

Midwestern State University Board of Regents Meetings



August 9 and 10, 2012

President's Office
Permanent Copy

Midwestern State University

Board of Regents Meetings

J. S. Bridwell Board Room

Schedule

Thursday, August 9, 2012

1:30 p.m.	Board of Regents Meeting Committee of the Whole Executive Committee Finance Committee Audit, Compliance, and Management Review Committee Academic and Student Affairs Committee
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Friday, August 10, 2012

9:00 a.m.	Board of Regents Meeting
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MIDWESTERN STATE UNIVERSITY
BOARD OF REGENTS

Shawn G. Hessing, Chairman

J. Kenneth Bryant, Secretary

Michael Bernhardt

Tiffany D. Burks

Jane W. Carnes

Charles E. Engelman

F. Lynwood Givens, Ph.D.

Jeff Gregg

Samuel M. Sanchez

Holly Allsup, Student Regent

Midwestern State University Administration

Dr. Jesse W. Rogers, President

Ms. Debbie Barrow, Director, Board and Government Relations

Dr. Francine Carraro, Director, Museum

Mr. Barry Macha, General Counsel

Mr. David Spencer, Internal Auditor

Ms. Dianne Weakley, Director, Human Resources

Dr. Betty Stewart, Provost and Vice President for Academic Affairs

Dr. Matthew Capps, Dean, Gordon T. and Ellen West College of Education

Ms. Naoma Clark, Director, Academic Success Center

Dr. Ron Fischli, Dean, Lamar D. Fain College of Fine Arts

Dr. James Johnston, Interim Dean, College of Health Sciences and Human Services

Ms. Darla English, Registrar

Dr. Clara Latham, University Librarian

Dr. Lynn Little, Dean, College of Science and Mathematics

Dr. Pam Morgan, Associate Vice President for Outreach and Engagement

Dr. Terry Patton, Dean, Dillard College of Business Administration

Dr. Jane Owen, Interim Dean, Graduate School

Dr. Michael Vandehey, Director, Honors Program

Dr. Samuel E. Watson, III, Dean, Prothro-Yeager College of Humanities and Social Sciences

Dr. Larry Williams, Director, International Programs

Mr. Juan Sandoval, Vice President for Business Affairs and Finance

Ms. Gail Ferguson, Controller

Ms. Valarie Maxwell, Director, Budget and Management

Mr. Kyle Owen, Associate Vice President for Facilities Services

Ms. Kathy Rice, Payroll Supervisor

Mr. Stephen Shelley, Director, Purchasing

Dr. Keith Lamb, Vice President for Student Affairs and Enrollment Management

Dr. Randy Glean, Director, International Services

Ms. Barbara Merkle, Director, Admissions

Ms. Kathy Pennartz, Director, Student Financial Aid

Mr. Dan Williams, Chief, University Police

Mr. Dirk Welch, Director, Career Management Center and Testing Services

Dr. Joey Greenwood, Dean of University Wellness and Director of Recreational Sports

Ms. Peggy Boomer, Director, Student Health Services

Ms. Debra Higginbotham, Director, Disability Support Services

Dr. Pam Midgett, Director, Counseling Center

Mr. Dail Neely, Dean of Students

Mr. Michael Clifton, Director, Dining Services

Ms. Jenny Denning, Manager, Barnes and Noble Bookstore

Ms. Cindy Loveless, Campus Postal Supervisor

Dr. Michael Mills, Director, Housing and Residence Life

Mr. Matthew Park, Director, Student Development and Orientation

Dr. Howard Farrell, Vice President for University Advancement and Public Affairs
Ms. Julie Gaynor, Director, Marketing and Public Information
Ms. Leslee Ponder, Director, Alumni Relations
Mr. Steve Shipp, Director, University Development

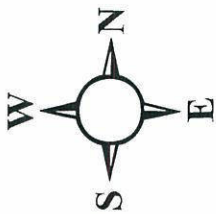
Dr. Robert E. Clark, Vice President for Administration and Institutional Effectiveness
Mr. Michael Dye, Chief Information Officer
Mr. Mark McClendon, Director, Institutional Research and Assessment

Mr. Charlie Carr, Director of Athletics
Mr. Frank Bourgeois, Strength and Conditioning Coach
Mr. Doug Elder, Head Men's Soccer Coach
Ms. Christina Feldman, Assistant Director of Athletics/Business Affairs and Facilities
Ms. Venera Flores-Stafford, Associate Director of Athletics/Senior Woman
Administrator/Head Volleyball Coach
Mr. Nelson Haggerty, Head Men's Basketball Coach
Ms. Noel Johnson, Head Women's Basketball Coach
Mr. Scott Linn, Head Tennis Coach
Mr. Bill Maskill, Head Football Coach
Mr. Kurt Portmann, Executive Associate Director of Athletics
Mr. Bill Powers, Assistant Athletic Director for Marketing, Promotions, and Public Relations
Mr. Jeff Ray, Head Golf Coach and Coordinator, Champs Life Skills Program
Mr. Trey Reed, Sports Information Director
Mr. Koby Styles, Head Women's Cross Country and Track Coach
Mr. Brady Tigert, Head Softball Coach
Mr. Jeff Trimble, Head Women's Soccer Coach
Mr. Kyle Williams, Associate Director of Athletics, Development

Dr. James Owen, Chairman, MSU Faculty Senate
Ms. Jolene Welch, Chair, MSU Staff Senate
Mr. Anthony Gallina, President, MSU Student Government Association

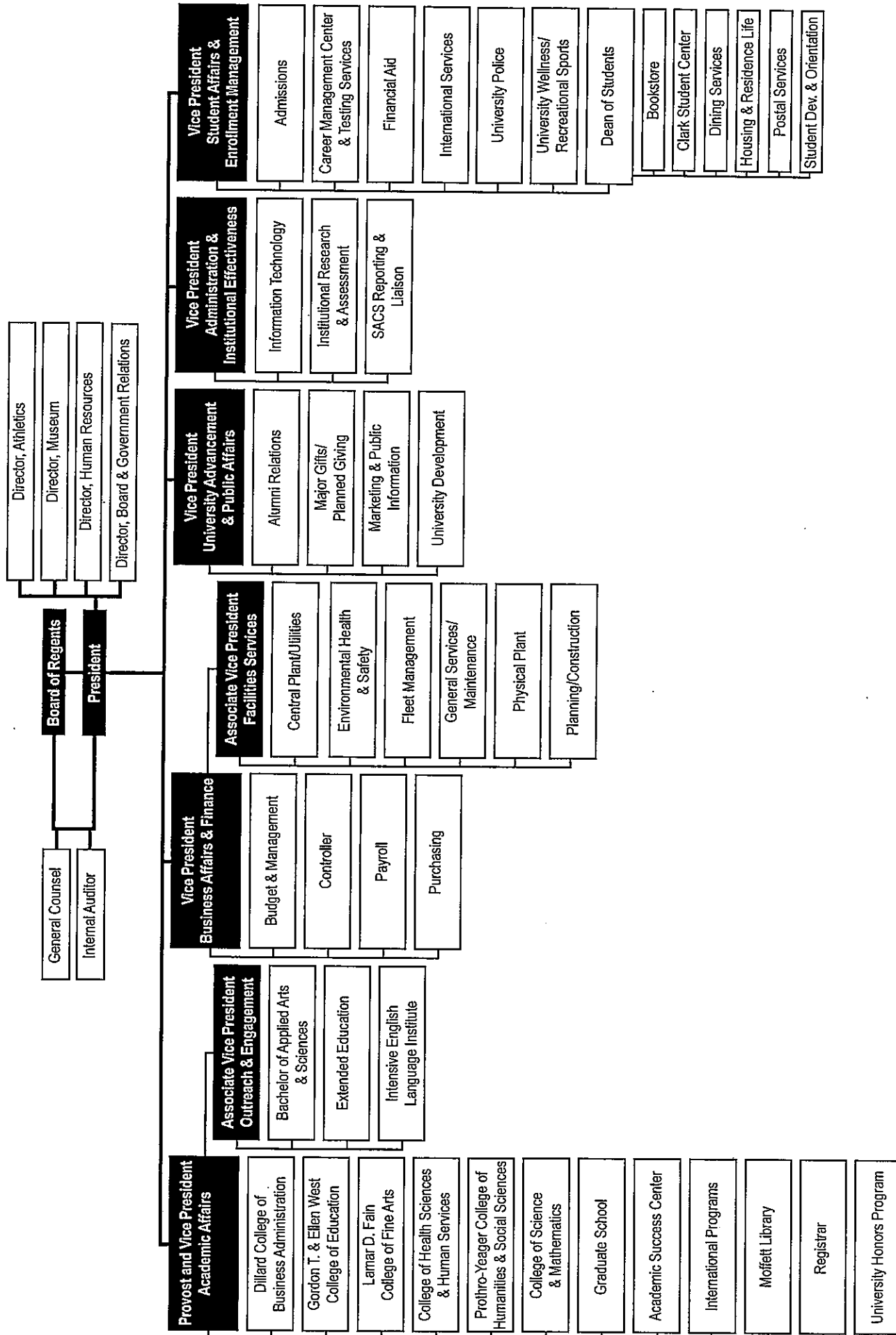
Midwestern State University

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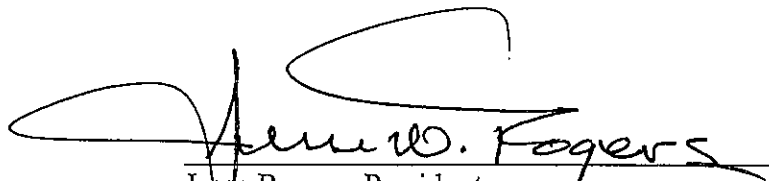
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Midwestern State University Organization Chart




Financial Certification

We certify that financial transactions included in this report are correct to the best of our knowledge, and we further certify that funds to cover allocations listed in this report are available subject to realization of estimated income as budgeted.



Jesse Rogers, President



Juan Sandoval, Vice President for
Business Affairs and Finance

July 24, 2012
Date

COMMITTEE OF THE WHOLE

Board of Regents Meeting
August 9, 2012
1:30 p.m.

Meeting Location: MSU Campus – 3410 Taft Boulevard
J. S. Bridwell Board Room

The Board of Regents of Midwestern State University may deliberate and take action regarding any item on this agenda. The Board reserves the right to discuss any properly posted items in Executive Session whenever legally justified in accordance with the Texas Government Code Chapter 551.

Call to Order

Introduction of Visitors

Opening Comments

Public Comment

A public comment period concerning agenda items will be provided in accordance with the Board of Regents By-Laws, MSU Policy 2.22.

Board Resolutions

12-121. Board resolutions will be presented for consideration as necessary.

Board of Regents Vice Chairperson Election

12-122. A Vice Chairperson of the Board of Regents will be elected to serve the remainder of the biennium. The special nominating committee appointed in May will present a recommendation.

Discussion of Governing Board Structure and Responsibilities

12-123. The Board of Regents will have an opportunity to discuss the responsibilities of governing board members as well as board structure (see Attachment 12-123).

COMMITTEE OF THE WHOLE
ATTACHMENTS

TEXAS EDUCATION CODE Sec. 51.352. RESPONSIBILITY OF GOVERNING BOARDS.

- (a) It is the policy of this state that the governing boards of institutions of higher education, being composed of lay members, shall exercise the traditional and time-honored role for such boards as their role has evolved in the United States and shall constitute the keystone of the governance structure. In this regard each governing board:
 - (1) is expected to preserve institutional independence and to defend its right to manage its own affairs through its chosen administrators and employees;
 - (2) shall enhance the public image of each institution under its governance;
 - (3) shall interpret the community to the campus and interpret the campus to the community;
 - (4) shall nurture each institution under its governance to the end that each institution achieves its full potential within its role and mission; and
 - (5) shall insist on clarity of focus and mission of each institution under its governance.
- (b) The governing board of an institution of higher education shall provide the policy direction for each institution of higher education under its management and control.
- (c) In making or confirming appointments to a governing board, the governor and senate shall ensure that the appointee has the background and experience suitable for performing the statutory responsibility of a member of the governing board.
- (d) In addition to powers and duties specifically granted by this code or other law, each governing board shall:
 - (1) establish, for each institution under its control and management, goals consistent with the role and mission of the institution;
 - (2) appoint the chancellor or other chief executive officer of the system, if the board governs a university system;
 - (3) appoint the president or other chief executive officer of each institution under the board's control and management and evaluate the chief executive officer of each component institution and assist the officer in the achievement of performance goals;
 - (4) set campus admission standards consistent with the role and mission of the institution and considering the admission standards of similar institutions nationwide having a similar role and mission, as determined by the coordinating board; and
 - (5) ensure that its formal position on matters of importance to the institutions under its governance is made clear to the coordinating board when such matters are under consideration by the coordinating board.
- (e) Each member of a governing board has the legal responsibilities of a fiduciary in the management of funds under the control of institutions subject to the board's control and management.

Duties and Ethics of Public Sector Board Members under Texas Law

General Authority and Duties

- *Duty of Loyalty* - A board member must be responsible and loyal to the interests of the institution he or she was appointed to help govern. A member does not represent any other constituency, person, or entity that conflicts with those interests.
- *Duty of Unity* - No single member of the board may speak for or otherwise bind the board, unless authorized to do so by vote of a majority of the board pursuant to an action taken in open or public session at a duly-constituted meeting of the board.
- *Duties of the Chair* - The chair may speak for and represent the board under a general grant of authority but may not take positions he or she knows to be contrary to board policy.
- *Committee Authority* – Board committees represent the board and act on its behalf in preparation for board meetings. They have authority to report and recommend policy initiatives to the board.

Texas Education Code, Chapter 51.

Conduct at Board Meetings

- *Right to Speak* - A board member has the right to state his or her views, opinions, positions, and recommendations, but should do so professionally and respectfully in the procedural manner established or directed by the chair, who shall allow and facilitate expression of dissenting or minority viewpoints.
- *Duty to Listen* - A board member should listen respectfully to the views, opinions, positions, and recommendations of others, even those with whom he or she disagrees.
- *Duty to Respect Board Decisions* - A board member should abide by and not subvert otherwise derogate to outside parties lawfully-taken board decisions. If, as a matter of principle, a board member must articulate a minority opinion, he or she may do so; however, such opinion should be announced to the board through the chair, who may call upon the dissenting board member to articulate his or her opinion.
- *Duty of Confidentiality* - A board member may not report the board's executive session discussions, deliberations, or statements of board members (including his or hers) to any third party without the board's permission.

Robert's Rules of Order (10th Edition)

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Conflicts of Interest

- *Gifts and Bribes* - A board member may not accept or solicit any gift, favor or service that might reasonably tend to influence him or her in the discharge of official duties or that he or she knows or should know is being offered with the intent of influencing his or her official conduct. Nor should he or she knowingly solicit, accept or agree to accept any benefit for exercising or having exercised his or her official powers or duties in favor of another.
- *Business or Professional Activities* - A board member may not engage in employment or in business or professional activities that might reasonably require or induce him or her to disclose confidential information acquired by virtue of his or her official position.
- *Employment* - A board member may not accept employment or compensation that could reasonably be expected to impair his or her independence of judgment in the performance of his or her official duties.
- *Investments* - A board member may not make personal investments that could reasonably be expected to create a substantial conflict between his or her private interest and the board's interest; nor, may he or she usurp an opportunity of the board to profit or benefit from any person or entity.

Texas Government Code, Chapter 572.051

Relationships with President and University Administration

- *Executive's Role* - A board member must respect the role of the university president as the institution's chief executive officer charged with carrying out policy set by the board. While the president should be responsive to inquiries and requests from members of the board, he or she is not obligated to honor policy initiatives set by individual board members, unless those initiatives have been authorized by the board.
- *Administration and Staff* - Board members should feel free to request information from the president directly or through the Director of Board and Government Relations. It is appropriate for board members also to inform the chair of any such requests. The president may ask another administrator or staff members to respond to the board member as appropriate, and board members should expect those staff members and administrators to keep the president informed of such information.
- *Supervision* - The president reports to the chair day-to-day and to the board. The relationship should be collegial and professional.

EXECUTIVE COMMITTEE

Executive Committee

Membership

Shawn Hessing, Chairman

Kenny Bryant, Secretary

Jane Carnes, Member-At-Large

The Board of Regents of Midwestern State University may deliberate and take action regarding any item on this agenda. The Board reserves the right to discuss any properly posted items in Executive Session whenever legally justified in accordance with the Texas Government Code Chapter 551.

Reading and Approval of Minutes

12-124. The minutes of the Executive Committee meeting May 10, 2012, will be recommended for approval of the committee as shown in the minutes' section of this agenda as Minutes Attachment 12-124.

Reading and Approval of Minutes

12-125. The minutes of the Executive Committee meeting July 11, 2012, will be recommended for approval of the committee as shown in the minutes' section of this agenda as Minutes Attachment 12-125.

Legislative Appropriations Request (LAR)

12-126. The administration is preparing the LAR for the biennial period of FY 2014 and FY 2015 in compliance with directives of the Legislative Budget Board and the Governor's Office of Budget, Planning, and Policy (see Attachment 12-126). This document must be submitted by August 16, 2012. The administration will recommend appropriate items for board review and approval.

Approval and Execution of University Contracts – *MSU Policies and Procedures Manual*

12-127. The administration will recommend a new Policy 2.24 with regard to contract approval and execution (see Attachment 12-127.)

EXECUTIVE COMMITTEE
ATTACHMENTS

Legislative Appropriations Request (LAR)

The Legislative Appropriations Request (LAR) is the statutorily required process used by state agencies to request funding for the upcoming biennium, which are fiscal years 2014 and 2015. Higher education institutions are funded primarily through formulas, and therefore are not allowed to request formula type expenditure dollars. Only non-formula items (i.e. staff group insurance, tuition revenue bond retirement, etc.), special items (i.e. Small Business Development Center and institutional enhancement), and exceptional items are requested for the biennium. The bulk of the required document includes historical and budgeted revenues and expenditures for years 2011, 2012, and 2013.

Some examples of the LAR data to be included:

- Local educational and general revenue
- Local educational and general expenses
- Exceptional item requests
- Special item requests including the Small Business Development Center
- Group insurance data elements
- Computation of OASI
- Current and local fund balances
- Utility expenditures
- Tuition revenue bond issuance history

Exceptional items being requested for 2014 and 2015 include funding to support programs in nursing, radiologic science, and dental hygiene. Also included is a request for tuition revenue bond authorization for the renovation of facilities to house the library, the West College of Education, and Information Technology.

2.24 President's Office
BOARD CONTRACT SIGNING AUTHORIZATION
Date Adopted/Most Recent Revision: 11/11/2011

A. General

The President of Midwestern State University, or his designate, is authorized to sign all contracts for the purchase of goods or services if the total amount of the specific contract is:

1. previously approved by the Board of Regents; or
2. part of a local, state, or national grant for educational services to the university; or
3. \$50,000 or less; or
4. within the range specified by the Board of Regents for construction contracts.

B. Contract Review Requirements

1. The contract review process will begin with the initiating department.
2. All contracts in the amount of \$10,000 or less must be signed one vice president, the Provost, or the President.
3. All contracts ranging from \$10,000.01 - \$50,000 must be additionally signed the Vice President for Business Affairs and Finance.
4. All contracts that exceed \$50,000 must be additionally approved by the university's General Counsel, and signed by the President or the Vice President for Business Affairs and Finance. Should the university's General Counsel not approve the contract, Board of Regents authorization will be required.

C. Employment Contracts & Notices of Employment

The President, or his designate, is authorized to sign all contracts and notices of employment for university personnel.

D. Real Estate

Contracts for the purchase or sale of real property must be signed by the chairperson of the Board of Regents or his/her designate.

E. Designate Authorization

Delegation of signature authority to a designate by either the chairperson of the Board of Regents or the President of the university shall only be done in writing, but an informal letter or memorandum that is specific to the contract or the contract subject matter may suffice for this purpose.

2.24 President's Office
APPROVAL AND EXECUTION OF UNIVERSITY CONTRACTS
Date Adopted/Most Recent Revision: 8/10/12

A. Purpose and Scope

This policy establishes the authority for the University to approve and execute contracts. A "contract" is an agreement between two or more parties who intend to create legally enforceable obligations. There are many types and variations of contracts including, but not limited to: agreements, easements, grants, leases, letters of intent, licenses, memorandums of understanding, purchase orders, and terms and conditions.

This policy applies to any type of contract that binds the University and/or obligates the University to provide payment, services, goods, or use of university property, facilities or other resources, including any amendment, alteration, change, change order, correction, extension, modification, or renewal of a signed contract. No person has the authority to bind the University contractually except in accordance with this policy. An individual who signs a contract without having the authority to do so may be individually responsible for fulfilling the obligations required by the contract.

B. Contractual Authority of the Board of Regents

By law the Board of Regents is vested with the authority to contract on behalf of the University. The Board may delegate to a representative of the Board or an employee of the

University the authority to negotiate, approve, and execute contracts. A contract that is not approved or executed (signed) in accordance with this policy is void.

C. Contract Approval Process

A *Contract Routing Sheet* prepared in accordance with section E (Administrative and Legal Review) must be attached to the contract and approved as indicated below:

Contract Term	Approval Required
Contracts of \$500,000 or more per year (except that the following are exempt from this provision: contracts related to bequests, gifts, or grants to the University, other than real property; and interagency agreements for the purchase of electricity and natural gas through the Texas General Land Office's state energy marketing program)	Board of Regents
Contracts involving the acquisition, purchase, sale, or encumbrance of real property (except that a mineral interest in real property having a monetary cost or value of less than \$100,000 is exempt from this provision)	Board of Regents
Contracts in excess of five years (except that the following are exempt from this provision: a contract that can be terminated without cause with notice of 120 days or less; and leases of mineral rights having a monetary cost or value of less than \$100,000)	Board of Regents
Contracts that involve employment of the President of the University	Board of Regents
Contracts that involve athletic conference membership	Board of Regents
Contracts of \$500,000 or more per year related to: bequests, gifts, or grants to the University, other than real property; and interagency agreements for the purchase of electricity and natural gas through the Texas General Land Office's state energy marketing program	President
Contracts of \$100,000 or more, but less than \$500,000 per year	President
Contracts related to the purchase, sale, or encumbrance of a mineral interest in real property having a monetary cost or value of less than \$100,000	President
Contracts and notices of employment for University personnel	President
Licenses or other conveyances of intellectual property owned or controlled by the University	President
Contracts of less than \$100,000 per year	President or Appropriate Vice President

Contracts involving grant proposals for sponsored research, including institutional support grants, and all non-monetary affiliation and clinical agreements	President or Appropriate Vice President; Vice President for Business Affairs & Finance
Fiscal approval of contracts of \$50,000 or more per year (except that all University employment contracts are exempt from this provision)	Vice President for Business Affairs & Finance
Approval of all contracts for information technology	Vice President for Administration & Institutional Effectiveness
Approval of all contracts unless using an unmodified standard contract form pre-approved in writing by the Office of General Counsel	General Counsel

D. Contract Signature Authorization Process

Prior to signing a contract, the contract review process must be completed as outlined in section C (Contract Approval Process) of this policy. The President has approved the following signature authority:

Contract Term	Signature Approval
Contract signature authorization for contracts approved by the Board in accordance with Section C (Contract Approval Process) of this policy, unless otherwise specified by the Board	President or President's designee
Contract signature authorization for contracts of \$500,000 or more per year related to: bequests, gifts, or grants to the University, other than real property; and interagency agreements for the purchase of electricity and natural gas through the Texas General Land Office's state energy marketing program	President or President's designee
Contract signature authorization for all contracts of \$100,000 or more but less than \$500,000 per year	President or President's designee
Contract signature authorization for all contracts related to the purchase, sale, or encumbrance of a mineral interest in real property having a monetary cost or value of less than \$100,000	President or President's designee
Contract signature authorization for all contracts and notices of employment for University personnel	President or President's designee
Contract signature authorization for licenses or other conveyances of intellectual property owned or controlled by the University	President or President's designee
Contract signature authorization for all contracts of less than \$100,000 per year	President or Appropriate Vice President

Contract signature authorization for all contracts involving grants for sponsored research, including institutional support grants, and all non-monetary affiliation and clinical agreements	President or Appropriate Vice President
Contract signature authorization for all contracts for information technology	President or the Vice President for Administration & Institutional Effectiveness

Delegations of signature authority to a designate may be made by the Chairperson of the Board of Regents or the President of the University only and must: be in writing; specify the need for compliance with these contract approval and signature authorization requirements; and be retained by the party making the delegation and the party receiving the delegation. A copy of the delegation shall be sent to the Controller, Office of General Counsel, and the Contract Administration Office.

Once contracts are signed, the Purchasing Office will create purchase orders (except for contracts not involving a purchase, e.g., affiliation or facility use agreements).

E. Administrative and Legal Review

1. The University's administration shall develop and implement *Contract Administration Procedures* for all contracts that include the following:
 - (a) All contracts are in writing and in the name of the University (not in the name of a department or an individual);
 - (b) Contracts comply with applicable federal and state law and regulations (including state purchasing requirements), and applicable University policies and procedures;
 - (c) Contracts are properly reviewed and approved prior to being signed by a person with delegated authority and evidenced by a properly completed *Contract Routing Sheet*;
 - (d) Contracts are properly maintained in accordance with the University's records management policy and records retention schedule and all state reporting requirements are completed in a timely manner and proper form;
 - (e) Contracts are monitored to ensure proper execution and performance; and
 - (f) The contract administration procedures will be annually assessed and identified improvements implemented.

The contract administration procedures shall also apply to any amendment, alteration, change, change order, correction, extension, modification, or renewal of a signed contract.

2. All contracts must be approved as to form and legal sufficiency by the Office of General Counsel before execution. The Office of General Counsel may approve standard contract forms which, if unmodified, may be used without obtaining further approval from the Office of General Counsel.

F. Prior Contracts

Contracts signed and approved in accordance with policies and procedures in effect prior to the effective date of this policy shall remain in full force and effect, but modifications or extensions to such contracts must be approved and signed in accordance with the provisions of this policy.

FINANCE COMMITTEE

Finance Committee

Membership

Mike Bernhardt, Chairman

Jane Carnes

Charles Engelman

Jeff Gregg

The Board of Regents of Midwestern State University may deliberate and take action regarding any item on this agenda. The Board reserves the right to discuss any properly posted items in Executive Session whenever legally justified in accordance with the Texas Government Code Chapter 551.

Reading and Approval of Minutes

12-128. The minutes of the Finance Committee meeting May 10, 2012, will be recommended for approval of the committee as shown in the minutes' section of this agenda as Minutes Attachment 12-128.

Summary of Financial Support 9/1/11 - 7/15/12

12-129. This report is shown as Attachment 12-129 and will be presented as information only.

Financial Reports

12-130. The administration will recommend the April, May, and June, 2012 Financial Reports for acceptance. These reports were previously distributed to the board.

Investment Report

12-131. The administration will recommend the third quarter 2012 investment report for acceptance. This report was previously distributed to the board.

Investment Management Services

12-132. The administration will make recommendations concerning investment management services for the Redwine Fund.

MSU Policies and Procedures Manual Changes Related to University Advancement and Gifts and Donations

12-133. Changes to the *MSU Policies and Procedures Manual* will be recommended for approval to reflect the current organizational structure and current practices. Language recommended for deletion is shown with an overstrike (-); new wording is shown in **bold and underlined** format.

A. Policy 2.337, University Advancement and Public Affairs (see Attachment 12-133A).

B. Policy 4.134, Gifts and Donations (see Attachment 12-133B).

C. Policy 4.145, Midwestern State University Foundation, Inc. (see Attachment 12-133C).

Financial Disclosure Statements

- 12-134. Each year the Board of Regents reviews copies of Financial Disclosure Statements of the President, the Vice President for Business Affairs and Finance, and the Controller. The board will be asked to accept the Financial Disclosure Statements of these individuals as previously distributed.

University Accounts/Signature Authorizations

- 12-135. The administration will recommend the following individuals be authorized to sign on university bank accounts, with two signatures required on all checks drawn from university accounts:

Dr. Jesse Rogers, President
Vice President for Business Affairs and Finance
Ms. Gail Ferguson, Controller
Ms. Valarie Maxwell, Director of Budget and Management
Mr. Chris Stovall, Assistant Controller

The administration will further recommend continued authorization for the President, Vice President for Business Affairs and Finance, and Controller or their designees to purchase and sell investment instruments in accordance with the Texas Public Funds Investment Act and the Board of Regents' Investment Policy, and perform all other normal banking transactions. Investment transactions may be authorized by verbal orders but must also be approved in writing by the President or the Vice President for Business Affairs and Finance.

The administration will finally recommend the board continue to authorize the President, the Vice President for Business Affairs and Finance, the Provost and Vice President for Academic Affairs, and the Director of Human Resources to sign appropriate personnel retirement documents.

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

- 12-136. The administration will recommend approval of the following list of brokers/dealers, investment vehicles, and asset holding accounts for fiscal year 2013. The proposed brokers/dealers have filed certifications acknowledging the university's investment policy as required.

Brokers/Dealers

First Southwest Company, Austin
JP Morgan Securities, Inc., Houston
LF Rothschild/RBC Dain
Morgan Keegan & Company, Inc., Houston
Vining-Sparks, IBG, Austin
Wells Fargo, Dallas

Asset Holding Accounts

JP Morgan Chase
TD Ameritrade

Other Investment Vehicles/Overnight Cash Pools
 Citibank (Public Funds account)
 First National Bank (CDs)
 First United Bank (CDs)
 JP Morgan Chase High Balance Savings
 LOGIC, Dallas
 Texpool, Austin

Review of Personnel Reports and Salary/Title/Position Changes in 2011-2012 Budget Approved per Board Authorization

12-137. The reports of personnel changes in April, May, and June, 2012 are presented for information as shown in Attachment 12-137. Additionally, salary and position changes approved by the president are presented for ratification as shown below.

<u>Current Position</u>	<u>Action</u>	<u>Additional Funding</u>	<u>Current FY Actual Cost or Savings</u>	<u>Annual Budget Increase or Decrease</u>
Football coaches (4)	One position filled below budget; salary increases for three positions	Salary savings in current fiscal year due to position vacancy.	\$-6,812	\$1,453
Secretary, Clark Student Center	Position deleted	Savings from deleted Secretary and Custodian positions used for new Coordinator position	-8,818	-7,200
Custodian, Clark Student Center	Position deleted			
Coordinator, Clark Student Center	New position			
Administrative Assistant and Assistant to Associate Vice President, Facilities Services	Reorganized area through an internal promotion, the deletion of the Adm. Asst. position, and the addition of a Secretary II		0	0
Technical Analyst, Information Systems	Position added to oversee the university portal		25,000	60,000
Instructor position in Academic Success Center changed to Academic Counselor	Position changed from faculty to staff and filled below budgeted amount.		-63	-304
Six Staff Positions	Positions filled below budgeted amount.		-2,364	-7,984
Total			\$6,943	\$45,965

Operating Budget for Fiscal Year 2013

12-138. The operating budget for the 2012-2013 fiscal year, which was previously distributed to the Board of Regents, will be recommended for approval.

FINANCE COMMITTEE
ATTACHMENTS

**Summary of Financial Support
Midwestern State University, MSU Foundation
and MSU Charitable Trust**

	10/19/2012 1/19/2012	1/20/2012 4/16/2012	4/17/2012 7/15/2012	Total Year to Date
MSU University Development	\$ 620,027	\$ 2,490,932	\$ 1,005,894	\$ 4,116,853
Gifts in Kind		\$ 7,063	\$ 14,903	\$ 21,966
Contributions to MSU Charitable Trust			\$ 75,000	\$ 75,000
Contributions to MSU Endowments	\$ 131,873	\$ 760	\$ 2,250	\$ 134,883
Contributions to MSU Foundation	\$ 13,950	\$ 1,107,727	\$ 81,800	\$ 1,203,477
Hardin Foundation-Asset Transfer	\$ 324,624			\$ 324,624
President's Excellence Circle				
2010-2011	\$ 500	\$ 500	\$ 250	\$ 1,250
2011-2012	\$ 160,548	\$ 45,327	\$ 82,723	\$ 288,598
2012-2013			\$ 1,000	\$ 1,000
Wichita Falls Museum of Art	\$ 516,452	\$ 255,015	\$ 9,890	\$ 781,357
Contributed Art	\$ 22,000			\$ 22,000
Annual Fund	\$ 139,911	\$ 84,857	\$ 27,596	\$ 252,363
Phonathon Contributed Services		\$ 972	\$ 68	\$ 1,040
Alumni Association				
1,817 (2011-2012 membership)	\$ 4,165	\$ 460	\$ 505	\$ 5,130
(includes 581 lifetime members)	\$ 300	\$ 600	\$ 600	\$ 1,500
Mustangs Athletic Club				
Contributed Services				
Cash	\$ 72,760	\$ 18,686	\$ 12,542	\$ 103,987
Corporate Sponsors - Athletics				
Contributed Services	\$ 2,500			\$ 2,500
Cash	\$ 20,588	\$ 9,750	\$ 3,800	\$ 34,138
Other Contributions - Athletics				
Contributed Services				
Cash	\$ 45,690	\$ 3,290		\$ 48,980
Fantasy of Lights	\$ 40,157	\$ 15,300	\$ 5,880	\$ 61,337
Contributed Services	\$ 2,502			\$ 2,502
Scholarship Funds from Outside Sources	\$ 188,686	\$ 93,568	\$ 26,171	\$ 308,425
TOTAL	\$ 2,307,232	\$ 4,134,806	\$ 1,350,872	\$ 7,792,910

2.337 University Advancement and Public Affairs

VICE PRESIDENT FOR UNIVERSITY ADVANCEMENT AND PUBLIC AFFAIRS

Date Adopted/Most Recent Revision: 11/11/2011

B. University Advancement Offices & Programs

3. Donor Services and Scholarships

The Office of Donor Services and Scholarships reports directly to the Director of University Development and coordinates tracking and record keeping of gifts, grants and pledges to the university. ~~(excluding those specifically for athletics and the Alumni Association).~~ The Director is involved in the implementation of programs funded by gifts and grants to the university. The Director of University Development is responsible for the preparation of will assist the Vice President for University Advancement and Public Affairs in preparing the annual budget for the Northwestern State University Foundation, Inc., the MSU Charitable Trust, and the university's annual scholarship program. ~~Financial records for the MSU Burns Fantasy of Lights are also maintained by this office.~~ The Director serves as liaison between the university and outside organizations donating scholarship funds to MSU. The Director is responsible for will assist the Vice President for University Advancement and Public Affairs in preparing a quarterly report on gifts and grants ~~to~~ for the MSU Board of Regents. The Director of University Development reports to the Vice President for University Advancement and Public Affairs, and works under the Vice President's direction in fund-raising efforts for the university.

4.134 President's Office GIFTS AND DONATIONS

Date Adopted/Most Recent Revision: 08/06/04

A. Administrative Procedures and Conditions of Acceptance

1. ~~With the exception of gifts to Athletics and the Alumni Association.~~ The Director of University Development shall be responsible for receiving, acknowledging, and distributing to the appropriate department or program all gifts of cash, equipment, material, or property made by private donors or organizations to the university. All such gifts must be channeled through the Office of University Development.
2. ~~Gifts to Athletics and the Alumni Association shall be administered according to the same policies listed in this section, except the Director of Athletics and the Director of Alumni Relations shall assume the corresponding duties of the Director of University Development.~~
3. ~~2.~~ The university shall not accept any gift of cash, equipment, material, or property which carries a donor restriction in violation of university policy or state law.
4. ~~3.~~ Gifts of property or funds to the university become the property of the State of Texas at the time of the making of the gift or donation and cannot be returned except 1) to comply with the directions, limitations, and provisions declared in writing when the gift or donation is made, or 2) in those instances that are appropriate under surplus property competitive bidding regulations provided by state law.
5. ~~4. No gift of equipment, material, or property valued at \$5,000 or more may be accepted without the approval of the Administrative Council and the President. For unconditional gifts of equipment, material, or property valued at less than \$5,000, the Vice President for University Advancement and Public Affairs is authorized to accept on behalf of the university. All requests for such approval should be initiated through the Office of University development. The Vice President for University Advancement and Public Affairs is authorized to accept gifts of equipment, material, or property on behalf of the University in accordance with university policy.~~ The Office of University Development will forward requests to the Vice President for University Advancement and Public Affairs for further action. Requests should be submitted in writing with the following information:
 - a. Description of item
 - b. Condition and estimated value
 - c. Estimated maintenance costs
 - d. Method of delivery to campus, if applicable
 - e. Name of donor
 - f. Special donor conditions, if applicable

The Library shall be exempt from this policy for the purpose of accepting gifts of books, magazines, documents, or similar resource mater materials.

4.145 President's Office**MIDWESTERN STATE UNIVERSITY FOUNDATION, INC.****Date Adopted/Most Recent Revision: 2/8/02**

Chartered by the State of Texas as an independent, tax-exempt foundation on February 28, 1960, Midwestern State University Foundation, Inc. is responsible for receiving, holding, investing, and distributing proceeds of any gifts of cash, securities, or property made to the Foundation for the benefit of the university. Its resources may be used for no other purpose. Relations between the university and the Foundation shall be conducted according to the following:

- A. No member of the university Board of Regents, administration, faculty, or staff may serve as a voting member of the Foundation Board of Trustees.
- B. The Office of University Development may perform reasonable record keeping functions for the Foundation, provided such information is made available for use by the university in its own fund-raising efforts.
- C. The Office of University Development may receive, record, and forward gifts made to the Foundation, but may not deposit with the Foundation any gifts made payable to the university unless specifically instructed to do so in writing by the donors.
- D. No university employee may raise funds in the name of the Foundation. They may, however, inform prospective donors that the Foundation does accept gifts for the benefit of the university, especially in those cases where the donor is interested in a form of giving which the university cannot readily accept or administer, i.e., gift annuities, lead trusts, charitable remainder trusts, gifts of real estate, life insurance, etc. The Director of University Development also may provide reasonable assistance to donors in preparing such restricted fund agreements as might be required to meet donor objectives.
- E. The President of the university shall refuse to accept any gift from the Foundation which carries a restriction or condition in violation of university policy or state law.
- F. The President of the university, **the Vice President for University Advancement and Public Affairs**, and/or the Director of University Development may acknowledge gifts made to the Foundation, provided such acknowledgments are made in the name of the university.
- G. The Director of University Development shall ~~be responsible for~~ **assist the Vice President for University Advancement and Public Affairs in** preparing and submitting to the President ~~no later than July 1 of each fiscal year~~ the university's request for annual support from the Foundation during the next fiscal year. The request shall be submitted to the Foundation Board of Trustees by the President.
- H. The Director of University Development shall ~~be responsible for~~ **assist the Vice President for University Advancement and Public Affairs in** preparing and submitting to the Foundation a monthly written request for budgeted funds. ~~The request shall be submitted to~~

~~the Chairperson of the Foundation Board of Trustees not later than the 15th day of each month.~~

- I. The Director of University Development will distribute information concerning restricted gifts to the appropriate university department or program. The department or program will be responsible for ensuring that all restricted gifts received by the Foundation are used by the university in accordance with the instructions of the donors.

Summary of the Personnel Position Status Reports for 9/1/11 – 6/30/12

September 2011 Academic Advisor, BAAS Program

Net position change: +.75 (Professional Non-Faculty)

Ratified by Board of Regents, 11/11/11

Secretary II, Department of Chemistry, Physics, & Geosciences

Net position change: +1 (Clerical and Secretarial)

Ratified by Board of Regents, 11/11/11

April 2012

Secretary I, Clark Student Center – position deleted

Net position change: -1 (Clerical and Secretarial)

Presented for Board Ratification, 8/10/12

Custodian, Clark Student Center – position deleted

Net position change: -1 (Service and Maintenance)

Presented for Board Ratification, 8/10/12

Coordinator, Clark Student Center

Net position change: +1 (Professional Non-Faculty)

Presented for Board Ratification, 8/10/12

Technical Analyst, Information Systems

Net position change: +1 (Technical and Paraprofessional)

Presented for Board Ratification, 8/10/12

June 2012

Changed Instructor to Academic Counselor, Academic Success Center

Net position change: 0 (-1 Regular Faculty; +1 Professional Non-Faculty)

Presented for Board Ratification, 8/10/12

Total net new positions as of 6/30/12 = +1.75

Midwestern State University Reporting of Personnel Changes
Fiscal Year 2011-2012
April - June

I. ENTERING EMPLOYEES

1. Jeanette Perry – Secretary II, University Development – 05/03/12
2. Viola Garcia _ Secretary II, Education – 05/21/12
3. Kyle Contreras – Accountant III, Business Office – 05/29/12
4. Elizabeth Rodriguez – Admissions Evaluator, Admissions – 05/30/12
5. Cortny Bates – Serials and Electronic Resources Librarian – 06/01/12
6. Kenny Weeks - Financial Aid Processor/Counselor – 06/11/12
7. Deborah Bland - Financial Aid Processor/Counselor – 06/11/12
8. Richard Lage – Academic Counselor, Academic Success Center – 06/18/12
9. Amanda Cantu – Coordinator, Graduate Student Recruitment and Admissions , Graduate School – 06/25/12

II. EXITING EMPLOYEES

1. Tara Mayfield – Admissions Evaluator, Admissions – 04/09/12
2. Jeri Capps – Coordinator, Graduate Student Recruitment and Admissions, Graduate School – 04/11/12
3. Kyle Burgoyne – PC Network Services Lead Technician, Information Technology – 04/27/12
4. Juan Jimenez – Groundskeeper, Facilities Services – 05/09/12
5. Ashley McCulloch – College Coordinator, Career Management Center – 05/14/12
6. Arturo Villalobos – Custodian, Facilities Services – 05/17/12
7. Traci Williamson – Financial Aid Processor/Counselor – 05/24/12
8. Breyana Johnson - Financial Aid Processor/Counselor – 05/31/12
9. Galen Privitt – Visiting Assistant Professor, Education – 05/31/12
10. Jana Schmader – Coordinator, Dillard College of Business Marketing – 05/31/12
11. Pamela Stephens – Associate Professor/Chair, Geosciences – 05/31/12
12. John Trombley – Visiting Assistant Professor, Chemistry – 05/31/12
13. Karoline Rathman – Machinist Technician, Engineering – 06/14/12
14. Sonia Guerrero – Custodian, Facilities Services – 06/21/12
15. Brandon Smith – Instructor, Mass Communication - 06/28/12
16. Mary Garza – Instruction Technology Facilitator, Education – 06/30/12
17. Linda Prieto – Assistant Professor, Education – 06/30/12
18. Jennifer Smith – Assistant Professor, Nursing – 06/30/12
19. Janie Stewart - Assistant Professor, Nursing – 06/30/12
20. Alisa White – Provost/Vice President, Academic Affairs- 06/30/12
21. Eugene Zhang – Assistant Professor, Economics – 06/30/12

MIDWESTERN STATE UNIVERSITY
PERSONNEL POSITION STATUS REPORT
April 30, 2012

POSITIONS	APPROVED BUDGET		POSITIONS		TOTAL POSITIONS	SALARY (SAVED)		FILLED POSITIONS		VACANT POSITIONS		TOTAL CURRENT POSITIONS	
	FTE	AMOUNT	ADDED	DELETED		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
EXEC, ADMIN & MANAGERIAL	45.75	4,127,085			45.75	4,127,085	0	44.13	4,040,318	1.62	86,767	45.75	4,127,085
REGULAR FACULTY	243.52	15,080,082			243.52	15,080,082	654	233.64	14,902,671	9.88	178,065	243.52	15,080,736
PROFESSIONAL NON-FACULTY	132.94	5,482,504	1.75	48,012	134.69	5,530,516	30,278	126.87	5,318,514	7.82	242,280	134.69	5,560,794
CLERICAL AND SECRETARIAL	100.71	2,302,542	0.00	(19,392)	100.71	2,283,150	(6,184)	96.71	2,170,767	4.00	106,199	100.71	2,276,966
TECH & PARAPROFESSIONAL	20.00	895,718	1.00	60,000	21.00	955,718	1,649	20.00	926,467	1.00	30,900	21.00	957,367
SKILLED CRAFT	34.00	1,090,967			34.00	1,090,967	7,799	33.00	1,098,766	1.00	0	34.00	1,098,766
SERVICE & MAINTENANCE	67.00	1,330,480	(1.00)	4,032	66.00	1,334,512	1,761	61.00	1,251,301	5.00	84,972	66.00	1,336,273
POLICE	<u>14.00</u>	<u>478,137</u>			<u>14.00</u>	<u>478,137</u>	<u>2,500</u>	<u>14.00</u>	<u>480,637</u>	<u>0.00</u>	<u>0</u>	<u>14.00</u>	<u>480,637</u>
GRAND TOTALS	657.92	30,787,515	1.75	92,652	659.67	30,880,167	38,457	629.35	30,189,441	30.32	729,183	659.67	30,918,624

MIDWESTERN STATE UNIVERSITY
PERSONNEL POSITION STATUS REPORT
May 31, 2012

POSITIONS	APPROVED BUDGET		POSITIONS		SALARY (SAVED)	FILLED POSITIONS		VACANT POSITIONS		TOTAL CURRENT POSITIONS	
	9/1/2011 FTE	AMOUNT	ADDED FTE	(DELETED) AMOUNT		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
EXEC, ADMIN & MANAGERIAL	45.75	4,127,085			0	44.13	4,040,318	1.62	86,767	45.75	4,127,085
REGULAR FACULTY	243.52	15,080,082			654	233.64	14,902,671	9.88	178,065	243.52	15,080,736
PROFESSIONAL NON-FACULTY	132.94	5,482,504	1.75	48,012	27,036	128.87	5,392,285	5.82	165,267	134.69	5,557,552
CLERICAL AND SECRETARIAL	100.71	2,302,542	0.00	(19,392)	(9,702)	93.21	2,160,190	7.50	113,258	100.71	2,273,448
TECH & PARAPROFESSIONAL	20.00	895,718	1.00	60,000	1,649	19.00	877,212	2.00	80,155	21.00	957,367
SKILLED CRAFT	34.00	1,090,967			7,799	33.00	1,098,766	1.00	0	34.00	1,098,766
SERVICE & MAINTENANCE	67.00	1,330,480	(1.00)	4,032	1,761	61.00	1,251,301	5.00	84,972	66.00	1,336,273
POLICE	14.00	478,137			2,500	14.00	480,637	0.00	0	14.00	480,637
GRAND TOTALS	657.92	30,787,515	1.75	92,652	31,697	626.85	30,203,380	32.82	708,484	659.67	30,911,864

MIDWESTERN STATE UNIVERSITY
PERSONNEL POSITION STATUS REPORT
June 30, 2012

POSITIONS	APPROVED BUDGET		POSITIONS		TOTAL POSITIONS		SALARY		FILLED POSITIONS		VACANT POSITIONS		TOTAL CURRENT POSITIONS		
	9/1/2011	FTE	AMOUNT	ADDED	(DELETED)	FTE	AMOUNT	(SAVED)	ADDED	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
EXEC, ADMIN & MANAGERIAL		45.75	4,127,085			45.75	4,127,085		0	44.13	4,040,318	1.62	86,767	45.75	4,127,085
REGULAR FACULTY		243.52	15,080,082	(1.00)	(34,304)	242.52	15,045,778	654		232.64	14,868,367	9.88	178,065	242.52	15,046,432
PROFESSIONAL NON-FACULTY		132.94	5,482,504	2.75	82,012	135.69	5,564,516	26,493		129.87	5,425,742	5.82	165,267	135.69	5,591,009
CLERICAL AND SECRETARIAL		100.71	2,302,542	0.00	(19,392)	100.71	2,283,150	(10,383)		93.21	2,159,509	7.50	113,258	100.71	2,272,767
TECH & PARAPROFESSIONAL		20.00	895,718	1.00	60,000	21.00	955,718	1,649		19.00	877,212	2.00	80,155	21.00	957,367
SKILLED CRAFT		34.00	1,090,967			34.00	1,090,967	7,799		33.00	1,098,766	1.00	0	34.00	1,098,766
SERVICE & MAINTENANCE		67.00	1,330,480	(1.00)	4,032	66.00	1,334,512	1,761		61.00	1,251,301	5.00	84,972	66.00	1,336,273
POLICE		<u>14.00</u>	<u>478,137</u>			<u>14.00</u>	<u>478,137</u>	<u>2,500</u>		14.00	480,637	<u>0.00</u>	<u>0</u>	<u>14.00</u>	<u>480,637</u>
GRAND TOTALS		657.92	30,787,515	1.75	92,348	659.67	30,879,863	30,473		626.85	30,201,852	32.82	708,484	659.67	30,910,336

AUDIT, COMPLIANCE, AND
MANAGEMENT REVIEW
COMMITTEE

Audit, Compliance, and Management Review Committee

Membership

Sam Sanchez, Chairman

Tiffany Burks

Charles Engelman

Jeff Gregg

The Board of Regents of Midwestern State University may deliberate and take action regarding any item on this agenda. The Board reserves the right to discuss any properly posted items in Executive Session whenever legally justified in accordance with the Texas Government Code Chapter 551.

Reading and Approval of Minutes

12-139. The minutes of the Audit, Compliance, and Management Review Committee meeting May 10, 2012, will be recommended for approval of the committee as shown in the minutes' section of this agenda as Minutes Attachment 12-139.

Report on Audit Activities

12-140. The committee will receive information concerning university audit activity.

Status of Construction Projects

12-141. Information regarding current major construction activities will be presented through a new report format (see Attachment 12-141). Additional information will be presented as necessary.

Review of Policies and Procedures Regarding Criminal Situations on Campus

12-142. The administration and board will discuss policies and procedures that are in place at Midwestern State University to address criminal situations on campus.

Internal Audit Plan – 2012-2013

12-143. 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 administration will recommend approval of the plan as shown in Attachment 12-143.

AUDIT, COMPLIANCE, AND
MANAGEMENT REVIEW
COMMITTEE ATTACHMENTS

Status of Board-Approved Construction Projects

Project	BOR Project Approval Date	BOR Approved Project Budget	Architect/Engineering Firm Approved	Design	Project Bidding	Bids Due	Contract Reviewed and Signed	Construction	Project Ready to Use
McCoy Engineering Hall Addition	5/11/2012	\$1,600,000	5/10/2012 Harper Perkins Architects Local/HUB Vendor	8/1/2012					5/31/2014
Christ Academy/ Counseling Center	5/11/2012	\$2,000,000	7/11/2012 Harper Perkins Architects Local/HUB Vendor	Begins 9/1/12					8/31/2014
Demolish Old Band Hall & Biology House	5/11/2012	\$160,000	N/A	In process					12/31/2012
Parking lot - Old Band Hall / resurface McCoy; Biology / UPD	5/11/2012	\$730,000	7/11/2012 Proven Cornerstone Engineering Local Vendor	Begins 9/1/12					<u>6/30/2013</u>
Dalquest Water Well	Not req'd	\$42,500	N/A	N/A	6/13/2012	8/2/2012			11/30/2012

This plan is meant to be flexible and will be monitored and changed as necessary. The available hours after accounting for holidays and leave time is 1,840. These hours have been allocated to specific areas below. A formal risk analysis process is in place that will be updated as appropriate that may justify making changes to the plan. The President and Board of Regents will be informed of any changes, which will be subject to their review and approval.

Audit Focus	Estimated Hours
MSU Museum of Art: This audit will review controls in place to ensure the accountability and safeguarding of assets.	300
Compliance Activities: General oversight activities initiated in FY 2012 revealed areas that merit active monitoring and testing to ensure policies and procedures are being followed. A system will be developed to test these areas on a periodic basis and provide immediate feedback so that timely improvements will be made. Periodic reports and updates will be provided to upper management to ensure progress is being made toward effective controls.	400
Quarterly Investment Reports: This audit is statutorily required for all entities that invest in other than money market mutual funds, investment pools, and certificates of deposit.	200
External Auditor Coordination: The State Auditor's Office and State Comptroller routinely depends and relies on internal auditors to accomplish their annual audit plans. Hours are being reserved to assist them as requested.	200
Special Projects: Internal auditors are a valuable and crucial source of assistance for issues that management and the Board of Regents may need analyses, appraisals, recommendations, counsel, and information to assist them in the effective discharge of their responsibilities. Hours are being reserved to provide this assistance.	200
Annual Risk Analysis/Audit Plan: Ongoing activities, such as interviews with management, distribution of internal control questionnaires, and reviews of management reports from throughout the university will be done to ensure adequate identification and consideration of all risks for future review.	200
Participation in Board Meetings and Management Committees: The internal auditor will attend all Board of Regents meetings and participate in selected committees as requested or deemed appropriate. Regular meetings are also held with the President.	100

Administrative: Hours are being accounted for and reserved for such matters as ensuring compliance with auditing standards, involvement with professional organizations, training, annual reports, and general administrative duties.	240
Total Hours Budgeted	1,840

ACADEMIC AND STUDENT
AFFAIRS COMMITTEE

Academic and Student Affairs Committee

Membership

Lynwood Givens, Chairman

Kenny Bryant

Tiffany Burks

Sam Sanchez

The Board of Regents of Midwestern State University may deliberate and take action regarding any item on this agenda. The Board reserves the right to discuss any properly posted items in Executive Session whenever legally justified in accordance with the Texas Government Code Chapter 551.

Reading and Approval of Minutes

12-144. The minutes of the Academic and Student Affairs Committee meeting May 10, 2012, will be recommended for approval of the committee as shown in the minutes' section of this agenda as Minutes Attachment 12-144.

Faculty Report

12-145. A report will be presented by a representative of the MSU Faculty Senate.

Staff Report

12-146. A report will be presented by a representative of the MSU Staff Senate.

Student Government Report

12-147. A representative of the MSU Student Government Association will update the board on recent activities.

Athletics Report

12-148. Information will be provided concerning athletics at Midwestern State University.

Enrollment Reports – Summer 2012

12-149. Information regarding enrollment for the summer 2012 semesters will be presented at the board meeting.

August 2012 Graduating Class

12-150. The administration will recommend approval of the list of candidates for August 2012 graduation with the provision that they meet all requirements as prescribed by the faculty and administration (see Attachment 12-150).

MSU Student Handbook Changes

12-151. Changes to the *MSU Student Handbook* will be recommended for approval. Language recommended for deletion is shown with an overstrike (–); new wording is shown in **bold and underlined** format.

- A. General Student Complaints – a policy will be recommended to establish a process by which students may address general issues that do not fall under formal grievance policies (see Attachment 12-151A).
- B. Sexual Misconduct Policy – modifications will be recommended to update language within the current policy.

MSU Policies and Procedures Manual Changes

12-152. Changes to the *MSU Policies and Procedures Manual* will be recommended for approval. Language recommended for deletion is shown with an overstrike (–); new wording is shown in **bold and underlined** format.

- A. Policy 2.393, Staff Senate Purpose and Constitution – changes will be recommended to clarify membership representation and expulsion (see Attachment 12-152A).
- B. Policy 3.131, Graduate Assistants and Graduate Teaching Assistants – changes will be recommended to eliminate redundancies, simplify text, and specify duties of varying types of graduate assistantships (see Attachment 12-152B).
- C. Policy 3.224, Absenteeism – changes will be recommended to include Attendance – Staff Absenteeism & Tardiness. This new attendance policy is intended to define expectations for staff attendance and to ensure consistency in the treatment of employees (see Attachment 12-152C).

Southern Association of Colleges and Schools (SACS) Update and Quality Enhancement Plan (QEP) Presentation

12-153. Information will be presented concerning the process for reaffirmation of accreditation by SACS, to include timetable and current status. In preparation for SACS 2013 reaffirmation, MSU is required to prepare a QEP proposal that will improve some aspect of student learning on campus. The project will create an opportunity for faculty, staff, students, as well as alumni, to have a significant effect on student learning at MSU. The administration will recommend approval of a QEP proposal for Midwestern State University.

Tenure

12-154. The administration will make recommendations concerning the awarding of tenure.

ACADEMIC AND STUDENT
AFFAIRS COMMITTEE
ATTACHMENTS

Candidates for Degrees

August 2, 2012

DILLARD COLLEGE OF BUSINESS ADMINISTRATION

Master of Business Administration

Sven Gross

GORDON T. AND ELLEN WEST COLLEGE OF EDUCATION

Master of Arts

Karen Jane Davidson Corsi
Joslyn S. Johnson

Stephanie Joy Kramer
Cami Camille West

Master of Education

Laura Marie Akin
Paul Albert Baer
Tiffany Deann Boortz
Samintra Vanessa Charles
Cecille Carnes Daniel

Kara Lynn Fox
Lindsey Jan Hester
Jillian Brooke Samuels
Tracy Leigh Walker Stallcup
Lynra Renee Tackitt

COLLEGE OF HEALTH SCIENCES AND HUMAN SERVICES

Master of Health Administration

Becky Renea Copeland

Master of Public Administration

Derek Earl Meador

Master of Science in Exercise Physiology

Hardikkumar Harshadbhai Acharya

Master of Science in Nursing

Allison Padron Alfaro
Mary Barnes
Duron Lankford Cranford
Ellagene E. Cruz
Mary Anne Derrico
Jeanette Cathy Clements Gunn
Carmen Marie Hernandez
Katheryn Noel Kenemer

Crystal Carol Kizarr
Hilary Lauren Knippers
Jeffrey David Munholland
Khadeen Erika Ann Patrick
Lindsay Kay Roof
Chevon Lynn Urbanek
Cristi Lyn Wisch

Master of Science in Radiologic Sciences

Stephanie Lynn Brenda
Emily Ruth Crinklaw
Adriana Almanza Dallas
Danny Dale Davis, Jr.
Loretta Ann Edmond

Glenn Michael Levicki
Jamie Danielle Martin
Tiffany Therese Patterson
Jalie Suzanne Reedy
Laura Cristina Rios

**PROTHRO-YEAGER COLLEGE OF
HUMANITIES AND SOCIAL SCIENCES**

Master of Arts

Patrick Ray Calzada
Brandy Nicole Camacho
Devin Alexander Fields
Ben Ray Graham
Susan Marie Eckhardt Gross

Navauda Shareé Miller
Sarah Dyan Murray
Kelly Christine Niccum
Lili Wang

COLLEGE OF SCIENCE AND MATHEMATICS

Master of Science

Chandra Sekhar Betha
Sindhura Moparthy

Divya Mule
Dexter Curtis Taylor

**DILLARD COLLEGE OF BUSINESS
ADMINISTRATION**

Bachelor of Business Administration

Hakim Abdeladim
Holly Elizabeth Allsup
Shari M. Augustine
Carl L. Benjamin
Faye Elizabeth Brown
Allison Kathleen Cummings
Nicandro Delgado
John Derick Dotson
Sancho Addison Duncan
Michael Wynn Funchess
James Henry Gilley
Andrew Joshua Hatzfeld
Logan Blake Howard
Nadia Murlene Isaac
Elouise Launie V. Laurent

Melissa Renee Lewis
Maribel Loredó
Tyler Cole Methvin
Marco Antonio Morales
Janelle Cadia Muckle
Clayton Brown Rich
Elizabeth Marie Saied
Julia Candace Scholar
Allison Kaye St. John
Janson Leslie Swartz
Lorianne Teague
Aerial Shelyn Thane
Joey Michelle Vannucci
Brinton O. Whalen

**GORDON T. AND ELLEN WEST
COLLEGE OF EDUCATION**

Bachelor of Science

Marissa Lee Ayers
John Robert Birkhead
Jessica Ann Cockerham
Joshua Layne Eastman
William Ross Hammond

Bryan Keith Hicks
DelJuan Deshawn Lee
Marcus Lynn Mathis
Pedro Kalani Moore
Kendra Marie Sheppard

Bachelor of Science in Interdisciplinary Studies

Nicole Lee Clark

Bachelor of Arts

Jaleesa Antionette Bealorn

Bachelor of Fine Arts

Emma Louise Brown

Adam Lee Granberry

Bachelor of Music

Gavin Marlon Francis

Rodolfo Leal III

**COLLEGE OF HEALTH SCIENCES
AND HUMAN SERVICES**

Bachelor of Science in Athletic Training

Alexa Jean McMonagle

Bachelor of Science in Criminal Justice

Lonnie Gene Bell, Jr.

Whitney Leighann Skierski

Vu Hoang Nguyen

Tara Michelle Staten

Kordula Verena Rodriguez-Narrea

Whitney Alyson Watkins

Karola Gottschalk Saenz

Fonda Glen White, Jr.

Bachelor of Science in Exercise Physiology

Sean Patrick Brown

Matthew Wayne Morrow

K'Arris Marie Joseph

Thi Truong Ta

Bachelor of Science in Nursing

Olayemisi Akintola

Jennifer Diane Pichoff

Bachelor of Science in Radiologic Sciences

Julio Cesar Alcalá

Meggan L. Minor

Marissa Thompson Brewer

Kansis Michelle Mohundro

Regina Spates Davis

Orlando Morales II

Rachael Jones Elliott

Chi Thanh Nguyen

Ancy J. George

Steffanie LaVerne Parker

Kelly Kathleen Johnson

Stacy Pence Randel

Felecia L. Kempson

Holly Carol Thompson

Juliap Kanini K'mulwa

John Clifton Tobias

Isabel Marie Landa

Bachelor of Science in Respiratory Care

Marie Claire Besong

Rosemarie Floralde Kisner

Monica Lynn Boyd

Michael Gilbert Rivera

Michael Contreras

Jamie Michelle White

Juliana Hernandez

Bachelor of Social Work

Alice Lindy Alexander

**PROTHRO-YEAGER COLLEGE OF
HUMANITIES AND SOCIAL SCIENCES**

Bachelor of Applied Arts and Sciences

Jackie A. Bachmeier
Amanda Jane Bentley
Crystal Gail Cook
James Edward Crowder III
Daniel Howard Curtis
Martin J Wayne Davis
Dennis DeWayne Dudley
Andrea Nicole Fisher
Deborah Karen Meador Hynes
Laila Kasule
Richard Patrick Lamb
Michael Kevin Loyd, Jr.
Kasi Gwen Magness
Eric Wayne McCue
Tabatha Sue Murphy

Brandi Michelle Novy
Shareignia Jamette Pennie
Jennifer Dianne Hargis Potts
Ronald B. Smith, Jr.
James Heath Steele
Carrie Anne Stephens
Christopher Douglas Storey
Brooke Laurine Taylor
David Rashad Terrell
Ricky Don Trepanier
Jean Rae Turner
Joanna Hulsey Wellman
Jeremy Corbett Woodward
Chelsea Annice Wright

Bachelor of Arts

Lindsey Chloe Applegarth
Megan Lea Baird
Jessica Blair Bohannon
Aaron Chase Eddington
Susan Elinor Estrada
Stanley Lee Gholson
Lauren Lee Gore

Tara Lee Green
Darrell Ray Harden
Ryan Thomas McKelvy
Nicholas Shane Parkinson
Chris Robert Skinner
Chandler Heath Williams

Bachelor of Science

Tiffanee Lynn Awbrey
Amanda Gayle Hulett
Kimberly Maria Johnson

Preston Neal Martin
Cindy Onyekwere
Courtney Nichole Ray

COLLEGE OF SCIENCE AND MATHEMATICS

Bachelor of Science

Anthony Ikechukwu Akamnonu
Matlock R. Baggett
Christy Lynn Berry
Dwight Nicoll Fontenelle
Kyle Fari Francis
Christina Marie Gonzalez
David Bennett Hancock
Dionte Tavoris Johnson

Hermii Guiomar Juarez
Gloreen Valdair Lake
Carlos Lopez, Jr.
Brandy Inette O'Neal
Silas O'Silas
Pinkal Dilipbhai Patel
Jaidrian L. Porter
Vicia Kaeticia Woods

Bachelor of Science in Clinical Laboratory Science

Melissa Dawn Lange
Genia Michelle Northcutt

Yosi Raquel Puma

Bachelor of Science in Mechanical Engineering

Adegboyega Emmanuel Adebayo
Anjolajesu Oluwambe Fagbe

Sabestine Okolie Nnorodim

Policy for Addressing General Student Complaints

Purpose

The Purpose of this policy is to establish a process by which students may address general issues that do not fall under formal grievance policies. In an effort to expedite resolution to complaints, students will be requested to first follow the Informal Complaint Process. If resolution does not occur via the Informal Complaint Process, the student may follow the Formal Complaint Process.

Informal Complaint Process

The informal complaint process promotes dialogue and understanding, and provides a framework to expedite resolution. It additionally promotes student development through self-advocacy and open communication. Prior to filing a formal complaint, the student must use the following informal procedure. The Informal Complaint Process is initiated in the office of the Dean of Students.

- The student should discuss with the Dean of Students, or designee, the nature of the complaint in order to determine the most appropriate and expeditious manner of addressing said complaint. The Dean of Students, or designee, and the student determine the faculty or staff member best equipped to address the complaint. The comfort of the student in addressing the complaint with any member of the faculty or staff is considered.
- The Dean of Students, or designee, will assist the student in contacting the faculty or staff best equipped to handle a complaint. The student should discuss the complaint thoroughly with the determined faculty or staff as soon as practical. Both parties should openly discuss the issue and attempt to explore a mutually satisfactory outcome.
- The Dean of Students maintains a log of Informal Complaints registered with his/her office. This log includes the student's name, contact information, nature of complaint, and complaint referral, if necessary.
- Within five days of logging the complaint, the Dean of Students, or designee, will follow-up with all parties in order to determine the disposition of the complaint. The disposition will be included in the complaint log.
- If the complaint is resolved, the process ends.
- If the complaint is not resolved, the student may initiate a Formal Complaint Process.

Formal Complaint Process

A formal written complaint may be issued if the Informal Complaint Process does not produce resolution. The student is encouraged to contact the Dean of Students office prior to submitting a formal complaint so that they can be well-informed of the formal complaint process. The student must use the following formal complaint procedure:

- The student must submit in writing to the appropriate Dean, Director, Chair, or Supervisor, as determined in consultation with the Dean of Students, an outline of what occurred, any witnesses to the alleged event, and the desired outcome of the complaint.
- The appropriate Dean, Director, Chair, or Supervisor, with guidance from the Dean of Students, interviews all affected parties and witnesses.

- Within seven business days of receiving the written complaint, the Dean, Director, Chair, or Supervisor issues a written decision regarding the complaint.
- If the complaint is resolved the process ends.
- If the complaint is not resolved, the affected student may appeal the decision to the appropriate Vice President. The Dean of Students will assist the student in making this determination. The appeal must be in writing, no later than seven business days after receipt of the final disposition of the formal appeal.
- The Vice President will consider the appeal and issue a decision to the student in writing. A copy of the final resolution will be sent to the student and the Dean of Students.

2.393 Staff Senate
STAFF SENATE PURPOSE AND CONSTITUTION

Article II

A. Membership Representation

The number of senate seats shall be allocated proportionally according to the number of funded budgeted staff positions within each EEO job classification category on record with and based on the most current information as provided by the Director of Human Resources.

1. EEO Job Classification Categories:

- a. Officials and Administrators (Excluding president, vice presidents, provost, and associate vice presidents)
- b. Administrative Support
- c. Non-faculty Professional
- d. Skilled Craft Workers
- e. Service and Maintenance
- f. Technicians and Paraprofessionals

2. Allocation Chart

<u>Number of Staff Employed Funded, Budgeted Staff Positions Within EEO Classification</u>	<u>Number of Staff Senate Representatives</u>
29 or less	1
30-59	2
60-89	3
90-119	4
120 +	5

Article IV

B. Expulsion

A member who ~~has is absent from three unexcused consecutive~~ absences in a Staff Senate year shall be regular senate meetings shall relinquish his or her senate seat subject to review and possible removal from his/her position by the Staff Senate. An appeal for reinstatement may be filed with the Executive Committee by presenting documentation of good cause. In the event the Executive Committee upholds the expulsion, the next alternate in the respective EEO classification will be notified to serve.

Policy 3.131 Provost and Vice President for Academic Affairs
GRADUATE ASSISTANTS AND GRADUATE TEACHING ASSISTANTS
Date Adopted/Most Recent Revision: 11/07/03

A. General

Graduate students ~~duly~~ admitted to the university may be employed by the university as either a graduate assistant for teaching assistants, graduate assistant for research administrative assistants, or graduate assistant for instructional support. ~~research assistants. Graduate assistants will be employed by the university on either a two semester or a one semester agreement. A single student may be employed in more than one role; and if so, the student's percentage of time spent in each role will be calculated and reported to the Graduate School at the beginning of each semester.~~

B. Graduate Teaching Assistants

1. Graduate teaching assistants will hold a bachelor's degree, be admitted to Graduate School, and will have satisfactorily completed at least eighteen (18) hours of graduate courses in the subject area to be taught. They may serve as instructor of record in developmental courses, lower level courses, or laboratories. ~~may serve the university as instructors of record in either developmental courses, freshman level courses, or laboratories. Those graduate teaching assistants assigned to courses other than developmental courses and physical education activity courses will hold a bachelor's degree and will have completed a minimum of eighteen (18) graduate credit hours in the subject matter field.~~
2. Graduate teaching assistants will be selected by the graduate coordinator of the program and the dean of the college and approved by the Dean of the Graduate School. ~~Provost and Vice President for Academic Affairs. Those selected to teach non-developmental freshman level courses outside physical activity courses will have been fully admitted to graduate study without restriction and will have satisfactorily completed at least eighteen (18) hours of graduate courses in the subject area to be taught.~~
3. Graduate teaching assistants will be employed on a non-tenure track teaching contract for up to six hours load credit per semester and for one or two semesters per contract. ~~Under such contract the teaching assistant will hold the same employment privileges as other non-tenured, non-tenure track faculty on limited period contracts.~~ The contracted salary amount will be determined by the program in conjunction with the dean of the college within available resources.

C. Graduate ~~Administrative and Research~~ Assistants

1. Graduate ~~research administrative~~ assistants will hold a bachelor's degree and be admitted to the Graduate School. ~~typically have assignments such as laboratory assistance, attending and/or helping prepare lectures, grading papers, keeping class records, and conducting discussion groups.~~
2. Graduate research assistants will ~~typically~~ assist faculty with research projects or grant writing. The term "Research" is defined as "research and scholarly activity." (MSU Policy 3.120)
3. Graduate ~~administrative and~~ research assistants will be selected by the graduate coordinator of the program and the dean of the college and approved by the Dean of the Graduate School. Graduate research assistants will be employed for a one or two semester assignment. The

specific assignment will be determined by the graduate coordinator of the program in consultation with the dean of the college, recommended for employment by the graduate program coordinator and the department chair and approved by the dean. Graduate assistants of both categories will work on an assignment basis (non-hourly). The assignment will be academically related. The specific assignment will be determined by the graduate coordinator in consultation with the dean. Compensation will be consistent with the extent and difficulty of the assignment. The maximum compensation will be equivalent to the salary of a graduate teaching assistant who is teaching a six-hour load.

4. Graduate research assistants will be paid a monthly stipend in an amount determined by the dean of the college in conjunction with the program, based on the extent and difficulty of the assignment. The maximum compensation will be equivalent to the salary of a graduate teaching assistant who is teaching a six-hour load within the relevant college. If teaching assistants are not employed in the college, the program in conjunction with the dean of the college will set the stipend of the graduate research assistant within available resources. Qualifications of either graduate administrative or research assistants will include but not be restricted to the requirements for admission to the graduate program as defined in the university's graduate catalog.

D. Graduate Instructional Assistants Salaries-

The maximum salary of graduate administrative, research, and teaching assistants will be set by the administration prior to each budget year. The salary may be increased periodically as recommended by the Graduate Council, the Academic Council, and approved by the President.

1. Graduate instructional assistants will hold a bachelor's degree and will be admitted to the Graduate School.
2. Graduate instructional assistants will assist faculty in providing academic services to students including tutoring, assisting in the laboratory, preparing lectures, preparing materials, reading discussion boards, grading papers, keeping class records, and facilitating discussion groups. This list is not all inclusive; however all duties performed will be academically related. The graduate instructional assistant cannot serve as the instructor of record.
3. Graduate instructional assistants will be selected by the graduate coordinator of the program and the dean of the college and approved by the Dean of the Graduate School. Graduate instructional assistants will be employed to serve on a one or two semester basis.
4. Graduate instructional assistants will be paid a monthly stipend in an amount determined by the program in conjunction with dean of the college. The maximum compensation will be equivalent to the salary of a graduate teaching assistant who is teaching a six-hour load in the relevant college. If graduate teaching assistants are not employed in the college, the program in conjunction with the dean of the college will set the stipend amount of the graduate instructional assistant within available resources.

3.224 Human Resources

ATTENDANCE – STAFF ABSENTEEISM & TARDINESS

Date Adopted/Most Recent Revision: 08/04/2006

Employees of the university who are absent from duty for all or part of a working day without notification or explanation shall be subject to disciplinary action. The day or part thereof shall be charged against accumulated vacation leave with approval of the senior administrator after satisfactory explanation.

A. Policy

The University expects all employees to conduct themselves in a professional manner during their employment. This includes practicing good attendance habits. Employees should regard coming to work on time, working their shift as scheduled, and leaving at the scheduled time as essential functions of their jobs. Employees are expected to adhere to their specified work schedule and be at their workstation and ready to begin work at the start of their shift. Leave is a benefit available for employees to attend to personal needs. However, abuse of leave, or failure to report to work as scheduled, or a pattern of unscheduled and/or excessive absences or tardiness will not be tolerated.

B. Notification

In the event of an unanticipated absence, including sickness or tardiness, employees must call and speak to their direct supervisor or other designated individual. If the employee cannot reach the supervisor or his/her designate, a message may be left by voice-mail or email. The employee must call as soon as possible, but no later than thirty (30) minutes after the start of the scheduled workday. Unless an emergency situation dictates otherwise, messages may not be left by third parties (i.e. friends, relatives, etc.). The reporting of such information must include the reason for the absence, expected duration of the absence, and any other information that would have an impact on the workplace during the employee's absence. For absences lasting more than one day, the employee must follow the notification procedures each day he/she is absent, except where advance notice of the duration of the absence has been provided.

C. Excused Absences

An employee's absence will be considered excused if allowed under Policy 3.217, Employee Leave Policies, and if the employee provides proper and timely notification deemed satisfactory to the supervisor. Excused absences include paid leave for vacation, sick leave, and other leave types dictated by state or federal law, including but not limited to, unpaid leave under FMLA and USERRA. Timely notification means calling in at the start of the workday or providing advance notice for absences which can be anticipated. Supervisors have the discretion to require advance written requests for use of vacation leave with approval based upon department priorities. The University will make every effort to accommodate leave requests that are submitted appropriately and in a timely manner.

D. Unexcused Absences

An employee's absence will be deemed unexcused when an employee fails to call in, gives a late notice, or fails to give an advance notice or seek approval for an absence which could be anticipated. Use of sick leave occurring in patterns (same day of week, same time of year, adjacent to a weekend, holiday, vacation or other leave, etc.) may be indicative of an attendance problem; and in cases of excessive abuse, the absences will be treated as unexcused. Employees are not permitted to make up time during the workday or alter their work schedule when they are late to work unless it has been approved verbally or in writing by their supervisor in advance. Employees are not permitted to work through their lunch period or breaks to make up unexcused time.

E. Excessive Absenteeism

Excessive absenteeism is defined as two instances of unexcused absence in a calendar month. Such excessive absenteeism is subject to corrective discipline. Six instances of unexcused absenteeism within a consecutive twelve month period are considered grounds for termination.

F. Tardiness

Employees who are chronically unable or unwilling to report to work on time present a hardship to other employees and those we serve. Unexcused tardiness is defined as being absent from duty without cause for more than five minutes and includes:

1. reporting to work late at the beginning of the work shift,
2. leaving early or returning late from a work break or lunch period,
3. leaving the work area without a legitimate reason, or
4. leaving work early at the end of the workday without permission.

Employees who receive counseling for tardiness are expected to improve and sustain their improved attendance/punctuality. Unexcused tardiness occurring four times during a calendar month will result in corrective disciplinary action. Any twelve instances of unexcused tardiness within a consecutive twelve month period are considered grounds for termination.

G. Leave-Without-Pay

Leave-without-pay (LWOP) or docked pay will result when an employee who is absent from duty has exhausted all of his/her available accrued leave balances. LWOP status without legitimate justification is discouraged. Justification would include LWOP status following exhaustion of available leave due to a documented serious medical condition or family emergency, including unpaid leave allowed under the Family Medical Leave Act, the Parental Leave Act, and other extended unpaid Leaves of Absence granted under MSU Policy 3.217. Unauthorized LWOP or docked pay status will result in situations when no paid leave is available and the employee is absent or tardy without adequate justification. Unauthorized LWOP or docked pay status on three occasions within a consecutive twelve month period is considered excessive and is grounds for termination. An occasion of LWOP/docked pay begins when the employee enters unpaid status and ends when the employee returns to paid status, regardless of the number of hours without pay on that occasion.

H. Disciplinary Action

When instances of unexcused absences, tardiness, or unauthorized LWOP/docked pay occur, one or more of the following disciplinary actions will be imposed:

1. documented verbal counseling,
2. written disciplinary warning,
3. suspension without pay, and
4. termination after multiple offenses.

I. Job Abandonment

In the event an employee is absent for three consecutive scheduled workdays without notice or approval, the absence is considered job abandonment. The employee will be considered to have voluntarily terminated his/her employment with the University.

Related Policies:

3.216, Staff-Termination/Discharge

3.217, Employee Leave Policies

3.228, Staff Employee Disciplinary Procedures

TX Government Code 661

BOARD OF REGENTS
MEETING AGENDA

Board of Regents Meeting Agenda
August 10, 2012
9:00 a.m.

Board of Regents Membership:

Shawn G. Hessing, Chairman
J. Kenneth Bryant, Secretary
Michael Bernhardt
Tiffany D. Burks
Jane W. Carnes
Charles E. Engelman
F. Lynwood Givens
Jeff Gregg
Samuel M. Sanchez
Holly Allsup, Student Regent

Meeting Location: MSU Campus – 3410 Taft Boulevard
J. S. Bridwell Board Room

The Board of Regents of Midwestern State University may deliberate and take action regarding any item on this agenda. The Board reserves the right to discuss any properly posted items in Executive Session whenever legally justified in accordance with the Texas Government Code Chapter 551.

Call to Order

Introduction of Visitors

Opening Comments

Public Comment Period

A public comment period concerning agenda items will be provided in accordance with the Board of Regents By-Laws, MSU Policy 2.22.

Reading and Approval of Minutes

12-155. Minutes of the regular Board of Regents meeting May 10, 2012, will be recommended for approval as shown in the minutes' section of this agenda as Minutes Attachment 12-155.

Reading and Approval of Minutes

12-156. Minutes of the regular Board of Regents meeting May 11, 2012, will be recommended for approval as shown in the minutes' section of this agenda as Minutes Attachment 12-156.

Executive Committee Consent Agenda, Items and Report

Finance Committee Consent Agenda, Items and Report

Audit, Compliance, and Management Review Committee Consent Agenda, Items and Report

Academic and Student Affairs Committee Consent Agenda, Items and Report

Board of Regents Meeting Dates – 2012-2013

12-157. The board will discuss the dates for the 2012-2013 quarterly Board of Regents meetings.

The proposed dates are as follows:

November 15 and 16, 2012

February 14 and 15, 2013

May 9 and 10, 2013

August 8 and 9, 2013

President's Report

12-158. Dr. Rogers will present information to the board concerning various university matters, including:

A. Vice President for Business Affairs and Finance Search Update

B. Engineering Program Update

C. Campus Conservation Efforts

Texas Higher Education Coordinating Board (THECB) Discussion

12-159. Dr. Raymond Parades, Commissioner of Higher Education, Texas Higher Education Coordinating Board, will meet with the board and discuss higher education issues.

Closing Comments

Adjournment

MINUTES

**MINUTES
MIDWESTERN STATE UNIVERSITY
BOARD OF REGENTS**

**Executive Committee
May 10, 2012**

The Executive Committee of the Board of Regents, Midwestern State University, met in the J. S. Bridwell Board Room, Hardin Administration Building, Wichita Falls, Texas, at 1:49 p.m., Thursday, May 10, 2012. Executive Committee members in attendance were Mr. Shawn Hessing, Chairman; Mr. Kenny Bryant, Secretary; and Ms. Jane Spears, Member-at-Large. Other regents attending the meeting were Mr. Mike Bernhardt, Mrs. Tiffany Burks (via teleconference connection), Mr. Charles Engelman, Dr. Lynwood Givens, Mr. Jeff Gregg, Mr. Sam Sanchez, and Student Regent Linda Aguilera.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Alisa White, Provost and Vice President for Academic Affairs; Mr. Juan Sandoval, Vice President for Business Affairs and Finance; Dr. Keith Lamb, Vice President for Student Affairs and Enrollment Management; Dr. Howard Farrell, Vice President for University Advancement and Public Affairs; and Dr. Robert Clark, Vice President for Administration and Institutional Effectiveness. Other university personnel attending the meeting included Mr. Kyle Owen, Associate Vice President for Facilities Services; Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Mr. Barry Macha, General Counsel; Ms. Dianne Weakley, Director of Human Resources; Dr. Jim Owen, Chairman of the MSU Faculty Senate; Mr. Matt Park, Vice Chairman of the MSU Staff Senate; Ms. Gail Ferguson, Controller; Mr. Steve Shelley, Director of Purchasing; Ms. Julie Gaynor, Director of Marketing and Public Information; Ms. Cindy Ashlock, Executive Assistant to the President; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the student body were Mr. Kyle Christian, outgoing Student Government Association (SGA) president and Mr. Anthony Gallina, incoming SGA president. Representing the news media were Ms. Ann Work, *Times Record News*; Ms. Melissa Foy, KFDX-TV III; and Ms. Bethany Rumble, KAUZ-TV.

Chairman Hessing called the meeting to order at 1:49 p.m.

Reading and Approval of Minutes

12-82. The minutes of the Executive Committee meeting February 16, 2012, were approved as presented.

Campus Master Plan

12-83. Mr. Hessing noted that a recap of the Campus Master Plan was presented as shown in Attachment 1. He asked Dr. Rogers to present information concerning this item.

Dr. Rogers noted that through the discussion of the master plan in February, a number of suggestions were made, including the possibility of adding parking to the campus earlier in the plan. The administration reviewed the plan and determined that accelerating the

campus revitalization program would be a possibility. He noted that all of the projects would help increase enrollment and the quality of the campus.

Dr. Rogers reviewed the plan and noted that the first project would be the Christ Academy/Counseling Center renovation. He added that the first step would be to select an architect to design the project. The demolition of the old band hall would follow and a parking lot will be built in its place. Dr. Rogers stated that the administration planned to relocate the police department to Alumni House and to demolish the current police facility and Biology House. A parking lot would be constructed at this location as well.

Dr. Rogers reported that the administration would then likely seek approval for a Higher Education Assistance Fund (HEAF) bond sale. He stated that a yield of over \$14 million was anticipated. These funds would be utilized to begin work on the Christ Academy/Music and Mass Communication Project, a new police station, and an addition to Bolin Science Hall. Additionally, the plan calls for the demolition of Marchman Hall, Vinson Infirmary, and McGaha Hall. He noted that the Bolin Science Hall project would include the addition of laboratories in molecular biology and petroleum geology, as well as space for the physics department that is now located in McCoy Hall.

Dr. Rogers noted the projects listed at the bottom of the attachment were contingent on the university receiving private funding. He added that some of the privately funded projects would likely begin earlier than some of the projects listed higher on the list. He stated that significant funds had been donated for the Dalquest Research Center and the Museum renovation projects.

Mr. Hessing reported that the administration requested approval of the following:

- A. Authorize the administration to move forward with the Christ Academy/Counseling Center Project at a cost of \$2 million, with funds coming from private gifts and HEAF. Further authorize the Executive Committee to approve the selection of an architect for this project.
- B. Authorize the administration to move forward with (a) the demolition of the vacant Instrumental Music Hall, the Biology House, and the University Police Station (following temporary relocation of the police department to the Alumni House), and (b) construction of parking lots at each of these sites, plus the resurfacing of the existing lot to the west of McCoy Engineering Hall. The anticipated cost of demolition and parking lot construction is \$890,000 and funds are available through private gifts and HEAF. Further authorize the Executive Committee to approve the selection of an engineering firm to design this project.

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

Mr. Bernhardt asked about the possible future HEAF bond. Mr. Sandoval responded that the university's last payment on the current HEAF debt would be made in September,

2013. He indicated that a presentation would be made in November concerning the possibility of approving a new bond issue in the spring 2013. Mr. Bernhardt asked if there was any way current funds could be leveraged so that the projects could be accelerated further. Mr. Sandoval responded that he had reviewed the debt schedule and funding options with the university's financial advisors and this was the best possible option. Mr. Bernhardt indicated that there was a window of opportunity for low interest rates and he had hoped the process could be accelerated. Dr. Rogers stated that the only other option would be to immediately pay off the HEAF bond and move forward with the new issue. However, if this course of action were taken, the university would lose approximately \$3 million in funds available for the various projects.

Mr. Sanchez asked about the status of infrastructure upgrades. Dr. Rogers responded that funding is budgeted each year for campus deferred maintenance. He added that as buildings are demolished or remodeled, some of the campus deferred maintenance will be eliminated. Mr. Sanchez indicated that he was also interested in the upgrade in technology and how it would tie into the campus renovation. Mr. Sandoval responded that technology would be discussed later in the meeting. He added that the university allocates \$1.2 million each year to address deferred maintenance issues on campus.

Dr. Givens asked how much money was currently on hand to begin these projects. Dr. Rogers responded that \$2.2 million was currently available for the immediate projects. He added that additional funds were in the bank for other, future projects, although additional funds would need to be raised before those projects could move forward.

There being no further business, the motion was approved.

Capital Expenditure Plan (MP1) Report – FY 2013-2017

12-84. Mr. Hessing noted that each year the Texas Higher Education Coordinating Board requests an update of the university's five-year plan for new construction, repair and rehabilitation projects, information resource projects, and property purchases. The proposed MP1 was presented and recommended for approval (see Attachment 2).

Dr. Rogers noted that institutions are asked to list projects in priority order, although it is quite difficult to prioritize many of these needed projects. He stated that the list informs the state of the university's long-term needs. He noted that a new library building and renovation of the existing Moffett Library facility had been at the top of MSU's MP1 list for many years. He added that a project of this size would likely require Tuition Revenue Bond (TRB) funding from the state. He indicated that it would be important for the project to be shown as the university's top priority in the event TRB funding was to become available. He stated that given the state's current financial situation, it was highly unlikely that TRB's would be approved in the next two or three biennia. He noted that the remaining items on the list were those that are being planned over time.

Mr. Bryant moved approval of the MP1 list as presented. Ms. Spears seconded the motion.

Mr. Sanchez asked why the Hardin Administration Building infrastructure project and a baseball stadium were not included on this "wish" list. Dr. Rogers responded that a baseball stadium should be included on the list and noted that it would require private funding. Mr. Owen added that the Hardin Building item was removed from the list to help keep the overall cost of the projects down. Dr. Rogers indicated that the project would be added to the list. Dr. Rogers indicated that both projects would be added to the list.

Mr. Sanchez stated his concern that a new library should not be the number one priority for the campus. Dr. Rogers responded that the administration was taking a closer look at how a new library facility should be designed. He noted that the current Moffett Library building is 100,000 square feet. He indicated that the administration planned to look at whether a new library could be designed to fit inside the current building and leave adequate space for the West College of Education and other programs. He stated that the project would likely look different on the MP1 in 2013.

Mr. Sanchez asked if a parking garage should be added to the list. Dr. Lamb responded that the current year parking surveys indicated the campus lots reach a maximum of 88% full, even during peak use times. He noted that the administration and board might consider building a parking garage rather than taking up green space to build additional lots as the university grows. Mr. Hessing asked how many parking spaces would be added through the proposed projects. Dr. Rogers responded that 186 spaces would be added.

Mr. Hessing noted this item would be tabled until the Friday meeting to allow the administration to review and modify the list.

McCoy Engineering Hall Expansion

12-85. Mr. Hessing reported that Mr. and Mrs. Jim McCoy, together with the James N. McCoy Foundation, pledged \$1.6 million to fund the expansion of McCoy Engineering Hall. Based on this gift, the administration issued a Request for Qualifications (RFQ) for architectural services for the project. The Architectural Selection Advisory Committee reviewed 12 qualification statements and scored them based upon stated criteria. He noted that the administration was requesting authorization to move forward with this \$1.6 million project and recommended the selection of Harper Perkins Architects to provide architectural services for this project.

Mr. Owen noted that the company that did the original design of McCoy Hall chose not to submit a proposal because it was such a small project. The committee received a number of good proposals and Harper Perkins was at the top of the list.

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

Soccer and Softball Field Lighting Project

12-86. Mr. Hessing noted that the City of Wichita Falls recently awarded MSU a grant of \$350,000 from 4B sales tax funds for the installation of lights at the soccer and softball fields. The administration requested authorization to proceed with this project. Dr. Rogers expressed appreciation to the City Council and the 4B Board for their support of this project.

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

Technology Update

12-87. Dr. Clark presented information concerning campus technology. He indicated that approximately \$500,000 would be needed for campus technology upgrades during the current year. He reported that he had worked with Dr. White and Mr. Mike Dye, Chief Information Officer, to plan technology upgrades for campus classrooms. Through the upgrade, classrooms would be equipped with new computers, projection systems, and audio systems. The project would also address ADA compliance for students with vision and/or hearing impairments. He noted that each classroom upgrade would cost approximately \$22,000. The work planned for FY 13 would equip two classrooms per college. Another project in the current year would be expansion of wireless capability to include the entire Moffett Library building. He added that wireless capability would be pushed to the west of the library, so that students could have access in the area between the library and the Clark Student Center. He indicated that they plan to complete the expansion of wireless on campus by the summer of 2013.

He stated that an individual has been hired to oversee the portal project. He noted that the portal would be operational in December, 2012, although it may not be at full capability at that time. Mr. Bryant asked if the portal position was permanent and Dr. Clark responded that it was.

Dr. Clark reported that the administration planned to move forward with the purchase of a new web content management system. He noted that the current system is outdated and does not meet the needs of the institution.

Mr. Hessing noted that the administration had recommended the allocation of \$500,000 from Technology Fee Reserves to fund technology upgrades during the current fiscal year (see Attachment 3). Mr. Bryant moved approval of this item as presented. Ms. Spears seconded the motion.

Dr. Givens asked if this \$500,000 was currently budgeted and, if so, what was the intended use of these funds. Dr. Rogers responded that the university had been saving these funds in reserve so that they could be use for technology needs. Dr. Givens asked if this transfer would result in any type of Technology Fee increase in the future. Mr. Sandoval responded that it would not and indicated that the Technology Fee was recently reduced. Dr. Givens stated that he did not want to approve something and find that fees needed to be increased in the future to pay for something else that is needed.

There being no further business, the motion was approved.

Holiday Schedules for Staff Employees – 2012-2013

12-88. The holiday schedules for MSU staff employees for the 2012-2013 fiscal year were presented in the agenda document. Ms. Barrow noted that the number of federal and state holidays varies from year to year depending on whether the holidays fall on a Saturday or Sunday. One schedule was presented for university employees who work four-day summer schedules and another schedule was presented for employees who continue on the five-day schedule during the summer.

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

Naming of University Facilities

12-89. Mr. Hessing asked Dr. Rogers to present the administration's recommendation. Dr. Rogers noted that the administration was recommending naming the current newsroom in the Fain Fine Arts Center (Room B103) the "Roy Allen Wichitan Newsroom" in recognition of Mr. Allen's 19 years of dedicated service to the university. Dr. Rogers stated that Mr. Allen was an outstanding newsperson and faculty member. Mr. Allen is 90 years old and continues to support the university through a scholarship that is given each year and carries his name.

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

Legislative Appropriations Request (LAR)

12-90. Mr. Hessing reported that MSU's Legislative Appropriations Request (LAR) for the biennial period of FY 2014 and FY 2015 would be prepared during the summer. He noted that the majority of the request is driven by enrollment and financial information, and that requests for special funding require support from the Board of Regents. He asked Dr. Rogers to provide information concerning funding that the administration would like to pursue.

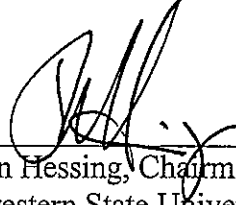
Dr. Rogers noted that the board had discussed the request for a Tuition Revenue Bond, although receiving such funding was unlikely. He added that the administration also wanted to develop an exceptional item request for funds to expand health science offerings at MSU (see Attachment 4.)

Mr. Hessing noted that the administration was requesting authorization to develop an exceptional item funding request for the expansion of health science offerings at MSU, and a Tuition Revenue Bond request for a new library building and renovation of the existing building, if deemed appropriate. Ms. Spears moved approval of this item as presented. Mr. Bryant seconded the motion and it was approved.

Adjournment

The Executive Committee discussion concluded at 3:00 p.m.

Reviewed for submission:



Shawn Hession, Chairman
Midwestern State University
Board of Regents Executive Committee

ATTACHMENT:

1. Campus Master Plan
2. Capital Expenditure Plan (MP1) Report – FY 2013-2017
3. Information Technology Funding Request – FY 12
4. Exceptional Item Request Summary

Project	Estimated Cost	Sources of Funds	Multiple Sources	Anticipated Construction Dates
Christ Academy - Counseling Center	\$ 2,000,000	Private Funds	\$1,786,897	Spring 2013- Summer 2014
		HEAF 2014 allocation	213,103	
			\$2,000,000	
Demolish Old Band Hall	60,000	Private Funds		Fall/Winter 2012
Move Police to Alumni House	15,000	Private Funds		Summer 2012
Demolish Police Station and Biology House	100,000	Private Funds		Fall/Winter 2012
Parking - Old Band Hall / Resurface McCoy lot (+51 spaces)	260,000	Private Funds		Spring 2013
McCoy Engineering Hall Addition	1,600,000	Private Funds		Winter 2012 - Late Fall 2014
Parking - Police Station / Biology House (+136 spaces)	470,000	HEAF 2013 allocation		Spring 2013
Christ Academy - Music & Mass Communication	5,000,000	HEAF Bond		Spring 2015- Spring 2017
New Police Station	1,800,000	HEAF Bond		Spring 2015- Spring 2016
Demolish Marchman, Vinson, McGaha	210,000	HEAF 2015 allocation		Spring 2015
Create Green Space - Vinson / McGaha	100,000	HEAF 2015 allocation		Spring/Summer 2015
Bolin Science Hall addition	8,000,000	HEAF Bond	\$7,325,000	Summer 2015- Summer 2017
		HEAF 2016 allocation	350,000	
		HEAF 2017 allocation	325,000	
			\$8,000,000	
Dalquest Desert Research Center	375,000	Pledged and future gifts		TBD when funding available
Museum Renovation	2,000,000	Pledged and future gifts		TBD when funding available
Academic Classroom/Athletic Admin Bldg	1,900,000	Future Gifts and HEAF		TBD when funding available
Demolish Hampstead Houses	150,000	Plant Funds		TBD when funding available
Parking - Hampstead Blvd (+105)	475,000	Plant Funds		TBD when funding available
Total Projects	\$ 24,515,000			
New Student Housing, Housing Offices, & Food Service Addition	\$ 35,000,000	Pending student demand & funding		TBD when demand and funding available

Midwestern State University
Capital Projects - MP 1
Fiscal Years 2013-2017

<u>Project Name</u>	<u>Priority</u>	<u>Project Cost</u>	<u>Sources</u>
New Library Building	1	\$40,000,000	Future Tuition Revenue Bond (TRB) Funding Request
Moffett Building Reconstruction	2	\$20,000,000	Future TRB Funding Request
McCoy Engineering Hall Expansion	3	\$1,600,000	Private Funds
Christ Academy Facilities Renovation for Counseling	4	\$2,000,000	Higher Education Assistance Fund (HEAF) & Private Funds
Wichita Falls Museum Renovation	5	\$2,000,000	Private Funds
Christ Academy Facilities Renovation for Music & Mass Comm	6	\$5,000,000	HEAF Bond
University Police Station Building	7	\$1,800,000	HEAF Bond
Bolin Science Hall Expansion	8	\$8,000,000	HEAF and HEAF Bond
New Academic Classroom/Athletic Administration Building	9	\$1,900,000	HEAF and Private Funds
New Student Residence Hall, Housing Offices, and Clark Student Center Food Service Addition*	10	\$35,000,000	Housing Student Rental Income
Fain Fine Arts Center ADA & Fire Safety Renovation	11	\$10,000,000	Future TRB Funding Request
Total		\$127,300,000	

Projects <\$1 MM not reported to THECB.

*Qualification and cost based on sufficient enrollment and demand.

DRAFT

**Information Technology
FY 2012 Costs**

Classroom Technology Phase I (\$22,000 x 10 + Reserve)	\$250,000
MSU Wireless Expansion - Phase I	\$175,000
Portal Hosting and Implementation	\$49,000
Web Management System	\$26,000
TOTAL	\$500,000

Item 12-90 – Legislative Appropriations Request (LAR)

Midwestern State University seeks exceptional item funding to expand academic programs in nursing, allied health, and human services to meet the workforce needs of Texas communities. The growing population of senior citizens and increased recognition of the importance of preventative care will place more demands on healthcare providers. MSU students are able to earn degrees in nursing, radiologic sciences, respiratory care, dental hygiene, and social work. The U.S. Department of Labor estimates job opportunities for registered nurses to grow by 26 percent, radiologic technologists by 28 percent, respiratory therapists by 28 percent, dental hygienists by 38 percent, and social workers by 25 percent between 2010 and 2020.

Funds will be used for additional faculty, staff, and technology. Examples of technology enhancements include additional breathing simulators, radiography and dental hygiene equipment, and simulation manikins.

**MINUTES
MIDWESTERN STATE UNIVERSITY
BOARD OF REGENTS
EXECUTIVE COMMITTEE**

July 11, 2012

The Executive Committee of the Board of Regents, Midwestern State University, met in the J. S. Bridwell Board Room, Hardin Administration Building, Wichita Falls, Texas, at 10:00 a.m., Wednesday, July 11, 2012. The committee member in attendance at the university was Ms. Jane Carnes. Committee members attending the meeting via teleconference connection were Mr. Shawn Hessing, Chairman, and Mr. Kenny Bryant, Secretary.

Administrative staff members present at the meeting included Dr. Jesse W. Rogers, President; Mr. Juan Sandoval, Vice President for Business Affairs and Finance; and Mr. Kyle Owen, Associate Vice President for Facilities Services. Other university personnel attending the meeting included Mr. Barry Macha, General Counsel; Mr. David Spencer, Internal Auditor; Mr. Steve Shelley, Director of Purchasing; Ms. Julie Gaynor, Director of Marketing and Public Information; and Ms. Debbie Barrow, Director of Board and Government Relations.

Chairman Hessing called the meeting to order at 10:00 a.m.

Public Comment

Mr. Hessing 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 had signed up to speak.

Christ Academy/Counseling Center – Architect Selection

12-01/EX. Mr. Hessing reported that during the May meeting the board authorized the Executive Committee to approve an architect for this project. Dr. Rogers noted that the proposals were thoroughly reviewed by the Architect Selection Review Committee and he was pleased with their work and recommendation. The committee was made up of Mr. Juan Sandoval, Mr. Kyle Owen, Dr. Ron Fischli (facility representative), and Dr. Stuart McClintock and Ms. Jennifer Gresham (faculty representatives). Mr. Sandoval reported that the committee considered factors such as professional credentials, successful completion of projects with similar complexity, past performance, prior favorable service with MSU, overall team approach, and completeness of the proposal. Mr. Owen stated that 15 firms submitted qualification statements which were scored by each committee member. The three top choices of the committee were Bundy, Young, Sims, and Potter, Harper-Perkins Architects, and Randall Scott. He indicated that each of these firms had previously worked for the university. He stated that the committee and the administration recommended Harper-Perkins Architects (HPA) for this project. He added that HPA is a local firm and is also recognized as a Historically Underutilized Business (HUB).

Ms. Carnes moved approval of Harper-Perkins Architects for this project. Mr. Bryant seconded the motion and it was approved.

Parking Lots – Design Firm Selection

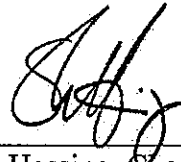
12-02/EX. Mr. Hessing reported that during the May meeting the board authorized the Executive Committee to approve an engineering firm to design this project. Dr. Rogers indicated that the process was quite similar to the architect selection process. Mr. Owen stated that the committee received nine proposals. He added that Mr. Dan Williams, Chief of University Police, served on the selection committee as the facility representative. The three top firms selected by the committee were Pacheco, Proven Cornerstone Engineering, and Corlett, Probst, & Boyd. The recommendation of the administration was Proven Cornerstone Engineering (PCE).

Mr. Bryant moved approval of Proven Cornerstone Engineering for this project. Ms. Carnes seconded the motion and it was approved.

Adjournment

There being no further business, the Executive Committee meeting concluded at 10:09 a.m.

Reviewed for submission:



Shawn Hessing, Chairman
Midwestern State University
Board of Regents Executive Committee

**MINUTES
MIDWESTERN STATE UNIVERSITY
BOARD OF REGENTS**

**Finance Committee
May 10, 2012**

The Finance Committee of the Board of Regents, Midwestern State University, met in regular session in the J. S. Bridwell Board Room, Hardin Administration Building, Wichita Falls, Texas, at 1:39 p.m., Thursday, May 10, 2012. Committee members in attendance were Mr. Mike Bernhardt, Chairman; Mr. Charles Engelman; Mr. Jeff Gregg; and Ms. Jane Spears. Other regents attending the meeting were Mr. Kenny Bryant, Mrs. Tiffany Burks (via teleconference), Dr. Lynwood Givens; Mr. Shawn Hessing, Mr. Sam Sanchez, and Student Regent Linda Aguilera.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Alisa White, Provost and Vice President for Academic Affairs; Mr. Juan Sandoval, Vice President for Business Affairs and Finance; Dr. Keith Lamb, Vice President for Student Affairs and Enrollment Management; Dr. Howard Farrell, Vice President for University Advancement and Public Affairs; and Dr. Robert Clark, Vice President for Administration and Institutional Effectiveness. Other university personnel attending the meeting included Mr. Kyle Owen, Associate Vice President for Facilities Services; Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Mr. Barry Macha, General Counsel; Ms. Dianne Weakley, Director of Human Resources; Dr. Jim Owen, Chairman of the MSU Faculty Senate; Mr. Matt Park, Vice Chairman of the MSU Staff Senate; Ms. Gail Ferguson, Controller; Mr. Steve Shelley, Director of Purchasing; Ms. Julie Gaynor, Director of Marketing and Public Information; Ms. Cindy Ashlock, Executive Assistant to the President; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the student body were Mr. Kyle Christian, outgoing Student Government Association (SGA) president and Mr. Anthony Gallina, incoming SGA president. Representing the news media were Ms. Ann Work, *Times Record News*; Ms. Melissa Foy, KFDX-TV III; and Ms. Bethany Rumble, KAUZ-TV. Also attending the meeting, for discussion of the first item only, were Ms. Mary Williams and Mr. Chris Allen with First Southwest Company, and Mr. Robert Coulter, Executive Director of the Texas Public Finance Authority.

Chairman Bernhardt called the meeting to order at 1:39 p.m. He noted that the first item would be taken out of order to accommodate visitors from out of town.

Refinancing of Bonds

12-94. Mr. Bernhardt stated that Dr. Rogers and Mr. Sandoval would make opening comments, followed by a presentation by representatives of First Southwest Company and the Texas Public Finance Authority (TPFA). Dr. Rogers indicated that the university had an opportunity to refinance two bond series; the first, a Series 2002 tuition revenue bond for the Ligon and McCoy projects and, the second, a Series 2003 bond for the renovation of Pierce and Killingsworth Halls. Mr. Sandoval stated that this refinancing would provide

an opportunity to save money for the state of Texas as well as the university. Mr. Robert Coulter, the new director of TPFA, thanked the board for the opportunity to appear before them. He also thanked Mr. Sandoval and his staff for their work with TPFA. Mr. Hessing noted that each board member had received a summary of the proposed action.

Mr. Chris Allen reported that \$4.69 million was outstanding on the 2002 bonds and \$3.4 million on the 2003 bonds, for a combined total of \$8.1 million. He indicated that with the current rates in the market, refunding these two issues would generate approximately \$940,000 in present value dollars, or a present value savings of 12 percent. He added that when an issuer looks at refinancing outstanding bonds, he would want to achieve at least a three percent present value savings. This would be a very attractive refinancing for the university. He noted that the board would be asked to authorize a Request for Financing to the Texas Public Finance Authority (see Attachment 1). Once approved, the process would move forward with First Southwest serving as the university's advisors on the refinancing.

Mr. Engelman asked if there was a downside for the university in taking this action. Mr. Allen responded that he did not see a downside. He added that the current bonds are an average of 4.5 percent and would be replaced with 2.5 percent bonds. Dr. Givens asked if the bond period was the same. Mr. Allen responded that the 2003 bonds would be structured with uniform savings each year. He added that the 2002 bonds were tuition revenue bonds and would be paid off one year early, with the majority of savings experienced in the last year. He stated that the debt service on the bonds would be reduced each year, but the largest portion of the savings would be at the end. Mr. Sanchez asked if the bond sale would be competitively bid. Mr. Coulter responded that it would depend on the market and the size of the bond. He indicated that they would continue to monitor the market and determine if it would be a competitive or negotiated sale.

Mr. Engelman moved approval of the Request for Financing and Ms. Spears seconded the motion.

Mr. Hessing asked if there were any other debt issuances that the university should consider refinancing. Mr. Allen responded that they had reviewed the university's overall debt portfolio and these two bond issues were the ones that would generate positive savings at this time. Mr. Hessing asked if First Southwest and TPFA would continue to monitor the university's portfolio. Mr. Allen responded that they would. Mr. Sandoval indicated that the administration would likely approach the board in November with opportunities to secure funding for university capital projects.

There being no further discussion, the motion was approved. Mr. Bernhardt thanked Mr. Coulter, Ms. Williams, and Mr. Allen for their participation in the meeting.

Recess

The committee recessed at 1:49 p.m. and returned to the regular order of the agenda (Executive Committee). The Finance Committee meeting resumed at 3:10 p.m.

Reading and Approval of Minutes

12-91, 92, 93. The minutes of the Finance and Audit Committee, the Investment Committee, and University Development Committee meetings held February 16, 2012, were approved as presented.

Financial Reports

12-95. Mr. Bernhardt noted that the administration had recommended the January, February, and March, 2012 Financial Reports for acceptance. He asked Mr. Sandoval to comment on these reports.

Mr. Sandoval noted that the university's financial report consisted of four schedules. Schedule 1 is an income statement showing sources of revenue, expenditures, and capital contributions, and provides comparisons to the prior year. Schedule 2 indicates current fiscal activity compared to the budget. He noted that this schedule indicated a savings of 2.2 percent of the total budget at this time. Schedule 3 presents a detailed analysis of auxiliary and tuition and fee revenue by semester. Schedule 4 provides information regarding the university's working capital. He added that the funds held in the Technology Fee account were included in working capital and they would now be used to meet technology needs.

Mr. Sandoval stated that given the enrollment decline in the fall, he had anticipated a \$1.2 million deficiency for the fiscal year. He noted that the current budget deficiency at the end of seven months is \$106,000. He indicated that this was a result of donor support and significant savings at every level of the university operation.

Mr. Engelman moved to accept the reports as presented. Mr. Gregg seconded the motion and it was approved.

Investment Report

12-96. Mr. Bernhardt stated that the board recently received a copy of the second quarter 2012 investment report. He noted that the board members were aware that the local funds that are invested and managed by the administration are heavily restricted by the Texas Public Funds Investment Act. These funds have seen a 1.15 percent return, which is quite good for these safe, conservative investments. He noted that the university also has endowment funds that are managed by American National Bank, as well as the Redwine Funds that are held by J.P. Morgan Chase, Luther King Capital Management, and Fischer Investments. He asked Mr. Sandoval to comment on these investments.

Mr. Sandoval reported that he was happy with the performance of the endowment and Redwine Fund managers. He added that one of the firms had gone from being a low performer earlier in the year to a top performer at the present time. He noted that the March figures were better than February.

Mr. Gregg moved the board accept these reports as presented. Mr. Engelman seconded the motion.

Mr. Engelman stated that as of March, two of the three Redwine Fund managers were seeing an eight percent return. He added that the third firm was earning approximately two percent. He asked if the board might consider eliminating the firm that is not performing as well and splitting the funds between the two that are doing better. Mr. Sandoval stated that one of the firms is not as aggressive as the other two but that they perform better when there is a slow or dipping market. He added that another firm would perform better when the market is good.

Mr. Sanchez asked what timeframe the group had intended when the funds were originally invested for reviewing the performance of the fund managers. Mr. Sandoval responded that the administration must provide reports to the board on a quarterly basis. Dr. Givens added that it was his understanding that the board planned to review performance after approximately one year. Mr. Bryant asked if the administration could provide the board with an analysis of their performance over the last year and four months. Dr. Givens expressed his support for reviewing and dropping the low performer of the group. Mr. Sanchez agreed that if a company is always underperforming, the board should seriously consider taking action. Mr. Bernhardt stated that he would like to see the university reduce the number of investment managers to one. He added that by utilizing three investment managers, the university is paying triple management fees.

Mr. Bernhardt expressed concern with the involvement of the board members in the investment process. He indicated that he did not want to be held personally liable because of the board's involvement in directing the investments. He asked Mr. Macha if this might be something for him to review. Dr. Rogers responded that it was his understanding that board members would not be held directly liable with regard to the selection of investment managers. He added that if board members were involved in directing managers to invest in specific stocks or funds, the situation would be different. He stated that the most appropriate course of action would be for the administration to review the performance of the firms over time and recommend action for the board's consideration.

Mr. Hessing asked that the administration provide the board with an analysis of performance, to include a breakdown of fees that have been paid to these firms, during the last 15 months, as well as recommendation regarding the investing of the Redwine Funds at the August Board meeting. He indicated that he did not have a problem with paying fees if the university is getting a dramatic return. He added that if the analysis indicates that the top two firms are performing at about the same level, it might be prudent to go with one firm rather than duplicating fees. Mr. Engelman noted that one of the top two firms is very good in domestic markets and the other firm is in domestic and foreign markets. Mr. Sandoval added that it might be possible to negotiate lower management fees if the university were to place all of the funds with one firm. Mr. Hessing commented that the administration should make certain that the firms are adhering to the guidelines and policies for MSU investments.

The motion to accept the investment report as presented was approved.

Dr. Rogers indicated that the administration would prepare a report of performance, including fees paid, and a recommendation concerning the Redwine Fund investments for presentation in August.

Summary of Financial Support 9/1/11 - 4/20/12

12-97. Mr. Bernhardt noted that this report was shown in the agenda. He highlighted the major gifts that had been made since the last board meeting.

- A. Mr. and Mrs. Jim McCoy and the James N. McCoy Foundation pledged \$3.3 million to fund the building addition and expanded academic programs for the McCoy School of Engineering.
- B. A gift of \$200,000 was received from Mr. Fred Stephens and the Stephens Family Foundation for the McCoy School of Engineering and the College of Science and Mathematics to purchase 50 new computers and engineering software.
- C. Ms. Kay Dillard and the Dillard Family Foundation made a gift of \$2,221,897 to assist the university with its capital improvement plan and the retirement of the Dillard Building debt.
- D. Ms. Beverly Bolin pledged \$1,095,600 to fund the creation and endowment of the Robert L. Bolin Distinguished Professorship of Petroleum Geology. A portion of the funds will also be used for the Dalquest Research Laboratory.
- E. Gifts received during this fiscal year as of April 20 total almost \$11 million.

Dr. Rogers noted that MSU receives 20 percent of its funding from the state, 20 percent from gifts and grants, and the remainder from tuition and fees. He stated that the generosity of the community had enabled the university to have an accredited business program, a growing engineering program, and a large health science program.

Mr. Bernhardt noted that a list of names and addresses of the donors was distributed to each regent and he encouraged regents to write thank you notes to these individuals.

FY 2011-2012 Item \$50,000 & Under Approved by President

12-98. Mr. Bernhardt noted that one budget change was presented in the agenda for ratification. He asked Dr. Rogers to comment on this item. Dr. Rogers stated that funds were transferred from course fee reserves to purchase equipment to be used in student research in the field of cycling performance.

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

Review of Personnel Reports and Salary/Title/Position Changes in 2011-2012 Budget Approved per Board Authorization

12-99. Mr. Bernhardt noted that these reports were presented in the agenda document. Dr. Rogers reviewed the table of personnel changes. He noted that two employees received salary adjustments upon completion of the doctorate. He mentioned that the increase shown for the Director of University Development was offset by savings achieved by not filling two positions within the Annual Fund. Those savings were achieved during the FY 11 budget. Dr. Clark noted that the increase in telecommunications was also offset by savings upon the retirement of another employee. Ms. Hessing asked that the table identify salary savings, as well as new costs in the future. Dr. Rogers and Mr. Sandoval agreed that the report would be changed accordingly in August.

Mr. Gregg moved approval of this item as presented. It was seconded by Ms. Spears and approved.

Mustangs Guarantee Program

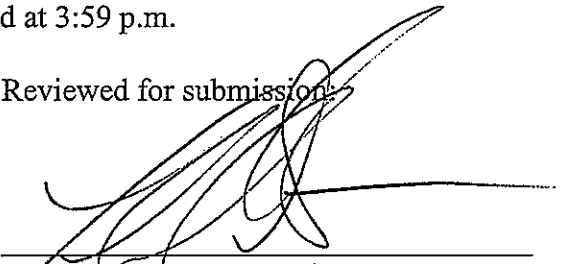
12-100. Mr. Bernhardt reported that in 2010 the university initiated a program that provides tuition and mandatory fees for beginning freshmen whose family's combined annual adjusted gross income is \$50,000 or less and who meet certain criteria. The administration recommended that undergraduate transfer students be eligible to participate in this program beginning with the fall 2012. Dr. Lamb noted that students must also be eligible for Pell and must enroll in 15 semester credit hours to qualify for the program.

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

Adjournment

The Finance Committee discussion concluded at 3:59 p.m.

Reviewed for submission



Michael Bernhardt, Chairman
Midwestern State University
Board of Regents Finance Committee

ATTACHMENT:

1. Request for Financing to Texas Public Finance Authority (TPFA)

**A RESOLUTION
AUTHORIZING A REQUEST FOR FINANCING
AND THE EXECUTION AND DELIVERY OF DOCUMENTS
REQUIRED TO EFFECT SUCH FINANCING**

Whereas, the Texas Public Finance Authority (the “Authority”) has exclusive authority to issue revenue bonds and refunding bonds to finance or refinance the cost of certain projects for the use and benefit of Midwestern State University (“University”) pursuant to Texas Gov’t. Code, chapter 1232, and Texas Education Code, chapter 55, particularly sections 55.13 and 55.19 (collectively, the “Authorizing Law”);

Whereas, the Authority has previously issued one or more series of its Texas Public Finance Authority Midwestern State University Revenue Financing System Revenue Bonds (the “Refundable Bonds”) on behalf of the University pursuant to the Authorizing Law;

Whereas, the University desires and intends to request the Authority to issue bonds (the “Bonds”) and that certain of those proceeds of the Bonds be used to refund all or a portion of the Refundable Bonds and to pay costs of issuance and such other costs and expenses as permitted by the Authorizing Law; and

Whereas, the University desires and recognizes that the Authority select all or any portion of the Refundable Bonds (the “Refunded Bonds”) for refunding based on market conditions and available interest rates in order to achieve a positive gross debt service savings and a net present value savings of at least one percent (1%) of the principal amount of the Refunded Bonds;

NOW THEREFORE BE IT RESOLVED by the Board that:

Section 1. The purpose of the financing is to achieve a positive gross debt service savings and net present value savings at least a one percent (1%) of the principal amount of the Refunded Bonds and the financing thereof is appropriate at this time. Accordingly, the execution and delivery of the Request for Financing to the Authority pursuant to the Authorizing Law is hereby ratified, approved and confirmed.

Section 2. The President of the University or his designee is hereby authorized, empowered and directed to:

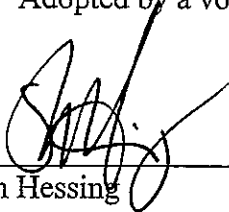
- a. sign and deliver a Request for Financing to the Authority;
- b. sign and deliver or cause to be delivered any and all documents necessary or desirable to effect the financing, including but not limited to the financing documents required by the Authority’s rules;

- c. cooperate with the Authority and its consultants to prepare an Official Statement in connection with the sale of the Bonds;
- d. and to take such other actions as are necessary and appropriate in connection with the issuance, sale, and delivery of the Bonds.

Section 3. All actions not inconsistent with provisions of this Resolution heretofore taken by the University, its officers, employees, agents or consultants, directed toward the financing and the issuance of the Bonds, is hereby ratified, approved and confirmed.

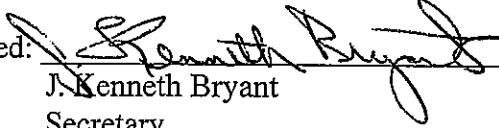
Section 4. This Resolution was adopted at a meeting open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Ch. 551, Texas Government Code.

Adopted by a vote of 8 yeas and 0 nays, on this 11th day of May, 2012.



Shawn Hessing
Chairman
Board of Regents
Midwestern State University

Attested:



J. Kenneth Bryant
Secretary
Board of Regents
Midwestern State University

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**MINUTES
MIDWESTERN STATE UNIVERSITY
BOARD OF REGENTS**

**Audit, Compliance, and Management Review Committee
May 10, 2012**

The Audit, Compliance, and Management Review Committee of the Board of Regents, Midwestern State University, met in regular session in the J. S. Bridwell Board Room, Hardin Administration Building, Wichita Falls, Texas, at 3:59 p.m., Thursday, May 10, 2012. Committee members in attendance were Mr. Sam Sanchez, Chairman; Mrs. Tiffany Burks (via teleconference); Mr. Charles Engelman; and Mr. Jeff Gregg. Other regents attending the meeting were Mr. Mike Bernhardt; Mr. Kenny Bryant; Dr. Lynwood Givens; Mr. Shawn Hessing; Ms. Jane Spears, and Student Regent Linda Aguilera.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Alisa White, Provost and Vice President for Academic Affairs; Mr. Juan Sandoval, Vice President for Business Affairs and Finance; Dr. Keith Lamb, Vice President for Student Affairs and Enrollment Management; Dr. Howard Farrell, Vice President for University Advancement and Public Affairs; and Dr. Robert Clark, Vice President for Administration and Institutional Effectiveness. Other university personnel attending the meeting included Mr. Kyle Owen, Associate Vice President for Facilities Services; Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Mr. Barry Macha, General Counsel; Ms. Dianne Weakley, Director of Human Resources; Dr. Jim Owen, Chairman of the MSU Faculty Senate; Ms. Peggy Brennan, Secretary of the MSU Staff Senate; Ms. Gail Ferguson, Controller; Mr. Steve Shelley, Director of Purchasing; Ms. Julie Gaynor, Director of Marketing and Public Information; Ms. Cindy Ashlock, Executive Assistant to the President; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the student body were Mr. Kyle Christian, outgoing Student Government Association (SGA) president and Mr. Anthony Gallina, incoming SGA president. Representing the news media was Ms. Ann Work, reporter for the *Times Record News*.

Chairman Sanchez called the meeting to order at 3:59 p.m. Mr. Sanchez noted that through this new committee, the board would monitor audit and compliance activities. He asked board members to notify him of any items they would like for the committee to include in the future.

Report on Audit and Compliance Activities

12-101. Chairman Sanchez asked Mr. Spencer to update the board on the status of his audit and compliance activities. Mr. Spencer noted that the objective of internal audit is to assist individuals in the effective discharge of their responsibilities. He stated that he develops a yearly audit plan that is flexible and allows his participation in a number of university activities. He added that he is available to all members of management and the board to assist in any way that he can. He noted that he was up to date on his FY 12 audit plan and that he had been working with Mr. Macha on compliance issues. He added that during the year he furnishes analyses, appraisals, recommendations, counsel, and information concerning the activities reviewed. He stated that he had begun a

detailed risk assessment of campus areas that would be used as he develops his annual audit plan. His plan will be presented to the board for review and approval in August.

Mr. Sanchez asked Mr. Macha to comment on compliance activities. Mr. Macha stated that he and Mr. Spencer had been working on compliance issues during the past eight months and had developed contract administration procedures. He added that they had worked closely with Mr. Sandoval and Mr. Shelley in the process. He indicated that he would distribute new procedures to the campus later in the month and that a modified policy would be presented in August. Mr. Sanchez asked if the bid process was included as part of the procedures. Mr. Macha indicated that it was.

Dr. Givens noted that he was interested in receiving information concerning the university's selection of firms to include minority contracting, women-owned businesses, local contractors, domination of work by one contractor, and other such statistics. Mr. Shelly indicated that the university prepares a report for the state each year regarding the use of Historically Underutilized Businesses (HUB). He explained that HUB vendors are firms that are owned (at least 51%) by a minority or a woman. Mr. Sandoval added that MSU was reported as the number one state agency utilizing HUB vendors in 2009 and 2010. Dr. Rogers indicated that the university's FY 12 HUB report would be sent to the board for their review and information.

Mr. Engelman suggested that Mr. Owen be involved in the planning process and noted that he continues to receive questions about the length of time it has taken to complete the Ligon Coliseum. Dr. Rogers responded that he continues to receive the same question and noted that the project is ahead of schedule and under budget. He added that the project was quite large and complex and required time for planning and execution, particularly since the building was not vacated during the project. He complimented Kyle on his work and indicated his confidence in him and the job he is doing. Mr. Engelman agreed. Mr. Owen assured the board that he was working closely with Mr. Macha and Mr. Shelly on contracts and added that they had investigated contract administration software during the last few months.

Dr. Givens indicated that he would like to see a report presented at each meeting indicating the start and finish date for each project, as well as the progress that is being made. Mr. Hessing suggested that the administration work with Mr. Sanchez to develop such a report to be presented at each meeting.

Potential Conflict of Interest of Regent

12-102. Mr. Sanchez stated that in accordance with state law, each board member, with exception of the student regent, recently filed a personal financial statement with the Texas Ethics Commission. He noted that an acknowledgement form was in each regent's folder and asked each member to sign the form and return it to the president's office at their convenience.

Mr. Sanchez asked if any member would like to disclose any potential conflict of interest. Mr. Bryant stated that in accordance with Section 2.25 of the MSU *Policies*

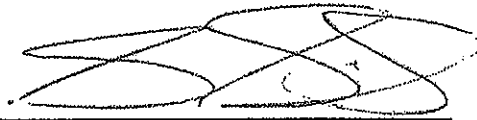
Mr. Sanchez asked if any member would like to disclose any potential conflict of interest. Mr. Bryant stated that in accordance with Section 2.25 of the MSU *Policies and Procedures Manual*, he was disclosing that he is a stockholder and director of American National Bank and that he has an interest in no more than 5% of the bank's capital stock. He noted that he would recuse himself and not participate in any deliberation or action of the MSU Board of Regents concerning any measure, proposal, or decision involving American National Bank. He added that he would further recuse himself and refrain from voting on any contract or transaction that American National Bank might seek to enter into with MSU.

Mr. Sanchez thanked Mr. Bryant for bringing this matter to the board's attention. There being no questions or discussion, this disclosure was accepted.

Adjournment

The Audit, Compliance, and Management Review Committee discussion concluded at 4:17 p.m.

Reviewed for submission:

A handwritten signature in black ink, appearing to read 'S. Sanchez', written over a horizontal line.

Samuel M. Sanchez, Chairman
Midwestern State University
Board of Regents Audit, Compliance, and
Management Review Committee

**MINUTES
MIDWESTERN STATE UNIVERSITY
BOARD OF REGENTS**

**Academic and Student Affairs Committee
May 10, 2012**

The Academic and Student Affairs Committee of the Board of Regents, Midwestern State University, met in regular session in the J. S. Bridwell Board Room, Hardin Administration Building, Wichita Falls, Texas, at 4:17 p.m., Thursday, May 10, 2012. Academic and Student Affairs Committee members in attendance were Dr. Lynwood Givens, Chairman; Mr. Kenny Bryant; Mrs. Tiffany Burks (via teleconference connection until 5:00 p.m.); and Mr. Sam Sanchez. Other regents attending the meeting were Mr. Mike Bernhardt, Mr. Charles Engelman, Mr. Jeff Gregg, Mr. Shawn Hessing, Ms. Jane Spears, and Student Regent Linda Aguilera.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Alisa White, Provost and Vice President for Academic Affairs; Mr. Juan Sandoval, Vice President for Business Affairs and Finance; Dr. Keith Lamb, Vice President for Student Affairs and Enrollment Management; Dr. Howard Farrell, Vice President for University Advancement and Public Affairs; and Dr. Robert Clark, Vice President for Administration and Institutional Effectiveness. Other university personnel attending the meeting included Mr. Kyle Owen, Associate Vice President for Facilities Services; Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Mr. Barry Macha, General Counsel; Ms. Dianne Weakley, Director of Human Resources; Dr. Jim Owen, Chairman of the MSU Faculty Senate; Ms. Peggy Brennan, Secretary of the MSU Staff Senate; Ms. Julie Gaynor, Director of Marketing and Public Information; Ms. Cindy Ashlock, Executive Assistant to the President; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the student body were Mr. Kyle Christian, outgoing Student Government Association (SGA) president and Mr. Anthony Gallina, incoming SGA president. Representing the news media was Ms. Ann Work, reporter for the *Times Record News*.

Chairman Givens called the meeting to order at 4:17 p.m.

Reading and Approval of Minutes

12-103, 104, 105. The minutes of the Personnel and Curriculum, Student Services, and Athletics Committee meetings of February 16, 2012, were approved as presented.

Faculty Senate Report

12-106. Dr. James Owen, MSU Faculty Senate Chairman, reported to the board as shown in Attachment 1. He noted that in March, Dr. White met with the Faculty Senate regarding proposed changes to faculty contracts. The Executive Committee worked with Dr. White, Dr. Rogers, and Mr. Macha on the revisions and the Senate approved the new contract forms. He noted that Dr. White had also visited with the Senate regarding changes that must be made to the university's core curriculum. These changes will go into effect in the fall 2014 and a great deal of work remains to be accomplished. He reported that the Senate met with the university's webmaster and

concerns have been resolved or are moving toward resolution. Information concerning new officers and new senators was included in the attachment. Dr. Rogers congratulated Dr. Owen on his re-election as chairman.

Staff Senate Report

12-107. Ms. Peggy Brennan, Staff Senate Secretary/Treasurer, reported to the board as follows.

- A. The "You Make a Difference" program on the Staff Senate web page is now operational. She noted that one of the recent nominees included staff members from facilities services and university police for administering life-saving efforts to a fellow MSU employee.
- B. The Staff Senate continues to host brown bag lunches for the campus community. The next lunch will include a guest speaker on photography.
- C. The Senate elections are underway and should conclude at the end of the week.

Student Government Report

12-108. Dr. Givens noted that the MSU Student Government report would be given by the outgoing SGA president, Kyle Christian. He congratulated Kyle on being recently named Man of the Year. Mr. Christian reported on the following items.

- A. Student Government recently presented the faculty member, staff member, and student senator of the year awards. They also hosted a tree-planting ceremony honoring retiring faculty.
- B. During the year, SGA worked on the hydration stations on campus, recommended a repeal of the campus anti-skateboarding policy, and reviewed the Student Senate by-laws.

Mr. Christian indicated that he had learned a great deal as SGA president and expressed appreciation for the opportunity to serve in this capacity. He thanked Dr. Lamb and Dominique Calhoun for their work with Student Government and thanked the board and administration for their work on behalf of the student body.

Kyle introduced the new SGA president, Anthony Gallina. Mr. Galina stated that his hometown was Krum, Texas, and that he was a senior at MSU. He noted that he is vice president of Tau Kappa Epsilon fraternity and is also a student ambassador and a peer counselor for Spirit Days orientation. He added that he also manages intramural sports programs on campus. He indicated that he looked forward to working with the board during the coming year.

Dr. Givens asked Mr. Christian about his plans following graduation. Kyle responded that he planned to work for a couple of years and then return to school for his MBA. Dr. Lamb added that it had been his pleasure to work with Kyle this year and congratulated him on a great job as SGA president.

Athletics Report

12-109. Mr. Charlie Carr, Director of Athletics, presented the following report on athletics activities.

- A. Athletics teams performed well in 2011-12. Eleven of the thirteen teams participated in post-season play and five coaches were named Coach of the Year.
- B. Some of the highlights included:
 - a. The men's basketball team qualified for the Elite Eight for the third straight year.
 - b. The women's basketball team qualified for post-season play for the first time in ten years.
 - c. The women's cross country team narrowly missed being named to the top ten in the nation.
 - d. The women's golf team participated in post-season play for the first time, in only their third year of competition.
 - e. MSU volleyball player Kiara Jordan was the first MSU student athlete to participate in the Olympic trials in volleyball.
 - f. MSU football player Amini Silatolu was selected in the second round of the NFL draft
 - g. MSU currently ranks 28th in the Sears Director's Cup, out of 310 NCAA Division II schools.
 - h. MSU student athletes provided more than 1,000 hours of community service, brought in over 1,000 pounds of food for the local Food Bank, and helped build a house for Habitat for Humanity.
 - i. Athletes were recognized at a recent awards banquet. Top awards went to Travis Veitenheimer, football player, who maintained a 3.86 grade point average, and Kiara Jordan, volleyball player, with a 3.6 grade point average.
- C. MSU's football team will play at Dallas Cowboy's Stadium Thursday, September 13, against Texas A&M Commerce. The game will likely be televised by CBS Sports.
- D. The program had a secondary NCAA violation in softball this year. The violation was inadvertent and unintentional.

Mr. Carr thanked Mr. Owen and the physical plant staff for their work on the Ligon project.

Enrollment Management Update

12-110. Dr. Lamb discussed enrollment at MSU and enrollment management plans (see power point presentation in Attachment 2). Dr. Lamb noted the first table which showed enrollment at MSU during the last ten years and indicated a slight overall increase during this time period. He explained that on the list of MSU's comparison schools the

University of North Texas, Texas Tech University, Stephen F. Austin University, the University of Texas at Arlington, and Tarleton State University are the institutions that are considered MSU's competitors when looking at the schools individuals most likely apply and send SAT scores to when they also apply and send scores to MSU. These are the schools students are most likely considering in addition to MSU. The remaining comparison schools (Angelo State University, West Texas A&M University, Texas A&M Commerce, and Texas A&M Kingsville) are the schools that are similar to MSU in terms of size and athletic affiliation. Slide three detailed an enrollment funnel with the numbers based on historical data. Dr. Lamb then reviewed opportunities and strategies for MSU to increase the number of students that graduate within six years. He noted that MSU would work to attract more transfer students and give them tools to be successful, persist, and graduate. He presented data regarding transfer students, as well as strategies to address this opportunity. He again referred to the enrollment funnel and discussed the university's plan to increase the number of students that enroll once they are admitted to MSU. Dr. Lamb reviewed some of the university's yield enhancement and student search strategies. The university is using social media (Facebook, Twitter, etc.), is upgrading its websites, and is looking at customer relationship management computer systems. He noted that the university would be contracting with Noel-Levitz to assist with a direct marketing campaign of high school seniors. With the help of the Noel-Levitz research, MSU would send 10,000 communication pieces to seniors that have a high likelihood of enrolling at MSU. He reviewed scholarship opportunities, as well as recruiting markets in the Dallas-Fort Worth Metroplex and Oklahoma City. He noted that international students continue to be important to MSU enrollment and indicated that the administration would like to maintain the international student population at ten percent of overall enrollment. He concluded the presentation noting additional opportunities that would have an effect on enrollment, such as expanding higher demand academic programs, athletics programs, and distance education offerings.

Mr. Sanchez asked Dr. Lamb if the administration had looked at the student experience on campus. Dr. Lamb responded that they review student responses to institutional surveys as well as the National Survey of Student Engagement. He added his hope to include the Cooperative Institutional Research Program (CIRP) survey, which is more of a student affairs and student life survey, in the future. Mr. Sanchez expressed his belief that students are tied to an institution through the overall campus experience, including football games and other student activity opportunities. Dr. Lamb expressed agreement and noted that a first year transition office was important in ensuring students have an opportunity to connect to the university and fellow students. Mr. Sanchez added that the more activities that happen on campus, the better. Dr. Lamb noted that as the university had transitioned during the last 12-13 years from a commuter school to a more residential campus, the university had added a great deal of night and weekend programming for the student body. Ms. Aguilera stated that there is always something to do on campus, but students are not always aware of activities within the local community. Mr. Sanchez encouraged Dr. Lamb and the administration to continue focusing on offering activities for the students and communicating opportunities on campus and within the community to prospective and current students.

Mr. Bryant noted that the University of Texas at the Permian Basin (UTPB) recently introduced a four-year \$10,000 degree for specialized science programs. He asked if MSU had looked at such an option. Dr. Rogers noted that the program was highly specialized and the academic requirements for students very stringent. He added that a student of such caliber in those high-demand fields could attend MSU for free with scholarships that could be offered. He stated that this was a great marketing strategy for UTPB. Dr. White added that Texas A&M San Antonio recently announced a \$10,000 four-year degree program in conjunction with Alamo College. She noted that students opting for this specific degree must also have a great deal of dual and community college credit.

Mr. Bryant asked if money was a factor in freshmen and sophomore retention. Dr. Lamb responded that while finances are a factor, the largest factor is grades. He added that when comparing students that persist to those that do not because of grades, there is very little difference in the students' pre-college characteristics (i.e. SAT scores are only about 20 points apart). Mr. Hessing asked what the university was doing to assist students with academic struggles. Dr. White responded that she and Dr. Lamb would be partnering in the fall to fund a campus tutoring center, concentrating on gate keeping courses such as anatomy and physiology, calculus, and chemistry.

Dr. Givens thanked Dr. Lamb for his presentation.

May 2012 Graduating Class

12-111. The administration recommended approval of the list of candidates for May 2012 graduation as presented. Dr. Givens reported that 670 students were on the list compared with 673 in 2011.

Mr. Sanchez moved approval of this item as presented. Mr. Bryant seconded the motion and it was approved.

Academic Department Name Change – Department of Education and Reading

12-112. Dr. Givens reported that the administration was recommending changing the name of the Department of Education and Reading within the Gordon T. and Ellen West College of Education to the Department of Curriculum and Learning. He asked Dr. White to comment on this item. Dr. White noted that the change would better identify the broadened focus of the department which includes secondary education and student learning, as well as instruction.

Mr. Bryant moved approval of this item as presented. Mr. Sanchez seconded the motion and it was approved.

MSU Policies and Procedures Manual Changes

12-113. Dr. Givens noted the changes to the *MSU Policies and Procedures Manual* that were recommended for approval. Dr. Rogers provided information as shown below.

- A. Policy 2.31, Administration Selection Process - changes to this policy were recommended to reflect the current organizational structure and current practices, and to correct inconsistencies within the policy. Dr. Rogers stated that the selection committees were simplified and the administration given additional latitude in the development of search committees.
- B. Policy 2.323, President's Office, Office Functions and Responsibilities – a new section regarding responsibilities of the Office of General Counsel was recommended for inclusion in the *Manual*.
- C. Policy 3.112, Faculty Hiring Procedures – changes were recommended to more accurately reflect current practices.
- D. Policy 3.311, Alcohol Beverages, Use by Employees, and Policy 3.316, Human Resources, Drug Free Workplace - it was recommended that the wording in Policy 3.311 be added to a more comprehensive Policy 3.316 and that Policy 3.311 be deleted. The title of the new Policy 3.316 would be Drug and Alcohol Free Workplace.
- E. Policy 4.152, Police Department Administration and Regulatory Ordinances – it was recommended that the sections of the policy dealing with skateboarding, rollerblading, and roller skating be modified to allow students to utilize these as means of transportation on campus. It was noted that the request for this policy change originated with Student Government.
- F. POLICY DELETION – Policies 4.151 and 4.160, Physical Activities/Education Facilities and Sauna – these two policies were obsolete and it was recommended that they be deleted from the *Manual*.

Mr. Sanchez moved approval of the policy changes as presented. Mr. Bryant seconded the motion and it was approved.

Dr. Givens noted that Dr. Rogers would present general information regarding Emeritus Status, Faculty Promotion, and Faculty Tenure prior to the board going into closed session for the discussion of specific individuals.

Emeritus Status

12-114.Dr. Rogers explained that according to university policy an individual must have “faithfully served the university for a minimum of ten years” to be considered for emeritus status. He added that it is an honorary designation and title for retiring individuals. The process begins with a recommendation by the individual’s department head, the dean, Faculty Senate, provost, and president.

Faculty Promotions

12-115.Dr. Rogers reported that MSU faculty are regularly evaluated by students, department heads, and deans. He added that the review for promotion is very thorough. He noted

that the policy includes time in rank and degree requirements. He stated that a limited number of faculty apply for promotion each year. The process begins with recommendations from the department head to the dean, the college committee, the university committee, the provost, and the president.

Faculty Tenure

12-116. Dr. Rogers stated that faculty members applying for tenure are thoroughly reviewed in exactly the same process as with promotions. Tenure has been reviewed by the courts and is very well defined in the law. The law requires that only the Board of Regents may award tenure. He noted that prior to receiving tenure, a faculty member may be dismissed without cause. Tenure guarantees a faculty member the right to due process before they can be dismissed. Dismissal of tenured faculty may be considered in cases of professional incompetence, neglect of professional duties, and serious professional misconduct, such as moral turpitude, sexual harassment, or plagiarism. Dr. Rogers noted that a faculty member receives a large vote of confidence from the university when they are given tenure. The standard procedure is that the university has six years from the time a faculty member joins the university to make a decision about that faculty member's tenure. He stated that MSU maintains rigorous review standards.

Executive Session

Mr. Hessing announced that the Board of Regents would go into closed session as allowed by the Texas Government Code Chapter 551, Section 551.074, Personnel Matters, to consider Items 12-114 (Emeritus Status for Faculty), 12-115 (Faculty Promotions), and 12-116 (Faculty Tenure). The closed session was properly announced at 5:35 p.m. Mr. Hessing, Mr. Bryant, Ms. Spears, Dr. Givens, Mr. Sanchez, Mr. Engelman, Mr. Bernhardt, Ms. Aguilera, Dr. Rogers, Dr. White, Dr. Clark, Mr. Sandoval, Dr. Lamb, Mr. Macha, Mr. Spencer, and Ms. Barrow remained for the discussion.

Open Meeting Resumes

The closed session ended at 6:20 p.m. with an announcement by Mr. Hessing that no action was taken during the Executive Session. The open meeting immediately resumed.

Emeritus Status

12-114. Mr. Sanchez moved that the following individuals be granted emeritus status upon their retirement.

- Dr. Stewart Carpenter – Professor of Computer Science – 34 years
- Dr. Ann Estrada – Associate Professor of Education and Reading – 33 years
- Dr. Michael Land – Professor of Educational Leadership and Technology – 23 years
- Mr. Randy Pruitt – Assistant Professor of Mass Communication – 13 years
- Dr. Charles Ramser – Professor of Management and Marketing – 43 years
- Dr. Robert Redmon – Associate Professor of Education and Reading – 11 years
- Dr. Susan Sportsman – Professor of Nursing – 14 years
- Dr. Fred Stangl – Professor of Biology – 28 years
- Dr. Nancy Steele English – Associate Professor of Art – 11 years

- Dr. Friederike Wiedemann – Professor of Foreign Languages – 10 years

Mr. Bryant seconded the motion. The motion was approved with Mr. Sanchez and Mr. Bryant voting aye and Dr. Givens abstaining from the vote.

Faculty Promotions

12-115. Dr. Givens moved approval of the following faculty promotions.

From the Rank of Assistant Professor to Associate Professor:

Salim Azzouz, Ph.D.	Engineering
Steve Hilton, M.F.A.	Art
Qian Li, Ph.D.	Finance
Terry McDonald, Ph.D.	Mathematics
Karen Polvado, D.N.P.	Nursing
Bob Thomas, Ph.D.	Accounting
Phillip Wilson, Ph.D.	Marketing

Mr. Sanchez seconded the motion and it was approved.

Faculty Tenure

12-116. Dr. Givens recommended the following individuals be granted tenure.

Judy Beechler, Ph.D.	Counseling
Laura Fidelie, J.D.	Criminal Justice
Terry McDonald, Ph.D.	Mathematics
Karen Polvado, D.N.P.	Nursing
Jon Scales, Ph.D.	Biology
Edward Schultz, Ph.D.	Special Education
Laura Spiller, Ph.D.	Psychology
Sheldon Wang, Ph.D.	Engineering
Grace Zhang, Ph.D.	Management Information Systems

Mr. Bryant seconded the motion and it was approved.

Adjournment

There being no further business, the Personnel and Curriculum Committee discussion concluded at 6:23 p.m.

Reviewed for submission:



F. Lynwood Givens, Chairman
Midwestern State University
Board of Regents Academic & Student Affairs Committee

ATTACHMENTS:

1. Faculty Senate Report
2. Enrollment Management Update



MIDWESTERN STATE UNIVERSITY
Faculty Senate

Summary of Faculty Senate Activities: March 2012 through May 2012

1. Discussion with Provost White regarding proposed changes to the university contract form for faculty teaching assignments. The Senators spent time during March and early April discussing the proposed changes with colleagues in their respective colleges, leading to several questions and concerns regarding the proposals. The Senate Executive Committee met with Dr. Rogers and Mr. Macha to review proposed changes and discuss options to make improvements. The language in the contract form remained essentially unchanged, except the title now reads "Faculty Appointment Contract ..." A new form with a similar title and appropriate language adjustments has been developed for use with respect to overloads, summer teaching assignments, adjunct appointments, and graduate teaching assistant appointments. The Faculty Senate approved these changes at its April meeting.
2. Discussion with Provost White regarding changes that have been mandated by THECB with respect to the MSU core curriculum. Several Senators sit on the University Core Curriculum Committee and have provided updates regarding developments as they occur. These changes are the source of some anxiety throughout the MSU faculty, largely due to changes that may occur with respect to various classes that may be adversely impacted due to the reduction in total core curriculum hours and the potential loss of credit hour production in various departments. This subject will likely be a continuing agenda item throughout the 2012 – 2013 academic year.
3. Discussion with University Webmaster, Robert Stefflick, regarding issues related to the MSU Homepage management and its relationship to preferences and/or requirements related to various online classes. For the most part, these issues were discussed and appropriately resolved or are moving toward a successful resolution.
4. Recommended Emeritus Status designation for ten MSU Faculty members whose names were submitted by Provost White for consideration by the Faculty Senate.
5. Appointed Nathan Jun (Senator from Prothro-Yeager College) and Brandon Smith (Senator from Fain Fine Arts College) to serve on the MSU Tenure and Promotion Policy Review Committee.
6. Elected officers for the 2012 – 2013 academic year. The Senate Roster and officer list are included on the reverse side of this report.

Respectfully,

Jim Owen, Chair
MSU Faculty Senate

MSU Faculty Senate Roster

2012 - 2013

Term		Term Ends
College of Math & Science		
Azouz	Idir	2013
Griffin	Terry	2013
McDonald, Dale		2014
McDonald, Terry		2014
Scales	Jon	2014
College of Health & Human Services		
Bowles	Betty	2013
DeBois	Barbara	2014
Fidelle	Laura	2013
* Morrison	Gary	2014
Paddock	Ted	2013
* Roberts	Kathy	2014
Wilbanks	Jammie	2014
Dillard College of Business Administration		
* Bultena	Charles	2014
* Owen	Jim	2014
Patin	Roy	2013
Fain College of Fine Arts		
Harvey	Susan	2014
Morrow	Ruth	2014
Smith	Brandon	2013
Prothro - Yeager College of Humanities & Social Sciences		
Duff	Jeremy	2014
Jun	Nathan	2014
LaBeff	Emily	2013
* McClintock	Stuart	2013
Stiles	Beverly	2013
West College of Education		
Suzanne	Lindt	2014
Wood	Julie	2013

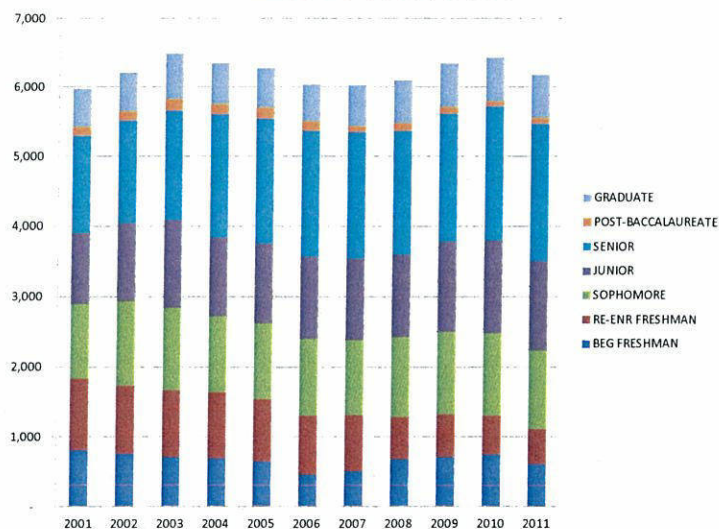
* = Executive Committee Member

(Names printed in **BOLD** are newly elected
Senators)

Enrollment Management Update

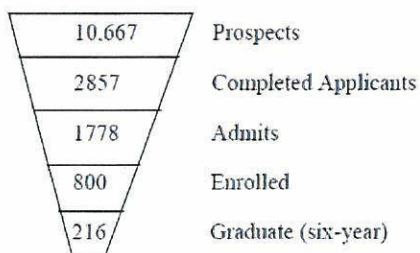
May 10, 2012

Enrollment



Comparison Schools

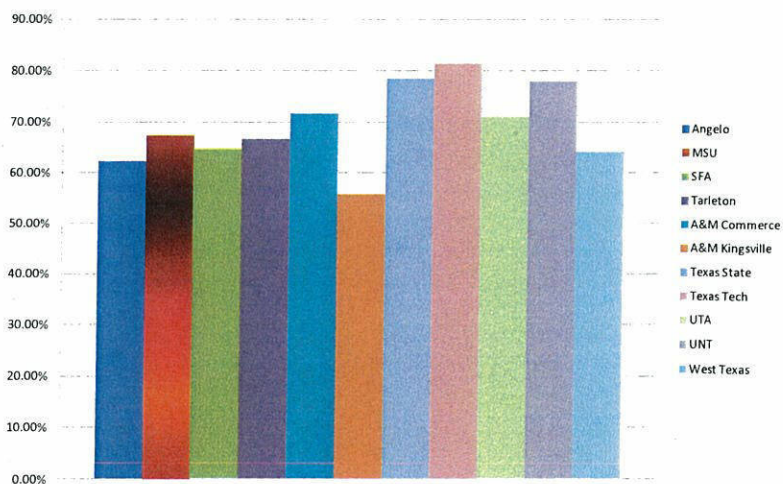
- University of North Texas
- Texas Tech University
- Stephen F. Austin State University
- Texas State University – San Marcos
- University of Texas at Arlington
- Tarleton State University
- Angelo State University
- West Texas A&M University
- Texas A&M Commerce
- Texas A&M Kingsville



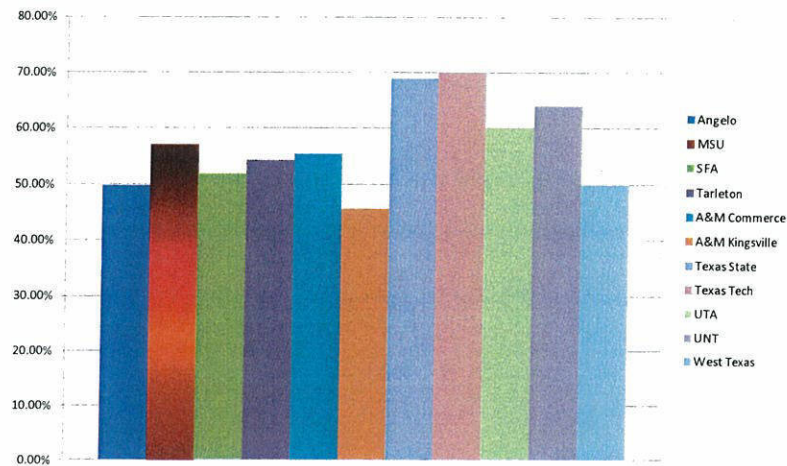
Identified Opportunity

Increase Retention

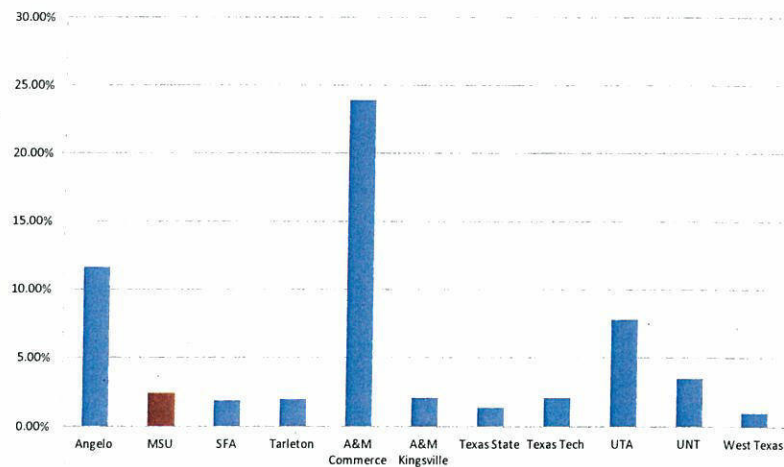
One-Year Persistence



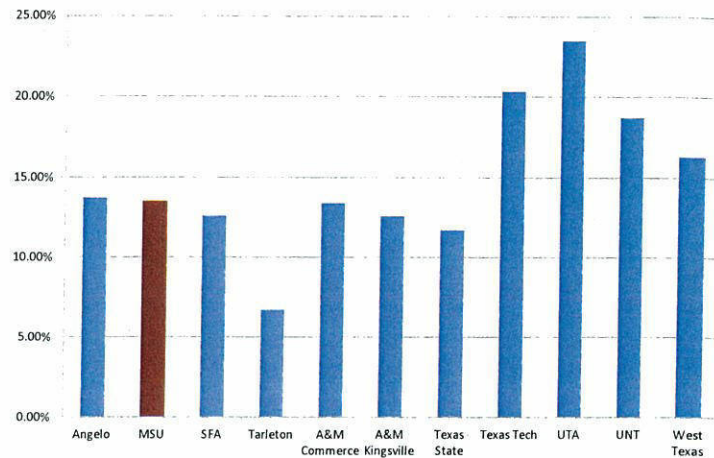
Two Year Persistence



Part-Time as a % of First-Time Students



Percentage of First Time Students in Top 10%



Identified Opportunity

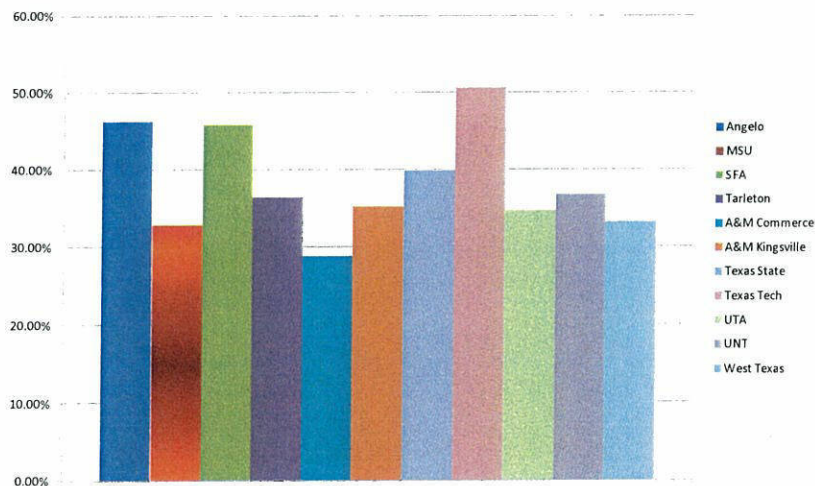
Increase Retention

- Strategies
 - Sophomore year experience
 - Dedicated office for first year transition
 - Decrease students transferring from MSU
 - Connection with Wichita Falls
 - Tutoring center
 - Larger average course load

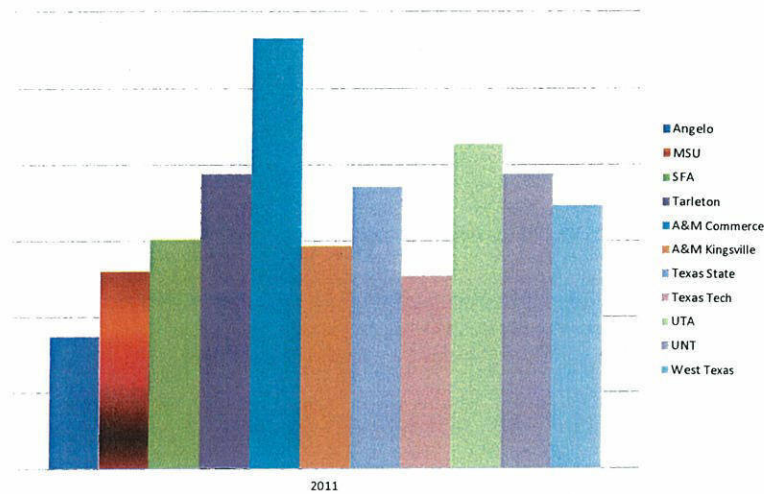
Identified Opportunity

Transfer Student Success

Percent of Baccalaureate Grads Completing <30 Hours Before Transferring



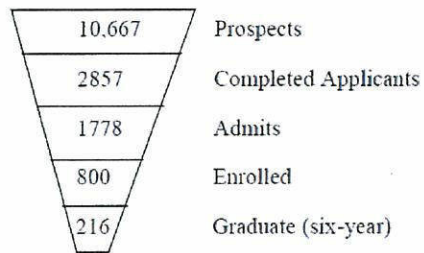
Percent of Baccalaureate Grads Completing >30 Hours Before Transferring



Identified Opportunity

Transfer Student Success

- Strategies
 - Tau Sigma Honorary Society
 - Transfer advocate program
 - Mustangs Guarantee
 - Increased transfer scholarships
 - Increased communication with Texas community colleges
 - Housing scholarships / communities



Identified Opportunity

Yield Enhancement

- **Strategies**
 - Application turnaround
 - Denial communication
 - Mustangs Pathway
 - Communication plan
 - Social media
 - User friendly websites
 - Customer relationship management system

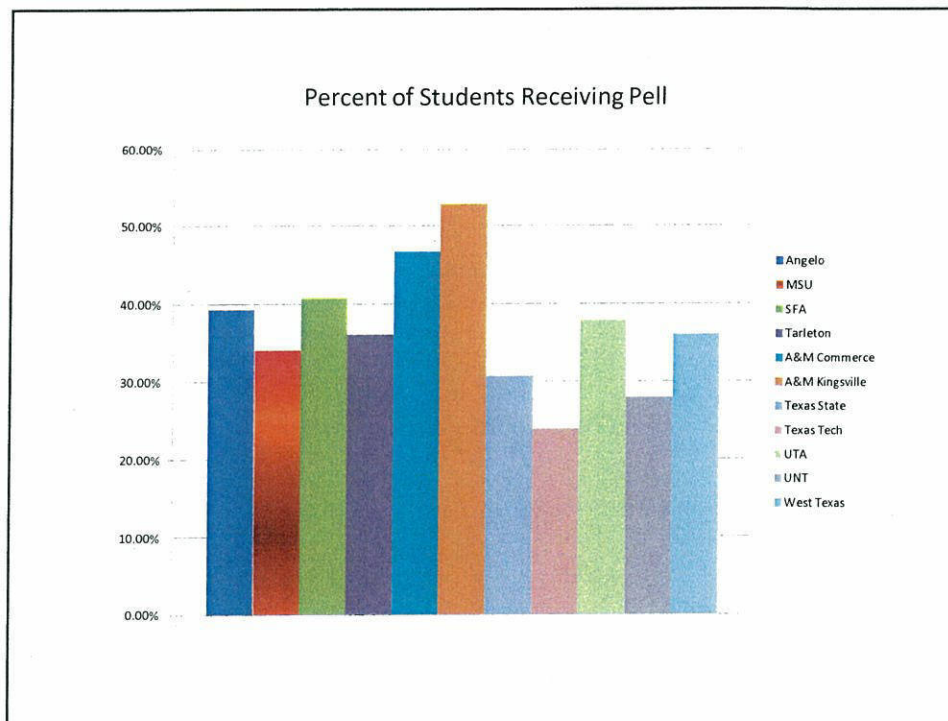
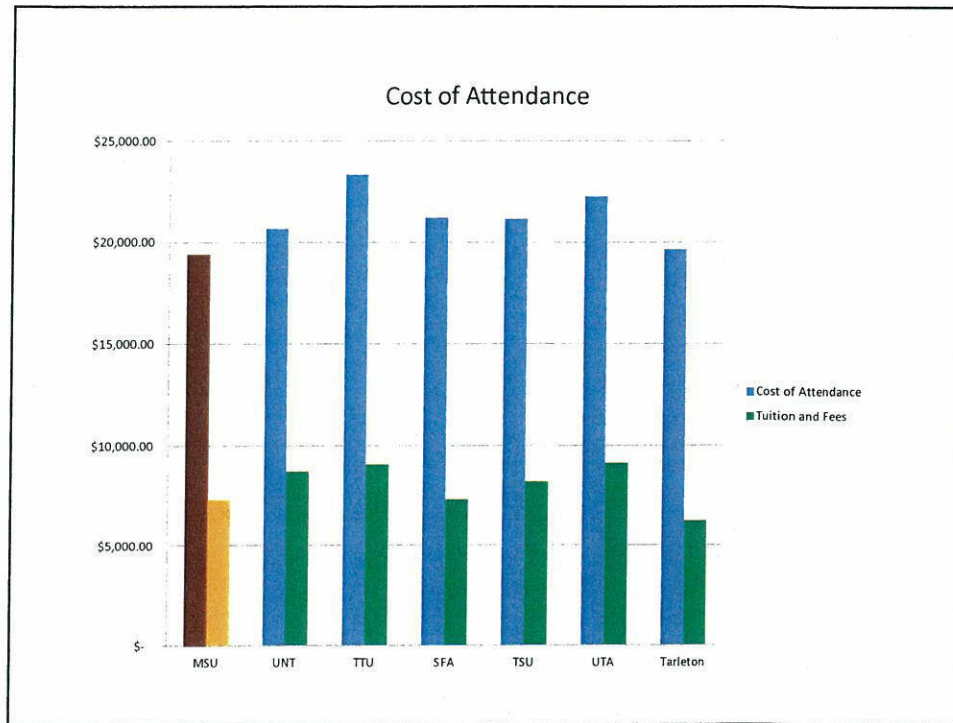
Identified Opportunity

Student Search

- Strategies
 - Sophomore, Junior, and Senior
 - 10,000 Seniors this spring, resulting in 121 applications
 - Noel-Levitz Direct Marketing Campaign (Seniors)
 - Institutional search for Sophomores and Juniors

Identified Opportunity

Scholarships



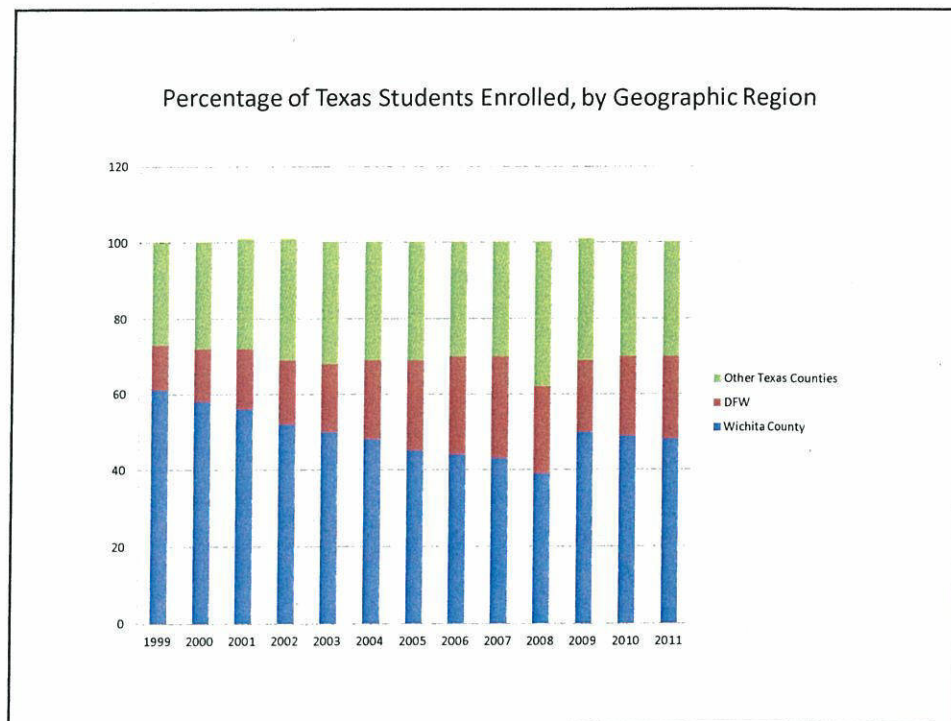
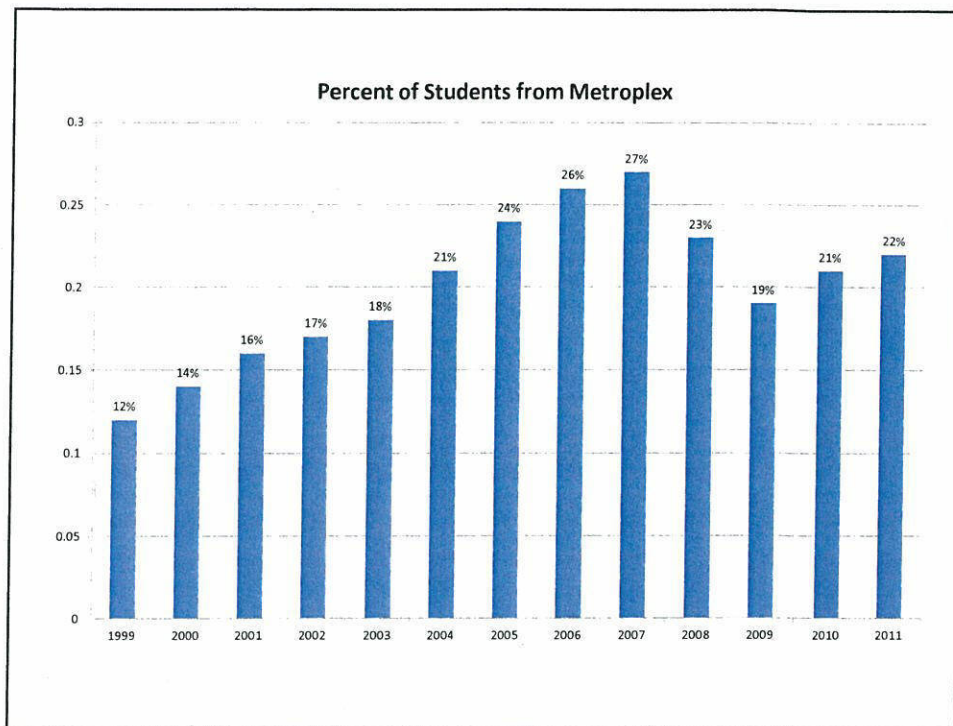
Identified Opportunity

Scholarships

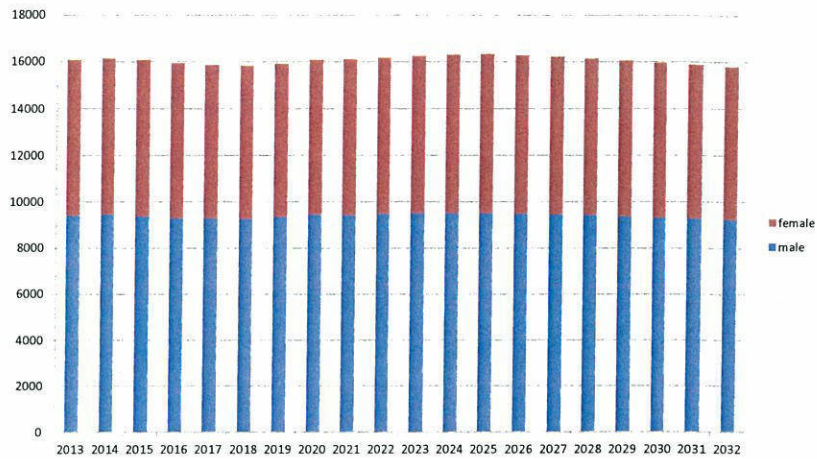
- **Strategies**
 - Aggressive closing of COA and actual cost gap
 - Increase discount rate
 - Increase Awards to President's Distinguished Scholars
 - Increase offers to valedictorians and salutatorians
 - Automatically offer applicants with 1150 SAT or 25 ACT, regardless of class rank
 - Automatically offer transfer students with 3.0
 - Scholarships tied to activities, e.g. Pom Squad
 - Increase offers to Phi Theta Kappa and community college SGA

Identified Opportunity

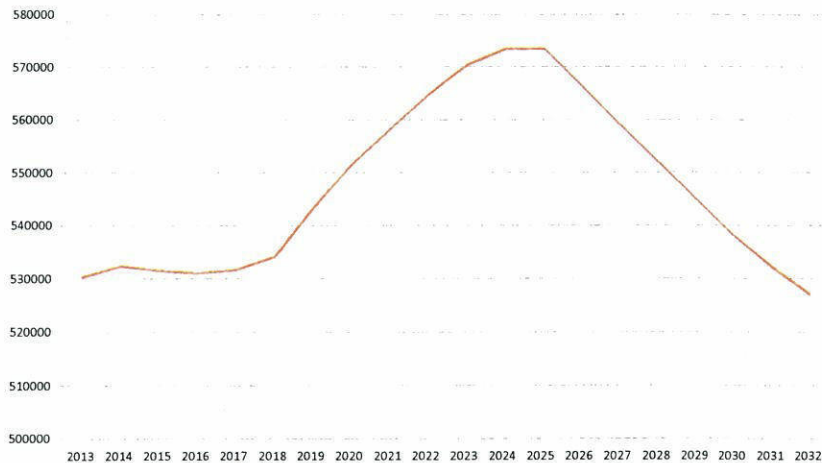
DFW



Projected Wichita County Population: 18 – 24 Years of Age



Total DFW 18-24



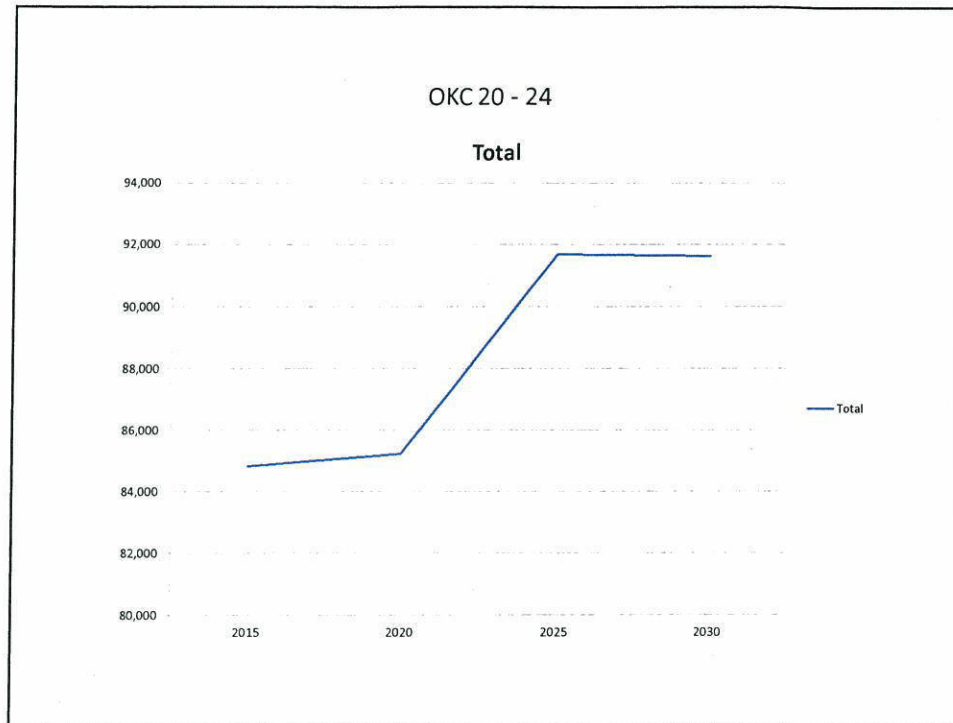
Identified Opportunity

DFW

- Strategies
 - Student search
 - Increase market presence
 - Additional housing

Identified Opportunity

OKC



Identified Opportunity

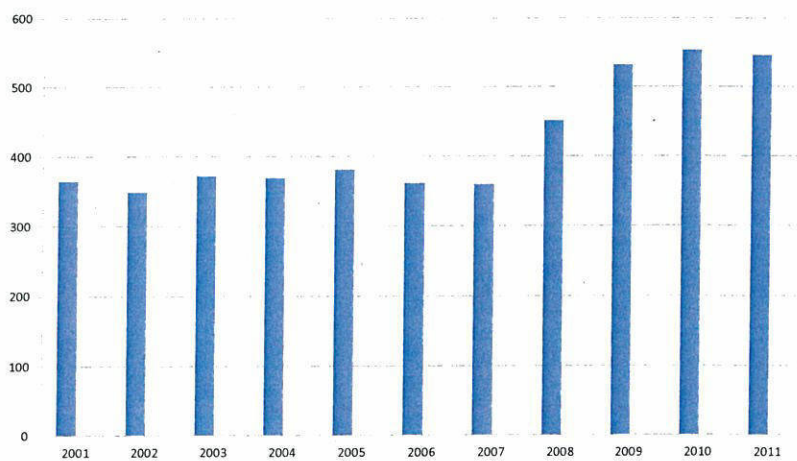
OKC

- **Strategies**
 - Direct marketing campaign targeting ~1100 SAT
 - Market entry
 - Additional housing

Identified Opportunity

International Students

International Student Population



Identified Opportunity

International Students

- **Strategies**
 - Increase diversity of international student population
 - Saudi Arabia
 - China
 - Korea
 - South Africa
 - Central and South America
 - Increase the number of full-tuition international students
 - Utilize the Intensive English Language Institute as a vehicle to credit-producing international students
 - Keep international student population at 10%

Additional Opportunities to Impact Enrollment

- Expand high demand programs, e.g. Engineering and Health Sciences
- Expand athletic programs
- Distance education
- Engage Noel-Levitz to assist MSU with direct marketing and the creation of an annual recruiting plan
- Targeted expansion to DFW

**MINUTES
MIDWESTERN STATE UNIVERSITY
BOARD OF REGENTS**

May 10, 2012

The Board of Regents, Midwestern State University, met in regular session in the J. S. Bridwell Board Room, Hardin Administration Building, Wichita Falls, Texas, at 1:30 p.m., Thursday, May 10, 2012. Regents in attendance were Mr. Shawn Hessing, Chairman; Mr. Kenny Bryant, Secretary; Mr. Mike Bernhardt; Mrs. Tiffany Burks (via teleconference); Mr. Charles Engelman; Dr. Lynwood Givens; Mr. Jeff Gregg; Mr. Sam Sanchez; Ms. Jane Spears; and Student Regent Linda Aguilera.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Alisa White, Provost and Vice President for Academic Affairs; Mr. Juan Sandoval, Vice President for Business Affairs and Finance; Dr. Keith Lamb, Vice President for Student Affairs and Enrollment Management; Dr. Howard Farrell, Vice President for University Advancement and Public Affairs; and Dr. Robert Clark, Vice President for Administration and Institutional Effectiveness. Other university personnel attending the meeting included Mr. Kyle Owen, Associate Vice President for Facilities Services; Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Mr. Barry Macha, General Counsel; Ms. Dianne Weakley, Director of Human Resources; Dr. Jim Owen, Chairman of the MSU Faculty Senate; Mr. Matt Park, Vice Chairman of the MSU Staff Senate; Ms. Gail Ferguson, Controller; Mr. Steve Shelley, Director of Purchasing; Ms. Julie Gaynor, Director of Marketing and Public Information; Ms. Cindy Ashlock, Executive Assistant to the President; and Ms. Debbie Barrow, Director of Board and Government Relations. Representing the student body were Mr. Kyle Christian, outgoing Student Government Association (SGA) president, and Mr. Anthony Gallina, incoming SGA president. Representing the news media were Ms. Ann Work, *Times Record News*; Ms. Melissa Foy, KFDX-TV III; and Ms. Bethany Rumble, KAUZ-TV. Also attending the meeting were Ms. Mary Williams and Mr. Chris Allen with First Southwest Company, and Mr. Robert Coulter, Executive Director of the Texas Public Finance Authority.

Chairman Hessing called the meeting to order at 1:30 p.m. and Ms. Gaynor introduced the guests.

Opening Comments

Mr. Hessing welcomed everyone to the meeting and thanked them for their attendance. He noted that Mrs. Burks was joining the meeting by telephone from Houston where her daughter was graduating from the University of Houston. Mr. Hessing added a special welcome to new regent Jeff Gregg and congratulated him on his appointment to the board. Mr. Gregg thanked the board for their welcome. He stated that he was a Wichita Falls native and a graduate of MSU. His wife is also a MSU graduate and they have lived in Seymour for 29 years. He added that they have a grown daughter and a daughter in high school. Mr. Gregg served on the MSU Ex-Students Board in the late 1990's and is a shareholder in a CPA firm headquartered in Abilene. Mr. Gregg noted that he would have to leave the meeting early to attend a high school softball

playoff game in Jacksboro. Mr. Hessing noted that the regents looked forward to working with Jeff in the coming years.

Public Comment

Mr. Hessing 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 added that no one had signed up to speak.

Resolutions

12-79. Mr. Hessing noted that a copy of a resolution of appreciation for Dr. Carol Gunn was in each board member's folder for review. Mr. Bernhardt moved approval of the resolution as presented. Ms. Spears seconded the motion and it was approved as shown in Attachment 1.

Revision of Board of Regents' By-Laws

12-80. Mr. Hessing stated that the Board of Regents' By-Laws, Policy 2.22, were modified to reflect action taken at the February 2012 board meeting regarding the board committee structure. Mr. Bryant moved approval of these changes as presented. Mr. Sanchez seconded the motion and it was approved.

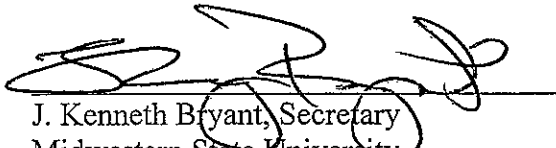
Appointment of Board Committees

12-81. Chairman Hessing noted that the new committee list was included in the agenda document. He thanked the committee chairs for agreeing to serve in that capacity.

Adjournment

There being no further business, the meeting adjourned at 1:39 p.m.

Reviewed for submission:


J. Kenneth Bryant, Secretary
Midwestern State University
Board of Regents

ATTACHMENT:

1. Resolution of Appreciation – Dr. Carol Carlson Gunn

**MIDWESTERN STATE UNIVERSITY
RESOLUTION OF APPRECIATION**

May 10, 2012

WHEREAS, Carol Carlson Gunn served with distinction as a member of the Midwestern State University Board of Regents from December 4, 2006 through February 25, 2012, and

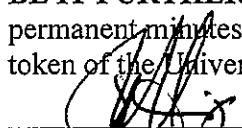
WHEREAS, she played a leadership role on the Board of Regents, serving as Chair of the Board from April 2008 through February 2012, and prior to that time served as Vice Chair of the Board and Chair of the Personnel and Curriculum Committee, and at various other times served as a member of the Personnel and Curriculum, Student Services, and University Development committees of the Board, and

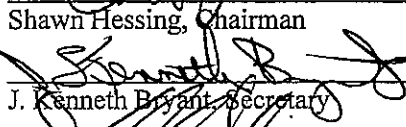
WHEREAS, she co-chaired the President's Excellence Circle with her husband Bob from 2001 until 2006, assisting in raising more than \$1.27 million for Midwestern State University activities and programs, and

WHEREAS, through her leadership, the Board of Regents has guided Midwestern State University to new and higher levels of excellence,

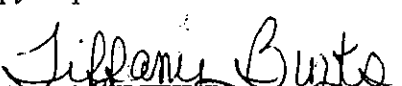
NOW THEREFORE BE IT RESOLVED that the members of the Board of Regents and President of Midwestern State University hereby express their most sincere appreciation to Carol Carlson Gunn for her dedicated service, and

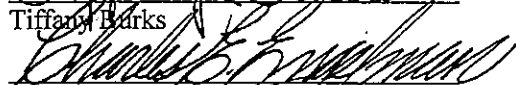
BE IT FURTHER RESOLVED that this Resolution be made a part of the permanent minutes of this Board and that a copy be presented to Dr. Gunn as a token of the University's gratitude.

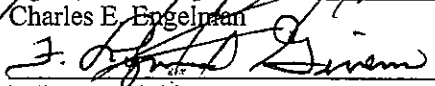

Shawn Hession, Chairman


J. Kenneth Bryant, Secretary


Michael Bernhardt


Tiffany Burks

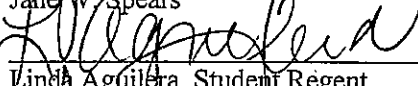

Charles E. Engelman

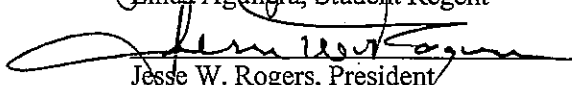

F. Lynwood Givens

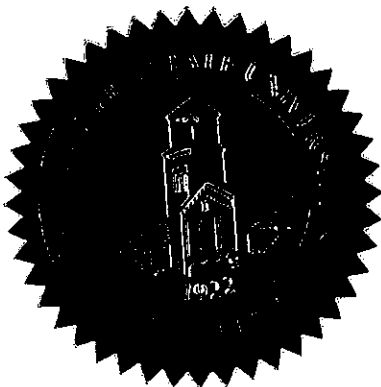

Jeff Gregg


Samuel M Sanchez


Jane W. Spears


Linda Aguilera, Student Regent


Jesse W. Rogers, President



**MINUTES
BOARD OF REGENTS
MIDWESTERN STATE UNIVERSITY**

May 11, 2012

The Board of Regents, Midwestern State University, met in regular session in the J. S. Bridwell Board Room, Hardin Administration Building, Wichita Falls, Texas, at 9:00 a.m., Friday, May 11, 2012. Regents in attendance were Mr. Shawn Hessing, Chairman; Mr. Kenny Bryant, Secretary; Mr. Mike Bernhardt; Mr. Charles Engelman; Dr. Lynwood Givens; Mr. Jeff Gregg; Mr. Sam Sanchez; Ms. Jane Spears; and Student Regent Linda Aguilera.

Administrative staff members present included Dr. Jesse W. Rogers, President; Dr. Alisa White, Provost and Vice President for Academic Affairs; Mr. Juan Sandoval, Vice President for Business Affairs and Finance; Dr. Keith Lamb, Vice President for Student Affairs and Enrollment Management; and Dr. Robert Clark, Vice President for Administration and Institutional Effectiveness. Other university personnel attending the meeting included Mr. Kyle Owen, Associate Vice President for Facilities Services; Mr. Charlie Carr, Director of Athletics; Mr. David Spencer, Internal Auditor; Mr. Barry Macha, General Counsel; Ms. Gail Ferguson, Controller; Ms. Valarie Maxwell, Director of Budget and Management; Ms. Julie Gaynor, Director of Marketing and Public Information; 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 *Times Record News*. Dr. Terry Patton, new Dean of the Dillard College of Business Administration, attended the first portion of the meeting.

Chairman Hessing called the meeting to order at 9:00 a.m. and Ms. Gaynor introduced the guests.

Opening Comments

Mr. Hessing welcomed everyone to the meeting and thanked them for their attendance. He then asked Dr. Rogers to make an introduction. Dr. Rogers introduced Dr. Terry Patton as the new Dean of the Dillard College of Business Administration. He noted that Dr. Patton holds a Bachelor of Business Administration in accounting from Midwestern State University, a master's degree in accounting and taxation from the University of North Texas, and a Ph.D. from Texas Tech University. He began his professional career at the local accounting firm of Mathis, West, and Huffines. Dr. Patton taught at the University of Wisconsin and Rutgers University before working at the Government Accounting Standards Board in Washington, D.C. Dr. Rogers welcomed Dr. Patton to his new position.

Mr. Hessing noted that Mrs. Burks' daughter was graduating from the University of Houston and Tiffany would not participate in the meeting. He also mentioned that this would be Linda Aguilera's final board meeting and asked Linda to tell the board of her future plans. She stated that she would attend the Texas Southern University Law School in Houston beginning in the fall semester. Mr. Hessing thanked her for her work on the board and wished her success in the future.

Public Comment

Mr. Hessing 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

12-117 and 12-118. Minutes of the regular Board of Regents meetings February 16 and 17, 2012, were approved as presented.

Executive Committee Report

Mr. Hessing noted the item presented at the Executive Committee meeting for committee approval only. Information concerning this item may be found in the minutes of the Executive Committee meeting held May 10, 2012.

Item Presented for Committee Approval Only

12-82. Committee Minutes

Executive Committee Consent Agenda

Mr. Hessing recommended the following items approved by the Executive Committee and placed on the Consent Agenda for consideration by the board.

12-83. Campus Master Plan --

- A. Authorized the administration to move forward with the Christ Academy/Counseling Center Project at a cost of \$2 million, with funds coming from private gifts and Higher Education Assistance Funds (HEAF). Further authorized the Executive Committee to approve the selection of an architect for this project.
- B. Authorized the administration to move forward with (a) the demolition of the vacant Instrumental Music Hall, the Biology House, and the University Police Station (following temporary relocation of the police department to the Alumni House), and (b) construction of parking lots at each of these sites, plus the resurfacing of the existing lot to the west of McCoy Engineering Hall at a cost of \$890,000 with funds coming from private gifts and HEAF. Further authorized the Executive Committee to approve the selection of an engineering firm to design this project.

12-85. McCoy Engineering Hall Expansion – authorized the administration to move forward with this \$1.6 million project and approved the selection of Harper-Perkins Architects to provide architectural services for this project.

12-86. Soccer and Softball Field Lighting Project – authorized the administration to proceed with this project as presented.

12-87. Technology Update – authorized the allocation of \$500,000 from Technology Fees to fund technology upgrades during the current fiscal year.

12-88. Holiday Schedules for Staff Employees – 2012-2013 - approved the holiday schedules as presented.

- 12-89. Naming of University Facilities – approved naming the current newsroom in the Fain Fine Arts Center (Room B103) the “Roy Allen Wichitan Newsroom” in recognition of Mr. Allen’s 19 years of dedicated service to the university.
- 12-90. Legislative Appropriations Request (LAR) – authorized the administration to develop an exceptional item funding request for the expansion of health science offerings at MSU, and a Tuition Revenue Bond request for a new library building and renovation of the existing building, if deemed appropriate.

Mr. Hessing asked if there were items any member wanted to remove from the Consent Agenda. There being none, Mr. Bernhardt seconded Mr. Hessing’s motion to approve the Consent Agenda as presented. The motion was approved.

Capital Expenditure Plan (MP1) Report – FY 2012-2016

- 12-84. Mr. Hessing noted that this item was tabled by the Executive Committee. The committee asked that the administration include on the list a new baseball stadium and renovation of the infrastructure of the Hardin Administration Building. A new proposed MP1 was distributed to the board for their consideration (see Attachment 1).

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

Finance Committee Report

Mr. Bernhardt noted the items presented at the Finance Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the Finance Committee meeting held May 10, 2012.

Items Presented for Committee Approval Only

- 12-91. Finance and Audit Committee Minutes
- 12-92. Investment Committee Minutes
- 12-93. University Development Committee Minutes

Item Presented for Information Only

- 12-97. Summary of Financial Support 9/1/11-4/20/12

Finance Committee Consent Agenda

Mr. Bernhardt recommended the following items approved by the Finance Committee and placed on the Consent Agenda for consideration by the board.

- 12-94. Refinancing of Bonds – approved a Resolution Authorizing a Request for Financing and the Execution and Delivery of Documents Required to Effect Such Financing with the Texas Public Finance Authority as presented.
- 12-95. Financial Reports – accepted the monthly financial reports for January, February, and March, 2012.

- 12-96. Investment Report – accepted the second quarter 2012 Investment Report.
- 12-98. FY 2011-2012 Item \$50,000 & Under Approved by President – ratified change as presented.
- 12-99. Review of Personnel Reports and Salary/Title/Position Changes in 2011-2012 Budget – ratified the changes as presented.
- 12-100. Mustangs Guarantee Program – approved allowing undergraduate transfer students to participate in this program.

Mr. Hessing asked if there were items any member wanted to remove from the Consent Agenda. There being none, Ms. Spears seconded Mr. Bernhardt's motion to approve the Consent Agenda as presented. The motion was approved.

Audit, Compliance, and Management Review Committee Report

Mr. Sanchez noted the items presented at the Audit, Compliance, and Management Review Committee Meeting for information only. Additional information concerning these items can be found in the minutes of the committee meeting held May 10, 2012.

Items Presented for Information Only

- 12-101. Report on Audit and Compliance Activities
- 12-102. Potential Conflict of Interest of Regent

Academic and Student Affairs Committee Report

Dr. Givens noted the items presented at the Academic and Student Affairs Committee Meeting for committee approval and information only. Information concerning these items can be found in the minutes of the committee meeting held May 10, 2012.

Items Presented for Committee Approval Only

- 12-103. Personnel and Curriculum Committee Minutes
- 12-104. Student Services Committee Minutes
- 12-105. Athletics Committee Minutes

Items Presented for Information Only

- 12-106. Faculty Report
- 12-107. Staff Report
- 12-108. Student Government Report

12-109. Athletics Report

12-110. Enrollment Management Update

Academic and Student Affairs Committee Consent Agenda

Dr. Givens noted that it had been requested that Item 12-114 be removed from the previously approved consent agenda. He then recommended the following remaining items that were approved by the Academic and Student Affairs Committee and placed on the Consent Agenda for consideration by the board.

12-111. May 2012 Graduating Class – approved the list of candidates for graduation.

12-112. Academic Department Name Change – approved changing the name of the Department of Education and Reading to the Department of Curriculum and Learning.

12-113. *MSU Policies and Procedures Manual* Changes – approved changes to the policies noted below as presented:

- A. Policy 2.31 – Administration Selection Policy
- B. Policy 2.323 – President's Office, Office Functions and Responsibilities (General Counsel)
- C. Policy 3.112 – Faculty Hiring Procedures
- D. Policy 3.316 – Drug and Alcohol Free Workplace
- E. Policy 4.152 – Police Department Administration and Regulatory Ordinances (skateboarding, rollerblading, and roller skating)
- F. POLICY DELETION – 3.311, 4.151, and 4.160

12-115. Faculty Promotions – approved the following promotions:

From the Rank of Assistant Professor to Associate Professor:

Salim Azzouz, Ph.D.	Engineering
Steve Hilton, M.F.A.	Art
Qian Li, Ph.D.	Finance
Terry McDonald, Ph.D.	Mathematics
Karen Polvado, D.N.P.	Nursing
Bob Thomas, Ph.D.	Accounting
Phillip Wilson, Ph.D.	Marketing

12-116. Faculty Tenure – approved granting tenure to the following faculty:

Judy Beechler, Ph.D.	Counseling
Laura Fidelie, J.D.	Criminal Justice
Terry McDonald, Ph.D.	Mathematics
Karen Polvado, D.N.P.	Nursing
Jon Scales, Ph.D.	Biology
Edward Schultz, Ph.D.	Special Education
Laura Spiller, Ph.D.	Psychology
Sheldon Wang, Ph.D.	Engineering
Grace Zhang, Ph.D.	Management Information Systems

Mr. Hessing asked if there were additional items any member wanted to remove from the Consent Agenda. There being none, Mr. Bernhardt seconded Dr. Givens' motion to approve the Consent Agenda as presented. The motion was approved.

Emeritus Status

12-114. Mr. Bryant moved approval of the granting of emeritus status to the following individuals:

- Dr. Stewart Carpenter – Professor of Computer Science – 34 years
- Dr. Ann Estrada – Associate Professor of Education and Reading – 33 years
- Dr. Michael Land – Professor of Educational Leadership and Technology – 23 years
- Mr. Randy Pruitt – Assistant Professor of Mass Communication – 13 years
- Dr. Charles Ramser – Professor of Management and Marketing – 43 years
- Dr. Robert Redmon – Associate Professor of Education and Reading – 11 years
- Dr. Susan Sportsman – Professor of Nursing – 14 years
- Dr. Fred Stangl – Professor of Biology – 28 years
- Dr. Nancy Steele English – Associate Professor of Art – 11 years
- Dr. Friederike Wiedemann – Professor of Foreign Languages – 10 years

Mr. Sanchez seconded the motion. The motion was approved with three regents abstaining (Dr. Givens, Ms. Spears, and Mr. Engelman).

Other Business

Nominating Committee

12-119. Mr. Hessing reported that when he became board chairman a vacancy was created in the vice chair position. In accordance with board by-laws, he appointed a special nominating committee to make a recommendation at the August meeting for the election of a vice chair of the board for the remainder of the biennium. He asked Dr. Givens to chair the committee with Ms. Spears and Mr. Sanchez also serving.

President's Report and Discussion

12-120. Dr. Rogers presented the following information.

1. Construction Update – Mr. Owen reviewed the construction update report and a copy of the report was presented to the board (see Attachment 2). He noted that the original contract with the State Energy Conservation Office (SECO) for the energy efficiency upgrades included a measurement and verification requirement for four years following project completion. SECO removed that requirement from the scope of the work. Mr. Owen noted that the administration planned to fund the measurement and verification process during the first year in order to verify savings achieved.
2. Provost and Dean Search Update – Dr. Rogers reported that the Provost Search Advisory Committee, chaired by Dr. Clark, had narrowed the field of 50 applicants down to three. The three finalists are as follows.

- a. Dr. Christopher Ames, Special Assistant to the President at Washington College. Dr. Ames has his B.A. from the University of Texas and a Ph.D. in English Literature from Stanford University.
- b. Dr. Ralph J. Rascati, Associate Vice President for Advising, Retention, and Graduation Initiatives and Dean of the University College at Kennesaw State University. Dr. Rascati has a B.S. in Biology from Rensselaer Polytechnic Institute and a Ph.D. in Biochemistry from the University of Massachusetts.
- c. Dr. Betty Stewart, Vice President for Academic Affairs and Dean of the Faculty at Eckerd College. Dr. Stewart has a B.S. in Biochemistry from Mississippi State University and a Ph.D. in Biochemistry from Carnegie-Mellon University. Dr. Stewart previously served as Dean of the College of Science and Mathematics at MSU.

He noted that the three finalists would be visit MSU during the next few weeks. He invited board members to attend the receptions that would be held for each. He added that a new dean of the College of Science and Mathematics would be announced in the near future.

Dr. Rogers reported that the Commissioner of Higher Education, Dr. Raymund Parades, and possibly the chairman of the Texas Higher Education Coordinating Board (THECB), Mr. Fred Heldenfels, would attend the August board meeting and bring the board up-to-date on current higher education issues.

Dr. Rogers announced that the university recently received word that the National Association of Schools of Art and Design had accredited MSU's Juanita and Ralph Harvey School of Visual Arts. He added congratulations to the West College of Education for achieving full accreditation by the National Council for Accreditation of Teacher Education (NCATE).


Closing Comments

Mr. Hessing thanked the regents for their service to the university. He noted that Attorney General Greg Abbott would be the guest speaker at MSU's Saturday graduation ceremony. He stated that the next board meetings would be held August 9 and 10, 2012.

Adjournment

There being no further business, the meeting was adjourned at 9:40 a.m.

I, J. Kenneth Bryant, 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 May 11, 2012.


J. Kenneth Bryant, Secretary

ATTACHMENTS:

1. Capital Expenditure Plan (MP1) Report – FY 2012-2016
2. Construction Update

Midwestern State University
Capital Projects - MP 1
Fiscal Years 2013-2017

<u>Project Name</u>	<u>Priority</u>	<u>Project Cost</u>	<u>Sources</u>
New Library Building	1	\$40,000,000	Future Tuition Revenue Bond (TRB) Funding Request
Moffett Building Reconstruction	2	\$20,000,000	Future TRB Funding Request
McCoy Engineering Hall Expansion	3	\$1,600,000	Private Funds
Christ Academy Facilities Renovation for Counseling	4	\$2,000,000	Higher Education Assistance Fund (HEAF) & Private Funds
Wichita Falls Museum of Art at MSU Renovation	5	\$2,000,000	Private Funds
Christ Academy Facilities Renovation for Music & Mass Comm	6	\$5,000,000	HEAF Bond
University Police Station Building	7	\$1,800,000	HEAF Bond
Bolin Science Hall Expansion	8	\$8,000,000	HEAF and HEAF Bond
New Academic Classroom/Athletic Administration Building	9	\$1,900,000	HEAF and Private Funds
New Student Residence Hall, Housing Offices, and Clark Student Center Food Service Addition*	10	\$35,000,000	Housing Student Rental Income
Fain Fine Arts Center ADA & Fire Safety Renovation	11	\$10,000,000	Future TRB Funding Request
Baseball Stadium	12	\$5,000,000	Private Funds
Hardin Building Infrastructure Renovation	13	\$10,000,000	Future TRB Funding Request
Total		<u>\$142,300,000</u>	

Projects <\$1 MM not reported to THECB.

*Qualification and cost based on sufficient enrollment and demand.



3410 Taft Boulevard, Wichita Falls, Texas 76308-2099

Office: (940) 397-4648 Fax (940) 397-4859

Construction Projects Status Report

Projects completed since February Board of Regents meeting include:

1. CLARK STUDENT CENTER FIRE SPRINKLER REPLACEMENT: \$178k. Replaced fire sprinkler system with combination wet and dry systems.

LIGON PHASE II: - \$6.7 MM

- Three Locker Room construction 99% complete (sliding partition/door being remanufactured with installation mid May).
- Don Platt Gym construction completed (acoustic and logo additions as funds are available).
- Concessions, restrooms, doors, windows, and electrical infrastructure (Package 2) construction in progress with completion late May.
- Ligon Aesthetic / Logo (Package 3) Guaranteed Maximum Price (GMP) established at \$650k; construction in progress with completion late May.
- Project still on schedule and within budget.

ENERGY EFFICIENCY UPGRADES: - \$2.5 MM

- All work related to the project completed prior to the 4/30/12 deadline and under budget (-\$169k).
- All SECO reimbursements received except last \$21k for measurement and verification (M&V) report; in process.
- SECO recently deleted yearly M&V from contract requirements. MSU to fund results for next year using HEAF.

AKIN AUDITORIUM RENOVATIONS: - ~\$151k

- Refurbishment of all fixed seating, replacement of the flooring under the seats including abatement, and new carpet on either side of the seating.
- Seat material has been received and all POs issued; construction planned for May-July '12.

TEEPEE DRIVE RECONSTRUCTION: - \$188k

- PO issued with work to begin May 10th with completion by August 3rd.

ADDITIONAL PROJECTS <\$100K:

Projects in process scheduled for completion over the summer include:

- Athletic fields electrical equipment replacement (\$58k).
- Bolin carpet replacement in 102, 118, 212, 307, and 308 (\$26k).
- Clark Student Center grease trap replacement (\$32k).
- Comanche Suites renovation (\$46k).
- Ferguson 301 conversion to four offices (\$26k).
- Central Plant chill water makeup tank replacement (~\$40k); late summer.