

February 2008

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Board of Regents, Murray State University

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**Minutes of the Quarterly Board of Regents Meeting
Murray State University
Friday, February 29, 2008
1:30 p.m. – Jesse Stuart Room – Pogue Library**

The Board of Regents of Murray State University met on Friday, February 29, 2008, in quarterly session in the Jesse Stuart Room of Pogue Library on the main campus of Murray State University. The meeting was called to order at 1:30 p.m. by Chair Alan Stout.

1. Roll Call

The roll was called and the following members were present: William Adams, Marilyn Buchanon, Beverly Ford, Peg Hays, Eric King, Laxmaiah Manchikanti, Jay Morgan, Alan Stout, Jeff Taylor, Vickie Travis and Gina Winchester. Absent: none.

Others present were Randy J. Dunn, President; Jill Hunt Lovett, Coordinator for Board Relations, Executive Assistant to the President and Secretary to the Board of Regents; Tom Denton, Vice President for Finance and Administrative Services and Treasurer of the Board of Regents; Gary Brockway, Provost and Vice President for Academic Affairs; Jim Carter, Vice President for Institutional Advancement; Don Robertson, Vice President for Student Affairs; Bob Jackson, Associate Vice President for Institutional Advancement; Joyce Gordon, Associate Vice President for Human Resources; Kim Oatman, Director, Facilities Design and Construction, Facilities Management; John Rall, University Counsel; and members of the faculty, staff, students, news media and visitors.

**AGENDA
MEETING OF THE BOARD OF REGENTS
Murray State University
Jesse Stuart Room, Pogue Library
February 29, 2008
1:30 p.m.**

1. Roll Call

2. Minutes of the Quarterly Meeting of the Board of Regents November 30, 2007*

3. Public Participation

4. Report of the President

Dr. Dunn

5. MSU “Spotlight”: African-American Student Services and Ethnic Programs/Marvin Mills Multicultural Center

**Dr. Robertson
Mr. Carthell**

6. Report of the Chair

Mr. Stout

7. Report of the Treasurer*

Mr. Denton

8. Gifts*

Dr. Dunn

A. Crazy Nate Production Tapes for Nathan B. Stubblefield Museum Exhibit for Center for Telecommunications Systems Management

B. Vision Plus Coated Paper for Marketing and Public Relations

C. Ten Registered Quarter and Paint Horses, One-year-old Thoroughbred Colt, and Angus Cows, Embryos and Semen

9. Board of Regents Policy Manual Changes*

Dr. Dunn

A. By-laws Revisions

B. Section I Revisions

C. Section II Revisions

10. Personnel Changes*

Dr. Dunn

A. Staff Leaves of Absence

- B. Salary Roster, Report of Resignations and Terminations and Report of New Employment**
- C. Appointment of Assistant Vice President for Communications**
- D. Early Retirement Contracts**
- E. Sabbatical Leaves**
- F. Leaves of Absence Without Pay**

11. Committee Reports/Recommendations (Action Items Only Listed)

- | | |
|--|--------------------|
| A. Academic Affairs* | Dr. Morgan |
| 1) Program/Course Fee Changes | |
| B. Athletic | Mr. Stout |
| C. Audit* | Mr. Adams |
| 1) WKMS Audit | |
| a. Audited Financial Statements for Year Ended 6/30/07 | |
| b. Corporation for Public Broadcasting (CPB) Schedule of Non-Federal Financial Support (NFFS) for Year Ended 6/30/07 | |
| 2) Audit Contract Renewal | |
| D. Buildings and Grounds* | Ms. Hays |
| 1) Campus Master Plan | |
| E. Development/Investments | Mr. Stout |
| F. Equal Opportunity/Affirmative Action | Mrs. Ford |
| G. Faculty/Staff Affairs* | Mrs. |
| Winchester | |
| 1) Staff Congress Constitution Changes | |
| H. International Relations | Mrs. Travis |
| I. Finance | Mr. Taylor |
| J. Governmental Relations | Mrs. Travis |
| K. Student Life | Mr. King |

12. Closed Session*

- A. Discussion of proposed or pending litigation**

(*Indicates Board Action Item)

2. Minutes of the Quarterly Board of Regents Meeting and the Committee Meetings for November 30, 2007, approved

Mr. King moved that the minutes of the quarterly Board of Regents meeting and the minutes of the committee meetings held on November 30, 2007, be approved as submitted. Ms. Hays seconded and the motion carried.

3. Public Participation

Chair Stout announced the beginning of the public participation section of the meeting and three individuals had registered to speak. Each presenter would be allowed seven minutes to present remarks, in accordance with public participation guidelines. Chair Stout introduced Teresa Ray.

Ms. Ray stated she is a resident of Graves County, a long-time member of the Church of Christ and currently attends Murray State University as a Mass Communications major. She presented a letter from Reverend Albert M. Pennybacker of Lexington, Kentucky, expressing his support of Murray State's pending action to add sexual orientation to the University's Nondiscrimination Policy. Reverend Pennybacker is an ordained minister and has been a pastor for 35 years. He is former Associate General Secretary of the National Council of Churches and has been involved for many years in the Civil Rights Movement. He served as a faculty member at the Lexington Theological Seminary and as a Visiting Professor at Yale Divinity School. In his letter Reverend Pennybacker states, "I believe such a policy is both appropriately sensitive to the realities of the present and future constituencies and is a needed extension of the University's long-standing commitment to remove intolerance. Exclusion and discrimination cannot be reconciled with the finest of our spiritual traditions, ones to which so many aspire. Instances of exclusion, rather than confirming rightness are actually a summons to religious people to right a wrong, to stand together with those who may hurt. I simply believe it is profoundly the right action to take." Ms. Ray thanked the Board for allowing her to present Reverend Pennybacker's letter and Chair Stout thanked Ms. Ray for her comments.

Chair Stout introduced Mr. Richard Nelson from the Family Foundation of Lexington, Kentucky, who distributed a handout and stated that he is a Policy Analyst with the Family Foundation and resides in Trigg County. He thanked the Board for the opportunity to speak and indicated he requests that the Board oppose the move to add sexual orientation to the University's Nondiscrimination Policy. According to Robert Knight, a nationally-recognized cultural researcher, sexual orientation constitutes an umbrella term for numerous sexual behaviors and according to the therapeutic manual of the American Psychiatric Association there are at least 20 distinctive sexual variations of sexual orientation. He relayed that only the University of Kentucky and the University of Louisville have added the terminology to their nondiscrimination policies. Mr. Nelson thanked the Board for allowing him to speak and encouraged them to not bring this divisive issue to the MSU campus. Chair Stout thanked Mr. Nelson for his comments.

Chair Stout introduced Dr. Terry Strieter, MSU faculty member and former Board member. Dr. Strieter thanked the Board for the opportunity to appear and presented a prepared statement in support of adding sexual orientation to Murray State University's Nondiscrimination Policy. Dr. Strieter provided the example of Matt Shepherd, a 21-year-old student at the University of Wyoming, who was attacked by two males who subsequently drove him to a rural remote area, robbed and tormented him, tied him to a fence post and left him to die. The girlfriends of the two males testified under oath that the men had plotted to rob and beat a gay man to "teach him a lesson." Dr. Strieter stated that the seed concept of tolerance for individuals different from themselves was never planted in these two men and was not nourished through examples of tolerance for sexual orientation and they were blind to the fact that all human life is sacred. Dr. Strieter believes such examples illustrate why Murray State should make available to all students an atmosphere that fosters tolerance. The University atmosphere provides for tolerance of different religions and political systems and should provide tolerance for different gender relations. He believes tolerance for different attitudes toward sexual orientation does not lead to the dissolution of society but allows for the potential of each individual to fully develop.

Dr. Strieter further stated that an attempt to link sexual orientation to partner benefits is a false and misleading connection. Sexual orientation is an issue of tolerance, similar to issues such as race, age, religion and disability and domestic partner benefits are an issue of labor legislation, of workplace liabilities and of economic and social traditions. Murray State is the only Kentucky public university that does not include a reference to sexual orientation in its tolerance policy. Dr. Strieter reported that virtually every other constituent group on campus, including the Faculty Senate, Honors Program, residential college heads, Student Government Association and Staff Congress, have indicated support for adding a reference to sexual orientation in their tolerance policies. In addition, exclusion of sexual orientation language in the University's tolerance policy could be detrimental to the recruitment of new faculty. Dr. Strieter thanked the Board for allowing him to speak and Chair Stout thanked Dr. Strieter for his comments.

4. Report of the President

- ***Posters-at-the-Capitol Slides***

Dr. Dunn mentioned that the slide presentation displayed on the screen is from the *Posters-at-the-Capitol* event held earlier in the month. He reported that 42 Murray State students attended the event which included all public institutions in Kentucky. Research teams were involved in scholarly work around a number of issues and those results were presented to legislators.

- **This Week at Murray State**

Dr. Dunn reported that during the past week many successful academic events centered around student engagement, service learning and regional stewardship have taken place on the Murray State campus, including the Engagement Conference with over 200 participants, Woodrow Wilson Fellow Rai Glover on campus and Presidential Lecture Series with Robert F. Kennedy, Jr. Dr. Dunn thanked all involved in planning the events.

- **Major Gift Update**

- Dr. Dunn reported that the University received the gift of eight townhomes located in Ft. Walton Beach, Florida, from Dr. Johnny Brown Russell. The townhomes were valued at \$1.24 million and the University was able to establish a gift annuity with the goal of liquidating the units so proceeds could be invested by the MSU Foundation. Mr. Jackson reported there has been much success in liquidating these properties and that three townhomes have been sold with two additional units to be sold within the next few weeks.
- Dr. Dunn announced that Tom and Theo Tuck of Calloway County gifted a 560-acre farm in Ohio to the University. Earlier this year the farm was sold to an investment group in Ohio for \$2.35 million and the Tucks requested the establishment of a charitable remainder trust. Murray State will receive two-thirds of that gift with one-third going to the University of Louisville. There is a cap on UofL's share so as the market goes up over time MSU will be the recipient of any such growth. This represents the largest trust gifted to the School of Agriculture.
- Dr. Dunn reported that Betty L. Hill has donated \$100,000 to establish a scholarship fund and a student development fund in the MSU School of Agriculture. Ms. Hill was a member of the inaugural Master of Business Administration class at Murray State.

- **Camisha Duffy – Interim Director of Equal Opportunity**

Dr. Dunn reported that upon the departure of Ms. Annazette McCane he appointed Mrs. Cami Duffy as Interim Director of Equal Opportunity. Mrs. Duffy thanked the Board for the opportunity to serve the University in this capacity.

- **Kentucky Plan for Equal Opportunities**

Dr. Dunn reported that Kentucky operates under a consent decree from the Commonwealth to make improvements in the recruitment and retention of African-American students at the state universities and in order to meet this requirement the public institutions in the Commonwealth must have a plan in place to address eight objectives. These objectives focus on recruitment, retention, percentage of student population, and services and support. If the University does not fulfill these objectives it loses automatic eligibility to move forward with new academic programs and must follow a burdensome process to subsequently introduce new programs. He reported that Murray State University shared top performance honors with three other institutions by meeting seven of eight objectives under the Kentucky Plan for Equal Opportunities. Council on Postsecondary Education (CPE) staff sent a letter thanking Mrs. Duffy for her efforts in this regard and Dr. Dunn thanked Dr. Robertson for his work in this area as well.

- **Grant Announcements**

Dr. Dunn announced that the Kellogg Foundation has awarded a two-year \$75,000 grant to the American Humanities and Youth and Non-profit Leadership Program at Murray State to provide a *Health Matters for Students* seminar where health segments will be offered on fitness, alcohol and drug abuse and stress issues. Dr. Dunn stated that MSU is proud to have been recognized by the Kellogg Foundation. The American Humanities program on the Murray State campus is celebrating its 25th anniversary and the national American Humanities program is celebrating its 60th anniversary. MSU faculty members Drs. Roger Weis and Vernon Gantt are being recognized for their contributions to the American Humanities field and their accomplishments will be highlighted in publication materials for the 60th anniversary of the national program.

Dr. Dunn announced that Anheuser Busch has awarded a grant to Health Services at Murray State that will allow study to take place on campus regarding social norming, examining peer relationships and how they mold and influence behavior, particularly related to alcohol abuse

among college students. He stated that work in this area will be cutting edge and national attention may come to Murray State for its role in the study. Mr. Jackson and Ms. Judy Lyle, Staff Nurse, Student Health Services, are responsible for securing the Anheuser Busch grant.

- **University Annual Report**

Dr. Dunn reported an annual report will be produced for the University that will be distributed later in the spring semester. The document will carry Murray State's message to various constituencies about positive initiatives taking place on campus and will be produced at a relatively low cost.

Points of Pride

- **Phi Beta Delta Honor Society for International Scholars Chapter**

Dr. Dunn reported that Murray State University has been granted a charter for a chapter of Phi Beta Delta Honor Society for International Scholars (Eta Gamma Chapter). The University is working diligently to increase the prominence and role of international programming and this chapter will assist in accomplishing that objective.

- **Dr. Don Bennett – MAA Certificate of Meritorious Service**

Dr. Dunn received a letter from the Mathematical Association of America (MAA) indicating that Dr. Don Bennett, Chair and Professor, Department of Mathematics and Statistics, has been awarded the Certificate of Meritorious Service for his work with the organization over the past 38 years. Dr. Dunn indicated that a letter of congratulations on behalf of the Board of Regents would be sent to Dr. Bennett in recognition of this honor.

Policy Issues

- **Federal Fiscal Year 09 Budget Proposed**

Dr. Dunn reported that he addressed the federal fiscal year 2009 budget issue during the morning committee meetings. He indicated if a member of the audience would like to visit with him further on this subject that he would be glad to do so at a later time. The FY 09 budget process is underway with the introduction of the President's budget at the beginning of February 2008 and the University will monitor the situation accordingly for many months to come.

5. MSU "Spotlight": African-American Student Services and Ethnic Programs/Marvin D. Mills Multicultural Center

Chair Stout announced the beginning of the "Spotlight" portion of the meeting and introduced Dr. Robertson who introduced Mr. Mike Young, Assistant Vice President for Student Affairs, and Mr. S.G. Carthell, Director for African-American Student Services and Ethnic Programs (AASSEP). Mr. Young and Mr. Carthell thanked the Board for highlighting the AASSEP and Marvin D. Mills Multicultural Center. Mr. Carthell introduced members of his staff, including Ms. Olympia Stewart, Retention Specialist; Ms. Renee Carnes, Secretary; and Mr. Cyrus Hines, Dean's List student and freshman from Frankfort, Kentucky. He then provided a PowerPoint presentation, indicating that major retention initiatives of the AASSEP include Academic Skills/Study Table Program, Emerging Scholars Institute, Dr. Marvin D. Mills Multicultural Center, Multicultural Student Roundtable, Multicultural Parents Advisory Council, Black Student Council, National Pan-Hellenic Council and Special Clubs.

Mr. Carthell stated that the AASSEP/Marvin D. Mills Multicultural Center was established to provide ongoing assistance and support to Murray State's ethnic student population. Programs sponsored by AASSEP and the Multicultural Center encourage all students to celebrate the diverse backgrounds that are present within the University's unique community. The AASSEP serves as a clearinghouse, referral service and liaison between the administration, academic units and the community. The guiding principles for service delivery behind the AASSEP include fostering excellence, creating community and building partnerships.

Mr. Carthell indicated that the Emerging Scholars Institute was established to provide students with necessary support from the beginning of their college career through graduation and that is accomplished through a combination of programs and services designed to improve the academic

performance and overall retention of MSU's students of color population. Objectives of the Institute are to increase overall student grade point average, improve retention and graduation rates, enhance the college experience and attract more students of color to MSU. There are three components of the Emerging Scholars Institute which include:

- 1) Mentoring for first-year and transfer students;
- 2) Murray Academic Achievement Program which is an at-risk initiative providing comprehensive support for students performing below their potential; and
- 3) Find the Leader in You Program that involves working with third and fourth year students to assist in finding employment opportunities by connecting the students to the Career Services Office and making them aware of the Career Fair. They are also connected with life coaches or mentors (preferably alumni in their fields) and this marks the first year that five Murray State students will graduate with alumni mentors.

Mr. Carthell reported that the AASSEP also offers a Pre-Great Beginnings Orientation where students and parents participate in orientation activities together. The program is designed to enhance and ease the transition into college life by providing the students with an opportunity to connect with the AASSEP and other campus resources designed for their success. An additional benefit of the program is an increased level of participation in Great Beginnings activities.

Mr. Carthell stated that he is most proud of the Academic Skills/Study Tables Program which is designed to assist students in developing effective study skills. Study tables are conducted during the fall and spring semesters in the Multicultural Center and retention workshops are conducted on a bi-weekly basis. Students who require tutors are referred to the Lowry Center for assistance and group tutoring is conducted weekly during "HUMP Nite" held on Wednesday evenings. Approximately 50 to 60 students participate in this program each week. The Academic Skills/Study Tables Program is required for all participants of the Murray Academic Achievement and the Find the Leader in You programs but is open to all students.

Mr. Carthell indicated that the idea of creating community through empowerment is advanced through special clubs and interest groups and that the Multicultural Parent Advisory Council has been particularly successful in keeping parents informed and involved making them a valuable retention asset to the University. He also highlighted the Multicultural Student Roundtable which provides leadership development opportunities for students by allowing them to talk with administrators on issues that are of interest to both parties.

Mr. Carthell stated the Diversity Achievement Awards Ceremony would be held on April 11, 2008, and the Hitimu Celebration is scheduled for May 9, 2008, and encouraged all members of the Board to attend. Mr. Carthell thanked the Board for the opportunity to appear in the "Spotlight."

Mr. Young added that Mr. Carthell and his staff are doing an excellent job of reaching out to all students and that a diverse group of students utilize the services offered by the African-American Student Services and Ethnic Programs Office and overall results from these outreach efforts are phenomenal. Chair Stout thanked Mr. Young and Mr. Carthell for their presentation.

6. Report of the Chair

Chair Stout reported that during the quarterly meeting on November 30, 2007, the Board discussed Dr. Dunn's Employment Contract as President of the University. One provision of Dr. Dunn's contract states unless action to the contrary is taken his contract would effectively be extended for an additional year to November 30, 2011. The audience applauded this announcement. Chair Stout indicated that the supplemental notebook contains a letter dated January 9, 2008, from the Staff Congress indicating their support and commendation of Dr. Dunn as President of Murray State University.

(See Attachment #1)

Chair Stout reported that while the Commonwealth of Kentucky budget issue is a major concern the University was able to respond to the Governor's 2007-08 Executive Order for a rescission of funds from the public universities. The administration identified and returned unused funds from two categories, including two carryforward accounts with \$1 million coming from the Action Agenda grant funding and \$293,000 coming from the President's Office Single-Year Contingency (SYC) account which was established for such emergencies. Money from two operating accounts was identified with \$300,000 from the Land Acquisition account and \$88,000

from the Fringe Benefits Reserve account used to cover unbudgeted fringes for new hires in a given fiscal year. Total cuts for Murray State in this rescission amounted to \$1.67 million. Chair Stout stressed the importance of meeting the rescission by returning unspent Action Agenda monies to the state and that those monies had been unused for over five years and most likely the Commonwealth would eventually have asked that the money be returned.

Chair Stout reported Dr. Dunn and the administration have worked proactively to prepare the 2008-09 budget recommendation to the Board but that at this time the Commonwealth's Biennial Budget is unknown and until certainties arise on what will be forthcoming from the Commonwealth it is premature for the Board to take specific action on tuition and fees from a revenue perspective or implement drastic cuts on the expenditure side of the budget equation. Mr. Stout indicated the Board has been vigilant in directing Dr. Dunn and his administration to conduct work in advance of the budget announcement to identify cost containment measures and revenue projections in preparation for a range of potential scenarios. Chair Stout cautioned that it may be necessary for the Board to call a special meeting and University staff will remain on call to react to this possibility in a timely fashion. He stated that Board members should also remain on call to respond to a special meeting to address the budget issue.

Chair Stout reported that at the November quarterly meeting the Board authorized the formation of the Task Force on Developing Murray State University's Extended Campus at Paducah. The Task Force has met twice with the last meeting taking place on February 15, 2008. The Task Force has identified six options with regard to service for the Paducah/McCracken County area and is scheduled to meet again on March 3, 2008. Chair Stout indicated that the ultimate goal of the Task Force, as directed by the Board of Regents, is to recommend to the Board how to better engage the Paducah community and better respond to enrollment needs in the Paducah/McCracken County area. The overall goal for the Task Force is to establish a template to be used when examining the needs of all MSU extended campuses, including Henderson, Hopkinsville, Madisonville and Paducah. The Task Force plans to make its recommendation to the Board by June or July 2008.

7. Report of the Treasurer, accepted

Treasurer Tom Denton presented and reviewed the financial and investment reports for the period July 1, 2007, through December 31, 2007. He highlighted the following items contained on the Balance Sheet:

- \$78 million in cash and cash equivalents which is \$15 million greater than for the same period last year and equates to bond proceeds received to construct Richmond College;
- \$57.9 million in bonds and notes payable; and
- \$221 million in net assets for six months of the year.

Mr. Denton highlighted the following items contained on the Schedule of Revenues, Expenses and Transfers for Educational and General Unrestricted Funds:

- \$28.9 million increase in net assets which is \$900,000 greater than one year ago despite the fact that to date \$2.5 million has been expended for the ERP program; and
- \$43.5 million in student tuition and fees as of December 31, 2007. As of January 1, 2008, another \$2 million was added and with the summer session still to be included the University will meet the net tuition and fees budget by June 30, 2008.

Mr. Denton mentioned the following issues regarding the Schedule of Revenues, Expenses and Transfers by Unit for Auxiliary Unrestricted Funds:

- Food Service, Housing and the Bookstore are all doing well.
- Food Service – \$746,000 ahead of last year. Mr. Denton indicated that actual budgeted costs are much lower than the prior year and commended Mr. Fritz for paying particularly close attention to his budget.
- Housing – \$378,000 ahead of last year but a new note bond payment of \$360,000 is due this year and will offset that increase.
- Bookstore – \$40,110 ahead of last year.

Mr. Denton outlined the following items regarding the Schedule of Revenues, Expenses and Transfers for Current Restricted Funds:

- There is a timing difference from the workstudy line for revenues where it shows zero revenue. These funds have now been drawn down and if that number is plugged into the equation the bottom line is about the same as for the prior year.
- As has been discussed in the past with this report in particular, the revenues and expenditures are not necessarily matched. Revenues are recorded at receipt and expenditures can occur later.

Mr. Adams asked for an explanation of the \$2,762,678 that appears under other federal grants and contracts and is listed as federal fund discount. Mr. Denton explained there is a reflection in these accounts for transfers from other sources of income. Ms. Jackie Dudley, Director of Accounting and Finance, explained that figure represents the amount of federal financial aid that is applied to tuition. She stated that discounts are similar to scholarships and waivers so as federal funds come in they are applied to a student's account to pay their tuition and fees. Mr. Adams asked whether it was similar to a tuition waiver and Ms. Dudley indicated it is the federal funding portion so when general grants or financial aid comes in that represents the funding the University receives from the Federal government applied toward tuition and fees.

Judge Taylor referred to the Summary of Investment Earnings and specifically University restricted funds held by the MSU Foundation and asked whether he is reading correctly that the University has experienced zero return on this investment. Mr. Denton indicated Judge Taylor is correct but that those funds have grown over the years. He stated that the Foundation holds and invests those funds and retains the earnings. He also reported that the Foundation is not charging the University a management fee and it is most likely time to review the situation to determine if those earnings are substantially higher than what a financial return would be. Dr. Dunn indicated that the issue is currently under review with the Foundation.

Mr. Adams moved, seconded by Judge Taylor, that the Treasurer's Report be accepted as presented. Motion carried.

(See Attachment #2)

8. Gifts, accepted

Ms. Hays moved, seconded by Dr. Manchikanti, that the Board of Regents, upon the recommendation of the President of the University, accept the donation of the following gifts:

- 30 original "Crazy Nate" tapes valued at \$15,000 which were donated by Brad Kimmel of Evansville, Indiana;
- 20,000 lbs. of 80 lb. Vision Plus coated paper valued at \$12,000 which was donated by NewPage Corporation of Wickliffe, Kentucky; and
- A one-year-old Thoroughbred Colt valued at \$25,000 which was donated by Jack and Laurie Wolf of Sarasota, Florida; ten registered Quarter and Paint horses, Angus cows, embryos and seed stock to be used by the School of Agriculture valued at \$624,625 which were donated by Southern Cattle Company of Marianna, Florida; and an Angus valued at \$150,000 donated by the Byrd Cattle Company of Red Bluff, California.

Judge Taylor requested clarification on how appraisals for gifts are handled. Dr. Brannon reported that an appraisal must come from an Internal Revenue Service (IRS) qualified appraiser. Mr. Jackson stated that a qualified appraisal from an independent, legitimate source must be obtained for any gift exceeding \$5,000 in value. Motion carried.

Chair Stout reported that laws in the Commonwealth have changed over the last few years to dramatically alter the Quarter horse industry in Kentucky, especially with regard to breeding. The change has been so significant that horse farms in Georgia and Texas are relocating to Kentucky, specifically the west Kentucky area, and this could have a dramatic impact on the economy of west Kentucky. Dr. Tony Brannon, Dean, School of Agriculture, reported that in the last legislative session a Breeder's Incentive Fund was put in place to encourage Kentucky to become the horse capital of the world and breeders to relocate in the area. Quarter horse breeding was included in this initiative and that impacts the School of Agriculture by increasing the value of horses currently owned by the University. Chair Stout added he is impressed with the immediate impact that is evident and thinks Murray State is very well situated with the Equine Program. He requested that a periodic report on this initiative be presented to the Board.

The Board recessed for a short break beginning at 2:50 p.m. and reconvened the Plenary Session at 3:05 p.m.

9. Board of Regents Policy Manual Changes

Chair Stout stated that the Board of Regents Ad Hoc Policy Manual Committee met on February 19, 2008, pursuant to a directive from the Board from the November quarterly meeting to consider changes to the *Bylaws*, and *Section I* and *Section II* of the BOR Policy Manual. On behalf of the Board and the University, Chair Stout expressed sincere appreciation to Ms. Becky Watts, Deputy to the President, and other staff members for their work on revisions to the Policy Manual and indicated there has not been comprehensive review of the document since the mid 1980s. He stated that it takes a very special person who possesses the organizational and technical skills necessary to compile and organize the information in a format that the Board can easily work with. He is confident as revision to the Policy Manual continues that at the conclusion of the review a workable document will exist that will allow for modification and amendment as additional policies are approved by the Board. Ms. Watts indicated it was her pleasure to undertake this project on behalf of the Board.

Ms. Watts reported that the recommendation regarding revisions to the Policy Manual has been divided into three parts and the first section contains the *Bylaws*. Changes to the *Bylaws* include only those requested by Board members at the November quarterly meeting. Chair Stout requested a motion for the Board to approve the *Bylaws* as reflected in *Section 1.1* of the Policy Manual and indicated this is the second reading of the *Bylaws*.

Revision of Board of Regents Policy Manual *Bylaws*, *Section 1.1*, approved

Dr. Morgan moved, seconded by Mr. Adams, that the Board of Regents approve the amended *Bylaws*, *Section 1.1*, of the Board of Regents Policy Manual. Chair Stout asked if there was discussion or amendments to the recommendation.

Amendment to *Bylaws*, *Section 1.1*, rejected

Mrs. Ford moved that the *Bylaws*, *Section 1.1*, be amended to include the following statement at the end of Item B.1.: The Chairman and Vice Chairman shall be elected from the Regents appointed by the Governor. Mrs. Buchanon seconded and discussion followed.

Chair Stout stated if the amendment passes the Board would be required to have another reading of the *Bylaws* at the next quarterly meeting. If the amendment is rejected the *Bylaws* can be approved as submitted. Ms. Hays asked if the amendment was approved today and adopted at the next meeting whether it would take effect immediately. Chair Stout indicated that it would take effect upon adoption. Dr. Dunn indicated that officer elections will take place at the May 2008 quarterly meeting and there could be a nominal period with Dr. Morgan continuing to serve as Vice Chair if the amendment is approved today.

The roll was called with the following voting: Mr. Adams, nay; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, nay; Dr. Manchikanti, nay; Dr. Morgan, nay; Judge Taylor, nay; Mrs. Travis, nay; Mrs. Winchester, nay; and Chair Stout, nay. The amendment was rejected by a vote of 8 to 3.

Revision of Board of Regents Policy Manual *Bylaws*, *Section 1.1*, approved

Chair Stout asked if there were additional amendments to the *Bylaws* or discussion on the motion to approve the *Bylaws* as submitted. There being none, he requested a roll call vote for approval of the second reading of the *Bylaws*, *Section 1.1*.

The roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

Revision of Board of Regents Policy Manual, *Section I – The Regents*, approved

Chair Stout indicated the Board would consider revisions to the remaining portion of the Policy Manual, *Section I – The Regents*, indicating that the *Bylaws* contained in that section were voted on separately. He reported this is the second reading of the policy even though a second reading is not required for the remaining portion of *Section I – The Regents*.

Ms. Watts stated there was one item for discussion, indicating that the Ad Hoc Policy Manual Committee moved to insert new language in *Section I* and if that language passes it would amend *Section 1.2* to read: The Faculty Regent's voting authority extends to all other personnel items related to the teaching and research faculty including the appointments of the President, vice presidents and deans. Dr. Dunn suggested addressing this change during document clean-up.

Dr. Morgan moved that the Board of Regents approve *Section I – The Regents* revisions to the Board of Regents Policy Manual. Mr. King seconded and the roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

Revision of Board of Regents Policy Manual, *Section II – The University*

Chair Stout indicated that the Board of Regents Ad Hoc Policy Manual Committee recommends acceptance of revisions to *Section II – The University* of the Policy Manual. Dr. Morgan moved for approval of *Section II – The University* as submitted. Dr. Manchikanti seconded and discussion followed.

Mrs. Buchanon referred to the changes in *Section 2.14* regarding the fee structure associated with using different University facilities and asked if those determinations are now being handled elsewhere within the University system. Dr. Dunn stated that through administrative procedures a determination is made on appropriate fees and a schedule is in place to address the issue. The University must be able to change fees without securing Board approval on each occasion and the policy is simply outdated.

Amendment to *Section 2.19 (Removal of Sexual Orientation Language)*, rejected

Mr. Adams moved that *Section 2.19, Affirmative Action*, be amended by deleting sexual orientation language from paragraphs I, XI and XIII. Mrs. Travis seconded and discussion followed.

Mr. Adams indicated that state and federal laws regarding discrimination fairly state this issue and have not been changed to protect this particular class or group. He believes the inclusion being requested is more about recognition and acceptance than it is about discrimination. Existing laws protect this particular group from discrimination and Mr. Adams believes the Board should follow the law. He also questioned using the concept of diversity to advance a personal agenda and indicated that doing so concerns him because the term diversity can become an issue of divisiveness. Mr. Adams stated it is also a matter of precedent setting and he believes it broadens the likelihood for future expectations of benefits for a particular protected class. Mr. Adams requests that the language related to sexual orientation be amended as moved.

Judge Taylor stated that he has the upmost respect for Mr. Adams' position but believes that the Board taking this action is more related to doing what is right. He produced a copy of the U.S. Constitution, indicating that it was adopted in 1787 and is the document that allows for democracy. There are absolutely no rights for blacks or women included in the document and those rights were not included in the Bill of Rights that was passed four years later in 1791. Slavery remained legal in the U.S. until the Thirteenth Amendment to the Constitution was passed in 1865. Blacks and women did not have rights until 1868 with the passage of the Fourteenth Amendment as far as protection under the Bill of Rights as it applied to the states. In 1896 the U.S Supreme Court in the Plessy vs. Ferguson decision ordained the concept of "separate but equal" that had evolved after the passage of the Thirteenth Amendment. Judge Taylor explained that effectively this meant segregation was legal in the United States under the Constitution and it remained so until 1954. Women in this country fared even worse and had no right to vote until the Nineteenth Amendment was passed in 1920. He reported that equal rights amendments have been proposed at least twice by Congress but have not gained sufficient ratification votes from the states to pass and until Congress passed a comprehensive law in 1971 relating to sexual discrimination there really were no such laws.

Judge Taylor stated that regardless of one's personal view of the alternative lifestyle choice and the relationship of same sex individuals, just because the law is what it is does not make it right from the perception of discrimination and fairness. Murray State is an institution of higher education and learning and promotes and teaches diversity, tolerance and respect for one's fellow man. There is no federal law or Constitutional prohibition or recognition either way with regard

to sexual orientation that would prohibit the Board from adopting this language change and in terms of policy it is related more to the recognition of individuals and their rights. He indicated that the Constitution stands for democracy, fairness and individuals having the right to choose and they should be able to do so in a country with the liberties and freedoms found in the United States. He believes that under the University's form of governance as an institution of higher education that this issue will not lead to additional problems. Judge Taylor further stated he is a Christian and has heard and understands the moral arguments but he also knows that individuals who live this lifestyle have been in this country from day one. He has friends who choose the alternative lifestyle and does not think any less of them and they will remain friends and are citizens of the United States. He indicated on this basis he cannot support the proposed amendment to the recommendation.

Chair Stout stated MSU is a public university and the proposed policy language change has been adopted by three of the main constituencies on campus, including faculty, students and staff. He took exception to the comment made earlier that only two public universities in Kentucky have addressed this issue because he specifically requested this question be researched and it was discovered that every other public university in the Commonwealth has acted to include sexual orientation language in their Equal Opportunity policies. Considering that MSU is a public university and every other public university in the Commonwealth has addressed the issue, as have MSU constituent groups, he believes it is in the best interest of the University to adopt the proposed language change and indicated on that basis he would oppose the amendment.

Chair Stout provided clarification that the Board is voting on the amendment to strike the proposed language with regard to sexual orientation in *Section 2.19* of the Policy Manual. He indicated that a vote in favor of the amendment is essentially a vote to strike the language from the policy. He stated that he wanted to ensure all members of the Board have a full understanding of what they are voting for.

The roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, nay; Ms. Hays, abstain; Mr. King, nay; Dr. Manchikanti, nay; Dr. Morgan, nay; Judge Taylor, nay; Mrs. Travis, yes; Mrs. Winchester, nay; and Chair Stout, nay. The amendment was rejected by a vote of 7 to 3 with one abstention.

Amendment to *Section 2.19* (Change of Language Relating to Veterans), approved

Chair Stout stated there was an earlier motion and a second to approve *Section II* of the Board of Regents Policy Manual and asked if the Board had questions. Ms. Hays stated that in *Section 2.19* there is language that makes reference to "status as a veteran or veteran of the Vietnam Era." She questioned whether that language should be more expansive to include all veterans.

Ms. Hays moved that any verbiage in the BOR Policy Manual that refers to "status as a veteran or veteran of the Vietnam Era" be restated as "status as a veteran." Dr. Morgan seconded and the roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

Amendment to *Section 2.19* (Addition of Marital Status and Political Affiliation Language), rejected

Mrs. Winchester moved that verbiage referencing marital status and political affiliation be inserted in *Section 2.19* under sections I, XI and XIII to make the language consistent with that found in other University policies. She reported that the language was in the original document and she is not sure why it is not included in the document presented to the Board. Dr. Morgan seconded and discussion followed.

Dr. Dunn clarified that the Staff Congress Policy was not the template for the Board Policy Manual and what appears here is existing Board policy. Dr. Dunn stated that verbiage cannot be added every time there is a listing of race, color, religion and national origin because the laws that are outlined do not address marital status or political affiliation. Chair Stout stated that the issue the Board dealt with earlier regarding the language on sexual orientation was included in three sections: I – Policy Statement, XI – Promotion Criteria for Faculty and Non-faculty and XIII – Equal Education Opportunity. Mrs. Winchester amended the motion to include the verbiage of marital status and political affiliation after the word age in *Section 2.19*, I – Policy Statement only.

Dr. Dunn indicated that the University of Colorado dismissed a Professor named Ward Churchill because after the events of September 11, 2001, he made comments to the effect that it was about time this happened to the United States because it was deserved. Professor Churchill made these comments in the classroom and claimed his free speech rights allowed him to do so. Dr. Dunn cautioned the Board to be aware that adding the proposed language of political affiliation could provide a means by which someone like Professor Churchill would be able to say whatever they desire and the Board would be unable to take appropriate corrective action. Dr. Dunn stated that the individual could argue that they are held harmless in terms of political affiliation.

Dr. Dunn reported that discussion centering around state law in determining the definition of marital status is ongoing and he wanted the Board to be aware of the possible consequences of acting affirmatively on the amendment. Chair Stout asked whether the proposed language is contained in the faculty, staff and student policy documents and Dr. Dunn again stated there is no demand for consistency across these documents. He reported that what he is recommending and what the Ad Hoc Committee voted on was sexual orientation language. Dr. Dunn stated that the other issues may be included in the policy statements of constituency groups but go beyond what should be included in the BOR Policy Manual.

Mrs. Travis stated that she is against any form of discrimination and was very pleased to learn that Murray State University has had no complaints involving sexual orientation discrimination. She added that state and federal laws have addressed this issue and that is one of the reasons why she believes voting “no” to the inclusion of sexual orientation language is appropriate. She does not feel that each group should be specifically named in the University’s Nondiscrimination Policy. Dr. Dunn respectfully added that federal and state laws do not address this language and if it is added by the Board it could create difficulty in taking action against an individual claiming to have protected political status.

The roll was called with the following voting: Mr. Adams, nay; Mrs. Buchanon, nay; Mrs. Ford, nay; Ms. Hays, nay; Mr. King, yes; Dr. Manchikanti, nay; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, nay; Mrs. Winchester, yes; and Chair Stout, nay. Motion was rejected by a vote of 7 to 4.

Revision of Board of Regents Policy Manual, Section II – The University, approved

Chair Stout called for further amendments or discussion regarding *Section II – The University*. There were no additional amendments or discussion and there having been a motion and a second earlier, Chair Stout asked for a roll call vote to approve revisions to *Section II – The University* of the Board of Regents Policy Manual. The roll was called with the following voting: Mr. Adams, nay; Mrs. Buchanon, nay; Mrs. Ford, yes; Ms. Hays, abstain; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, nay; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried by a vote of 7 to 3 with one abstention.

Chair Stout stated that *Section II – The University* of the Policy Manual for the Board of Regents of Murray State University has been approved. He indicated that review of the Policy Manual marks the start of a long and arduous process but that years from now the Board will be pleased it addressed the issue. He reported that the Ad Hoc Policy Manual Committee would convene to review the next sections prior to the next quarterly meeting. Ms. Watts stated that the goal is to revise *Sections III, IV and V* in the next cycle and that those sections would be ready for Board review and adoption at the May 2008 quarterly meeting.

10. Personnel Changes

A. Staff Leaves of Absence Without Pay, approved

Mrs. Winchester moved, seconded by Ms. Hays, that the Board of Regents, upon the recommendation of the President of the University, approve the Staff Leaves of Absence Without Pay as listed below:

<u>Name</u>	<u>Department</u>	<u>Effective Dates</u>
Hopkins, John	Facilities Management	01/01/08-02/29/08
Lindsey, Della	Food Service	01/01/08-06/30/08
Miller, Kayla	Food Service	02/25/08-04/14/08
Nored, Chantee	Facilities Management	01/01/08-06/30/08
Shoemaker, Dean	Facilities Management	12/01/07-01/11/08

Smart, Michelle	Health Services	01/22/08-02/15/08*
Whitehead, Leisa	University Store	02/05/08-03/07/08
Wilford, Sandra	Facilities Management	11/17/07-02/29/08

*Intermittent Leave

Motion carried.

B. Salary Roster, Report of Resignations and Terminations and Report of New Employment, approved

Mrs. Travis moved, seconded by Mrs. Winchester, that the Board of Regents, upon the recommendation of the President of the University, approve the Salary Roster as of January 1, 2008; the Report of Resignations and Terminations for the period of August 15, 2007, through December 31, 2007; and the Report of New Employment for the period of August 15, 2007, through December 31, 2007.

Ms. Hays asked if in the future the Board could be provided with not only the annual salary for the period listed but with a range of prior periods because it is difficult to look through old documentation to arrive at a comparison. She understands there are some standard pay raise changes that will apply but would like to review what is being done to ensure employees are being rewarded fairly and equitably. She knows the information is being provided by qualified individuals but in its current form it is difficult to make a valid comparison. Mr. Adams asked whether salary increases were reflected in the current document. Dr. Dunn stated that the report provides information on the annualized salary for each employee for a given time period. Mr. Adams stated that the budget does show the increases and Dr. Dunn indicated the Board receives budget materials each year which include a listing of employees showing salaries for the new fiscal year and the corresponding percentage increase.

Chair Stout asked if a motion and a second had been received and the Secretary affirmed that to be the case. Mrs. Buchanan asked for clarification on whether Dr. Dunn is referring to the Executive Summary provided with the budget documents. Dr. Dunn stated there is an actual supplemental schedule that is included with the budget book listing every employee's salary by area in the new budget year and the percentage increase over the previous budget year and that provides a comparison between years. Ms. Hays indicated she has simply been looking in the wrong place for the information.

Chair Stout then called for another motion and a second. Mr. Adams moved, seconded by Ms. Hays, that the Board of Regents, upon the recommendation of the President of the University, approve the Salary Roster as of January 1, 2008; the Report of Resignations and Terminations for the period of August 15, 2007, through December 31, 2007; and the Report of New Employment for the period of August 15, 2007, through December 31, 2007. The roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanan, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, abstain; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried with one abstention.

(See Attachments #3, #4 and #5)

C. Appointment of Assistant Vice President for Communications, approved

Mrs. Winchester moved that the Board of Regents, upon the recommendation of the President of the University, approve the appointment of Mrs. Catherine Sivills as Assistant Vice President for Communications, effective February 11, 2008, at a fiscal year salary of \$75,000. Mrs. Buchanan seconded and the roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanan, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

D. Early Retirement Contracts, approved

Judge Taylor moved that the Board of Regents, upon the recommendation of the President of the University, approve the following applications for early retirement:

Steve Horwood – Professor, Department of Engineering Technology
(Effective January 1, 2008, through May 15, 2009)

Spring 2008 - \$23,439 (Professor plus \$2,699 residential college head) and 2008-09 - \$49,576 plus salary increments for 08-09 (\$46,877 Professor Emeritus and \$2,699 Residential College Head)

Michael Johnson – Professor, Department of Art
(Effective August 15, 2008, through May 15, 2010)

2008-09 - \$30,484 plus salary increments for 08-09 and future years

Oliver Muscio – Professor, Department of Chemistry
(Effective August 15, 2008, through May 15, 2010)

2008-09 - \$40,372 plus salary increments for 08-09 and future years

William Whitaker – Associate Professor, Department of Industrial and Engineering Technology

(Effective July 1, 2008, through June 30, 2010)

2008-09 - \$37,627 plus salary increments for 08-09 and future years (\$26,263 Professor Emeritus and \$11,364 Athletic Faculty Representative)

Mrs. Travis seconded and the roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes, exclusive of salary; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

E. Sabbatical Leaves, approved

Mrs. Buchanon moved that the Board of Regents, upon the recommendation of the President of the University, grant the following requests for sabbatical leaves for the periods indicated:

<u>Name</u>	<u>Department</u>	<u>Effective</u>	<u>Salary</u>
Jeanne Beaver	Art	8/15/08-12/31/08	full salary/1 semester
	• Design and construct new body of work (10-12 pieces) consisting primarily of sterling silver sculptural jewelry.		
Gina Claywell	English and Philosophy	8/15/08-12/31/08	full salary/1 semester
	• Write article regarding student advising, secure publisher for CISR-sponsored work and complete page proofs for contracted textbook.		
Laura Dawkins	English and Philosophy	1/1/09-5/15/09	full salary/1 semester
	• Complete book manuscript.		
Latricia Trites	English and Philosophy	8/15/08-5/15/09	half salary/academic year
	• Participate in Fulbright Scholar Program in Taiwan, conducting teacher training workshops for Junior Fulbright teachers teaching English abroad and recruiting prospective students to TESOL program. This leave was approved by the Promotion and Leave Committee contingent upon the receipt of the Fulbright award.		
Stephanie Rea	Music	1/1/09-5/15/09	full salary/1 semester
	• Participate in Fulbright Scholar Program in Frankfurt, Germany, researching German music curricula to gain a broader perspective of current music trends within the European model of higher education with specific attention to courses taught at MSU. This leave was approved by the Promotion and Leave Committee contingent upon the receipt of the Fulbright award.		

Mrs. Ford seconded and the roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes, exclusive of salary; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

F. Leaves of Absence Without Pay, approved

Ms. Hays moved, seconded by Mrs. Winchester, that the Board of Regents, upon the recommendation of the President of the University, approve the following requests for Leaves of Absence Without Pay:

<u>Name</u>	<u>Department</u>	<u>Effective</u>
William Mulligan	History	1/1/09-5/15/09
<ul style="list-style-type: none">• Conduct research at the University of College Park (Ireland) on migration from specific areas in Ireland to a specific place in the United States, the Michigan Copper Country. This leave will allow Dr. Mulligan to publish more quickly his current research and teaching interests with regard to the Irish Diaspora.		
Heath Keller	BPA/TSM/Mgt., Mkt. & Bus. Admin.	7/1/08-6/30/09
<ul style="list-style-type: none">• Continue work on a doctoral degree in the area of management at Southern Illinois University.		
Chekita Hall	English and Philosophy	8/15/08-5/15/09
<ul style="list-style-type: none">• Continuation of Military Leave as provided for by the Uniformed Services Employment and Reemployment Rights Act of 1994.		

Motion carried.

11. Committee Reports/Recommendations

A. Academic Affairs – Dr. Morgan

Dr. Morgan reported that the Academic Affairs Committee met during the morning session and approved one agenda item that also required Finance Committee concurrence.

Program/Course Fee Changes, approved

On behalf of the Academic Affairs Committee, Dr. Morgan moved that the Board of Regents, upon the recommendation of the President of the University, approve the following program/course fee changes:

[Secretary’s Note: According to *Robert’s Rules of Order*, the absence of a second does not affect the validity of the motion’s adoption.]

New Program/Course Fees:

- **Program Fee - Option Six University Based Alternative Certification Program** \$250
(For beginning candidates)

In 2001 the College of Education implemented an alternative route to certification program to assist the public schools in filling high needs areas with competent teachers. New regulations adopted this year by the Kentucky Education Professional Standards Board (EPSB) require 15 hours of supervision per year in the classroom setting. A new one-time program fee would help offset the cost of observation and monitoring requirements provided to candidates at their place of school employment as required by new state regulations. The fee would be assessed when processing the Teaching Certificate-Temporary Provisionals for certification from EPSB. The revenues from this fee would revert to the College of Education.

- **Course Fees -- AGR**

In order to offset costs for providing care for horses utilized in these agriculture courses, the following new course fees are recommended:

AGR 308:	<i>Equine Practicum</i>	\$50
AGR 405:	<i>Breaking and Training</i>	\$150

The revenues from these fees would revert to the Equine Program.

In order to offset costs for travel that is mandatory for these agriculture courses, the following new course fees are recommended:

AGR 534:	<i>Types and Systems of Farming and Agribusiness</i>	\$50
AGR 578:	<i>Research and Development of Agriculture Tractors and Equipment</i>	\$200

The revenues from these fees would revert to the School of Agriculture.

- **Course Fees – ART**

In order to allow the Department of Art to purchase expendable art materials at bulk rates, the following new course fees are recommended:

ART 105:	<i>Studio Art for Non-Majors</i>	\$15/credit hour
ART 390:	<i>Seminar</i>	\$15/credit hour
ART 393:	<i>Special Topics in 2D</i>	\$15/credit hour
ART 394:	<i>Special Topics in 3D</i>	\$15/credit hour

The revenues from these fees would revert to the Department of Art.

Increase in Course Fees:

The following nutrition courses provide a laboratory-based research experience for Murray State students. Current course fee income is not sufficient to cover the cost of food and other necessary supplies and an increase in course fee is recommended.

NTN 231:	<i>Principles of Food Service Preparation</i>	\$19 to \$30
NTN 332:	<i>Meal Management</i>	\$19 to \$30
NTN 432:	<i>Experimental Foods</i>	\$19 to \$30

The Division of Nutrition, Dietetics and Food Management would be the recipient of the revenues from these fees.

The following courses in the School of Agriculture have experienced an increase in maintenance costs in providing care for the horses utilized in the courses, including feed, farrier work, dental work, veterinary care and repair of tack and equipment and an increase in course fee is recommended to help offset the increase in cost.

AGR 101:	<i>Basic Horsemanship</i>	\$112.50 to \$150
AGR 201:	<i>Intermediate Horsemanship</i>	\$112.50 to \$150
AGR 304:	<i>Advanced Stock Seat</i>	\$112.50 to \$150
AGR 306:	<i>Advanced Forward Seat</i>	\$112.50 to \$150

The revenues from these fees would revert to the Equine Program.

The following increase of \$175 in the current course fee for the English Master's Thesis course for the low residency MFA program beginning in Fall 2008 would allow the Department of English and Philosophy to continue to pay adjunct MFA faculty members to serve as mentors to Murray State students via distance learning and also to cover travel costs for them to come to campus for thesis committee meetings and residencies. The Department of English and Philosophy will be the recipient of the revenues.

ENG 668:	English Master's Thesis	\$808.50 to \$983.50
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The roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

B. Athletic – Chair Stout

Chair Stout reported that the Athletic Committee did not meeting during the morning session but encouraged members of the Board and guests present to support Murray State University's athletic teams as they compete in the Ohio Valley Conference Tournament.

C. Audit – Mr. Adams

WKMS Audit, approved

Mr. Adams reported that the Audit Committee met during the morning session and all members were present. The Committee received the WKMS-FM Audited Financial Statement for Year Ended June 30, 2007, and also the Corporation for Public Broadcasting (CPB) Schedule of Non-Federal Financial Support (NFFS) for Year Ended June 30, 2007. The Audit was performed by BKD, Murray State's auditing firm, and was presented by Mr. Denton. The Committee unanimously recommended acceptance of the audit.

On behalf of the Audit Committee, Mr. Adams moved, seconded by Mrs. Buchanon, that the Board of Regents, upon the recommendation of the President of the University, accept the WKMS-FM Audited Financial Statement for Year Ended June 30, 2007, and also the Corporation for Public Broadcasting (CPB) Schedule of Non-Federal Financial Support (NFFS) for Year Ended June 30, 2007. Motion carried.

(See Attachments #6 and #7)

Contract for Fiscal Year 2007-08 Audit, approved

Mr. Adams reported that the Audit Committee received a contract renewal proposal for BKD for the upcoming year. BKD is in the third year of a four-year contract and additional regulations necessitate a fee increase. The revised amount will range from \$129,500 to \$150,500 depending on the additional hours incurred. Mr. Adams stated this issue was discussed with the Committee and is being recommended to the Board for approval with 4 yes votes and 1 nay vote.

On behalf of the Audit Committee, Mr. Adams moved that the Board of Regents, upon the recommendation of the President of the University, authorize the renewal of the contract with BKD LLP for the performance of the University's financial and compliance audits for the fiscal year ending June 30, 2008, at a maximum total cost of \$150,500. Ms. Hays seconded and the roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, nay; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried by a vote of 10 to 1.

D. Buildings and Grounds – Ms. Hays

Revised Campus Master Plan, approved

Ms. Hays reported that the Buildings and Grounds Committee met during the morning session and all members were present. The Committee reviewed the Murray State University revised Campus Master Plan as prepared by *designWORKS*. She reported that the Committee has met on numerous occasions and recommends that the Board adopt the revised Campus Master Plan. Dr. Dunn reminded the Board that the acquisitions map distributed with the Board materials should be held in strict confidence.

On behalf of the Buildings and Grounds Committee, Ms. Hays moved that the Board of Regents, upon the recommendation of the President of the University, approve the revised Campus Master Plan. Mrs. Buchanon seconded and the roll was called with the following voting: Mr. Adams, yes; Mrs. Buchanon, yes; Mrs. Ford, yes; Ms. Hays, yes; Mr. King, yes; Dr. Manchikanti, yes; Dr. Morgan, yes; Judge Taylor, yes; Mrs. Travis, yes; Mrs. Winchester, yes; and Chair Stout, yes. Motion carried.

(See Attachment #8)

E. Development/Investments – Chair Stout – No report.

F. Equal Opportunity/Affirmative Action – Mrs. Ford – No report.

G. Faculty/Staff Affairs – Mrs. Winchester

Mrs. Winchester reported that the Faculty/Staff Affairs Committee met during the morning and all members were present. On behalf of the Faculty/Staff Affairs Committee, Mrs. Winchester moved, seconded by Dr. Morgan, that the Board of Regents, upon the recommendation of the

President of the University, approve the changes in the Staff Congress Constitution as outlined in the attached document. Motion carried.

(See Attachment #9)

Dr. Dunn expressed appreciation to Staff Congress for the letter of support which was discussed during the committee meeting. He stated the letter was unexpected but very much appreciated and Staff Congress has been a wonderful group to work with.

Mrs. Winchester reported that on February 25, 2008, after being contacted by several of the regional universities, the Executive Council of Staff Congress drafted a resolution regarding the proposed budget cuts to higher education. Mrs. Winchester presented the attached resolution that was mailed last week to the Governor and legislators.

(See Attachment #10)

H. International Relations – Mrs. Travis – No report.

I. Finance – Judge Taylor

Judge Taylor reported that the Finance Committee met during the morning session and all members were present. The Committee joined the Academic Affairs Committee in approving one item of business regarding program/course fee changes and the full Board has now approved those changes.

J. Governmental Relations – Mrs. Travis

Mrs. Travis reported that the Governmental Relations Committee met during the morning session and all committee members were present. The Committee received information and there was no action taken.

K. Student Life – Mr. King

Mr. King reported that the Student Life Committee met during the morning session and all members were present. He discussed the recent formation of the Student Government Association (SGA) *Bylaws* Reform Committee pertaining to election rules. He added that clarification of language contained in those *Bylaws* has been provided and SGA is undertaking a comprehensive review to be able to make recommendations regarding changes to that governing document. Mr. King will keep the Board informed of changes as they occur.

Mr. King provided an update on the Board of Study Body Presidents and stated that he is a member of this Board which is composed of all study body presidents from the Kentucky public institutions. The Board meets every month and is attempting to be legitimized in the House of Representatives through recently passed House Bill 396. Representative Harry Moberly served as spokesperson for the student body presidents in the House Education Committee and the Bill is now in the Senate Education Committee with Senator Ken Winters serving as Chair. The Board of Student Body Presidents has operated over the last 20 years but the new Bill would recognize the group by law and members would be able to testify before the legislature.

Mr. King indicated that last week the group testified before the Senate Education Committee regarding the 15 percent proposed budget cut for higher education. The Board provides a great opportunity for students to become leaders but also to see how government operates as it pertains to higher education funding. The student body presidents also recently travelled to Frankfort, Kentucky, as advocates for higher education. Mr. King reported that he encourages student senators to be professional in their demeanor but not leave their freedom of speech at the door and feels the group stamped their names on Frankfort by holding a rally for higher education. They met with CPE President Brad Cowgill, Representative Moberly and Senator David Williams. The students met over dinner with Governor Steve Beshear the night before the rally.

Mr. King stated it is interesting to see students observing government in action and that they understand the ultimate outcome of the proposed budget is a tuition increase and want their voices to be heard throughout the process. Mr. King commended the students and SGA leadership for their efforts in this endeavor.

12. Closed Session

Chair Stout asked if any business or comments needed to be brought before the Board before he entertains a motion to go into Closed Session.

The Board recessed for a short break beginning at 4:15 p.m. Chair Stout reconvened the Plenary Session at 4:30 p.m.

Chair Stout requested a motion for the Board of Regents to go into Closed Session pursuant to KRS 61.810(1)(c) for the purpose of discussing pending litigation involving Murray State University.

Dr. Morgan moved, seconded by Ms. Hays, that the Board of Regents go into Closed Session pursuant to KRS 61.801(1)(c). Motion carried. Executive Session began at 4:30 p.m. and ended at 5 p.m.

Mrs. Buchanon moved, seconded by Ms. Hays, that the Board of Regents convene into Open Session. Motion carried. Open Session began at 5 p.m. Chair Stout declared that the Board was back in Open Session and no final action was taken during Closed Session.

Chair Stout stated there being no other business he would entertain a motion for adjournment. Mrs. Buchanon moved, seconded by Mrs. Ford, that the Board of Regents adjourn. Motion carried.

Adjournment was at 5:05 p.m.



Chair



Secretary

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