

**Minutes of a Regular Meeting
Eastern Kentucky University
Board of Regents
January 25, 2013**

A regular quarterly meeting of the Eastern Kentucky University Board of Regents convened at 1:31 p.m. on January 25, 2013, in Room 549, Student Success Building (SSB), Eastern Kentucky University, Richmond, Kentucky. Mr. Gary Abney, Chair of the Board, presided. Mr. Abney noted the presence of a quorum. The following members of the Board were present:

Mr. Gary Abney
Ms. Janet Craig
Dr. Malcolm Frisbie
Mr. Steven Fulkerson
Mr. Ernie House
Ms. Madelyn Street
Mr. David Tandy
Mr. Craig Turner

The following members were not in attendance:

Ms. Nancy Collins
Ms. Anita Johnson
Ms. Janie Miller

Other persons present at the meeting were:

Dr. Doug Whitlock, President
Mr. Barry Poynter, Treasurer
Ms. Virginia Underwood, Assistant Secretary
Members of the faculty and staff
Members of the media

Election of Officers (Chair and Vice Chair)

Mr. Abney noted that as of June 30, 2013 his appointed term as Regent is scheduled to expire. He expressed his gratitude for the work of the Board and noted it had been an honor and privilege to serve as the Board Chair and for over 13 years as a Regent. Mr. Abney stated that due to the active, operational needs of the University and the timing of the Presidential search, he intended not to seek reelection as Board Chair. He noted his intent to serve as a Regent through the remainder of his current term. He stated he would remain passionately committed and dedicated to EKV as a Regent for the remainder of his appointed term and as an alumnus and friend throughout the remainder of his life.

In accordance with the provisions of the Board's By-Laws pertaining to election of the Chair annually, Mr. Abney declared the floor open for nominations.

Ms. Craig made a motion to nominate Mr. Craig Turner for Chair; Mr. Tandy seconded. There being no further nominations Mr. Tandy made a motion that the floor be closed to nominations. Mr. House seconded. There being no further nominations, Mr. Turner was elected by acclamation.

Mr. Turner advised that his election as Chair created a vacancy in the office of Vice Chair and called for nominations for Vice Chair. Mr. Fulkerson nominated Mr. House. Mr. Tandy seconded. There being no further nominations, Mr. Abney made a motion that the floor be closed to nominations. Dr. Frisbie seconded. Mr. House was elected by acclamation. Mr. House thanked the Board for the honor of electing him to serve as Vice Chair.

Approval of the September 28, 2012 Minutes

Mr. Abney made a motion, seconded by Mr. House, that the minutes of the regular quarterly meeting of September 28, 2012 be approved as distributed. The motion passed by voice vote.

President's Report

Mr. Turner recognized President Whitlock to provide the President's Report.

President Whitlock referred the Board to the *EKU News and Accomplishments* in their Board folders. A copy of this handout is included with the Official Minutes of the EKU Board of Regents. President Whitlock expressed his gratitude and appreciation to Mr. Abney for his years of dedicated service as Board Chair and Regent. Also, President Whitlock noted he looked forward to working with Mr. Turner and Mr. House as Board Chair and Vice Chair. He advised Dr. Janna Vice, Associate Vice President of Academic Affairs and Provost, and Dr. Elizabeth Wachtel, Acting Vice President of Enrollment Management, Marketing and University Relations would provide information reports to the Board.

President Whitlock discussed significant results from the National Survey of Student Engagement (NSSE) and advised the Board of EKU's achievements and rankings compared to national collegiate benchmarks of student engagement and success. He reported EKU's reduction of students in need of math remediation, noting a 46.3% reduction in Fall 2012 compared to Fall 2010. President Whitlock also expressed the reduction in math remediation in terms of tuition dollar savings for students, noting that these reductions equate to over \$3.5 million in tuition savings for students and their families.

President Whitlock recognized the recent accreditation achievements of various academic programs and colleges. He reported that the College of Business and Technology was successfully reaccredited by the Association to Advance Collegiate Schools of Business International. Also, he reported that in the College of Health Sciences programs in the Department of Occupational Science received reaccreditation status under the Accreditation Council for Occupational Therapy Education (ACOTE). Additionally, the Public Relations program received reaccreditation by the Public Relations Society of America (PRSA). President Whitlock acknowledged the hard work of faculty and staff in these colleges and programs.

President Whitlock noted the operational and system upgrades are underway at the EKU Planetarium. Dr. Whitlock stated the instructional, educational and recruitment elements of the renovated planetarium will enhance EKU's ability to serve the needs of students. President Whitlock and Board members expressed their appreciation to Mr. Fulkerson and Mr. Bobby Clark, Senior Networking Engineer, Information Technology for their commitment to this project. Also, Dr. Whitlock referred Regents to Mr. Fulkerson for more information and to arrange a tour.

Additionally, President Whitlock discussed executive personnel actions noting Mr. David Mcfaddin has been named Executive Director of Government Relations and Mr. Mark Sandy has been appointed Interim Vice President of Advancement. Dr. Whitlock congratulated Mr. Mcfaddin and Mr. Sandy on their new roles and expressed his confidence in their abilities to provide leadership in their areas.

President Whitlock provided the Board with a brief update in reference to agency bond funding during the recent session of the Kentucky General Assembly. President Whitlock advised that agency bond funding at the state level is more challenging due to tighter bond controls; he stated EKU did not seek new bond funding in the most recent legislative session, noting that only two of EKU's possible capital projects may require future agency bond funding. These are the possible expansion of the fitness and wellness center and renovations of residence halls. President Whitlock advised he will keep the Board informed of legislative activity which may affect bond authorization.

Additionally, President Whitlock reported on collaborative meetings with the Council on Postsecondary Education's President Dr. Bob King. President Whitlock emphasized the strategic partnership EKU has with the CPE and the dual recognition of both the CPE and EKU of providing adult education services to EKU's service region and the other regions of Kentucky.

In the area of student athletics, Dr. Whitlock highlighted the academic accomplishments of EKU student athletes. He referred Regents to their copies of *EKU News and Accomplishments* and to a report from EKU Athletics regarding student athlete grade point averages (GPAs). Both items are included with the Official Minutes of the EKU Board of Regents. The intercollegiate report identifies the favorable grade point averages of student athletes from numerous concentrations and sports at EKU. President Whitlock stated he was pleased to report increases in student athletes graduating within 4 years. Additionally, he noted the 5-year graduation rate is almost as high as the 6-year rate – a shift marking significant reductions for student athlete's time to degree completion.

President Whitlock also announced *Military Times Edge Magazine* has designated EKU the #1 institution in the nation for student veterans. President Whitlock reported that EKU currently serves 1200 student veterans.

With no further items to report, President Whitlock thanked the Regents for their attention and service. Mr. Turner thanked President Whitlock for his report.

Committee Agendas

Information Agenda

Executive and Academic Affairs

Committee Report

Mr. Abney reported the Executive and Academic Affairs committee did not meet prior to the January 25, 2013, Board meeting.

Presidential Search Process Update

Mr. Turner provided the Board with a concise overview of recent activities and relevant news concerning the Presidential Search and Screening Committee (PSSC). Mr. Turner indicated that in the months preceding the Board meeting the PSSC met once and has been very active in identifying and screening a strong candidate pool. Mr. Turner described the PSSC timeline for meeting, screening and identifying the next President of ECU. He identified the next meeting date as February 20, 2013, with mid-April 2013 as the prospective candidate selection announcement date. Mr. Turner was available for further questions and discussion. Mr. Turner also referred the Board and the campus community to the Presidential Search website for news and information. The Board thanked Mr. Turner for his report.

Construction and Project Update

Mr. James Street provided an update and slide presentation of the New Student Housing Development. Mr. Street advised the Board the new housing structure is scheduled for completion by August 2013. He noted the project is slightly delayed due to seasonal weather conditions. A copy of the slide presentation is included with the Official Minutes of the Board of Regents. Mr. Street was available for questions and discussion.

Enrollment Management

Dr. Elizabeth Wachtel, Acting Vice President of Enrollment Management, Marketing and University Relations, provided the Board with an enrollment management update. Additionally she presented a slide presentation providing metrics associated with enrollment trends at ECU. A copy of this presentation is included with the Official Minutes of the Board of Regents.

Dr. Wachtel reported total enrollment for all ECU students, undergraduate and graduate students, is up and new freshman and transfer enrollment is down. Dr. Wachtel shared detailed information regarding comparative statistics for ECU and other comprehensive, 4-year public institutions. Additionally, Dr. Wachtel described current and projected enrollment trends and ECU's responses to these trends. These include various recruitment strategies, initiatives and collaborative interdepartmental approaches to addressing enrollment and retention at ECU. Dr. Wachtel engaged in discussion and was available for questions. Mr. Turner thanked Dr. Wachtel for her report.

Student Success – Meaningful Measures Update

Mr. Turner recognized Dr. Janna Vice, Vice President of Academic Affairs and Provost, to provide a report and update regarding student enrollment data, academic accessibility and ECU faculty reflections regarding academic programming. Dr. Vice shared a slide presentation; a copy of the presentation is included with the Official Minutes of the ECU Board of Regents. She discussed ECU's progress on various goals related to student success outcomes, enrollment and retention. Additionally, she advised the Board that such goals are established by the CPE, ECU's 2012-2016 Strategic Plan, and the Divisions of Academic Affairs and Enrollment Management, respectively. Dr. Vice shared information tracking various statistics related to enrollment in numerous academic programs over time. These data also included enrollment goals and projections for academic year 2014-15 and degrees awarded projections for academic year 2013-14. Dr. Vice engaged in discussion regarding the effectiveness of academic initiatives to improve student outcomes. Mr. Turner thanked Dr. Vice for her presentation.

EKU Online – A Status Report

Mr. Turner recognized Mr. Tim Matthews, Executive Director of ECU E-Campus, to provide the Board with a status update of development and growth activities at ECU's E-Campus Division. He reviewed a slide presentation highlighting ECU's division of E-Campus Learning, including the division's primary goals, organizational structure, and progress in achieving the core vision and vision for the future. The slide presentation is included with the Official Minutes of the ECU Board of Regents.

Mr. Matthews explained the budget and administrative structure of E-Campus and noted the creation of a cost and revenue center to track budget needs, financial input and output. Additionally, he advised that the primary focus of E-Campus is to provide vocational, career-enhancing education for working adults and professionals. President Whitlock commented that E-Campus programs are a financially viable revenue source, quality driven and represent a significant financial contribution to the University's infrastructure. Mr. Matthews was available for questions and further discussion. Mr. Turner thanked Mr. Matthews for his presentation.

Finance and Planning Committee

Committee Report

Mr. Turner reported that the Finance and Planning Committee met the morning prior to the Board meeting. He noted Mr. Barry Poynter, Interim Vice President of Financial Affairs and Board Treasurer, provided the committee with a financial update. Also, Mr. Turner reported that the committee will recommend during the Action Agenda three items for Board approval.

Financial Report

Mr. Turner called upon Mr. Barry Poynter, Interim Vice President of Financial Affairs, to provide a financial update. Mr. Poynter shared a slide presentation reviewing the institution's operating revenues and expenditures as of December 31, 2012. He noted the difference between auxiliary revenues compared to FY11-12 was due to early financial reporting and not indicative of financial deficits. Mr. Poynter was available for questions and further discussion. Mr. Turner thanked Mr. Poynter for his presentation. A copy of the slide presentation is included with the Official Minutes of the ECU Board of Regents.

Student Life, Discipline and Athletics Committee

Dr. Malcolm Frisbie reported the Student Life, Discipline and Athletics Committee met the morning prior to the Board meeting to discuss several items, including deliberation regarding an appeal from a student in reference to possible disciplinary action. He stated the committee deliberated in executive session to discuss possible discipline or dismissal of a student, pursuant to KRS 61.810(1) (f). Additionally, Dr. Frisbie reported the committee took no action during executive session and reached a decision after reconvening in open session to affirm the decision of the Student Disciplinary Committee. Additionally, Dr. Frisbie stated the committee will recommend two (2) items for Board consideration and action during the Action Agenda. Mr. Turner thanked Dr. Frisbie for his report.

Action Agenda

Executive and Academic Affairs Committee

Personnel Actions

President Whitlock made recommendations to the Board for the employment of new and continuing faculty and staff, new and continuing employment of persons whose employment is contingent on outside funding, retirements, faculty and staff whose service has ended, 2012 summer semester payroll on-campus for part-time faculty and laboratory assistants and addendum to new and continuing faculty, 2012 summer semester payroll off-campus for part time faculty and laboratory assistants, 2012-2013 sabbatical leaves and an addendum to new and continuing faculty and staff. Mr. Turner made a motion to approve; Dr. Frisbie seconded. The roll was called, the following members voted "aye": Mr. Abney, Ms. Craig, Dr. Frisbie, Mr. Fulkerson, Mr. House, Ms. Street, Mr. Tandy and Mr. Turner. The motion passed. The addendum was provided in Board member folders and is included, along with the detail of all items as approved, with the Official Minutes of the ECU Board of Regents.

Retirement Transition Program

Dr. Vice provided an overview of ECU employees recommended for the Retirement Transition Program (RTP). She explained the purpose and process of RTP and noted all candidates had been approved through the appropriate University procedures. Mr. House made a motion to approve; Mr. Tandy seconded. The motion passed by voice vote. The detail of this item as approved is included with the Official Minutes of the ECU Board of Regents.

Report from the Council on Academic Affairs

Dr. Vice recommended Board action concerning Council on Academic Affairs, Program Revisions, items 3a-3dd. She explained the program revisions are routine in nature and have been approved through existing University process. Mr. Turner made a motion to approve the items as presented, Mr. House seconded. The motion carried by voice vote. Mr. Turner thanked Dr. Vice for her presentation. The Program Revisions as approved are included with the Official Minutes of the ECU Board of Regents. Additionally, Dr. Vice reviewed two information items with the Board. These information items are included with the Official Minutes of the ECU Board of Regents.

Approval of Amendments to By-Laws of the ECU Board of Regents, Sections 2F and 3A

President Whitlock presented to the Board for their consideration and approval amendments to the By-Laws of the ECU Board of Regents. President Whitlock advised that in accordance with the requirement of Section 9 of the By-Laws, all members of the Board received the proposed amendments two weeks in advance of the Board meeting. Additionally, President Whitlock advised the amendment to Section 2F reflects the changes to KRS 164.321 approved by the Kentucky General Assembly. Dr. Whitlock expressed this change permits the inclusion of the faculty rank of instructor to vote in the election of the teaching member (Faculty Regent) of the Board of Regents. Additionally, Dr. Whitlock stated the amendment to Section 3A modifies the language of that section to be consistent with the Board's current practice of setting Board meeting dates. Dr. Frisbie recommended the item be approved as presented; Mr. Fulkerson seconded. The roll was called and the following members voted "aye": Mr. Abney, Ms. Craig, Dr. Frisbie, Mr. Fulkerson, Mr. House, Ms. Street, Mr. Tandy and Mr. Turner. The motion passed in compliance with Section 9 of the By-Laws, which requires a two-thirds vote of those present.

Finance and Planning Committee

Authorization for Approval to Comply with State-Authorized Tuition Refund Policies for ECU Students Enrolled in Online Degree Programs

Mr. Turner called upon Mr. Poynter to present for Board action and consideration an action item pertaining to Authorization for Approval to Comply with State-Authorized Tuition Refund Policies for ECU Students Enrolled in Online Degree Programs. Mr. Turner presented the

recommendation of the Finance and Planning Committee that the item be approved as presented. Dr. Frisbie seconded.

The roll was called, the following members voted “aye”: Mr. Abney, Ms. Craig, Dr. Frisbie, Mr. Fulkerson, Mr. House, Ms. Street, Mr. Tandy and Mr. Turner. The motion passed. The authorization as approved is included with the Official Minutes of the ECU Board of Regents.

Grant AT&T Utility Easement for ECU Boundary Near Central Baptist Hospital Pattie A. Clay Campus and Lease Arrangement with Hospice for Use of ECU Property

Mr. Street presented two real property transaction action items to the Board for consideration and approval. The first was an AT&T utility easement in connection to an ECU Boundary near Central Baptist Hospital/Pattie A. Clay Campus. Mr. Street advised the easement would allow for AT&T to install and maintain an underground fiber optic cable to extend and provide data service to Hospice Care Plus Inc., near the Baptist Hospital/ Pattie A. Clay campus and adjacent to the Seaboard railroad right-of-way.

Mr. Street also presented for consideration and action a lease arrangement with Hospice Care Plus Inc. to lease to Hospice Care Plus Inc. approximately 2.63 acres of undeveloped land abutting Hospice Care Plus Inc.’s property. He noted Hospice Care Plus Inc. desires to use this land for palliative care for patients and their families. Mr. Turner presented the recommendation of the Finance and Planning Committee to approve; Mr. House seconded. The motion passed by voice vote. The detail of the items as approved are included with the Official Minutes of the ECU Board of Regents.

Student Life, Discipline and Athletics Committee

Regulation Revision, General Regulations Governing Student Behavior and Policy Revision, Code of Ethics for Computing and Communications

Mr. Turner recognized Ms. Mona Isaacs, Associate Vice President of Information Technology, and Dr. Michael Reagle, Associate Vice President of Student Affairs, to present for Board consideration and action, two regulations/policy revisions: (1) Revision to General Regulations Governing Student Behavior and (2) Revision to the Code of Ethics for Computing and Communications. The purpose of each of these revisions to the current respective regulations and policy is to clarify ambiguous language and more narrowly tailor language that could be perceived or interpreted as overly broad or otherwise restrict First Amendment, freedom of speech rights of ECU students. Dr. Reagle advised that these proposed revisions will also increase ECU’s national recognition as an institution concerned with First Amendment, free speech rights of students. President Whitlock noted that the Code of Ethics for Computing and Communications policy also applies to employees. Dr. Reagle and Ms. Isaacs responded to questions and engaged in discussion with the Board.

Dr. Frisbie presented the Student Life, Discipline and Athletics Committee's recommendation that the Board approve as presented the proposed revisions to the General Regulations Governing Student Behavior and the Code of Ethics for Computing and Communications Policy. Mr. House seconded. Mr. Fulkerson abstained. The motion was approved by voice vote. Details of the policy revisions as approved are included with the Official Minutes of the ECU Board of Regents.

Executive Session

Mr. Turner noted that a motion would be in order for the Board to go into executive session pursuant to KRS 61.810(b) (c) (f) for the purpose of discussing the potential acquisition of property, pending litigation and matters relating to personnel issues appropriate to executive session. Dr. Frisbie made the motion to the effect requested by the Chair. Mr. Fulkerson seconded. The motion passed by voice vote. The Board went into executive session.

Reconvene Open Session

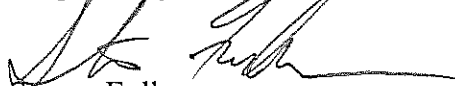
Upon returning to open session, Mr. Tandy made a motion to reconvene; Mr. House seconded. The motion passed by voice vote.

Mr. Turner stated his sincere appreciation to Mr. Abney for his service as Board Chair and Regent and noted his excitement for the opportunity to work together in the future.

Additionally, Mr. Turner referred members to upcoming dates as noted on the Board Agenda under Other Business.

There being no new or further business, Dr. Frisbie made a motion to adjourn; Ms. Craig seconded. The meeting adjourned at 6:10 p.m.

Respectfully submitted,



Steven Fulkerson,
Secretary