

**Minutes of the Quarterly Meeting of the Board of Regents  
Murray State University  
September 9, 2022**

**Call to Order/Roll Call**

The Murray State University (MSU) Board of Regents met on Friday, September 9, 2022, in Quarterly and Committee Session in the Pogue Library Jesse Stuart Room on the Murray State University campus. Chair Don Tharpe called the meeting to order at 8:30 a.m. and welcomed those joining the meeting in person and via livestream. The roll was called and the following Board members were present: Jessica Evans, Robbie Fitch, Virginia Gray, Ellie McGowan, David Meinschein, Leon Owens, Emily Roark, Melony Shemberger, Don Tharpe and Tom Waldrop. Absent: none.

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

**AGENDA**

**Call to Order**

**Chair Tharpe**

**Roll Call**

**Secretary Hunt**

**Swearing-In Ceremony – Ellie McGowan**

**Judge David Buckingham**

**Public Participation**

**Chair Tharpe**

**Consent Agenda**

**Chair Tharpe/President Jackson**

- A. Minutes of the Quarterly Meeting and Committee Meetings on June 3, 2022, and Minutes of the Special Meeting of the Board of Regents and Board of Regents Finance Committee on August 11, 2022\***
- B. Audit and Compliance Committee – Office of Internal Audit – Internal Audit Annual Report – Fiscal Year 2022 (For Information Only)**
- C. Audit and Compliance Committee – Office of Internal Audit – Summary of Presidential Travel Report (For Information Only)**
- D. Finance Committee – Personal Services Contracts – Schedule of Expenditures (For Information Only)**
- E. Personnel Changes – Staff Leaves of Absence without Pay\***

**Report of the Chair**

**Chair Tharpe**

- A. New Regent(s) Recognition (For Information Only)**
- B. President’s Delegation of Authority Amendment\***

**Report of the President**

**President Jackson**

**Report of the Treasurer\***

**Vice President FAS Dudley**

**(Quarterly Financial and Investment Reports)**

**Board Development – Murray State University Police Department**

**Chief of MSU Police Gentry**

**10. Committee Reports/Recommendations**

- A. **Academic Excellence and Scholarly Activities**      **Regent Shemberger**  
 1) **Online Initiatives – Online Programs Update (For Information Only)**  
 2) **Academic Affairs Update (For Information Only)**
- B. **Athletics**      **Chair Tharpe**  
 1) **Ohio Valley Conference Governing Board Certification for Academic Year 2022-23\***  
 2) **Missouri Valley Conference Governing Board Certification for Academic Year 2022-23\***
- C. **Audit and Compliance**      **Regent Waldrop**  
 1) **Office of Internal Audit – Internal Audit Charter Reaffirmation\***
- D. **Buildings and Grounds**      **Regent Fitch**  
 1) **Asset Preservation Projects Update (For Information Only)**

**11 a.m. (approx.)      Break for Campus Tour and Lunch**

- 1 p.m. (approx.)      Reconvene**
- E. **Enrollment Management and Student Success**      **Regents Meinschein/McGowan**  
 1) **Fall 2022 Initial Enrollment and Retention Update (For Information Only)**
- F. **Finance**      **Vice Chair Owens**  
 1) **Beyond Owners Engagement Letter Approval\***  
 2) **Surplus Property Disposition\***  
 3) **Projects Approval\***  
 4) **Personal Services Contracts Approval\***
- G. **Legislative and Economic Development**      **Regent Gray**  
 1) **Legislative Update (For Information Only)**
- H. **Marketing and Community Engagement**      **Regents Roark/Evans**  
 1) **Centennial Update (For Information Only)**

**NOTE:      Full Board action will follow Committee action.**

- Personnel Changes**      **President Jackson**  
 A. **Contract of Employment – Director of Athletics – Nicholas “Nico” Yantko\***  
 B. **Salary Roster\***

- Policy Changes**      **President Jackson**  
 A. ***Board of Regents Policy Manual – Section 3.6 – Leave of Absence without Compensation Revision – First Reading\****  
 C. ***Board of Regents Policy Manual – Section 5.21 – New Name, Image and Likeness Policy – First Reading\****

- Supplemental Materials (For Information Only)**      **President Jackson**  
 A. **“Good News” Report (June 2022)**  
 B. **Quarterly Branding, Marketing and Communication Report (April – June 2022)**  
 C. **Sponsored Programs – Grants and Contracts Report**

**Other Business**      **Chair Tharpe**

**Adjournment**      **Chair Tharpe**

**(\*Requires Board of Regents Action)**

### **Swearing-In Ceremony – Ellie McGowan, conducted**

Chair Tharpe welcomed Judge David Buckingham to the meeting and expressed appreciation for his willingness to serve the University in this capacity. Judge Buckingham administered the Kentucky Constitutional Oath of Office, pursuant to Section 228, to Ms. Ellie McGowan. The students of Murray State University elected Ms. McGowan to serve as President of the Student Government Association (SGA) and the individual holding that position also serves as Student Regent. Appreciation was expressed to Ms. McGowan for her willingness to serve the University in this capacity and she received a round of applause.

Chair Tharpe and the Board observed a moment of silence for Queen Elizabeth’s passing yesterday and for the upcoming September 11<sup>th</sup> anniversary.

### **Public Participation**

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

### **Consent Agenda, approved**

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

- Minutes of the Quarterly Meeting and Committee Meetings on June 3, 2022, and Minutes of the Special Meeting of the Board of Regents and Board of Regents Finance Committee on August 11, 2022\*
- Audit and Compliance Committee – Office of Internal Audit – Internal Audit Annual Report – Fiscal Year 2022 (For Information Only)
- Audit and Compliance Committee – Office of Internal Audit – Summary of Presidential Travel Report (For Information Only)
- Finance Committee – Personal Services Contracts – Schedule of Expenditures (For Information Only)
- Personnel Changes – Staff Leave of Absence without Pay\*

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

<u>Name</u>	<u>Department</u>	<u>Effective Date</u>
Carlos Lopez	Simulation Center	06/10/2022-07/15/2022

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

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

Chair Tharpe welcomed the new members of the Board of Regents and indicated he has one agenda item requiring action. The Board of Regents Annual Retreat was held yesterday and represented a productive work session. Vice President Robertson presented a report during the Retreat which clearly outlined the value of a Murray State education to students and their families. The efforts of all in this regard are to be commended. Regents were encouraged to attend as many of the upcoming Homecoming events as possible. He asked all to stop and think about the fact that this is Murray State’s centennial year and what that means. The University is in a great position and the trajectory for this institution is bright. This is the case due to the leadership of the President and his team and the efforts of all are appreciated.

### **President's Delegation of Authority Amendment, approved**

President Jackson reported that during the Retreat the Board discussed necessary edits to the Delegation of Authority and the administration is recommending those changes to the Board. One question which arose yesterday was in regard to what constitutes a Personal Services Contract (PSC). The Procurement website outlines the services which are included, such as accounting, auditing services, appraisers, architects and engineers, consulting services, executive search firms, insurance adjusters, legal services, web design and development, licenses and medical professionals where an occasion may arise and the University needs to act quickly. Kentucky statute defines a Personal Services Contract as an agreement whereby an individual, firm, partnership or corporation performs certain services requiring professional skill or judgment for a specified period of time at an agreed-upon price. Chair Tharpe indicated that the purpose of the Delegation of Authority is to allow the University to keep moving forward without the need for a special-called Board meeting for services costing under a certain dollar amount. The change being recommended to the Delegation of Authority accomplishes this goal and the remaining items in the document were approved by the Board as of December 4, 2014. The Delegation of Authority delegates the authority to conduct University business to the President, except where the Board reserves specific authority. The Delegation has been reaffirmed by the Board of Regents each year since its adoption and was last reaffirmed at the Board of Regents Quarterly Meeting on September 3, 2021. This year amendments to the Delegation of Authority were deemed necessary in order to ensure further efficiencies in University operational procedures.

Vice Chair Owens moved that the Board of Regents, upon the recommendation of the Chair of the Board, approve the amended Delegation of Authority for the President of Murray State University as submitted. Regent Fitch seconded and the motion carried.

(See Attachment #1)

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

President Jackson welcomed Ms. McGowan to the Board and expressed appreciation for all she has already done at Murray State and for her willingness to serve the University in this capacity. President Jackson reported the following:

- The Board will receive a report from the MSU Police Department. The importance of this unit to the University – not only from a safety standpoint but also for recruitment and retention – cannot be overstated. Chief Jeff Gentry and his team do an excellent job in this regard. Excerpts from a recent letter President Jackson received from an out-of-state parent following her son's graduation were read aloud as follows, "I just want to say thank you so much to you and the staff of the University. One of the Valedictorians today said it best in that at Murray State we are all one family. Thank you for treating me and my family like family and especially your Police Department. This is the biggest reason out of many, many reasons why we chose Murray State over several other institutions. I hope to live one day to see my grandchildren graduate from Murray State University. Thank you, the University, Chief Gentry and the Police Department so much for your kindness, excellence and acts of service which are very much noticed and appreciated." Testimonials such as this mean a great deal to current and prospective students and their families.
- This fall the University has students from 48 states and if Regents are aware of prospective students from Maine or Vermont they were encouraged to let the University know. Students hail from 50 countries and 112 counties and are enrolled in 148 different degree programs. A report was presented during the Retreat regarding program developments and enhancements in face-to-face, online and hybrid formats and appreciation was expressed to Provost Todd and his team across campus for their good work with a focus on academic excellence in this respective area.
- The Board will tour campus improvements and deferred maintenance projects later this morning. This includes new, enhanced and renovated spaces. Appreciation was expressed to Vice President Dudley, Director of Facilities Management Jason Youngblood and Associate Director of Facilities Design and Construction Angela Lampe and their teams for efforts in this regard to benefit students, faculty, staff and the community and region. Before and after photos of Lovett Auditorium were shown and a reminder was issued that the end caps on every row are from the original seating in this facility. Chair Tharpe indicated that the President and his team brought this facility back to life and that has been no small feat. President Jackson and his administration received a round of applause. President Jackson expressed appreciation to Regent Fitch for his service as Chair of the Buildings and Grounds Committee. Appreciation was also expressed to the MSU Foundation as that entity made a significant donation to replace all of the seating in Lovett Auditorium – a facility of extreme importance to the University. The Board will also tour Wrather Hall where a significant amount of work is being undertaken with leadership provided by Mr. Youngblood and Mrs. Lampe and their

Facilities Management teams. The University has been unable to use the stage in this facility for the past few years and that will be corrected as part of the overall project.

- For the first time in 21 years the Racer Band has new uniforms. The Racer Band represents a fantastic group that adds a great deal to this University and to student life. Appreciation was expressed to the Department of Music and Dean David Balthrop, College of Humanities and Fine Arts, for all they do.
- Nicholas “Nico” Yantko has been hired as the new Director of Athletics and is a two-degree alumnus of Murray State. He started his professional career at MSU and has served at North Carolina State University-Raleigh; University of Missouri-Columbia where he led the transition in moving from the Big 12 Conference to the Southeastern Conference and the University of Louisiana-Lafayette. Appreciation was expressed to Chair Tarpe and Vice Chair Owens who provided service on the Search Committee and dedicated a great deal of time and energy to a condensed, intensive search process.
- There are approximately 350 student-athletes who have for 36 semesters maintained a 3.0 grade point average or higher and this represents an amazing achievement.
- The transition to the Missouri Valley Conference (MVC) began July 1, 2022, for all sports except Football and Rifle. The process is going well due to the hard work of Mr. Yantko and his team. For students attending Murray State, 91 percent are within the footprint of the Missouri Valley Conference. For MSU alumni, 80 percent live within the MVC footprint. This change will be vitally important in the days ahead for student recruitment and has been strategically planned. Appreciation was expressed to the Board for their support in this regard.
- Recruiting and retention bullet points were presented and appreciation was expressed to Vice President Robertson and the Enrollment Management team. Rankings and reputation accolades were highlighted and soon many will become public nationally.
- Family Weekend will be held September 23-25 and Homecoming is October 28-30, 2022.
- The University has raised over \$115 million for scholarships and need-based and other financial aid for students. Many changes have been made over the last few years in regard to recruiting and retention. Approximately 50 percent of students graduate from Murray State with no known college debt and all are working to ensure that percentage increases even higher through continuing to raise private funds and enhancing institutional dollars in this area.
- Every student and faculty and staff member belongs to a residential college on campus. This effort is important to retention and student life and all were encouraged to get involved if not already.
- The Road Scholars program was restarted in 2019 under the leadership of Provost Todd and Vice President Robertson and represents a joint effort. Although the program was paused due to the pandemic, it has been revived and was recently relaunched. All faculty, staff and students who want to be part of a Road Scholars team were encouraged to participate.
- In regard to the pandemic effect, comprehensive universities in this country have been hit especially hard. The national average that has been reported reveals that enrollment is down 10 percent or more since 2020. Per the national average, last spring alone 4.7 percent of student enrollment was lost. The reasons for this include the demographic cliff, the pandemic and college-going rates. A great deal of discussion occurs in Frankfort regarding how to enhance college-going rates, share the importance of a college education in Kentucky and determine what could be done from a public policy standpoint. Since 2020, there are 1.3 million fewer college students than prior to the pandemic. In the past ten years, there are 4 million fewer college students.
- Regents were encouraged to visit the centennial website which lists upcoming events and activities. Banners have been placed on and around campus and the centennial book will be released soon. Appreciation was expressed to all involved with the centennial book, including Dean of University Libraries Cris Ferguson and Mr. Smith and President Jackson’s co-authors Sarah Marie Owens, Library Specialist and Dr. Sean J. McLaughlin, Director of Special Collections-Exhibitions/Associate Professor.
- Appreciation was expressed to the Board for all they do for Murray State and for the sacrifices they make by their presence on campus and in the community.

Chair Tarpe reminded the Board that everyone is a recruiter and appreciation was expressed for the commitment of all in this regard.

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

### **Report of the Treasurer (Quarterly Financial and Investment Reports), accepted**

Vice President Dudley reported the following with regard to the Report of the Treasurer – Quarterly Financial and Investment Reports for the period of July 1, 2021, through June 30, 2022:

- The final audit documents related to the Treasurer’s Report will be presented at the Board of Regents Quarterly Meeting in December.
- The University’s primary indicators include cash, accounts receivable, working capital and net position. Cash is positive and about the same as this time in 2021, although there was an increase.

This increase in cash represents soundness and good financial management and does not necessarily mean the University's net position increased. Accounts receivable is up slightly due to Plant Fund issues relative to bonds. Additional receivables had to be booked at the end of the year even though there were bond proceeds from the state. Working capital is essentially flat and net position is up significantly.

- Total revenues and expenses and Education and General Fund and auxiliary revenues are relatively flat and even with budget. This means the University is living within its means.
- Overall, the balance sheet for the institution shows an increase of over \$26 million in net position from prior year. This represents where the University's pension liabilities were recorded and those actually decreased resulting in a credit expenditure. Any fluctuations to the balance sheet are due to pension adjustments and everything else is relatively flat. The pension numbers recorded this year were from the state's Fiscal Year 2021 audit and these adjustments run one year behind. President Jackson added that over the next few years with regard to pension adjustments, the University's obligation will increase each year moving forward. Confirmation was provided that this is being monitored and managed very closely.
- Overall, the change in the income statement is simply due to the pension numbers and everything else remained fairly constant. There were some unrealized losses through the MSU Foundation due to market performance but this was true for all universities. There were also unrealized losses with funds the University is required to invest with the state. Any monies the University receives from tuition and fees is required to be sent to the State Treasurer to invest. Any monies the University receives from private dollars, donations or endowments is invested through the Foundation.
- It has been reported throughout the year that tuition and fees were expected to be over budget. The University stayed within budget for gross tuition but spent more for scholarships than what was budgeted.
- The Education and General (E&G) Fund is used to pay operating expenses and is where tuition and fees and all other revenues are recorded. Capital projects are not included in the Education and General Fund. The balance sheet for E&G increased and although it is still a negative, it is a smaller negative due to the pension adjustment. Without the pension adjustment there would not have been a negative net position on the balance sheet. This is solely due to the liabilities the University is required to record for the Kentucky Employees Retirement System (KERS) and Teachers' Retirement System (TRS) and this will be the case for many years to come. Cash is up in the Education and General Fund due to the University recovering all of its Coronavirus Aid, Relief and Economic Security Act (CARES) funding. Over the last two years the University received \$37 million in CARES dollars. Approximately \$13 to \$15 million was for student scholarship grants and aid and the remainder was used to help the institution throughout that period of time. The income statement for E&G shows pensions as the primary driver. There would have been a positive change in net position of \$1.5 million without the pension numbers. There were unrealized and realized losses in Frankfort as outlined earlier and more was spent for scholarships for tuition and fees but the University was still able to manage within the constraints of those issues and breakeven with a small, positive gain. Auxiliaries also broke even.

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

(See Attachment #2)

### **Board Development – Murray State University Police Department, report received**

Murray State University Chief of Police Jeff Gentry and Captain of Operations Ryan Orr presented the following highlights for the Murray State University Police Department:

- Operations include three command staff, 14 sworn Certified Police Officers, seven marked police vehicles, two patrol bicycles and six Certified Telecommunicators. Confirmation was provided that campus is patrolled 24/7 and Regent McGowan confirmed students have seen the bike patrol out at night as they are traveling back and forth to the Library.
- The Chief and Captain have completed the Criminal Justice Executive Development Course which represented a five-month, extensive leadership course at the Department of Criminal Justice in Richmond, Kentucky. The Lieutenant will apply for the program in 2022-23.
- The unit holds concurrent jurisdiction with the City of Murray Police and Calloway County Sheriff's Office and assists these entities on multiple calls, upon request, with primary responsibility for campus property. Confirmation was provided that officers can be anywhere on campus within a minute or less.
- The unit responds to a variety of calls and maintains and monitors 404 cameras on campus, including at the regional campus sites. Confirmation was provided that local agencies will handle responses at the regional campuses.

- The unit serves as the Emergency Operations Center for Calloway County and maintains Emergency Operations Plans, with the Chief serving as Incident Commander for most events.
- The unit conducts annual “table-top” exercises with the Emergency Management Team and serves as the clearinghouse for the annual security report. The unit collects crime statistics to maintain compliance with Department of Education requirements and provides professional development to faculty, staff, students and parents. The department collaborates with multiple University entities for meeting institutional goals such as safety/security, athletic events, Expo Center events, housing, affirmative action, Great Beginnings, etc.
- In July the unit was reaccredited through the Kentucky Association of Chiefs of Police, representing the fourth accreditation completion.
- The unit supports the educational mission of the University by making the community safe for its members to live, learn and serve. The department vision is to be the best university police agency of like size in the nation by building trust, creating partnerships and providing effective, caring and courteous service.
- During 2021-22, the unit fielded almost 26,000 calls into the Communications Center, conducted 403 mental health/welfare checks (53 percent increase over last year) and completed 7,361 security checks. There has been a decrease in the number of crimes on campus and this is due to the diligent efforts of officers who are out on campus and all associated with the department.
- Professional development for command staff/officers includes monthly weather emergency training in order to continue certification with the National Weather Service and annual Clery/Minger training. Annually, each officer must complete a minimum of 40 hours professional development and MSU exceeds the minimum requirement each year (usually over 100 hours). Every six months firearms training is conducted by the Certified Firearms Instructor and Crisis Intervention Training (CIT) is provided annually. Every officer is CIT certified.
- Trainings provided on campus include fraternity and sorority risk management, safety, alcohol awareness, Clery/Minger reporting, etc. Weather/Emergency trainings are offered and per Clery/Minger, MSU Police provide training to all Campus Security Authorities, as well as Active Aggressor Training. There were 32 sessions conducted during summer 2022 for all Housing Resident Directors, Resident Advisors and faculty and staff.
- The agency collaborates with the Murray City Police, Calloway County Sheriff’s Office, Kentucky State Police, Federal Bureau of Investigations, United States Marshall’s Office, United States Secret Service Task Force, Federal Emergency Management Agency and the Bureau of Alcohol, Tobacco and Firearms and Explosives.
- Chief Gentry has been reelected for his fifth term as President of the Kentucky Association of University Law Enforcement Administrators.
- The Livesafe app is promoted across campus and represents an alternative form of communication between the community and police using the technology students prefer. A link to download the Livesafe app from Google Play or the App Store was provided.
- The organizational chart for the unit was provided and photos were shown from various officer training sessions in the residence halls and within the local school systems. Confirmation was provided that individual trainings can be scheduled with departments and units on campus as well as with Professors in their classrooms.

Vice Chair Owens commended Chief Gentry and his team for not only providing leadership during the pandemic but for assisting with the tornado efforts in Mayfield, Kentucky, and most other events that have occurred. The unit is professional at the highest level and their efforts are appreciated. The MSU Police Department received a round of applause.

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

### **Committee Reports/Recommendations**

#### **Academic Excellence and Scholarly Activities Committee**

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

Regent Shemberger called the Academic Excellence and Scholarly Activities Committee to order at 9:20 a.m. and reported all other members were present.

### **Online Initiatives – Online Programs Update, received**

Ms. Ireland reported the following in regard to online initiatives and programs:

- A conscious effort has been made to increase and enhance online program offerings and a listing of available online programs at MSU was provided by level (asynchronous, synchronous or both depending on the program). The flyer utilized to promote online opportunities was also provided in the Board materials and includes programs in many different disciplines.
- Several, but not all, of the programs have an online tuition rate and no matter where students are physically located they are paying in-state tuition to participate in their chosen program. Programs selected to be included at the in-state online tuition rate were chosen based on demand outside of the state and capacity within the program. Several online programs have been established for a number of years while others have been added more recently as the University analyzed the market and made decisions accordingly. When students are charged the online tuition rate they also pay the web fee per credit hour.
- The University participates in an agreement with a third-party entity – Academic Partnerships (AP) – and is in the third year of a seven-year contract. Academic Partnerships provides services for several programs at the graduate level. These services include marketing and student support services, in addition to the support provided by the University on campus, and instructional design. AP marketing strategies are sophisticated and comprise more than the University would be able to accomplish on its own. These strategies include direct advertising, search engine optimization and targeted Google ads. The original five programs the University contracted with AP were outlined and include 12 concentrations.
- A chart was provided illustrating enrollment growth results from the agreement with Academic Partnerships in five programs over five semesters. Enrollment comparisons were provided for face-to-face instruction and e-campus students. As of the end of the spring semester, there has been growth in these programs by over 250 students.
- Agreement components are being amended with Academic Partnerships where it has made sense to do so and those include adding five additional certificates launching in October 2022 and expanding three existing programs in March 2023. These additional components were outlined.
- Growth strategies for programs not included in the agreement with Academic Partnerships were outlined and will be marketed in key areas and appropriate publications.
- In terms of how online programs can be designed so they are consistently successful and can be measured, changes are being made accordingly in the programs outlined earlier. These faculty are systems minded further highlighting the importance of system designers. Enrollment in this particular program has increased from 57 students in 2020 to 88 students in 2022 and is expected to continue to grow.

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

### **Academic Affairs Update, received**

Provost Todd provided an update from Academic Affairs on new programs and initiatives and the following were highlighted:

- Four new programs at both the undergraduate and graduate levels were highlighted, including one at the *Madisonville Regional Campus* which is expected to scale quickly. This work includes 2+2 programs.
- The Quality Assurance (QA) Commons was discussed during the Retreat. It is important to note that Murray State offers more QA Commons Certified Programs than any other university in the United States.
- New academic initiatives include a revised University Studies Curriculum which is the general education component of the overall undergraduate experience at Murray State. Residential College Seminars have been restarted and were outlined. Information will be forthcoming soon in regard to select three-year degree programs. Additional opportunities on the horizon were outlined and are geared toward student success.
- Assistant Provost Ireland reported that this fall the new University Studies Curriculum will be initiated and the associated framework was outlined. This initiative began in 2017 and will strengthen the University Studies Curriculum with students taking a set number of hours instead of it varying by program. The University Studies Curriculum redesign was also undertaken to make it clearer to students what they were receiving from the foundational curriculum. In the previous University Studies Curriculum there were 29 learning outcomes and the categories were broad. The new curriculum has eight or nine outcomes in two sections – Foundations and The Human Experience. The new University Studies Curriculum makes it easier for transfer students to use credits they have obtained elsewhere and makes it clearer to students what they are learning and how it is providing a foundation for learning for life. Appreciation was expressed to all who have assisted with this initiative as it will benefit students. Regent Evans serves as the Assessment Coordinator for University Studies and she is responsible for helping the University ensure the outcomes are actually what students are experiencing. Confirmation was provided that staff have an opportunity to participate as well. President Jackson expressed appreciation to the entire Provost's Office, the Deans and Chairs and the faculty for their commitment to this initiative. Regent Gray added that there is a



great deal of opportunity with regard to the military for partnership and growth and confirmation was provided that this is being taken into consideration.

- Provost Todd reported that Professor of Psychology Dan Wann, a national expert in sports psychology and fandom, received a tremendous honor yesterday. Dr. Wann was recognized by the Sport Marketing Association as a *2022 Research Fellow*. This is especially important in that only 20 *Research Fellows* have existed in this organization since 2013. Dr. Wann has been directly quoted on ESPN and in *Washington Monthly* and the *New York Times* and elsewhere across the country. Dr. Wann received a round of applause.

Dean of the College of Education and Human Services David Whaley reported the following on initiatives and challenges associated with the teacher shortage in Kentucky:

- Many colleges on campus assist with teacher preparation programs, although the college is considered the home of teacher education. The Hutson School of Agriculture; the Jones College of Science, Engineering and Technology and the College of Humanities and Fine Arts provide teacher education programs.
- The current status of teachers within the teaching districts in the state was outlined, as well as what Murray State is doing now to address the teacher shortage. There were 42,525 public school teachers in Kentucky as of 2019-20. Of those teachers, 21,448 have less than five years' experience. Data shows that 50 percent of teachers leave within their first five years of teaching and 33 percent leave within the first three years.
- Last year in Kentucky, 1,800 teaching positions went unfilled. He sits on the Board of the West Kentucky Educational Cooperative (WKEC) which meets with the Superintendents on a monthly basis. The most troubling conversation by far is teacher shortages.
- The average starting salary for a teacher is \$36,500. In Kentucky, some teachers are earning as low as \$14 per hour but fast food chains are advertising \$15 per hour. Due to their financial base, some of the smaller school systems are not able to meet even that rate. Teachers eventually earn up to \$55,016 which is one-third less than individuals who have the same level of education in the private sector.
- Within the western region where Murray State is located, the critical teaching shortage areas are career and technical education, early childhood and elementary education, science and social studies but this varies by region.
- In terms of teacher education, individuals think about the traditional program where students enter a program, earn a four-year degree and in the process of earning that degree become certified to teach. There are nine optional teacher certification programs and the University is taking advantage of a number of these. For its traditional program, MSU requires each student in teacher education to have 200 hours of practicum experiences and 14 weeks of student teaching. The economic impact to 183 traditional students has been simplistically calculated at \$1.46 million over this period of time. While some clinical experiences involve observation, others require attendance at extracurricular activities.
- MSU has taken advantage of the nine different certifications that are available within the state. Alternative Certification Option 6 is a University-provided alternative certification program where an individual with a bachelor's degree and qualified through the appropriate teacher testing can obtain a Certificate of Eligibility and begin teaching right away as needed in the school systems. These individuals, after up to three years in this program, will complete the pedagogy component of teacher education. Confirmation was provided that there is also an Option 5 for military veterans and that was outlined and will be further explored.
- One of the more exciting areas with regard to alternative teacher certification is consideration of an Option 9 program. This represents an expedited teacher education three-year program that requires partnerships and those classified individuals working within school districts are the target audience. A partnership with a local school district and WKEC to develop an Option 9 program and the requirements of that program were outlined. This new program will require approval from the Education Professional Standards Board but represents an exciting initiative for the University.
- Brief highlights for the overall teacher education program were provided. The Ed.D. program was started in 2014 and since that time 203 students have enrolled and 79 new doctoral recipients have graduated. Professional development schools allow students to start their practicum experiences and finish with student teaching within one year in the same school district. This provides an opportunity for hiring officials to get to know the students and determine whether they represent a good fit for their schools. Students start in this program on the school calendar instead of on the University calendar. Students are also able to participate in professional development training exercises that take place prior to school beginning.
- The college is fortunate to have Regent Evans as the Assessment Coordinator, especially with the upcoming CAEP reaccreditation process. There are almost 50 academic programs across three colleges that are being reviewed as part of the CAEP reaccreditation process in order to maintain national accreditation.
- A Superintendent's Advisory Committee has been established to review programs. There is also a Student Advisory Committee.

- The college held the 2022 Teaching and Technology Summit in June and hosted 1,727 educators on campus who learned about Murray State in 123 different sessions.
- Dr. Samir Patel, Chair of the Department of Educational Leadership and Counseling, is currently developing a Counselor Education program with one of the school districts and a Principal Education program. There are also a number of proposals for scholarships underway and appreciation was expressed to the Principal Investigators in this regard. The purpose of this opportunity is to fund training for 20 STEM high school teachers over a five-year period.
- The College of Education and Human Services houses five academic units and the highlights presented today involve three of those units.

Regent Meinschein reminded the Board that the University's roots are in education and once that promise was fulfilled to the region Murray State grew exponentially in many other areas. Recruiting is difficult because every other field is also recruiting, not just education. President Jackson reminded the Board that the WKEC is housed on campus and the University works closely with that entity. The work the WKEC Superintendents do, in partnership with Executive Director Gretchen Wetzell and Dean Whaley, is critical and very much appreciated.

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

### **Adjournment**

The Academic Excellence and Scholarly Activities Committee adjourned at 10:15 a.m.

#### **Athletics Committee**

Don Tharpe – Chair  
Robbie Fitch  
David Meinschein  
Emily Roark

Chair Tharpe called the Athletics Committee to order at 10:15 a.m. and reported all other members were present.

### **Ohio Valley Conference Governing Board Certification for Academic Year 2022-23, approved**

Chair Tharpe reported that consistent with National Collegiate Athletic Association requirements related to institutional control of intercollegiate athletics, the Board of Regents is asked each year to consent that the authority for the administration of the Athletics Program is delegated to the Chief Executive Officer.

On behalf of the Athletics Committee, Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, consent to the Governing Board Certification as it pertains to the National Collegiate Athletic Association and the Ohio Valley Conference for Academic Year 2022-23. Regent Roark seconded and the motion carried.

### **Missouri Valley Conference Governing Board Certification for Academic Year 2022-23, approved**

Chair Tharpe reported that consistent with National Collegiate Athletic Association requirements related to institutional control of intercollegiate athletics, the Board of Regents is asked each year to consent that the authority for the administration of the Athletics Program is delegated to the Chief Executive Officer.

On behalf of the Athletics Committee, Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, consent to the Governing Board Certification as it pertains to the National Collegiate Athletic Association and the Missouri Valley Conference for Academic Year 2022-23. Regent Evans seconded and the motion carried.

**Full Board Action – Ohio Valley Conference Governing Board Certification for Academic Year 2022-23, approved**

On behalf of the Athletics Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, consent to the Governing Board Certification as it pertains to the National Collegiate Athletic Association and the Ohio Valley Conference for Academic Year 2022-23. Regent Fitch seconded and the motion carried.

(See Attachment #3)

**Full Board Action – Missouri Valley Conference Governing Board Certification for Academic Year 2022-23, approved**

On behalf of the Athletics Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, consent to the Governing Board Certification as it pertains to the National Collegiate Athletic Association and the Missouri Valley Conference for Academic Year 2022-23. Regent Fitch seconded and the motion carried.

(See Attachment #4)

**Adjournment**

The Athletics Committee adjourned at 10:30 a.m.

**Audit and Compliance Committee**

Tom Waldrop – Chair  
 Ellie McGowan  
 Leon Owens  
 Emily Roark  
 Don Tharpe

Regent Waldrop called the Audit and Compliance Committee to order at 10:20 a.m. and reported all other members were present.

**Office of Internal Audit – Internal Audit Charter Reaffirmation, reaffirmed**

Michelle Saxon, Associate Director for Student Financial Services – Accounting (former Internal Auditor) reported that the Internal Audit Charter is a formal document that defines the purpose, authority and responsibility of internal audit activity. The Internal Audit Charter establishes the internal audit activity's position within the University; authorizes access to records, personnel and physical properties relevant to the performance of engagements and defines the scope of internal audit activities. The Internal Audit Charter is reaffirmed by the Board of Regents each year. The *International Standards for the Professional Practice of Internal Auditing* (Standards), issued by the Institute of Internal Auditors, require annual review and approval of the Internal Audit Charter.

The Charter defines the mission of Internal Audit and outlines the position of the Internal Auditor with the University in both supporting functionally to the Board and administratively to the President. The Charter outlines the Board's responsibilities, including the Audit Charter and the Annual Audit Plan. This year an Audit Plan will not be in place until the new Internal Auditor is named. The Charter also outlines the Internal Auditor's responsibilities such as maintaining independence and objectivity and reporting results of the audit. The Charter is instrumental in ensuring Internal Audit has access to all data and individuals needed to perform the audit.

Chair Tharpe expressed appreciation to Mrs. Saxon for her work with the Audit and Compliance Committee. He has spent many hours talking with Mrs. Saxon and believes the Board has confidence in what is being undertaken in this area. She is wished much continued success.

President Jackson expressed appreciation to Regent Waldrop for his willingness to Chair the Audit and Compliance Committee as it is critical to the University. All appreciate Mrs. Saxon's

service for ten years in her role as Internal Auditor and all wish her well. A search for her replacement is currently underway and Vice President Dudley is serving as Chair of the Search Committee. The process is nearing the stage where applicant interviews will be scheduled.

On behalf of the Audit and Compliance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, reaffirm the Internal Audit Charter for Murray State University as submitted and in compliance with standards for the internal audit profession established by the Institute of Internal Auditors. Regent Roark seconded and the motion carried.

**Full Board Action – Office of Internal Audit – Internal Audit Charter Reaffirmation, reaffirmed**

On behalf of the Audit and Compliance Committee, Regent Waldrop moved that the Board of Regents, upon the recommendation of the President of the University, reaffirm the attached Internal Audit Charter for Murray State University and in compliance with standards for the internal audit profession established by the Institute of Internal Auditors. Regent Fitch seconded and the motion carried.

(See Attachment #5)

**Adjournment**

The Audit and Compliance Committee adjourned at 10:25 a.m.

**Buildings and Grounds Committee**

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

Regent Fitch called the Buildings and Grounds Committee to order at 10:25 a.m. and reported all other members were present.

**Asset Preservation Projects Update, received**

Vice President Dudley reported that a list of deferred maintenance projects to be completed on campus has been maintained and will be funded from state asset preservation, bonds and other funds. The maintenance projects listing was provided to the Board and includes completed and planned projects. Mr. Youngblood presented an update on asset preservation projects and planned funding sources for those projects with the following highlights:

- The listing includes projects color coded by funding source – asset preservation fees, asset preservation bonds (\$12.2 million), state assistance preservation funds (Year 1 and 2) and other sources. Most of the asset preservation bonds funding is being utilized as a match. For every \$100 dollars spent, \$85 is funded through asset preservation funds but the remaining \$15 must come from another source and the University is utilizing its bond funds to cover much of the required matches.
- Plans have also been developed for proposed projects for Years 1 and 2 for the state asset preservation funds.
- Projects by building were included on the listing but many have not yet been assigned a funding source. It is believed there will not be sufficient funding to accomplish everything on the list. There are also many projects that need to be completed which could have been included.
- Asset preservation projects include the Applied Science Building and Mason Hall renovations and a portion of the new nursing building. Top projects on the list include the electrical grid, campus steam distribution system (removing academic buildings off the central steam system in the middle of campus utilizing a methodical approach) and building systems and energy efficiency pooled projects. Renovations in *John W. Carr Hall* and Racer Arena have been put on hold due to high costs. These two facilities also need to be removed from the central steam system in the future.
- The Curris Center project has started and is being funded directly from the University's bond fund, not asset preservation state funds. Some projects are already in process while others are in the planning stages.

- Confirmation was provided that windows on the east side of Waterfield Library have been identified as an area needing attention and the project related to the 21 critical building systems included on the projects listing was explained.

Vice President Dudley indicated that due to fiscal realities Facilities Management identified the greatest need projects and will proceed with those first. As these projects are scoped out the University may have to change priorities and the listing presented today is simply a guide of what is currently planned. Chair Tharpe indicated that a number of years ago the Board requested a plan to address deferred maintenance needs on campus be developed. The administration undertook this work and the projects just outlined are reflective of that overall plan. President Jackson added that in addition to the deferred maintenance plan there are several others in place which are funded on a multi-year basis, such as roof and lighting plans. The Consolidated Educational Renewal and Replacement (CERR) Fund within the University's Plant Fund has been identified as the source of funding for roof replacements on campus. Any interest earned by MSU from state investments goes into the CERR.

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

### **Adjournment**

The Buildings and Grounds Committee adjourned at 10:42 a.m.

### **Legislative and Economic Development Committee**

Virginia Gray – Chair  
Ellie McGowan  
Leon Owens  
Tom Waldrop

### **Legislative Update, received**

Regent Gray called the Legislative and Economic Development Committee to order and reported all other members were present.

Mr. Smith provided a legislative update with the following highlights:

- Since the last Board meeting President Jackson or Mr. Smith have met with several legislators, including Chair of the Government Contract Review Committee Stephen Meredith and all local officials for Murray State such as Senators Jason Howell and Danny Carroll, Representative Mary Beth Imes and Majority Floor Leader Steven Rudy.
- Dr. Sherri Powers, Director of the Occupational Therapy – Paducah, represented Murray State at a bill signing with Governor Andy Beshear in July for House Bill 213, a bill the University supported during the 2022 Legislative Session.
- President Jackson, Provost Todd and others met with Kentucky Economic Development Secretary Jeff Noel in August and appreciation was expressed to Dr. David Eaton, Dean of the Bauernfeind College of Business, for hosting the event. The Secretary was educated on the Master of Economic Development program and other initiatives within that college.
- President Jackson met with the Kentucky Commissioner of Public Health Steven Stack on campus in August, along with Mr. Smith. Commissioner Stack has been pleased with Murray State's response to COVID-19 and particularly the successful working relationship the University continues to have with the Calloway County Health Department.
- The University was pleased to support the August 26 Special Session which helped eastern Kentucky with a \$216 million flood relief package and passed on the bipartisan level within three days.
- Meetings have also been held with the University's federal delegation, including Minority Leader of the United States Senate Mitch McConnell and Congressman James Comer. Mr. Smith joined Senator Rand Paul on a tour of TPG Plastics in Murray, Kentucky, at the end of August. Senator Paul was interested in learning more about the partnership between the Murray State School of Engineering and TPG regarding internships and potential career opportunities for students.
- Student Regent Ellie McGowan represented Murray State very well with Congressman Comer's office over the summer. She earned a very prestigious fellowship that the Congressman sponsors. Appreciation was expressed to Ms. McGowan for her service in this regard.
- Frequent meetings have been held with federal delegation staffers locally and some have visited from Washington, DC. Meetings have also been held with the Field Representatives for Leader McConnell, Senator Paul and Representative Comer. They help keep the University informed about different grant opportunities and assist the institution in navigating what can at times be a burdensome federal bureaucracy. Their work is very much appreciated.

- University representatives have attended or sponsored other governmental events. The President and Mrs. Jackson hosted a reception at Oakhurst in July for this year's Kentucky League of Cities leadership class. This event included Mayors and City officials from across Kentucky and was a huge success. A few students were even recruited as a result of the event.
- Appreciation was expressed to the Vice Presidents, Deans and Chairs, faculty and others who have assisted with governmental activities. The federal delegation and Frankfort state legislators are interested in what the University is doing and how they can help.
- Issues during the upcoming 2022 Legislative Session will include potential changes to the Performance Funding Model. Legislators are also concerned about the number of students who still are not completing the Free Application for Federal Student Aid (FAFSA), even though there has been a bill every Legislative Session to have students complete the FAFSA as a requirement for high school graduation. Public pensions remain an ongoing issue – for both KERS and TRS – and the situation will be monitored closely.
- Appreciation was expressed to Ronny Pryor with Capitol Solutions. He serves as the University's contract Lobbyist to assist in Frankfort. Former Regent and SGA President Ian Puckett is now serving as the Governmental Relations Graduate Assistant and his help is very much appreciated.

President Jackson indicated that Mr. Smith does an excellent job monitoring a great deal of activity that goes on between legislative sessions. The Board was also reminded that the Grants and Contracts Report is provided for each Quarterly Meeting and can be found in the eBoard book Supplemental Materials. Last year was a record year in regard to state and federal grants – almost \$12 million received. State and federal officials are regularly asked to write letters of support to their respective agencies on behalf of Murray State and their assistance is greatly appreciated.

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

### **Adjournment**

The Legislative and Economic Development Committee adjourned at 10:55 a.m.

### **Marketing and Community Engagement Committee**

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

Regent Roark called the Marketing and Community Engagement Committee to order at 10:55 a.m. and reported all other members were present.

### **Centennial Update, received**

Executive Director of Development Tina Bernot, Director of Alumni Relations Carrie McGinnis and Mr. Touney provided a University Advancement update with the following highlights:

- A new centennial logo has been developed and utilized consistently throughout this commemorative year. More than 150 centennial pole banner signs have been placed across campus and are not only very visible but recognize notable individuals who have made an impact over the past 100 years – real trailblazers. Appreciation was expressed to the Facilities Management team for their assistance with project installation.
- A website was developed for the centennial – [murraystate.edu/centennial](http://murraystate.edu/centennial) – and is continually updated. On average, users are spending four minutes on the website.
- The Fall 2022 edition of the *Blue and Gold*, Murray State University's alumni magazine, will be ready soon and represents a collaborative effort across campus.
- A Marketing Toolkit has been developed to help individuals access resources for branding and marketing purposes.
- Many traditions have made Murray State the University it is today. Efforts have been made to “centennialize” campus centered around these numerous traditions.
- A centennial exhibit in Wrather Museum was offered in the spring, led by Dr. McLaughlin, Dean Ferguson and President Jackson. The exhibit represented the decades over the years at Murray State. In March the University began celebrating its centennial with state and county officials and legislators through Proclamations. The Centennial Awards Luncheon and the Distinguished Alumni Dinner were held and both represented successful events.
- The centennial-inspired Racer Alumni Podcast included topics on the University's history but it was also deemed an initiative that should continue beyond the centennial. Episodes began on July 1 and

are offered twice per month – on the first and 15<sup>th</sup>. President Jackson was the first guest and there have been several others participate since that time.

- A special campaign was conducted in the spring – Give Bold – in honor of the March 8, 1922, passage of the Normal School Enabling Act by the Kentucky General Assembly. The Normal School Act represented the first fundraising effort that was done for MSU and it led to the establishment of the Murray State Normal School. Over \$280,000 was raised for programs across campus during the Give Bold campaign held March 6–12, 2022.
- Specific fundraising goals have been set for the centennial year, including 100 new endowed funds, 100 new planned gifts and 100 new 1922 Society members.
- The centennial book – The Finest Place We Know – will be available October 18, 2022. President Jackson will be available to sign copies of the book at Tent City during Homecoming. Proceeds from the sale of the book will support Pogue Library and its contents. The theme of this year's Homecoming is Forever Blue and Gold.
- A listing of events planned for the fall semester was provided and outlined and Regents were encouraged to attend as many as possible. A Taste of the Arts represents an annual fundraising event for art, music and theatre to raise scholarship dollars for these areas to recruit and retain the very best and talented fine arts students. The Presidential Centennial Gala will feature a 1920s-themed dinner and dance.
- A comprehensive capital fundraising campaign in celebration of the centennial is being planned. Internal assessment and training was completed in 2020-21. The Readiness Study is currently underway with Alan Zacharias and Associates consulting services. In the campaign quiet phase, more than \$35 million has been raised since 2018 (over \$9.5 million received in Fiscal Year 2022) and this represents a record for a four-year period.

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

### **Adjournment**

The Marketing and Community Engagement Committee adjourned at 11:15 a.m.

Chair Tharpe reminded Board members that a group photo would be taken on the back steps of Pogue Library (facing the Quad). Following the photo, the Board will tour newly-renovated Lovett Auditorium, as well as Wrather Museum Auditorium, followed by lunch.

The Board of Regents Quarterly Meeting and Committee Meetings adjourned at 11:16 a.m.

### **Reconvene**

Chair Tharpe reconvened the Quarterly Meeting and Committee Meetings of the Board of Regents at 1 p.m.

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

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

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

### **Fall 2022 Initial Enrollment and Retention Update, received**

Vice President Robertson, Dr. Fister and Ms. White provided a 2022 Fall Semester initial enrollment and retention update with the following highlights:

- Campus visits are up 50 percent and housing for new students is up 12 percent.
- A graphic was provided for fall 2022 admitted students in comparison to fall 2021.
- The Recapture Campaign which is coordinated by Director of Student Engagement and Success Peggy Whaley represents a key retention initiative and was outlined. Potential roadblocks preventing 1,171 students from registering were identified. Solutions were then developed to help students register and as of the third week in August the number had decreased to 601 students. This success is the result of the work of many individuals across campus and their efforts are appreciated.
- As a result of this work, total retention is up 2.7 percent, for a 77 percent retention rate freshman to sophomore year. Underrepresented minority (URM) retention is up approximately 11 percent and low-income retention is up almost 2 percent.

- The data provided for fall 2022 enrollment compared to fall 2021 does not include the Shandong delegation. Overall from last year comparatively, enrollment is up 2.3 percent and appreciation was expressed to faculty, staff and students who helped make this possible. Undergraduate enrollment is flat (gain of five students from last year). Undergraduate URM is up 5.6 percent, graduate enrollment is up 3.2 percent and Kentucky enrollment overall is down 1 percent. This data includes graduate and undergraduate students taking face-to-face, online or hybrid courses., Enrollment from the 18-county service area is down 2 percent because student numbers from the four high schools that are largest feeder institutions for Murray State were also down. This is due to there being more senior students in the graduating classes.
- Racer Academy numbers are up 24 percent over last year. As of this morning, the University had 925 Racer Academy students. These students cannot be counted as part of the new freshman class as they are still high school students. International student enrollment is also up 11 percent.
- Revenue comes from credit hours which are down 1 percent from 2021.
- Tomorrow the University will host the first fall session of Racer Days and over 100 students are registered to attend. A special session is also being offered for students with particular interests.

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

### **Adjournment**

The Enrollment Management and Student Success Committee adjourned at 1:10 p.m.

### **Finance Committee**

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

Vice Chair Owens called the Finance Committee to order at 1:10 p.m. and reported all other members were present.

### **Beyond Owners Engagement Letter, approved**

Vice President Dudley and General Counsel Miller reported that as a critical next step in the Public-Private Partnership (P3) project, the University issued a Request for Proposals for a tax-exempt non-profit corporation to facilitate ownership of the final financed P3 Project. The University researched three organizations to serve as the owner and determined that Beyond Owners Group, Inc. (Beyond) was the best suited for Murray State University and its first P3 Project.

Beyond is a non-profit corporation that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. In order to facilitate ownership of the Project for the benefit of the University, Beyond will organize the Subsidiary (Beyond Racers, LLC) as a separate limited liability company or similar non-profit entity under the laws of the Commonwealth of Kentucky to hold a leasehold interest in the land upon which the project will be located and to serve as the fee owner of the real property improvements, fixtures (including only those fixtures purchased with proceeds from the Project) and tangible personal property (including only such tangible personal property purchased with proceeds from the Project) comprising the Project; the Subsidiary will be a wholly-owned Subsidiary of Beyond that will be disregarded as being separate from Beyond for federal income tax purposes.

The Subsidiary is expected to (i) take a leasehold interest in the land upon which the Project will be located pursuant to the Ground Lease (the “Ground Lease”) between the University and the Subsidiary; (ii) cooperate with the University, its developer and other third parties in the development and construction of the Project; (iii) own fee title to the Project during construction and its operation; (iv) lease the Project to the University under a Facilities Lease (the “Facilities Lease”) between the University and the Subsidiary and (v) finance the costs of the Project using the Certificates of Participation Structure (COPS) pursuant to a Trust Indenture (the “Trust Indenture”) between the Subsidiary and U.S. Bank Trust Company, National Association (the “Trustee”). Title to the Project will be returned by the Subsidiary to the University upon the payment in full of the COPS issued to finance the Project.



The University will be obligated to incur costs no more than \$65,400 should closing not occur. The details for this amount were provided in the Engagement Letter, Exhibit A. Cost at closing will be .25 percent of the amount financed. The estimated amount to be financed for two residence halls is expected to be approximately \$61 million. Estimated closing costs are \$152,500. Annual fees after closing are explained on Page 4 of the Engagement Letter which was provided to the Board for review. Confirmation was provided that the firm has been well vetted.

On behalf of the Finance Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the Engagement Letter provided with Beyond Owners Group, Inc., as the non-profit tax-exempt organization to facilitate the 2022 Public-Private Partnership (P3) Project. Regent Fitch seconded and the motion carried.

#### **Full Board Action – Beyond Owners Engagement Letter, approved**

On behalf of the Finance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the attached Engagement Letter with Beyond Owners Group, Inc., as the non-profit tax-exempt organization to facilitate the 2022 Public-Private Partnership (P3) Project. Regent Fitch seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

(See Attachment #6)

#### **Surplus Property Disposition\***

Vice President Dudley reported that Kentucky Revised Statute 164A.575 requires the Board of Regents to approve disposition of equipment and other property. The proposed plan included in the eBoard book will provide an efficient and timely process for the disposition of such property having a value of less than \$25,000. Non-routine dispositions require specific approval of the Board of Regents.

On behalf of the Finance Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the Surplus Property Plan presented for Fiscal Year 2022-23 authorizing: (1) routine disposition of personal property having a value less than \$25,000 to include equipment and machinery; miscellaneous supplies and furnishings; vehicles; library books and materials; livestock and other agricultural commodities and products; recyclable materials; items with no possible future use and (2) the methods of disposal as listed. Regent Gray seconded and the motion carried.

#### **Full Board Action – Surplus Property Disposition\***

On behalf of the Finance Committee, Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the attached plan for Fiscal Year 2022-23 authorizing: (1) routine disposition of personal property having a value less than \$25,000 to include equipment and machinery; miscellaneous supplies and furnishings; vehicles; library books and materials; livestock and other agricultural commodities and products; recyclable materials; items with no possible future use and (2) the methods of disposal as listed on the attachment. Dr. Evans seconded and the motion carried.

(See Attachment #7)

#### **Projects, approved**

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

The first project on the listing provided is the interior stairwell of Price Doyle Fine Arts building. Repairs include installing new handrails, replacing step treads and making plaster repairs. State asset preservation funds will be matched with the University's bond funding and utilized to complete this project. The William "Bill" Cherry Agricultural Exposition Center represents a phased project and will be funded through Asset Preservation Fund fee revenue. Regent Gray expressed appreciation to President Jackson and Mr. Youngblood for addressing needs in the Expo Center as it is greatly appreciated by many. Starting this month over the next eight months there are Rodeo events occurring and, in addition to participants, there will be many family members in the Expo Center and this represents a significant recruitment opportunity.

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

#### **Full Board Action – Projects, approved**

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

(See Attachment #8)

#### **Personal Services Contracts, approved**

Vice President Dudley reported that Item #11 of the Delegation of Authority stipulates that the Board: "...approve all Personal Services Contracts totaling more than \$50,000. The Board will be notified of all Personal Services Contracts between \$10,000 and \$50,000 before they are submitted to the Legislative Research Commission. Upon review, individual Board members may request that these be held for approval at the next Board meeting." A listing of the contracts that require approval by the Board of Regents was provided. These projects were also outlined earlier in the meeting.

The majority of the Personal Services Contracts are for engineering and architectural services that will allow the University to begin scoping the projects it intends to undertake utilizing state asset preservation funds and some projects with bond monies. President Jackson indicated that Oakley Applied Science, Mason Hall, a new School of Nursing and Health Professions, Pogue Library, Old Fine Arts Building, Stewart Stadium and CFSB Center are included in the Personal Services Contracts to be let and the Board will begin to see those projects come to fruition.

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

#### **Full Board Action – Personal Services Contracts, approved**

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

(See Attachment #9)

#### **Adjournment**

The Finance Committee adjourned at 1:25 p.m.

## **Personnel Changes**

### **Contract of Employment – Director of Athletics – Nicholas “Nico” Yantko, approved**

President Jackson reported that Murray State University executed a Contract of Employment to employ Nicholas “Nico” Yantko as Director of Athletics on August 16, 2022. The effective date of the Contract of Employment was September 1, 2022, and represents a fixed term of employment for four years expiring on June 30, 2026, pending Board approval. Due to pressing University needs, Mr. Yantko began his term of employment with Murray State University on August 25, 2022, and this action was accomplished via Personnel Action form.

Vice Chair Owens reported that he and Chair Tharpe were privileged to serve on the Search Committee for the new Director of Athletics and there were a number of candidates who applied for the position. There was a great deal of interest centered around the position and as the vetting process moved forward it was clear Mr. Yantko rose above his competition. From a longevity standpoint, his experience, his character and his love of Murray State, Mr. Yantko checked all the boxes. All look forward to working with him in the years to come.

Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the attached Contract of Employment for Mr. Nicholas “Nico” Yantko, Director of Athletics, effective September 1, 2022. Regent Shemberger seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

(See Attachment #10)

Mr. Yantko stated he is incredibly lucky, fortunate and humbled by this opportunity and the vote of confidence from the Board. He cannot thank President Jackson and the members of the Search Committee enough for bringing him and his family home. He is deeply passionate about Murray State and looks forward to serving the student-athletes and the entire study body, as well as being part of Dr. Jackson’s vision for Athletics at this University. He looks forward to interacting with the entire campus community to create a transformational experience. The team will do its best each and every day to ensure Athletics is a point of pride for the University, the Alumni Association and the community.

Mr. Yantko received a round of applause.

### **Salary Roster, approved**

President Jackson reported that in compliance with state statutes and the responsibilities of the University Treasurer as identified in the *Bylaws* of the Murray State University Board of Regents, the attached Salary Roster outlines the amount paid to each professor, teacher or official of the school. The Salary Roster is presented to the Board at the meetings following June 30 and December 31 each year.

Vice Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, approve the attached Salary Roster as of June 30, 2022, which includes new employment, retirements, resignations and terminations. Regent Evans seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Owens, yes; Mrs. Roark, yes; Dr. Shemberger, yes; Mr. Waldrop, yes and Dr. Tharpe, yes. The motion carried unanimously.

(See Attachment #11)

## **Policy Changes**

### **Board of Regents Policy Manual – Section 3.6 – Leave of Absence without Compensation Revision – First Reading, approved**

General Counsel Miller reported that the proposed revision to the *Board of Regents Policy Manual – Section 3.6 – Leave of Absence without Compensation* – will ensure compliance with current privacy legislation and is consistent with industry best practices.

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

(See Attachment #12)

**Board of Regents Policy Manual – Section 5.21 – New Name, Image and Likeness Policy – First Reading, approved**

President Jackson reported that the Kentucky Legislature passed a new law this past spring that went into effect on or about July 1, 2022. As a result, the University drafted a Name, Image and Likeness (NIL) Policy and General Counsel Miller has served as lead throughout the process. This policy represents the guardrails under which the University will operate with regard to NIL policies. The NIL policy not only meets statutory requirements but also benefits student-athletes and assists Athletics as that entity begins to apply these new rules. Director of Athletics Yantko has already begun working on developing pathways and it is expected this new policy will allow Athletics to move forward confidently and with assurance that it is in compliance with Kentucky state law.

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

**Supplemental Materials**

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

**Other Business/Adjournment**

President Jackson expressed appreciation to the Board for their work during the Retreat yesterday and the Quarterly Meeting today.

Chair Tharpe asked all to add October 3, 2022, to their calendars for a potential Special Meeting of the Board of Regents (starting at 8:30 a.m.). This meeting will be significant in terms of moving the P3 project forward. Regents are able to participate in person or via ZOOM in Room 118 Wells Hall and were asked to let Secretary Hunt know how they plan to participate in the Special Meeting so she can plan accordingly.

Chair Tharpe indicated he felt it was his duty to remind the Board that its deliberations should be maintained at the governance level. The Board is charged as the governance body for the University, not the operational body. It sends a bad message to staff about trust when the Board is functioning on the granular level. There are many other ways to get operational questions answered other than at the Board table. The Board should focus solely on governance issues and needs to operate accordingly. Regents with further questions were encouraged to talk with Chair Tharpe.

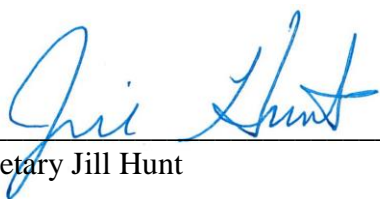
Regent Gray reported that a golf fundraiser is being held for Racer Rodeo on October 7, 2022, with a shotgun start at Lake Barkley State Resort Park. The monies raised will be utilized for recruitment scholarships for rodeo talent in the future. The Racer Rodeo Team is one of seven in the Ozark Region. Rodeo is one of the fastest growing sports and clearly has a presence.

Commissioner of Agriculture Ryan Quarles and Kentucky Proud products will be highlighted during the event.

Regents were reminded of the first home game of the Racer football season tomorrow – September 10, 2022 – against Jacksonville State.

Regent Shemberger reported that Murray State University recently lost *Professor Emeritus* Duane Bolin, retired Professor of History and William Gross Magee, Instructor of Graphic Communications Management. The Board was asked to keep the families of these beloved faculty members in mind.

There being no further business to come before the Board, Chair Tharpe requested a motion for the Board of Regents Quarterly Meeting and Committee Meetings to adjourn. Vice Chair Owens so moved, seconded by Regent Shemberger, and the motion carried unanimously. Adjournment was at 1:45 p.m.



Secretary Jill Hunt



Chair Don I. Tharpe

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