

MIDDLE TENNESSEE STATE UNIVERSITY

BOARD OF TRUSTEES

MINUTES

March 27, 2018

Call to Order and Pledge of Allegiance

The Middle Tennessee State University Board of Trustees met in regular session on Tuesday, March 27, 2018, on the Middle Tennessee State University campus. Chairman Steve Smith called the meeting to order at 1:00 p.m. and requested retired Lt. Gen. Keith Huber to lead the Pledge of Allegiance.

Introduction of Student Veteran

Gen. Huber introduced student veteran Sergeant Brooke Snell who spent a decade in the United States Marine Corps from 2004 until 2014. Sgt. Snell was assigned overseas duties in Japan, South Korea, and Thailand and, combat duty in Iraq and Afghanistan. She was selected by her peers as the non-commissioned officer of the quarter and non-commissioned officer leader of the year. An electrician, Sgt. Snell was also trained and selected for the highly-sensitive and classified mission of chemical and biological response team, tasked with protecting the Pentagon and other government facilities in Washington D.C. Ms. Snell earned her B.S. degree at MTSU and will receive a Masters of Science in sports management at MTSU as well. Chairman Smith thanked Sgt. Snell for her service.

Roll Call

Board Secretary Heidi Zimmerman called the roll. Trustees present were Andy Adams, J.B. Baker, Pete DeLay, Darrell Freeman, Sr., Joey Jacobs, Tony Johnston, Stephen Smith, Lindsey Weaver and Pamela Wright. Trustee Christine Karbowskiak was unable to attend. A quorum was declared.

Welcome and Opening Remarks

Chairman Smith welcomed those present to the meeting of the Board of Trustees. He noted that the trustees had spent many hours in committee meetings prior to the Board meeting. Dr. Sidney A. McPhee, President, also welcomed those attending. Dr. McPhee introduced Mr. Nick McDevitt, newly appointed as head coach of the MTSU men's basketball team. Coach McDevitt, who was previously at the University of North Carolina – Asheville, expressed his thanks for the opportunity to be a part of the University and the community. He stated that he and his wife are excited to be at MTSU and look forward to getting to know the campus community. He assured the Board that the academic success of his players is his and his staff's foremost concern.

Approval of the Minutes

Chairman Smith indicated that the next order of business concerned approval of the minutes of the December 5, 2017 Board of Trustees meeting. Trustee Freeman moved to approve these minutes; Trustee DeLay seconded the motion. A voice vote on the motion to approve the minutes of the December 5, 2017 Board meeting was taken and carried unanimously.

Committee Report: Academic Affairs, Student Life, and Athletics Committee

Chairwoman Pamela Wright gave the report from the February 27, 2018, meeting of the Academic Affairs, Student Life, and Athletics Committee. Materials from the committee meeting were provided to the Board in its meeting materials. The committee report contained two (2) recommendations to be considered and voted on by the Board, and three (3) information items.

Promulgation of the Student Conduct Rule and Revisions to Policy 540 Student Conduct – Recommendation

The committee unanimously approved promulgation of the Student Conduct rule and the revisions made to Policy 540 – Student Conduct as required to be consistent with the rule.

New Academic Programs - Recommendation

The following new programs were approved by the committee:

- Bachelor of Science in Commerce
- Bachelor of Science in Elementary Education
- Bachelor of Science in English
- Bachelor of Arts in Communication

International Ginseng Institute – Information

Provost Byrnes informed the committee of the establishment of the International Ginseng Institute, a partnership with the Guangxi Botanical Garden of Medicinal Plants.

MTSU Research Institute - Information

Provost Byrnes stated that an MTSU Research Institute has been established.

Sale of Alcohol by Third-Party Vendor - Information

Athletic Director Chris Massaro informed the committee of legislation proposed to allow the sale of alcohol by a third-party vendor at MTSU athletic venues.

Motion to Approve Committee Recommendations – Student Conduct Rule; Revisions to Policy 540 – Student Conduct and Addition of New Academic Programs

Chairman Smith suggested a motion be made to include promulgation of the rule, revisions to Policy 540, and addition of the new academic programs. Trustee Freeman made that motion and Trustee Jacobs provided a second. A roll call vote was taken and the motion to approve promulgation of the Student Conduct rule, revisions to Policy 540 – Student Conduct, and approval of the new academic programs: Bachelor of Science in Commerce, Bachelor of Science in Elementary Education, Bachelor of Science in English, and Bachelor of Arts in Communication passed unanimously.

Committee Report: Finance and Personnel Committee

Chairman Joey Jacobs provided the report for the Finance and Personnel Committee and stated that this committee met on January 25, 2018 and on February 27, 2018. Materials from the meetings were provided to the Board in its meeting materials. The committee report contained six (6) information items and three (3) recommendations to be considered and voted on by the Board.

Athletic Master Plan – Recommendation

Vice President for Business and Finance, Alan Thomas, explained that submitting this plan to the Board is the first step in the approval process. If approved, the plan will be submitted to THEC for inclusion as an amendment to the University's Campus Master Plan. It would then be sent to the State Building Commission for approval.

Compensation Strategy Implementation – Recommendation

This matter was originally presented to the committee at its November 29, 2017 meeting. Ms. Kathy Musselman, Assistant Vice President for Human Resources, discussed information regarding issues the University has been dealing with in terms of salary compression, staff turnover, and funding for employee raises. She informed the committee that the Faculty Senate adopted a resolution recommending that cost-of-living adjustments and salary equity be resolved on an annual basis before a merit pay plan is considered or implemented. She explained that under the proposed plan, it would cost MTSU \$12.1 million to bring salaries up to the 2014-15 market. Last year, the State only funded \$3 million for salary increases but it cost the University \$4.5 million to implement a 3% across-the-board raise. She further noted that the University is working with data that is already two years old. If implementation of the current compensation plan began in July 2018 and completed in July 2020, the University would still be six years behind the market in salaries. After lengthy discussion, the motion that faculty, staff and administrative salaries be brought up to market level before the implementation of a merit pay plan was passed by the committee.

University Composite Financial Index - Information

Information and graphs concerning the four commonly used financial ratios used to gauge financial health of the institution against the market and other universities were provided to the committee.

Outside Legal Counsel - Information

Chairman Jacobs consulted with Tennessee Attorney General Herbert Slatery and Deputy Attorney General Jay Ballard regarding the use of outside legal counsel for Board members. Gen. Slatery indicated that his office would provide this service at no cost to the university.

Trustee Johnston challenged the committee and staff to think of non-traditional ways to remedy the University's financial limitations with reduced appropriations. Dr. McPhee agreed and indicated that a Director of Partnerships and Strategic Planning had been hired to work with Vice President Joe Bales in developing partnerships with industry to generate outside sources of revenue for the University.

Traffic, Parking and Safety Enforcement Rule and Policy 775 – Recommendation

As required by statute, the committee considered a proposed rule for traffic, parking and safety enforcement. The proposed rule and revisions to Policy 775 – Traffic, Parking and Safety Enforcement to make the rule and policy consistent were approved.

Governor's FY 2018-19 Budget Recommendations – Information

Vice President Thomas summarized the budget recommendations and presented materials outlining the financial impact to the University.

University Budget – Information

Vice President Thomas also discussed the University's budget. He explained that the Department of Finance and Administration annually requests state agencies to prepare a budget scenario that includes a reduction in state appropriations. Though not aware of any plans that would require

these budget reductions, the University felt the exercise was a necessary stress test in the event these reductions became part of the final State Budget.

Regional Scholars Program – Information

Vice President Thomas presented materials concerning two scenarios for expansion of the current Regional Scholars Program and an analysis of the possible effects of each on University revenue.

Capital Outlay Update – Information

Mr. Bill Waits, Interim Assistant Vice President for Campus Planning, updated the committee on capital outlay.

Motion to Approve Promulgation of Traffic, Parking and Safety Enforcement Rule

A motion to approve the promulgation of the rule on Traffic, Parking and Safety Enforcement was made by Trustee Freeman and seconded by Trustee Wright. A roll call vote was taken; the motion to approve promulgation of the rule on Traffic, Parking and Safety Enforcement passed unanimously.

Motion to Approve Athletics Master Plan Amendment; Compensation Strategy; and Revising Policy 775 – Traffic, Parking and Safety Enforcement

Trustee DeLay made a motion to approve the master plan for Athletics; bringing faculty, staff and administrative salaries to market level before merit pay; and, revisions of 775 – Traffic, Parking and Safety. Trustee Wright seconded the motion. The vote on the motion was unanimous.

Committee Report: Audit and Compliance Committee

Trustee Adams provided the report for the Audit and Compliance Committee which met on March 13, 2018. A quorum of the committee was not present and so it reviewed only information items: results of the state audit report for FY 2017; a report regarding conflict of interest disclosures for 2017; and, reports required by policy or the Audit Committee Charter, including

compliance with the public records policy, review of the employee code of conduct policy, Audit Office Charter and Independence of Chief Audit Executive, and the quarterly report giving results of internal audit reports.

Non-public Executive Session – Information

The public meeting of the committee adjourned and the committee went into executive session. During the non-public executive session, members discussed current audits and investigations.

Committee Report: Executive and Governance Committee

Trustee Freeman stated that the Executive and Governance Committee met on February 27, 2018 and March 13, 2018. The committee approved the following four (4) recommendations for the Board's consideration and approval: Institutional Mission/Mission Profile, as required by T.C.A. § 49-8-101; revisions to Board of Trustees Policy – Selection, Evaluation and Retention of the President; the President's compensation; and delegation to the Chair of the Finance Committee, Trustee Joey Jacobs, to negotiate the President's contract. Materials from the committee meeting were provided to the Board in its meeting materials.

Motion on Committee Actions

Trustee Baker made the motion to approve the Institutional Mission/Mission Profile; revisions to Board Policy – Selection, Evaluation and Retention of the President; president's compensation; and, delegation of negotiation of the President's contract, as reported by Vice Chair Freeman. Trustee DeLay seconded the motion. Prior to the vote, Trustee Johnston raised the issue of the comprehensive review of the president, and the necessity or desirability of having all constituent groups who work with the president to have influence or input into that evaluation. He referenced a sentence that provided that feedback would be solicited from the University administration, faculty, staff and students, as well as, alumni and the leadership in the community. He stated that on campus, evaluation of faculty members, department chairs, and deans from the top and the bottom is not uncommon, and that it would be highly valuable to have assessments of the president from all levels at which the president is responsible. Trustee

Johnston moved to amend the policy to include that statement to allow for that type of review to be included. Chairman Smith suggested that the Board vote on compensation and the contract, and refer this matter to the next committee meeting for further discussion. Trustee Johnston was agreeable with that suggestion. Chairman Smith directed that the vote cover the items there is no disagreement on and then take up the remaining issue at the next committee meeting. Trustee Baker indicated his agreement with that as a motion, and Trustee DeLay provided a second. For clarification, Board Secretary Zimmerman re-stated the motion: to approve the Institutional Mission/Mission Profile; the President's contract and compensation; and, delegation of the contract negotiations to the Chairman of the Finance and Personnel Committee. Chairman Smith indicated that this was consistent with his understanding of the motion. He asked the minutes of the meeting to reflect that on the agenda for the proper meeting will be to re-discuss evaluation. Trustee Johnston indicated that he was in agreement with that direction. A vote was taken and the motion carried.

Report of the Board Secretary

Ms. Zimmerman indicated that since the last Board meeting, minor formatting revisions were made to one policy.

Report of the President

Celebration of Scholars

Dr. McPhee reported on the President's Celebration of Scholars Day, which is a culmination of the Honors College Presidents' Day Open House that celebrates the achievements of incoming freshmen students who have been awarded a Trustee, Presidential or True Blue Scholarship. These scholarships are the highest guaranteed awards for entering first-year students and require a minimum high school GPA of 3.5 and a minimum ACT score of between 26 and 30, depending on the award. Nearly 500 prospective students and their family members attended the event.

Legislative Update

Dr. McPhee stated that MTSU has maintained a very visible presence during the 110th Session of the Tennessee General Assembly. He noted that he made several trips to meet with legislators, presented our budgetary needs in various committees, and engaged in several meetings with the Governor and state leadership. John Hood, Director, Government and Community Relations, Sondra Wade, Assistant University Counsel, and Vice President Bales have consistently represented the institution in the legislative halls, advocating on our behalf. MTSU Day on the Hill was held in March to bring greater attention to the campus and the many exciting things we have underway. Chairman Smith joined Dr. McPhee at the Senate budget hearing on February 28 to help advocate on behalf of the University. Dr. McPhee then provided an update on a number of bills being followed in the legislature.

Budget

Dr. McPhee stated that the Governor's Budget continues to go through the various committees of the General Assembly and is expected to be voted on in April or May. In anticipation of passage of the State's Budget, University administration will be holding budget hearings with each Division and each Academic Dean in early to late April. The 2018-19 Proposed Budget that will be presented to the Finance and Personnel Committee in May will include the increased appropriations from the State, the mandated salary increase for state employees, and increases in employee benefits; however, any revenue from tuition and fee increases or enrollment increases will not be reflected until the October Revised Budget.

State Building Commission

The proposed Academic Classroom Building is ranked as priority #1 on THEC's capital list and continues to be supported by the Governor. There was a hearing and presentation to the State Building Commission on the design phase of the facility. On March 8, Dr. McPhee, Vice President Thomas and his staff attended the State Building Commission meeting. The architect for the project provided documentation and gave a presentation of the complete design of the facility for approval by the State Building Commission. The project was approved. Depending on budget

approval by the General Assembly, construction will start this fall and it is hoped that classes will begin in the facility in fall 2020.

Forrest Hall

On February 16, the Tennessee Historical Commission denied our Petition for Waiver to rename Forrest Hall. Dr. McPhee stated that he and University Counsel Zimmerman discussed with Attorney General Herbert Slatery and Chief Deputy Attorney General Paul Nye, the possibility of filing a Petition for Review in Chancery Court. Because the AG's Office would be representing two state entities and there could be a perception of a conflict of interest, Gen. Slatery indicated that if we decide to go forward, we would need to retain outside legal counsel and that MTSU would be responsible for paying these legal fees. Dr. McPhee indicated that he has not made a decision in this regard and is considering next actions.

Boy Scout MOU

MTSU and the Middle Tennessee Council of the Boy Scouts of America signed a partnership on March 7 that will allow the University to be a greater resource for Scouting programs, particularly in science and technology. In doing so, the University will gain an opportunity to reach and recruit prospective students from the Council, which serves 37 Middle Tennessee counties and Fort Campbell, Ky. Dr. McPhee was joined by Trustee J.B. Baker, a former president of the Council, and Council Scout Executive and CEO Larry Brown in signing the partnership.

Special Presentation: Highlighting the College of Basic and Applied Sciences

Dr. McPhee introduced Dr. Bud Fischer, Dean of the College of Basic and Applied Sciences, to give the Board an overview of the College and share with the Board the exciting things taking place there. Dr. Fischer stated that the 11 departments in the College comprise a very diverse group, from Aerospace and Agriculture, Chemistry, Engineering and Engineering Technology, to Mathematics and Physics. Over 55 bachelors degrees, 28 masters degrees and 3 PhDs are offered. Dr. Fischer summarized the College in one word: innovation. This innovation has resulted in MTSU being the place for STEM education in Tennessee and the Southeast. As

concerns pedagogy and programs, changes have been put in place to modernize the curriculum. And, all general education classes have been updated and redone to make them more engaging for students using ideas such as flipped classrooms, teaching naked (teaching without technology), hybrid classes taught partially onsite and partly online, active learning, POGIL and reacting to the past. Unique programs have also been developed. MTeach allows students to get a degree in the sciences and at the same time take the PRAXIS test if they minor in Education, allowing them to become a teacher in the sciences. Mechatronics takes mechanical, electrical and computer engineering, and puts them in robotics and automation. Recently, Fermentation Science was introduced. The College gives students the opportunity to learn outside the classroom. Dr. Fischer stated that this is an area in which huge strides have been made. Experiential learning is one area in which learning occurs within the classroom, giving students hands-on opportunity to do what they would be doing in that career. There are currently 50 experiential learning classes that go toward an experiential learning degree. Examples include air traffic control with the 360 degree air traffic control simulator that allows students to simulate any airport in the country. Another concerns the Concrete and Construction Management program where students can become construction project leaders. Students are able to engage in research outside the classroom with faculty and each student is expected to produce a science portfolio that can be used to begin a career path. The science facilities on campus are also part of the innovation in the College. Dr. Fischer highlighted the New Science Building and the recent changes and improvements to the Wiser-Patton and Davis Buildings. Additionally, in Kirksey Old Main there is a makers space and a robotic space. New spaces associated with Concrete and Construction Management have also been created. Modern labs and modern tools within those labs are now available for use by our students. Dr. Fischer went on to show that these innovations have produced increases in student enrollment such that the College has the highest student enrollment at MTSU. Both overall student retention and freshman retention have increased. Last year 850 students graduated and it is believed that around 920 students will graduate from the College this year. One department that evinces innovation is Concrete and Construction Management. These two areas were put together to create building sciences. Dr. Fischer shared statistics that establish remarkable employment

opportunities for these students, including that there were an average of 4 job offers for every one student. There is additionally a Concrete Industry Executive MBA program designed to produce a degree in 18 months and the CPI, or Concrete Preservation Infrastructure program, for military veterans. Dr. Fischer highlighted other degree options within Concrete and Construction Management. Employers are often on campus interacting and recruiting students, as well as, investing in the program by offering scholarships. Dr. Fischer emphasized that the College and its departments have achieved these successes because of faculty members who are devoted to student success. Dr. Song Cui is an example of one such faculty member. Dr. Song Cui teaches in Agriculture and provides his students hands-on, experiential learning opportunities. Dr. Fischer stated that Dr. Song Cui is a great example of a faculty member who is able to get students engaged and excited about the subject. He also engages in research that is interdisciplinary and that uses modern technology. One example is the use of unmanned aerial systems to do precision agriculture questions. He uses remote sensing and landscape flux measurements to determine how to improve crop production. The research is used for teaching and involving students in the research. Dr. Song Cui has had great success in obtaining grant financing, including 3 USDA grants totaling \$1.7 million since 2014. Dr. Fischer reiterated that the College is always innovating by constantly updating curriculums and programs, and by offering students unique opportunities that has resulting in MTSU becoming the place to be for science.

Concluding Remarks

President McPhee stated that copies of the President's Annual Report, which highlight innovations that took place across campus during the prior year, would be handed out to the trustees. He expressed his thanks to the numerous people who helped put on the meeting.

Chairman Smith adjourned the meeting at 2:14 p.m.

Respectfully Submitted,



Heidi Zimmerman
Board Secretary