

**KENTUCKY STATE UNIVERSITY BOARD OF REGENTS
SPECIAL CALLED MEETING**

***** Meeting Was Conducted in Person and by Teleconference *****

**January 24, 2023
11:30 a.m. EST**

**Board of Regents Room
Julian M. Carroll Academic Services Building, 2nd Floor
Frankfort, Kentucky 40601
(Primary Physical Location)**

MINUTES

I. Call To Order

The Board's Chair, Dr. Gerald Patton, called the meeting to order at 11:30 a.m.

II. Roll Call

The Board's Secretary, Mr. Zachary Atwell, called the roll:

Regent Gerald Patton, PhD	Present
Regent Herman Walston, EdD	Not Present
Regent Michael Adams, Jr.	Not Present
Regent Tammi Dukes	Present
Regent Edward Fields	Present
Regent Ernie Fletcher, MD	Not Present
Regent Edward Hatchett, Esq.	Present
Regent Jason Moseley	Present
Regent Charles Moyer, PhD	Present
Regent Robert Ramsey, Sr.	Present
Regent Savion Briggs	Present

During the roll call, at least six (6) Regents were present, thereby establishing a quorum. Shortly after the roll call, Regent Fletcher and Regent Walston joined the meeting.

III. Approval of the Agenda

Before the Board approved the agenda, Regent Moseley inquired about the protocol for adding items to the agenda, such as committee reports. Interim General Counsel Shuo Han responded that it was essential to adhere closely to the agenda for a special called meeting. Therefore, she advised that the information Regent Moseley requested would be shared at a later time.

MOTION by Regent Moyer:

Move the Board of Regents to approve the agenda for the January 24, 2023, special called meeting of the Board of Regents.

Seconded by Regent Hatchett and passed without dissent.

IV. Information Item

A. HB 250 Update

Chair Patton asked Interim President Ronald A. Johnson to present this agenda item. President Johnson began by stating that HB 250 updates would be provided at nearly every meeting moving forward.

Next, President Johnson noted that the focus of HB 250 is to return KSU to its purpose and financial viability, ultimately contributing to the success of students, the region, the Commonwealth, and beyond.

President Johnson then discussed CPE's MIP, breaking it down into eight elements and integrating each element with KSU's seven business model components. Following that discussion, President Johnson provided an HB 250 progress report covering the first half of the 2022–2023 fiscal year.

Dr. Daarel Burnette, Interim VP of Finance & Business Affairs, and Dr. Bridgett Golman, Interim Vice President of Student Engagement and Campus Life, also provided a brief update on the current enrollment at President Johnson's request.

Regent Hatchett asked for an in-state and out-of-state breakdown of currently enrolled students.

Regent Moyer requested a comparison between the Fall 2022 semester and the Spring 2023 semester's enrollment numbers, further asking how many students had been budgeted for the Spring 2023 semester.

Chair Patton commented on the importance of Board training and development as required by HB 250 and CPE's MIP, noting the ongoing progress that KSU's Board of Regents has made in this area.

Regent Ramsey inquired whether CPE could attend quarterly Board meetings moving forward to share their perspective regarding KSU's progress with the MIP.

Chair Patton thanked President Johnson, Dr. Burnette, and Dr. Golman for their presentation.

V. Action Items

A. Approval of Revised Faculty Evaluation Process

Dr. Michael Dailey, Interim Provost & VP for Academic Affairs, presented this agenda item, providing an overview of the revised faculty evaluation process as mandated by HB 250.

Chair Patton asked Dr. Dailey to explain the steps taken in evaluating the existing faculty evaluation process, and inquired whether CPE had been involved in this particular activity.

Regent Walston sought clarification on the submission process for tenured and post-tenured faculty members' interfolio dossier materials and posed a question regarding sanctions. President Johnson replied that HB 250 requires the revision of the current Faculty Handbook, and therefore the sanctions set forth in HB 250 would replace those sections within the University's faculty handbook.

Regent Walston inquired whether KSU's legal counsel had reviewed this. President Johnson responded that he, KSU legal counsel, and CPE legal counsel had all been involved in this approach to faculty evaluation.

Regent Hatchett asked Dr. Dailey to comment on the role student evaluations play in faculty evaluations.

Regent Fields asked whether the first round of evaluations included all faculty members and sought clarification on whether the review of tenured and post-tenured faculty members would be conducted on a cycle once initial evaluations were completed.

Regent Fields also inquired whether a minimum number of service years is required for a faculty member to be on a tenure track, and how a faculty member who comes to KSU with tenure would be evaluated. President Johnson explained that process.

MOTION by Regent Fields:

Move the Board to approve the revised faculty evaluation process.

Seconded by Regent Walston and passed without dissent.

B. Approval of NCAA Title IX and Serious Misconduct Policy

Chair Patton asked Interim President Johnson and Interim General Counsel Han to present this agenda item.

Regent Dukes inquired whether KSU currently has a compliance officer to ensure that the policy is being carried out. Interim General Counsel Han responded that the policy is currently carried out by the Associate Athletic Director, Ms. Jackie Duvall, and the Interim Title IX Coordinator, Mr. Michael DeCourcy.

MOTION by Regent Hatchett:

Move the Board to approve the NCAA Title IX and serious misconduct policy.

Seconded by Regent Dukes and passed without dissent.

C. Approval of Separation and Retreat Policy for Senior Academic Administrators

This agenda item was presented by Interim President Johnson and Interim General Counsel Han.

Regent Walston asked whether, moving forward, the employment contracts of incoming KSU employees serving dual faculty and temporary administration roles would contain clauses and provisions making it clear that changes in position or job title may result in salary changes as well.

MOTION by Regent Walston:

Move the Board to approve the separation and retreat policy for senior academic administrators.

Seconded by Regent Dukes and passed without dissent.

D. Approval of Blackboard Contract

Chair Patton asked Dr. Michael Dailey, Interim Provost & VP for Academic Affairs, and Dr. Wendy Dixie, Chief Information Officer, to present this agenda item.

Dr. Dailey began by explaining that Blackboard is the University's current learning management system for online instruction and is available to all KSU students. He then detailed Blackboard's capabilities and the services it provides.

Regent Hatchett asked how frequently KSU compares Blackboard with other providers of similar services. Interim Provost Dailey responded, stating that Blackboard's services would be reviewed as required by HB 250.

Regent Dukes inquired whether the Board should wait to renew the contract, given that Blackboard would be undergoing review. Dr. Dailey recommended that the Blackboard contract be renewed so students' service is not disrupted, as any potential transition to another product would not happen quickly.

Regent Moyer commented that while it is wise to review these kinds of contracts, it is also essential to remember that the issue is not solely one of cost or functionality. The potential disruption created by moving from one program to another can wipe out any dollar benefit gained; therefore, faculty input should be considered before any change is made.

Regent Fletcher noted that the online reviews of Blackboard appear to be positive but felt that it was still a good idea to research other similar products since technology changes so quickly.

President Johnson remarked on Blackboard's capabilities in providing instructor feedback to improve students' understanding of instructional materials and classroom performance.

MOTION by Regent Fields:

Move the Board to approve the Blackboard contract.

Seconded by Regent Dukes and passed without dissent.

E. Approval of Amended Hotel Contract

Dr. Bridgett Golman, Interim VP for Student Engagement & Campus Life, presented this agenda item.

Dr. Golman thanked the Board for their patience with the housing situation, relative to the construction of the new residence hall. It is anticipated, though not guaranteed, that the new housing facility will be ready by the end of February. Dr. Golman then reported that the initial construction contract provides that the residence hall is not required to be fully completed until July, thus necessitating an amendment to the Capital Plaza hotel contract.

Chair Patton inquired into the issues preventing the completion of the new residence hall. Dr. Golman replied that an occupancy certificate cannot be issued because major items are incomplete, there is no furniture, and the building is not ready for a checklist inspection.

Regent Moseley commented that from his perspective, the building does not appear to be anywhere near completion and asked why the University would even consider putting students in the building in its current state, given potential safety issues and liability implications to the institution. Dr. Golman responded that the decision has been made not to move students in until the Fall 2023 semester, partly based on a student survey.

Noting that the proposed hotel contract extension runs through May 13th, Regent Walston inquired how and where summer session students would be accommodated.

Regent Walston asked whether students enrolling in the Fall 2023 semester would be given the choice as to whether or not they want to live in the new residence hall.

MOTION by Regent Walston:

Move the Board to approve the amended hotel contract.

Seconded by Regent Moseley and passed without dissent.

F. Approval to Enter Into Agreement with EAB for Enrollment Consulting Services

This agenda item was presented by Dr. Bridgett Golman, Interim VP for Student Engagement & Campus Life. Golman stated that EAB's enrollment services and management would increase student recruitment, enrollment, retention, persistence, and graduation rates.

Chair Patton asked Dr. Golman about the anticipated timeline and specific benchmarks/outcomes related to EAB's efforts to bolster KSU's student recruitment, retention, and graduation.

Regent Hatchett requested financial and budgetary context for this contract, specifically inquiring whether this was a new relationship with EAB and if so, whether money had been budgeted for this expenditure.

Regent Dukes asked in which years KSU would have this outlay of money.

Regent Hatchett asked whether the piggyback relationship with Morehead State University's contract with EAB exempts KSU from the necessity of undergoing a competitive bid process.

Regent Moseley asked why KSU seeks to hire these services out, given that there are already on-campus recruiting and admissions offices. Dr. Golman responded that this is a comprehensive remarketing and rebranding effort, not just a recruitment effort.

Chair Patton asked about the extent of organizations like EAB, inquiring where they are being utilized, and by what types of institutions.

Regent Hatchett asked where the \$759,000 portion of the expenditure would come from within the E&G funds.

MOTION by Regent Walston:

Move the Board to approve the entry into an agreement with EAB for enrollment consulting services.

Seconded by Regent Briggs.

Hearing some dissent, Chair Patton then called for a roll-call vote, asking the Board's Secretary, Mr. Atwell, to call roll:

Regent Gerald Patton, PhD	Aye
Regent Herman Walston, EdD	Aye
Regent Tammi Dukes	Aye
Regent Edward Fields	Aye

Regent Ernie Fletcher, MD	Aye
Regent Edward Hatchett, Esq.	Nay
Regent Jason Moseley	Nay
Regent Charles Moyer, Ph.D.	Aye
Regent Robert Ramsey Sr.	Nay
Regent Savion Briggs	Aye

There were three dissenting votes. Therefore, the “ayes” prevailed, and the motion passed.

G. Approval to Purchase Agilent 5200 Fragment Analyzer

Chair Patton asked Dr. Kirk Pomper, Director of Land Grant Programs, to present this agenda item.

Dr. Pomper stated that USDA grant funds would be used for this purchase.

MOTION by Regent Fletcher:

Move the Board to approve the purchase of the Agilent 5200 Fragment Analyzer.

Seconded by Regent Briggs and passed without dissent.

H. Approval of Pending Personnel Actions

Ms. Candace Raglin, Director of Human Resources, presented this agenda item.

Chair Patton commented that some Board members had inquired as to the hiring rate for positions which the Board had approved, and asked if that information was available.

MOTION by Regent Fields:

Move the Board to approve the pending personnel actions.

Seconded by Regent Briggs and passed without dissent.

I. Approval of Action to Make Regent Attendance at the Annual CPE Trusteeship Conference Mandatory

Chair Patton requested that Interim President Johnson present this agenda item.

President Johnson stated that CPE's MIP requires all Regents to attend the annual CPE Trusteeship Conference and shared the benefits of attendance.

Regent Dukes asked what would happen if a Board member was unable to attend due to extenuating circumstances. Travis Powell from CPE replied that extenuating circumstances preventing one or two members from attending would not result in a penalty for KSU.

Regent Fletcher asked how many other university Boards are subject to a mandatory attendance requirement. Regent Fletcher remarked that he was reluctant to support this, commenting that mandatory attendance expectations might pose an impediment to engaging future board members. Regent Walston concurred with Regent Fletcher's comments.

President Johnson recommended that the mandatory attendance requirement language be rewritten to state that attendance was expected or strongly recommended.

Regent Fletcher agreed with President Johnson's recommendation. Mr. Travis Powell said that the suggested language would be acceptable and would comply with HB 250 and the MIP.

MOTION by Regent Fletcher to amend the motion by removing the mandatory attendance requirement language and replacing it with language stating that Regents' attendance at the Annual CPE Trusteeship Conference is expected and strongly recommended:

Move the Board to approve the amended motion.

The Motion was seconded by several Regents and passed without dissent.

Regent Dukes requested that meeting dates be provided in advance as far as possible.

VI. Closing Remarks

Chair Patton concluded the meeting by stating that Board members need to look at KSU's past to understand where the University is going in the future. Chair Patton also thanked departing Interim General Counsel Han for her service and wished her well in her future endeavors. Finally, Chair Patton commended Board members for thinking of proactive ways to improve the University during these difficult times.

VII. Adjournment

MOTION by Regent Walston:

Move the Board to adjourn.

Seconded by Regent Briggs and passed without dissent.

The meeting was adjourned at 1:55 p.m.

Submitted by:



Zachary Atwell, Board Secretary
Kentucky State University
Board of Regents



Regent Tammi Dukes, Board Chair
Kentucky State University
Board of Regents

Approved with no corrections

Approved with corrections