

**Minutes of a Regularly Scheduled Meeting
Eastern Kentucky University
Board of Regents**

**September 10, 2020
9 a.m.**

**Via Video Teleconference: Zoom
Public Viewing Link: <https://epresence.eku.edu/bor-meeting>**

Swearing in of New Student Regent

Mayor of Richmond, Robert Blythe, swore in new Student Regent, Eyouel Mekonnen to the ECU Board of Regents.

Swearing in of Regent Alan Long

Mayor of Richmond, Robert Blythe, swore in Regent Alan Long for a second term on the ECU Board of Regents.

Call to Order

A regular quarterly meeting of Eastern Kentucky University Board of Regents was called to order by Mr. Lewis Diaz, Chair of the Board, on September 10, 2020, at 9:02 a.m. with all committee members participating via video teleconference. The public was able to view the meeting through a live stream feed. University Counsel, Dana Fohl, noted that a quorum was established.

Present

Mr. Lewis Diaz
Mr. Juan Castro
Mr. Philip Gump
Mr. Eyouel Mekonnen
Mr. Alan Long
Dr. Jason Marion
Ms. Lynn Taylor Tye
Mr. Vasu Vasudevan
Ms. Laura Babbage
Ms. Nancy Collins
Dr. Bryan Makinen, Corporate Secretary

Absent

None

Others Present

Dr. David McFaddin, President
Ms. Dana Fohl, University Counsel

Mr. Robert Blythe, Mayor of Richmond
Ms. Betina Gardner, Vice President for University Development and Alumni Engagement
Mr. Barry Poynter, Senior Vice President for Finance and Administration, Treasurer
Mr. Ryan Wilson, Special Assistant to the President and Senior Vice President for Operations
Dr. Jerry Pogatshnik, Executive President for Academics and Provost
Ms. Haley Norberg, Director of Policy Development
Dr. Dannie Moore, Vice President for Strategic Initiatives & Chief Diversity, Equity & Inclusion Officer
Ms. Tanlee Wasson, Vice President for Student Success and Enrollment Management
Dr. Bethany Miller, Senior Director of Institutional Effectiveness & Research
Mr. Matt Roan, Vice President and Director of Athletics
Mr. Brian Wilcox, Associate Vice President of Facilities Services and Capital Planning
Dr. Jennifer Wies, Associate Provost & Professor of Anthropology
Members of the faculty, staff and media

Information Items

A. University Reports

1. Dr. Bryan Makinen, COVID-19 Update

Dr. Bryan Makinen, Executive Director of Public Safety and Risk Management, gave a presentation regarding EKU's response to the COVID-19 pandemic, including the Colonel Care Coordinator Program, Coronavirus website and dashboard, and contact tracing efforts, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Castro asked if the University is tracking the breakdown of the number of positive cases amongst faculty and staff, and national and international students. President McFaddin noted the delicate balance between privacy and public health. Chair Diaz noted that the University's dorms have been open for one month, and show every sign of being able to continue to operate. Regent Castro asked whether the University is prepared for student noncompliance. President McFaddin assured that he is committed to a balance of both accountability and grace. Regent Vasudevan thanked Dr. Makinen for his leadership. Regent Collins asked what steps are being taken if students refuse to wear a mask in the classroom. Dr. Makinen clarified that any noncompliance has been unintentional and corrected quickly. Regent Marion thanked the facilities management team for their efforts, and complimented the students for their engagement in protecting the campus experience. Regent Mekonnen stated that the general climate amongst students is pro-compliance. Regent Babbage noted that EKU is a model to other institutions in the state and the nation, and thanked Regent Mekonnen for the example he is setting for his peers.

2. Dr. Tanlee Wasson, Student Success & Enrollment Update

Dr. Tanlee Wasson, Vice President of Student Success and Institutional Effectiveness, gave a report detailing the updated enrollment and retention data of Eastern Kentucky University, including changes in freshman admission requirements, data on student living in on campus

housing, and SAFE funding, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Castro asked what efforts are being made to promote the food pantry on campus. Dr. Wasson noted that the Colonels' Cupboard is promoted via online communications with students and through residence life. She also stated that contributions to the SAFE fund help stock the food pantry. Regent Gump asked what percentage of students took advantage of the option to apply for admission without providing ACT scores. Dr. Wasson indicated the number was very low. Regent Babbage praised the University's efforts to find ways to help students be successful based on the data received in Dr. Wasson's office. Chair Diaz expressed his gratitude for Dr. Wasson's aggressive goals for enrollment despite the pandemic.

3. Dr. David McFaddin, Dr. Jennifer Weis, and Dr. Bethany Miller, Strategic Plan Overview

President McFaddin introduced Dr. Jennifer Wies and Dr. Bethany Miller, who gave a presentation on a new strategic plan to begin in Fall 2022, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Vasudevan asked whether the new strategic plan had a contingency for disasters like the COVID-19 pandemic. President McFaddin noted that that circumstance would be covered under a more targeted disaster response plan.

4. Dr. Jerry Pogatshnik, Academic Affairs

Dr. Jerry Pogatshnik, Executive President for Academics and Provost, gave a brief oral update on the delivery of in-person and online instruction during fall 2020 in light of COVID-19. Dr. Pogatshnik thanked Dr. Zeigler for her efforts on behalf of students, and all faculty for their dedication to both the students and University. Dr. Pogatshnik also noted the growth in the aviation program, and highlighted some of the initiatives promoting faculty during fall 2020.

Regent Castro shared the sentiment of his son, who noted that if a student made a bad grade in the spring, it was not for a lack of effort of the part of the faculty. Regent Castro applauded the demonstrated commitment of faculty to students in the midst of the pandemic. Dr. Pogatshnik noted that the failure rate between fall of 2019 and spring of 2020 was unchanged. Chair Diaz asked what percentage of current courses are using an open source textbook. Dr. Pogatshnik noted his intention to create a survey to track that information. Chair Diaz also asked the Regents to read the recent article on EKU Stories noting the potential savings that open source textbooks bring to students.

5. Mr. Matt Roan, Department of Athletics

Matt Roan, Vice President and Director of Athletics, gave a brief update about the status of fall sports, COVID-19 protocols, diversity, equity and inclusion in athletics, and changes in campus recreation, a copy of which is incorporated herein and will be included with the official

copy of the minutes. Mr. Roan noted that the November 21 football game against Western Carolina will be a memorial game in honor of Dr. Shelia Pressley.

Regent Babbage thanked Mr. Roan for his commitment to student athletes, and applauded ECU student athletes for leading the charge for compliance with COVID-19 guidelines. President McFaddin expressed his gratitude for Mr. Roan's dedication to providing opportunities to students to compete in a safe way. Chair Diaz noted that the Athletics Department brought students back to campus over the summer and helped paved the way for reopening the campus to students for the fall semester. Regent Castro thanked student athletes for having the courage to promote their beliefs via the t-shirts they wore at the Marshall football game. Regent Mekonnen thanked Mr. Roan for giving student athletes avenues to lead the student body.

6. Dr. Dannie Moore, Diversity, Equity, and Inclusion Update

Dr. Dannie Moore, Vice President for Strategic Initiatives & Chief Diversity, Equity & Inclusion Officer, gave a brief update on diversity, equity, and inclusion goals for the fiscal year 2021, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Marion asked how we can better engage our students to lead in this area. Dr. Moore indicated that he is seeking out students with whom he can partner to further these efforts. Regent Castro shared his appreciation and experience of feeling included as an ECU student, but acknowledged that he knows the University can do better in this area, and looks forward to seeing Dr. Moore's contribution. President McFaddin applauded the collaboration across campus to support Dr. Moore's work. Chair Diaz invited Dr. Moore to speak to the Foundation Board at their next meeting.

7. Ms. Betina Gardner, Development and Endowment Update

Betina Gardner, Vice President for University Development and Alumni Engagement, gave a presentation on the status of donor and alumni giving since the COVID-19 pandemic and plan for the future, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Castro asked about potential avenues to assist diverse students at this time.

8. Mr. Barry Poynter, Financial Update

Barry Poynter, Senior Vice President for Finance and Administration, presented a financial update to the Board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Chair Diaz stated that the auxiliary units need to be reviewed to ensure accountability so that student affordability is not negatively impacted. Regent Castro asked about the plan to open the Center for the Arts. President McFaddin stated that there should be no expenses for the Center for the Arts for this fiscal year, and the University will begin focusing on the 2021 season in

January. Regent Castro asked what led to such a positive year for the aviation FBO. President McFaddin noted that all auxiliary items further the overall mission and Eastern experience. Regent Marion asked what budget methods or approaches are used to support enrollment and retention.

9. Mr. Brian Wilcox, Construction Update

Mr. Brian Wilcox, Associate Vice President of Facilities Services and Capital Planning, gave an update regarding campus facilities response to COVID-19, the maintenance and operation budget, and the status of campus facilities and projects, a copy of which is incorporated herein and will be included with the official copy of the minutes.

Regent Gump asked about the progress of the Kit Carson Commons construction. President McFaddin explained the University's partnership with Kentucky River Foothills to develop that facility. Regent Vasudevan and Regent Gump thanked Mr. Wilcox for including pictures in his presentation. Regent Vasudevan asked if the University is getting any sort of government tax break for the Solar Farm project. President McFaddin noted that the project is a land-lease agreement that requires no capital contribution from the University. Regent Babbage applauded the University for "leading from the front" in addressing climate change. Regent Collins asked about the limited lifespan of the solar panel materials. President McFaddin indicated that the facility is a long-term investment in research surrounding solar energy. Regent Marion asked about surplus funds in student-funded projects. President McFaddin indicated that the students voted for the remaining funds to be invested in the facilities' maintenance and in the pedway project.

B. Additional Reports to the Board

1. Written Reports

a. Marco Ciocca, Faculty Senate Chair

Dr. Marco Ciocca, Chair of Faculty Senate, submitted a written report to the Board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

b. Caelin Scott, Staff Council Chair

Dr. Caelin Scott, Chair of Staff Council, submitted a written report to the Board, a copy of which is incorporated herein and will be included with the official copy of the minutes.

2. Dr. David McFaddin, Interim President

President David McFaddin delivered an oral report to the Board, a written copy of which is incorporated herein and will be included with the official copy of the minutes.

3. Lewis Diaz, Chair

Chair Lewis Diaz delivered the following report:

I have heard a lot of information today, and a lot of it is good. But that doesn't resolve the notion that we are in, for many of us, particularly the younger ones in the group, this in a fight of our lives, the likes of which we have not seen. Some of the older regents have seen other challenges in their lifetimes, but in my life time, I have not seen anything like this. And what I mean there is that we are in a period where we are fighting a pandemic, there is social unrest, and there is economic uncertainty for many, many families. And when I look at what ECU is doing, and when I look at what your team is doing, Mr. President, I believe in my heart that you are doing all the right things to put Eastern Kentucky University in the best position to move forward.

I set my background of the conference call to a recent graduation at ECU in Alumni Coliseum. Because that is the culmination of all the work that we do as an institution. And I know sometimes, we may take for granted a particular graduation, because we may sit through or work through four of them in any given day. But as I sit here today, I am longing for an opportunity to sit before a graduating class, their loved ones, and hear their stories, and hear their names called out. And so I want to offer that vision to this group, because that is when we know we will have beaten COVID-19, when we can gather in the arena, and celebrate the success of our students. I know the governor is doing everything he can to make that happen. Mr. President, I know that you are doing the same, and I thank you for that.

Action Items

Chair Diaz presented to the full Board the following items on the Consent Agenda for approval:

A. Approval of the Minutes for the Full Board Meeting on June 30, 2020, the Special Meeting on August 20, 2020, and the Presidential Search Committee Meeting on August 10, 2020

A motion was made by Regent Babbage to approve the minutes for the June 30, 2020 Full Board Meeting, the Special Meeting on August 20, 2020, and the Presidential Search Committee Meeting on August 10, 2020. The motion was seconded by Regent Collins. The motion passed unanimously by voice vote.

B. Personnel Actions

A motion was made by Regent Long to approve the Personnel Actions Report. The motion was seconded by Regent Tye. The motion passed unanimously by voice vote.

C. Recommendations for Promotion and Tenure for 2019-2020

A motion was made by Regent Babbage to approve the recommendations for Promotion and Tenure for 2019-2020. The motion was seconded by Regent Marion. The motion passed unanimously by voice vote.

D. Approval of degree candidates for Oct 2020

A motion was made by Regent Babbage to approve the degree candidates in Occupational Therapy and several other programs in October 2020 to allow these students to sit for their licensure exams in December 2020. The motion was seconded by Regent Collins. The motion passed unanimously by voice vote.

E. Approval of OVC Form

A motion was made by Regent Long to approve the OVC Form delegating authority by the Board to the Chief Executive of the University for oversight and management of the Athletics Department. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

Chair Diaz noted that he has clarified to the OVC that the form does not convey budget authority or authority to obligate the University to the President in a way that is in excess or contradicts the University's budget.

F. Policy Updates

Approval of Model Lab Policy Updates

A motion was made by Regent Vasudevan to approve updates to the policies at the Model Laboratory School. The motion was seconded by Regent Marion. The motion passed unanimously by voice vote.

Approval of University Policies

Regent Marion asked if there are other policy opportunities in the future that could potential leverage the unique talents of seasoned faculty members given the repeal of the Retirement Transition Program policy. President McFaddin and Chair Diaz emphasized that the repeal of that policy was to reflect compliance with new laws, not a change in values, and that utilizing seasoned faculty members is a priority.

A motion was made by Regent Babbage to approve the slate of university policies for adoption and repeal, respectively:

- Policy 1.4.1, Discrimination and Harassment
- Policy 1.5.3, University State of Emergency
- Policy 8.3.8, Teleworking
- Policy 7.1.1, Scheduling of University Facilities
- Policy 11.2.1, Acceptable Use of Information Technology Resources
- Policy 11.2.6, Web Governance
- Policy 4.6.9, Retirement Transition Program (Repeal)
- Policy 11.2.1, University Communications Via University Email Accounts (Repeal)

Policy 11.2.2, Code of Ethics for Computing and Communications (Repeal)

The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

G. Approval of Resolution Regarding Bond Refunding

A motion was made by Regent Babbage to approve a resolution regarding bond refunding, a copy of which is incorporated herein and will be included with the official copy of the minutes. The motion was seconded by Regent Collins. The motion passed unanimously by voice vote.

Election of Officers

Given the appointment swearing-in of Regent Mekonnen and reappointment and swearing-in of Regent Long, the Board fulfilled its statutory obligation to elect a new slate of officers. Regent Collins made a motion to recommend the reelection of the current slate of officers, with Regent Long as Vice Chair, Bryan Makinen as Secretary, and Barry Poynter as Treasurer. The motion was seconded by Regent Gump. The motion passed by voice vote.

Adjournment

There being no further business, Chair Diaz requested a motion to adjourn. A motion was made by Regent Tye to adjourn the meeting. The motion was seconded by Regent Vasudevan. The motion passed by voice vote, and the meeting was thereby adjourned at 1:02 p.m.



Bryan Makinen



Date