

**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**Executive Committee  
August 6, 2009**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 1:37 p.m., Thursday, August 6, 2009. Executive Committee members in attendance were Mr. Munir Lalani, Chairman; Dr. Carol Gunn, Vice Chair; Mr. Stephen Gustafson, Secretary; and Mr. Ben Wible, Member-at-Large. Other regents attending the meeting were Mr. Charles Engelman, Ms. Charlye Farris, Mr. Shawn Hessing, Ms. Jane Spears, 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; Ms. Ann Medford, Chair of the MSU Faculty Senate; Mr. Chris Gore, Chairman of the MSU Staff Senate; 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 Ms. Ann Work, reporter for the *Times Record News*.

Chairman Lalani called the meeting to order at 1:37 p.m.

Reading and Approval of Minutes

09-118. The minutes of the Executive Committee meeting May 14, 2009, were approved as presented.

Wichita Falls Museum of Art at Midwestern State University Advisory Board of Directors

09-119. Mr. Lalani reported that the president recommended the following appointments to the Museum Board:

Public Members (2009-2012)

John Hirschi (Reappointment)  
Lola Pitzer (Reappointment)  
Will Tucker  
Jane Spears (Reappointment)

MSU Members (2009-2010)

Richard Ash (Reappointment)  
Juan Sandoval (Reappointment)  
Friederike Wiedemann (Reappointment)

Student Member (2009-2010)  
Matthew Steimel

Dr. Rogers reported that Jane Spears now serves as the Museum Advisory Board Chair. He thanked her for her service to the museum and to the university. He noted that Mr. Will Tucker is an independent geologist in Wichita Falls and he is very interested in the restoration of some early buildings in downtown Wichita Falls. He is well suited and will contribute to the Museum Board. Matthew Steimel is an outstanding student; he is majoring in mechanical engineering and is a President's Distinguished Scholar.

Mr. Gustafson moved approval of these appointments as presented. Mr. Wible seconded the motion and it was approved.

MSU Charitable Trust Membership

09-120. Mr. Lalani reported that the current trustees of the MSU Charitable Trust Board are Frank Gibson, Kay Yeager, and Mac Cannedy, Jr., as well as the MSU president, board chairman, and the finance and audit committee chairman. The Charitable Trust Board has requested the addition of Martha Fain to the board of trustees; the MSU administration supports this action. In accordance with the Charitable Trust by-laws, the MSU Board of Regents has final approval of the trust board membership.

Dr. Gunn moved approval of this item as presented. Mr. Gustafson seconded the motion and it was approved.

Ligon Coliseum-Phase II and Athletics Facilities Projects

09-121. Mr. Lalani reported that the administration was requesting authorization to proceed with planning Phase II of the Ligon Coliseum Renovation Project and Athletics Facilities Project, including field turf and lighting. Dr. Rogers stated that the current Ligon renovation project totals \$10.5 million. A great deal of infrastructure and ADA work is included in this project, as well as the renovation of dressing rooms and weight training rooms on the north end of the building. However, more needs to be done, including additional infrastructure work and completion of the dressing rooms on the south end of the building.

Dr. Rogers reported that the administration would like to begin planning Phase II of the project and identifying funding sources. The administration would also like to plan an additional Athletics Facilities Project to possibly include lighting the softball field, adding lighting to the soccer field, and providing an artificial turf field. Dr. Rogers reported that the university has two grass practice fields that are currently used by intramural sports, rugby and other club sports, as well as the football team. He added that if the field is torn up through overuse it is difficult for the football team to use the field for practice.

Dr. Rogers stated his hope that the Ligon Project-Phase II would cost approximately \$5 million and the Athletics Facilities Project would cost another \$1 million. He indicated that income from the Intercollegiate Athletics Fee could be used to pay a portion of the bonds for these projects, and that gifts would also need to be obtained to assist in financing the projects.



Dr. Rogers stated that he had been asked if there would be a Phase III of the project. He indicated that he would not call it Phase III. However, the windows and doors on the building should be replaced at sometime. He indicated that he saw these types of projects being handled in the future through the regular campus maintenance program funded by HEAF.

Mr. Gustafson moved approval of this item as presented. Mr. Wible seconded the motion.

Mr. Wible asked if there might be an option of not installing an artificial turf field if the cost is too high. Dr. Rogers responded that he intended to develop a list of priorities that would be used in determining the projects that would be recommended to the board.

Mr. Sandoval noted that he had discussed the possibility of these projects with Matt Boles, the university's bond advisor. Mr. Boles indicated that if the Intercollegiate Athletics Fee generated \$500,000 each year that could be used to support a bond payment, the university could bond approximately \$6 million for twenty years at 5.3% interest. Mr. Lalani noted that this was a high interest rate. Mr. Sandoval stated that the rate would fluctuate depending on when the bonds were sold.

There being no further discussion, the motion was approved.

#### 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 551.072, Real Property, to consider Item 09-122 (Deliberations About Real Property). The closed session was properly announced at 1:56 p.m. Board members, Dr. Rogers, Dr. Long, Mr. Sandoval, Dr. Farrell, Dr. Clark, Mr. Goldapp, Mr. Lamb, Mr. Spencer, and Ms. Barrow remained for the discussion.

#### Open Meeting Resumes

The closed session ended at 2:27 p.m. with an announcement by Mr. Lalani that no action was taken during Executive Session.

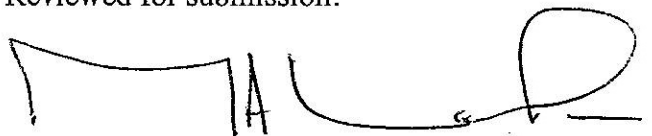
#### Deliberations about Real Property

09-122. No action was taken regarding this item.

#### Adjournment

There being no further business, the Executive Committee discussion concluded at 2:29 p.m.

Reviewed for submission:



Munir A. Lalani, Chairman  
Midwestern State University  
Board of Regents Executive Committee

**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**Finance and Audit Committee  
August 6, 2009**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 2:29 p.m., Thursday, August 6, 2009. Finance and Audit Committee members in attendance were Mr. Shawn Hessing, Chairman; Mr. Charles Engelman; and Ms. Jane Spears. Other regents attending the meeting were Ms. Charlye Farris, Dr. Carol Gunn, Mr. Stephen Gustafson, Mr. Munir Lalani, 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; Ms. Ann Medford, Chair of the MSU Faculty Senate; Mr. Chris Gore, Chairman of the MSU Staff Senate; 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 Ms. Ann Work, reporter for the *Times Record News*.

Chairman Hessing called the meeting to order at 2:29 p.m.

Reading and Approval of Minutes

09-123. The minutes of the Finance and Audit Committee meeting May 14, 2009, were approved as presented.

Review and Acceptance of Financial Reports

09-124. The administration recommended the April, May, and June, 2009 Financial Reports and the quarterly investment report for acceptance. Mr. Hessing asked Mr. Sandoval to comment on these reports. Mr. Sandoval noted that the letter that accompanied the June financial report indicated a favorable financial position as of June 30, 2009. Tuition and fees are on target for the year and the university has experienced an increase in restricted income due to unanticipated gift income. With the increased income the adjusted 2008-2009 budget totaled approximately \$85 million. Mr. Sandoval added that without the gift income the budget would still be balanced.

Mr. Engelman moved acceptance of the reports as presented. Ms. Spears seconded the motion.

Mr. Engelman congratulated Mr. Sandoval and his team for negotiating the university through a difficult financial time. He noted that there are a number of universities that are facing financial difficulties. He thanked the administration for the job they have done. Mr. Hessing also commended the administration for their efforts.

There being no further discussion the motion was approved.

#### Financial Disclosure Statements

09-125. Mr. Hessing reported that the board previously received Financial Disclosure Statements of the President, the Vice President for Administration and Finance, and the Controller. These items are presented for review and acceptance of the board.

Ms. Spears moved acceptance of these items as presented. Mr. Engelman seconded the motion and it was approved.

#### Internal Audit Plan – 2009-2010

09-126. Mr. Hessing reported that the Texas Internal Auditing Act requires each agency's internal auditor to develop an annual audit plan using risk assessment techniques. The governing board of the agency must approve this plan. The MSU Internal Auditor's proposed plan for 2009-2010 was presented in the agenda.

Dr. Rogers complimented David Spencer, MSU's internal auditor, on his work at MSU. He stated that David has a very good and thorough system of risk analysis from which he develops his audit plans. Dr. Rogers indicated that he had reviewed the proposed plan with David and has confidence that the plan is appropriate. He added that the administration asked David to handle a number of special projects during the current year and was pleased with the work he had done.

Ms. Spears moved approval of the plan as presented. Mr. Engelman seconded the motion.

Mr. Spencer indicated that he made choices based on risk assessment. He added that he relied on management responses and requests. Mr. Engelman stated that he would like to see even more time spent on construction change orders. Mr. Spencer responded that he had already spent some time looking into construction over the last couple of years and had narrowed this audit to change orders because the area of construction is so broad.

Mr. Lalani noted that the internal auditor and general counsel report to the president and to the Board of Regents. He reported that during the last twelve months he had not received anything from Mr. Spencer that indicated there was anything to be concerned about from an auditor's point of view. Mr. Spencer responded that he had not had any problems in the work he had accomplished during the year. Mr. Lalani asked if Mr. Spencer had received full cooperation from the administration. Mr. Spencer responded that he had.

There being no further discussion, the motion was approved.

### Investment Policy

09-127. Mr. Hessing stated that Mr. Lalani would appoint a board Investment Committee at the meeting Friday. He indicated that this agenda item would be delayed to allow the new committee an opportunity to review the policy in November.

### Investment Management Services

09-128. Mr. Hessing reported that the administration had issued a Request for Proposal (RFP) for Investment Management Services for the Redwine Quasi-Endowment Fund. The deadline for submitting proposals is August 27, 2009, at which time the proposals will be reviewed and evaluated by the MSU Board of Regents Investment Committee (to be appointed). He presented the administration's recommendation that the president, board chairman, and chair of the Investment Committee be authorized to take action regarding the investment of the Redwine Quasi-Endowment Fund prior to the next board meeting, if necessary.

Mr. Engelman moved approval of this recommendation as presented. Ms. Spears seconded the motion and it was approved.

### University Accounts

09-129. Mr. Hessing noted that the agenda document contained the list of individuals recommended to sign on university bank accounts, purchase and sell investment instruments, perform normal banking transactions, and sign appropriate personnel retirement documents. He added that the only change since these authorizations were last approved was the addition of authorizing the Interim Provost to sign personnel retirement documents.

Ms. Spears moved approval of these recommendations as presented. Mr. Engelman seconded the motion and it was approved.

### Approval of Brokers/Dealers, Investment Vehicles, and Asset Holding Accounts

09-130. Mr. Hessing reported that the agenda document included the recommended list of brokers/dealers, investment vehicles, and asset holding accounts for approval. The only change to this list since last year was the addition of First Southwest Company and Citibank.

Mr. Engelman moved approval of the recommendation as presented. Ms. Spears seconded the motion

Mr. Sandoval reported that the university generally utilizes the services of a broker that offers the best opportunity for the university's conservative investments. Mr. Benton asked if there was a benefit to having a longer or shorter list. Mr. Sandoval responded that a longer list offers a range of options. Mr. Engelman asked if all of the firms are contacted each time the university invests. Ms. Ferguson responded that the firms generally contact her electronically, via e-mail or fax.

There being no further discussion the motion was approved.

FY 2008-2009 Items \$50,000 & Under Approved by President

09-131. The budget changes since the May meeting were presented for ratification as shown in the agenda document. Mr. Hessing asked Dr. Rogers to comment on these changes.

Dr. Rogers noted that the repair of the museum air conditioner was a one-time expense that should not reoccur. The next item was an investment in distance learning courses during the summer. The final item provided funds for the new Assessment Specialist position in the Institutional Research and Planning office. Dr. Rogers noted that this new position is critical as the university readies itself for accreditation.

Mr. Engelman moved ratification of these budget changes as presented. Ms. Spears seconded the motion and it was approved.

Salary/Title/Position Change in 2008-2009 Budget

09-132. Position changes approved by the president were presented for ratification as shown in the agenda document. Mr. Hessing asked Dr. Rogers to make comments concerning these items.

Dr. Rogers noted that the P-16 Counselor position was changed to benefit eligible, with the cost associated paid from grant monies. He indicated that the funding was not needed for an additional campus police officer because the officer who was ill passed away after a short period of time. He added that there had been very little change in personnel costs since the last board meeting.

Ms. Spears moved the board ratify these changes as presented. Mr. Engelman seconded the motion and it was approved.

Thesis Fee

09-133. The administration recommended increasing the thesis fee from \$15 per copy to \$25 per copy, effective with the fall 2009 semester. Mr. Hessing reported that this increase would offset the increased cost of paper, printing, and binding.

Ms. Spears moved approval of this item as presented. Mr. Engelman seconded the motion and it was approved.

Intercollegiate Athletics Fee

09-134. Mr. Hessing reported that the Texas legislature authorized the MSU board to assess an intercollegiate athletics fee of up to \$10 per semester credit hour, up to a maximum of \$120 per semester. Prior to this legislative action, the MSU student body approved the establishing of such a fee. Given this legislative authority, the administration recommended 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.

Dr. Rogers stated that the proposed fee would relieve the burden on Student Service Fees. He added that when the fee is fully implemented Student Service Fees will no longer be used to support athletics. He stated that the funds generated in FY 2010 would provide funding for a new counselor in the Academic Support Center and partial funding for a new business officer in the athletics department, among other things.

Mr. Engelman moved approval of this item as presented. Ms. Spears seconded the motion.

Mr. Benton stated that this action affects the student body a great deal. He noted that he was one of the students who voted for the fee and indicated his belief that it would make the university better. Mr. Lalani added that the athletics department has done a tremendous job of raising private funds and has raised awareness of the program in the community.

There being no further discussion, the motion was approved.

MSU Promise/Mustangs Tuition Guarantee Program

09-135. Mr. Hessing noted that the current "MSU Promise" guarantees that tuition and mandatory fees will not be increased by more than 5% from one academic year to the next, with the exception of student initiated fees. Following a review of programs offered at sister institutions throughout the state, the administration recommended the initiation of the "Mustangs Guarantee." The Mustangs 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 the following criteria beginning with the 2010-2011 fiscal year:

- Be classified as a Texas resident
- Be classified as an undergraduate beginning freshman.
- Complete and submit the Free Application for Federal Student Aid (FAFSA).
- Be accepted for admission and have a complete financial aid file by April 30
- Have a combined family adjusted gross income (AGI) of \$50,000 or less as reported on the FAFSA.
- Be eligible for the Federal PELL Grant program.
- Enroll in and maintain a minimum of 15 semester credit hours through the 12<sup>th</sup> class day of each fall and spring semester.

Other stipulations would include the following:

- The program will pay for up to 15 semester credit hours each semester for up to four academic years — summer terms not included.
- The program does not cover room, board, books, supplies, or miscellaneous charges, including parking fees, installment plan fees, post office box rental fees, late fees, reinstatement fees, etc.
- In accordance with NCAA rules, current and prospective student-athletes would be offered awards on an individual basis. Certain forms of assistance may not be awarded to or accepted by a student-athlete.

Dr. Rogers commented that this program is designed to assist students who do not qualify for full tuition and fee coverage from programs such as the PELL grant and Texas Grant. One of the primary goals of the program is to inform young people that they can get a college education. There are many students who never ask about financial aid or scholarships and assume that a college education is too expensive for them. He



noted that MSU is not the first university to initiate such a program. He added that the administration selected the \$50,000 AGI figure based on the experience of other Texas universities. He indicated that the conditions on the program are somewhat restrictive and the administration would like to offer this program for one year to determine the cost of the program. The program may be adjusted after the first year, depending on the participation level and cost. This program targets college prepared students.

Ms. Spears noted that at the May meeting there was some discussion about limiting the number of students who could receive aid through a program such as this. Dr. Rogers responded that he did not think a limit was necessary at this time. He stated that the first university to offer such a program has an enrollment of 28,000-30,000 students. They used an AGI of \$40,000 and the annual cost of the program was \$150,000. Their experience led the MSU administration to recommend this program and feel comfortable that it is affordable.

Ms. Spears moved approval of this item as presented. Mr. Engelman seconded the motion.

Ms. Farris asked how this would affect those students who receive college credit while still in high school. Dr. Rogers responded that hours taken before graduation from high school would not exclude students from this program. Mr. Lalani commented that information regarding the program should make that point clear to prospective students.

Dr. Gunn asked how AGI for a student is defined. Dr. Clark responded that the student and parents must complete and submit the FAFSA. The student and parents must report income shown on income tax returns, as well as asset information. The government takes the information and determines what the family can contribute to the student's education. Dr. Gunn asked at what point a student is considered independent and does not have to report the parent's income. Dr. Clark responded that if a parent claims the child as a dependent for income tax purposes, the parent's income must be considered.

There being no further discussion, the motion was approved.

#### Operating Budget for Fiscal Year 2010

09-136. Mr. Hessing presented the administration's recommended \$90,287,041 operating budget for the 2009-2010 fiscal year for approval. The regents were also given a copy of the budget highlights (see Attachment 1). Mr. Hessing asked for a motion to approve the budget prior to presentations and discussions.

Ms. Spears moved approval of the operating budget as presented. Mr. Engelman seconded the motion.

Dr. Rogers noted that the proposed budget is a balanced budget. He added that the format of the budget has been changed from what has been presented in previous years. This change in format will help the board reconcile the monthly financial statements of the university to the budget. He noted that the proposed budget recognizes additional restricted funds, including estimated gifts that will hopefully be added to the university budget during the fiscal year. Dr. Rogers added that the budget also includes full

operational expenses for Sundance Court and the Redwine Student Wellness Center. He added that the true cost of university operations is increasing very modestly.

Mr. Hessing stated that while the university's budgeting process is changing, the accounting system is not changing. Mr. Lalani added that this is a much more comprehensive budget than what has been utilized in the past. Dr. Rogers noted that the approved budget for FY 2009 was \$76 million and the proposed FY 2010 budget is \$90 million. However, the funds that actually flowed through the university's budget in FY 2009 totaled more than \$76 million.

Dr. Rogers reported that the university received an increase in formula funding from the state, the first increase received in a number of years. While MSU's formula yield increased by \$770,000 each year of the biennium, a portion of the formula funding came from federal stimulus funds. These funds will not be available during the next biennium and the administration has been cautious in budgeting because future funding from the state is uncertain. He reported that the administration had worked on cost savings and future planning in order to give the staff and faculty a very modest raise in FY 2010. He noted that a base raise of 2% would be given in the middle of the year. He indicated his plan to add another 1% to base salaries in the fall 2010.

Dr. Rogers reviewed the budget highlights with the board. He noted the cost of increasing full-time equivalent positions totaled \$612,000. He added that a large portion of the cost was paid from gift funds, grant funds, and auxiliary income. He stated his plan to keep the increase of FTE's to a minimum after this year. He also pointed out the allocation of Higher Education Assistance Funds (HEAF) listed in the highlights.

Mr. Sandoval commented that the financial report through June 30 showed an addition of \$9.4 million to the original budget. This amount included gift income of \$4.6 million. The base budget for FY 2009 totaled \$76.2 million. The addition of \$9.4 million would bring the adjusted budget total to \$85 million. Mr. Sandoval then presented budget highlight slides (see Attachment 2). The slides included information regarding new funds that were included in the budget as well as the distribution of these funds.

Mr. Sandoval pointed out the increase of \$250,000 in travel costs. He noted that \$240,000 of that amount was funding for the British Studies program. In this case, the funds are received from the students participating in the program and are then expended to pay for travel. This is an item that has not previously been identified in the budget. He added that athletics summer camps were also new to the budget.

Mr. Lalani asked why it had taken the administration so long to make this change in the budget format. Mr. Sandoval responded that donor income is difficult to estimate and the other items traditionally were not included. Dr. Rogers added that the budget was previously put together to primarily represent the Education and General (E&G) operating costs of the university. Mr. Lalani indicated that he was pleased with this change and that it would make it easier for the board members to reconcile the budget to the monthly financial reports.

Mr. Lalani asked Mr. Sandoval if the sheet titled "MSU Budget Information (Proposed FY 10/Adjusted FY 09/Original Budget FY 09)" dated August 7, 2009 was distributed to all of the board members. Mr. Sandoval responded that it was not. He added that he provided this report only to Mr. Lalani in response to a question he had asked earlier in the week. Mr. Lalani asked that copies be distributed to the board (see Attachment 3). Mr. Lalani expressed concern that this sheet indicated an adjusted 09 budget of \$92,368,040 as opposed to the figure of \$84,314,297 that appeared on Schedule 2 of the June 30, 2009 financial report. Mr. Sandoval responded that he attempted to reconcile the current adjusted budget and the proposed budget as closely as possible.

Mr. Hessing noted that he had asked Mr. Sandoval and his staff to consider a mid-year review of the budget, both a sources and uses and a revenue and expenditures budget. He stated that this is a transition year and it is important for the board to understand where the sources and uses are. He added that there had been discussion in the past about deficit funding. He expressed his belief that if funds are received in one year and are planned to be spent in another year, there is a rollover effect and it is not deficit funding.

Mr. Lalani indicated his concern that information concerning the budget was not presented in a timely or comprehensive fashion. He stated that this needed to be addressed. Mr. Sandoval apologized for his delay in responding to questions raised.

Mr. Sandoval continued his review of the budget highlight slides. He pointed out that during the budgeting process the administration addressed the adequacy of housing reserves. The reserve fund currently totals \$925,000 and will increase by \$250,000 in FY 10. He added that there are housing maintenance issues that will need to be addressed soon. Mr. Sandoval pointed out that state support has declined from 39% of total expenses and debt service in FY 03 to 28% in FY 10.

Mr. Lalani indicated his support of the board reviewing and approving an adjusted budget during the year, particularly when there is a large variance from what is originally approved. Dr. Rogers commented that he hoped the administration and board could get away from the idea that a balanced budget is always funds received during a particular year equaling expenditures in that same year. He indicated that there are times when funds earned in one year are specifically designated to be spent the following year. Mr. Hessing expressed his agreement and added that a balanced budget in higher education in today's world is very difficult to achieve because of the way the money comes in.

Mr. Lalani indicated that this change in budgeting is a move in the right direction. He added his hope that the reporting and communication process will improve.

Mr. Engelman stated that he was quite surprised to see the increased budget and spent time with Mr. Sandoval and Ms. Ferguson to understand the change. He noted that MSU's research funds are limited and asked what could be done to increase that amount. Dr. Rogers responded that Mr. Sandoval and his staff are currently negotiating an indirect cost percentage for federal grants. Dr. Patti Hamilton, Dean of Graduate

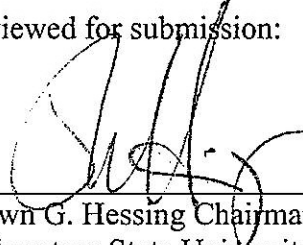
Studies, is also putting forth quite an effort regarding campus research. Dr. Rogers indicated his belief that MSU's research dollars will increase in the future.

There being no further discussion, the budget was approved.

Adjournment

The Finance and Audit Committee discussion concluded at 4:23 p.m.

Reviewed for submission:



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Shawn G. Hessing Chairman  
Midwestern State University  
Board of Regents Finance & Audit Committee

ATTACHMENTS:

1. Budget Highlights
2. Budget Highlights Slide Presentation
3. MSU Budget Information (Proposed FY 10/Adjusted FY 09/Original Budget FY 09)

*Midwestern State University*  
Budget Highlights  
2009 – 2010

- The 2009-2010 budget for Midwestern State University is a balanced budget. It reflects an estimated enrollment of 6,100 students for fall 2009.
- The proposed \$90,287,041 budget represents an increase over FY 2009 by \$14,048,339, primarily due to changes in the budgeting format.
  - The largest portion of the budget increase is in restricted funds, which includes gifts and grants. This increase of \$8,658,090 includes financial aid and scholarship increases of \$5,646,725. The overall budget includes a financial aid and scholarship increase of \$6.9 million.
  - The budget includes the full operational expenses for Sundance Court and the Redwine Student Wellness Center, representing a budget increase of \$1,419,697.
  - The budget also includes supplemental pay for continuing faculty and staff. The one-time payment will be 1% of each employee's annual base pay, with a minimum payment of \$400. This supplement is budgeted at \$405,000 and is scheduled for December, 2009, distribution. With this increase, it is recommended that the base salary of each employee be raised by 2% August 31, 2010.
  - The budget reflects a net increase of full-time equivalent (FTE) positions shown below (\$612,931).
    - Two and one-quarter net faculty positions in the Dillard College of Business (gift funds).
    - Sundance Court and Redwine Student Wellness Center staff additions of 4.41 positions.
    - One-half time General Counsel, and three and one-half administrative positions in the Registrar's Office, Admissions, Academic Support Center, and Public Information.
    - Three positions in athletics (Assistant AD for Business Affairs, assistant football coach, and cross country coach changed to benefit-eligible). The business affairs position is partially funded through grant funds.
  - Fringe benefits in this budget total approximately \$9.8 million, an increase of \$467,741.
  - The budget includes the addition of \$200,000 to the adjunct faculty and summer school budgets.
  - Renewal and replacement funds for housing and the Redwine Wellness Center were increased by \$145,000 in this budget.

- The proposed budget includes an increase in university debt payments by \$309,837 (housing bonds and master lease debt for Ligon and the Instrumental Music Hall).
- Federal stimulus funds were used by the Texas Legislature to fund the Instruction and Operation line item of the MSU appropriation.
- Funds from private sources provided funding for 16.08 positions and 25 faculty stipends in the amount of \$1,149,854.
- Incentive funds have been trusted to the Texas Higher Education Coordinating Board (THECB) for distribution in FY 2010. The administration utilized an estimate of \$488,000 in compiling the proposed budget.
- Funding totaling \$106,000 was received through the legislative process to support the MSU Autism Program in 2009-2010.
- The university's operational reserves as of August 31, 2010 are expected to total approximately \$14 million.
- The recommended budget contains the following allocations from the university's Higher Education Assistance Funds (HEAF):

Bond payment on Dillard Building	\$1,468,794
Purchase of Christ Academy	1,160,000
Allocation to six colleges for computers and academic-related equipment	353,219
Science and Graphic Arts laboratories	151,398
Information Systems/Telecommunications equipment and software	61,050
Computer lab upgrades	100,000
Physical Plant equipment and improvements	642,561
Kinesiology equipment	89,693
Equipment for administrative offices and library	133,711
Facilities contingency	<u>25,980</u>
<b>TOTAL</b>	<b><u>\$4,186,406</u></b>



# General Overview of Recommended Budget

Proposed Budget FY '10	\$90.29 m.
Budget FY '09	76.24 m.
Change in Budget	<u>\$14.05 m.</u>


## Sources of Funds:

Restricted Funds	\$ 8.58 m.
Tuition and Fees	2.27 m.
Housing/M meal Plans	1.00 m.
Other Designated Services	0.94 m.
State Appropriations	0.88 m.
HEAF Funds	0.38 m.
Total	<u>\$14.05 m.</u>

# Distribution of FY '10 Identified Funds

Salaries (new positions, adjunct, and raises)	\$ 1,338,960
Graduate Assistantships/ Scholarships/Financial Aid	6,897,190
Wages	719,602
HEAF – Capital Outlay	448,248
Fringe Benefits	467,741
Use of Designated/Restricted Funds	3,517,611
Utilities	99,027
Travel	250,123
Debt Service	309,837
Total Use of Funds	<u>\$14,048,339</u>

# Strategic Budget Goals

- Change in budget policy to recognize greater external funding and donor support
  - Address salary plan supplemental pay, equivalent to 2% of total base salary/mid-year, min. \$400
  - Address critical position needs of selected faculty and staff
  - Change source of funding of scholarship income lost in a devalued market of endowment fund investments of \$252,000
  - Increase other competitive scholarships – \$250,000
- 



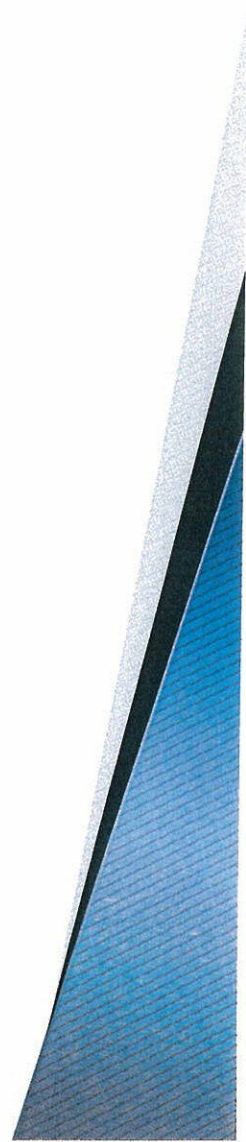
# Strategic Budget Goals (Cont)

- Address facilities deferred maintenance
- Support new infrastructure – Housing, Student Wellness Center
- Contain utility cost increases
- Enhance reserves from available balances
- Ensure adequacy of housing reserves
- Implement the President's Cost Savings/Efficiency recommendations



# Budget Parameters

- Limit tuition and fee increases to no more than 5%
- Use 6,100 student headcount for Fall 2009
- Increase in minimum wage – \$6.55 /hr to \$7.25 /hr



# **Eight-Year State Legislative Appropriations Comparison**

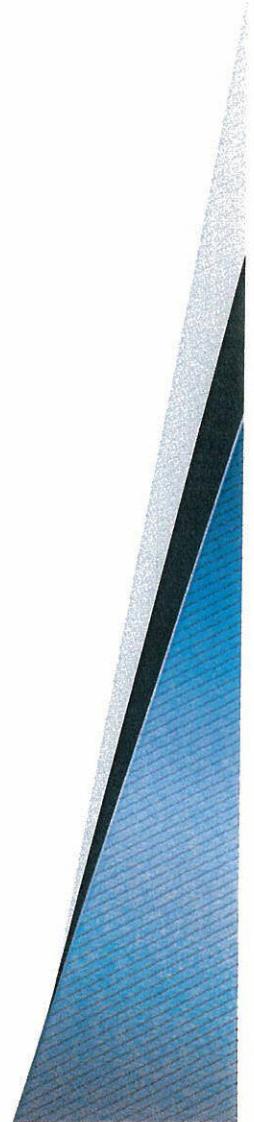
	<u>General Revenue State Support</u>	<u>as a % of Total Expenses and Debt Service</u>
FY 2003	\$ 21,431,269	39%
FY 2004	\$ 20,853,180	36%
FY 2005	\$ 20,941,156	35%
FY 2006	\$ 22,800,253	34%
FY 2007	\$ 22,715,166	35%
FY 2008	\$ 23,331,145	33%
FY 2009	\$ 24,380,836	32%
FY 2010	\$ 25,262,502	28% (est.)



# FY '10 Recommendation

- Budget proposal revenues and expenditures \$90,287,041
- Reduction of dependence on local reserves
 

FY 2009 Budgeted Need	\$519,000
FY 2010 Estimated Budget Need	\$ 0
- Includes 13.66 critical faculty/staff positions composed of:
  - 2.25 faculty positions – Donor Funds
  - 4.41 staff positions – Rec. Center Fee and Housing income
  - 3 positions in Athletics – Athletic fee and Grant funds
  - 0.5 General Counsel position and 3.5 administrative positions funded from designated funds

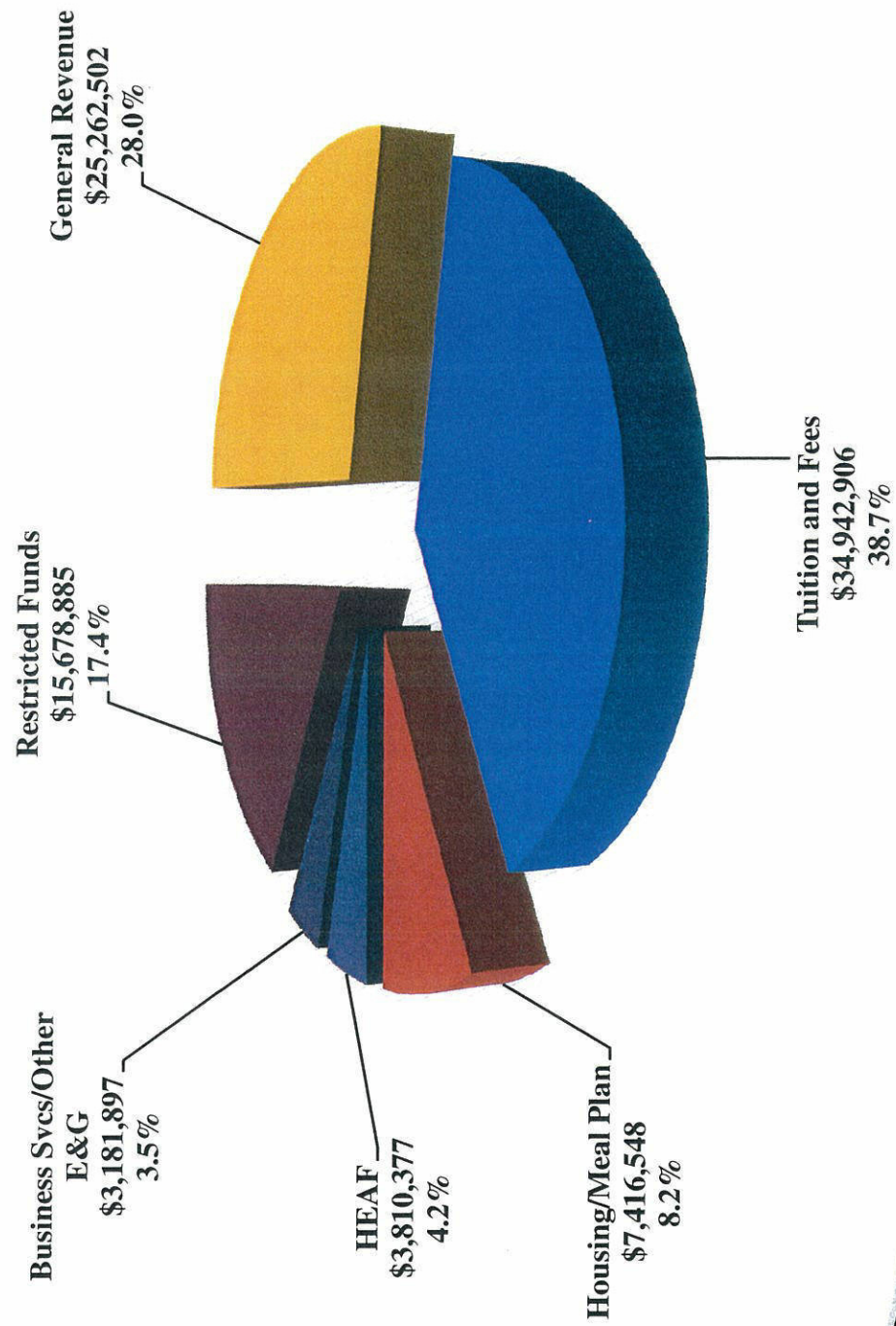


# Budget Recommendations

- Approve salary plan supplemental pay, equivalent to 2% of total base salary/mid-year, min. \$400
- Recommend approval of Autism Program, funded with Federal ARRA monies
- Recognize increase in university debt – \$309,437
- Address increase in fringe benefit cost – \$467,741
- Recommend approval of HEAF budget that addresses purchase of Christ Academy and critical infrastructure and deferred maintenance needs



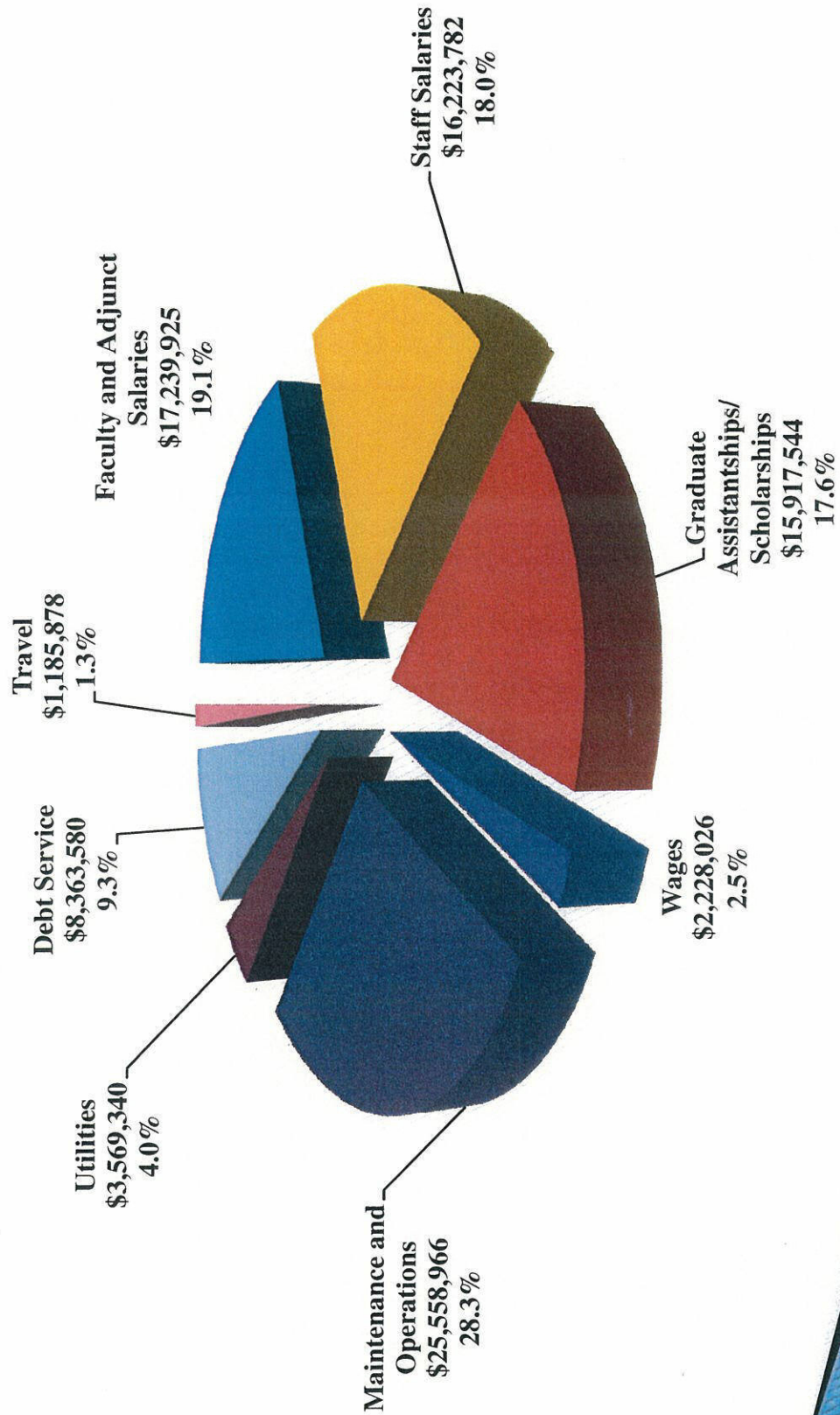
# Sources of Revenue - FY 2010



Total Revenue- \$90,293,115



# Use of Funds – FY 2010



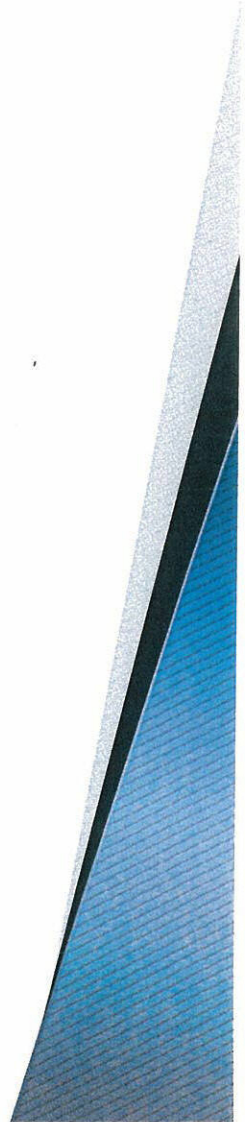
Total Budget - \$90,287,041

# Analysis of MSU Reserves Projected for August 31, 2010

Estimated fund balances at August 31, 2010

Education and General Funds	\$ 838,458
Designated Funds	6,622,119
Auxiliary Funds	2,208,738
Restricted Funds	3,359,590
Plant Funds	<u>1,014,306</u>
*Total All Funds	<u>\$14,043,211</u>

\*Indicates a balanced budget



## Midwestern State University

## Budget Information

Proposed Budget FY '10 / Adjusted Budget FY '09 / Original Budget FY '09

August 7, 2009

Line Item	Proposed FY '10 Budget	(See Note)		Refer To Notes	Original FY'09 Budget	Variance (%) From FY 09
		Adjusted FY '09 Budget	Variance (%) From FY 09			
Salaries	33,463,707	33,514,415	-0.2%		32,124,747	4.2%
Graduate Assts./Scholarships/Fin.Aid	15,917,544	15,325,206	3.9%	(2)	9,020,354	76.5%
Wages	2,228,026	1,611,018	38.3%	(3)	1,508,424	47.7%
Maintenance & Operations	25,558,966	28,755,083	-11.1%	(4)	21,125,366	21.0%
Travel	1,185,878	1,416,397	-16.3%	(5)	935,755	26.7%
Utilities	3,569,340	3,692,178	-3.3%		3,470,313	2.9%
Debt Service	8,363,580	8,053,743	3.8%		8,053,743	3.8%
Total	\$90,287,041	\$92,368,040	-2.3%		\$76,238,702	18.4%

## Notes:

- (1) The adjusted budget is the original budget that the system automatically adjust for new gifts, contracts and grants awards. Does not mean we spend all of \$92.3 million, in fact, that is the reason we have an increase in net assets.
- (2) Scholarships and financial aid seem to grow from the original budget but in fact, they only grew by 3.9% in the adjusted budget. This is through federal grants support, charitable trust and foundation income, & gifts. We have always had these expenses, but not reflected in the budget.
- (3) Supplemental faculty and salary pay, because it is 1 time disbursement, paid through wages - \$405,000.
- (4) Maintenance and Operations increase is a system method of recognizing gifts, but certainly does not mean they will all be spent. But that increase is in gifts.
- (5) First time British Studies, which is mostly travel, is included in this budget, accounting for \$240,000 of original budget

THIS IS WHY THE BUDGET NEEDS TO MORE APPROPRIATELY REFLECT DONOR &amp; EXTERNAL SOURCES SUPPORT



**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**Personnel and Curriculum Committee  
August 6, 2009**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 4:39 p.m., Thursday, August 6, 2009. Personnel and Curriculum Committee members in attendance were Dr. Carol Gunn, Chair; Ms. Jane Spears; and Mr. Ben Wible. Other regents attending the meeting were Mr. Charles Engelman, Ms. Charlye Farris, Mr. Stephen Gustafson, Mr. Shawn Hessing, Mr. Munir Lalani, 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; Ms. Ann Medford, Chair of the MSU Faculty Senate; Mr. Chris Gore, Chairman of the MSU Staff Senate; 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.

Chair Gunn called the meeting to order at 4:39 p.m.

Reading and Approval of Minutes

09-137. The minutes of the Personnel and Curriculum Committee meeting May 14, 2009, were approved as presented.

Faculty Report

09-138. Ms. Ann Medford, Chair of the MSU Faculty Senate, reported that the last Faculty Senate meeting was held May 7, 2009 and officers were elected for the 2009-2010 academic year. She reported that she would continue to serve as chair for the upcoming year. Dr. Jim Owen, Assistant Professor of Economics, was elected vice-chair; Dr. Stuart McClintock, Associate Professor of French, will serve as Secretary; Dr. Chuck Bultena, Associate Professor of Management, will serve as Treasurer; and Dr. David Carlston, Assistant Professor of Psychology, will serve as Parliamentarian. The Faculty Senate looks forward to the upcoming academic year and working with Dr. Rogers and Dr. Long. She expressed appreciation to the board for their efforts on behalf of the university.

Staff Report

09-139. Mr. Chris Gore, Chairman of the MSU Staff Senate, reported that the Staff Senate has continued to meet throughout the summer. The Staff Senate has developed a scholarship for staff members pursuing their degrees at Midwestern State. The Senate plans to raise funds so that two scholarships can be awarded in the fall 2010. The Senate continues to

research a staff emeritus program to honor staff members for their commitment to Midwestern State beyond the accolades currently afforded by the university to retiring individuals. The Staff Senate has been in existence for one year and elections were recently held. New senators for the next two years include Dr. Pam Midgett, Greg Williams, Ron Hall, Gary Neal, and Steven Fischer. Those exiting senators completing one year terms include Barbara Merkle, Mike Deming, Ernest Cooper, and Daniel Lopez. Dr. Rogers attended the July meeting and addressed the Staff Senate regarding the budget situation.

#### Enrollment Reports – Summer 2009

09-140. Summer 2009 enrollment reports were presented as shown in Attachment 1. Dr. Clark noted that enrollment and semester credit hours increased during the summer. Mr. Lalani asked if this trend would continue in the fall. Dr. Clark responded that he was encouraged with the numbers of students that have pre-registered for fall classes.

#### Small Class Reports – Summer 2009

09-141. Summer 2009 small class reports were presented as shown in Attachment 2. Dr. Gunn reported that these reports were in a new format and asked Dr. Long to explain. Dr. Long stated that the format was modified slightly to show the total numbers of classes offered in comparison to the numbers of classes that were offered as small classes. He noted that 641 classes were offered over the summer and only 19 were taught as small classes, which is a small percentage.

#### Beginning and Last Day Enrollment Reports, Spring 2009 Semester

09-142. Dr. Gunn noted that the beginning and last day enrollment reports for the spring 2009 semester were previously distributed to the board for their information and review. Dr. Long pointed out the summary sheet (see Attachment 3) which indicated that during the spring 2005, MSU had a 93% course completion rate, which compares to 96% in the spring 2009. He indicated that this was a significant increase, which puts MSU in a favorable position compared to other public universities in the state. He added that the university administration shortened the deadline for students dropping a course in an attempt to encourage students to stay enrolled in courses they originally signed up for. He indicated this may have had a positive effect on this number.

Mr. Hessing asked if the university utilizes this report to analyze trends regarding student completion rates in particular courses and with particular faculty members. Dr. Long responded that this information is reviewed and evaluated.

#### Review of Personnel Reports for FY 08-09 Budget

09-143. Reports regarding personnel changes in April, May, and June, 2009 were presented as a point of information only as shown in the agenda document.

#### Posthumous Degree – Archie Lee Little

09-144. Dr. Gunn presented the administration's recommendation that a posthumous degree be awarded to Archie Lee Little. She reported that Mr. Little passed away in June, 2009, while enrolled at MSU. Dr. Long noted that Mr. Little was a graduate student and had completed all required coursework and was in the final stages of completing his thesis for the Master of Education degree with a major in Counseling when he suffered a

serious epileptic seizure and died. Dr. Long noted that if Mr. Little had completed the degree he would have been the first person in his family to have received a master's degree. Previously, Mr. Little was the first person in his family to have received a baccalaureate degree, to graduate from high school, and to complete the tenth grade. Mr. Little would have graduated in August.

Dr. Long noted that he had been told that MSU has awarded five posthumous degrees in its history. He added his belief that this degree was definitely justified. Ms. Farris added that she knew Archie Lee Little when he worked with her son at Hirschi High School. She added that everyone spoke highly of him.

Mr. Wible moved approval of this item as presented. Ms. Spears seconded the motion and it was approved.

#### August 2009 Graduating Class

09-145. The administration recommended approval of the list of candidates for August 2009 graduation with the provision that they meet all requirements as prescribed by the faculty and administration. Ms. Barrow noted that there were 202 candidates for graduation as compared to 212 in August 2008.

Ms. Spears moved approval of this item as presented. Mr. Wible seconded the motion and it was approved.

#### Academic Calendar – Summer 2010

09-146. The administration recommended approval of the academic calendar for the summer 2010 as presented in the agenda document. Dr. Clark noted that the recommended calendar was comparable to the current year summer calendar and reflects a four-day work week.

Mr. Wible moved approval of the calendar as presented. Ms. Spears seconded the motion and it was approved.

#### MSU Policies and Procedures Manual Changes

09-147. The following changes to the *MSU Policies and Procedures Manual* were recommended for approval. The specific items were explained as shown below.

- A. Policy 2.338, University Boards, Councils & Committees – Pre-Medical Advisory Committee - the administration recommended changing the name of the committee to Health Professional Advisory Committee, and slightly modifying the purpose and personnel of the committee.
- B. Policy 3.330, Student Employment – changes were recommended to this policy to provide uniform guidelines and standardized procedures for all student employment.
- C. Policy 4.163, Smoking/Use of Tobacco Products – Dr. Rogers reported that this policy was approved at the May board meeting subject to legal review. The policy was reviewed by the university's Outside Counsel as well as the Attorney General's

office. It was determined that some type of enforcement statement should be included as part of the policy. Dr. Rogers noted that the first two sections of the policy were rewritten so that policy was more readable and the last section was modified to address enforcement (see Attachment 3). Dr. Rogers noted that enforcement of the policy would be handled through the university's established disciplinary procedures. He added that it was still his hope that the majority of individuals would comply with the new policy out of courtesy to others and through self-policing. Mr. Benton stated that the disciplinary action section was added following approval of the original policy statement by the Student Senate. He asked for clarification as to how student disciplinary matters relating to this policy would be handled. Mr. Lamb responded that the Dean of Students would have the latitude to decide whether or not a violation would move into disciplinary action. Mr. Gustafson asked if signs would be placed around campus indicating that smoking is prohibited. Dr. Farrell responded that signs were being designed for the campus. Dr. Rogers added that he was proud of the university being a leader in this matter.

- D. Policy 4.188, Mobile Communication Devices – this policy was originally approved for implementation September 1, 2009. Based on recent news reports regarding an Internal Revenue Service (IRS) review of the government code concerning employer-provided mobile communication devices, the administration recommended that the implementation of this policy be postponed indefinitely pending clarification from the IRS. Dr. Rogers noted that the IRS is rethinking the taxable benefit of mobile communication devices as part of an individual's job.
- E. NEW Policy – Reporting Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC) Substantive Changes – the administration recommended the addition of this policy as required by SACS to outline certain reporting requirements.

Ms. Spears moved approval of the policy changes as presented. Mr. Wible seconded the motion and it was approved.

#### Adjournment

There being no further business, the Personnel and Curriculum Committee discussion concluded at 5:10 p.m.

Reviewed for submission:



Carol Carlson Gunn, Chair  
Midwestern State University  
Board of Regents Personnel & Curriculum Committee

ATTACHMENTS:

1. Enrollment Reports, Summer 2009
2. Small Class Reports, Summer 2009
3. Beginning and Last Day Enrollment Report Summary, Spring 2009
4. Policy 4.164 – Use of Tobacco Products

**Enrollment Report**

**Fall 2009**

	<u>2008</u>	<u>2008</u>
Beginning Freshmen	675	708
Re-enrolling Freshmen	613	613
Sophomore	1,136	1,179
Junior	1,179	1,278
Senior	1,758	1,830
Post-Baccalaureate	110	90
Graduate	622	645
<b>TOTAL ENROLLMENT</b>	<b>6,093</b>	<b>6,343</b>

**Enrollment**                      **+ 4.10%**

**Semester Credit Hours**       **+ 4.08%**



SUMMER 2009

CLASS REPORT

Summer I

374 total classes

166 (44%) at or above course enrollment cap

208 (55%) below enrollment cap

5 (2.4 %) of those below enrollment cap were cancelled

13 (6%) of those below enrollment cap were taught as small classes

Summer II

267 total classes

95 (35%) at or above course enrollment cap

172 (64%) below enrollment cap

2 (1%) of those below enrollment cap were cancelled

6 (3%) of those below enrollment cap were taught as small classes

Summer 2009 Totals

641 total classes

261 (41%) at or above course enrollment cap

380 (59%) below enrollment cap

7 (2.6%) of those below enrollment cap were cancelled

19 (5%) of those below enrollment cap were taught as small classes

# Completion Rates

by Semester Credit Hours

Spring 2005 through Spring 2009

Semester	Total Beginning SCH	Total Ending SCH	Completion Rate
Spring 2005	66,700	62,310	93.4%
Fall 2005	70,310	65,181	92.7%
Spring 2006	66,233	61,791	93.3%
Fall 2006	68,160	63,268	92.8%
Spring 2007	64,232	60,219	93.8%
Fall 2007	68,310	63,922	93.6%
Spring 2008	64,529	60,990	94.5%
Fall 2008	67,924	64,215	94.5%
Spring 2009	65,698	63,376	96.5%
Spring 2005 - Spring 2009	602,096	565,272	93.9%

**Beginning and Ending Enrollment by Class by Section for Spring 2009**

<u>College</u>	<u># Course Sections</u>	<u>Total Beginning SCH</u>	<u>Total Ending SCH</u>	<u>Completion Rate</u>
Business Administration	108	9288	9120	98%
Education	115	3924	3846	98%
Fine Arts	190	5043	4910	97%
Health and Human Services	327	15747	15375	98%
Humanities and Social Sciences	238	17083	16331	96%
Science and Mathematics	279	14070	13263	94%
Undeclared	11	543	531	98%
<b>Total</b>	<b>1268</b>	<b>65698</b>	<b>63376</b>	<b>96%</b>

## 4.163 President's Office

**SMOKING/USE OF TOBACCO PRODUCTS USE OF TOBACCO PRODUCTS**

Approved: 5/15/09 – subject to legal review; Effective Date: 1/1/10

**A. General Policy**

1. ~~Midwestern State University wishes to promote a safe, healthy, and pleasant environment for the campus community.~~
2. ~~Tobacco use has adverse health effects on users and non-users who share the same space as convincingly documented in the Surgeon General's report of 2006.~~
3. ~~There is no safe exposure level to tobacco, a class A carcinogen.~~
4. ~~Bans are more effective than restrictions in terms of decreasing the initiation of tobacco use, promoting cessation, and limiting exposure to tobacco.~~

**Midwestern State University seeks to provide a safe, healthy, pleasant environment for its faculty, staff, and students. To this end, the use of tobacco products, including smoke and smokeless tobacco, and the advertising, sale, free distribution, and discarding of tobacco products shall be prohibited in all indoor and outdoor facilities and in all university vehicles. The policy extends to faculty, staff, students, vendors, guests, and visitors.**

**Policy**

Smoking or other tobacco use, tobacco advertising, tobacco sales, and free distribution of tobacco products are prohibited on the Midwestern State University campus.

**B. Definitions Specifications**

1. ~~Midwestern State University campus~~
  - a. ~~All university owned or leased buildings~~
  - b. ~~All university owned or leased vehicles~~
  - c. ~~All public outdoor areas under the jurisdiction of Midwestern State University~~
2. ~~Tobacco use includes the possession of any lighted tobacco product or the use of any oral tobacco product.~~
3. ~~Tobacco products are defined as any product consisting in whole or in part of tobacco.~~
1. **"Use of tobacco products" shall include**
  - a. **Possession of a lighted tobacco product**
  - b. **Use of smokeless tobacco products**
2. **"Indoor and outdoor facilities and university vehicles" shall include**
  - a. **All buildings and facilities owned or leased by Midwestern State University, including residential homes**
  - b. **All outdoor areas owned or leased by Midwestern State University, including the grounds of the Main Campus and the South Campus and the grounds of residential homes owned by the university**
  - c. **All university-owned or leased vehicles, including cars, pick-up trucks, vans, box trucks, and carts**
  - d. **All private vehicles parked on property owned or leased by Midwestern State University**
3. **Exceptions: None**

**C. Enforcement**

1. It is the responsibility of all members of the campus community and campus visitors to observe the provisions of this policy.
2. It is the responsibility of all students, faculty, staff, and campus visitors to uphold the honor of the university by affirming its commitment to this policy.
3. **Courtesy and consideration will be exercised when informing violators of this policy. No person will be retaliated against for informing others of the policy or asking others to comply with the policy.**
4. **A complaint against a violator who fails to comply with the policy after being asked by another to do so, may be referred to a provost, vice president, associate vice president, dean, or director. Appropriate disciplinary action may be applied to a violator against whom multiple complaints have been received.**

**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**Student Services Committee  
August 6, 2009**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 5:10 p.m., Thursday, August 6, 2009. Student Services Committee members in attendance were Ms. Charlye Farris, Chair; Dr. Carol Gunn; and Mr. Shawn Hessing. Other regents attending the meeting were Mr. Charles Engelman, Mr. Stephen Gustafson, Mr. Munir Lalani, 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; Ms. Ann Medford, Chair of the MSU Faculty Senate; Mr. Chris Gore, Chairman of the MSU Staff Senate; 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.

Chair Farris called the meeting to order at 5:10 p.m.

Reading and Approval of Minutes

09-148. The minutes of the Student Services Committee meeting May 14, 2009, were approved as presented.

Student Government Report

09-149. Ms. Farris reported that the MSU Student Government Association president, KeVaughn Graham, was out of the country and the report would be given by Student Regent Lenny Benton, who also serves as SGA Vice President. Lenny reported that the new SGA officers had been busy during summer planning for the upcoming year. They look forward to the students returning to campus in the fall and the activities they have planned.

Student Housing Report

09-150. Mr. Lamb reported that the new apartment complex, Sundance Court, is fully furnished and ready for occupancy. Students are scheduled to begin moving into the facility this weekend. He noted that there are only three open spots in that facility and Sunwatcher Village has only 28 open spots. The other halls (Pierce, Killingsworth, McCullough Trigg, and Bridwell Courts) are full. He noted that 1310 spaces are currently occupied.

While there will always be last minute cancellations and newcomers, this level of occupancy will likely remain for the fall semester.

Student Handbook Additions

09-151. The administration recommended the addition of three statements to the student organization section of the student handbook as shown in the agenda document. Ms. Farris noted that these additions clarify minimum membership requirements, observation of an alcohol-free academic week, and required risk management training. Mr. Lamb noted that eight students are required for a group to form an official, recognized student organization. With this proposed change, if an organization drops below four members the organization will no longer be recognized. The next item relates to the alcohol free academic week. Currently MSU Greek organizations do not sponsor alcohol registered functions from Sunday evening through Thursday each week. This proposed change will extend this policy to all student organizations. Finally, student organization presidents and advisors are required to attend risk management training. This policy statement will simply formalize what is already being done.

Adjournment

The Student Services Committee discussion concluded at 5:19 p.m.

Reviewed for submission:



Charlye O. Farris, Chair  
Midwestern State University  
Board of Regents Student Services Committee



**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**University Development Committee  
August 6, 2009**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 5:19 p.m., Thursday, August 6, 2009. University Development Committee members in attendance were Mr. Stephen Gustafson, Chairman; Mr. Charles Engelman; Ms. Charlye Farris; and Ms. Jane Spears. Other regents attending the meeting were Mr. Shawn Hessing, Mr. Munir Lalani, 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; Mr. Chris Gore, Chairman of the MSU Staff Senate; 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.

Chairman Gustafson called the meeting to order at 5:19 p.m.

Reading and Approval of Minutes

09-152. The minutes of the University Development Committee meeting May 14, 2009, were approved as presented.

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

09-153. This report was presented in the agenda document as a point of information only. Mr. Gustafson noted the following gifts received since the last report to the Board of Regents.

1. Ms. Kay Dillard donated \$500,000 to the Dillard College of Business Administration for the 2009-2010 academic year.
2. MSU received another \$1,000,000 distribution from the Bruce Redwine Estate.
3. The Ligon Renovation Project received \$250,000 from the Edwards Foundation and \$50,000 from Haggerty Plumbing.

Dr. Farrell reported that between April 18 and July 10 the university received gifts in excess of \$2.6 million. The gifts received in 2008-2009 currently total \$11.3 million; this will be a record year for the university. Mr. Lalani thanked Dr. Rogers, Dr. Farrell and the staff for their work.

Mr. Gustafson reminded board members to write thank you notes to the individuals who have given money during the last quarter.

Naming of University Facilities

09-154. The administration recommended naming the new facility located on the east side of the Fain Fine Arts Center, the Fain Instrumental Music Hall, in recognition of a generous donation which made this project possible.

Ms. Spears moved approval of this item as presented. Ms. Farris seconded the motion. Dr. Rogers noted that he had discussed this naming with the donor and it was her wish that her family be recognized.

There being no discussion the motion was approved.

Adjournment

The University Development Committee discussion concluded at 5:26 p.m.

Reviewed for submission:



Stephen A. Gustafson, Chairman  
Midwestern State University  
Board of Regents University Development Committee

**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**Athletics Committee  
August 6, 2009**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 5:26 p.m., Thursday, August 6, 2009. Athletics Committee members in attendance were Mr. Ben Wible, Chairman; Mr. Charles Engelman; Mr. Stephen Gustafson; and Mr. Shawn Hessing. Other regents attending the meeting were Ms. Charlye Farris, Mr. Munir Lalani, Ms. Jane Spears, 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; Mr. Chris Gore, Chairman of the MSU Staff Senate; 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.

Chairman Wible called the meeting to order at 5:26 p.m.

Reading and Approval of Minutes

09-155. The minutes of the Athletics Committee meeting May 14, 2009, were approved as presented.

Athletics Status Report

09-156. Mr. Charlie Carr, Director of Athletics, distributed information regarding a new athletics advertising campaign which emphasizes MSU athletics as "Our Home Team" (see Attachment 1). He also distributed copies of the fall team schedules and invited board members to attend games whenever possible. He noted that the department continues to find opportunities for the student athletes to be involved in the local community. The department plans to adopt six local charities during the year and work to support them financially as well as through personal involvement of the student athlete. Mr. Carr indicated that he is very excited about the upcoming seasons.

Adjournment

There being no further business, the Athletics Committee discussion concluded at 5:35 p.m.

Reviewed for submission:

*Ben F. Wible*

Ben F. Wible, Chairman  
Midwestern State University  
Board of Regents Athletics Committee

ATTACHMENT:

1. Athletics Promotion Information







MIDWESTERN STATE UNIVERSITY

**MUSTANGS**

ATHLETIC CLUB

PROUD SUPPORTERS OF

***OUR HOME TEAM!***

**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**Committee of the Whole  
August 6, 2009**

The Board of Regents, Midwestern State University, met in regular session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 1:30 p.m., Thursday, August 6, 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. Dr. Lynwood Givens was unable to attend due to illness.

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; Ms. Ann Medford, Chair of the MSU Faculty Senate; Mr. Chris Gore, Chairman of the MSU Staff Senate; 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 Ms. Ann Work, reporter for the *Times Record News*.

Chairman Lalani called the meeting to order at 1:32 p.m. Dr. Clark presented the invocation and Ms. Gaynor introduced the guests.

Opening Comments

Mr. Lalani welcomed everyone to the meeting and expressed appreciation for their attendance.

Mr. Lalani asked Dr. Rogers to introduce the university's new Interim Provost, Dr. Russell Long. Dr. Rogers reported that Dr. Long has a doctorate in English from Texas A&M University. He previously served as an English professor at Tarleton for many years and then served as head of the Department of English and Provost. He then moved to West Texas A&M University as Provost and then served as President for 11 years. Dr. Rogers indicated he was pleased that Dr. Long agreed to join the MSU administration as Interim Provost.

Mr. Lalani welcomed Lenny Benton, new student regent, and asked Lenny to say a few words about himself. Lenny stated that he is from Lubbock, Texas, and will be a senior in the 2009-2010 school year. He added that he was pleased to represent the student body and looked forward to learning a great deal as Student Regent. Dr. Farrell added that Lenny also serves as Vice President of the Student Government Association.

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.

Resolution of Appreciation

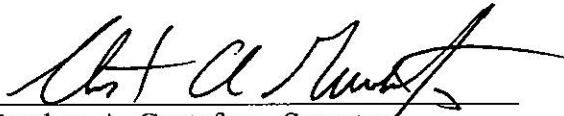
09-117. Mr. Lalani noted that Haley Lain served as the MSU Student Regent for the 2008-2009 year. He asked Ms. Barrow to read the proposed resolution for consideration of the board (see Attachment 1).

Ms. Farris moved approval of the resolution as presented. Ms. Spears seconded the motion and it was approved.

Adjournment

There being no further business, the meeting adjourned at 1:37 p.m.

Reviewed for submission:

  
\_\_\_\_\_  
Stephen A. Gustafson, Secretary  
Midwestern State University  
Board of Regents

ATTACHMENT:

1. Resolution of Appreciation – Haley Lain, Student Regent

## MIDWESTERN STATE UNIVERSITY RESOLUTION OF APPRECIATION

August 6, 2009


**WHEREAS**, Haley Lain was appointed by Texas Governor Rick Perry to serve as Student Regent as part of the MSU Board of Regents, the highest position a student can be appointed to while enrolled in Texas public higher education, and

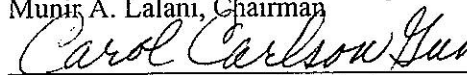
**WHEREAS**, Haley served in this position with distinction from June 1, 2008 until May 31, 2009, and

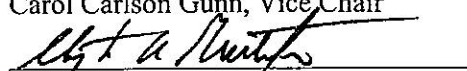
**WHEREAS**, she represented the students of Midwestern State University in discussions of key issues in higher education, provided input in decisions affecting the future of the university, and participated in legislative hearings during the 81<sup>st</sup> session of the Texas Legislature,

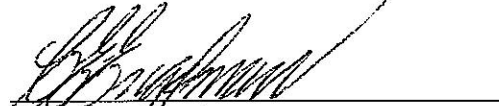
**NOW THEREFORE BE IT RESOLVED** that the members of the Board of Regents and President of Midwestern State University hereby express their most sincere appreciation to Haley Lain for her service, and

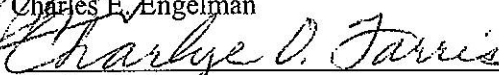
**BE IT FURTHER RESOLVED** that this Resolution be made a part of the permanent minutes of this Board and that a copy be presented to Ms. Lain as a token of the university's gratitude and appreciation.


  
Munir A. Lalani, Chairman

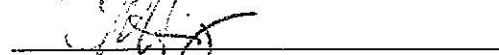
  
Carol Carlson Gunn, Vice Chair

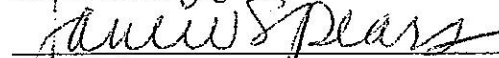
  
Stephen A. Gustafson, Secretary

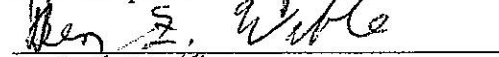
  
Charles E. Engelman

  
Charlye O. Farris

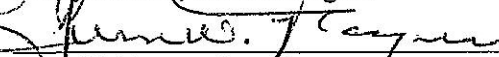
  
F. Lynwood Givens

  
Shawn G. Hessing

  
Jane W. Spears

  
Ben F. Wible

  
Lenny Benton, Student Regent

  
Jesse W. Rogers, President





**MINUTES  
BOARD OF REGENTS  
MIDWESTERN STATE UNIVERSITY**

**August 7, 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, 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.

- 09-124. Review and Acceptance of Financial Reports – accepted the April, May, and June, 2009, Financial Reports and the quarterly investment report as presented.
- 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.

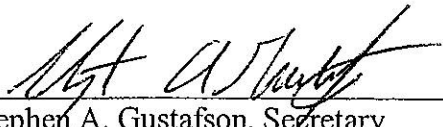
Mr. Engelman asked what percentage of the university's utility costs were electricity, gas, and water. Mr. Goldapp responded that while he didn't have exact figures, the water number is a relatively small amount, probably \$60,000 per year, including trash collection. He stated that the cost for gas 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.

  
\_\_\_\_\_  
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.

  
Stephen A. Gustafson, Secretary

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

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 the following criteria beginning with the 2010-2011 fiscal year:

- Be classified as a Texas resident
- Be classified as an undergraduate beginning freshman.
- Complete and submit the Free Application for Federal Student Aid (FAFSA).
- Be accepted for admission and have a complete financial aid file by April 30
- Have a combined family adjusted gross income of \$50,000 or less as reported on the FAFSA.
- Be eligible for the Federal PELL Grant program.
- Enroll in and maintain a minimum of 15 semester credit hours through the 12<sup>th</sup> class day of each fall and spring semester.

Other stipulations of the Mustang Guarantee would include the following:

- The program will pay for 15 semester credit hours each semester for up to four academic years — summer terms not included.
- The program does not cover room, board, books, supplies, or miscellaneous charges, including parking fees, installment plan fees, post office box rental fees, late fees, reinstatement fees, etc.
- In accordance with NCAA rules, current and prospective student-athletes would be offered awards on an individual basis. Certain forms of assistance may not be awarded to or accepted by a student-athlete.



## 4.163 President's Office

**SMOKING/USE OF TOBACCO PRODUCTS USE OF TOBACCO PRODUCTS**

Approved: 5/15/09 – subject to legal review; Effective Date: 1/1/10

**A. General Policy**

1. ~~Midwestern State University wishes to promote a safe, healthy, and pleasant environment for the campus community.~~
2. ~~Tobacco use has adverse health effects on users and non-users who share the same space as convincingly documented in the Surgeon General's report of 2006.~~
3. ~~There is no safe exposure level to tobacco, a class A carcinogen.~~
4. ~~Bans are more effective than restrictions in terms of decreasing the initiation of tobacco use, promoting cessation, and limiting exposure to tobacco.~~

**Midwestern State University seeks to provide a safe, healthy, pleasant environment for its faculty, staff, and students. To this end, the use of tobacco products, including smoke and smokeless tobacco, and the advertising, sale, free distribution, and discarding of tobacco products shall be prohibited in all indoor and outdoor facilities and in all university vehicles. The policy extends to faculty, staff, students, vendors, guests, and visitors.**

**Policy**

Smoking or other tobacco use, tobacco advertising, tobacco sales, and free distribution of tobacco products are prohibited on the Midwestern State University campus.

**B. Definitions Specifications**

1. ~~Midwestern State University campus~~
  - a. ~~All university owned or leased buildings~~
  - b. ~~All university owned or leased vehicles~~
  - c. ~~All public outdoor areas under the jurisdiction of Midwestern State University~~
2. ~~Tobacco use includes the possession of any lighted tobacco product or the use of any oral tobacco product.~~
3. ~~Tobacco products are defined as any product consisting in whole or in part of tobacco.~~
  1. **"Use of tobacco products" shall include**
    - a. **Possession of a lighted tobacco product**
    - b. **Use of smokeless tobacco products**
  2. **"Indoor and outdoor facilities and university vehicles" shall include**
    - a. **All buildings and facilities owned or leased by Midwestern State University, including residential homes**
    - b. **All outdoor areas owned or leased by Midwestern State University, including the grounds of the Main Campus and the South Campus and the grounds of residential homes owned by the university**
    - c. **All university-owned or leased vehicles, including cars, pick-up trucks, vans, box trucks, and carts**
    - d. **All private vehicles parked on property owned or leased by Midwestern State University**
  3. **Exceptions: None**

**C. Enforcement**

1. It is the responsibility of all members of the campus community and campus visitors to observe the provisions of this policy.
2. It is the responsibility of all students, faculty, staff, and campus visitors to uphold the honor of the university by affirming its commitment to this policy.
3. **Courtesy and consideration will be exercised when informing violators of this policy. No person will be retaliated against for informing others of the policy or asking others to comply with the policy.**
4. **A complaint against a violator who fails to comply with the policy after being asked by another to do so, may be referred to a provost, vice president, associate vice president, dean, or director. Appropriate disciplinary action may be applied to a violator against whom multiple complaints have been received.**

**Board of Regents  
Committee Assignments  
Effective September 1, 2009**

**Executive Committee (elected positions)**

Munir Lalani, Chairman

Carol Gunn, Vice Chair

Lynwood Givens, Secretary

Charles Engelman, Member-At-Large

**Finance and Audit Committee**

Shawn Hessing, Chairman

Charles Engelman

Lynwood Givens

Jane Spears

**Investment Committee**

Charles Engelman, Chairman

Shawn Hessing

Jane Spears

Ben Wible

**Personnel & Curriculum Committee**

Carol Gunn, Chair

Lynwood Givens

Jane Spears

Ben Wible

**Student Services Committee**

Charlye Farris, Chair

Stephen Gustafson

Shawn Hessing

Ben Wible

**University Development Committee**

Stephen Gustafson, Chair

Charlye Farris

Carol Gunn

Jane Spears

**Athletics Committee**

Ben Wible, Chair

Charlye Farris

Stephen Gustafson

Shawn Hessing

By: Branch

H.C.R. No. 288

### CONCURRENT RESOLUTION

WHEREAS, Tuition and fees at the state's public four-year universities have increased materially in recent years; and

WHEREAS, Texas families, already struggling to meet the costs of higher education, now see college slipping further from their reach as the global recession takes a toll on state and local economies; and

WHEREAS, A college education is directly linked to one's future employment opportunities; people with a college education earn larger salaries and see greater financial benefits over their lifetimes, in turn contributing significantly to the state's economic base; unpredictable tuition hikes, however, make it much more difficult for young people to plan for their education, and as a result, many will delay college or skip it altogether, while those who enroll will carry larger debt loads than ever; and

WHEREAS, The current economic crisis is limiting students' access to additional funds from loans, family assistance, and part-time jobs, but the continuing vitality of Texas depends on an educated population and workforce; temporarily limiting tuition and student fees at our state universities will help ensure that students are able to obtain a college education, thereby contributing to a diverse and robust economy throughout the state, both now and in the future; and

WHEREAS, The importance of higher education to the economic and cultural vitality of this state dictates that any limitation on increases in tuition and student fees be implemented in a manner that does not unduly restrict the quality and excellence of the state's universities; now, therefore, be it

RESOLVED, That the 81st Legislature of the State of Texas hereby direct the governing board of each general academic teaching institution to make every effort to ensure that the total academic costs, including tuition, mandatory academic fees, and any other academic-related general fees and college course fees, charged to a resident undergraduate student for the 2010-2011, 2011-2012, or 2012-2013 academic year do not exceed the total academic costs that the institution would have charged such a student enrolled in the same courses in the preceding academic year by more than the greater of 3.95 percent or \$280; and, be it further

RESOLVED, That the legislature hereby direct those governing boards to make every effort to ensure that the total academic costs charged to a resident undergraduate student for the 2013-2014 academic year do not exceed the total academic costs the institution would have charged such a student enrolled in the same courses in the 2012-2013 academic year by more than the greater of:

- (1) 3.95 percent; or
- (2) the average of the following:
  - (A) the average percentage increase, if any, in the consumer price index for

each of the three preceding calendar years as compared to the consumer price index for the year preceding each of those years; and

(B) the average percentage increase, if any, in an appropriate higher education price index for each of the three preceding calendar years as compared to that higher education price index for the year preceding each of those years; and, be it further

RESOLVED, That the secretary of state forward an official copy of this resolution to the commissioner of higher education and to the presidents and members of the boards of regents of general academic teaching institutions throughout Texas.

**MINUTES  
MIDWESTERN STATE UNIVERSITY  
BOARD OF REGENTS**

**September 8, 2009**

The Board of Regents, Midwestern State University, met in special session in the Board Room, Hardin Administration Building, Wichita Falls, Texas, at 2:00 p.m., Tuesday, September 8, 2009. Board members in attendance at the university were Mr. Munir Lalani, Chairman; Dr. Carol Gunn, Vice Chair; Mr. Stephen Gustafson, Secretary; Mr. Charles Engelman; Ms. Jane Spears; and Student Regent Lenny Benton. Board members attending the meeting via teleconference connection were Ms. Charlye Farris, Dr. Lynwood Givens, Mr. Shawn Hessing, and Mr. Ben Wible.

Administrative staff members present included Dr. Jesse W. Rogers, President; Mr. Juan Sandoval, Vice President for Administration and Finance; and Dr. Howard Farrell, Vice President for University Advancement and Student Affairs. Other university personnel attending the meeting were Mr. David Spencer, Internal Auditor; Mr. Roger Lee, University Counsel; Ms. Janus Buss, Director of Public Information and Marketing; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the news media were Ms. Ann Work, Wichita Falls *Times Record News*, and Mr. Wesley Hollingsworth, KAUZ-TV.

Chairman Lalani called the meeting to order at 2:03 p.m. Ms. Buss introduced the visitors. Mr. Lalani welcomed Roger Lee, University Counsel, to the meeting. He reported that Roger now has an office on campus.

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.

Executive Session

Mr. Lalani announced that the board would go into Executive Session at 2:06 p.m. to discuss items 10-01, Deliberations about Real Property, and 10-02, Deliberations Regarding Gifts and Donations, as allowed by Texas Government Code Chapter 551, Section 551.072, Real Property, and Section 551.073, Gifts and Donations. The regents, president, Ms. Barrow, Mr. Spencer, Mr. Lee, and the vice presidents stayed for this discussion.

Open Meeting Resumes

The Executive Session concluded at 2:33 p.m. with an announcement by Mr. Lalani that the only items discussed were those announced and no votes were taken.

Deliberations about Real Property

10-01. Mr. Lalani presented the administration's recommendation that the university purchase the house and property located at 3311 Taft Boulevard, subject to restrictions of approval of the Texas Higher Education Coordinating Board (THECB), at a price not to exceed \$147,000. The source of funds for this purchase would be Unallocated Local Funds (\$70,000) and Renewal and Replacement Funds (\$77,000).



Dr. Gunn moved approval of this motion as presented. Mr. Gustafson seconded the motion and it was approved.

Deliberations Regarding Gifts and Donations

10-02. Mr. Lalani noted that no action would be taken concerning this item.

Naming of University Facilities

10-03. Mr. Lalani presented the administration's recommendation that the Board of Regents' meeting room be named the "J.S. Bridwell Board Room" in recognition of the long-term and generous support of the university by the J.S. Bridwell Foundation.

Mr. Engelman moved approval of this item as presented. Ms. Spears seconded the motion and it was approved.

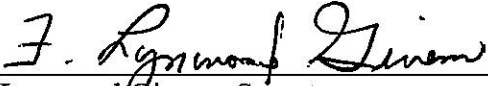
Closing Comments

Dr. Rogers reported that while final numbers are not yet available, there will likely be an increase in the fall enrollment. Mr. Sandoval added that the increase could be more than 200 students.

Dr. Rogers noted that safety changes have been made on Midwestern Parkway near the Redwine Student Wellness Center, including a new speed limit of 30 mph and warning signs. He expressed his appreciation to the City of Wichita Falls for their efforts. Mr. Lalani commented that the look of the campus along Midwestern Parkway has improved greatly with the Dillard Mustangs, the Redwine Wellness Center, and Sundance Court.

Adjournment

There being no further business, the meeting adjourned at 2:38 p.m. The next regularly scheduled meetings of the Board of Regents will be held November 5 and 6, 2009.

  
Lynwood Givens, Secretary

I, Lynwood Givens, 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 September 9, 2009.

  
Lynwood Givens, Secretary