

**MINUTES
BOARD OF REGENTS
MIDWESTERN STATE UNIVERSITY**

February 13, 2009

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, February 13, 2009. Regents in attendance were Mr. Munir Lalani, Chairman; Dr. Carol Gunn, Vice Chair; Mr. Charles Engelman; Ms. Charlye Farris; Dr. Lynwood Givens; Mr. Shawn Hessing; Ms. Jane Spears; Mr. Ben Wible; and Student Regent Haley Lain. Mr. Stephen Gustafson was unable to attend due to illness.

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; and Dr. Robert Clark, Vice President for Institutional Effectiveness and Enrollment Management. 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; Ms. Ann Medford, Chair of the MSU Faculty Senate; and Mr. Chris Gore, Chairman of the MSU Staff Senate. Also attending the meeting were Ms. Valarie Maxwell, Director of Budget and Management; Ms. Cassie Slaybaugh, Assistant Director of Institutional Research, Planning, and Assessment; Ms. Janus Buss, Director of Public Information and Marketing; Ms. Deborah Cornelius, Executive Director, Region IX P-16 Council; Dr. Grant Simpson, Dean of the West College of Education; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the Student Government Association was Mr. Chase Thornton, acting SGA Observer. Representing the news media was reporter Ann Work, Wichita Falls *Times Record News*.

Chairman Lalani called the meeting to order at 9:03 a.m. Dr. Farrell presented the invocation and Ms. Buss introduced the guests. Mr. Lalani expressed appreciation to the board and administration for their participation in the committee meetings.

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

09-76 & 77. Minutes of the regular Board of Regents meetings November 13 and 14, 2008, were approved as presented.

Executive Committee Report

Mr. Lalani 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 12, 2009.

Item Presented for Committee Approval Only

09-44. Committee Minutes, 11/13/08 – 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.

09-45. General Architectural Services – approved contracts as presented with the following firms to provide general architectural services for miscellaneous campus projects with architectural fees that do not exceed \$50,000:

Bundy Young Sims and Potter – Wichita Falls
Hahnfeld Hoffer Stanford (HHS) – Fort Worth
Harper Perkins Architects – Wichita Falls
KSQ Architects – Fort Worth
Rees Architects - Dallas

09-46. Ligon Coliseum Project – approved increasing the scope of the project from \$9,368,000 to \$10,500,000, with the following sources of funds:

Tuition Revenue Bond Funds	\$7,700,000
Interest Earnings	200,000
Private Gifts	900,000
Capital Lease (designated funds and/or HEAF)	<u>1,700,000</u>
TOTAL	\$10,500,000

Further authorized the administration to enter into a master lease agreement with the Texas Public Finance Authority.

09-46a. Instrumental Music Hall Project – approved modification of funding sources for this project as follows:

Sale of Revenue Bonds	\$1,950,000
Interest Earnings	250,000
Capital Lease (designated funds and/or HEAF)	<u>430,000</u>
TOTAL	\$2,630,000

Further authorized the administration to enter into a master lease agreement with the Texas Public Finance Authority.

09-46b. Reduction of State Appropriations – authorized the administration to work with the chairman of the board and the chairman of the Board of Regents Finance and Audit Committee to finalize the return of funds to the state should such action be necessary prior to the next regular board meeting. Approved the preliminary plan of funding as follows:

Reduction in operations	\$222,506
Utility savings	50,000
Flexible hiring freeze	<u>150,000</u>
Estimated Return	\$422,506

09-47. Deliberations About Real Property – approved the purchase of property and buildings located at 3801 Louis J. Rodriguez Drive, subject to restrictions of approval of the Texas Higher Education Coordinating Board (THECB), at a price not to exceed \$2,320,000. The sources of funds for this purchase would be:

Higher Education Assistance Funds (HEAF)	\$1,220,000
Plant Funds	600,000
Private Gift	<u>500,000</u>
TOTAL	\$2,320,000

09-48. Deliberations Regarding Gifts and Donations – accepted the gift of property (Lot Two, Block Ten of the Country Club Estates), together with the house and improvements thereon, located at 2708 Hamilton Boulevard, Wichita Falls, Texas.

Mr. Lalani 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. Mr. Wible seconded the 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. Information concerning this item can be found in the minutes of the Finance and Audit Committee Meeting held February 12, 2009.

Item Presented for Committee Approval Only

09-49. Committee Minutes, 11/13/08 – 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.

09-50. Review and Acceptance of Financial Reports/Discussion of Financial and Investment Position – accepted the August, September, October, November, and December, 2008 Financial Reports, and the quarterly investment report for the quarter ending November 30, 2008 as presented.

09-51. Installment Plan Changes – authorized the administration to allow students to pay tuition and fees for the fall and spring semesters by installment using a three-payment plan, and for the summer terms using a two-payment plan as presented.

09-52. FY 2008-2009 Items \$50,000 & Under Approved by President – ratified the budget changes as presented.

- 09-53. Salary/Title/Position Changes in 2008-2009 Budget Approved per Board Authorization – ratified the changes as presented.
- 09-54. Faculty Positions 2009-2010 Budget – Critical Faculty Needs – authorized the administration to initiate searches for faculty positions for the fall 2009 semester as presented.
- 09-55. 2009-2010 Budget Discussion/Tuition and Fee Review and Proposed Increases – authorized the following increases in tuition and fees beginning with the fall 2009 semester:
- A. Increase University Designated Tuition by \$5 per semester credit hour, from the current \$88.60 to \$93.60.
 - B. Increase the Student Service Fee by \$1.25 per semester credit hour, from the current \$14.25 to \$15.50.
 - C. Increase the Technology Fee by \$2 per semester credit hour, from the current \$20 to \$22.
 - D. Increase the Library Fee by \$2 per semester credit hour, from the current \$5 to \$7.

Mr. Lalani asked if there were items any member wanted to remove from the Consent Agenda. There being none, Ms. Spears moved approval of the Consent Agenda. Mr. Engelman seconded the motion 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. Information concerning these items can be found in the minutes of the Personnel and Curriculum Committee Meeting held February 12, 2009.

Item Presented for Committee Approval Only

09-56. Committee Minutes, 11/13/08 – approved by Committee as presented.

Items Presented for Information Only

09-57. Faculty Report

09-58. Staff Report

09-59. Enrollment Report – Spring 2009

09-60. Small Class Report – Spring 2009

09-61. Beginning and Last Day Enrollment Reports, Fall 2008 Semester

09-62. Review of Personnel Reports for FY 08-09 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.

- 09-63. Posthumous Degree – authorized the awarding of a posthumous degree to Marcus Deon Robinson.
- 09-64. Proposed Faculty Development Leaves – 2009-2010 – authorized leaves during the fall 2009 semester for Dr. Everett Kindig and Dr. Mary Ann Coe as presented.
- 09-65. MSU Catalog Change – Upper Level Credits Required for Graduation – authorized reducing the minimum number of upper level credit hours required for a Bachelor of Arts degree from 42 to 39 semester credit hours effective with the fall 2009.
- 09-66. *MSU Policies and Procedures Manual* Changes – approved changes to the following policies as presented:
 - A. Policy 2.338 – Student Traffic Appeals Committee
 - B. Policy 3.227 – Retirement: Faculty and Staff
 - C. Policy 3.313 – Vehicle Operator’s License Requirements
 - D. Policy 3.317 – Academic Emeritus Status – Faculty and Administration
 - E. Policy 4.138 – Key Authorization
 - F. NEW Policy – Mobile Communication Devices

Mr. Lalani 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. Wible seconded the motion and it was approved unanimously.

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 February 12, 2009.

Item Presented for Committee Approval Only

- 09-67. Committee Minutes, 11/13/08 – approved by Committee as presented.

Item Presented for Information Only

- 09-68. 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.

- 09-69. Housing Rates – approved housing rates for the fall 2009, spring 2010, and summer 2010 as presented.

09-70. Dining Service Rates – approved food service rates for summer 2009, fall 2009, and spring 2010 as presented.

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

University Development Committee Report

Mr. Lalani 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 12, 2009.

Item Presented for Committee Approval Only

09-71. Committee Minutes, 11/13/08 – approved by Committee as presented.

Item Presented for Information Only

09-72. Summary of Financial Support 9/1/08-1/16/09

University Development Committee Consent Agenda

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

09-73. Naming of University Facilities – authorized naming the group exercise room in the new student wellness center the “Vicki McCoy Group Fitness Room.”

Mr. Lalani asked if any member would like to remove this item from the Consent Agenda. There being none, Mr. Engelmann moved approval of the Consent Agenda as presented. Ms. Farris seconded the motion and it was approved unanimously.

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 February 12, 2009.

Item Presented for Committee Approval Only

09-74. Committee Minutes, 11/13/08 – approved by Committee as presented.

Item Presented for Information Only

09-75. Athletics Status Report

Other Business

Nominating Committee for Board Officers for the 2009-2010/2010-2011 Biennium

09-78. Mr. Lalani appointed a special Nominating Committee to make recommendations concerning the election of a Chair, Vice Chair, Secretary, and Member-at-Large of the

Executive Committee of the Board of Regents for the upcoming biennium. He asked Dr. Carol Gunn to chair the committee with Dr. Lynwood Givens and Mr. Charles Engelman serving with her. He noted that the election of officers would take place at the May 2009 meeting of the board in accordance with Section 2.22 of the *MSU Policies and Procedures Manual*.

President's Report and Discussion

09-80. Information will be presented to the board concerning the following university matters.

- A. P-16 Report – Dr. Rogers reported that the 80th Legislature established P-16 Councils out of the recognition that although the population of Texas is growing, the percentage of college students is either flat or going down. This does not bode well for the state of Texas. When these councils were established and funded, Dr. Grant Simpson and the West College of Education stepped forward to lead this effort for our region of the state. They have made tremendous progress and will report to the board on what is being done with this initiative.

Dr. Simpson thanked the board for the opportunity to report on the accomplishments of the Region IX P-16 Council. Ms. Deborah Cornelius has been on the job for one month as Executive Director and is already doing a great job. Dr. Simpson presented information included in a power point presentation (see Attachment 1). He noted that the Texas Higher Education Master Plan, Closing the Gaps, targeted 500,000 new students in Texas higher education by the year 2015. The target is now 650,000 while the actual numbers are flat and are particularly low in the Hispanic community. Dr. Simpson's presentation included a description of legislated initiatives. The Region IX P-16 Council began working together in the summer 2007. The council represents all 39 districts in Region IX and is working with the MSU mass communication program to develop a logo and brand. Dr. Simpson then noted that five goals for the Council. The data in the presentation represented information from four school districts. However, the information will be expanded in the future to include all 39 districts.

In explaining Goal 2, Dr. Simpson reported that presentations have been made to counselors, principals, superintendents and others regarding college readiness standards. Additionally, MSU began a dual credit program at Hirschi High School in January. The courses offered are College Algebra and Biology; they are team taught by MSU faculty and Hirschi teachers and the students are first generation college students. Twelve students are enrolled in the biology course and 13 are in algebra. The courses are being taught within the lens of the college readiness standards.

Goal 3 included the various recruitment projects that have been developed and implemented and Goal 4 outlined specific programs for Hispanic and African-American communities. Ms. Cornelius noted that an event was held at St. Williams Catholic Church in Montague. She reported that 26 prospective students and their family members attended to learn about higher education opportunities. Dr. Simpson stated that the group recently received a College Access Challenge Grant to operate GO Centers in the area. He explained that GO Centers will be staffed with part-time counselors who will provide college and career advising. He indicated that the work they will do is similar to the work Loaned Counselors provided in a

program previously offered by MSU. Plans are to have GO Centers in Montague, Wichita Falls, Vernon, and Graham.

Dr. Simpson reported that since June of 2008 the Council has raised \$371,000. Ms. Cornelius presented information concerning the website for the group – <http://www.region9p16.org>. The final slide in the presentation showed the slogan “Manana Empieza Hoy” or “Tomorrow Starts Today.”

Ms. Spears indicated that she read the article about the P-16 Council in the *Times Record News* and was very impressed with the slogan. Mr. Lalani expressed appreciation on behalf of the board to Dr. Simpson and Ms. Cornelius for attending the meeting and presenting this important information.

- B. Campus Sustainability – Mr. Goldapp presented a report regarding sustainability on campus (see Attachment 2). He noted that he used the eight primary areas of sustainability as identified by The Kirksey Guide to a Green Facility. He reported that Dr. Rogers is committed to the university incorporating as many lead principles as possible into future buildings. Additionally, the administration continues to look at energy saving measures that can be accomplished on campus. Dr. Rogers asked Mr. Goldapp to comment on the appearance of the campus in terms of plant materials and future landscaping plans. Mr. Goldapp noted that he is moving toward adaptable species and native materials for future campus projects. He noted that the area around the mustangs sculpture would include Buffalo Grass as the sod to enhance the appearance of the location.

Mr. Sandoval asked if there were other areas we needed to address. Mr. Goldapp responded that there was not. He added that the area he would like to improve on is water use on campus, particularly from an irrigation standpoint. Mr. Engelman asked if the water table on campus is something that can be used to water the grass. Mr. Goldapp responded that this has been looked at in the past and there are wells on campus. He noted that the production in gallons per minute out of the wells is quite low and a large storage facility would be needed to make use of the well water. The cost estimate for storage tanks and pumping systems is between \$180,000 and \$250,000. Other projects on campus have had a higher priority in the recent past and this project has not moved forward. Mr. Lalani commented that with the cost of water increasing perhaps the priority of the water well project should be elevated.

Mr. Engelman asked about the integrated pest management practices. Mr. Goldapp responded that the focus is on prevention and the chemicals used are less toxic and more environmentally friendly than what was used in the past.

Dr. Givens commended Mr. Goldapp for his work. He asked if there were standards with regard to utilization of water and energy. Mr. Goldapp responded that there was not.

- C. Campus Parking – Dr. Rogers noted that as previously reported some work has been done to address campus parking. Mr. Goldapp reported that during the Christmas holiday four lots were restriped, changing the size and angle of the spaces. He added that 106 parking spaces have been gained since the beginning of the fall 2008

semester. The consultant originally estimated 182 spaces could be added. He noted that the remaining numbers would include more costly construction.

Mr. Lalani stated that adding 200 parking spaces on a campus the size of MSU is a large increase. He added that when the time comes to require all freshmen and sophomore students to live on campus the board and administration should consider the option of not giving those students car permits. He stated that this might be drastic, but it is something to consider before a parking garage is built on campus. Dr. Rogers noted that while students need a place to put their cars, they don't have to have a space next to each classroom building. He added that there are many issues to balance.

Ms. Spears asked if students are ticketed for parking in the neighborhoods. Dr. Rogers noted that if students park in a no parking zone they are ticketed. Dr. Farrell added that the city police would monitor parking off campus rather than campus police. He added that large numbers of students park in the church parking lots along Taft Boulevard. The university has maintained a good relationship with the churches for many years.

Mr. Engelman asked if the administration might encourage bicycles and motor scooters on campus. Dr. Rogers responded that putting nice bike racks around campus is part of the master plan.

D. Construction Update – Dr. Rogers provided information concerning the following campus projects:

- Recreation Center – the final inspection is currently set for May 15. Cold weather combined with difficult arch construction requirements slowed the project.
- McCoy Engineering Hall – the building is occupied and the dedication should be held in late March.
- Student Housing – the project is on time and should be ready for occupancy at the end of the summer.
- Ligon – bids have been received for the roof and scheduling requirements for necessary shutdowns are being planned.
- Band Hall - a second opinion on the soil conditions and slab requirements was obtained; it was in agreement with the original recommendation of using a structural slab. The construction manager at risk negotiated a \$49,000 decrease in cost.
- Martin Hall – the work on the building is complete and it is now occupied.
- Bridwell Hall – Cornerstone Engineering has begun design work to improve runoff drainage and minimize the moisture problem in the building.

- Liberty Bell – the installation is complete except for a safety modification. The project was Phil Bolin’s idea and it is a beautiful addition to the campus.
- E. Legislative Update – Dr. Rogers noted that he and Ms. Barrow have spent quite a bit of time in Austin during this first month of the legislative session. He noted that he met personally with Senators Duncan, Ogden, and Shapiro and met with the senior staff of Senator Zaffirini. The meetings went well and it was his opportunity to talk about Midwestern State University. He added that he testified before the Senate Finance Committee and presented MSU’s request for the upcoming biennium.

Recess

The board recessed at 10:36 a.m. and resumed open session at 10:45 a.m.

Executive Session

Mr. Lalani 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 (University President’s Annual Performance). The closed session was properly announced at 10:45 a.m. Board members remained for the discussion. Dr. Rogers was asked to join the group after approximately 45 minutes. Ms. Barrow was asked to join the meeting just prior to its conclusion.

Open Meeting Resumes

The closed session ended at 12:33 p.m. with an announcement by Mr. Lalani that no action was taken during Executive Session.

University President’s Annual Performance Review

09-81. Dr. Gunn presented the following statement and moved its approval as part of the minutes of the meeting:

“The Board of Regents extends its most sincere appreciation to Dr. Jesse Rogers for his dedicated service as president of Midwestern State University. He continues to move the university forward in an outstanding manner and we look forward to his continuing service. We thank you Dr. Rogers for your dedication to our university, to our community, and to higher education.”

All of the regents joined in seconding Dr. Gunn’s motion and it was unanimously approved.

Dr. Rogers thanked the board for the opportunity to serve the university as president.

Adjournment

There being no further business, the meeting was adjourned at 12:35 a.m. The next regularly scheduled meetings of the Board of Regents will be Thursday and Friday, May 14 and 15, 2009.

ORIGINAL MINUTES SIGNED

Munir A. Lalani, Chairman

I, Munir Lalani, the fully appointed and qualified Chairman 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 13, 2009.

ORIGINAL MINUTES SIGNED

Munir A. Lalani, Chairman

ATTACHMENTS:

1. P-16 Report Presentation
2. Sustainability Report