

**Minutes of the Board of Regents Annual Retreat
Murray State University
September 2, 2021**

Call to Order

The Murray State University (MSU) Board of Regents (BOR) met for their annual Retreat on Thursday, September 2, 2021, in Heritage Hall – Hall of Benefactors – on the Murray State University campus. Chair Eric Crigler called the meeting to order at 8:38 a.m. and welcomed those joining the meeting in person and via livestream. The roll was called and the following Board members were present: Sam Aguiar, Eric Crigler, Robbie Fitch, Virginia Gray, Leon Owens, Ian Puckett, Lisa Rudolph, Melony Shemberger, Don Tharpe and Tom Waldrop. Absent: none.

Also present were Robert L (Bob) Jackson, President; Jill Hunt, Senior Executive Coordinator for the President, Coordinator for Board Relations and Secretary to the Board of Regents; Tim Todd, Provost and Vice President for Academic Affairs; Jackie Dudley, Vice President for Finance and Administrative Services and Treasurer to the Board; Don Robertson, Vice President for Student Affairs and Enrollment Management; Bob Pervine, Associate Provost; Ashley Ireland, Interim Assistant Provost; Rob Miller, General Counsel; Shawn Touney, Executive Director for Marketing and Communication; Jordan Smith, Executive Director of Governmental and Institutional Relations; Cami Duffy, Executive Director for Institutional Diversity, Equity and Access (IDEA)/Title IX Coordinator; Kevin Saal, Director of Athletics; Courtney Hixon, Interim Director of Human Resources and Tracy Roberts, Registrar and members of the faculty, staff, students, news media and visitors. These individuals were also provided access to the meeting via livestream.

AGENDA

<u>Call to Order</u>	Chair Eric Crigler
<u>Welcome and Agenda Review</u>	Chair Eric Crigler
<u>Report of the President</u>	President Bob Jackson
<u>Kentucky Open Meetings/Open Records Laws</u>	General Counsel Rob Miller
<ul style="list-style-type: none">• Attorney General Advisory• The Kentucky Open Records and Open Meetings Act: A guide for the public and public agencies (June 2021)• “Managing Government Records – A Cooperative Undertaking” (June 2021)• Social Media and Text Messaging	
<u>Other Legal Matters Overview</u>	
<ul style="list-style-type: none">• Conflict of Interest- Murray State University Board of Regents Statement of Conflict of Interest – Academic Year 2021-22- Kentucky Revised Statute – Conflict of Interest- Association of Governing Boards Conflict of Interest with Guidelines and Compelling Benefits (April 2013)	General Counsel Rob Miller
<ul style="list-style-type: none">• Undue Influence	General Counsel Rob Miller
<ul style="list-style-type: none">• Health Insurance Portability and Accountability Act (HIPAA)	General Counsel Rob Miller
<ul style="list-style-type: none">• Family Educational Rights and Privacy Act (FERPA)- Annual Notification- FERPA Guide for Faculty, Staff and Student Employees	Registrar Tracy Roberts
<ul style="list-style-type: none">• Office of Institutional Diversity, Equity and Access (IDEA)- Title IX – Federal Civil Rights Law	IDEA Exec. Dir. Cami Duffy
<ul style="list-style-type: none">• Leave Policies and Family Medical Leave Act (FMLA)- Proposed <i>Personnel Policies and Procedures Manual</i> – New Section IV P – Parental Leave	Int. Dir. Human Resources Courtney Hixon

President's Delegation of Authority Overview

Chair Eric Crigler/
President Bob Jackson

Academic Affairs

- Traditional-Hybrid-Online Courses, Programs and Certificates
- Gray & Associates and Internal Review Process
- Southern Association of Colleges and Schools Commission on Colleges Accreditation Update

Provost Tim Todd
Int. Asst. Provost Ashley Ireland
Assoc. Provost Bob Pervine

Break for Lunch (approx. 12 noon)

Reconvene (approx. 1 p.m.)

Finance and Administrative Services

- Campus Master Plans
 - a. Campus
 - b. Housing
 - c. Athletics
- Brailsford & Dunlavey P3 Partnership Update
- Information Technology/Cybersecurity Update
- State Appropriation and Federal Stimulus Funding Update
- Facilities Management Projects Status and Bond Sale Update

Vice President Jackie Dudley

Dir. Fac. Mgt. Jason Youngblood
ED for Aux. Svcs. David Looney
Athletic Director Kevin Saal

Interim CIO Brian Purcell

Student Affairs and Enrollment Management

- Student Life Update and Activities
- Summary of Enrollment Communication (Fall 2021)
- New Enrollment/Yield Strategies (Fall 2022)
- Yield Marketing Communications
- Retention and Student Success
- Predictive Analytics
- Highlighted Data for Fall 2021
- Student Recruiting Task Force Phase II (2022-27)

VPSAEM Don Robertson/
Exec. Dir. for Strategic
Enroll. Mgt. Renee Fister

Athletics

- The Inside Track: NCAA Rules for Alumni, Fans and Friends of Racer Athletics
- Student Athletes – Federal Name, Image and Likeness (NIL) Rights

Athletic Director Kevin Saal/
General Counsel Rob Miller

Governmental and Institutional Relations

- 2022 Legislative Budget Session
- Regional and Institutional Affairs

Exec. Dir. Jordan Smith

University Advancement

- Branding, Marketing and Communication Update
- Office of Development Overview of Fiscal Year 2021
- Alumni Relations Update

Exec. Dir. Shawn Touney
Exec. Dir. Tina Bernot
Dir. Carrie McGinnis

Strategic Plan Overview

President Bob Jackson

Closing Remarks

Chair Eric Crigler/
President Bob Jackson

Other Business

Chair Eric Crigler

Adjournment

Chair Eric Crigler

Welcome and Agenda Review

Chair Crigler expressed appreciation to everyone joining the Board for the new academic year and welcomed new Regents Sam Aguiar, Tom Waldrop and Ian Puckett. This also represents

the first Board of Regents meeting since the passing of Phil Schooley who was never about himself but instead focused on always moving the University forward and this was appreciated by all.

Report of the President

Dr. Jackson welcomed those joining the meeting and reported that the semester is off to a good start with the work of the Vice Presidents, General Counsel Miller and others, especially faculty, staff and students, and their efforts are sincerely appreciated. He also appreciates the Student Government Association, under the leadership of Regent Puckett, for passing a Resolution last week encouraging 80 percent of the student body to be vaccinated as quickly as possible.

The University lost several individuals in the last year, notably long-time Regent Phil Schooley, who served this Board for twelve years and will be dearly missed. Professor Tim Johnston in the Arthur J. Bauernfeind College of Business passed away this past year, as did a number of retired Professors, and Regent Owens recently lost a close family member. Pete Waldrop also passed away recently – there was not a bigger Racer supporter in the world and he will be sorely missed. The Board was asked to keep these Racer supporters, alumni, friends and family, in their thoughts and prayers.

Today represents an opportunity for discussion and Regents were encouraged to provide their thoughts, advice and counsel. In the last few days, Murray State was recognized nationally as one of Kentucky's best employers by *Forbes* magazine as part of their publication "2021 Best Employers." Murray State was ranked 13th among the 50 state employers which were recognized and was the highest-ranked four-year public regional comprehensive university in Kentucky. The University is regularly recognized in academics and as a best value but has not been recognized for some time as a great place to work.

Several master plans will be presented later today for facilities, athletics and the campus as a whole. Not all projects on the list will be completed while others will and some are already in process. A number of projects will be funded with state dollars while others will be accomplished utilizing private monies. Some projects will be achieved through public-private partnerships. The planning documents which will be presented represent guideposts to help the University move forward into the future and will certainly change over time. The first home football game will be this evening. Many important guests will be joining the University for the game, as well as the cookout prior.

Dr. Jackson stated he has known Regent Tommy Waldrop for a long time and welcomed him to the Board. Also welcomed to the Board was Sam Aguiar, a Murray State alumnus; Dr. Robbie Fitch, also a MSU alumnus, and Ian Puckett. Appreciation was expressed to all for their willingness to serve the University in this capacity.

Kentucky Open Meetings/Open Records Laws

[Kentucky Open Records and Meetings Acts: A guide for the public and public agencies \(June 2021\)](#)

General Counsel Miller provided an overview of the Open Records and Open Meetings Acts and highlighted the following:

- In response to the COVID-19 pandemic, Senate Bill 150 (SB 150) was enacted during the Regular Session of the 2020 General Assembly and provided several temporary changes to the Open Records and Open Meetings Acts. The Kentucky Attorney General Advisory issued on June 24, 2021, now recommends that public agencies comply with the Open Records and Open Meetings Acts without resorting to any temporary changes made permissible under SB 150. This essentially means that any emergency declaration related to open meetings and records is over and normal procedures should resume.
- The 2020 General Assembly did not amend any provision of the Open Meetings Act but did allow for public meetings to be conducted via videoconferencing and audio teleconferencing technology. As of June 28, the traditional requirements under Kentucky Revised Statutes (KRS) 61.826 went back into effect and public agencies are no longer permitted to solely use audio teleconference technology to conduct open meetings under the Act.
- The statute is very broad with regard to open meeting/records and when these laws were passed in the 1970s the idea was that the residents of Kentucky have a right to know what their government is

doing. MSU, as a state institution, is part of that framework and has an obligation to the campus community and other Kentucky residents who seek information. The University must work with these individuals to provide the information being requested, unless there is an exception. The Kentucky resident terminology is new and represents a statutory change. The Legislature has now defined what constitutes a Kentucky resident and there are seven ways individuals can seek records under the Open Records Act, such as living in the state, owning a business in Kentucky, owning property in the Commonwealth and being a media agency from anywhere across the United States. This has impacted the number, quality and nature of requests the University is receiving, particularly related to those requests that in essence amounts to the University performing free labor for companies harvesting data from various institutions. The companies then take this data and produce a website where they sell the information to other vendors. The University works with vendors and is not an institution that immediately denies a request. MSU is not required to create any documents it does not already have in the requested format. A distinction also needs to be made between an inquiry for information and a request for a record.

- In 1976 the Open Records Act was enacted. At that time, almost every record was in paper form and the state government felt vital decisions such as budgets, allocation of dollars and contracts should be subject to disclosure under the Open Records Act. The volume of data available today – both in paper and electronic format – has changed substantially since that time.
- House Bill 312 (HB 312) amended KRS 61.880(2) so that after June 29, 2021, a public agency must respond to a request to inspect records within five business days. The law previously required a response within three business days. HB 312 also alters how requests to inspect records may be made and accepted. As of June 29, a person submitting a request to inspect public records must also include a statement indicating they are a resident of the Commonwealth of Kentucky. Public agencies may deny a request to inspect records in the absence of such a statement. Another change required is for public agencies, if necessary, to update its policies and procedures to include both the mailing address and email address at which the Records Custodian – Secretary Hunt for Murray State – receives requests. These policies and procedures must also be posted on the public agency’s website. During the COVID-19 state of emergency, a public agency was permitted to deny in-person inspection of records. In this regard SB 150 no longer applies and a public agency that previously permitted in-person inspection of records is allowed to do so again.
- There are numerated exemptions under the Open Records Act statute and after receiving a request the University must first determine whether it falls under one of those exemptions, meaning it should remain undisclosed. Courts err on the side of providing information so it is the University’s burden to prove why it should not be disclosed if one of the statute exemptions is applicable. A few such exemptions were outlined. It is possible for only a portion of the request to be exempt from disclosure and the Attorney General allows for a response to include an exclusion of such (by redaction) while providing any remaining information for which an exemption would not apply.
- An Open Records Request must also be properly framed because the University is not required to provide a response to general questions and the requestor must be specific in terms of the documentation being requested – “any and all” are not properly framed requests. Today the Kentucky Open Records Act includes not only paper documents but emails, texts and databases. Once the specific topic of the request has been determined, each and every piece of information must be reviewed to determine whether an exemption applies.
- The Open Records Act provides an expansive definition for public records – all books, papers, maps, photos, cards, discs, diskettes, recordings and software regardless of their physical form – which must be provided for inspection if utilized to conduct public business unless the information falls under one or more of the 16 exemptions found in the Act. Text messages would be treated the same as emails by the Attorney General if they are utilized to conduct public business.
- The Attorney General is asked to opine on any appeal relative to the Open Records Act.
- The Open Meetings Act was enacted in 1974 and requires all meetings of a quorum of members of the agency where public business is discussed or action is taken to be open to the public. Members of the public are allowed to attend or view any such meetings. There are exceptions which allow an agency to go into Closed Session. The Attorney General of the United States and the courts are trending toward openness and the University must be prepared to apply an exemption to go into Closed Session correctly. A quorum for the Murray State Board is six members. Even phone calls – if by a quorum – can be considered public meetings if public business is discussed. If a quorum of the Board engages in a substantive discussion regarding University business, this represents a meeting. Confirmation was provided this is also true for the individual Committees of the Board. If a particular Committee has five members, three constitute a quorum. If a quorum of members are together but are not discussing University business that will come before the Board, this does not constitute a meeting but is instead a social event.
- The general requirements of the Open Meetings Act include that the meeting must be public, the time and place for meetings must be posted in a public location, minutes must be maintained and the general public must be allowed to attend. Members of the news media are also allowed to attend and record the meetings as long as they are not obstructive. Agendas are not required for regular meetings but are required for special meetings. The Board must not only have an agenda that is specific to the topic being discussed during a special meeting but that agenda must be strictly followed with no deviation. Notice must be provided to the media 24 hours in advance of either a

regular or special meeting. A special meeting can be called by the Chair of the Board or any two members.

- Closed Session may occur as long as notice is given during the regular meeting regarding the nature of the business to be discussed and the reason for the Closed Session. The specific statute that authorizes a given Closed Session must also be publicly identified. Commonly used exemptions to the Open Meetings Act (Closed Session) include the sale or purchase of real property; proposed or pending litigation; discussions which might lead to the appointment, dismissal or discipline of an employee or student. With regard to personnel discussions, recent changes to the law have provided universities with additional flexibility in this regard so that any personnel appointment for an internal candidate can be discussed in Closed Session.
- The Attorney General will be asked to opine on any appeal to the Open Meetings Act. The University only has three business days to respond, in writing, to the Attorney General if someone has indicated they think the institution violated the Open Meetings Act. Not responding to any such complaint within the three-day period appears to be the most common violation that occurs. The Attorney General's decision could also be appealed. Most complaints are filed either for an improper Closed Session or special meeting.
- In response to a request for clarification regarding email discussions, General Counsel Miller agreed it is possible a meeting could occur by email. If there is a quorum of the Board and substantive issues are being discussed, this would constitute a violation of the Open Meetings Act. If Regents receive an email from the President which provides general information, this represents a distribution of information and should a Regent "reply all" to thank the President for the information, that does not constitute a meeting. If an email string develops where substantive discussions are occurring, the Board can reach meeting status fairly quickly if at least six Regents are participating in said discussion and this should be avoided at all costs. The same is true for text messages. The law is unclear regarding text messages on personal devices but it could be argued those texts are government records if they involve government business. Regents should not rely on not having to turn over text messages on their personal devices and if the law changes it could be retroactive to include what is currently available. The same is also true for conversations on social media.

Managing Government Records – A Cooperative Undertaking (June 2021)

The Dean of University Libraries serves as the records retention source for the Murray State campus. The University Libraries have been successful moving to a digital format for records storage. State governments are very interested in making sure state agencies maintain records well and there are rules and regulations relative to how long records must be maintained and when they can be destroyed. A Records Destruction Certificate must also be completed for any records being destroyed. Public records are very similar to those addressed by the Open Records Act. The state requires agencies to maintain any records that document the transaction of business or the formulation of policy for a certain amount of time. The President is responsible for ensuring the institution is keeping appropriate records and many of those constitute what is presented to and approved by the Board. This is particularly true relative to Board decisions and Regents' thinking at the time those decisions were made. It is illegal for someone to destroy records outside of the Records Retention Schedule.

Other Legal Matters Overview

Conflict of Interest

General Counsel Miller reported that annually Board members are asked to sign a Statement of Conflict of Interest and the one for this academic year was included in the eBoard book. A paper copy was also provided to each Regent. These will be collected and maintained by Secretary Hunt. The Kentucky Revised Statute relative to Conflict of Interest was also provided for Board review. If a Regent or their family member has ownership of 5 percent of stock or more with a company doing business with Murray State that must be reported. The statute also indicates that no member of a Board shall have any interest in a contract with a state university unless the contract is subject to competitive bidding.

The Association of Governing Boards (AGB) Conflict of Interest with Compelling Benefits Statement was also provided to the Board for review. AGB specifically details financial conflicts but also outlines other types of conflict of interest that are incompatible with a Board member's fiduciary duty to the institution. If a reasonable observer can acknowledge all the relevant circumstances and conclude that the Board member had an actual or perceived conflict of interest, then the Board member should not have a role in the matter, although there could be a compelling circumstance that dictates the involvement of the Board member. Information on

how to measure compelling interest was also included in the materials provided. It would be rare for a Board member to have a conflict or apparent conflict and still participate in a decision but there are ways it could be allowable.

The undue influence provision is broader than a true conflict of interest. The Board should not only look at conflict of interest but also any issue where a Board member is not being compatible with their fiduciary duty for the benefit of family, friends or associates. Something as simple as a phone call a Regent makes on campus on behalf of a specific individual could be perceived as a conflict of interest even though there is no intent. In response to whether Regents should serve as references, General Counsel Miller indicated that Board members always retain their rights as citizens of Kentucky and the United States. They can certainly serve as references. The Regent gets closer to the boundary when they think about contacting the hiring agent directly on behalf of the individual and must take into consideration how the person perceived their interaction and whether there is a real or apparent conflict of interest. President Jackson added that Regents need to put the onus on him and tell individuals who reach out to them that they need to contact the President's Office so they can be directed through the proper channels.

Health Insurance Portability and Accountability Act

General Counsel Miller provided an overview of the Health Insurance Portability and Accountability Act (HIPAA). MSU is a hybrid entity and protected health information (PHI) is treated confidentially and securely. Two areas of campus are mainly engaged in covered transactions but the University as a whole aspires to treat all students, faculty and staff health information according to the spirit of HIPAA. Human Resources is confined by the technical aspects of HIPAA. University requirements include designation of a privacy officer and a security officer, conducting training for staff regarding protected health information policies and procedures, implementing physical and technical safeguards for PHI, providing a method for complaints and sanctions as necessary, maintaining HIPAA documentation for six years and providing notification in the event of a breach. It is important for the University to closely adhere to HIPAA guidelines as increased penalties have been levied for violations. The Kentucky Attorney General is authorized to bring civil action for HIPAA violations to recover damages, obtain injunctions and seek costs and attorney fees. The Department of Health and Human Services can impose civil penalties, with some being severe. Criminal penalties could also apply but usually this occurs in circumstances where disclosure is intentional and typically where profit is sought or obtained.

General Counsel Miller confirmed he is confident the University will be able to adequately maintain privacy requirements relative to the data collected as a result of students voluntarily uploading their vaccination cards. Medical information is separated from a student's record or file to ensure there is no accidental disclosure in the future. The question was asked whether other members of the University administration are required to complete a Conflict of Interest Statement. Dr. Jackson reported that there are very strict procedures and policies in place internally in this regard and those are monitored closely. Vice President Dudley added that when the institution developed a Code of Conduct several years ago it was distributed to employees and they were asked to acknowledge that they understood the policy. A similar process is also undertaken during onboarding for new employees.

Family Educational Rights and Privacy Act Annual Notification

Registrar Tracy Roberts reported that the Family Educational Rights and Privacy Act (FERPA) is a federal law that protects privacy relative to the educational records of students. In K-12 schools that right belongs to the student's parent or guardian. The moment a student enrolls in a college class – which includes high school dual credit courses – those rights shift to the student. At the postsecondary education level, the law states that schools cannot disclose or discuss personally-identifiable information from a student's educational record without their written consent unless the situation meets one of the FERPA disclosure exceptions. Exceptions include the disclosure of directory information which represents data that is not generally harmful to the student if released. Directory information must be identified at each school and includes items such as the student's name, address, phone number, enrollment status and honors and awards received. The full list of information considered directory in nature was provided in the eBoard book. The University cannot release directory information for a student who has signed a formal statement directing that it be kept confidential. FERPA gives the University the right to release

directory information but does not require it to do so. How this is handled is at the discretion of each institution.

Another exception to the student consent requirement is University officials using or discussing information in the performance of their job responsibilities. This does not mean all University officials have the right or means to access every student's educational record. That access is provided only to those officials who have a legitimate need to know a particular student's educational record.

Whether information regarding a student can be released to parents or others during an emergency is also a key issue. FERPA will allow information to be released without a student's consent in cases of a health or safety emergency, including the COVID-19 pandemic, in order to protect the health and safety of the student or other individuals. The information can only be released to appropriate parties such as law enforcement or medical officials but can also be provided to parents if the health or safety emergency involves their particular student. The disclosure exception is limited to the period of the emergency and does not allow for a blanket release of all educational records. Regents may become privy to confidential information during their tenure on the Board. If such information is available, the Board was encouraged to maintain its confidentiality. This includes discussing such information outside the role of a Board member or the distribution, whether in paper or digital form, of confidential materials.

President Jackson indicated that if Board members receive such questions they should be directed to the Registrar or the President's Office so a determination can be made on whether the information requested can be legally released.

Office of Institutional Diversity, Equity and Access – Title IX – Federal Civil Rights Law

IDEA Executive Director Duffy reported the following:

- As an institution of higher education, Murray State's responsibilities include ensuring there are policies and procedures in place to address allegations of discrimination. Those policies and procedures must also be published and accessible.
- The IDEA office operates under three umbrellas – equity (compliance), inclusion (support and proactive education) and response to concerns. Equity efforts include affirmative action and compliance with Vets 4212 reporting (voluntary), Title IX, Americans with Disabilities Act and reasonable accommodations, Violence Against Women Act and the Campus SaVE Act. Inclusion efforts include diversity and inclusion, education and outreach and the University Diversity Plan, along with the Statewide Diversity Policy developed with oversight from the Council on Postsecondary Education (CPE). Response to concerns include reporting, investigating and process navigation discussions. All of this work is accomplished with a staff of four – the Executive Director, Assistant Director and two Deputy Title IX Coordinators. Immediate and appropriate action must be taken to investigate any allegations. The University must also take all reported matters seriously and every member of the University community is required to report allegations of illegal discrimination and harassment, including matters of Title IX, to the IDEA office.
- The *Institutional Diversity, Equity and Access Task Force (IDEIT)* serves as the umbrella for all diversity components at Murray State. This represents a four-pronged effort with faculty and staff employee recruitment and retention, student recruitment and retention, institutional climate (*President's Commission on Diversity and Inclusion*) and the Affirmative Action Committee. These four areas are led by faculty and staff and the focus aspects for each respective component were outlined.
- As an outgrowth of the *IDEIT*, the *Regents Fellowship* program was developed and is designed as a mechanism to promote and connect underrepresented minorities. Regents Fellows report to a Vice President and they receive increasing exposure to different aspects of the University. This year there are two Regents Fellows – Omotola Omotinugbon from Jeffersonville, Indiana, and Abril Sosa from Atoka, Tennessee. Both are very passionate about Murray State and their contributions to this work have been very successful, especially their efforts with fellow students in discussing University governance, recruitment, retention and budgeting and how to be successful in this environment as an employee. There are also aspects of the experience such as mentoring, special projects and career development in higher education. It is hoped Regents Fellows maintain an interest in Murray State and eventually apply for a position at the institution so they can continue to make an impact.
- Title IX is included in the educational amendments section to civil rights law signed by President Richard Nixon in 1972 addressing allegations of forms of sexual misconduct, including sex-based discrimination, harassment, sexual or relationship violence, stalking and sexual exploitation, etc. at any institution that receives federal funding. A lost reputation for a university is also at stake, making this work even more important. Title IX ensures gender equity in educational programs that receive federal funding. The law specifically provides for nondiscrimination mandates to address the

prohibition of sex discrimination in hiring, admissions, athletics and other aspects of college and educational events and activities. Illegal discrimination occurs when individuals are treated differently than others because of their membership in a protected class. These areas include race, disability, gender identity, sex, age, national origin or color, sexual orientation, religion and veteran status.

- Students are the primary focus of Title IX but it is also applicable to all campus constituencies. Title IX applies to males and females, including non-conforming individuals and prohibits discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. This includes absence of consent, incapacitation, coercion, blackouts, stalking, sexual orientation, non-consensual sexual activity/sexual assault and relationship violence. Sexual violence and misconduct refers to any sexual act directed against another person without the consent of the victim, including instances where that individual is incapable of giving consent (such as rape, fondling or incest). Consent is informed, freely given and mutually agreed upon sexual activity. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. The lack of a negative response is not consent. An individual who is incapacitated by alcohol and/or other drugs, both voluntary and involuntarily consumed, may not give consent and past consent to sexual activity does not imply ongoing future consent. Relationship violence includes dating and domestic violence. Dating violence applies to 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 injury or any felony or misdemeanor crime of violence committed by a spouse or intimate partner of the victim and this includes former partners. Relationship violence can be verbal and/or physical and examples include slapping, hair pulling, name calling, damaging property and threats of abuse or physical harm. Stalking involves a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or that of others or suffer substantial emotional distress. Examples include repeated non-consensual communication in any form, surveillance or showing up at the targeted person's classroom or workplace. Sexually exploitive behavior occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage other than the one being exploited. Such behavior cannot include rape, fondling, incest or statutory rape. With regard to statutory rape, the person cannot legally consent because of being below the age of consent.
- Information was provided in the eBoard book on reporting and investigations into Title IX complaints, including available campus resources. The IDEA office is responsible for monitoring current laws regarding the prevention of illegal discrimination and harassment and making recommendations for necessary changes to policies and procedures and providing educational sessions to members of the wider University community.
- Those who witness Title IX violations are required to report any information they may have so University resources can be appropriately directed as quickly as possible to help these individuals get back on track toward degree completion. Reporters should use descriptive language in terms of what was actually said and not how they might have interpreted it. All parties involved in the matter should be encouraged to use campus resources and report any such incident to the University police. The need to report extends to the reporting of incomplete information whether the incident occurred on or off campus. The University community must also understand that absolute confidentiality cannot be promised except by those individuals performing in a counselor role. Fair and impartial investigation must be provided and there must be an understanding that reporting is a responsibility of every member of the University community.
- The IDEA office must take prompt and corrective action so it highlights the importance of the University community reporting any such incidents as soon as they become aware. Equitable grievance procedures have been developed and a preponderance of the evidence will be followed as the evidentiary standard in student disciplinary hearing procedures. There must also be a Title IX Coordinator and the name and contact information of that individual must be published and readily accessible. Both parties involved in a matter must be provided with access to and an explanation of policies and procedures. Individuals can utilize the University process, criminal process or both at the same time. Training in this regard is provided every semester through different venues and means, including in person and online, and must include definitions and ways to report, reference campus policies and resources and discuss sexual harassment and grievance procedures. The process utilized to inform students, faculty and staff regarding Title IX responsibilities was outlined further and includes annual training which requires a quiz score of 100 percent. The Board has been provided with access to this training through myGate. MSU must take prompt and effective action to stop harassment, eliminate a hostile environment and address its effects. The University must also conduct investigations separate from and independent of any criminal investigation or proceeding.
- The University must also ensure fundamentally fair hearing procedures and processes and that access to annual training is provided for the Title IX Coordinator, Deputy Coordinators and the hearing panels. Training must be provided to the University community on an annual basis as well regarding principles of discrimination, including Title IX. Educational opportunities that are topic specific must be provided to the University community regarding issues related to Title IX and nondiscrimination.
- Sexual harassment includes discrimination that violates state and federal laws and University policies. It represents inappropriate conduct on the basis of sex. Such behavior typically falls into three

categories – severe, pervasive and objectively offensive. In May 2020 the threshold for students related to sexual harassment increased to include all three categories. This type of behavior will be addressed under the Student Code of Conduct. For sexual harassment to have occurred against employees, the threshold is severe or pervasive or objectively offensive. Sexual harassment can be quid-pro-quo, meaning this for that, and the commission of such conduct can be made explicitly or implicitly.

- Information on available campus resources was provided in the eBoard book. It should also be recognized IDEA and the Title IX Coordinator do not represent either party in a matter and must remain neutral in order to avoid a conflict of interest and be able to provide the best information to involved individuals to help them make informed decisions.

Vice Chair Tharpe expressed appreciation to Executive Director Duffy, her office, President Jackson and the University community for work that is being undertaken in this regard. President Jackson echoed this sentiment and expressed appreciation to Regents Owens and Tharpe for their participation throughout the year in such initiatives. All appreciate Executive Director Duffy's good work. Board members who have inquired about the Title IX training were reminded that it has been made available through myGate.

Leave Policies and Family Medical Leave Act (FMLA)

Mrs. Hixon reported the following:

- Murray State offers a variety of paid and unpaid leave benefits and eligibility may vary based on position type and/or years of service. When new employees are hired, Human Resources spends time to ensure they are aware of University policies, provides information specific to them and explains how policies can be accessed. Every new employee is provided with the Code of Conduct policy and must sign a form indicating receipt.
- Leave benefits may be used for various reasons, including COVID-19 or personal illness, injury, pregnancy, childbirth, adoption, etc. and temporary care of immediate family members, including eldercare.
- Paid Vacation Leave benefits are available to all regular employees, except nine-month faculty on academic year contracts. Eligible employees are allowed to carryover vacation one and one-half times the amount of their accrual days at the end of the fiscal year. Accrual rates vary by years of service as follows:
 - 1 to 4 years – 10 days
 - 5 to 10 years – 15 days
 - 11 to 14 years – 17 days
 - 15 plus years – 20 days
- Paid Sick Leave benefits are also available to all regular employees. The accrual is one working day per month, with a maximum accrual of 180 days (approximately six months). Sick leave can be used for a variety of reasons, including illness, accident, injury, pregnancy or childbirth, other medical conditions and temporary care of family members. Human Resources works individually with each faculty and staff member to determine what best meets their needs.
- In addition to Paid Sick Leave, the University has a Sick Leave Bank policy which was established in 2000 as an additional paid leave benefit. Employees are able to participate in the Sick Leave Bank in the event of catastrophic illness or injury. Membership requires the donation of one sick leave day and continued membership may require a donation of an additional one to three sick days depending on the annual cumulative usage from the bank. The Sick Leave Bank grants up to 30 additional paid days for any single illness or injury. Approximately 65 percent of regular employees are members of the Sick Leave Bank.
- The University also offers Family and Medical Leave (FMLA) which is required by federal law. Family and Medical Leave grants up to six months (26 work weeks) of unpaid leave per year. FMLA regulations require 12 work weeks of leave, making the University policy very generous in this regard. In order to be eligible for FMLA, employees must have worked for the University for a total of at least 12 months, worked at least 1,250 hours over the previous 12 months and work at a location where at least 50 employees are employed by the University (within 75 miles). These requirements match federal regulations.
- If a faculty or staff member is not eligible for Family and Medical Leave, they can take Personal Leave which grants up to 30 working days of unpaid leave per fiscal year when paid leave has been exhausted or is not available. Examples may include, but are not limited to, a preplanned vacation for a new hire or extended sick leave if not eligible for FMLA.
- A chart was provided in the eBoard book providing a summary of the University's leave benefits based on years of service.
- A Paid Parental Leave policy will be proposed for Board approval in December based on a recommendation from the *President's Task Force on Work/Life Balance*. This policy would grant up to six weeks of paid leave within the first 12 weeks following childbirth or adoption. The recommendation made by the Task Force was based on research undertaken on what other universities are offering in regard. Paid Parental Leave can be used in lieu of accrued sick leave, vacation leave or FMLA but employees may extend leave through these options as needed. In order

to be eligible, employees must have worked at the University a minimum of six consecutive months and following the birth or adoption of a child under the age of 18. This benefit also includes the ability to take Paid Parental Leave intermittently. Paid Parental Leave may also be used for maternity or paternity purposes and may be taken concurrently.

- At this time, the University does not provide any additional leave options due to COVID-19 related illness other than paid sick leave or paid vacation. The University followed federal guidelines when they were mandated relative to leave due to COVID-19.

Regent Shemberger asked where the University stands in terms of providing flexibility if employees do not want to use the Sick Leave Bank to care for a family member. Last year presented opportunities in terms of what can be accomplished online which provided additional flexibility relative to faculty and some staff positions. Confirmation was provided that institutional review continues in this regard, especially within the Task Force but also through the Insurance and Benefits Committee. In terms childcare and flexibility in this regard, Mrs. Hixon reported it is dependent on what the need is and whether isolation is required due to direct exposure to COVID-19. If isolation is required, employees are allowed to use sick leave for the purpose of caring for a child or family member. Each case is dependent on the employee's particular situation and Human Resources works individually with faculty and staff to help them determine best options.

President Jackson added that the proposed Paid Parental Leave policy is currently being reviewed by the Insurance and Benefits Committee – a standing University committee – for eventual Board approval. Most births and adoptions occur among younger faculty and staff members who have not accrued a great deal of vacation and sick days. In order to recruit and retain quality faculty and staff and also meet the needs of the marketplace, consideration is being given to what peers in Kentucky and surrounding state are offering in this regard.

Appreciation was expressed to Mrs. Hixon for her good work.

Adjournment

The Board of Regents adjourned for a break at 10:20 a.m.

Reconvene

Chair Crigler reconvened the Board of Regents Annual Retreat at 10:40 a.m.

President's Delegation of Authority Overview

The current Delegation of Authority document was put in place in 2014 by then Chair of the Board Deno Curris. This document delegates authority from the Board to the President of the University and clarifies items which are reserved solely for Board action. The document allows management to function more effectively and ensures the President and Board have reached agreement in regard to actions that can be taken by the administration. The Delegation of Authority also allows the President to act in the event of an emergency – in consultation with the Board Chair – on certain items and while this provision has been used sparingly, it has been especially beneficial since the pandemic began. Board members are notified of any action taken by the University administration utilizing the Delegation of Authority between Quarterly Meetings.

President Jackson highlighted the following from the Delegation of Authority:

- Item #8 requires the Board to approve the promotion of faculty and the awarding of tenure to faculty pursuant to existing policies. This responsibility rests solely with the Board based on recommendations from the administration.
- Item #10, consistent with the provisions of Kentucky Revised Statutes, requires the Board to approve changes to compensation/benefits for faculty and staff.
- Item #12 requires the Board to approve an annual operating budget for the University which includes Education and General and Auxiliary budgets. The Board must also approve the issuance of any bonds pursuant to Kentucky Revised Statutes.
- Item #15 requires the Board to 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.

- Item #17 requires the Board to approve the transfer or acquisition by purchase of title to real property. Practice has also been for the Board to approve the sale of real property.
- Item #22 requires the Board to approve tuition, mandatory fees and room and board rates based on recommendations received from the administration.
- Item #24 requires the Board to approve the awarding of degrees, including honorary degrees.
- Item #27 states that in the event of an emergency or an event where immediate action is in the best interest of the University, the President, after consultation with the Board Chair, is authorized to act pursuant to authority otherwise available but for the Delegation of Authority. This has been used fairly often during the pandemic where the University has been required to make decisions hourly and daily. General Counsel Miller and the Vice Presidents have also been involved in these discussions.

Chair Crigler added that over the past year having clearly-defined roles for the President and the Board helped the University navigate the unprecedented environment presented by the pandemic. There were no questions or comments from the Board relative to the Delegation of Authority document.

Academic Affairs Overview

Traditional-Hybrid-Online Courses, Programs and Certificates

Ashley Ireland, Interim Assistant Provost and Director of Online Programs, reported the following:

- A conscious effort has been made to increase and enhance online program offerings. Unique programs that may be completed in a completely online remote format include 11 at the undergraduate level, plus four undergraduate certificates; 29 at the master's level, including the Master of Business Administration (MBA) and Master of Public Administration (MPA) concentrations, plus 12 graduate certificates, three Education Specialist degrees and four doctoral degrees. Despite the addition of these online programs and certificates, Murray State still very much remains a residential campus.
- Approximately two years ago the University entered into an agreement with a third-party vendor – Academic Partnerships (AP). This agreement involves a revenue share for programs the University has contracted with AP to offer. In return, Academic Partnerships assists the University with marketing, student support services (from interest to application to enrollment and throughout program completion) and instructional design services. Instructional design services are grounded in “Quality Matters” which is an industry standard. The delivery of these courses over a six- to seven-week period and instructional design services ensure the course can be easily taken with little to no learning curve. AP offers the University a focus on marketing strategies whether it involves direct advertising, search engine optimization or targeted advertising. The investment made by AP in marketing strategies helps the University be competitive in this arena. There are currently five programs contracted with Academic Partnerships and those were outlined. The University is in the second of a seven-year contract with AP.
- A graphic was shown illustrating preliminary enrollment growth to date in select online programs since the University contacted with AP. Growth could continue to change up until the October 11 start date so there is still significant opportunity for continued growth. Academic Partnerships has helped the University start analyzing how they are representing these programs and they are bringing in students the University would not have otherwise attracted. The underrepresented minority population in these cohorts is slightly over 20 percent and is up approximately 15 percent across all graduate programs. Slightly less than one-third of students who are being enrolled had any prior Murray State credit.
- In terms of how actual numbers compare to the forecasted numbers provided by Academic Partnerships, Assistant Provost Ireland indicated that revised numbers have been presented by AP because the original estimates developed pre-pandemic and in a normal higher education marketing environment. How much the estimates decreased is dependent on the discipline.
- Concern was expressed relative to how Academic Partnerships is accomplishing this work while also providing the same services to other universities. Confirmation was provided that AP provides the same services for other universities but Murray State's primary contact does not serve in that capacity for any other institution in the University's geographical area.
- President Jackson reported one of the charges for Academic Partnerships is to help the University expand nationally and internationally. Other institutions have even turned all their online programs over to AP to manage. When the University negotiated the contract in late 2019/early 2020 right before the pandemic, only five programs were identified for AP to address as a pilot project to determine results from such an arrangement. Additional programs can certainly be added or changed in the future if deemed beneficial. Confirmation was provided that the AP marketing target does include the geographic region very similar to the pool from which the University normally recruits but also extends further out. As to why AP did not revise their numbers upward due to more students wanting to go online due to the pandemic, it was indicated that many students viewed the pandemic as a way to change their circumstance but are making those decisions much more cautiously. The

reliance on financial aid and the ability to repay that debt over time has made students more cautious than they were pre-pandemic. AP has been surprised in terms of how the market has performed but are looking forward to students returning to college to meet the growth that was agreed upon with the University. Regent Shemberger indicated that she teaches one of these online programs and can confirm the University's reach has definitely expanded and there has been growth.

- Summer enrollment numbers are not included in the data presented. There are now six different start schedules for programs to begin and timelines for completion have been shortened for dedicated students. Other students are deciding to take a break. Students are pursuing these options because their life circumstances have changed and some could choose to pursue a more traditional path. It is early in the AP agreement to have any data on those who might become graduates of Murray State from the first start date but this will be monitored closely. Provost Todd expressed appreciation to faculty taking part in this initiative.

Gray and Associates and Internal Review Process

Provost Todd reported the following:

- The CPE contracted with Gray and Associates 18 to 24 months ago which produced a tremendous amount of data with regard to the need for academic programs, the transition and the review process in terms of new programs and those that needed to be sunset. The CPE then began to train the eight public universities in Kentucky to utilize the data produced from the research conducted by Gray and Associates for program review.
- In addition to the AP entity and data set, the University utilizes two additional data sets with regard to program review. Registrar Roberts produces a report on credit hours generated each semester. The report not only includes data on credit hour generation but also faculty loads and enrollment numbers across all curriculum, colleges and courses. Executive Director of Strategic Enrollment Management Renee Fister prepares pivot table reports utilizing data from Gray and Associates and Registrar Roberts. These pivot tables delve further into some of the financials of programs review such as cost to deliver. The Office of the Provost and Academic Affairs traditionally had access to the credit hours report but not the two new data sets which provide additional detail.
- An example of the information provided by Gray and Associates was shown with regard to market understanding which is one component of an integrated program portfolio assessment. They identified student demand, employment, degree fit and competitive intensity. The Deans, Chairs and others received training on how to utilize the data presented. A sample of the credit hours generated report was also provided to the Board. Dr. Fister's report provides sophisticated analyses in course data format and the average contribution per student. This financial data relative to courses helps lead to beneficial recommendations. Utilizing the three data sets to undertake an in-depth analysis of proposed offerings before they are submitted to the President for approval has now become part of the University's culture.
- One of the recommendations at the conclusion of the Gray and Associates workshop was to grow a program in the Bauernfeind College of Business. The market demand from active and retired military was evaluated and it was determined growth in this program would best come from offering it in an online modality. The program was then aligned with the University's online tuition block. A new faculty member will also be hired as Program Coordinator in another area where all are optimistic about potential growth.
- Dr. Pervine reported that since 2017 the University has suspended or deleted 31 programs. A constant review of program performance is undertaken. Moving forward, the CPE will expect an annual program review from Murray State which will focus on three areas: summary of what has been done over the last academic year, what data-driven decisions have been made in regard to programs and the University's plans for the upcoming academic year. The University will self-report on what it is doing programmatically on campus annually.
- At the state level, the CPE will examine data from all universities to identify duplicate programs and low enrollment and demand programs from a student and market perspective. The CPE wants to ensure once they graduate students will be able to get a job with a sufficient salary to pay off any student loan debt. There is an expectation from CPE that all new programs the University proposes are justified by Gray and Associates data.
- A new program that will be proposed during the coming year was outlined. As part of the submission to the CPE, demand data must be provided utilizing the Gray and Associates analytics tool. New programs submitted to the CPE will not be reviewed without this data. In response to whether there are plans to involve faculty at some point in this process, it was indicated there is a learning curve with the tools provided by Gray and Associates, including the terminology used. When the concept was introduced to Murray State, a two-day workshop was held that involved approximately 50 to 60 individuals across campus, including faculty, Deans, Chairs and Faculty Senate representation. The average faculty member is likely not aware at this level what is available analytically. The University has a limited number of licenses across campus to access the data provided by Gray and Associates. Every Dean has access to and can share the data so faculty can undertake additional analysis as part of the program proposal process. The original goal was for every Dean to identify an individual in their offices who could provide assistance to faculty members relative to analytics. President Jackson

added that this process is in its infancy and faculty will become more and more involved. Regent Shemberger stated that faculty cannot propose new programs if they do not know what the requirements are relative to Gray and Associates data and suggested faculty development workshops be held to further educate faculty about this process. It would be helpful for faculty to have guidelines to follow to effectively be part of this process. Provost Todd reported that all Deans and Chairs attended the two-day workshop but having an individual license for every faculty member at their laptop is not feasible due to cost. If faculty have a proposal, resources at the Provost, Dean and Chair levels will help determine whether it can be advanced. Confirmation was provided that additional information will be provided to faculty on where to access these resources as this process moves forward.

- Of the 31 programs that have been eliminated, Associate Provost Pervine indicated the majority were suspended due to low enrollment. For some programs there was not sufficient faculty expertise to continue to offer them. Some individual programs were eliminated because a full-blown online program was developed instead in that respective area and an example relative to Civil Engineering Technology was cited.
- Chair Crigler stated that higher education is going to continue to have challenges relative to available resources, including state appropriations, and universities will be competing for students based on available demographics. The universities which are going to survive are those that can allocate scarce resources to where they are most effective. He commends the development of these metrics and starting the culture now before the issue becomes acute. A large part of this Board's responsibility is allocating capital and recruiting students. Determining the interests of students earlier in the process utilizing these metrics is positive and all are to be commended for the work that has been undertaken.

Southern Association of Colleges and Schools Commission on Colleges Accreditation Update

Associate Provost Pervine reported the following:

- Murray State's institutional accreditation is through the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). Murray State is required by the federal Department of Education to maintain institutional accreditation in order to have access to federal student aid. This means accreditation is not optional.
- The accreditation process is based on a ten-year cycle. The University's last ten-year reaffirmation of accreditation process was conducted in 2014 which means the next reaffirmation process will occur in 2024. The University's Fifth-Year Interim Report has been submitted and successfully judged during spring 2021.
- SACSCOC has responsibility for ensuring the educational quality and improvement of the effectiveness of member institutions located throughout 11 southern states (Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia); several international institutions and all of their approved locations (including branch campuses and off-campus instructional sites irrespective of their location) that grant associate, baccalaureate, master's and doctoral degrees.
- When an institution has earned SACSCOC accreditation, it signifies that it has a purpose appropriate to higher education and has resources, programs and services sufficient to accomplish and sustain that purpose. In addition to ensuring institutions provide quality programs for students, which determines eligibility for Title IV funds (student financial aid), SACSCOC works to influence legislation and regulations that impact member institutions.
- In order to remain in good standing with its accreditor, the University must be able to ensure it is following its own policies and this is the single most important point to emphasize.
- Board members will be participants in the 2024 reaffirmation process and will meet with the accreditation team while on campus.

In terms of what shared governance will look like as part of this process, Associate Provost Pervine indicated there are 14 different standards the University must meet in order to achieve accreditation. There are certain standards that are specific to faculty and faculty credentials. There are also standards that relate to finances and financial aid. Faculty come into play in terms of service, such as Faculty Senate and Academic Council membership, where policies are set on tenure, promotion and sabbatical leaves as examples. Faculty will be involved in helping to write the Self-Study to be submitted to SACSCOC as well as meeting with the accreditation team. The same is true for students as SACSCOC wants their input. Provost Todd added that this December eight University representatives will be attending the SACSCOC Annual Meeting and this delegation includes Faculty Senate President David Roach.

University Advancement

Branding, Marketing and Communication Update

Executive Director Touney reported the following:

- There are approximately 20 full-time staff in the Office of Branding, Marketing and Communication (BMC). Each area under the umbrella of BMC supports full-scale marketing, advertising and branding efforts for the University, including Printing Services for graphic design. The staff leading the five different areas have over 90 years of combined experience. They have a passion for Murray State and for what they do and many are alumni of this institution. BMC attempts to be the best full-scale service unit it can be and works with every area on campus to help with website enhancement and developing social media campaigns. Relationships matter as part of this process and are valued.
- The unit strives to remain well-versed on marketing strategies and best practices which change constantly. The goal is to help units across campus meet their goals as well as institutional goals. The BMC team was thanked publicly not only for what they do each day but who they are and their willingness to accomplish any task at hand.
- Enrollment support is the primary focus of the BMC unit and not a day passes where staff are not working with Vice President Robertson and the Enrollment Management team relative to all student classifications. A great deal of marketing is focused on reaching prospective students and their families and encouraging them to schedule a visit and learn more about Murray State.
- BMC also works closely with Director Peggy Whaley and the Student Engagement and Success team on marketing and messaging from a retention standpoint.
- BMC works in coordination with academic programs and marketing specific periods relative to the academic calendar – all for the greater good of enrollment growth.
- As marketers, BMC has a lot of tools in the toolbox, including social media, videos, print mailings, design pieces and public relations campaigns.
- Two visuals were provided relative to the revamping process for the University’s brand which started in 2018 and was completed in February 2020. An analysis of the University’s brand was undertaken to develop one that is more impactful, recruitment centered and a unifier across campus. This work involved concept testing and engaging students and different constituencies for their feedback. As the concept developed, “We Are Racers” emerged as an effective and unifying brand.
- Printing Services is led by Manager Tobie Tubbs and that unit has been successful in terms of significant revenue and growth on campus through the full-scale, on-campus printing department. They can produce retractable banners, postcards, yard signs, programs, invitations for events and the unit continues to seek out new and innovative options to offer to campus.
- Racer Restart represents a central website developed due to the pandemic. Information regarding campus COVID-19 updates, guidelines and vaccine information can be found in this one location. Appreciation was expressed to Executive Director Smith who serves as a Racer Safe and Healthy Ambassador and plays an integral role in ensuring the Racer Safe and Healthy website remains current in terms of state and federal guidelines and campus protocols. Melissa Shown, Graphic Design Manager, developed the logo for the Racer Safe and Healthy campaign.
- Appreciation was expressed to Jeremy McKeel, Digital Media Manager, as many events during 2020 were changed to a virtual format – such as Commencement and Senior Breakfast – and this unit successfully met the challenge every time.
- The University was also recognized as the “Most Insta-Grammed College Campus in Kentucky” which is a testament to the work of Jennifer Cline, Associate BMC Director.
- The unit is working to address continued growth in social and media advertising as well as undertaking a website redesign project – the largest in six years. BMC is also involved with the upcoming Centennial Celebration.
- Appreciation was expressed to the entire team for what they do.

Office of Development Overview

Executive Director Tina Bernot reported the following:

- The Office of Development has 13 full- and part-time staff and many student workers who assist with efforts across campus. Building relationships is a key component of the work of the Office of Development.
- Every dollar raised by Development goes to the MSU Foundation to invest and allocate as donors intend in support of students and University programs. For Fiscal Year 2021, the office received over \$13.2 million in total commitments. This includes pledge dollars, planned gifts and cash (64 percent increase from previous year).
- The number of donors – 5,000 – was flat from previous year but there was incredible growth in the average gift and the number of gifts. Alumni and friends gave multiple gifts to support University efforts to help students during this challenging time. The office also received \$2.4 million specifically for scholarship support. All are incredibly thankful for the support received last year.
- The impact of giving at Murray State reaches across campus and beyond. The office is constituent-based and Development Directors work specifically with each school, college and program. This is done to establish close relationships on campus with Chairs and Deans which enables the Development Directors to be aware of the most current programs and student needs. They then share this information with alumni and friends who are close to those respective areas. This relationship was established many years ago under President Jackson’s leadership and has had significant impact.

- Donors over the past several months were highlighted. The office works with groups of donors, as well as individual donors to meet their philanthropic intent to support Murray State programs. A gift of \$25,000 or more establishes a named endowed fund. These funds are invested and the earnings generated are provided back to the University to support scholarships or programs at the donor's discretion. There are also expendable programs such as the *Clear the Track* campaign through Athletics to help support the Football program. Once the gift is received it goes directly to the intended program to make enhancements and improvements.
- Additional programs such as Project Graduation provide an avenue for veteran alumni to help current veteran students through scholarships.
- Transformational gifts help the University make leaps and bounds across programs. The Tosh family was incredibly innovative and built a state-of-the-art Wean Finish Facility for the North Farm. This facility is now part of a student's educational experience and provides an incredible experiential learning opportunity. This gift will benefit Murray State students for years to come as they prepare for their career.
- Charles and Marlene Johnson have been wonderful donors to the University for many years and have supported renovations to Lovett Auditorium. They also set up a colloquium fund which is an endowment that will support lectures in Lovett Auditorium.
- Art Fields, a Bauernfeind College of Business alum, has established two significant endowments. One will benefit his academic area of expertise in the college and the other will support his social organization Sigma Chi.
- The most impactful gifts are estate gifts. These are often the largest gifts a donor gives over their lifetime and beyond. The University received two estate gifts in the last year that are especially noteworthy. Doris Seney, who was an adult biology student at Murray State, worked at Stanford University where she conducted incredible research. She left her estate to the University which established an endowment. Joe Follis Bennett's estate gift is currently providing funds to assist with improvements to the University libraries.
- The Lovett Auditorium campaign is currently underway and 73 seats have been sold to date. This effort will be ongoing until all seats are sold.
- The office is also participating in preparations for the Centennial Celebration of 100 years in 2022. A Capital Campaign will be a component of the Centennial Celebration and will transform programming for the next generation. The *We Are* campaign is also underway. The University has very generous faculty and staff who not only give of their time and talent but also their treasure and all are appreciative of that support. A campaign is being launched to encourage new faculty and staff to give. It is hoped \$150,000 will be raised in new support. The *President's Cup* celebrates the percentage of faculty and staff in their respective areas to give back to support the University.

Alumni Relations Update

Director Carrie McGinnis reported the following:

- A large proportion of faculty and staff at Murray State are alumni, led by alum President Jackson. The University is lucky to have Dr. Jackson who understands the Murray State experience.
- The mission of the Office of Alumni Relations is to connect, celebrate and engage alumni through communication, activities and events that foster lifelong relationships and support the mission and Strategic Plan for Murray State. The purpose of the office is to coordinate the efforts of alumni on behalf of Murray State, serve as a liaison between the University and its alumni constituency and enable graduates to maintain a close bond with their Alma Mater. The office serves as the friend-raising arm of the institution in the hope alumni will want to share their time and talent throughout their careers. The best gift an alumnus can give the University is to trust Murray State with their children for their collegiate career.
- The MSU Alumni Association (MSUAA) is supported by the Office of Alumni Relations and is governed by a 19-member Board of Governors. Current members include alumni from Nashville, Hopkinsville, Grand Rivers, Louisville, Princeton, Cadiz, St. Louis, Madisonville, Paducah, north Georgia and Murray. The MSUAA includes over 75,000 living alumni throughout the globe. Slightly below one-half of these alumni live in Kentucky. Membership is vital to the growth of the Alumni Association as it is a dues-based program. Approximately 25 percent of the Alumni Relations budget comes from alumni memberships in MSUAA which is vital to programming and maintaining relationships with alumni.
- The MSU Alumni Association has two affinity networks – the Black Alumni Network and the Young Alumni Network. These networks are relatively new but are growing. Work is underway to expand network programming to include other affinities. The main pillars of the MSUAA are recruitment, engagement, philanthropy, advocacy and career outcome. It is increasingly important for students to have career outcomes and opportunities when they graduate or are preparing to graduate. It is important to have alumni connections to help Racers identify economic opportunities.
- The office has three full-time staff members, including Director McGinnis; Joyce Whitney, Executive Assistant and Katie Walker, Associate Director of Alumni Relations, in addition to student workers. Appreciation was expressed to all for their contributions.

- Major events during the year include Homecoming Weekend and Distinguished Alumni Weekend. Next year this list will include the Centennial Celebration.
- Lifetime memberships have recently been re-established for the MSU Alumni Association and there are opportunities for single and family memberships.
- This fiscal year an entirely new process has been created to solicit and onboard members of the Board of Governors.
- Over the past year the office pivoted and did not panic in transitioning typically in-person events into the virtual realm. Hundreds of alumni participated in these events and the virtual format also attracted alumni from across the globe.
- Alumni Relations is working on an exciting opportunity with the Recruitment Office – the Legacy Partnership. A Legacy Liaison is now in place in the office of Recruitment and is an alumna of Murray State – Brandi Stiff. She has been working closely with Alumni Relations to create legacy opportunities for the children of Murray State alumni in support of recruitment efforts. The project is called #RaisingRacers and allows the University to connect with children or grandchildren of alumni when they are born. As part of this program, alumni will be asked to sign their children and grandchildren up, free of charge, and they will receive gifts from Murray State at milestones throughout their upbringing. Samples of items to be sent were provided.
- Alumni Relations will continue to offer tailgating for the Murray State football games at the Easley Alumni Center as well as at off-campus sites for away contests. Homecoming will be held October 22-24, 2021, and there are many events planned through this timeframe. The Homecoming website provides a comprehensive list of scheduled events. Murray State Night at the Grizzlies in December is also being planned this year.
- The Board of Governors will be working over the fiscal year on creating a Strategic Plan for the next three to five years. The office is also working on a new platform that will allow alumni to engage as communities together by affinity such as region, profession, area of interest and degree. This will also provide mentoring, networking and internship opportunities for current students.
- Alumni Relations will also support the Capital Campaign as needed.

Vice Chair Tharpe expressed kudos to these three units for the efforts they are undertaking and encouraged all to keep up the good work. Chair Crigler echoed that sentiment and expressed appreciation to Mr. Touney for progress which has been made relative to social media under his leadership. Branding has been consistent across the University and great strides have been made in a relatively short amount of time.

Adjournment

The Board of Regents adjourned for lunch beginning at 12:05 p.m.

Reconvene

Chair Crigler reconvened the Annual Board of Regents Retreat at 1 p.m.

Finance and Administrative Services

Campus Master Plans (Campus and Housing)

Director of Facilities Management Jason Youngblood reported the following:

- The first Campus Master Plan was completed in 1966 and he read aloud from a letter to the Board of Regents from President Ralph Woods as follows, “During the past 44 years there has been a gradual and exciting development from Murray State Normal School to Murray State University with an initial enrollment of 87 to present enrollment of 6,493. There has been exercise in the expanded building program in order to keep Murray State as one of the south’s most beautiful campuses.” The letter goes on to state, “We realize that the future is not always predictable and that it may be necessary to make modifications in the plan as Murray State University strives to meet its immediate and long-range goals. This Campus Master Plan will serve to effectively guide the continuing development of this institution.” This same sentiment from 1966 has served the University well through several reiterations of the Campus Master Plan up to today. The Campus Master Plan being utilized today represents a culmination of several master plans through the years. The University is approaching its 100-year celebration and is excited to kick-off new endeavors.
- The purpose of the 2020 Campus Master Plan is to provide design guidance, focus and direction to Murray State University as its physical characteristics change through continued growth, expansion and renovation. When work began in 2019 on the 2020 Campus Master Plan, a focus was placed on Residential Campus Master Plan updates and site improvements across campus. Athletics has also developed a Master Plan and these have been included as components of the overall Campus Master Plan for the University.

- The Campus Master Plan includes information on campus architecture, including the original style, modern influences and the new Georgian style that was started in the early 2000s. Campus was broken down into multiple precincts such as campus circulation, parking and safety (pedestrian and vehicular conflicts) and a map was provided showing those locations. The city has completed work to install the speed tables on 16th Street and this has improved campus safety. The same concern regarding pedestrian and vehicular conflicts was included in the 1966 plan and measures were put in place to address issues in the respective locations at that time. The Campus Master Plan also includes site amenities such as lighting, landscaping, gateways and signage.
- Outlying projects include residential campus housing, tennis court relocation, CFSB Center roadway extension, Racer Walk (to connect the south campus to the athletic areas on the north side of campus), Chestnut Street pedestrian bridge (revamping per the rendering provided), Woods Park development, Curris Center parking expansion, Athletics Master Plan and landscape focus areas. The landscape focus areas include the education loop and a map was provided showing those locations. The goal of this work is to enhance the beauty of campus, eliminate pedestrian and vehicular conflicts and tie the area to the central core, the Quad.

Executive Director of Auxiliary Services David Looney reported the following with regard to the Residential Campus Master Plan:

- Work was intentionally focused on attracting undergraduate students and three areas were identified on campus. Area I is the existing College Courts space which is traditional apartment-style housing with a capacity of 155 beds and an average of 90 percent capacity. Area II is the north campus or the residential circle. Area III is next to the Curris Center and tennis courts and could be where the apartment-style housing currently in College Courts is relocated. Most likely apartment-style living will not be offered in Area I unless it is needed to meet student accommodations.
- Dr. Jackson added that once the University enters into P3 partnerships whether retail space will be part of the overall plan will be dependent on the developer and their appetite for such a model.
- Area I – although it is not graduate student housing – has traditionally been targeted mostly toward families and graduate students and these units have one or two bedrooms, a kitchen and living area. Area II is a congregation of newer and older housing. Area III is also traditional housing. Undergraduate students currently live in Area II or III. An effort is being made to bring these areas together as part of the residential college concept and have students engage more with one another.
- Students have indicated that the residential college area needs to be a non-academic space because they need to have intentionality between going to learn and downtime. When they cross the bridge their mindset changes. They do not want to come back to a residential college at night and have more teaching classes. They need a space to unwind.
- An effort has been made to provide more green space connecting Area I to Area II on campus. Part of the plan is building a new and exciting dining facility in the heart of the residential complex, which would include some meeting space and great dining concepts. Confirmation was provided that this could involve a partnership with Sodexo.
- Consideration is also being given to moving existing parking in these spaces to behind the buildings. Currently when students cross the footbridge they are essentially walking through a parking lot to get to their residential college. This look will be changed by moving parking to the perimeter.
- Springer II was decommissioned this fall and plans are to eventually raise the building. This will provide the space needed to potentially construct new facilities.
- In Area III, consideration is being given to relocating the tennis courts currently next to the Curris Center and converting Regents and White halls into apartment-style complexes. It is also being taken into consideration that Regents and White halls are 60-year-old buildings. A decision will need to be made at some point whether money should be spent to renovate those facilities or if building new would represent a better use of resources.
- In response to why housing is being concentrated when in real-world urban communities it is mixed use space, it was indicated that, unlike urban communities, the University has captive in its care 18 to 20 year-old-students. Research has shown that it is important for the University to do a really good job in caring for those students. This means providing them with space to start stretching their wings so the University can help them be successful. Students who live on campus have a 5 to 10 percent higher retention and graduation rate. This is because when they are living on campus the University is making sure they are not going to their room, closing the door and playing video games. Instead, they are getting out and engaging and becoming involved and making connections with their peers, as well as faculty and staff. Research has shown their grade point averages are higher, as are their retention and graduation rates. This is not because the students live in such a community but is due to the programming which occurs within the residential colleges where they live and the intentionality in outreach that is occurring.

Campus Master Plan (Athletics)

Director of Athletics Kevin Saal highlighted the following:

- The Athletics facilities master planning 15-month process began in June 2019. The parameters or guiding principles for this process included that it would be inclusive in terms of multiple units on campus and all Head Coaches. As the needs assessment of current facilities was undertaken, consideration was given to where they needed to be realistically from a player development and recruiting perspective.
- Two architects were involved in the process – Ross Tarrant of Lexington, Kentucky, and HNTB Corporation, a national company from Kansas City, Missouri. This process was completed in August 2020 but the results were not shared at that time due to the pandemic. Plans have also been discussed internally and externally among the campus community.
- As of the first week of August the methodology on the Athletics Facility Master Plan has been released on a per facility basis and feedback has been positive. This is an ambitious undertaking but also provides a plan and vision for Murray State athletics. The actual route that will be taken cannot be predicted and is dependent on availability of funding and donor conversations but there is a good plan moving forward.
- The new Hewitt, Hunt and Milkman Indoor Golf Practice Facility opened last weekend in Roy Stewart Stadium and this project was part of the Athletics Facility Master Plan. Appreciation was expressed to generous donors in this regard. The facility provides two simulators with 20 courses as well as a practice driving range. Players can physically practice and play while seeing all the different analytics involved in a golf game – such as club head angle and ball spin rate – and this is really helpful. There is also an elevated putting green that undulates, as well as a straight-line putting lab. This provides an excellent opportunity for players to develop their talent during the winter months.
- The Racer Arena HVAC project will be coming online soon. Racer Arena represents the second largest volleyball facility in the country and serves as a significant recruiting tool for athletics. Additional sound, lighting and video board enhancements are planned that will further enhance the player and fan experience.
- Racer Fields is home of the Softball program and the goal is to add restrooms and dugouts and an artificial surface. Currently players and fans have to use facilities in Stewart Stadium and that is not ideal. It is also hoped a Press Box, stadium seating and a video board can be added. Reagan Field is home of the Baseball program. The goal is to add an artificial surface, dugouts, restrooms and a video board.
- Artificial turf is desirable not only for athletics but also to enhance the general student body experience by being able to host intramural events and sports club programming, in addition to sports team practice and games. This provides additional opportunities for both student-athletes and the general student population. Artificial turf will allow the fields to be used in almost unlimited ways for summer camps and the like.
- Consideration is also being given to artificial turf at Cutchin Field, as well as lighting, because this represents a central area for students between the Curris Center and housing projects – both current and planned. This area presents a great opportunity to develop programmable space for students in the evenings. Plans also include seeding on the hillside, a video board and Press Box.
- The tennis courts in that location will potentially be moved as a result of the overall Campus Master Plan. The plan is to have a set of six courts on Waldrop Drive which would be a fine location for the women's Tennis program. This would also help cut down match time. Tennis is an international sport and it is very difficult to attract domestic men and women athletes. There is also a goal for this area to provide a robust streaming opportunity so parents can watch their athletes from another country.
- Roy Stewart Stadium is a 50-year-old facility and a decision must be made as to whether a significant investment in that complex should be made or whether other options would be more feasible. The stadium currently houses two-thirds of student-athletes, including Football, Track, Baseball and Softball. The primary field level is where the locker, team and weight rooms are located. The second level is predominately offices and the new Golf Practice Facility. The remaining levels go up to the Press Box at the top. The first year of play in Stewart Stadium was 1974. It is a thick concrete facility that leaks at times which presents its own challenges. There is 87,000 square feet of space and an analysis of deferred maintenance, asset preservation and improvement needs is being undertaken to determine the best options for this facility. From a practice and competition standpoint, Stewart Stadium is still a functional facility. From a player and student recruiting perspective, something else is needed. One option that has been considered is moving student-athletes out of Stewart Stadium into a new facility that represents a player development space with locker, team, weight and training rooms that have the necessary state-of-the-art prehab and rehab equipment. In terms of how Stewart Stadium could be reimagined, the Softball and Baseball programs do not currently have specific indoor hitting and pitching facilities at those fields and some of the rooms in the current facility could be repurposed to meet that need. Renderings were provided of the potential performance space for student-athletes in a new facility. Administrative offices and Coaches would stay in Stewart Stadium where they are currently housed. Once the appropriate size of the new facility was determined, consideration has been given to three potential spaces where the facility

could be located. It is possible the new facility would be undertaken as part of a P3 partnership and could include retail space.

- The CFSB Center opened in 1998 and is the crown jewel of the Ohio Valley Conference (OVC). This, coupled with the Gene Wells Ray Practice Facility, is a very unique resource for the University that does not exist with conference peers. The men's and women's Basketball teams do not have to coordinate practices and this adds real value from a player development standpoint. The facility seats 8,600 and consideration is being given to permanent seating needs in select locations and for certain events which require a large stage presence in the lower bowl – such as Commencement and concerts – and this includes club level space with beverage and restroom services underneath the permanent seating. A rendering of how the CFSB Center and the Gene Wells Ray Practice Facility could look was provided from a player development perspective. Former player Ja Morant donated approximately \$60,000 worth of equipment which presents opportunities for the development of a prehab/rehab space. There is significant opportunity to restructure the CFSB Center in more efficient and unique ways. This space could also allow players to enter the arena at half-court and provide club members with a unique experience by being able to interact with the student-athletes.

Brailsford and Dunlavey P3 Partnership Update

President Jackson reported that over the last many months the University has undertaken the process of analyzing and reviewing different third-party P3 models with Brailsford and Dunlavey (B&D) and their team. They specialize in this work performed all over the country. Prior to the pandemic, a P3 model for housing and campus improvements was being discussed but that work was put on hold due to the health crisis. Once the P3 review process was revived, it was discovered that the P3 world had changed during the course of the pandemic. Brailsford and Dunlavey was brought in to assist in this regard as there are many different types of public-private partnerships. The goal is to identify the right partner to undertake this work for Murray State University.

Kim Martin with Brailsford and Dunlavey reported the following:

- Research was undertaken through surveys and other means with campus constituencies to help the University be smarter entering into a P3 partnership. B&D serves as an unbiased advisor focused solely on delivering the most value for its customers. Key findings were identified as part of the project definition process. B&D is based out of Washington, DC, and has been involved in this work for almost three decades through six additional offices across the nation. Brailsford and Dunlavey is not a developer and does not fund or finance projects but serves as an advisor to help the University make the best decisions. B&D has worked with over 700 universities and colleges across the nation and has helped with over 100 P3 projects totaling more than \$3.5 billion in advisory projects.
- In order to begin this work, the vision for the University was identified, along with key project drivers. A review of all facilities was undertaken, specifically with regard to student housing. The University has a mission and purpose and a Strategic Plan and all assets and programs must support those guiding plans.
- In terms of quantity and location of student housing, it was determined that Murray State desires to improve the attractiveness of the campus environment to support student recruitment efforts and ensure it is competitive in the marketplace. The quantity of housing should also continue to support the University on a two-year live-on campus requirement. Murray State should also continue to concentrate housing in a residential neighborhood near quality-of-life facilities but separated from academic facilities. Any new or expanded housing should also be informed by the Campus Master Plan. Currently in the north campus residential area, there is a recreation center and a dining facility and some updated housing. There is also new housing and some facilities that are in need of additional work. This work also includes options that can be employed with regard to outdoor space and communal areas, in addition to the feasibility of retail opportunities.
- From a target market perspective, the goal is to facilitate a consistent residential experience for first- and second-year students with a mix of classifications living together to encourage interactions and maximize community-style living. Upper-division and graduate housing should be market responsive and provide increasing levels of independence and privacy. Finally, housing should not be physically or programmatically integrated with academics but should provide spaces to support student activities and programming. Today there are not a lot of move-up options on campus for upper-level students. The residential college system that is currently in place is very specifically not tied to an academic program of study for students who live in a particular college.
- With regard to financial accessibility, affordability will be key. Housing quality standards must reflect an awareness of competition from peer institutions. Murray State also desires a balanced pricing approach that promotes financial accessibility while maintaining high-quality operational and maintenance standards. New student housing facilities should also follow local and Commonwealth guidelines with regard to sustainability. A focus on affordability will be crucial to the selection of a P3 partner moving forward.
- A final project driver will be financial performance and institutional will. Housing must be financially self-sustaining in order to allow for reinvestment to support modernization of the

residential inventory. New housing projects will be funded through balance sheet management methods.

- Campus housing currently has a two-year live-in requirement and Springer Hall which was recently decommissioned is not included in the data presented. There are currently approximately 3,000 beds on campus. The types of housing units include full-suite with most having four bedrooms with a common living area and a private bathroom within the suite (Lee Clark, HC Franklin and JH Richmond), semi-suite with two rooms and shared bathroom (Lee Clark, HC Franklin, JH Richmond, Regents, Hart and RH White), apartment-style (College Courts) and traditional (Hester and Elizabeth, which have been renovated within the last ten years). Nearly three-quarter of beds are semi-suite style.
- B&D conducted a survey over the summer. There is a typical response rate of 15 to 20 percent but Murray State's 27 percent response rate shows it is an important topic on campus. There were 2,337 survey respondents among incoming first-year (418), transfer (67), undergraduate (1,579) and graduate (173) students. Almost one-third of students responded to the survey which provides strong data, with a margin of error less than 2.5 percent. Seniors were slightly underrepresented which was not unexpected since the survey was conducted in the summer.
- Survey results revealed that students strongly prefer the newer suite-style residence halls. Students indicated the residence halls that provide the best living experience were HC Franklin, Lee Clark and JH Richmond. The residence halls that provide the least desirable living experience were RH White, Regents and Springer. Springer is included because it was still in operation at the time of the survey. This data helps confirm the direction of the Campus Master Plan.
- B&D also asked if new housing was built which amenities would be most important and students were allowed to select three priorities from a list of 15 features. This data was then compared by classification to identify the changing priorities of students in order to view housing from a continuing development continuum. Freshmen and sophomores are most interested in private bathroom and bedroom spaces, on-site laundry facilities and parking, followed by in-unit kitchens and dining in or near the building. Juniors and seniors are most interested in private bathrooms and bedrooms, in-unit kitchens and on-site parking, followed by on-site laundry and dining in or near the building. Graduate students are most interested in private bathroom and bedroom spaces, on-site laundry and in-unit kitchens, followed by on-site parking and sustainable design. Confirmation was provided that there are laundry facilities in all of the residential colleges but the question was not asked in terms of whether those were meeting student needs, only if they were important. Clarification was also provided that private bathrooms does not mean a separate bathroom for each student but a desire to move away from communal-type restroom facilities. The top six priorities were outlined in the presentation but all 15 features will be part of the continuing analysis process.
- Students were asked how important each factor was in terms of their decision on where to live based on a four-point scale of very important to not important at all. On-campus students indicated convenient laundry facilities (89 percent), availability of preferred housing unit type (86 percent), ability to choose their own roommates (83 percent), cost of rent (82 percent) and quiet study space (74 percent) as being the most important. Off-campus students indicated the cost of rent (86 percent), convenient laundry facilities (84 percent), availability of a kitchen (84 percent), private bathroom (80 percent) and ability to choose their own roommates (78 percent) as being most important.
- Key off-campus market findings include that more than one-half of students living off campus rent an apartment, condo or house and approximately 20 percent still live with parents and 12 percent live in a dwelling that they own. In terms of why they choose to live off campus, 54 percent of students indicated it is the more cost-effective option. Students also choose to live off campus due to fewer rules and regulations (39 percent), more privacy (37 percent), more living space (35 percent) and access to their own kitchen (30 percent).
- Key findings relative to off-campus housing include limited large, student-oriented apartment complexes within three-quarters of a mile from campus. Overall, three-quarters of students reported paying less than \$500 per month for rent in leased apartments, houses or condos. The overall vacancy rate for off-campus housing is 11 percent which is slightly higher than anticipated. In a good market, a less than 5 percent vacancy rate would be expected. A graph was provided with weighted averages (normalized over 12 months) for monthly rent and utilities in 2020-21 for off-campus housing and in College Courts (\$406), Hart (\$462), Elizabeth/Hester (\$504) and Franklin/Richmond/Clark (\$649). The weighted average for off-campus rent was \$468 and \$96 for utilities. Over one-half of off-campus students are required to sign a 12-month lease. Confirmation was provided that none of the rates provided include dining. Campus is a better living location when compared to most off-campus rentals.
- Six unit types were tested on campus – traditional double, semi-suite double, semi-suite single, full-suite double, full-suite single and four bedroom apartment – single. Four-bedroom apartment style is the most common on most college campuses but Murray State only offers one or two bedrooms in College Courts.
- Survey price rates were developed based on building new units on campus and students were asked, based on these rates, which style they would choose. Clarification was provided that the University does not currently have housing divided by student classification.
- A chart showing existing versus demand bed mix was provided and explained. There is demand for new suites and private bedrooms. B&D recommends a capacity of 2,700 to 2,800 beds on campus

which should be the focus of a P3 partnership structure. With the new construction that has been undertaken, the University is on the right pathway but still has gaps that need to be closed. Demand for apartment-style housing is approximately double of what is currently available. Vice President Dudley added that the University will primarily focus efforts toward options in Hart, Regents and White halls. This presents an opportunity to increase the full-suite housing stock to get closer to meeting demand. Confirmation was provided that efforts will be undertaken to ensure housing on campus remains accessible.

- Confirmation was provided that the focus of this work is that enrollment drives demand but a supply of good housing also increases enrollment in terms of recruitment and retention efforts.
- President Jackson reported that legislatively the University must have approval for public-private partnerships as well as bond renovations to any housing units on campus. Murray State has dual approval relative to renovation of current facilities with institutional money and also has P3 authorization for a total of \$90 million for housing and dining, with approximately \$66 million for housing alone.
- Ms. Martin reported that P3 partnerships are really about transferring risk. Three such transfers were outlined, including project delivery (design, construction, budget, schedule, site and technical design errors), financing (credit rating, balance sheet management and debt capacity) and operating and management (residential programming, occupancy, custodial and facility maintenance and asset management). The more control the University maintains, the more risk it will incur and P3 partnerships can run the spectrum relative to control and the associated types of spaces. The University desires to maintain some control but transfer as much of the risk as possible in order to realize the benefits of a P3 partnership.
- There are many different types of public-private partnerships. Traditional partnerships are where the University owns, operates and finances housing. This is how Murray State has addressed housing up until this point. The opposite end of the spectrum includes off-campus housing that is privately owned, operated and financed. In the middle are public-private partnerships such as the 501c3 non-profit foundation (tax exempt) and this is what has been done at most universities in Kentucky seeking a P3 arrangement. These are 501c3 owned, operations vary and they are financed through a ground lease where the university still maintains control of the land. 501c3 partnerships can be university affiliated/operated or national/private operated. Concessionaire public-private partnerships are university owned, privately operated and developer financed. Equity public-private partnerships are developer owned, privately operated and financed through a ground lease and are subject to taxes. Most developers that submitted a P3 proposal last year were 501c3 foundation configurations. Brailsford and Dunlavey is helping the University evaluate the different P3 options to identify which type would fit Murray State best.
- A state of the industry report was provided for public-private partnerships which included the number of housing P3s and the average closing value by year. Data on the structure of housing P3s by year was presented. Data was also provided on housing P3s by institution type by year and by region (2014-2020).
- Next step recommendations include replacement of outdated housing facilities to provide a more consistent student experience for first- and second-year students, enhancement of residential neighborhood amenities, alignment of housing stock with student demand by reconciling unit types and selection of an experienced partner to maximize risk transfer and speed to market. A schedule of next steps was provided and in order to open a new residence hall in fall 2023, the University must have the building delivered by July. A Request for Proposals needs to be provided to developers within the next two months in order to meet the desired completion date. Based on conversations with management and others, a 501c3 foundation public-private partnership would allow the University to shift most, but not all, of the control to a developer. This way the University can maintain its current residential college model and also be involved in the planning process. Confirmation was provided that the survey asked students how they participate in the residential college system and campus activities and whether the residential college model needs to be adapted will be a factor in any final decisions made. It is possible now – although in relatively few housing units on campus – for students to move up to a different type of living arrangement but within the same facility. The institution must determine whether it wants to maintain designated locations for first- and second-year students or whether they be allowed to move to more community-based housing arrangements should they be offered. President Jackson added that College Courts is not currently part of the residential college system but is in need of the most repairs and enhancements and represents a good opportunity for a P3 partnership. Regents and White have the lowest occupancy rates and needs in those facilities must also be addressed. Housing is vitally important to every aspect of Murray State University and must be done right. It is hoped the University will have a developer and will be able to present a plan at the December Quarterly Meeting. Housing is the immediate need but P3 partnerships can also be pursued for academic buildings and athletic facilities but the right partner is key to being able to accomplish this work.

Adjournment

The Board adjourned for a break at 2:50 p.m.

Reconvene

Chair Crigler reconvened the Annual Board of Regents Retreat at 3:08 p.m.

Information Technology/Cybersecurity Update

Mr. Brian Purcell, Interim Chief Information Officer, reported the following:

- Data was presented from the Verizon Data Breach Investigation Report which is produced each year.
- Most data breach threats come from external sources. Internal data breaches do occur but most are unintentional in nature. Organized crime is responsible for the largest number of data breach occurrences – both foreign and domestic. This is because they are after easy money as many data breaches end with large monetary payouts.
- The main reason threat actors are attacking data is for financial gain. The majority of attacks are based on how much money can be made but a secondary motive could be to attack an entity and utilize its resources to get to another individual or company.
- In most data breaches that occur, 85 percent involve a human element. Social engineering and convincing humans is still the largest way attacks are successful. Bad actors try the simple stuff first such as just asking for a password. Hackers are mainly after credentials obtained through social engineering. The second largest way attacks are successful is through web applications and a great deal of work is dedicated toward securing these applications.
- In their report Verizon also identified breaches that only involved educational institutions. Social engineering is still the largest way this is accomplished, followed by system intrusion and web application attacks. Threat actors track the same way as outlined earlier with most being external. Motives are 96 percent financial. Attackers are first and foremost looking for personally identifiable information such as social security and credit card numbers – anything they can use to conduct identity theft and make money. The number two thing they are looking for is credentials such as username and password. If the attackers have those they can usually access your personally identifiable information. The top protective controls recommended for the education area include security awareness and training, access control management, secure configuration of enterprise assets and software.
- Protections Murray State has in place for its servers and systems include firewalls and redundant internet connectivity; Data Center firewall between end points and servers; team of trained and dedicated staff to undertake aggressive patch management; vulnerability management; 24/7 automated system monitoring; regular backups locally and at geographically diverse data centers and an extensive Disaster Recovery Plan; industry standard physical security controls and environmental; management of infrastructure components from “management” systems; quarterly review of access for ERP (Banner); controlled use of administrative privileges and regular scans to identify unsecured personally identifiable information, unsupported operating systems and unsecured network shares. The University also has multiple internet connections that are geographically diverse and its servers and network can only be accessed from a certain set of computers and there is enhanced security around those units.
- Protections in place for individual computers include advanced endpoint protection and response; required updates/patches; inactivity auto-lock; firewalls; virtualization; behavior analysis and regular scans to identify unsecured personally identifiable information, unsupported operating systems and unsecured network shares.
- Protections in place for users include multi-factor authentication (for all mission-critical applications), updated password policy, information security awareness training for all faculty and staff, single sign-on for critical applications, scanning email for phishing/scam and behavior analysis. Most breaches begin with a phishing email.
- Additional controls that can be put into place include the Identity and Access Management platform. This better controls when an individual receives their username and password, how long they have it and what they have access to. This is especially beneficial when employees change departments or leave the University or as students graduate. There is also a desire to require information security awareness and training for faculty and staff on an annual basis and a policy will be presented to the Board at a later date in this regard. Confirmation was provided that this training is currently available through myGate. Consideration is also being given to transitioning the training into Canvas. It is hoped training can become mandatory between now and the end of the year.
- The University also needs to review the latest guidance for ransomware preparedness relative to higher education to determine the best controls, protections and response. Improvement of the centralized log management and analysis process is also needed to enhance capabilities in this regard. The University has a Data Recovery Plan and a Disaster Recovery Center but those need to be tested on a regular basis to ensure they work. This will require a coordinated effort and some downtime in order to be able to test the entire system at one time.
- There are several regulatory standards that will be coming out and compliance with those will be essential. A federal standard for privacy legislation is expected within the next three to five years. There is also a desire to join industry and region-specific information sharing groups to improve knowledge and to form partnerships across the state. The cloud storage initiative needs to be

evaluated, including data loss prevention. Another control that needs to be improved relates to end point standards.

State Appropriations and Federal Stimulus Funding Update

Ms. Dudley provided a COVID-19 financial impact and stimulus funding awarded update with the following highlights:

- When the University received federal stimulus funding there were two components – the institutional share and the student grant share. The institutional share covered lost revenue, the purchase of personal protection equipment, vaccination clinic operational costs and expenditures related to managing and preventing COVID exposure.
- To date, expenditures and revenue the University has been able to track amounts to over \$27.5 million. This goes back to Fiscal Year 2019-20 (March 2020) when the majority of activity began through the end of this fiscal year. The University was reimbursed in the amount of \$22 million in federal funds but is covering over \$5.5 million in COVID-related expenditures or lost revenues.
- A breakdown of federal sources of funding for COVID-19 was provided as a result of three federal bills that were passed. The Coronavirus Aid, Relief and Economic Security Act (CARES) of 2020 provided an institutional share of over \$3.1 million. The Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021 provided an institutional share of over \$7.1 million in federal funds. The American Rescue Plan Act (ARP) of 2021 provided over \$8.5 million in federal funds to the institution. The Governor’s Emergency Education Relief Funds (GEER) represented a flow through from the state in the amount of over \$929,000. The Coronavirus Relief Fund (CRF) also represented a flow through from the state in the amount of over \$2 million. Total federal funds received by Murray State amounted to the \$22 million mentioned earlier.
- The University has also received access to federal funding for student grants in the combined amount of over \$15.3 million during the first three rounds of stimulus funding. The first and second round of stimulus funding has been distributed to students. One-half of the third round of stimulus funding has been distributed to students and the remaining grants will be distributed at the beginning of the 2022 Spring Semester.
- In total, Murray State has been afforded over \$37.3 million in federal funding to help the University and students from a financial perspective.
- A breakdown of how student grant funding was utilized was provided. In the first round, \$3.1 million was distributed which was used for housing and dining credits. For the second and third round of federal funding, grants were made directly to students through their account. The University has also used some of its institutional share to cover student debt in the amount of \$912,615 in Fiscal Year 2020-21 and \$600,000 in Fiscal Year 2021-22. It is anticipated the University will also cover an additional \$1.5 million in debt on students’ accounts.

President Jackson expressed appreciation to the University’s federal delegation in Washington, DC; the Governor’s Office and the Legislature for appropriating these monies. It made a significant difference to higher education in the state in regard to operating expenditures during a pandemic.

Facilities Management Bond Projects Update

Mr. Youngblood provided an update on Facilities Management bond projects with the following highlights:

- Work to be undertaken to be prepared for projects includes completing design work (in process), preparing and issuing construction bid documents, reviewing bid documents, awarding of bids, executing construction (general contractor) contracts and beginning construction.
- Work has been undertaken over the summer with consultants on the Curris Center project to get renderings started and examples were provided. It is anticipated this project will begin with construction in May of 2022, with completion anticipated by the end of March 2023.
- The Wrather Hall project will be out for bid by April 2022, with completion anticipated in November 2022.
- It is hoped that Phase I for Lovett Auditorium will be completed soon which will involve HVAC improvements for the auditorium, refinishing the floor and installing new carpet. The proposal has been made to immediately move to Phase II in October 2021 which will include HVAC work (installation of an air handling unit for the balcony area), replacement of the seating and front doors, windows and stage curtains. The Phase II project is already in design but much work remains. The Lovett project is expected to be fully completed by July 2022 but this is dependent on receiving materials. It is hoped work in the facility can be completed to allow it to open, while utilizing times between use for the remaining work to be completed.
- The projects in Carr Hall are mostly HVAC related and are expected to begin in early January 2022, with completion by September 2022. The schedule is the same for the Racer Arena HVAC project.

- Phase II work on the Waterfield Library HVAC system is scheduled to start in April 2022, with completion by the end of July 2022 or before the start of the fall semester.
- Additional projects on the bond schedule include building automation systems and electrical switch replacements. These projects have not been scheduled because funds are still being identified and the University wants to ensure it has enough to cover the cost due to construction market rate fluctuations. Delivery schedules for materials that have been ordered have repeatedly been delayed.

Vice President Dudley reported that at the last meeting the Board approved the issuance of bonds. In order to prepare for this to occur, the University's bond rating must be completed by Moody's and all documents need to be prepared, including the Preliminary Official Statement to go to investors. It was originally expected bonds would be sold before the end of the 2021 calendar year. Bond advisors have now indicated the University would get a better rate if it waited until early January 2022. All documentation will be ready before the calendar year is over and the bonds would be put to the market very early in January. Some projects are already underway but when the Bond Resolution is approved the Reimbursement Resolution is also approved. This means once the sale is completed the University can reimburse itself now with the bond proceeds for costs it has incurred. All debt related to this bond sale will be funded from the current Asset Preservation Fee. This fee is currently \$10 per credit hour, capped at 15 credit hours per semester and generates \$1.4 million in revenue that will be used to repay the bonds. Debt and interest related to these 20-year bonds will average \$800,000 per year.

Student Affairs and Enrollment Management Update

Dr. Robertson reported the following:

- Information was provided in the eBoard book relative to offices focusing on student life and the associated services offered through those particular areas. This includes providing resources with a focus on student success, retention and moving students toward graduation while also ensuring they have a quality campus life experience.
- This work involves the offices of Campus Recreation and Wellness; Career Services; Center for Student Engagement and Success; a full-service Counseling Center; Curris Center and Student Life; Institute for International Studies; Multicultural Initiatives, Student Leadership and Inclusive Excellence; Pride Center (LGBT programming); Residence Life and Student Conduct; Recruitment; Student Disability Services; TRiO Programs, Undergraduate Admissions and Transfer Center; Veteran and Military Student Success and the Women's Center.
- The Residential College System was established 25 years ago with eight residential colleges and celebration events are being planned in this regard. All students, faculty, staff and administrators are assigned to one residential college to foster greater interaction. The residential colleges enhance student satisfaction, success and retention through leadership opportunities, engaging programs and a rich social experience. Each residential college is led by a full-time faculty member who serves as College Head.
- This year marks the 40th Birthday for the Curris Center and a listing of planned events was provided, including the celebration event on October 1, 2021.
- Student activities in early fall include Great Beginnings which was held in August with a full-slate of in-person activities. The Office of Multicultural Initiatives, Student Leadership and Inclusive Excellence hosted a Back-to-School Cookout on August 21 and diversity, equity and inclusion monthly events with mentoring teams were held. The Transfer Center also hosted a Cookout on August 18. Sorority recruitment was held August 19-23, fraternity recruitment was held August 20-28 and the National Panhellenic Council hosted an Open House on August 20. The Career Services office hosted an Open House on August 25. A Racers Reconnect luncheon was held on August 16 with an emphasis on sophomores to reconnect. There have been many residential college welcome events, including cookouts. Information on Student Government Association, Campus Activities Board, Residential College Association, Black Student Council and International Student Organization campus events and programs is available on their respective websites.
- A summary of overall enrollment communication activities were outlined in the information provided and included specific plans relative to each.

Shawn Smee, Director of Recruitment; Kendrick Quisenberry, Senior Associate Director of Recruitment and Maria Rosa, Director of Undergraduate Admissions-Transfer Center reported the following:

- The Road Scholars program is being reinvigorated. Faculty and professional staff assist the Office of Recruitment by visiting high schools and working with Guidance Counselors and teachers and assisting with bus-in events. A staff member has been dedicated to work with the Office of Alumni Relations with respect to legacy student enrollment and there are several new initiatives in this regard. On-campus visit opportunities for prospective students and their families have also been expanded.
- It is especially important to be able to bring prospective underrepresented minority (URM) students to campus and bus-in opportunities are being provided in this regard. The Leaders Enhancing Academic Diversity

(LEAD) program involves current undergraduate URM students serving as Student Ambassadors for Racer Days, the MSU2U event, Admitted Student Weekend, etc. The LEAD team will also participate in all bus-in events and those areas where focus will be placed were outlined. The University hosts an Admitted Student Weekend every year and a banquet has been planned for URM students with a goal of encouraging them to complete the Racer Orientation process.

- The theme is the same with transfer students and that is to get them on campus. This will enable these students to see campus life in a meaningful way through various campus events, including Transfer Day at Stewart Stadium. Transfer students do not necessarily have the same culture and experience as seniors in high school and transfer-focused events must be offered in this regard. A series of on-site application events are held locally for students who cannot come to campus and nationally for online events. MSU faculty are also being paired with community college partners with a focus on the transfer student so they can hear from an expert in their respective fields. A secondary method utilized is the train the trainer to recruiter experience. Lunch and Learn events were offered with community college advisors and included care packages and Showcase Day.

Dan Lavit, Executive Director of the Center for Adult and Regional Education, reported the following:

- The regional campuses primarily service adult and non-traditional student populations. These students are place and time bound to the communities in which they live. They would not be the type of student to make a life change to take classes on campus on a daily or weekly basis. These students are primarily degree completers, meaning that they receive the first two years of their education at the local community college and then from Murray State for the final two years. Some students are enrolled in graduate programs that are exclusive to a specific regional campus and examples were outlined.
- Recruitment for adult and non-traditional students does not follow a typical recruitment cycle and staff at the regional campuses are currently recruiting for second-half semester fall 2021 courses with an October start date. The regional campuses have a year-round recruitment schedule which is very much dependent on the relationships the University has with its community college partners in those communities – Henderson, Madisonville, Hopkinsville, Ft. Campbell and Paducah. Over the last five academic years there have been gradual enrollment increases at each of the regional campuses up until this past year when there was abrupt enrollment growth due, in large part, to students living at home and taking classes in those communities, online or via ZOOM. Enrollment for fall 2021 is down from fall 2020 but is up over fall 2019 and upward growth continues at each of the regional campuses.
- Recent recruitment activities include engagement in the second round of the stop-out campaign and efforts in that regard were outlined. The University is also engaged in recapture campaigns, same-day admission events at the community colleges and continuing conversations with community college partners to determine how Murray State can be more present on those campuses.
- Over the past year, dual credit has been centralized under the Center for Adult and Regional Education with pathways for opportunities to complete a degree at Murray State. Lisa Schmidt, Coordinator of Adult Student Programs, is leading these efforts. Enrollment in Racer Academy is dependent on relationships that have been formed with high school Guidance Counselors, Principals, teachers and students. The dual mission with Racer Academy is to increase enrollment in dual credit courses but also encourage these students to attend Murray State when they graduate from high school. Racer Academy enrollment is down over this time last year by approximately 9 percent. Second-half semester courses are now being provided as part of dual credit offerings to assist in this regard. Counties that send high school students to campus on a weekly basis were highlighted. Dual credit is difficult for students at this time as a result of the pandemic because they are being more purposeful relative to the courses they take.

Matt Jones, Coordinator of Domestic Graduate Recruitment and Retention, highlighted the following:

- Domestic graduate recruitment events, social media marketing and communication enhancement plans were outlined.
- Face-to-face and virtual recruitment events will be held this year and plans were outlined. This work is being undertaken with the academic units on campus to identify potential options in this regard and examples were provided. Faculty involvement in the graduate school has been exceptional and this has represented a true team effort and several were recognized by name for their instrumental contributions.
- A social media campaign was launched for five graduate programs and initiatives in this regard were outlined. Over the course of these campaigns, all five programs experienced an uptick in information requests, applications received and enrollment over a relatively short period of time. These efforts will continue across all graduate programs, working in coordination with the Graduate Coordinators in the various colleges to identify programs with room for immediate growth.
- Two promotional videos have been produced and have been very well received. This work will continue with additional programs.

- There has also been an increase in traffic from the student and faculty profiles that are provided on various social media accounts. One such interaction was highlighted and its significance noted. This work will also continue moving forward.
- An education campaign is also being developed for current students. Currently, 435 of the 1,640 enrolled graduate students earned an undergraduate degree at Murray State. Confirmation was provided that consideration is being given to the fact that standardized testing is often a barrier for these students and appropriate changes have been made accordingly.
- Faculty have done an outstanding job communicating with prospective students throughout the pandemic. Additional communications to be sent to students, including the information to be provided, were outlined.

Tyson Mannering, Director of International Recruitment and Operations Manager, highlighted the following:

- International enrollment declined due to the pandemic and students not being able to get their visas but this situation is beginning to improve. This fall semester, 102 new international graduate students were welcomed to campus.
- International graduate recruitment efforts were outlined and new initiatives and strategies in this regard were discussed. The International Student Organization and high school Guidance Counselors play a key role in the international graduate recruitment process.

Executive Director Touney reported that a web redesign project is underway and key components were outlined. The social media campaign based on data-driven decisions was highlighted. Creative components of both were presented by target population.

Director Whaley highlighted the following with regard to student retention and success:

- Racers Reconnect focuses on second-year students to reconnect, refocus and re-energize through various means that were outlined.
- The *President's Commission on Academic Advising* was highlighted relative to academic advising, advising training and communication. Examples of the work of the *Commission* were also provided.
- Success plans for returning students from academic suspension were outlined.

Athletics

Director of Athletics Saal reported the following:

- Athletic operations were reviewed from a compliance perspective relative to various aspects, including National Collegiate Athletic Association (NCAA) compliance and the educational component for everyone involved in this work. It is believed a solid process has been developed.
- The education component is crucial to this work in order to maintain the competitive ability from an eligibility and certification perspective. Integrity is also of significant importance as part of the compliance process. It is important for any mistakes to be reported and for the University to learn from those mistakes. For this reason, a great deal of time is spent on education and training and there must be a mechanism in place to demonstrate a culture of compliance.
- The NCAA refers to boosters as representatives of Athletics' interests. Members of the Board of Regents are considered boosters. Boosters should be mindful not to do something for a student-athlete they would not normally do for a regular student at Murray State. This is especially true as part of the recruitment process. The Inside Track brochure provided to the Board is distributed annually as part of booster education. It is provided to all season ticket holders and members of the Racer Club and is strategically placed in a variety of locations on campus. This information is also provided through educational outreach events.
- Recruitment in athletics is different than that for the general student population. The NCAA has a different recruiting calendar for almost every sport, meaning there are times of the year where Coaches and recruiters can or cannot reach out to prospective student-athletes and how they can do so can be complicated and is subject to restrictions.
- Regents must understand there is a subtle difference between recruiting students to campus and specifically recruiting student-athletes. Board members will naturally be involved in conversations with prospective students and family members and guided direction to the appropriate office on campus to answer questions is permissible per NCAA rules. All boosters should avoid guided direction when it becomes specific to a particular sport or athlete, meaning they should not become involved on the prospective athlete's behalf. Any such students should instead be directed to the President, Director of Athletics or they can visit the website www.goracers.com so they can be handled by the Coaches and accountable recruiters within athletics. These individuals can reach out to student-athletes to obtain information, evaluate talent and share information in terms of who they can talk to within the athletic spectrum. If conversations with boosters become very specific this is where a violation could occur because it amounts to targeted recruitment.
- Murray State has led the way in terms of certification and continuing eligibility within the OVC for the last decade. Senior Associate Athletic Director Matt Kelly helped develop a triangular system ten years ago. That system involves three elements on campus, including academics; Faculty Athletic

Representative David Gesler and athletics compliance and the Registrar's Office. These entities are heavily involved in a system of checks and balances to review academic eligibility and transcripts, etc. to ensure integrity is maintained. The OVC has now adopted and is using the Murray State model across the league. The Institutional Request List of any individual athletic recruits is shared with the Admissions Office to make sure everyone is aligned and all are aware who is actually being recruited.

- In terms of compliance education and monitoring, President Jackson meets with the Department of Athletics annually to stress the importance of athletic compliance, maintaining integrity and associated expectations in this regard. The President and Athletics Director are also required to provide annual attestations through the NCAA office. This helps ensure NCAA compliance. The Faculty Athletic Representative also attends each fall team meeting to ensure student-athletes understand they have an advocate within the faculty. An annual recruiting exam is used for all permissible off-campus recruiters and this is required. The University takes it even one step further by requiring administrators who work with student-athletes to also take the same recruiting test. Monthly sports and rules-specific meetings are held. The orientation being provided to the Board today is one example of institutional control and education. All should be impressed with the compliance structure that is in place at Murray State. Every opportunity is utilized to continue training and education.
- Students now have the ability to profit from their name, image or likeness (NIL) similar to their student peers. This has involved an educational component and the University has an obligation to monitor and disclose what NIL activities look like. The University has entered into an RFP with a third-party administrator to help manage this area and make it a much more seamless process. Activities to this point has been moderate for Murray State student-athletes and most requests have been reasonable. Confirmation was provided that General Counsel Miller is involved in this process. The University has an NIL policy in place and General Counsel Miller will share that working policy with the Board. There are some bad actors in this space and it is the University's responsibility to make sure student-athletes are aware, although they will ultimately make the final decision. Major components of the policy include use of facilities and intellectual property Murray State owns, such as trademarks and logos, that would typically be part of a sponsorship agreement. General Counsel Miller reported he has been impressed to watch this development unfold and the care and concern Athletic Director Saal has for the student-athletes is obvious.

Governmental and Institutional Relations

Chair Crigler reported that, in the interest of time, the governmental and institutional relations report will be presented during the Quarterly Board of Regents Meeting and Committee Meetings tomorrow.

Strategic Plan Overview

Chair Crigler reported that, in the interest of time, the Strategic Plan Overview report will be presented during a future meeting.

Other Business/Adjournment

There being no further business to come before the Board, Chair Crigler requested a motion for the Board of Regents Annual Retreat to adjourn. Regent Shemberger so moved. Regent Fitch seconded and the motion carried unanimously. Adjournment was at 4:45 p.m.


Chair Eric F. Crigler


Secretary Jill Hunt

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