

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

December 10, 2020

9 a.m.

Via Video Teleconference: Zoom

Public Viewing Link: <https://epresence.eku.edu/bor-meeting>

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 December 10, 2020, at 9:02 A.M. with all Regents participating via video teleconference. The public was able to view the meeting through a live stream feed. University Counsel, Dana Fohl, established that a quorum was present.

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, Interim President
Ms. Dana Fohl, J.D., University Counsel
Madison Lipscomb, Alumna
Pete Ugo, Crowe LLP
Dr. Sara Zeigler, Dean
Ms. Tanlee Wasson, Vice President for Student Success and Enrollment Management
Dr. Jerry Pogatshnik, Executive Vice President for Academics and Provost
Mr. John Williamson, Superintendent & Dean of K-12 Programming, Model Laboratory School
Ms. Haley Norberg, J.D., Director of Policy Development
Ms. Betina Gardner, Vice President for University Development and Alumni Engagement
Mr. Barry Poynter, Senior Vice President for Finance and Administration

Dr. Ryan Wilson, Executive Director, Office of the President
Dr. Dannie Moore, Vice President for Strategic Initiatives & Chief Diversity, Equity & Inclusion Officer
Mr. Doug Cornett, Assistant Vice President of Communications and Brand Management
Mr. Matt Roan, Vice President and Director of Athletics
Members of the faculty, staff and media

Action Item

Approval of Resolution Regarding Madison Lipscomb

Chair Diaz read a resolution into the record commending former Student Regent Madison Lipscomb for her service to the Board of Regents, a copy of which is incorporated herein and will be included with the official copy of the minutes. A motion was made by Regent Babbage to approve the resolution. The motion was seconded by Regent Long. The motion passed unanimously by voice vote.

Information Items

A. Audit Report

1. Pete Ugo, Crowe, LLP

Mr. Pete Ugo, Partner at Crowe LLP, gave a presentation regarding the University's short form financial statements from 2019 through June 30, 2020, which detailed, amongst other things, the impact of the COVID-19 pandemic upon the University's financial position, a copy of which is incorporated herein and will be included with the official copy of the minutes.

B. University Reports

1. Dr. Bryan Makinen, and Dr. Sara Zeigler, COVID-19 Update

Dr. Bryan Makinen, Executive Director of Public Safety and Risk Management, gave a presentation summarizing the University's operational response to the COVID-19 pandemic throughout the Fall 2020 semester, including work by ECU's own contact tracing team, the ECU COVID-19 Task Force, and faculty, staff, and students. Dr. Sara Zeigler, Dean, then spoke to the academic response to COVID-19 during Fall 2020 and shared an update from the Spring Contingency Task Force regarding the impact of the virus on the Spring 2021 semester. Copies of both presentations are incorporated herein and will be included with the official copy of the minutes. Regent Vasudevan inquired as to whether the University has the infrastructure in place to thrive should the pandemic continue throughout the spring. Dean Zeigler indicated that it does.

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

Dr. Tanlee Wasson, Vice President of Student Success and Institutional Effectiveness, gave a report detailing enrollment and retention rates, digital recruitment efforts, new merit scholarship opportunities, and ECU's new corporate partnership with Radial, a global integrated e-commerce logistics and omnichannel technology provider. A copy of Dr. Wasson's report is incorporated herein and will be included with the official copy of the minutes.

3. Mr. Barry Poynter, Financial Update

Barry Poynter, Senior Vice President for Finance and Administration, presented a financial update, a copy of which is incorporated herein and will be included with the official copy of the minutes. Mr. Poynter also gave an update on the 2011 bond refunding, which resulted in a 1.6-million-dollar advance payment to the University. Regent Marion noted that the budget indicates a decrease in instructional costs and inquired as to how the University is guarding against burnout and low morale without an increase compensation. Chair Diaz assured Regent Marion that the University is making its best efforts to demonstrate appreciation for its employees.

C. Additional Reports to the Board

1. Written Reports

a. Dr. 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. Dr. 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. Eyouel Mekonnen, SGA President

Regent Mekonnen, SGA President, delivered a report regarding SGA's efforts and the student experience during the Fall 2020 semester, a copy of which is incorporated herein and will be included with the official copy of the minutes.

[At 10:40 A.M., Regent Marion moved for a 10-minute recess. The motion was seconded by Regent Gump. The meeting resumed at 10:50 A.M. after Chair Diaz noted that a quorum was present.]

3. Dr. David McFaddin, President

President David McFaddin delivered an oral report, noting that one year has passed since his appointment as Interim President and expressing his most sincere gratitude for the opportunity to lead the University throughout the COVID-19 pandemic. President McFaddin announced the Colonels Care Employee Investment Initiative, a \$1000 investment into every full-time employee who has been with the University since September 30, 2020, as a way of thanking ECU employees for their exemplary work, particularly throughout 2020.

The President also mentioned his excitement to work with the newly revamped President's Cabinet, the President's Inclusive Excellence Advisory Council, the newly minted President's Leadership Council and the President's Council for Institutional Excellence and Innovation.

Additionally, President McFaddin announced ECU has now solidified a partnership with Radial, a global integrated e-commerce logistics and omnichannel technology provider to become their preferred provider for educational services and continuing education for their employees. This is ECU's first major Corporate Partnership and launches the University into a competitive market that is essential for its aspirational growth in adult learners. The CEO of Radial, Ilias Simpson, joined the Zoom to express his excitement at the partnership with ECU.

President McFaddin then praised the ECU Athletics Department for an impressive football season and remarked briefly on the University's conference affiliation. The President also commended Mr. Barry Poynter and his team for their work for structuring a bond refund in which the University has received a 1.6-million-dollar lump-sum advance payment. Additionally, President McFaddin mentioned three areas of note during the legislative session: Consensus Forecasting, Pensions, and Performance Funding.

Finally, President McFaddin announced the retirement of Vice President and Executive Vice President for Academics and Provost, Jerry Pogatshnik, effective June 30, 2021. The President assured the Board that he is committed to a seamless transition and has appointed ECU's own Dr. Sara Zeigler as Senior Vice President and Provost, effective July 1, 2021. President McFaddin concluded by noting that with the team that has been assembled, ECU will be the best place to learn, live and lead for generations to come.

A copy of President McFaddin's remarks are incorporated herein and will be included with the official copy of the minutes.

4. Lewis Diaz. Chair

Chair Lewis Diaz delivered an oral report, wherein he thanked President McFaddin and Dr. Jerry Pogatshnik for their hard work and achievements throughout Fall 2020. Dr. Pogatshnik offered his thanks for the kind remarks. The Chair congratulated Dr. Sara Zeigler on her appointment as Provost, and reflected upon his experience with Dr. Zeigler during his graduate work at ECU.

Chair Diaz remarked upon the importance of the Colonel Care Employee Investment Initiative and commended Dr. Barry Poynter and President McFaddin for their dedication to

prioritize employees value while meeting the budget for the next fiscal year. The Chair also thanked Dr. Moore, Dr. Wasson, and President McFaddin for initiating the corporate partnership with Radial.

Finally, Chair Diaz acknowledged that COVID and Zoom fatigue are real, but ensured that because of its superb leadership, ECU can persevere and provide students with valuable educational experiences while staying safe.

President McFaddin thanked the Chair for his continued commitment to Eastern Kentucky University.

Action Items

A. Approval of Audit Report

A motion was made by Regent Long to approve the Audit Report. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

B. Approval of the Minutes for the Full Board Meeting on September 10, 2020

A motion was made by Regent Castro to approve the minutes for the September 10, 2020 Full Board Meeting. The motion was seconded by Regent Babbage. The motion passed unanimously by voice vote.

C. Personnel Actions

A motion was made by Regent Collins to approve the Personnel Actions Report, which includes the Colonels Care Employee Investment Initiative announced by the President during his report. The motion was seconded by Regent Long. The motion passed unanimously by voice vote.

D. Report from the Council of Academic Affairs

Dr. Jennifer Wies, Vice Provost, presented two new programs for ECU students. The first was a BS in Global Hospitality and two corresponding certificates. A motion was made by Regent Castro to approve the BS in Global Hospitality program. The motion was seconded by Regent Babbage. The motion passed unanimously by voice vote. The second program was a MS in Instructional Design and Learning Technology. A motion was made by Regent Castro to approve the degree program. The motion was seconded by Regent Collins. The motion passed unanimously by voice vote. Regent Vasudevan asked for confirmation that the CAA's evaluation of programs is effective and ongoing. Dr. Weis assured the Board that the CAA is continuing its robust evaluation of all programs internally and offered to share a variety of reports to that affect.

E. Approval of Degree Candidates for December 2020

A motion was made by Regent Long to approve the Approval of Degree Candidates for December 2020. The motion was seconded by Regent Vasudevan. The motion passed unanimously by voice vote.

F. Approval of Model Laboratory School Tuition and Fees for 2021-2022

Superintendent John Williamson presented an update on the status of the Model Laboratory School to the Board and requested approval of the proposed tuition and fee rates for 2021-2022. A motion was made by Regent Castro to approve the Tuition and Fees for 2021-2022 at Model Laboratory School. The motion was seconded by Regent Tye. The motion passed unanimously by voice vote. There was a discussion between Regent Long and Mr. Williamson regarding the timing of the last Model tuition increase. Chair Diaz made clear that the University cannot subsidize Model Laboratory School beyond its current obligation.

G. Approval of Policy Updates

Haley Norberg, Director of Policy Development, presented as an informational item a recent editorial change to Policy 1.1.1, Policy on Policies, which codifies the inclusion of student representatives on policy drafting teams, where appropriate. A motion was then made by Regent Long to approve Policy 8.2.9, Sick Leave Bank, and Policy 9.3.5, Protection of Minors on Campus. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

H. Approval of Resolution KERS opt out

President McFaddin shared that the administration is recommending that the University continue to participate in KERS due to lack of granular data regarding the University's liabilities and the circumstances under which the financing of an exit would be dictated, and asked for the Board's encouragement to continue to work with policymakers to find a more viable pathway forward. University Counsel, Dana Fohl, read the resolution, a copy of which is incorporated herein and will be included with the official copy of the minutes, into the record. A motion was made by Regent Castro to approve the resolution. The motion was seconded by Regent Long. The motion passed unanimously by voice vote.

I. Approval of Regularly Scheduled Board Meeting Dates for 2021

A motion was made by Regent Babbage to approve Regularly Scheduled Board Meeting Dates for 2021, a copy of which is incorporated herein and will be included with the official copy of the minutes. The motion was seconded by Regent Castro. The motion passed unanimously by voice vote.

J. Approval of the Contract for President

A motion was made by Regent Castro to approve the Contract for President, a copy of which is incorporated herein and will be included with the official copy of the minutes. The motion was seconded by Regent Babbage. The motion passed unanimously by voice vote.

Dr. Pogatshnik recognized the President's role as an integral member of the faculty, and recommended President McFaddin for tenure in the College of Business and Technology and rank of Professor of Business Administration. Chair Diaz noted that the recommendation is approved because the President's tenure is established in his contract.

Executive Session

Chair Diaz entertained a motion pursuant to KRS 61.801(1)(c) to enter closed session for the purpose of discussing matters relating to proposed or pending litigation. A motion was made to go into executive session by Regent Long. The motion was seconded by Regent Collins. The motion passed by voice vote, and the Board, thereby, convened in closed, executive session at 12:30 P.M.

A motion was made by Regent Long to come out of executive session and return to the open session of the Board of Regents meeting. The motion was seconded by Regent Marion. The motion passed by voice vote and Board of Regents thereby returned to open session at 1:32 P.M. Chair Diaz noted that no action was taken during closed session.

Adjournment

In conclusion, Chair Diaz stated that the tone on EKU's campus should be a positive one. The Colonels Care Employee Investment Initiative, the corporate partnership with Radial, the promotion of Dr. Sara Zeigler to Provost, and the historical 2020 football season are all major wins for EKU. The Board encourages President McFaddin and Athletic Director, Matt Roan, to pursue opportunities that will increase enrollment, contribute to diversity, and create opportunities for student athletes.

There being no further business, Chair Diaz requested a motion to adjourn. A motion was made by Regent Castro to adjourn the meeting. The motion was seconded by Regent Collins. The motion passed by voice vote, and the meeting was thereby adjourned at 1:36 PM.



Bryan Makinen



Date