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Board of Governors Minutes

Board of Governors

4-29-2021

The Minutes of the Marshall University Board of Governors Meeting, April 29, 2021

Marshall University Board of Governors

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MINUTES
Marshall University Board of Governors
Microsoft Teams Meeting/Livestream and In Person
April 29, 2021

Present: Patrick Farrell, Chair; Shawn Ball; Kathy D 'Antoni; James Farley; Donald Holcomb (virtual); Chris Miller, Angel Moore (virtual); Samuel Moore; William Noe; Geoffrey Sheils; William Smith; Toney Stroud; Sandra Thomas; Carol Hurula; Dan Holbrook; Anna Williams with guest Alyssa Parks, new SGA President.

I. Call to Order

After determining a quorum was present, Chairman Farrell called the meeting to order reminding the Board that we follow GA-5 for Organizational structure and Rules of Order for Meetings of the Board. He acknowledged the Board Members attending via Microsoft Teams.

II. Minutes Approval

Upon a motion by Mr. Farley, seconded by Dr. Holbrook, the meeting minutes of the regular meeting on February 25, 2021, were approved.

III. Committee Reports

Following are the action items for Academic and Student Affairs Committee. The policies that were included for review for this meeting:

A.) Review and Approval of the following Academic Affairs Policies

MUBOG AA-1	Sabbatical Leave
MUBOG AA-21	Faculty Workload
MUBOG AA-22	Annual Evaluation of Faculty

The Committee Chair, Mr. Smith, moved to accept all three (AA-1, AA21 and AA22) policies with revisions, seconded by Mr. Stroud, and the following resolution was read:

Resolved, that the Marshall University Board of Governors does hereby take the following actions as they relate to these policies. Policy MUBOG, AA-1, Section 4.1 to be amended to clarify the role of the university's Faculty Senate Personnel Committee in the sabbatical leave process. Policy MUBOG AA-21 and Policy MUBOG AA=22 to be

amended upon the recommendation of the Faculty Senate Executive Committee and the ad hoc Faculty Annual Evaluation Committee. These committees recommend that these policies be updated to reflect current conditions at the university.

Motion carried.

B.) Review and approval of Program Review Recommendations

Upon a motion by Mr. Stroud, seconded by Dr. Holbrook, the following resolution was considered for review:

Resolved, that the Marshall University Board of Governors approve the 2020-2021 Academic Program Review Recommendations.

It was added that the approval includes the additional recommendations. The Program Review Recommendations are attached to these minutes as Appendix A.

Motion carried.

Information Items:

Approved Sabbatical Leaves: As information a handout was given to board members. This document is to follow policy and does not require an approval. The information is attached to these minutes as Appendix B.

The following updates were given:

Provost Taylor for Academic Affairs gave highlights from the Committee Meeting.

Due to Covid, and no in-person access to students in the schools, our data is not comparable year-over-year. We are still very pleased with our progress in admitting students and receiving deposits to date. We are planning to match last year's freshman class size, or surpass it, as deposits are coming in quickly. Out-of-state student recruitment has been completely revamped. We are up 38% in non-resident applications and up 22% in non-resident deposits. We have reached a significant milestone with our graduation rate as we broke through the 50% mark for the first time. Marshall University is one of two state institutions with a graduation rate over 50%. We are on track to hit 52% now, and confirmation will be in September. A significant gift from Lake Polan has allowed us to make small graduation grants available to students who are near completion but have dropped out for financial reasons. Retention is also higher over the previous year by 5%, which is an all-time high for Marshall University.

Dr. Bobby Miller gave an update on the School of Medicine. He talked about Graduation and Investiture and Match Day. He discussed the new BS/MD Class, new fellowships in Gastroenterology and Neonatal-perinatal Medicine, new faculty in specialty care, and that Marshall Medical Outreach marks ten years of service to the homeless in Huntington.

Anna Williams, President of Student Government Association

Ms. Williams gave a recap of all the things accomplished since the last meeting, and future items until her term ends. A letter was sent to the Legislature on behalf of all institutions regarding gun legislation. Advisory Council of Students Leadership Conference of which she will present, is upcoming. SGA participated in a book drive for Appalachian Book Project. Participation in a Community Service Day cleaning up downtown and Bethel Cemetery. At least 106 participated in this event. She participated in an event for WV Women Moving Forward as a panelist, Gayle Manchin was also on the panel along with several businesswomen in the State discussing women in the board room. SGA was part of the successful TEDx event held on April 2nd and Board Member Dr. Kathy D'Antoni was one of the speakers. SGA partnered with Black United Students to host an event titled "Reflections on George Floyd." When the verdict was reported, we held an event with each discussing how to promote community and respect on our Campus. An election was held for SGA in April and Alyssa Parks, former Chief of Staff is now the new SGA President and Student Representative of the board. Welcome Alyssa Parks.

Athletic Committee Report

Mr. Miller, Chairman of the Committee, said there were no action items, and gave a brief update regarding the items below, as noted.

- a) Contingencies in college athletics related to COVID and the impact of decisions of CUSA and NCAA Guidelines – Mr. Hamrick gave this update during the Committee Meeting noting the COVID-19 vaccines for athletes and other COVID-19 outreaches and plans to have full attendance for fall sports.
- b) Financial Statements – Mr. Steele gave an update during the Committee Meeting regarding budget and finance.
- c) Compliance Reports – Mr. O'Malley gave an update during the Committee Meeting on recruitment and restrictions.
- d) Athletics Teams Updates – There were special presentations by Coach D'Antoni and Coach Huff. Other updates were given to the Athletic Committee.

The Athletic Committee had an Executive Session during their committee meeting **under the authority of WV Code §6-9A-4** to discuss certain matters concerning employment contracts.

This action is pursuant to Policy GA-7.2.1.5, contracts, contract revisions, or contract extensions for Athletics Department personnel with buyout clauses or compensation greater than \$200,000 required approval of the Athletic Committee and, subsequently, the Board as a whole.

Upon a motion by Mr. Stroud, seconded by Mrs. Hurula, the following resolution was read:

Resolved, that the Marshall University Board of Governors does hereby approve the four (4) athletic department personnel contracts as presented and requested by 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) Approval of Policy No. FA-9, Purchasing Policy

Policies approved on an emergency basis are done when the adoption, amendment, or repeal of a policy is necessary, as in this case, to prevent substantial harm to the public interest or to deal with financial exigency.

Upon a motion by Mr. Farley, seconded by Mrs. Thomas, the following resolution was read:

***Resolved**, that the Marshall University Board of Governors does hereby approve Policy No. FA-9, Purchasing Policy on an emergency basis. **Be it further resolved** that the policy is to be approved through the normal "Notice of Proposed Rulemaking" process.*

This policy is approved as final at the conclusion of the comment period if no substantive comments are received and shall become effective at the end of comment period.

B) Investment Earnings Update

A summary of the Investment Report was given, upon a motion by Mr. Stroud, seconded by Mr. Holcomb, the following resolution was read and motion carried:

Resolved, that the Marshall University Board of Governors receives the Investment Earnings Report ending February 28, 2021.

C) Schedule of Marshall University Tuition and Fees for Fiscal Year 2021-2022

Mr. Robinson discussed the fee schedule in detail; after much discussion with a question-and-answer session, upon a motion by Dr. Holbrook, seconded by Mrs. Thomas, with Mr. Miller and Ms. Moore opposing, the following resolution was read:

Resolved that the Marshall University Board of Governors approves the tuition and fees schedule as presented by the Finance Committee with the exception of Resident Undergraduate tuition increases, the Undergraduate Metro increases and the Standard Auxiliary Fees.

- D) Approval of GA-4 changes and referral consideration of Academic and Student Affairs Committee with AA-48 when complete.

After discussion, there is no board action needed during this meeting. This was an action between the Academic and Finance committees, and it was sent to the Finance Committee for their approval. With both Committees now in agreement, the policy now returns to the Academic Committee to be brought to the next board meeting for consideration and voting.

Information Updates:

Finance – Mark Robinson

Mr. Robinson discussed the FY20 Core Operating Sources Projection, the Federal Stimulus Grants, and the Federal COVID-19 Stimulus Projected Grant Balances as of 4/19/2021. He also discussed the Projected COVID-related impact as of 2/18/2021 to expenses and lost revenue is \$30,823,168.

He also noted that the Fitch Ratings reviewed Marshall University ratings after one year of the April 2020 bond issuance and affirmed the AA-bond rating along with an Issuer Default Rating (IDR) at “AA” with a negative outlook, a change from the stable outlook a year ago.

Operations - Brandi Jacobs-Jones

Ms. Jacobs-Jones gave an update on the construction on campus. She noted there are upgrades being made to Old Main for the Sanitary Sewer, and East Wing Roof Repairs. There are updates in the Sorrell Maintenance Building for HVAC, and RCBI getting a roof. Environmental Health and Safety continues to provide University leadership on COVID-19 Health and Safety related matters. All updated information is on the University dashboard at www.marshall.edu/coronavirus/dashboard.

School of Medicine – Mr. Sheils read the update from the School of Medicine.

Internal Audit – Mr. Sheils read the update regarding audit projects.

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

Mr. Cottrill placed the Board in Executive Session under the authority of WV Code §6-9A-4 for the purpose of discussing certain Personnel Matters and Naming Opportunity. Upon a motion

by Mr. Stroud, seconded by Dr. Holbrook, the Board entered Executive Session. Chairman Farrell reminded those that were streaming, they would be placed into a waiting area until Executive Session concludes.

Upon a motion by Mr. Farley, seconded by Ms. Moore, the board voted to rise from executive session.

President Gilbert received a glowing third year review. He received this review before his announcement to step down on July 15, 2022, and not seek renewal of his contract. This review is a personnel matter and therefore, not a public document.

Upon a motion by Mr. Stroud, seconded by Mr. Noe, the MUBOG hereby approves the naming opportunity as presented in Executive Session to be disclosed at a later public event.

V. President's Report

President Gilbert thanked everyone for their kind words and outpouring of support for him after he announced he would be leaving in July of 2022. He said that his health is excellent, and his family is also healthy, however the stresses of this past year helped him decide to have an end date in mind, July 15, 2022. That said his intent is to continue running at full speed for the next 14.5 months. He said the board just gave him an excellent third year evaluation. He will continue to make Marshall University, a better University. To recap recent happenings:

- Reset 2022 budget close to 2019 levels with the augmentation of our budget with stimulus funds. Will closely monitor travel, operating budgets and open positions. Three sets of money are coming in, and details are still outstanding on one of the sets of money.
- \$52 million has been received in stimulus dollars. \$23 million goes directly to students in terms of grants, leaving roughly \$29.9 million to cover our COVID expenses. In mid-February, our COVID costs were \$30.8 million. Even with stimulus funds, we are \$1 million short of covering our costs. We expect that has increased over the two months since that calculation.
- Legislature is giving us almost all our money for next year, minus \$300,000. However, what happened is that our appropriations were reduced by \$10 million (approx. 20%) and the have promised to fill it with \$9.7 million in surplus money. This year is fine, however, next year and subsequent years will not be fine. This summer and fall, he will work with President Gee and others at WVU, with Marshall University folks to try and get the appropriation restored in next year's budget.
- Good news on the COVID front. On campus, we have vaccinated between 75 and 80% of our employees, which means we have levels appropriate for herd immunity. We

began vaccinating students three weeks ago, however, we are finding that some students have already been vaccinated outside of Marshall University. We are surveying students to see if they have been vaccinated and are anxious to see how many students are vaccinated. If we can get close to 70% or more of our students vaccinated, the whole campus will have herd immunity.

- Recruitment has been going well. Students nationwide have procrastinated getting their applications and FAFSA forms completed. We are picking up steam now and we have seen an increase in non-resident applications.
- Our plan for fall is to return to a normal campus. We are hopeful that the stress on everyone will be reduced by fall and we can breathe a sigh of relief. Our goal is to have the normal number of face-to-face classes and the normal capacity of students in our classes.

VI. Chairman Report

Chairman Farrell asked the Board to begin thinking about the Presidential search. The Board is proud of all that has been accomplished under President Gilbert's leadership and presidency.

There are three challenges ahead for President Gilbert's replacement. 1) Financial stability. Funding is uncertain and enrollment is declining. Revenues will continue to be an issue going forward. 2) Affordability for our students by trying to keep tuition low and job opportunities high and 3) Adaptability of the University. Chairman Farrell was proud of how this University reacted to Covid and how fast things were done.

These challenges are not unique to MU. Other Universities are experiencing all these same challenges.

The challenge now is to find the person to lead us. It will take a lot of momentum and resources. We will engage with constituencies. The Board commits to inclusion and transparency. When a plan is in place, we will share it publicly.

VII. Announcements

Chairman Farrell brought attention to the meeting dates set for the next year listed on the agenda. He specifically noted the upcoming retreat on August 5-6. The next regular meeting is June 17, 2021.

Each year we appoint new officers. Chairman Farrell appointed the following Nominating Committee:

Ms. Angel Moore, Chair
Bishop Samuel Moore

Mr. Chris Miller

If any board member has a nomination, etc., please contact one of them with your nomination.

Chairman Farrell gave Dr. Dan Holbrook and Anna Williams a gift to recognize their service on the Board of Governors.

Faculty Senate is voting now until May and the results will be announced mid-May for the Board Representative from Faculty. The SGA Representative to the Board is Alyssa Parks. The Staff held their election recently and Carol Hurula was re-elected.

VIII. Adjournment

Without objection, the meeting was adjourned.

Appendix A

Marshall University Board of Governors

Meeting of April 29, 2021

ITEM: Review and Approval of the following Program Review Recommendations:

COMMITTEE: Academic and Student Affairs

RECOMMENDED ACTION: *Resolved*, that the Marshall University Board of Governors approve the 2020-2021 Academic Program Review Recommendations

STAFF MEMBER: Jaime R. Taylor
Provost & Senior Vice President for Academic Affairs

BACKGROUND:

The Division of Academic Affairs recommends the following actions based upon the Academic Program Review of scheduled programs for 2020-2021.

Undergraduate Degree Programs	Recommendations
Computer Science-BS	Continue at Current Level
Environmental Science-BS	Continue at Current Level
Natural Resources and Recreation Management-BS	Continue at Current Level
Computer and Information Technology-BS	Continue at Current Level
Cyber Forensics and Security-BS	Continue at Current Level
Criminal Justice-BA	Continue at Current Level
Occupational Safety and Health-BS	Continue at Current Level
Journalism-BA	Continue at Current Level
English-BA	Continue at Current Level
Sport Management-BA	Continue at Current Level
Biomechanics-BS	Continue at Current Level
Exercise Science-BS	Continue at Current Level
Athletic Training-BS	Continue at Current Level
Physical Education-BA	Discontinue the Program: The program's previous areas of emphasis (sport management, exercise science, and athletic training) are now degree programs and the last student enrolled in the BA in Physical Education graduated in December 2020. Therefore, we recommend that this program be discontinued.

Graduate Degree Programs	Recommendations
Computer Science-MS	Continue at Current Level
Information Systems-MS	Transfer to the Lewis College of Business (LCOB) and merge with the MS in Technology Management to become

Graduate Degree Programs	Recommendations
	one degree program. The LCOB has requested that all its programs undergo a comprehensive review in academic year 2022-2023. Therefore, this reconfigured program will undergo another comprehensive review in two years' time.
Technology Management-MS	Transfer to the Lewis College of Business (LCOB) and merge with the MS in Information Systems to become one degree program. The LCOB has requested that all its programs undergo a comprehensive review in academic year 2022-2023. Therefore, this reconfigured program will undergo another comprehensive review in two years' time.
Criminal Justice-MS	Continue at Current Level
Forensic Science-MS	Continue at Current Level. Additionally, the BOG's Academic and Student Affairs Committee recommends the university consider the feasibility of developing a doctoral program in Forensic Science.
Safety-MS	Merge with the MS in Environmental Science to become a new program in Environmental Safety and Health, with follow-up report to Graduate Council in November 2021.
Environmental Science-MS	Merge with the MS in Safety to become a new program in Environmental Safety and Health, with follow-up report to Graduate Council in November 2021.
Journalism-MAJ	Continue with corrective action to increase program enrollment. The program's strategy will be to convert to a synchronous virtual delivery model. The program will submit a follow-up report to the Graduate Council in November 2021.
English-MA	Continue at Current Level
Health Informatics-MS	Continue with corrective action for the purpose of further developing the program, especially the program's assessment processes. The program will present an oral follow-up report to the Graduate Council in November 2021. The LCOB has requested that all its programs undergo a comprehensive review in academic year 2022-2023. Therefore, this program will undergo a comprehensive review in two years' time.
Sports Administration-MS	Continue at Current Level
Biomechanics-MS	Continue with corrective action for the purpose of increasing enrollment and graduation numbers. Additionally, the program must improve its assessment program. The program will submit a follow-up report to the Graduate Council in November 2021.
Exercise Science-MS	Continue at Current Level
Athletic Training-MS	Continue at Current Level

Undergraduate Certificate Program	Recommendation
Information Assurance	Continue at Current Level

Graduate Certificate Programs	Recommendations
Digital Forensics	Continue at Current Level

Graduate Certificate Programs	Recommendations
Information Security	Transfer from the Department of Applied Science and Technology to the Department of Computer Sciences and Electrical Engineering with corrective action to increase enrollment.
Technology Management	Transfer to the Lewis College of Business with corrective action to increase enrollment.
Digital Communications	Continue with corrective action to increase program enrollment. The program's strategy will be to convert to a synchronous virtual delivery model. The program will submit a follow-up report to the Graduate Council in November 2021.
Integrated Strategic Communications	Continue with corrective action to increase program enrollment. The program's strategy will be to convert to a synchronous virtual delivery model. The program will submit a follow-up report to the Graduate Council in November 2021.
Media Management	Continue with corrective action to increase program enrollment. The program's strategy will be to convert to a synchronous virtual delivery model. The program will submit a follow-up report to the Graduate Council in November 2021.
Data Analytics for Healthcare	Continue with corrective action for the purpose of further developing the program, especially the program's assessment processes. The program will present an oral follow-up report to the Graduate Council in November 2021. The LCOB has requested that all its programs undergo a comprehensive review in academic year 2022-2023. Therefore, this program will undergo a comprehensive review in two years' time.
Nursing Informatics	Continue with corrective action for the purpose of further developing the program, especially the program's assessment processes. The program will present an oral follow-up report to the Graduate Council in November 2021. The LCOB has requested that all its programs undergo a comprehensive review in academic year 2022-2023. Therefore, this program will undergo a comprehensive review in two years' time.

Academic and Students Affairs Committee: Additional Recommendations from 2020-2021 Program Reviews
Recommends that the School of Journalism and Mass Communications continue to explore viable options to keep high-end tech equipment that is industry-current for student hands-on experiences, i.e., sharing campus labs with other departments, redirecting student fees, taking advantage of state contract pricing, etc.
Recommends that, since the university uses a centralized model for advising and mentoring, the administration explore modifications or variations that will address unique needs for programs with high enrollment/low faculty ratios, e.g., for programs in the School of Kinesiology and some programs in the College of Science.

Recommends that the university explore the possibility of creating a new position for “marketing” to assist with recruitment. This position would focus on assisting colleges/divisions with special needs. A new position, a situational contract, or a temporary reassignment might be considered in view of the current fiscal climate.

Appendix B



Approved Sabbatical Leave

Academic Year 2021-22

COLLEGE OF ARTS & MEDIA

Johan Botes	Music	Spring 2022
Mark Zanter	Music	Spring 2022
Christopher Swindell	JMC	Fall 2021

COLLEGE OF BUSINESS

None

COLLEGE OF EDUCATION & PROFESSIONAL DEVELOPMENT

Carol Smith	Counseling	Fall 2021
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COLLEGE OF INFORMATION TECHNOLOGY & ENGINEERING

None

COLLEGE OF LIBERAL ARTS

Walter Squire	English	Spring 2022
Jana Tigchelaar	English	Spring 2022
John Young	English	Fall 2021

Kevin Barksdale	History	Spring 2022
Damien Arthur	Political Science	Fall 2021
Jamie Warner	Political Science	Spring 2022
Marty Laubach	Sociology	Fall 2021

COLLEGE OF SCIENCE

Michael Schroeder	Mathematics	Academic Year
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COLLEGE OF HEALTH PROFESSIONS

None

SCHOOL OF PHARMACY

None

UNIVERSITY LIBRARIES

None