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The Minutes of the Marshall University Board of Governors Meeting, April 30, 2009

Marshall University Board of Governors

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MARSHALL UNIVERSITY
BOARD OF GOVERNORS

Memorial Student Center
April 30, 2009

Members present, in person: Verna Gibson (acting chair), Tish Chafin, Monica Brooks, Gary White, Randy Tomblin, Brent Marsteller, Mike Sellards, Virginia King, Mike Perry, John Hess, Gary Adkins

Other Members present by phone: Robert Shell, Jr.

Members Absent: Mike Farrell, Joe Touma, General Mooney, Sherri Noble

Others in Attendance: Stephen Kopp, Jan Fox, Gayle Ormiston, Ron Area, Layton Cottrill, Bill Bissett, Anita Lockridge, Dr. Charles McKown, Jim Schneider, Mike Dunn, Cam Brammer, Gary McIlvain, Stan Maynard, Eric Arnold, Rosalyn Templeton, Michael McGuffey, Perry Chaffin, Parthenon reporters, Brian Carrico, Bob Walker

I. Call to Order

Mrs. Verna Gibson, Acting Chair, called the meeting to order.

II. Minutes Approval

Upon a motion by Virginia King, seconded by Gary White, the minutes of the March 12, 2009 meeting were approved.

III. Report to the Board of Governors by Faculty Senate

Dr. Camilla (Cam) Brammer, Chair of Faculty Senate, introduced herself and that she represented all faculty members to the Board of Governors. Dr. Brammer discussed faculty salaries noting that our faculty makes about 82% of what our peer institutions make. Of 671 faculty members, there were \$48 million in grants and contracts brought in by them in the first 3 quarters of this fiscal year with another \$16 million yet to be awarded. She also commended the number of faculty involved and the accomplishments made by the Core Curriculum Committee for the credit hour change for degree completion to 120-121 hours, down from 128 hours and the development of a general education plan to begin in the fall of 2010. She noted the great recruiting tool this would be in the efforts of the University to increase enrollment. She also commented that the new core educational requirements were faculty driven. She also discussed that these new General Education requirements would give both students and faculty ownership of their programs. On another matter, she asked that the Board note the faculty, staff, student and community support for the naming of the Marshall Recreation Center after Dr. Paul Ambrose. Faculty requests it to be named after Dr. Paul

Ambrose, the Marshall "son" that perished in the 9/11 plane crash into the Pentagon. She and other faculty members would like to be given an opportunity to negotiate with the Board regarding the naming. It was noted and several board members had questions regarding the faculty load and the number of faculty vs. ratio to students. Dr. Brammer and Mike McGuffey clarified that the 671 faculty total reported includes non teaching faculty appointments, e.g., medical faculty, associate deans, library personnel, etc. The faculty load is 4/4. Dr. Brammer apologized for not making this clear in her reference to number of classes offered and the comparison to number of faculty.

IV. Committee of the Whole

a) 2008-2009 Program Review

Monica Brooks discussed the Program Review process rotation saying that according to Series 10, each year 20% of all programs are to be reviewed by the Board of Governors. The results of these Program Reviews were handed out to each member. Upon a motion by Gary White, seconded by Virginia King, and unanimously approved, the Board approved the following resolution and instructed Dr. Ormiston to proceed in forwarding the recommendations to the Chancellor and the HEPC.

Resolved, that the Marshall University Board of Governors approve the 2008-2009 Program Review recommendations.

b) Board of Governors Summit, August 21 and 22, 2009

The HEPC training for Board of Governors will be August 21 and 22, 2009. Dr. Kopp encouraged all members to participate in this meeting. It is a new requirement for new board members to attend developmental training.

c) Healthy Herd Youth Camps

Dr. Kopp discussed the Healthy Herd Youth Camps this summer encouraging the Board to spread the word.

d) Differential Analyzer

Dr. Kopp invited the Board to attend the Differential Analyzer presentation being given on May 2, 2009 by Dr. Bonnie Lawrence. An email invitation was sent earlier.

e) CDC Handout

A handout was given to the Board regarding the H1N1 flu virus. It will be posted on campus in the main restrooms.

V. President's Report

President Kopp gave a very informative presentation regarding the State of the University...Legacies, Opportunities and Challenges. The full PowerPoint presentation will be on the President's webpage.

VI. Finance, Audit and Facilities Planning Committee, A. Michael Perry, Chair

Mr. Perry discussed the following agenda items:

a) Financial Statements and Investment Update

SB 603 requires administration to provide quarterly financial statements certified by the CFO of the institution. Mike Perry discussed noting there were no dramatic changes and to consider the market as you view the investment update from CommonFund. Upon a motion by Mike Perry, seconded by John Hess, for the Financial/Budget report the following resolution was unanimously approved:

Resolved, that the Board of Governors receives the Financial/Budget report for the eight months ending February 28, 2009.

Upon a motion by Mike Perry, seconded by Mike Sellards, the following resolution was unanimously approved:

Resolved, that the Marshall University Board of Governors receives the Investment Earnings Report for the quarter and eight months ending February 28, 2009.

b) Deloitte & Touche Engagement Letter

Deloitte & Touche LLP was awarded the audit from the HEPC on February 25, 2009 for the fiscal year ending June 30, 2009 to June 20, 2014. It was the desire of Marshall University Board of Governors that the institution have its own separate engagement letter under the umbrella of the contract. Upon a motion by Mike Perry, seconded by Brent Marsteller, the following resolution was unanimously approved:

Resolved, that the Board of Governors approves the draft engagement letter of Deloitte & Touche LLP subject to language modification as approved by the Administration and State Officials.

- c) Budget Update. Mike Perry gave a brief budget update saying that the main budget information will be addressed at the next meeting on June 18, 2009.

Mr. Perry requested that the metrics from Dr. Kopp's presentation be sent separately to all members.

- d) Policies

There were three policies brought before the committee:

- Red Flag Rule -- Policy FA-12 – Identity Theft Prevention Program

This policy needs to be approved on an emergency basis because of time limitations imposed by external authorities preventing the appropriate notification of constituencies and the policy meets certain criteria listed in HEPC Series 4, Rules, Guidelines and Other Policy Statements by Governing Boards. The emergency policy is only in effect for 90 days and must be approved in final form once appropriate procedural requirements have been met. In this policy particularly, the Federal Trade Commission has determined that higher education institutions with certain criteria must have a policy regarding Identity Theft Prevention in place by May 1, 2009. This emergency policy will establish a program that meets the requirements of the Federal Trade Commission's "Red Flags Rule." The program will identify relevant "red flags" as defined in the policy, detect those red flags, and respond appropriately to mitigate Identity Theft. Upon a motion by Mr. Perry, seconded by Virginia King, the following resolution was unanimously approved:

Resolved, that the Marshall University Board of Governors approves Policy FA-12, Identity Theft Prevention Program on an Emergency Basis.

As noted above, this policy will return after 90 days for final approval.

- Animal Policy, Policy GA-15, Animals on Campus

This policy establishes the restriction of pets and other animals on campus in order to provide a safe and a healthful environment for members of the campus community to study, work and live. Marshall University Office of Public Safety will enforce any violation of this policy. This policy has been written in accordance with Huntington city Ordinance 507 and can be found in its entirety on the Board of Governors webpage.

Resolved, that the Marshall University Board of Governors adopt Policy GA-15, Animals on Campus.

- Employee Dependent Tuition Benefits, Policy GA AA-42, Employee Dependent Undergraduate Tuition Assistance Program

This policy amends the current Policy AA-42 Marshall Dependent Scholarship by changing the program from a scholarship-oriented program to a benefit program. Dependent children of eligible employees may participate in the program provided they meet certain qualifications (e.g. full time, degree seeking, making satisfactory progress, not on probations, etc.) The policy specifies the value of the benefit each semester in terms of fees paid. The value of the benefit is equal to the sum of the Capital Fee and E&G fee components of resident undergraduate tuition. This policy budget is revenue neutral. Upon a motion by Mike Perry, seconded by Mike Sellards, the following motion was unanimously approved:

Resolved, that the Marshall University Board of Governors adopt Policy AA-42, Employee Dependent Undergraduate Tuition Assistance Program.

- e) SOM Report – Mike Perry reported that Jim Schneider provided an update on the very nice dedication of the Erma Ora Byrd Clinical Building naming earlier this month and the Forensic Science Annex construction project. A brief financial report was given to the Committee.
- f) Athletics report – No one was present at the committee meeting representing Athletics. It was noted that we would contact someone in the future to meet with the Committee. However, a request for proposal (RFP) to select an auditor is in process.
- g) Internal Audit Report, Perry Chaffin – Perry Chaffin met with the Committee discussing items he has been working on including an IRS Compliance Questionnaire that MU was 1 of 400 schools selected to complete. Other items in process are audit responsibilities in the athletic area.

VII. Academic & Student Affairs Committee, Verna Gibson, Chair

- a) Approval of policy regarding Online Courses

This policy is basically a rewrite of the old MUBOG Policy IT-5 E-Courses (3/8/06). The rewrite is just to make some minor clarity changes to the policy, and/or to correct for omissions or grammatical/technical errors. However the content is intact.

Upon a motion by Verna Gibson, seconded by Mike Perry, the following resolution was unanimously approved:

Resolved, that the Marshall University Board of Governors adopt Policy IT-5, Online Courses.

- b) Approval of Participation in Post 9/11 GI Bill Yellow Ribbon Program. Background of this program is that the Veteran's Administration has issued final regulations relating to the Post 9/11 GI Bill Yellow Ribbon Program. This program is a voluntary-participation program whereby the VA will pay the lessor of the maximum in-state tuition and fee rate charged to students in the state and the actual charges to the student at the student's institution. If the student's charges are greater than the maximum in-state rate, then the program will contribute half of the remaining amount if the participating institution contributes the other half.

Kathy Bialk, Director of Financial Aid, discussed and answered questions regarding this program. She also noted that Governor Manchin may make it mandatory. She supports this program and believes that it would bring in new students.

Upon a motion by Verna Gibson, seconded by Gary Adkins, the following motion was unanimously approved:

Resolved, that the Marshall University Board of Governors approves the University's participation in the Post-9/11 GI Bill Yellow Ribbon Program.

- c) Addition of a Major and Program in Early Childhood Education. This is a measure of correction. All coursework, additions and revisions were approved October 2007. The purpose of this action is to determine a code for the program in the system. Upon a motion by Gary White, seconded by Tish Chafin, the following motion was unanimously approved:

Resolved, that the Marshall University Board of Governors approve the addition of a major in the Early Childhood Education Program.

- d) Intent to Plan, BS Athletic Training Degree

Gary McIlvain spoke to the Board about this new program and the intent to plan document included in their board packets. This has gone through the proper approvals before being submitted to the Board of Governors. This new degree program will also help with the re-accreditation and give more opportunities to our students. Upon a motion by Gary White, seconded by Gary Adkins, the following motion was unanimously approved:

Resolved, that the Marshall University Board of Governors approve the

intent to plan the BS degree in Athletic Training.

- e) Intent to Plan, BS, Exercise Science Degree

Eric Arnold spoke to the Board of Governors regarding this new program noting that it is different from Physical Education as it is more biologically related because it focuses on strengthening the body. This has gone through the proper approvals before being submitted to the Board of Governors. Upon a motion by Verna Gibson, seconded by Mike Perry, the following resolution was unanimously approved:

Resolved, that the Marshall University Board of Governors approve the intent to plan the BD degree in Exercise Science.

VIII. Executive Session

The Board voted to go into Executive Session upon a motion by Brent Marsteller, seconded by Gary White.

After a brief period of time, Brent Marsteller moved that the Board rise from executive session into open session. Virginia King seconded and was unanimously approved.

X. Adjournment

As there were no other matters to bring before the Board, the meeting was adjourned.

Virginia King, Secretary