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, August 7, 2009. Regents in attendance were Mr. Munir Lalani, Chairman; Dr. Carol Gunn, Vice Chair; Mr. Stephen Gustafson, Secretary; Mr. Charles Engelman; Ms. Charlye Farris; Mr. Shawn Hessing; Ms. Jane Spears; Mr. Ben Wible; and Student Regent Lenny Benton.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Russell Long, Interim Provost; Mr. Juan Sandoval, Vice President for Administration and Finance; Dr. Howard Farrell, Vice President for University Advancement and Student Affairs; and Dr. Robert Clark, Vice President for Institutional Effectiveness. Other university personnel attending the meeting included Mr. Keith Lamb, Associate Vice President for Student Affairs; Mr. Allen Goldapp, Associate Vice President for Facilities Services; Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Ms. Dianne Weakley, Director of Human Resources; and Ms. Ann Medford, Chair of the MSU Faculty Senate. Also attending the meeting were Ms. Gail Ferguson, Controller; Ms. Valarie Maxwell, Director of Budget and Management; Ms. Julie Gaynor, Public Information and Marketing Assistant; Ms. Cindy Ashlock, Executive Assistant to the President; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the news media was reporter Ann Work, Wichita Falls Times Record News.

Chairman Lalani called the meeting to order at 9:04 a.m. Dr. Farrell presented the invocation and Ms. Gaynor introduced the guests. Mr. Lalani expressed appreciation to the board for their participation in the committee meetings. He noted that the campus would return to a five day work schedule August 17.

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

Reading and Approval of Minutes
09-157 & 09-158. Minutes of the regular Board of Regents meetings May 14 and 15, 2009, were approved as presented.

Executive Committee Report
Mr. Lalani noted the item presented at the Executive Committee Meeting for committee approval only and the item discussed with no action taken. Information concerning these items can be found in the minutes of the Executive Committee Meeting held August 6, 2009.

Item Presented for Committee Approval Only

09-118. Committee Minutes, 5/14/09 – approved by Committee as presented.
Item Discussed/No Action Taken

09-122. Deliberations about Real Property

Executive Committee Consent Agenda
Mr. Lalani presented the items approved by the Executive Committee and placed on the Consent Agenda for consideration by the board.

09-119. Wichita Falls Museum of Art at Midwestern State University Advisory Board of Directors – approved the following appointments to the Museum Board:

- Public Members (2009-2012)
  - John Hirschi, Lola Pitzer, Will Tucker, and Jane Spears

- MSU Members (2009-2010)
  - Richard Ash, Juan Sandoval, and Friederike Wiedemann

- Student Member (2009-2010)
  - Matthew Steimel

09-120. MSU Charitable Trust Membership – approved the addition of Martha Fain to the MSU Charitable Trust Board.

09-121. Ligon Coliseum-Phase II and Athletics Facilities Projects – authorized the administration to proceed with planning Phase II of the Ligon Coliseum Renovation Project and the Athletics Facilities Project, including field turf and lighting.

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

Finance and Audit Committee Report
Mr. Hessing noted the item presented at the Finance and Audit Committee Meeting for committee approval only and the item removed from the agenda without consideration. Information concerning these items can be found in the minutes of the Finance and Audit Committee Meeting held August 6, 2009.

Item Presented for Committee Approval Only

09-123. Committee Minutes, 5/14/09 – approved by Committee as presented.

Item Removed From Agenda Without Consideration

09-127. Investment Policy

Finance and Audit Committee Consent Agenda
Mr. Hessing presented the items approved by the Finance and Audit Committee and placed on the Consent Agenda for consideration by the board.

09-125. Financial Disclosure Statements – accepted the 2008 Financial Disclosure Statements for the President, the Vice President for Administration and Finance, and the Controller.

09-126. Internal Audit Plan -2009-2010 – approved the plan as presented.

09-128. Investment Management Services – authorized the president, the board chairman, and the chair of the Investment Committee to take action regarding the investment of the Redwine Quasi-Endowment Fund prior to the next board meeting, if necessary.

09-129. University Accounts – authorized the individuals to sign on university bank accounts, purchase and sell investment instruments, perform normal banking transactions, and sign appropriate personnel retirement documents as presented.

09-130. Approval of Brokers/Dealers, Investment Vehicles, and Asset Holding Accounts – approved the lists as presented.

09-131. FY 2008-2009 Items $50,000 & Under Approved by President – ratified changes as presented.

09-132. Salary/Title/Position Changes in FY 08-09 Budget Approved per Board Authorization – ratified changes as presented.

09-133. Thesis Fee – approved increasing the thesis fee from $15 per copy to $25 per copy as presented.

09-134. Intercollegiate Athletics Fee – authorized the assessing of an Intercollegiate Athletics Fee of $5 per semester credit hour, up to a maximum of $60 per semester, beginning with the spring 2010 semester.

09-135. MSU Promise/Mustang Guarantee – authorized the initiation of the Mustang Guarantee beginning with the 2010-2011 academic year as presented. The Mustang Guarantee would provide tuition and mandatory fees that are not covered by other grants, scholarships (all sources), exemptions, benefits, and/or waiver programs received by a student who meets certain criteria as shown in Attachment 1.

09-136. Operating Budget for Fiscal Year 2010 – approved the $90,287,041 operating budget as presented.

Mr. Lalani asked if there were items any member wanted to remove from the Consent Agenda. There being none, Mr. Engelman seconded Mr. Hessing’s motion to approve and it was approved.

Personnel and Curriculum Committee Report
Dr. Gunn noted the items presented at the Personnel and Curriculum Committee Meeting for committee approval and information only, as well as the item removed from the agenda without
consideration. Information concerning these items can be found in the minutes of the Personnel and Curriculum Committee Meeting held August 6, 2009.

Item Presented for Committee Approval Only

09-137. Committee Minutes, 5/14/09 – approved by Committee as presented.

Items Presented for Information Only

09-138. Faculty Report
09-139. Staff Report
09-140. Enrollment Reports – Summer 2009
09-141. Small Class Reports – Summer 2009
09-142. Beginning and Last Day Enrollment Reports – Spring 2009
09-143. Review of Personnel Reports for FY 08-09 Budget

Personnel and Curriculum Committee Consent Agenda
Dr. Gunn presented the items approved by the Personnel and Curriculum Committee and placed on the Consent Agenda for consideration by the board.

09-144. Posthumous Degree – Archie Lee Little – approved awarding posthumous Master of Education degree to Archie Lee Little.

09-145. List of August 2009 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.

09-146. Academic Calendar – Summer 2010 – approved the academic calendar as presented.

09-147. MSU Policies and Procedures Manual Changes – approved changes to the following policies as presented:

A. Policy 2.338 – Health Professions Advisory Committee (previously Pre-Medical Advisory Committee)
B. Policy 3.330 – Student Employment
C. Policy 4.163 – Use of Tobacco Products (see Attachment 2)
D. Policy 4.188 – Mobile Communication Devices
E. NEW Policy – Reporting Southern Association of Colleges and Schools-Commission on Colleges (SACS-COCS) Substantive Changes

Mr. Lalani asked if there were items any member wanted to remove from the Consent Agenda. There being none, Ms. Spears seconded Dr. Gunn’s motion to approve the Consent Agenda as presented. The motion was approved.
**Student Services Committee Report**
Ms. Farris 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 August 6, 2009.

**Item Presented for Committee Approval Only**

09-148. Committee Minutes, 5/14/09 – approved by Committee as presented.

**Items Presented for Information Only**

09-149. Student Government Report

09-150. Student Housing Report

**Student Services Committee Consent Agenda**
Ms. Farris presented the items approved by the Student Services Committee and placed on the Consent Agenda for consideration by the board.

09-151. Student Handbook Additions – authorized the addition of three statements to the student organization section of the student handbook as presented.

Mr. Lalani asked if any member wished to remove this item from the Consent Agenda. There being no response, Mr. Wible seconded Ms. Farris’s motion to approve the Consent Agenda as presented. The motion was approved.

**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 August 6, 2009.

**Item Presented for Committee Approval Only**

09-152. Committee Minutes, 5/14/09 – approved by Committee as presented.

**Item Presented for Information Only**

09-153. Summary of Financial Support 9/1/08 – 7/10/09

**University Development Committee Consent Agenda**
Mr. Gustafson presented the item approved by the University Development Committee and placed on the Consent Agenda for consideration by the board.

09-154. Naming of University Facilities – approved naming the new facility located on the east side of the Fain Fine Arts Center, the Fain Instrumental Music Hall, in recognition of the generous donation which made this project possible.
Mr. Lalani asked if any member would like to remove this item from the Consent Agenda. There being no response, Mr. Hessing seconded Mr. Gustafson’s motion to approve the Consent Agenda as presented. The motion was approved.

**Athletics Committee Report**

Mr. Wible 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 August 6, 2009.

**Item Presented for Committee Approval Only**

09-155. Committee Minutes, 5/14/09 – approved by Committee as presented.

**Item Presented for Information Only**

09-156. Athletics Status Report

**Other Business**

**Board of Regents Meeting Dates – 2009-2010**

09-159. Mr. Lalani noted that the proposed meeting dates were presented in the agenda. He asked if any member knew of a conflict with these dates. There being no response the dates were accepted as presented.

**Board of Regents Committee Appointments – 2009-2010**

09-160. Mr. Lalani distributed the list of committee appointments to serve beginning September 1, 2009 (see Attachment 3). He noted that the Executive Committee members were elected by the board in May. He added that a new Investment Committee was added to the list.

**President’s Report and Discussion**

09-161. Dr. Rogers expressed his appreciation to the board for their work at the committee meetings. He then presented information as shown below.

A. Division of Continuing Education – Dr. Rogers presented a new continuing education brochure to the board and noted that this area of the university performs very well. He indicated that Dr. Pam Morgan is Director of Extended Education, which includes this division. He noted that this is a great service to the community and the administration is exploring opportunities to expand it further.

B. House Concurrent Resolution (HCR) 288 – Tuition and Fees – Dr. Rogers reported that the only legislation approved during the legislative session dealing with limiting future tuition and fee increases was HCR 288 (see Attachment 4). The resolution requests that boards of regents hold tuition and fee increases to no more than 3.95%, or $280, per semester each year for undergraduate students enrolled in 15 semester credit hours. Dr. Rogers noted that MSU’s increase from one year to the next has not exceeded $280 per semester. He indicated that this resolution is consistent with what MSU has attempted to do in the recent past.
C. Admissions Standards – Dr. Rogers reported that admissions standards at MSU were last raised in the fall 2006. Since that time the number of remedial classes has declined and retention has increased. He noted that the administration is looking at recommending another increase for the fall 2011. A recommendation will likely be made to the board in November.

D. Academic Program Update – Dr. Rogers reported that a ceremonial bill signing would be held in Austin August 21 for HB 602, which identifies Midwestern State University in the Texas Education Code as a public liberal arts institution. He noted that the university would hopefully receive a positive report from the Accrediting Board of Engineering and Technology (ABET) during the fall semester. He added that representatives of the Association to Advance Collegiate Schools of Business (“AACSB International”) will visit the campus in the spring 2010.

Finally, Dr. Rogers reported that he recently received a communication from the Southern Association of Colleges and Schools (SACS) concerning MSU’s fifth year interim report. He noted that Dr. Clark headed up that effort for the university and MSU did very well. Dr. Clark thanked the Institutional Planning and Research staff for their efforts. He also commended Keith Lamb, Allan Goldapp, and Dianne Weakley for their assistance in writing the report. He stated that of the 33 institutions required to submit this fifth year interim report, only seven were required to submit a follow up report on one or fewer areas. MSU was included in the seven; all others were required to follow up on two or more areas. Dr. Clark indicated that MSU needed to follow up on the area of student learning outcomes. SACS approved of MSU’s plan, but asked for additional data. The follow up report will be submitted to SACS in the spring.

E. Honors Program Update – Dr. Rogers commended Dr. Mark Farris, mathematics professor and Director of the Honor’s Program for his efforts. He noted that Dr. Farris has done an excellent job in building the program. He added that an Honors Program Coordinator position has been added to the 2009-2010 operating budget to assist Dr. Farris. Dr. Rogers stated that the program will include 150 students in the fall 2009 and he expressed hope that the program would grow to 200. He indicated that the administration plans to provide Honor’s Program students opportunities for study abroad, university exchanges with other COPLAC schools, field trips, and other types of activities.

Mr. Benton noted that he had been in the Honor’s Program since he arrived at MSU. He commented that Dr. Farris works tirelessly on behalf of the students. Dr. Rogers added that he hoped to not only raise the number of participants but to also increase the size of the scholarships. He indicated that the Redwine Fund would make that possible.

F. Energy Project (Stimulus Funds) – Dr. Rogers asked Mr. Goldapp to report on funding available for energy projects on campus. Mr. Goldapp reported on the Texas LoneSTAR Program. He indicated that the program has been expanded because of the availability of stimulus funds. He noted that the program will now offer loans at 2% interest, for a period of 10-15 years. The purpose of the program is to increase energy efficiencies in public buildings, including state higher education
facilities. Mr. Goldapp reported that a preliminary energy audit was performed on campus in June 2008. At that time, the group identified $3.5 million in work that could be done that would have produced $500,000 in savings with a payback of just over six and one-half years. Since that time, the university’s rate for electricity has been reduced from 9.5 cents to 6.3 cents, which would likely result in less savings. Mr. Goldapp indicated that he recently selected a firm to perform a required Phase I audit of the campus. He stated that the audit will be accomplished during the fall and, depending on the outcome, he would likely return to the board in November with a project for consideration. He indicated the possibility of including in the project the replacement of windows in Ligon Coliseum. Mr. Lalani asked Mr. Goldapp to provide information to the board as part of the proposal regarding whether the energy savings would increase or decline with time.

Mr. Engelman asked what percentage of the university’s utility costs were electricity, gas, and water. Mr. Goldapp responded that while he didn’t have exact figures, the water number is a relatively small amount, probably $60,000 per year, including trash collection. He stated that the cost for gas and electric is very close. Mr. Engelman noted that the administration had done a fine job getting a good rate for electricity. He asked if the university was tied into a contract for gas. Mr. Goldapp responded that the university is locked into a rate and, fortunately, it was locked in when the price was going down. Mr. Engelman recommended if the administration purchased double pane windows, that the windows be the type that can be taken apart, cleaned, and put back together.

Ms. Barrow pointed out that each board member had been given a copy of the university’s catalogues as requested by Dr. Gunn.

Adjournment
Mr. Lalani thanked the board for their attendance and participation in the meetings. He also asked Ms. Medford to convey to the faculty the board’s appreciation for their efforts and to let them know that what the university is accomplishing would not have been possible without their help. He also asked that this message be conveyed to Mr. Gore for the Staff Senate.

There being no further business, the meeting was adjourned at 9:48 a.m. The next regularly scheduled meetings of the Board of Regents will be Thursday and Friday, November 5 and 6, 2009.

Original Minutes Signed

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Stephen A. Gustafson, Secretary

I, Stephen Gustafson, 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 August, 7 2009.
ATTACHMENTS:
1. Mustangs Guarantee Program
2. Policy 4.163 – Use of Tobacco Products
3. MSU Committee Appointments 2009-2010
4. House Concurrent Resolution (HCR) 288