

**Minutes of the Board of Regents Ad Hoc Presidential Evaluation
Process Review Committee**

**Murray State University
November 20, 2020**

Call to Order

The Murray State University (MSU) Board of Regents (BOR) Ad Hoc Presidential Evaluation Process Review Committee met on Friday, November 20, 2020, via ZOOM. Ad Hoc Committee Chair Eric Crigler called the meeting to order at 10:30 a.m. The following Committee members were present: Eric Crigler, Virginia Gray, Jerry Rhoads, Lisa Rudolph and Don Tharpe. Absent: none. Also present were Jill Hunt, Senior Executive Coordinator for the President, Coordinator for Board Relations and Secretary to the Board; Rob Miller, General Counsel and Information Technology staff who were monitoring the meeting. Members of the faculty, staff, students, news media and visitors were provided access to the meeting via a YouTube link (livestream).

AGENDA

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| 1. | <u>Call to Order</u> | Chair Eric Crigler |
| 2. | <u>Approval of the Minutes of the Board of Regents Ad Hoc Presidential Evaluation Process Review Committee on October 29, 2020 and November 20, 2020*</u> | Chair Eric Crigler |
| 3. | <u>Murray State University Operating Procedure for Presidential Evaluation Revisions*</u> | Chair Eric Crigler |
| 4. | <u>Presidential Evaluation Tool Discussion (For Information Only)</u> | Chair Eric Crigler |
| 5. | <u>Adjournment</u> | Chair Eric Crigler |

(*Indicates Recommended Committee Action)

Minutes of the Board of Regents Ad Hoc Presidential Evaluation Process Review Committee on October 29, 2020, approved

Mr. Rhoads moved that the minutes of the Ad Hoc Presidential Evaluation Process Review Committee meeting on October 29, 2020, be approved as submitted. Dr. Tharpe seconded and the motion carried.

Murray State University Operating Procedures for Presidential Evaluation Revisions, discussed

Chair Crigler reported that the MSU Operating Procedures for Presidential Evaluation have been revised to reflect suggested changes from the last Ad Hoc Committee meeting and timelines for both the Annual Evaluation and the 360° Presidential Review were provided to the Committee. The goal today is to be able to recommend the revised Operating Procedures for Presidential Evaluation to the full Board for approval at the December 4, 2020, Quarterly Meeting. The actual survey tool to be utilized as part of the presidential evaluation process will be determined by the Ad Hoc Committee at a later date.

Annual Evaluation

Chair Crigler led discussion regarding the Annual Evaluation process and highlighted the following components:

- A. Addition of language that the Board and President would make their best efforts to comply with the Annual Evaluation timeline provided.
- B. Addition of progress toward goals and strategic initiatives to areas already identified in procedure for inclusion in the President's Self-Assessment and the final evaluation reports. Overall, the President's Self-Assessment should include statements regarding future goals for the University and an evaluation on performance with respect for criteria established for the University, including progress toward goals and strategic initiatives.
- C. Surveys for presidential evaluation will not be sent to the various constituency groups – Faculty Senate, Staff Congress and Student Government Association – but the most recent available assessments from each of these bodies (if conducted) would be made available to Board members to be utilized prior to their completion of the survey instrument. Other pertinent materials and information may also be used by Regents in formulating their evaluation of the President. In terms of the timeline, the President's Self-Assessment would be due 90 days before the Spring Quarterly Meeting (approximately February 28). The Board Chair and Vice Chair would then distribute the President's Self-Assessment, along with any materials provided by the constituency bodies, to the full Board to be utilized as they complete the assessment instrument, also within the 90-day timeframe.
- D. Language was strengthened relative to survey responses remaining anonymous, including using an electronic service. Various electronic survey methods were researched and the results were shared with the Ad Hoc Committee. These included utilizing Survey Monkey with an Information Technology staff member serving as principal administrator and, if deemed necessary, this individual could sign a confidentiality agreement. This service can be provided at no or minimal cost. Any electronic survey instrument utilized will require an administrator. The Kentucky Council on Postsecondary Education also offers a service utilizing Survey Monkey at no or minimal cost. The third option would be utilizing the Diligent Evaluation Tool software which has a significant annual subscription cost. The Ad Hoc Committee reached agreement that Chair Crigler and Secretary Hunt would research this option further to determine the difference between what is offered by Diligent and utilizing Survey Monkey internally and perhaps secure a mock-up of the product Diligent could provide. Confirmation was provided that the Board will design the instrument to be utilized regardless of how it is administered. Peter Terry, Assistant Director of Academic Application Solutions, reported that the University already owns Survey Monkey and confidentiality is assured as part of what Information Technology staff do. Willem Mathis, Systems Administrator, typically creates the surveys based on information provided and this service is already provided on campus free-of-charge. It is impossible for staff not to have access to the responses but as part of the code of ethics they do not look at survey responses. It was suggested that the information would be more secure if it remained within the campus system.
- E. Approximately 45 days prior to the Spring Quarterly Meeting (April 15) the Chair and Vice Chair would make available to the Board all anonymous member responses to the evaluation of the President instrument in aggregate with no identifying information. General Counsel Miller reminded the Ad Hoc Committee that this represents a new step for the Board. When compiling survey results in the aggregate and creating such a document, a request for the document made under Open Records Request law is more likely to be successful (and become public) than requests for individual survey responses. It was indicated that the aggregation of this data is intended to be preliminary in nature to be utilized in preparation of the final report. Preliminary data is not discoverable under Open Records law. Mr. Miller indicated the Kentucky Attorney General has ruled that private evaluations are always private, except for the Chief Executive Officer of an organization. That individual's evaluation is public and the Board has released this information for a number of years. The background documents utilized to compile the final report could come into question. The Attorney General has opined that individuals who complete surveys to evaluate an individual are typically confidential because if they were not it would frustrate the purpose of undertaking a thorough and honest evaluation. What is currently being discussed represents a new document that could be treated differently than an individual survey response and the information could be discoverable. The Attorney General or a court could find that confidentiality is no longer a driving factor because the responses have been aggregated. It was also indicated that all responses to open-ended questions have sometimes been provided to the Board while on

other occasions not all responses were provided. In this case, the responses were paraphrased and important information was lost in translation. Confirmation was provided that all individual responses can be shared with the Board because they are part of a working document but what would be discoverable would be the overall summary that is actually presented to the President. Mr. Miller added that to the extent anonymity is removed – such as in an aggregate document – it becomes more likely that a report trends toward an open record that can be discoverable. Confirmation was provided that individual member responses can be shared with the entire Board so nothing is lost in translation when paraphrasing. The Ad Hoc Committee was reminded that the procedure as proposed does not include reference to aggregate responses but providing all individual responses to the full Board.

- F. The members of the Board of Regents may meet as part of a duly-called meeting according to Kentucky law to discuss the President's performance and this is true for all Board's in the Commonwealth and represents a best practice.
- G. The Chair and Vice Chair will summarize the compilation of all evaluations submitted by Board members. The summary shall include areas where the President has been effective, areas for improvement, progress on goals for the most recent period and progress toward strategic initiatives. The summary should also state the presidential goals for the upcoming period and forward-looking strategic initiatives. These items are also listed on the timeline to be completed by May 15 or as close to that date as possible. This helps the President and the Board be in alignment on expectations. Confirmation was reached that the document would be revised so this information is provided a certain number of days in advance of the due date requirement instead of by specific dates because those will change each year.
- H. The Chair and the Vice Chair of the Board will privately meet with the President to share the summary of the evaluation.
- I. The Chair and the Vice Chair of the Board shall make available to the Board of Regents the summary of the evaluation.
- J. The President's evaluations are fundamental in the annual and 360° review of the President.

It was noted that Regent Gray left the meeting at 11:15 a.m.

360° Presidential Review

Chair Crigler indicated that with regard to the 360° Presidential Review (supplants the Four-Year Review) many of the steps are similar to those contained within the Annual Review process. At the discretion of the Board – but at least every four years – the Board of Regents of Murray State University will conduct a more comprehensive 360° Presidential Review of the President of the University. This review should not only consider the accomplishments of the current President but should evaluate the progress of the University in moving toward its goals and imperatives. This review shall be considered as a holistic and narrative review of presidential performance going beyond the Annual Review process and the instrument utilized for that process. Consensus was reached for language to be added that if the Board conducts the 360° Presidential Review it will supplant the Annual Review for that year.

The following components of the 360° Presidential Review were highlighted:

- A. The Board of Regents and the President shall make their best efforts to comply with the timeline provided. The revised timeline provided allows for the President to respond to the written draft summarizing the Board's overall view of presidential performance that will be provided by the Chair and Vice Chair of the Board.
- B. Review shall take place in the following areas: 1) Academic Management and Leadership, 2) Administrative Management and Leadership, 3) Budget and Finance, 4) Fundraising, 5) External Relationships and 6) Personal Characteristics.
- C. Groups or individuals to participate in the 360° Presidential Review include: 1) Board of Regents, 2) Administration (includes Provost, in concert with the Chair and Vice Chair of the Board, soliciting advice and recommendations from the Vice Presidents and Deans and this information being reported to the full Board), 3) Faculty (Executive Committee of the Faculty Senate will submit its advice and recommendations to the Board of Regents through the Faculty Regent), 4) Students (Executive Committee of the Student

Government Association will submit its advice and recommendations to the Board of Regents through the Student Regent), 5) Staff (Executive Committee of the Staff Congress will submit its advice and recommendations to the Board of Regents through the Staff Regent), 6) Alumni (President of the Alumni Association will submit the advice and recommendations of the Association – as determined by the Executive Committee – through the Chair and Vice Chair of the Board of Regents), 7) Secondary Education Leadership (Chair and Vice Chair of the Board or proxies solicit advice and recommendations from school Superintendents and high school Principals in the 18county service region and other educational personnel deemed strategic to the University) and 8) Government (Chair and Vice Chair or proxies solicit advice and recommendations from regional and state governmental representatives, as well as from Council on Postsecondary Education leadership). In terms of the timeline, the Chair would begin to designate responsibilities relative to each group or individual to be included in the 360° Presidential Review around November 1 and 90 days will be provided for the completion of this work.

- D. The President shall submit to the Board of Regents their Self-Assessment of performance in office during the entire period of review at the end of January. The Self-Assessment should include a statement of the President's future goals for the University and an evaluation on presidential performance with respect to criteria established for the University, including statements regarding progress toward goals and strategic initiatives. The goals and strategic initiatives will be linked to the University's *Comprehensive Strategic Plan* (or successor document). The Self-Assessment shall link performance to progress toward achieving the President's goals and strategic initiatives and those of the *Comprehensive Strategic Plan*.
- E. The Chair and Vice Chair of the Board shall make available to Board members all information gathered from the different constituencies and a copy of the President's Self-Assessment prior to completing the Evaluation of the President instrument. Other pertinent materials and information may be used by the Regents in formulating an evaluation.
- F. Members of the Board of Regents may meet in a duly-called meeting according to Kentucky law to discuss the President's review.
- G. The Chair and the Vice Chair will prepare a written evaluation summarizing the Board's overall views. The summary shall include areas where the President has been effective, areas for improvement and goals or strategic initiatives that the Board will evaluate in the future. This document will be submitted to the President in draft format for consideration and reaction.
- H. The Chair and Vice Chair will meet privately with the President to discuss the written evaluation report draft and his/her response to the 360° Presidential Review which may be incorporated into the final report.
- I. The Chair and Vice Chair shall make available to the Board of Regents the summary of the evaluation two weeks prior to the Spring Quarterly Meeting.
- J. A brief public report will be made by the Chair of the Board of Regents at the conclusion of the 360° Presidential Review process during the Spring Quarterly Meeting.

Confirmation was provided that the Chair of the Board would be responsible for adhering to the timelines presented and that individual has discretion to direct the Secretary to the Board to issue reminders on their behalf.

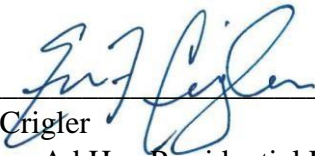
Consensus was reached that Ad Hoc Committee Chair Crigler would make any revisions to Operating Procedure for President Evaluation that have been agreed upon and the document will be resubmitted to the Committee for review. The final Murray State University Operating Procedure for Presidential Evaluation would then be submitted to the Ad Hoc Committee for approval at the December 4 meeting. The procedure would then be advanced by the Ad Hoc Committee to the full Board for approval. The actual survey tool to be utilized will be approved by the Ad Hoc Committee at a later date with the goal of being able to present that recommendation to the full Board at the Quarterly Meeting in February 2021.

Chair Crigler reported that Mr. Miller also researched survey instruments other institutions have utilized as part of a presidential review process and those will be provided to the Ad Hoc Committee. Decisions that must still be made relative to the survey instrument include the scale

that will be used and the questions to be asked. The product that Diligent offers in terms of an evaluation tool will also be researched further.

Adjournment

Chair Crigler solicited a motion for the Board of Regents Ad Hoc Presidential Evaluation Process Review Committee to adjourn. Mrs. Rudolph so moved, seconded by Dr. Tharpe, and the motion carried. Adjournment was at 11:40 a.m.



Eric Crigler
Chair – Ad Hoc Presidential Evaluation
Process Review Committee



Jill Hunt
Secretary – Board of Regents

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