

**MINUTES  
BOARD OF REGENTS  
MIDWESTERN STATE UNIVERSITY**

**February 15, 2008**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 9:44 a.m., Friday, February 15, 2008. Regents in attendance were Mr. Mac Cannedy, Jr., Chairperson; Mr. Munir Lalani, Vice Chairperson; Ms. Pat Haywood, Secretary; Ms. Charlye Farris; Ms. Pamela Gough; Dr. Carol Gunn; Mr. Stephen Gustafson; Mr. Ben Wible; and Student Regent Jason York.

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. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Dr. Robert Redmon, Chairman of the MSU Faculty Senate; Ms. Dianne Weakley, Director of Human Resources; Ms. Janus Buss, Director of Public Information and Marketing; Ms. Valarie Maxwell, Director of Budget and Management; Ms. Cindy Ashlock, Assistant to the President; and Ms. Debbie Barrow, Executive Associate to the President. Representing the MSU Student Government Association was Mr. Dominique Calhoun, SGA President, and Mr. Hezron Wade, SGA Observer. Representing the news media was Ms. Ann Work, reporter for the Wichita Falls *Times Record News*.

Chairperson Cannedy called the meeting to order at 9:44 a.m. Dr. Farrell presented the invocation and Ms. Buss introduced the guests. Mr. Cannedy noted that Dr. Carol Gunn and Dr. Emerson Capps recently received awards from the United Way. The board extended congratulations to these individuals. Mr. Cannedy reported that the Governor's Office will host a higher education conference May 21 and would like as many regents to attend as possible. Additional information will be forthcoming.

Public Comment

08-80. 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

08-81. The minutes of the regular Board of Regents meeting November 1, 2007, were approved as presented.

Reading and Approval of Minutes

08-82. The minutes of the regular Board of Regents meeting November 2, 2007, were approved as presented.

**Executive Committee Report**

Mr. Cannedy noted the item presented at the Executive Committee Meeting for committee approval only. Information concerning this item can be found in the minutes of the Executive Committee Meeting held February 14, 2008.

Item Presented for Committee Approval Only

08-48. Committee Minutes, 11/1/07 – approved by Committee as presented.

Executive Committee Consent Agenda

The following items were approved by the Executive Committee and placed on the Consent Agenda for consideration by the board.

08-49. Instrumental Music Hall Project – authorized the administration to negotiate a contract with Electra Construction Company to serve as Construction Manager at Risk for this project. Authorized the administration to negotiate with Imperial Construction should an acceptable contract with Electra Construction not be negotiated. Finally approved the following funding plan for this project:

\$1,000,000	Sale of HEAF Bonds
<u>500,000</u>	Gift from Fain Foundation
\$1,500,000	

08-50. Ligon Coliseum Renovation Project – authorized the administration to continue working with Campos Engineering to review the building infrastructure analysis and address other critical needs within the facility, including compliance with Texas Accessibility Standards and ADA. Approved the following funding plan for this project:

\$7,700,000	Tuition Revenue Bonds
300,000	Anticipated Interest Earnings
850,000	Sale of HEAF Bonds
<u>518,000</u>	Private Funding
\$9,368,000	

08-51. Student Housing Project – approved Phase I of the project as indicated below:

- A. Raze Mercantile Building at a cost of approximately \$57,000, with funding provided by a gift for this purpose.
- B. Proceed with the construction of apartment-style housing (approximately 290 beds) at the corner of Louis J. Rodriguez Drive and Midwestern Parkway at a total project cost of approximately \$21,375,357, following review of the project by a third party architect.
- C. Proceed with the purchase of the existing Sunwatcher Village through a bond issue of approximately \$17,357,110, which would be combined with the bond issue necessary to construct the new housing.

Accepted a report on Phase II of the project with the understanding that this portion of the project requires future planning and funding.

- A. Raze the following buildings on the east side of Louis J. Rodriguez Drive – Marchman, McCullough, and the Paint Shop.
- B. Construct apartment-style housing in this area designed for fraternity and sorority housing with approximately 75 beds. This construction would be contingent on appropriate contracts being negotiated with and agreed to by at least four fraternity and sorority groups.

08-52. Possible Purchase of Property – authorized the administration to purchase the house and property located at 2508 Hampstead at a cost of \$125,000 from funds donated for this purpose, with the understanding that final approval of the purchase would be requested from the Texas Higher Education Coordinating Board.

Mr. Cannedy asked if there were items any member wanted to remove from the Consent Agenda. There being none, Dr. Gunn moved approval of the Consent Agenda as presented. Mr. Lalani 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 February 14, 2008.

#### Item Presented for Committee Approval Only

08-53. Committee Minutes, 11/1/07 – 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.

08-54. Review and Acceptance of Financial Report – accepted the August, 2007, Financial Report as presented.

08-55. FY 2007-2008 Items \$50,000 & Under Approved by President – ratified these items as presented.

08-56. Salary/Title/Position Changes in FY 07-08 Budget Approved per Board Authorization – ratified changes as presented.

08-57. 2008-2009 Budget Discussion/Tuition and Fee Review and Proposed Increases – approved the following changes effective with the fall 2008 semester.

- A. Tuition – increase tuition by 5% (\$6.60 per semester credit hour), from \$132.00 to \$138.60 per semester credit hour (SCH).

B. Computer Use Fee – change the name of the Computer Use Fee to Technology Fee, and increase the fee by \$5, from \$15 to \$20 per SCH.

C. Increase course fees in the following disciplines:

1. English – from \$5 to \$6 per SCH
2. Kinesiology – from \$10 to \$15 per SCH
3. Management Information Systems – from \$7 to \$15 per SCH
4. Nursing – from \$25 to \$30 per SCH

Mr. Cannedy asked if there were items any member wanted to remove from the Consent Agenda. There being none, Ms. Haywood moved approval of the Consent Agenda. Mr. Gustafson 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 February 14, 2008.

#### Item Presented for Committee Approval Only

08-58. Committee Minutes, 11/1/07 – approved by Committee as presented.

#### Items Presented for Information Only

08-59. Faculty Report

08-60. Enrollment Report – Spring 2008

08-61. Small Class Report – Spring 2008

08-62. Beginning and Last Day Enrollment Reports, Fall 2007 Semester

08-63. Review of Personnel Reports for FY 07-08 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.

08-64. Proposed Faculty Development Leave – approved a development leave during the 2008-2009 academic year for Dr. James R. King as presented.

08-65. Approval of 2008-2009/2009-2010 Academic Calendars – approved the calendars as presented.

08-66. Master's Degree Program Requirements (2008/2010 Catalog Change) – approved the new statement of requirements as presented.

- 08-67. Changes to Core Curriculum (2008/2010 Catalog Change) – approved the changes as presented.
- 08-68. Revised Academic Program and Department Mission Statements (2008/2010 Catalog Change) – approved the mission statements as presented.
- 08-69. *MSU Policies and Procedures Manual* Changes – approved changes, deletions and new policies as presented:
- A. Policy 2.338 – University Assessment Committee
  - B. Policy 2.338 – NEW American Democracy Project Committee
  - C. Policy 3.127 – Faculty Workload Policy and Policy 3.145 DELETE Telecommunications-Based Courses
  - D. Policy 3.348 – Employment of Foreign Nationals
  - E. Policy 3.340 – Employee Background Checks
  - F. NEW POLICY – 4.XXX – Records Management Policy

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. Ms. Farris seconded the motion and it was approved unanimously.

#### **Student Services Committee Report**

Ms. Gough 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 February 14, 2008.

#### Item Presented for Committee Approval Only

08-70. Committee Minutes, 11/1/07 – approved by Committee as presented.

#### Item Presented for Information Only

08-71. Student Government Report

#### Student Services Committee Consent Agenda

The following items were approved by the Student Services Committee and placed on the Consent Agenda for consideration by the board.

08-72. Housing Rates – approved housing rates for fall 2008, spring 2009, and summer 2009 as presented.

08-73. Food Service Rates – approved food service rates for summer 2008, fall 2008, and spring 2009 as presented.

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

### **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 February 14, 2008.

#### Item Presented for Committee Approval Only

08-74. Committee Minutes, 11/1/07 – approved by Committee as presented.

#### Item Presented for Information Only

08-75. Summary of Gifts, Grants, and Pledges 9/1/07 – 1/18/08

#### University Development Committee Consent Agenda

The following items were approved by the University Development Committee and placed on the Consent Agenda for consideration by the board.

08-76. Naming of University Facility – authorized the naming of the health center wing of the new recreation center the Vinson Health Center in recognition of a donation from Robert E. and Joan B. Vinson, Ann Vinson, and Robert E. Miller.

Mr. Cannedy asked if anyone wanted to remove this item from the Consent Agenda. There being no response, Dr. Gunn moved approval of the Consent Agenda. Ms. Farris seconded the motion and it was approved unanimously.

### **Athletics Committee Report**

No report was necessary as the meeting was held earlier in the day and all of the items were presented for committee approval or information only.

### **Other Business**

#### Executive Session

Mr. Cannedy announced that the Board of Regents would go into closed session as allowed by the Texas Government Code Chapter 551, Section 551.074, Personnel Matters, to consider Item 08-83. The closed session was properly announced at 10:07 a.m. Board members and Ms. Barrow remained for the discussion. Dr. Rogers joined the meeting at 10:41 a.m.

#### Open Meeting Resumes

The closed session ended at 11:10 a.m. with an announcement by Mr. Cannedy that no action was taken during Executive Session. The open meeting immediately resumed.

#### University President's Annual Performance and Compensation Review and Contract

08-83. Mr. Cannedy noted that the special Presidential Performance and Compensation Review Committee appointed at the November Board meeting reviewed the President's performance and was asked to make a recommendation concerning the university president's contract in accordance with Section 2.31 of the *MSU Policies and Procedures Manual*. He noted that during the Executive Session each member of the board evaluated and discussed with Dr. Rogers his performance.

Mr. Lalani stated that the committee and board indicated that they were pleased with Dr. Rogers' performance. He added that if there was a report card, Dr. Rogers would receive a grade of Excellent. Mr. Lalani then recommended that Dr. Jesse Rogers be offered a new contract as President of Midwestern State University for a three-year period beginning September 1, 2008. He further recommended that Section VI of Dr. Jesse Rogers' contract be modified to provide his spouse an additional sixty days, if needed, to vacate Sikes House should Dr. Rogers pass away or become disabled while employed as president. He finally recommended that in lieu of salary increases during the next three years, the Board of Regents authorize the chairperson to work with the chair of the Finance and Audit Committee to develop an appropriate deferred compensation package to recognize Dr. Rogers for his outstanding work. Ms. Haywood seconded the motion. Mr. Cannedy noted that Dr. Rogers had one year left on his current contract but with this action the contract would extend for three years beginning September 1, 2008. There being no further discussion, the motion was unanimously approved.

Dr. Rogers expressed appreciation to the Board for their continued confidence and support. He added that he has a wonderful group of people around him.

#### President's Report and Discussion

08-84. Dr. Rogers presented information to the board concerning various university matters.

- A. Construction Update – Dr. Rogers presented information concerning the following ongoing projects:
  1. Student Health and Wellness Center – he noted that he agreed with Dominique Calhoun's comment at the committee meetings indicating everyone was pleased to see “vertical progress” on the project. He noted that foundation concrete pours are complete and the contractor is erecting steel and concrete block walls on the gym. The foundation for the Health Center is in progress. The current contract completion date is November 15, 2008.
  2. Fowler Hall – the contractor is currently on schedule. The roof penetration for the lab atrium is complete and steel erection should begin in the next few weeks. Interior demolition, plumbing installation, and concrete slab work is in progress. The building should be operational in the fall.
  3. Instrumental Music Hall - the architect is in the design phase and the first round of estimates for the project has been completed. Ralph Perkins believes the project could bid as early as this summer.
  4. Louis J. Rodriguez Drive – concrete and brick work in the medians has begun and work will be complete soon.
- B. State Funding Update – Dr. Rogers reported that the Commissioner of the Texas Higher Education Coordinating Board (THECB) has received the Formula Advisory Committee's recommendations. The recommendations include putting \$478 million new dollars into higher education for the next biennium. Dr. Rogers stated that while the future is still uncertain, additional funding is necessary for higher education

institutions. He noted that incentive funding plans are still being discussed and hopefully Midwestern State University will get its fair share of incentive dollars set aside for higher education.

- C. Intercollegiate Athletic Fee – Dr. Rogers indicated he was pleased with the student support for an Intercollegiate Athletic Fee. He stated that MSU is the last school in the Lone Star Conference to have such a fee. He noted that the Board of Regents would be asked to approve the fee later in the year and that it would then be presented to the Texas Legislature for approval.
- D. Student Regent – Dr. Rogers asked Ms. Barrow to explain changes have been made in the procedures dealing with student regents. Ms. Barrow reported that the university has had a Student Regent since 2006 and Jason York was appointed in February 2007. During the 2007 legislative session, the timetable for Student Regent appointments was modified. Jason's term was extended through May 31, 2008 and a new student regent will be appointed effective June 1, 2008 to serve through May 31, 2009. This year, Student Government received five applications for the position. Dr. Rogers reviewed the application and recommended two to the Governor.
- E. American Democracy Project – Dr. Rogers asked Dr. Wiedemann to report on the American Democracy Project (ADP) on the MSU campus. He noted that the ADP came out of the American Association of State Colleges and Universities (AASCU). Dr. Wiedemann stated that the project targets undergraduates enrolled at institutions of higher education that are members of AASCU. She added that the project grew out of a concern about decreasing rates of participation in America in voting, in advocacy, in local grassroots associations, and in other forms of civic engagement. The first goal of the ADP is to increase the number of undergraduate students who understand and are committed to engaging in meaningful civic actions by asking participating institutions to review and restructure academic programs and processes, extracurricular programs and activities, and the institutional culture. The second goal is to focus the attention of policy makers and opinion leaders on the civic value of the college experience. The project seeks to create a national conversation among many campuses about the theory and practice of civic engagement; to develop institutional commitment by involving senior administrators, faculty, staff, and students by addressing core institutional mission and purpose and by focusing on civic engagement as a learning outcome for undergraduates; to initiate new projects, courses, and teaching strategies, extracurricular and other programs to increase civic engagement supported by the national project office; to measure the civic engagement outcomes of undergraduates on participating campuses and assess the impact of this project in contributing to greater civic engagement outcomes; and to disseminate the models that result to a wide audience of higher education institutions, individuals, and policy makers. Dr. Wiedemann reported that there are five initiatives of ADP as shown in Attachment 1.

Midwestern State University's ADP has been led by Dr. Millie Gore, Professor of Education. A standing committee is now in place and activities are scheduled on campus. Dr. Wiedemann noted that ADP activities are now included among the service activities to be recognized in faculty annual reviews and in promotion and tenure considerations. She added that the Student Government Association is working



with ADP on recycling and other environment issues related to the campus. She noted that in March the ADP would co-sponsor the first Faculty Service Learning Workshop, along with the Teacher Learning Resource Center, which is led by Dr. Emerson Capps.

Dr. Wiedemann reported that the university is getting involved and the program will continue to grow.

Adjournment

There being no further business, the meeting was adjourned at 11:45 a.m. The next regularly scheduled meetings of the Board of Regents will be Thursday and Friday, May 8 and 9, 2008.

ORIGINAL MINUTES SIGNED

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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 February 15, 2008.

ORIGINAL MINUTES SIGNED

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Patricia A. Haywood, Secretary

ATTACHMENT:

1. American Democracy Project Information