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The Minutes of the Marshall University Board of Governors Meeting, June 18, 2012

Marshall University Board of Governors

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MARSHALL UNIVERSITY
BOARD OF GOVERNORS

June 18, 2012

St. Mary's Center for Education
Huntington, WV

Members present, in person: Verna Gibson, Chair; John G. Hess, Vice Chair; Phyllis Arnold; Letitia Neese Chafin; Oshel Craigo; Michael J. Farrell; David Haden; Ed Howard; Dale Lowther; Joe McDonie; Wyatt Scaggs; Michael G. Sellards; Joseph Touma; Mike Dunn; Marty Amerikaner; Raymond Harrell Jr.

I. Call to Order

The meeting was called to order at 11:23 a.m. by Chairman Gibson.

II. Minutes

The minutes for the meeting of April 17, 2012, will be approved at the next meeting.

III. Committee of the Whole

The dates for the board meetings for the next fiscal year were distributed and will be approved at the next meeting. Cora will also send the list via email of the dates for feedback before the next meeting.

IV. Joan C. Edwards School of Medicine – Academic Medical Center Agreement

Tom Gilpin, counsel from Huddleston, Bolen, Beatty, Porter & Copen, gave a review of the Medical Center Agreement including revisions, and that he reviewed with the CEO's of the two Huntington Community Hospitals. He confirmed that all concur with the terms of the Agreement as modified. The following resolution was read followed by a motion by Michael G. Sellards, seconded by Joseph B. Touma, and unanimously approved:

Resolved, that the Marshall University Board of Governors approves the Academic Medical Center Agreement on behalf of the School of Medicine with Cabell Huntington Hospital, Inc. and University Physicians & Surgeons, Inc.

V. President's Report – End of the Year State of the University

The President gave a retrospective and prospective review of the last seven years.

VI. Committee Reports

Finance, Audit and Facilities Planning Committee, John G. Hess, Chair

Mr. Hess discussed the informational items brought to the Committee. He continued with the action items brought before the Committee.

Action items were discussed at length during the Committee Meeting. The first item was a revision to the Tuition and Fees Schedule for Fiscal Year 2012-13. Several fees were inadvertently left off the fee schedule that was approved at the April 17, 2012, board meeting. These fees did not have any changes from the amounts charged for Fiscal Year 2011-12. Marshall University is joining the "West Virginia Remote Online Collaborative Knowledge System" (WVROCKS). Through this program, students working to complete their Regents Bachelor of Arts Degree (RBA) will be able to take a variety of online classes offered by institutions across the State. A standard fee of \$223 per credit hour will be charged for all students taking these classes regardless of the student's home institution. Fee distribution is as follows: 40% to student's home institution; 40% to instructor's institution; and 20% to WVNET to support the portal. This fee was added to Special Fees and Charges. Secondly the parking facility will be coming online in August of 2012. The facility will function as a combination hourly pay and monthly pass lot. These fees were added to the Institutional Fee Schedule.

After discussion, a motion by Joseph B. Touma, seconded by Michael J. Farrell, the revised proposed Marshall University Tuition and Fees, *per semester*, for Fiscal Year 2012-2013 was unanimously approved:

*Resolved, that the Marshall University Board of Governors approves the **revised** proposed Marshall University Tuition and Fees, **per semester**, for Fiscal Year 2012-2013 and approves the proposed Budget for Fiscal Year 2012-2013.*

The next item was regarding Policy FA-10, Assessment, Collection and Refund of Student Tuition and Fees. Mr. Hess noted this policy is in line with other West Virginia universities and the HEPC. There is no anticipated incremental financial cost to the institution for implementing this policy. Upon a motion by Joe McDonie, seconded by Michael G. Sellards, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approves Policy FA-10, **assessment, Collection and Refund of Student Tuition and Fees.***

The next item is the nine months ending March 31, 2012 Financial/Budget Report. Upon a motion by Joseph B. Touma, MD, seconded by Letitia Neese Chafin, the following resolution was read and unanimously approved:

Resolved, that the Board of Governors receives the Financial/budget Report for the nine months ending March 31, 2012.

The next item is the Investment Earnings Update through April 30, 2012. Reports showing the performance of the funds invested for the 2012 fiscal year for Commonfund, Jefferies, and the monies on deposit with the State were given. Upon a resolution by Oshel Craigo, seconded by Wyatt Scaggs, the following resolution was read and unanimously approved:

Resolved, that the Marshall University Board of Governors receives the Investment Earnings Report for the ten months ending April 30, 2012.

The next item is the Renaming of the Community College Building. Since Mountwest Community and Technical College will be moving its operations off the Marshall University main campus this summer, the building in which they are currently housed, should be renamed. Programming for the building is not complete and other naming opportunities may arise. In the interim, East Hall is being proposed as a temporary name for the building. Upon a motion by Joseph McDonie, seconded by Edward Howard, the following resolution was read and unanimously approved:

Resolved, that effective July 1, 2012, the building currently known as Community College Building shall be known as East Hall.

The next item is the Industrial Alcohol User Permit. The university currently has a user permit with the Department of Treasury, Bureau of Alcohol, Tobacco and Firearms for use of alcohol in College of Science labs. This request is to provide an application for an industrial alcohol user permit for the MUSOM/MTGRI Labs (Marshall University School of Medicine/McKown Translational Genomic Research Institute) and to provide titles of those officials having signature authority for documents submitted on the University's behalf to the Alcohol and Tobacco Tax and Trade Bureau. Upon a resolution by Oshel Craigo, seconded by Joseph B. Touma, MD, the following resolution was read and unanimously approved:

Resolved, that the Marshall University Board of Governors approve and authorize the Senior Vice President for Administration; Director, Health and Safety; Director, Purchasing and Purchasing Agent to sign documents submitted to the Alcohol and Tobacco Tax and Trade Bureau.

Academic & Student Affairs Committee, Michael G. Sellards, Chair

Michael G. Sellards asked Gayle Ormiston to discuss the agenda items and give the Academic Affairs report.

On the agenda, the first three items are new concentrations in existing programs. The Digital Forensics agenda item is an Intent to Plan which builds upon existing programs in the College of Science, College of Education and Health Sciences and College of Liberal Arts. Upon a motion by Edward Howard, seconded by Phyllis Arnold, the following approvals were made and

unanimously approved:

- *Approval of a New Major, Energy Management in the BBA in Management Degree Program. Fiscal Note: The only resources anticipated for the new major are two adjunct faculty;*
- *Approval of the new major in Creative Writing. Fiscal Note: No additional resources are needed for this major;*
- *Approval of the new major in Literary Studies. Fiscal Note: This change will require no new resources;*
- *Recommend approval of the **Intent to Plan** for the BS in Digital Forensics and Information Security.*

Mr. Hess announced that it is Jim Schneider, Dr. Chong Kim and Dr. Frances Hensley's last meeting, all due to retirements.

At this time, the Board went into Executive Session under the authority of WV Code §6-9A-4 upon a motion by John G. Hess, seconded by Letitia Neese Chafin, and unanimously approved.

VI. Executive Session under the authority of WV Code §6-9A-4

After reconvening in open session, the following resolutions were approved:

Upon a motion by Dale C. Lowther, seconded by Joseph B. Touma, the following resolution was read and unanimously approved:

Resolved, that the Marshall University Board of Governors hereby authorizes the naming of the new Biotech and Applied Engineering Building the "Arthur Weisberg Family Engineering Complex" or such other appropriate name supplied by the donor, in accordance with the terms and conditions of Board Policy Number GA-10 Naming Policy for Units and Facilities.

Prior to this meeting, Chairman Mrs. Gibson appointed a Temporary Ad Hoc Subcommittee to revise the presidential contract. Members of the Subcommittee are: John G. Hess; Joseph B. Touma, MD; David E. Haden; Dale C. Lowther, and Wyatt Scaggs.

By a substantial majority vote, the Board approved the following resolution for the President's contract:

Resolved that the Marshall University Board of Governors does hereby approve a new presidential contract upon the proposed terms and conditions as discussed and subject to the approval of the Higher Education Policy Commission and resolved that the Board hereby authorizes the administration to execute appropriate documentation to establish a 403(b) Special Pay Plan with TIAA-CREF; and further resolved that the Executive Committee of the Board is authorized to conduct an annual evaluation of the President and forward the results of same to the Higher Education Policy Commission with the proposed new contract.

VII. Announcements and Adjournment

The next Board Meeting is August 14, 2012, unless we have to call a special board meeting.

Kudos were given on behalf of the Board of Governors to Verna Gibson by Phyllis Arnold; to John G. Hess by Dale C. Lowther; and Letitia Neese Chafin by Joseph B. Touma, MD, all personally thanking these members for the massive amount of time, energy and attention they have so adequately provided to the University and this Board.

As there were no other matters to bring before the Board, upon a motion by Joseph McDonie, seconded by Joseph B. Touma, MD, and unanimously approved, the meeting was adjourned.

Joseph B. Touma, MD, Secretary