

**MINUTES
BOARD OF REGENTS
MIDWESTERN STATE UNIVERSITY**

May 11, 2007

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 9:00 a.m., Friday, May 11, 2007. Regents in attendance were Mr. Mac Cannedy, Jr., Chairperson; Ms. Pat Haywood, Secretary; Ms. Charlye Farris; Dr. Carol Gunn; Mr. Stephen Gustafson; Mr. Munir Lalani; Mr. Don Ross Malone; and Mr. Ben Wible.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Friederike Wiedemann, Provost; Mr. Juan Sandoval, Vice President for Administration and Finance; Dr. Howard Farrell, Vice President for University Advancement and Student Affairs; Dr. Bob Clark, Vice President for Institutional Effectiveness and Enrollment Management; Dr. Emerson Capps, Associate Provost and Dean of Graduate Studies; Mr. Keith Lamb, Associate Vice President for Student Affairs; and Mr. Allen Goldapp, Associate Vice President for Facilities Services. Other university personnel attending the meeting included Mr. David Spencer, Internal Auditor; Dr. Robert Redmon, Chairman of the MSU Faculty Senate; Ms. Dianne Weakley, Director of Human Resources; Ms. Gail Ferguson, Controller; Ms. Valarie Maxwell, Director of Budget and Management; Ms. Janus Buss, Director of Public Information and Marketing; Mr. Mike Snow, Assistant to the Vice President for Institutional Effectiveness and Director of Institutional Research and Planning; and Ms. Debbie Barrow, Executive Associate to the President. Representing the news media was Ms. Ann Work, reporter for the Wichita Falls *Times Record News*.

Chairperson Cannedy called the meeting to order at 9:03 a.m. Dr. Farrell presented the invocation and Ms. Buss introduced the guests. Mr. Cannedy noted that graduation would be held Saturday, May 12. He reminded the Board of the Tom Haywood Foyer dedication in Bolin Science Hall at 11 a.m.

Public Comment

07-104. Mr. Cannedy stated that in accordance with the Board of Regents By-Laws, MSU Policy 2.22, members of the public were invited to address the Midwestern State University Board of Regents through written and oral testimony. Mr. Cannedy noted that no one signed up to speak during this time.

Reading and Approval of Minutes

07-105. The minutes of the regular Board meeting February 8, 2007, were approved as presented.

Reading and Approval of Minutes

07-106. The minutes of the regular Board meeting February 9, 2007, were approved as presented.

Reading and Approval of Minutes

07-107. The minutes of the special Board meeting April 24, 2007, were approved as presented.

Executive Committee Report

Mr. Cannedy noted the items presented at the Executive Committee Meeting for committee approval only, information only, and discussed with no action taken. Information concerning these items can be found in the minutes of the Executive Committee Meeting held May 10, 2007.

Item Presented for Committee Approval Only

07-78. Committee Minutes, 2/8/07 – approved by Committee as presented.

Item Presented for Information Only

07-80. Midwestern State University Strategic Plan Review

Item Discussed with No Action Taken

07-81. Possible Purchase of Property

Executive Committee Consent Agenda

The following item was approved by the Executive Committee and placed on the Consent Agenda for consideration by the Board.

07-79. Capital Expenditure and MP1 Report FY 2008-2012 – approved the items to be included in the university’s five-year plan for construction, land acquisition, and major repair and renovation projects as indicated below.

<u>Project Name</u>	<u>Priority</u>	<u>Project Cost</u>
Student Recreation and Health Center	1	\$13,400,000
Fowler Engineering Building Renovation	2	\$7,200,000
D.L. Ligon Coliseum Renovation	3	\$7,700,000
Moffett Library Renovation	4	\$17,500,000
Bolin Science Hall Renovation	5	\$3,000,000
Student Housing	6	\$14,000,000
Acquisition of Property Contiguous to Campus	7	\$21,000,000
Concert Hall	8	\$25,000,000
Clark Student Center Renovation and Addition	9	\$7,000,000
Education Building	10	\$25,000,000
Information Technology Building	11	\$8,000,000
Total		<u><u>\$148,800,000</u></u>

Mr. Cannedy asked if anyone wanted to remove this item from the Consent Agenda. There being none, Mr. Lalani moved approval of the Consent Agenda as presented. Ms. Haywood seconded the motion and it was approved.

Finance and Audit Committee Report

Mr. Lalani noted the item presented at the Finance and Audit Committee Meeting for committee approval only. Information concerning this item can be found in the minutes of the Finance and Audit Committee Meeting held May 10, 2007.

Item Presented for Committee Approval Only

07-82. Committee Minutes, 2/8/07 – approved by Committee as presented.

Finance and Audit Committee Consent Agenda

The following items were approved by the Finance and Audit Committee and placed on the Consent Agenda for consideration by the Board.

07-83. Review and Acceptance of Financial Reports – accepted the December, 2006, and January, February, and March, 2007, Financial Reports as presented.

07-84. FY 2006-2007 Items \$50,000 & Under Approved by President – ratified these items as presented.

07-85. Salary/Title/Position Changes in FY 06-07 Budget Approved per Board Authorization – ratified changes as presented.

07-86. Investment Policy – approved revisions to the MSU Investment Policy as presented.

07-87. Tuition Guarantee Policy – authorized that tuition at Midwestern State University not be increased by more than 5% in any fiscal year (calculating the first 5% limit on the fall 2007 base of \$132 per semester credit hour), with the base being adjusted each year dependent on the tuition charged each fall. Further approved that this guarantee be in place through the 2010-2011 academic year (four years). Finally approved that the MSU Board of Regents would review this policy each August and determine if the guarantee should be extended for an additional year.

Mr. Cannedy asked if there were items any member wanted to remove from the Consent Agenda. Mr. Lalani asked that Item 07-87 be removed from the Consent Agenda for further discussion. Mr. Wible moved approval of the Consent Agenda excluding Item 07-87. Mr. Lalani seconded the motion and it was approved.

Tuition Guarantee Policy

07-87. Mr. Lalani recommended that the following notation be added to the administration's recommendation as shown below and indicated with an asterisk (*).

The administration recommends that tuition at Midwestern State University not be increased by more than 5% in any fiscal year (calculating the first 5% limit on the fall 2007 base of \$132 per semester credit hour).* The base will be adjusted each year dependent on the tuition charged each fall. It is further recommended that this guarantee be in place through the 2010-2011 academic year (four years). Each August, the MSU Board of

Regents will be asked to review this policy and determine if the guarantee should be extended for an additional year.

* In keeping with Southern Association of Colleges and Schools (SACS) requirements regarding truth in advertising, the following statement will be included in the university's catalogs: "Midwestern State University reserves the right to change the cost of attendance in keeping with the acts by the Texas Legislature or the university Board of Regents."

Dr. Rogers stated that the university's catalog represents the university's contract with its students. MSU follows SACS guidelines in all areas from record-keeping to statements of cost and the curriculum. He indicated that universities are allowed to put such a disclaimer in our catalog because of unforeseen actions by bodies that govern the university.

Mr. Cannedy added that a similar statement is included in the current catalog, however, this action makes note of it and slightly modifies the current wording. Mr. Lalani indicated that this action does not change the administration and Board's intent to offer the 5% guarantee.

Ms. Farris moved approval of the revised motion as presented. Ms. Haywood seconded the motion and it was approved.

Personnel and Curriculum Committee Report

Ms. Haywood noted the items presented at the Personnel and Curriculum Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the Personnel and Curriculum Committee Meeting held May 10, 2007.

Item Presented for Committee Approval Only

07-88. Committee Minutes, 2/8/07 – approved by Committee as presented.

Items Presented for Information Only

07-89. Faculty Report

07-90. Review of Personnel Reports for FY 06-07 Budget

Personnel and Curriculum Committee Consent Agenda

The following items were approved by the Personnel and Curriculum Committee and placed on the Consent Agenda for consideration by the Board:

07-91. Holiday Schedule for Staff Employees – 2007-2008 – approved the holiday schedule as presented, to include approval of the five-day work schedule in the summer 2008.

(NOTE: An error was discovered following the Board meeting which will require a modified holiday schedule to be approved by the Board in August.)

07-92. List of May 2007 Candidates for Graduation – approved the list of candidates for graduation as presented with the provision that they meet all requirements as prescribed by the faculty and administration.

07-93. Second Bachelor's Degree Honors (2006/2008 Catalog Change) – approved a change in the policy to allow honors to be awarded for a second bachelor's degree as presented.

07-94. *MSU Policies and Procedures Manual* Changes – approved changes to the following policies as presented:

- A. Policy 2.338 - Art Acquisition Committee
- B. Policy 2.338 – BAAS Advisory Committee
- C. Policy 2.338 – Committee for the Preservation of Sikes House
- D. Policy 2.338 – University Data Standards/Security Committee
- E. Policy 2.338 – Teacher Education Committee
- F. Policy 3.120 – Tenure and Promotion Policy
- G. Policy 3.223 – Staff Employee Education Incentive Program
- H. Policy 3.349 – Employee Background Checks

07-95. Emeritus Status for Retiring Faculty – approved emeritus status for the following individuals:

- Mr. Richard M. Ash III – Emeritus Professor of Art – 39 years
- Dr. David Martin – Emeritus Professor of Political Science – 37 years
- Dr. Tracy Menard – Emeritus Associate Professor of Counseling and Special Education – 14 years
- Dr. Al Sutko – Emeritus Professor of Engineering – 20 years

07-96. Faculty Promotions – approved the following promotions:

From the Rank of Assistant Professor to Associate Professor:

Martha Burger, Ed.D.	Educational Leadership
Steve Garrison, Ph.D.	Political Science
Jeffrey Killion, Ph.D.	Radiologic Sciences
Claudia Montoya, Ph.D.	Spanish
Nathan Moran, Ph.D.	Criminal Justice
Michael Shipley, Ph.D.	Biology
Pamela Stephens, Ph.D.	Geosciences
David Wierschem, Ph.D.	Management Information Systems

07-97. Faculty Tenure – approved granting tenure to the following faculty:

Robert Comello, M.S.	Radiologic Sciences
Steve Garrison, Ph.D.	Political Science
Charles Johnston, Ph.D.	Management Information Systems
James Johnston, Ph.D.	Radiologic Sciences
Jeffrey Killion, Ph.D.	Radiologic Sciences
Claudia Montoya, Ph.D.	Spanish
Michael Shipley, Ph.D.	Biology
David Wierschem, Ph.D.	Management Information Systems

Mr. Cannedy asked if there were items any member wanted to remove from the Consent Agenda. There being none, Mr. Lalani moved approval of the Consent Agenda. Dr. Gunn seconded the motion and it was approved unanimously.

Student Services Committee Report

Ms. Haywood noted the items presented at the Student Services Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the Student Services Committee Meeting held May 10, 2007.

Item Presented for Committee Approval Only

07-98. Committee Minutes, 2/8/07 – approved by Committee as presented.

Item Presented for Information Only

07-99. Student Government Report

University Development Committee Report

Mr. Gustafson noted the items presented at the University Development Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the University Development Committee Meeting held May 10, 2007.

Item Presented for Committee Approval Only

07-100. Committee Minutes, 2/8/07 – approved by Committee as presented.

Item Presented for Information Only

07-101. Summary of Gifts, Grants, and Pledges 9/1/06 – 4/13/07

Athletics Committee Report

Mr. Malone noted the items presented at the Athletics Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the Athletics Committee Meeting held May 10, 2007.

Item Presented for Committee Approval Only

07-102. Committee Minutes, 2/8/07 – approved by Committee as presented.

Item Presented for Information Only

07-103. Athletics Status Report/Possible Future Expansion of Sports Offerings

Other Business

Nominating Committee for Board Officers for the 2007-2008/2008-2009 Biennium

07-108. Mr. Cannedy stated that in February he appointed a special Nominating Committee to make recommendations concerning the election of a Chairperson, Vice Chairperson, Secretary, and Member-at-Large of the Executive Committee of the Board of Regents for the upcoming biennium. The committee was comprised of Mr. Malone, Chair; Mr. Gustafson; and Mr. Wible.

Mr. Malone noted that three Board members' terms of office will expire within the next year. Additionally, one member is currently serving in an expired term of office until the governor appoints a replacement. Based on that information, he noted that the

individuals recommended would serve until August 2009 or until they are no longer a regent, whichever comes first. He noted that the leadership torch was being passed to the remaining members of the board.

On behalf of the nominating committee, Mr. Malone recommended the following:

Mac Cannedy, Jr.	Chairperson
Munir Lalani	Vice Chairperson
Pat Haywood	Secretary
Don Ross Malone	Executive Committee Member-At-Large

Mr. Wible seconded the motion and it was approved.

President's Report and Discussion

07-109. Dr. Rogers presented information to the Board concerning various university matters. He noted that a great deal of his report was covered during the discussions on Thursday and Friday.

- A. Legislative Session Update – Dr. Rogers reported that the legislative session is at a critical point. The budgets passed by the House and the Senate are currently being discussed by the Conference Committee. He indicated that it appears MSU will receive Tuition Revenue Bond funding as well as an increase to the Higher Education Assistance Fund (HEAF) allocation. He added that the Senate version of the appropriations bill included \$100 million in each year of the biennium that would be put into formula funding for the 35 public senior institutions. While MSU's share is difficult to determine, it would likely be \$600,000. However, there is talk about funding exceptional items that have been requested. The issue that faces the conference committee is whether to allocate the \$100 million into formulas or fund exceptional items. It is uncertain as to what the outcome will be at this time. The outcome should be known by the end of May. The administration will then finalize the budget and present it to the Board for approval in August. Mr. Cannedy asked about the amount of MSU's exceptional item request. Dr. Rogers responded that the request was for \$800,000 in each year of the biennium.
- B. Campus Safety Procedures – Dr. Rogers stated that after the tragedy of Virginia Tech the MSU administration immediately gathered to review safety procedures. He stated that the university has detailed procedures that deal with everything from storms, power outages, fires, and other catastrophic events. He indicated that while tragedies cannot always be foreseen, plans are in place for many instances. He indicated that Dr. Farrell has taken the lead in MSU's security review. He is chairing a committee that is reviewing MSU's safety procedures. One of the major concerns that the group will address is how the university communicates in the midst of a disaster or tragedy on campus. He noted that the administration is looking at software that would allow the university to send a text message to all of the students. Additionally, the group will look at emergency phone locations throughout the campus. He indicated that he was pleased the university has 24 hour a day police dispatchers for the campus. He stated that in the budget process he would work to ensure that at least two police officers are on duty 24 hours a day, seven days a week.

Ms. Haywood noted that the student at Virginia Tech had mental problems and asked how MSU would handle such a situation. Dr. Rogers noted that in the last year the MSU Counseling Center was separated from the Office of Disability Services. He added that the administration is working to make the faculty aware and trained in case they know of a student with problems. Dr. Capps stated that he and Mr. Lamb met a couple of weeks ago with the Director of the Counseling Center, Dr. Midgett. She is going to develop a workshop for faculty that will be presented through the MSU Teaching Learning Resource Center. The workshop will help faculty learn how to recognize problem situations. Additionally, they will learn what action they can take and how to respect the rights of individual students as well as the rights of the student body and faculty as a whole. Dr. Rogers added that the Human Resources Office has scheduled training for staff.

Mr. Malone asked how the university handles issues of privacy, specifically related to the Health Insurance Portability and Accountability Act (HIPAA), if the counseling process discovers sensitive information. Mr. Lamb stated that all of the campus medical records are governed by HIPAA. However, if it is determined that under the Family Educational Rights and Privacy Act (FERPA) there is a need to know on the part of someone at the university, the university can make that individual aware of the situation. At that time the records become part of the student record, which is governed by FERPA. Mr. Malone indicated that the information would be available for the administration to make an appropriate decision. Mr. Lamb concurred.

- C. Tobacco-Free Campus Policy – Dr. Rogers stated that he was looking at the possibility of MSU being a tobacco-free campus. He wanted the Board to be aware of this because the campus will debate the topic in the coming year. No decision will be made without Board action. He stated that he began talking about a tobacco-free campus following a recent visit to the Dillard Business Administration Building. When leaving the building he noticed that the area was littered with cigarette butts and filters. He indicated that he has seen this outside other buildings as well. He added that all of the Texas medical schools are tobacco-free campuses. He stated that smoking takes years off a person's life. He indicated that a university education includes more than in-class subjects. Many of a university's extracurricular programs, rules, policies, and procedures are related to total life's experience. He noted that the debate would likely center on the issue of good health versus individual rights. He indicated that he wanted the Board to know that the discussion would take place on campus in the near future.

Mr. Lalani asked if there would be more resistance from the faculty and staff or from the students. Dr. Rogers indicated that thus far there had been a positive response from the administration as well as some of the student leaders. Dr. Farrell added that he gets a number of student complaints each semester about individuals smoking right outside the building doors. Dr. Rogers stated that wellness would be a large part of the recommendation. Dr. Wiedemann indicated that the dean's were in support of this action even though one of the deans smokes. Mr. Lalani noted that in the hotel business they have noticed a decline in the number of smoking rooms requested in the last five years. Dr. Rogers added

that the university would provide cessation workshops and treatment opportunity for faculty, staff, and students. He indicated that he would keep the Board informed as the process unfolds.

- D. National Study of University Faculty – Institutional Survey Peer Report – Dr. Rogers reported that the results of a national survey of 1100 U.S. colleges and universities were recently released. He asked Mike Snow to present information regarding faculty qualifications and how MSU’s faculty compared to other college and universities throughout the United States. Mr. Snow presented the report on the study conducted by the National Center for Education Statistics (NCES), part of the United States Department of Education (see [Attachment 1](#)). He reported that the institutions that participated were Title IV institutions, which means they receive federal financial aid. He noted that the data collection took place in 2003-2004 and the first published report was released in March 2007. He stated that the results were very favorable with regard to MSU. He noted that in 10 of the 13 areas reported on, MSU met or exceeded the results of everyone else in the study. The presentation included an example from each of the five sections in the report. The first example looked at the percentage faculty that are full-time and part-time. The table showed responses from all institutions, responses from fellow Public Master’s institutions, and MSU’s response. He noted that only medical schools had an average higher than MSU. The second section dealt with the percentage of undergraduate semester credit hours that are taught by full-time faculty. MSU was higher than other Public Master’s institutions and the MSU results were closest to the private liberal arts universities. The third section looked at the percentage of full-time faculty hired within the last year that came from outside the university. Section four reviewed the number of faculty qualified for tenure who were actually granted tenure. Section five looked at the benefits offered to full-time faculty. MSU’s benefits met or exceeded those of other universities.

Mr. Snow stated that this is the first report to come out of the survey. Additional information should be forthcoming in the future.

- E. Website Update and New Marketing Web Video – Dr. Rogers reported that it is important for institutions to promote the idea of higher education. He presented to each Board member a copy of *Consumers Digest* magazine which included a story naming Midwestern State University the Best Value among public colleges and universities. He asked Ms. Buss to discuss university marketing, the MSU website, and a new web video.

Ms. Buss reported that the MSU website was redesigned two years ago. Recently it was determined that it was time to update the website again, making it more user-friendly and adding items to the home page. Ms. Buss showed the Board the current home page. She noted that there is now a “What’s Happening Today” button on the home page as well as student profiles that could be watched. She indicated that current news items are shown just below the main photograph on the homepage. She stated that the #1 ranking has been the top story since it was announced. With regard to marketing MSU being named the top valued public school in the U.S., 18,000 e-mails were recently sent to alumni, students, donors,

and friends. Additionally, her office is working with *Consumers Digest* to develop a logo that can be used concerning this award. A postcard is being designed that the Admissions Office will send to current students and prospective students who have been admitted for the fall. She added that information will appear on billboards within the Wichita Falls area and ads will be placed in a number of other publications. She stated she is also looking at large publications such as *Texas Monthly*. She reported that a full page color ad with full Sunday circulation for the *Dallas Morning News* costs \$33,000. She stated that she planned to run ads in the Lone Star Conference member towns, all of the towns in Region IX, and selected towns in the Metroplex.

Janus then previewed a two and one-half minute video that will be available on the MSU homepage. Additionally, the video will be taken on the road by admissions.

Mr. Cannedy asked how the university is notifying members of the Texas Legislature of the best value ranking. Dr. Rogers stated that Norm Hood is distributing copies of the article to a number of individuals in Austin. Additionally, this information will be included in future testimonies. He added that he had received congratulatory notes from staff members at the Texas Higher Education Coordinating Board (THECB).

Mr. Lalani asked if the best value could be incorporated into the video. Ms. Buss responded that the university would likely only market the best value for six months. She stated that the cost of the video production would make it difficult to revise the video in such a short timeframe. Mr. Lalani indicated his understanding that this ranking comes out every three years and that perhaps it could be marketed for a period longer than six months. Ms. Buss stated that she would look into the matter.

Mr. Malone noted that in light of the Faculty Senate's report Thursday about campus safety, he would like the Board to go on record asking the administration to aggressively develop a plan to address these concerns. Dr. Rogers responded that an interim report on the Campus Master Plan would be presented at the August Board meeting. He added that a large part of the plan would include recommendations regarding traffic flow and pedestrian safety.

Dr. Rogers reminded everyone that the Haywood Foyer Dedication would begin at 11 a.m. at the east entrance to the Bolin Science Hall. He added that the softball team won their first game in the regional softball tournament Thursday night.

Adjournment

There being no further business, the meeting was adjourned at 10:25 a.m. The next regularly scheduled meetings of the Board of Regents will be Thursday and Friday, August 2 and 3, 2007.

ORIGINAL MINUTES SIGNED

Patricia A. Haywood, Secretary

I, Patricia A. Haywood, the fully appointed and qualified Secretary of the Midwestern State University Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the minutes of the Midwestern State University Board of Regents meeting May 11, 2007.

ORIGINAL MINUTES SIGNED

Patricia A. Haywood, Secretary

ATTACHMENT:

1. National Study of University Faculty – Institutional Survey Peer Report