

**Minutes of a Regularly Scheduled Meeting  
Eastern Kentucky University  
Board of Regents**

**February 22, 2019**

**Black Box Theatre  
Center for the Arts  
Eastern Kentucky University**

**I. Call to Order**

A regular quarterly meeting of the Eastern Kentucky University Board of Regents convened at 1:44 p.m. at the Black Box Theatre, Center for the Arts, Eastern Kentucky University, Richmond, Kentucky. Mr. Lewis Diaz, Chair of the Board, presided. Chair Diaz requested a roll call and noted that the members of the Board were present:

**Present**

Mr. Lewis Diaz  
Ms. Laura Babbage  
Mr. Juan Castro  
Ms. Nancy Collins  
Dr. Richard Day  
Mr. Alan Long  
Mr. Bryan Makinen  
Ms. Lynn Taylor Tye  
Mr. Vasu Vasudevan  
Ms. Holly Wiedemann

**Absent**

Mr. Ryan Wiggins

**Others Present**

Dr. Michael Benson, President  
Dr. Jerry Pogatshnik, Interim Executive Vice President for Academics and Provost  
Ms. Madison Lipscomb, Executive Vice President, Student Government Association  
Mr. Skip Daugherty, Vice President for Student Affairs and Campus Life  
Ms. Dana Fohl, University Counsel  
Mr. Dan McBride, Interim Vice President of Development and Alumni Engagement  
Mr. David McFaddin, Senior Vice President of Operation and Strategic Initiatives  
Dr. Gene Palka, Vice President for Student Success and Enrollment Management  
Mr. Barry Poynter, Senior Vice President for Finance and Administration  
Members of the faculty and staff

Members of the media  
Members of the community

## **II. Election of Officers**

A motion was made by Regent Tye that Alan Long continue as Vice Chair, Bryan Makinen continue as Secretary, and Barry Poynter continue as Treasurer. The motion was seconded by Regent Babbage. The motion passed by voice vote.

## **III. Action Item**

### **A. White Hall State Historic Site Proposed Real Property Transfer**

Mr. Don Parkinson, Secretary of the Tourism, Arts & Heritage Cabinet, made brief comments to the Board regarding the White Hall State Historic Site proposed real property transfer.

During a discussion among Board members, Mr. Barry Poynter and Mr. David McFaddin answered questions and provided clarifying information to the Board regarding the White Hall State Historic Site proposed real property transfer.

Ms. Kay Jones, a member of the community, made comments to the board regarding the White Hall State Historic Site proposed real property transfer.

Mr. Roger Barger, Magistrate for District Two of Madison County, made comments to the board regarding the White Hall State Historic Site proposed real property transfer and answered questions from the Board.

Regent Long made a motion for the Board to consider approval of the White Hall Historic Site Proposed real property transfer, with a two-year required review by the Board that includes an accounting to the Board at that point in time. The motion was seconded by Regent Castro. The roll was called and the following members voted “aye”: Juan Castro, Lynn Taylor Tye, Vasu Vasudevan, Holly Wiedemann, Bryan Makinen, Alan Long, Laura Babbage, Nancy Collins, and Lewis Diaz. The following member voted “nay”: Richard Day. Ryan Wiggins was absent. The motion passed.

Ms. Mary Kearns, a member of the community, made comments to the board regarding the White Hall State Historic Site real property transfer.

Chair Diaz announced that the Board would take a brief break and recessed the meeting at 2:28 p.m.

Chair Diaz reconvened the Board meeting at 2:45 p.m.

## **IV. Information Items**

## **A. Committee Reports**

### **1. Student Life, Discipline and Athletics Committee**

Committee Chair Vasudevan reported that the Student Life, Discipline and Athletics Committee met that morning and approved the minutes from the September 24, 2018 meeting, as well as the revisions to the Student Government Association constitution. There was no new business and the committee adjourned.

### **2. Institutional Advancement and Honors Committee**

Committee Chair Day reported that the Institutional Advancement and Honors Committee met that morning, approved the minutes from the September 24, 2018 meeting and also approved the resolution and conferral of an honorary Doctor of Laws degree for William Craig Turner. There was no new business and the committee adjourned.

### **3. Finance and Planning Committee**

Committee Chair Castro reported that the Finance and Planning Committee met that morning and heard presentations from Mr. Barry Poynter regarding the financial update. The committee approved the minutes from the January 9, 2019 meeting and approved the proposed Model Laboratory Tuition Rates for 2019-2020, at zero increase. There was no new business and the committee adjourned.

### **4. Executive and Academic Affairs Committee**

Committee Chair Diaz reported that the Executive and Academic Affairs Committee met that morning and received an update by Dr. Palka regarding Student Success update; tabled the legislative update which will be heard at the full Board meeting; approved the following consent agenda items: approval of the January 9, 2019 meeting minutes, personnel actions previously approved by the President, academic policy revisions, recommended Retirement Transition Program participants for 2019-2020, recommended Sabbatical Leaves for 2019-2020, and administrative policy actions; and approved the Hazing Statement in the Student Handbook. There was no new business and the committee adjourned.

## **B. Additional Reports to the Board**

### **1. Dr. Matthew Winslow, Faculty Senate Chair**

Dr. Matthew Winslow, Chair of Faculty Senate, gave the following report:

Good afternoon. I apologize for not getting my report in to Dana in time to have it included into your packet, but she has graciously agreed to make it part of the minutes. So I will summarize my three brief items, if you will allow it.

The first thing I want to tell you about is ECU Forward. I told the Board in September that we instituted a new agenda item for the Faculty Senate that we called ECU Forward, where we solicit ideas from the Faculty Senate about how to make Eastern a better place.

We had several Senate meetings where we had that five or 10 minutes of mostly silence, we got a few good ideas that we have taken some action on but after the last Senate meeting the Provost and Dean Zeigler suggested to me that we change the format of ECU Forward so that we might get better ideas from the Senate. They suggested that we have smaller, less formal meetings instead of at the big Senate meeting. So, we identified five Mondays throughout the rest of the semester and we invited faculty senators to come to those meetings and present their ideas. The Provost, Dean Zeigler, Vice Chair Ciocca, and myself -- we will all be present at all of those meetings. Eleven or twelve faculty senators are invited to come to each one of those meetings. They are open to the public. They are subject to open meetings laws. We have had one so far. I would say the attendance was about on par as participation with Senate meetings but hopefully we will get some better participation from the faculty senators going forward. I am very hopeful that we will get some good ideas and that these less formal meetings will be a way to bridge whatever gap there is between the administration and the faculty. I hope to bring forward to you some ideas we get from that at the April Board meeting.

As you know, Regent Day has chosen not to run for reelection and his term is up. So the Faculty Senate Election and Nominations Committee is in the process of running the election for our new faculty regent. We have three candidates that are running: Dr. Richard Crosby from the School of Music, College of Letters, Arts and Social Sciences; Dr. Jason Marion from the Department of Environmental Health Science, College of Health Sciences; and Dr. Zek Eser from the finance program in the College of Business and Technology. We had two open forums this week for the candidates to present their platforms and to respond to questions. The election started yesterday, voting started yesterday, and will continue until next Friday. Our rules say that the winner has to receive more than 50 percent of the vote, so the vote gets split in a way that someone does not get 50 percent, we will have a runoff and that will happen at the end of March. As soon as the Elections and Nominations Committee verifies the results and the winner I will inform the Board who the next Faculty Regent will be.

I want to thank Chair Diaz for agreeing to come to our Faculty Senate meeting in March. I am looking forward to having you there. I think better communication between the Board and the faculty will benefit both parties and ECU.

Finally, if I may, just on the issue of White Hall, just as a faculty member myself and Chair of Faculty Senate, I have the mission of this university in mind when I am thinking about White Hall and it makes me feel good that there is an educational part of White Hall that our students can be involved somehow and in some way, and this can further their education. That makes me feel good about ECU taking on this auxiliary. I will say that there are other auxiliaries at ECU that our students have had a much harder time getting access to. We are sitting in one of them, if I may. It's very important to me that ECU keep in mind our educational mission and to the extent that students can be involved in White Hall, I think it can be a win for ECU.

## **2. Ms. Caelin Scott, Staff Council Chair**

Ms. Caelin Scott, Chair of Staff Council, delivered the following report:

Good afternoon. Chair Diaz, Board of Regents, and President Benson, thank you for allowing me to present on ongoing Staff Council initiatives to you today. Staff Council held a working retreat on February 5th. We spent the afternoon reviewing past accomplishments of Staff Council, revising the current bylaws, discussing expectations of each member, as well as starting

goal-setting that will be an ongoing task for the upcoming year. Additionally, each committee had their initial meeting of the year to elect a committee chair, secretary, and to set regular meeting times. Since the retreat, each committee has met and is hard at work in their respective areas.

As Ms. King, Staff Council's previous chair, mentioned at the last Board meeting, Staff Council filled six open seats during our last election. As a Council, we were almost at full capacity. Unfortunately, due to one individual leaving the University and the resignation of another from their Staff Council position, we currently have two seats vacant. The Elections Committee is hard at work reviewing the membership representation table so that we can do a call for nominations and hold a special election to fill these two seats soon.

In an effort to give back to our employees, Staff Council hosted a family movie event on Saturday, February 9th, here at the ECU Center for the Arts. The movie shown was Disney's *Ralph Breaks the Internet*. To keep with the theme of the movie, pre-show activities offered were *Ralph Breaks the Internet* matching games and coloring pages, and each guest was able to grab a snack and bottled water before the event. There were just over 200 individuals in attendance. The feedback that our Staff Council members have received is that it was a great event and one that staff greatly appreciated. I would be remiss if I didn't give a note of thanks to the ECU Center for the Arts and their staff for their assistance in allowing us to host the event and the venue. Thank you.

Staff Council is looking ahead in the year at other events to host for ECU staff and their families. After the great success of our pool events last summer, planning is in progress with Richmond Parks and Recreation on finding available dates for this summer. Additionally, our Staff Recognition and Professional Development Committee is currently planning an opportunity for staff to have a Conversation with the President reception. Thank you, President Benson, for your willingness to participate in this initiative.

While we still have several months, Staff Council is also planning to participate in ECU's homecoming parade again this year in October. As plans for upcoming events continue to be finalized, Staff Council will share information with the ECU community. I am excited about the group of individuals we have working together on Staff Council this year and I believe this group has great things in store. Thank you again, Chair Diaz, Board of Regents and President Benson, for your continued support of Staff Council.

### **3. Ms. Madison Lipscomb, Executive Vice President, Student Government Association**

The Student Government Association has been super-busy this semester. I am not sure how much Ryan has told you about what we have been up to, but coming up we have our IT funding and our RSO funding. Our IT funding has kind of been put to the side after our new agreement with the information technology chair and libraries, Betina Gardner. We will be awarding them 80 percent of our IT budget to be put towards the new IT Geeks center that is going where the bookstore is going. And the rest of that 20% will be going towards getting some laptops, some iPads, and things that can be given out to students to be rented by RSOs.

Next week we have our RSO funding. We have quite a bit of money to give away to them, that they can use for putting on events, attending conferences, and things like that. Just getting RSOs on their feet and being able to put themselves out in the community for students.

Also on the table we have some legislation passed about upcoming tuition conversations. I know that that's probably going to be brought up at the April meeting. We have a survey out right now to students that they can take to -- kind of just let us know how a tuition raise would affect them. We kind of set it at 2.5 being the talked about number in our conversations with tuition planning. So, just seeing how students would be affected by the 2.5 percent increase, if that's what it would be put at. I know the cap is at 4 percent by the Council on Postsecondary Education. Seeing those demographics, how they would be affected by it, and if they would be in support of different areas of that tuition funding going towards those. We will have those results of that survey for you guys at the next Board of Regents meeting in April. Right now we have seen probably around 200 results. We released that last Thursday. We have a sample, just not representative yet of the entire student body. Other than that, we have been really productive this year.

#### **4. Michael Benson, President**

President Michael Benson delivered the following report:

Good afternoon. I know we have an aggressive timeline today so I will be brief. First off, I want to welcome Regent Tye. It's been fun, now in my sixth year, to see regents come and go and see new blood come infused into the Board, and we are very happy to have you, Lynn. We had a chance to host Regent Tye last week for her orientation and she is all in. So we are very thankful.

To Regent Day, thank you, Richard. Rarely have I seen a faculty regent as thorough as Richard. Now, we may not always agree with him but, as I call them, his "War and Peace" emails that he sends regularly, are incredibly thorough. Richard, that is all time away from your other duties and on behalf of the administration, thank you for your service. I think you have done a remarkable job.

To Madison and the students, we were up in Frankfort this last week and it was Higher Ed Day, and Madison was there with a whole cadre of EKV students and it was great to see them in the hall. But more importantly, they were in representatives' offices, having meetings. There was a rally down in the rotunda, but they were making their voices heard, and that makes a difference. We very much appreciate that.

I was in Frankfort this morning for a CPE meeting, and we were the only school that had two students represented at the table, it was all the student body presidents from all the Kentucky institutions. We had two, our student body president was represented by Kaisee today and then also Sebastian Torres. You'll remember Sebastian, a graduate of ours, who is the student representative on the CPE board as a second-year law student at NKU. It's great to see how EKV continues to lead, from our students to our legislative team, and this is a segue into David and Ethan. I'd put those two up against anybody in Frankfort, and I hear that from a lot of people. They know the Hill, they know relationships, and you've heard about House Bill 358, and David will brief you on that, but together with NKU our team has helped drive this piece of very significant public policy change and I want to thank them for their hard work.

Lastly, you've seen the new structure that we have implemented. It's been in place now for a couple of weeks. I sent around the note that I distributed to campus. Also, the organizational chart. It's not as if we kind of came up with this out of thin air. I study a lot of different charts and a lot of different structures, and we wanted to make some changes that allowed us to focus laser-like on what I considered the most important thing facing us right now, and that is our enrollment. To make sure it is secure, that it is moving forward, and as you heard from Gene -- Gene knows this backwards and forwards. We wanted to kind of allow him and his team to really dial in on that. Not that they haven't been, but he's had a lot of other responsibilities. So, I want to personally thank Skip Daugherty for coming back and taking on a new role and responsibility. Skip, thank you very much. I'm very excited about this new structure and what it means for our institution moving forward. From all accounts, it's doing very, very well and I think it bodes well for the future.

## **5. Lewis Diaz, Chair**

Chair Lewis Diaz delivered the following report:

I had in my mind that I was going to give everybody a report, and it would be as motivational and inspirational as possible, but really what I have is this desire to hear from Tom Martin and the faculty. So I want to be as brief as I can.

We have financial issues in the Commonwealth, at ECU, but please take a step back and think about humanity in general. Aside from that little period that the Garden of Eden existed, to today, right now, this minute, is the best time to be alive that there has ever been. We have unparalleled health care. We have an economy that works. All of us have some degree of financial prosperity. In the world where we live in, we have the highest degree of financial prosperity here in the United States and in Kentucky. There are relatives, friends, people, in our region that we have to help bring up, and that is what we are here to do. But in spite of all the consequences and challenges, keep in mind that we are part of the best time period to be alive.

Mike talks about the three P's: People, Programs and Places. This next conversation with Tom is about people. Of the three P's, I think People is our number one resource. The People drive the Programs, the People drive the Places. This next conversation is about investing in people, this next conversation is about putting the "E / me". Tom, the floor is yours, sir.

## **V. Action Items**

### **A. Board Innovation Fund**

Mr. Tom Martin, Executive Director, Center for Economic Development (CEDET), introduced the following faculty applications for the Board's consideration of the \$250,000 Board Innovation Fund

#### **i. Sparkling an Influence Change and Innovation**

Drs. Margaret Ndinguri and Lindsay Calderon presented their application to the Board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Collins made a motion to approve the Board Innovation Fund application submitted by Drs. Ndinguri and Calderon. The motion was seconded by Regent Babbage. The motion passed by voice vote.

**ii. Photons for the Future**

Dr. Judy Jenkins presented her research application to the Board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Long made a motion to approve the Board Innovation Fund application submitted by Dr. Jenkins. The motion was seconded by Regent Castro. The motion passed by voice vote.

**iii. Eastern Kentucky University: A Regional Leader in Family Health & Well-Being**

Drs. Dana Bush, Mary Clements, and Colleen Schneck presented their research application to the Board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Day made a motion to approve the Board Innovation Fund application submitted by Drs. Dana Bush, Mary Clements, and Colleen Schneck. The motion was seconded by Regent Long. The motion passed by voice vote.

**iv. ColiCount: For Determining Water Quality Anywhere on Any Budget**

Dr. Jason Marion presented his research application to the Board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Day made a motion to approve the Board Innovation Fund application submitted by Dr. Marion. The motion was seconded by Regent Castro. The motion passed by voice vote.

**B. Consent Agenda**

Chair Diaz presented to the full Board the following items on the Consent Agenda for approval:

**i. Approval of the Minutes for the Full Board Meeting on January 9, 2019**

A motion was made by Regent Long to approve the minutes for the Full Board meeting on January 9, 2019. The motion was seconded by Regent Collins. The motion passed unanimously by voice vote.

**ii. Personnel Actions Report**



A motion was made by Regent Babbage to approve the Personnel Actions Report. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

**iii. Academic Policy Revisions**

A motion was made by Regent Day to approve the academic policy revisions. The motion was seconded by Regent Long. The motion passed unanimously by voice vote.

**iv. Recommended Retirement Transition Program Participants for 2019-2020**

A motion was made by Regent Babbage to approve the recommended Retirement Transition Program Participants for 2019-2020. The motion was seconded by Regent Day. The motion passed unanimously by voice vote.

**v. Recommended Sabbatical Leaves for 2019-2020**

A motion was made by Regent Day to approve the recommended Sabbatical Leaves for 2019-2020. The motion was seconded by Regent Babbage. The motion passed unanimously by voice vote.

**vi. Administrative Policy Actions**

A motion was made by Regent Castro to approve the administrative policy actions. The motion was seconded by Regent Day. The motion passed unanimously by voice vote.

**vii. Approval of Hazing Statement in the Student Handbook**

A motion was made by Regent Babbage to approve the Hazing Statement in the Student Handbook. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

**viii. Student Government Association Constitution Revisions**

A motion was made by Regent Makinen to approve the Student Government Association Constitution revisions. The motion was seconded by Regent Collins. The motion passed unanimously by voice vote.

**ix. Conferral of Honorary Doctorate for William Craig Turner**

A motion was made by Regent Babbage to approve the conferral of the Honorary Doctorate for William Craig Turner. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

**C. Approval of Proposed Model Laboratory School Tuition and Fees for 2019-2020**

A motion was made by Regent Babbage to approve the proposed Model Laboratory School Tuition and Fees for 2019-2020. The motion was seconded by Regent Collins. The motion passed unanimously by voice vote.

**D. Approval of the Schedule for 2019 Board of Regents Regular Meetings**

A motion was made by Regent Long to approve the schedule for 2019 Board of Regents regular meetings, and to approve the released schedule as the Board's regular meetings for the year and to supersede any language in the bylaws contrary to that. The motion was seconded by Regent Vasudevan. The motion passed unanimously by voice vote.

**E. Resolution in Honor of Dana Fohl**

Regent Makinen presented the following resolution for the Board's approval:

**WHEREAS**, in addition to her duties as University Counsel, Dana Fohl has served with distinction as the Secretary of the Eastern Kentucky University Board of Regents from April 27, 2016 to January 9, 2019; and

**WHEREAS**, in this capacity, she has faithfully supported the Board in its efforts to govern and guide the University; and

**WHEREAS**, in addition to this important work, she has been a key figure in the development and implementation of policies approved by the Board; and

**WHEREAS**, she has worked diligently, professionally, and efficiently to ensure the University's compliance with both the spirit and the letter of important state and Federal regulations; and

**WHEREAS**, Ms. Fohl has performed her responsibilities with grace, professionalism, and keen eye for detail;

**BE IT THEREFORE RESOLVED** that the Eastern Kentucky University Board of Regents hereby officially records its sincere appreciation for the service of Ms. Dana Fohl.

Done this the 22nd day of February, 2019, by the Board of Regents of Eastern Kentucky University.

A motion was made by Regent Babbage to approve the Resolution honoring Ms. Dana Fohl. The motion was seconded by Regent Long. The motion passed by voice vote.

**VI. Legislative Update**

Dr. David McFaddin, Senior Vice President of Operation and Strategic Initiatives, provided a brief legislative update to the Board, including the awarding of a \$1.5 million ARC

grant with another \$500,000 in complementary funds, allowing for the launch of an aviation mechanics and technician program; and an update regarding HB 358, the pension reform bill.

**VII. New Business**

There was no new business.

**VIII. Adjournment**

There being no further business, Chair Diaz requested a motion to adjourn. A motion was made by Regent Long to adjourn the meeting. The motion was seconded by Regent Castro. The motion passed by voice vote, and the meeting was thereby adjourned at 4:02 p.m.

  
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Bryan Makinen

April 23, 2019  
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Date