166	-11	-6.4%	Below	1.6%	1.5%
MoSU	623	640	18	2.80%	Above	5.7%	5.7%
MuSU	810	859	49	6.10%	Above	7.4%	7.7%
NKU	1,007	1,004	-4	-0.4%	Below	9.2%	9.0%
WKU	1,440	1,446	6	0.40%	Below	13.2%	12.9%
Sector	10,908	11,201	293	2.70%		100.0%	100.0%

Council on Postsecondary Education
 Performance Funding Model for the Public Universities
 Table 7 - Change in Funding Model Metric Three-Year Rolling Averages (Weighted
 Activity Volume)
 Between 2017-18 and 2018-19

Draft - For Discussion
 Purposes
 July 24, 2018

10% Academic Support

FTE Students	2017-18	2018-19	Volume Change	Percent Change	Status	2017-18 Share	2018-19 Share
UK	38,236	38,744	508	1.3%	Above	31.7%	32.2%
UofL	24,991	25,042	50	0.2%	Above	20.7%	20.8%
EKU	13,053	13,130	77	0.6%	Above	10.8%	10.9%
KSU	1,624	1,394	-230	-14.2%	Below	1.3%	1.2%
MoSU	7,013	6,829	-184	-2.6%	Below	5.8%	5.7%
MuSU	8,623	8,520	-103	-1.2%	Below	7.2%	7.1%
NKU	11,676	11,445	-231	-2.0%	Below	9.7%	9.5%
WKU	15,318	15,193	-125	-0.8%	Below	12.7%	12.6%
Sector	120,534	120,296	-238	-0.2%		100.0%	100.0%



**Kentucky Council on
Postsecondary Education**

Matthew G. Bevin
Governor

1024 Capital Center Drive, Suite 320
Frankfort, Kentucky 40601
Phone: 502-573-1555
Fax: 502-573-1535
<http://www.cpe.ky.gov>

Robert L. King
President

June 26, 2018

Mr. John Chilton, State Budget Director
Capitol Annex, Room 284
702 Capital Avenue
Frankfort, KY 40601

RE: Distribution of 2018-19 Postsecondary Education Performance Fund

Dear John:

As you know, the enacted budget for the 2018-20 biennium (HB 200) appropriated \$31,000,000 to the Postsecondary Education Performance Fund in fiscal year 2018-19. These funds are to be distributed according to the provisions of Senate Bill 153 (2017), which directs the Council on Postsecondary Education to run the Performance Funding Model and submit to your office a distribution of funds for the public universities and KCTCS institutions as indicated below.

Public Universities and KCTCS:

University of Kentucky	\$9,119,000
University of Louisville	2,507,100
Eastern Kentucky University	3,387,300
Kentucky State University	0
Morehead State University	0
Murray State University	557,800
Northern Kentucky University	4,837,200
Western Kentucky University	3,748,600
KCTCS	<u>6,843,000</u>
Total	\$31,000,000

(Continued on following page)

KentuckyUnbridledSpirit.com

June 26, 2018

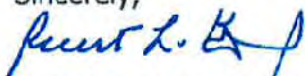
Page 2

KCTCS Institutions (Detail):

Ashland	\$0
Big Sandy	0
Bluegrass	1,680,700
Elizabethtown	739,600
Gateway	454,900
Hazard	0
Henderson	0
Hopkinsville	448,300
Jefferson	343,400
Madisonville	0
Maysville	544,900
Owensboro	480,800
Somerset	733,500
Southcentral	798,000
Southeast	0
West Kentucky	<u>618,900</u>
KCTCS Subtotal	\$6,843,000

Attached are spreadsheets showing calculations used to determine the distribution of funds for the public universities and KCTCS Institutions. If you have questions or require additional information, please contact me at (502) 892-3001 or Bill Payne at (502) 892-3052.

Sincerely,



Robert L. King, President
Kentucky Council on Postsecondary Education

C: Governor Matthew G. Bevin
Senator Christian McDaniel
Senator David Givens
Representative Steven Rudy
Representative James Tipton
Janice Tomes, OSBD
Carla Wright, OSBD
Postsecondary Institution Presidents

KentuckyUnbridledSpirit.com

Board of Regents Annual Retreat - Deferred Maintenance Update

Murray State University
Schedule of Deferred Maintenance Funds
Education General Use Only
FY2010-2019

Account	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
Deferred Maintenance Plant	102075	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 814,123	\$ 1,131,043	\$ 1,131,043	\$ 1,131,043	\$ 1,131,043
Deferred Maintenance Electrical	102265	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 122,781	\$ 122,781	\$ 122,781
Utilities Maintenance	101462	\$ -	\$ -	\$ 44,609	\$ 44,609	\$ 39,259	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Renovation of Facilities	101306	\$ 108,546	\$ 108,546	\$ 108,546	\$ 108,546	\$ 113,546	\$ 152,805	\$ 152,805	\$ 152,805	\$ 152,805	\$ 152,805	\$ 152,805
Total Building and Building Systems		\$ 108,546	\$ 108,546	\$ 153,155	\$ 153,155	\$ 152,805	\$ 152,805	\$ 152,805	\$ 966,928	\$ 1,283,848	\$ 1,406,629	\$ 1,406,629
Parking Lot Maintenance		\$ 208,360	\$ 208,360	\$ 208,360	\$ 208,360	\$ 208,360	\$ 208,360	\$ 208,360	\$ 208,360	\$ 223,194	\$ 223,194	\$ 223,194
Technology Capital Fund	100857	\$ 196,485	\$ 196,485	\$ 282,569	\$ 282,569	\$ 203,084	\$ 203,084	\$ 197,162	\$ 197,162	\$ 197,162	\$ 197,162	\$ 197,162
Deferred Maintenance Technology	102076	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
Total Technology Systems		\$ 196,485	\$ 196,485	\$ 282,569	\$ 282,569	\$ 203,084	\$ 203,084	\$ 197,162	\$ 397,162	\$ 397,162	\$ 397,162	\$ 397,162

Above funding is all recurring funding. This does not include bond funding or restricted funds.

Board of Regents Annual Retreat - Deferred Maintenance Update

Murray State University
Schedule of Building Roofs
As of August 2018

Bldg #	Name	Year Install	Estimated Life	Warranty Expiration	Planned Replacement	Age	2018 Budget						
0037	Lowry Building	1984	20	2004	2018	34	\$ 150,000						
0031	Blackburn Science North Section	1989	20	2009	2018	29	\$ 450,000						
0226	Carman Pavilion	1967	20	1987	2019	51	\$ 450,000						
0031	Blackburn Science South Section	1989	20	2009	2019	29	\$ 560,000						
0131	Alexander Hall Special Ed	1989	15	2004	2020	29	\$ 360,000						
0036	Pogue Library Center Section	1987	20	2007	2020	31	\$ 92,000						
0135	Industry and Technology	1990	20	2010	2020	28	\$ 1,150,000						
0127	FM Grounds	1981	20	2001	2021	37	\$ 70,000						
0129	FM Grounds	1981	20	2001	2021	37	\$ 20,000						
0055	FM Paint Shop	1984	20	2004	2021	34	\$ 10,000						
0101	FM Storage	1984	20	2004	2021	34	\$ 15,000						
0227	Expo Center	1991	20	2011	2021	27	\$ 900,000						
0044	Nash House	1990	15	2005	2022	28	\$ 10,000						
0025	Simpson Child Dev.	1993	15	2008	2022	25	\$ 50,000						
0029	Racer Arena	1990	20	2010	2023	28	\$ 690,000						
0102	Sparks Hall	1992	20	2012	2023	26	\$ 160,000						
0133	Curris Center Built-up Roofing	1990	25	2015	2023	28	\$ 570,000						
0021	FM Building Trades	1990	15	2005	2024	28	\$ 320,000						
0104	FM Motor Pool	1989	20	2009	2024	29	\$ 25,000						
0034	Fine Arts Old Lower Section	1995	15	2010	2024	23	\$ 100,000						
0021	FM Front Office	1991	20	2011	2024	27	\$ 70,000						
0027	Faculty Club	1991	20	2011	2024	27	\$ 10,000						
0142	CFSB Center (flat)	1997	20	2017	2024	21	\$ 900,000						
0142	CFSB Center (slope)	1997	20	2017	2024	21	\$ 1,000,000						
0056	FM Butler Building	1987	20	2007	2025	31	\$ 15,000						
0245	Equine Instruction Facility - Arena	1997	15	2012	2025	21	\$ 250,000						
0043	Central Plant	1993	20	2013	2025	25	\$ 160,000						
0131	Alexander Hall Addition	2001	15	2016	2025	17	\$ 425,000						
0507	Hopkinsville Campus	2002	15	2017	2025	16	\$ 115,000						
0116	FM Haz Mat Building	1992	20	2012	2026	26	\$ 8,000						
0022	FM Elevator Shop	2000	15	2015	2026	18	\$ 20,000						
0003	Richmond Hall	1991	25	2016	2026	27	\$ 200,000						
0023	Elizabeth Residence Hall Main Roof	2008	10	2018	2026	10	\$ 60,000						
0024	Springer Residence Hall	1991	20	2011	Razed 2018	27							
0001	Woods Hall	2000	15	2015	Raze planned	18							
0005	Springer II / Franklin Residence Hall	1989	30	2019		29							
FND	Sorority Meeting Rooms	1999	20	2019		19							
0033	Visual Arts	2000	20	2020		18							
0151	Wellness Center	2001	20	2021		17							
0028	Carr Health Roof 1,5,6,8,10	2013	10	2023		5							
0028	Carr Health Roof 2	2013	10	2023		5							
0028	Carr Health Roof 3,9,12,13	2013	10	2023		5							
0156	Crisp Soccer Building	2008	15	2023		10							
0153	Heritage Hall	2004	20	2024		14							
0149	Biology Building	2005	20	2025		13							
0245	Equine Instruction Facility - Classroom	2005	20	2025		13							
0028	Carr Health Roof 11	2017	10	2027		1							
0142	CFSB Practice Facility	2012	15	2027		6							
0155	Lee Clark Residence Hall	2007	20	2027		11		(a)					
0158	Chemistry Building	2007	20	2027		11							
0157	Murray State Police	2008	20	2028		10							
0159	JH Richmond	2009	20	2029		9							
0012	College Courts 600	2000	30	2030		18							
0013	College Courts 700	2000	30	2030		18							
0014	College Courts 800	2000	30	2030		18							
0038	Wilson Hall	2000	30	2030		18							
0039	Oakhurst	2015	15	2030		3							
0147	Alumni Affairs	2015	15	2030		3							
0002	Waterfield Library	2001	30	2031		17							
0175	Band Storage	2016	15	2031		2							
0107	Faculty Hall Main Roof	2002	30	2032		16							
0133	Curris Center Metal Roofing	2012	20	2032		6							
0006	Winslow Cafeteria	2003	30	2033		15							
0902	Paducah Campus	2013	20	2033		5							
0172	Baseball Press box	2014	20	2034		4							
0007	College Courts 100	2007	30	2037		11							
0008	College Courts 200	2007	30	2037		11							
0009	College Courts 300	2007	30	2037		11							
0011	College Courts 500	2007	30	2037		11							
0023	Elizabeth Residence Hall Pent House	2008	30	2038		10							
0099	White Residence Hall	2008	30	2038		10							
0100	Howton Ag Building	2008	30	2038		10							
0108	Regents Residence Hall	2008	30	2038		10							
0125	Fine Arts Connector	2008	30	2038		10							
0125	Fine Arts Doyle	2008	30	2038		10							
0098	Hester Residence Hall	2009	30	2039		9							
0010	College Courts 400	2010	30	2040		8							
0019	Business Building North Section	2010	30	2040		8							
0019	Business Building South Section	2010	30	2040		8							
0035	Lovett Auditorium	2010	30	2040		8							
0096	Mason Hall	2010	30	2040		8							
0130	Stewart Stadium	2010	30	2040		8							
0026	Applied Science North Section	2011	30	2041		7							
0107	Faculty Hall Pent House	2011	30	2041		7							
0036	Pogue Library North Section	2012	30	2042		6							
0036	Pogue Library South Section	2012	30	2042		6							
0046	Wells Hall	2012	30	2042		6							
0015	College Courts 900	2013	30	2043		5							

(a)

Roofs scheduled for replacement over next 8 years.
Total estimated costs to replace at 2018 dollars is \$9,385,000

Board of Regents Annual Retreat - Deferred Maintenance Update

Murray State University
Schedule of Building Roofs
As of August 2018

Bldg #	Name	Year Install	Estimated Life	Warranty Expiration	Planned Replacement	Age	2018 Budget				
0016	College Courts 1000	2013	30	2043		5					
0017	College Courts 1100	2013	30	2043		5					
0018	College Courts 1200	2013	30	2043		5					
0097	Hart Residence Hall	2014	30	2044		4					
0026	Applied Science South Section	2015	30	2045		3					
0047	Wrather Hall	2015	30	2045		3					
0047	Wrather Hall	2015	30	2045		3					
0126	General Services	2015	30	2045		3					
0403	Hancock Biology Center	2015	30	2045		3					
0173	Hollis C. Franklin Residence Hall (Metal)	2016	30	2046		2					
0173	Hollis C. Franklin Residence Hall (Bitumen)	2016	30	2046		2					
0026	Applied Science Center Section	2017	30	2047		1					
0034	Fine Arts Old	2017	30	2047		1					
0174	Engineering and Physics (Metal)	2017	30	2047		1					
0174	Engineering and Physics (Bitumen)	2017	30	2047		1					
0508	Breathitt Vet Center (flat)	2017	30	2047		1					
0508	Breathitt Vet Center (slope)	2017	30	2047		1					
(a) - New roof planned in 2018-19 due to damage. Insurance claim.											

Board of Regents Annual Retreat - Deferred Maintenance Update

Murray State University
Consolidated Educational Renewal and Replacement Fund (CERR)
10-Year History and 8-Year Planning Schedule

	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Beginning Year Balance	1,407,333	2,007,968	1,607,192	(54,487)	(79,371)	355,482	344,130	1,167,774	1,069,778	1,875,013	1,966,482	2,465,558	2,393,558	1,729,558	1,652,558	2,530,558	2,192,558	705,558	678,558
Interest Revenues	1,817,420	1,234,973	1,188,726	168,635	697,765	892,064	910,264	634,004	1,073,637	585,581	1,055,845	938,000	938,000	938,000	938,000	938,000	938,000	938,000	938,000
Expenditures for Asset Preservation (FY08-FY14 this fund was the primary funding source for asset preservation)	(1,216,785)	(1,635,749)	(2,850,404)	(193,520)	(262,912)	(903,416)	(86,620)	(732,000)	(268,402)	(494,112)	(556,769)								
Expenditure for Roofs												(1,010,000)	(1,602,000)	(1,015,000)	(60,000)	(1,276,000)	(2,425,000)	(965,000)	(288,000)
Ending Year Balance	2,007,968	1,607,192	(54,487)	(79,371)	355,482	344,130	1,167,774	1,069,778	1,875,013	1,966,482	2,465,558	2,393,558	1,729,558	1,652,558	2,530,558	2,192,558	705,558	678,558	1,328,558
Designated Roofing Plan Implemented:																			
Alumni House								(20,000)											
Applied Science								(212,000)											
General Services								(500,000)											
Wrather Museum									(155,000)										
Hancock Biology Station									(200,000)										
Fine Arts										(321,000)									
Applied Science										(203,500)									
Carr Health										(66,000)									
Lowry Center											(150,000)								
Blackburn North											(450,000)								
Carmen Pavillion												(450,000)							
Blackburn South												(560,000)							
Alexander Hall - Original bldg													(360,000)						
Pogue Library Center													(92,000)						
Collins Center													(1,150,000)						
FM Grounds														(70,000)					
FM Grounds														(20,000)					
FM Paint Shop														(10,000)					
FM Storage														(15,000)					
Expo Center														(900,000)					
Nash House															(10,000)				
Simpson Child Dev Center															(50,000)				
Racer Arena																(690,000)			
Sparks Hall																(16,000)			
Curris Center																(570,000)			
FM Trades																	(320,000)		
FM Motor Pool																	(25,000)		
Old Fine Arts - lower section																	(100,000)		
FM Office																	(70,000)		
University Club House																	(10,000)		
CFSB Center																	(900,000)		
CFSB Slope																	(1,000,000)		
FM Butler Building																		(15,000)	
Equine Instructional Facility																		(250,000)	
Central Plant																		(160,000)	
Alexander Hall Addition																		(425,000)	
Hopkinsville Ed Building																		(115,000)	
FM Hazardous Materials Bldg																			(8,000)
FM Elevator Shop																			(20,000)
Old Richmond Hall																			(200,000)
Elizabeth Hall																			(60,000)
Notes																			
Interest revenues for all future years are based on a average of 2009-2018 revenues.																			

Board of Regents Annual Retreat - Deferred Maintenance Update

Murray State University
Deferred Maintenance Critical Needs
August 20, 2018

This is not an exhaustive listing, but only those most critical projects as they are known today.							
		Frequency of Work			Funding of Work		
Project Description		One Time Project	Recurring Maintenance		One Time Funding	Recurring Funding	Fund Designated
Notes							
E&G:							
Curris Center Parking Lot Reno		One Time			TBD		In planning stage, desired completion Fall 2019
Lowry 2nd Floor Renovations		One Time			TBD		
Pogue HVAC and ADA upgrades		One Time			TBD		\$620,000
Sparks Entrances, 1st floor Reno, One Stop Development		One Time			TBD		In planning stage, desired completion Fall 2019
Electrical Infrastructure Projects		One Time			\$16,000,000		\$3,400,000
Steam Tunnels		One Time			\$7,000,000		
Blackburn Renovations		One Time			\$3,000,000		\$3,000,000
Razing of Woods		One Time			\$2,300,000		In design stages and getting ready to bid
Biology Building Repair/HVAC Repair		One Time			\$2,000,000		\$2,000,000
Doyle Fine Arts Exterior Renovations		One Time			\$1,000,000		
Wrather seating, curtains, added restrooms and elevator		One Time			\$1,500,000		Preliminary A&E work done.
IT Server Room Renovation		One Time			\$950,000		\$750,000
Replace Third Chiller Central Plant		One Time			\$900,000		
Waterfield HVAC modifications		One Time			\$750,000		
Racer Arena HVAC		One Time			\$600,000		5 of 6 steam heaters unrepairable - need to add other heat source to get off of steam
CFSB Boiler Replacement		One Time			\$455,000		\$455,000
Wells Window Replacement & Exterior Reno		One Time			\$400,000		\$300,000
Wilson Window Replacement		One Time			\$400,000		\$33,000
Waterfield Front Porch Leaks		One Time			\$350,000		\$150,000
Alexander Chiller Replacement		One Time			\$300,000		
Doyle Fine Arts Safety and Security Improvements		One Time			\$246,000		\$246,000
Old Fine Arts East Window replacement		One Time			\$100,000		
Wrather Stage		One Time			\$50,000		Amount may vary after investigating between substructure and floor.
Carr Health Water Heat		One Time			\$50,000		

Board of Regents Annual Retreat - Deferred Maintenance Update

Murray State University
Deferred Maintenance Critical Needs
August 20, 2018

Waterfield Tuck-pointing		One Time		\$50,000		\$10,000	Work has started.
BAS Controls			1-2 Buildings/Year		\$250,000		
Central Steam - Localized Boiler Transition			1-2 Buildings/Year		\$600,000		
Elevators			1-2 Buildings/Year		\$500,000		
Emergency Generators			1-2 Buildings/Year		\$100,000		
Stewart Stadium Waterproofing			Ongoing		\$200,000	\$200,000	
Storm Tunnel Repair			Ongoing		\$75,000		
Central Plant Chiller Water Equipment			Yearly		\$75,000		
Central Plant Steam Equipment			Yearly		\$75,000		
Concrete Repair/Replacement			Yearly		\$100,000	\$100,000	
Parking Lot Sealcoating/Repair			Yearly		\$100,000	\$100,000	Budgeted maintenance funds for Parking
Total				\$38,401,000	\$2,075,000	\$10,744,000	
Auxiliary:							
JH Richmond Restoration		One Time		\$2,000,000		\$2,000,000	
Hart Plaster & Paint Repair		One Time			\$300,000	\$300,000	2019 Summer work.
Hart Cooling Tower replacement		One Time		\$200,000			