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The Minutes of the Marshall University Board of Governors Meeting, August 27, 2020

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MINUTES
Marshall University Board of Governors
Teams Meeting/virtual
August 27, 2020

Present: Patrick Farrell, Chair; Shawn Ball; Kathy D’Antoni; James Farley; Donald Holcomb; Chris Miller; Angel Moore; Samuel Moore; William Noe by phone; Geoffrey Sheils; William Smith; Toney Stroud; Sandra Thomas by phone; Carol Hurula; Dan Holbrook; Anna Williams

I. Call to Order

After determining a quorum was present, Chairman Farrell called the meeting to order.

II. Minutes Approval

Chairman Farrell said that for purposes of recording and preparing minutes, Cora Pyles would be Special Secretary to the board responsible for the meeting minutes.

Also, with no objections to the meeting minutes of June 25, 2020, the minutes are approved.

III. Committee of the Whole

Following are policies that were included for review for this meeting:

- A) Approval of updated Policy No. GA-1, Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking and Retaliation Policy – Including Title IX

New regulations were published in the Federal Register regarding how “schools” must respond to allegations of sexual harassment consistent with Title IX of the Education Amendments of 1972’s (Title IX) prohibition against sex discrimination by requiring recipients to address sexual harassment as a form of sex discrimination in education programs or activities. (Jendonnae Houdyschell, Deb Hart, Shana Thompson, and Lisa Martin).

The following resolution was read.

Resolved, that the Marshall University Board of Governors does hereby approve Policy No. GA-1, Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation Policy – Including Title IX.

With no objection, the resolution was approved.

IV. Committee Reports

Academic and Student Affairs Committee

Mr. Farley, Chair of the Committee, presented on behalf of the Committee. The action items were as follows:

- A) Approval of the Request to Approve a New Degree Program “Aviation Maintenance Technician”

The following resolution was read:

Resolved, that the Marshall University Board of Governors approve the intent to plan for “Aviation Maintenance Technician.”

Fiscal Note:

The creation of the program requires hiring three full time faculty and two staff, renovation, and lease of facilities at Tri State Airport, and purchase of tools and aircraft components. All expenses, including labor, operating, and capital purchase, will be offset by revenue generated by the aviation maintenance program. The University submitted a \$1.3 million proposal to the Appalachian Regional Commission’s POWER to support staff and general operations for the first two years of the program and an \$850,000 Economic Development Administration proposal to support tool and equipment purchase. New program loan funds will be used to fund the difference between net operations and cash requirements for capital and operations during the first two years of operations. New program loan fund repayment will begin in year three from program net revenue, and all new program loan proceeds will be fully repaid by year 10 (AY 2030)

With no objection, the resolution was approved.

B) Review and Approval of the following Academic Affairs Policies:

MUBOG AA-18 Equivalencies for College Teaching

MUBOG AA-37 Teaching and Administration

MUBOG AA-28 Faculty Tenure

The following resolution was read:

Resolved, that the Marshall University Board of Governors does hereby take the following action as it relates to these policies. Policy MUBOG, AA-18 to be amended to clearly outline Marshall's policy concerning faculty credentials. The first section of this policy (2.1) states the Higher Learning Commission's (HLC) preferred requirements: the second section (2.2) outlines the policy Marshall will follow (as allowed by HLC) when it becomes necessary to use verified experience in lieu of the preferred credentials outlines in section 2.1; the third section (2.3) states the policy the university uses when professional experience is considered in the determination of salary for newly hired faculty. To additionally streamline AA-18, we recommend that the first sentence in section 2.4 be transferred to AA-37 and that the second sentence in 2.4 be transferred to AA-28. These transfers will result in the elimination of section 2.4 from AA-18.

Information items were given by Dr. Taylor for Academic Affairs, and Dr. Mukherjee gave a presentation regarding the College of Business to the Committee.

Dr. Taylor discussed the model to become nationally recognized. In the Committee Meeting, he showed a PowerPoint presentation. Anna Williams, Student Government Association President said that Vice President Kyle Powers was interning for the Pittsburgh Steelers. Kyle is working on the 50th Anniversary of the plane crash and they are exploring a digital means of having the ceremony. A brief notation was made about the food pantry in Dietetics, mini grants being applied for by Michelle Biggs, stable internet connections, mental health and having digital offerings available for students.

With no objection, the resolution was approved.

Athletic Committee Report

Mr. Miller gave an update on the meeting held this morning at 9am.

- A) Contingencies in college athletics related to COVID and the impact of decisions of CUSA and NCAA
- B) FY 20 Actual vs. Planned Budget
- C) Athletic Department Strategic Plan Update
- D) General Updates
- E) Compliance Reports
- F) Athletics Teams Updates

An Executive Session was held during the Committee Meeting to discuss Personnel Matters under the authority of WV Code **§6-9A-4**. No action was taken during the Executive Session of the Athletic Committee.

Finance, Audit, and Facilities Planning Committee

Mr. Sheils, Chair of the Committee, reported for the Finance Committee. Following are the action items:

- A) Special Fee section of Marshall University Tuition and Fees Schedule for Fiscal Year 2020-2021

This fee is requested to restore \$150 to cover processing costs. The fee was reduced for FY2019 as recommended by INTO to increase applications. The International Enrollment Deposit is not currently listed on the fee schedule. The dissolving of the INTO joint venture prompts these actions.

Resolved, that the Marshall University Board of Governors approves the change for Institutional Application Fee and addition of International Deposit on the Special Fee section of the Marshall University Tuition and Fees Schedule for Fiscal Year 2020-2021.

With no objection, the resolution was approved.

B) Investment Earnings Update

A brief summary of the Investment Report was given, and the following resolution was read:

Resolved, that the Marshall University Board of Governors receives the Investment Earnings Report ending June 30, 2020.

With no objection, the resolution was approved.

C) Final Approval of updated Policy FA-11, Capital Project Management

Mrs. Jacobs-Jones gave the background of this policy, adding that all references to “master plan” and development plan” have been replaced with “Campus Development Plan.” The following resolution was read for approval:

Resolved, that the Marshall University Board of Governors does hereby give final approval to Policy No. FA-11, Capital Project Management. The effective date will be August 27, 2020.

With no objection, the resolution was approved.

Information Updates were given by:

Finance

Operations

School of Medicine

Internal Audit

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

Upon a motion by Mr. Stroud, seconded by Mr. Farley, the Board entered Executive Session to discuss a review of Litigation items and Personnel Matters.

After a brief executive session, which had no action taken and the meeting resumed in open session.

VI. President's Report

Following are the highlights from Dr. Gilbert's report:

President Gilbert gave a detailed COVID report. He thanked Tracy Smith, Dr. Kilkenney and others for their involvement. Surveillance COVID testing is forthcoming. An improved dashboard will be on the website soon.

He discussed the upcoming 50th Year Ceremony of the Plane Crash. This will be virtual or in person, to be determined.

There are four TV monitors in the Memorial Student Center. Two of those monitors will play the movie "We Are Marshall"

The upcoming ECU Game is being re-worked and possibly rescheduled.

There will be posthumous degrees for the student-athletes that perished in 1970. The ceremony, as always, is November 14th, the date of that fateful day.

The AMT program will be based at Tri State Airport. It is a joint degree with Mountwest Community & Technical College and MU. Working on a lease for a hangar with Tri-State Airport.

President Gilbert mentioned an article in **The Gazette** regarding Yeager Airport and housing for the Marshall University Bill Noe Flight School. We are looking at options.

He discussed the President's Commission: Coalition for Racism.

President Gilbert discussed the implementation of Phase 2 in budget reductions will depend on obtaining a better grasp on the financial situation. Currently, freshman enrollment is down slightly from last year. The University is making less per student this year than last year, due to an increase in non-resident enrollment and the cost difference. Right now, the university is looking at a \$900,000 budget loss this year, which doesn't include "melt" or when a student who

has paid a deposit doesn't actually appear for the semester. Phase 2 will affect employees whose annual salaries are in the range of \$50,000 to \$100,000. Employees with salaries below \$50,000 will not experience any salary reductions.

President Gilbert said there have been a lot of sleepless nights. Trying to do what is right, the right approach, giving serious thought for every decision. Things change very quickly. He thanked Governor Justice for his efforts during the pandemic. President Gilbert noted we will have setbacks, but we will get through this pandemic.

VII. Chairman Report

Chairman Farrell noted, as President Gilbert just shared, we are in a public health crisis leading to financial crisis. The Board's fiduciary and legal duties are in WV State Code.

People are our biggest asset and that makes for tough decisions. He discussed the "public good" and that the board will be judged in hindsight.

Faculty, Staff and Students come here for the education, experience, and credentials. Online will need to be as good as in person. For all to be successful, our Board needs to be strong. Support the President. Drive through this. Be strategic and looking at the long-term ramifications.

Chairman Farrell brought attention to the meeting dates on the agenda and reminded all to place them on their calendar.

VIII. Adjournment

With no further business or objections, we stand adjourned at 2:45 p.m.

Next Meetings:

2020

Oct 22

Dec 17

2021

Feb 25

Apr 29

June 17

Aug 18-19 Board Retreat