

**MARSHALL UNIVERSITY**  
**BOARD OF GOVERNORS**  
April 17, 2012  
Memorial Student Center  
Huntington, WV

Members present, in person: Verna Gibson, Chair; John G. Hess, Vice Chair; Phyllis Arnold; Oshel Craig; Michael J. Farrell; David Haden; Ed Howard; Dale Lowther; Joe McDonie; Wyatt Scaggs; Michael G. Sellards; Joseph Touma; Mike Dunn; Marty Amerikaner; Raymond Harrell Jr.

Members Absent: Letitia Neese Chafin

**I. Call to Order**

The meeting was called to order at 11:15 a.m. by Chairman Gibson.

**II. Student Representatives**

A protestor spoke noting they came to a 9:30 a.m. meeting and were escorted away by MUPD police. Approximately 6 protestors, carrying signs, were protesting a tuition increase that was subject to vote by the Board later during the meeting. The protestor noted that increasing tuition does not help our economic area.

Verna noted that nothing had been approved by this board at this time. She thanked the protestors for their time and for attending the board meeting today.

**III. Minutes**

Upon a motion by Joe McDonie, seconded by Joe Touma, the minutes of the February 27, 2012 special meeting were unanimously approved. Also, upon a motion by Michael G. Sellards, seconded by Joe McDonie, the minutes of the February 23, 2012 meeting were unanimously approved.

**IV. President's Report**

Dr. Kopp introduced the new Dean of the Joan C. Edwards School of Medicine, Dr. Shapiro. Dr. Shapiro gave some brief remarks to the group.

Dr. Kopp acknowledged Beth Hammers and Dr. Rankin for their roles in the search committee to bring Dr. Shapiro here. He also acknowledged the tremendous leadership given by Dr. Robert Nerhood during his time as Interim Dean. A brief LCME update was given noting that the action plan was completed and submitted one week ago. Progress on each item continues. The meeting is in June for consideration for reinstatement of the accreditation.

Dr. Kopp showed the Board two attachments as information. One was an article by John

Quintero regarding "The Great Cost Shift: How Higher Education Cuts Undermine the Future Middle Class" and the other was a summary of the WV OPEB Plan. He noted that the OPEB Bill would affect us this fiscal year by an estimated \$12 million on our books, but next year would the amount is estimated at ~\$1.2 million.

On April 24-25, the University will be having a meeting with INTO International Partners. This is to complete the planning for the Memorandum of Understanding agreement, for the first intake of students in fall of 2013.

Dr. Kopp discussed applications giving an update for FT freshmen, noting that we probably would not hit the goal of 2,100. We are currently monitoring deposit notices. It was also brought to the attention of the Board that the PROMISE notices are behind schedule now. Dr. Kopp is looking forward to a robust freshman class.

The new parking facility is on schedule for mid-August. Other projects are on schedule and we will be breaking ground on the Engineering building on October 1<sup>st</sup>.

A Legislative Update was shared with the Board. Dr. Kopp acknowledged Bill Burdette for his work at the Capitol. The Update showed a wrap-up of 22 bills. He brought specific attention to SB 211 noting that you cannot text or use a cell phone unless it is hands-free effective June 4, 2012. However, texting is a primary violation while cell phone use is a secondary violation until July 1, 2013, when it becomes a primary violation. Other bills of note are: SB 469, which is the OPEB Bill and SB 160, which is the budget bill on the Senate side. With the help of Bob Plymale and the Cabell Wayne Delegation, \$1.26 million was allocated to address accreditation issues and needs at the School of Medicine. A letter to Bob thanking him was sent, as well as to all who helped obtain the funds.

Pharmacy and PT startups are progressing. On May 1-3, 2012, Pharmacy will receive a mock site visit. Of note, the MEB (Medical Education Building) is on schedule, the first intake is in August 2012. There has been a robust level of interest. Applications are over 360 and 87 Pharmacy Students have been accepted.

The Physical Therapy facility is on schedule to be ready by the first part of May. At the end of April, 27 students were accepted.

At the end of March, a group traveled to Chicago for the HLC Pathways Initiative Meeting. It went very well and favorably for us. Our degree of faculty participation in this project has gone very well, particularly in comparison to other institutions.

Fundraising for private Capital Projects is proceeding well. We now have \$7 million in pledges received.

A list of upcoming events for the next few weeks was given to members. Dr. Kopp noted that everyone is welcome to attend any event.

Dr. Kopp asked Jan Fox to give an IT Security Update. Jan assured that our resources are secure and noted that a project is underway to identify University-owned computers which are at-risk due to missing critical security updates. These computers will receive updates through an automated alert/download/install process. Another item of note is Copyright Infringement notifications. There was one in April when this report was generated, but there were 7 in March. Campus IT organizations are notified and a DMCA “take down notice” is issued when protected works are found to be exiting from campus networks. Dr. Kopp asked if there were questions and commended Jan and her staff on this very good and important update on Security.

## V. Committee Reports

### **Finance, Audit and Facilities Planning Committee, John G. Hess, Chair**

Mr. Hess discussed the informational items brought to the Committee. He briefly discussed the OPEB Bill and its significant impact to the condition of the University; and the HEPC report, which he encouraged Board Members to read. He briefly discussed the bond upgrade and operation efficiencies. During the Committee meeting, Jim Schneider gave a brief report and introduced Matt Straub as CFO for UP&S. Matt was a former SOM employee. Also, during the Committee, a brief update from Athletics was given.

Action items were discussed at length during the Committee Meeting. The first item is Approval of Proposed Marshall University Tuition and Fees Schedule for Fiscal Year 2012-13 and Fiscal Year 2012-13 Budget. Much discussion ensued to let the students that were “protesting” know what the Board does and how hard it is to raise tuition. The increases brought to the Board today are fairly modest increases. Some of the reasons that tuition and fees must increase is: inflationary rise in cost (economic); no increase in state appropriations, proposal for pay raise adjustment for personnel. However, comparing MU Tuition to other institutions nationally, we are at 68.5% of the national average. Our Board tries to constrain costs as much as possible. This proposed increased is the lowest level that can responsibly be presented to the Board of Governors.

Time was allotted for questions by the protestors and direct answers from the Board of Governors members, as well as President Kopp were provided. There is no single investment that will produce better returns than a college education. A question was asked by a protestor as to why tuition has gone up. Some reasons are: Financial Aid is less. Government programs are less. The Government wants each student to succeed; however, it will take a change nationally to reinvest in public higher education. In the FY 12 Federal Expenditure Budget, a very modest 3% went to education and that is K-12 plus higher education. We are less than 24% state funded. We actually do more with less. President Kopp noted that while he feels the burden should not fall on students, we are not in the position to offer lower tuition. We have \$750,000 payroll increase for classified staff and an increase of \$1.5 million in operating costs.

Mr. Hess pointed out that two years ago, this Board voted not to raise tuition. The costs were not made up. While it was the “right” decision to make it better for students, there were unknowns. Items we had (Pell grants, Student aid, work study) were resource based and decreased without the recommitment to higher education. Several Board members interjected, particularly Phyllis Arnold commented that it’s education not privatization. She also noted that Pell grants have not been fully funded by Congress. Ray Harrell said the “fight is with the legislature and Congress.” Dr. Marty Amerikaner noted that the BOG is very careful and that the “fight” is understandable and justified but not with this Board of Governors. It’s a political issue and now is the perfect time to address it with those parties. Dr. Touma said that FY 2014, funding is expected to decrease. President Kopp said, “Economically as a nation, we owe \$16 trillion, so how do you cap spending as you try to stimulate the economy. It will not happen overnight.”

One protestors commented that they would have had a better “strike” if they would have known about the Board Meeting earlier. Layton Cottrill, Legal Counsel, advised the protestors that the meeting was noticed with the Secretary of State more than 30 days ago.

Dr. Kopp advised the protestors that we as a University were looking for ways to save.

The Board needed to continue the meeting, and upon a motion by Joe McDonie, seconded by Ed Howard, with a “nay” vote by Michael J. Farrell, the motion carried and the board approved the following resolution:

*Resolved, that the Marshall University Board of Governors approves the proposed Marshall University Tuition and Fees, per semester, for Fiscal Year 2012-2013 and approves the proposed Budget for Fiscal Year 2012-2013.*

The protestors left with a new understanding.

The next item was the Approval to fully fund the Classified Employee Salary Schedule, effective June 1, 2012. Upon a motion by Mike Dunn, seconded by Joseph Touma, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approves the full funding of the statutory classified employee salary schedule effective June 1, 2012.*

The next item is the Investment Earnings Update. It was noted that Jeffries received investment monies on April 1, 2012. Upon a motion by Joe McDonie, seconded by Dave Haden, the following resolution was unanimously approved:

*Resolved that the Marshall University Board of Governors receives the Investment Earnings Report for the nine months ending March 31, 2012.*

The next item is the Capital Expenditure Project List, which is submitted to the Higher Education

Policy Commission. Upon a resolution by Michael G. Sellards, seconded by Joe McDonie, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approve the attached FY 2013-2018 Capital Project List.*

The last action item is regarding Purchasing Policy FA-9. It is the final approval and there is no anticipated incremental financial cost to the institution for implementing this policy. Upon a motion by Dale Lowther, seconded by Phyllis Arnold, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approves Policy FA-9, Purchasing Policy.*

**Academic & Student Affairs Committee, Michael G. Sellards, Chair**

Mr. Sellards thanked Marty Amerikaner for his part in the Program Review process held March 28, 2012. He also thanked Joe Touma, Dale Lowther, Michael J. Farrell, Dave Haden, Joe McDonie, and Wyatt Scaggs for their participation.

Michael G. Sellards asked Gayle Ormiston to give the Academic Affairs report.

Dr. Ormiston thanked the Board for the discussion with students. He discussed the “Bridge Program” noting that it is a form of remediation for students by taking their ACT score and deciding if they need to take a preparatory Math, and/or English class before they actually enrolled in college-credit bearing math and English composition courses as a full time student. This program will take place between July and August and will be free of charge.

Dr. Ormiston mentioned HLC and noted that for this first phase 97% of programs are participating. He briefly mentioned INTO, not repeating what Dr. Kopp had already reported. And, he thanked those that participated in the Program Review, from the University as well as on behalf of the Deans and Chairs of each program. In summary, four programs were eliminated due to poor graduation rates and success levels, two intent-to-plans, and one new degree focusing on Public Administration. There are a few changes and moving of titles: Wael Zatar is the new Dean of the College of Information Technology and Engineering; Dean Corley Dennison is moving to be the new Associate Vice President in Academic Affairs, replacing Frances Hensley, who is retiring; Deanna Mader was named interim Dean of the College of Business, replacing Chong Kim, who is retiring; Janet Dooley was named interim Dean of the College of Journalism beginning 7/1/12, replacing Corley Dennison, as was named earlier.

Mr. Sellards congratulated all of those named and said there are four action items for approval. They are:

Approval of Program Review Recommendations. Upon a motion by Dave Haden, seconded by Ed Howard, the Board approved the following resolution:

*Resolved, that the Marshall University Board of Governors approve the 2011-2012 Program Review Recommendations. The Academic Affairs Advisory Committee recommends the following actions for Program Review for academic year 2011-2012:*

**Program Elimination:**

B.A. in Adult Technical Education  
B.A. in Counseling  
B.A. in Family and Consumer Science  
M.A. in Family and Consumer Science

**Continuation of the Program with Corrective Action:**

M.S. in Adult Technical Education (ATE)  
M.A. in Mathematics

**Program Continuation with Current Levels of Support:**

**Undergraduate Programs:**

B.S. in Mathematics  
B.S. in Chemistry  
B.A./B.S. in Geology  
B.S. in Physics  
B.A. in Psychology

**Graduate Programs:**

Ed.S. in School Psychology  
M.A. Counseling  
M.S. Sports Administration  
M.A. in Elementary Education  
M.A. in Secondary Education  
M.A. Psychology  
M.S. Chemistry  
M.S. in Physical and Applied Science  
Psy D. Doctorate in Psychology

Next action item was approval of a New Degree Program, Bachelor of Science in Health Sciences (BHS). Upon a motion by Ray Harrell, Jr., seconded by Dale Lowther, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approve a new degree program: Bachelor of Science in Health Sciences (BHS).*

Fiscal Note: No additional resources are required for this degree program.

The next item is an approval of an intent-to-plan for a Bachelor of Science in Biomechanics. Upon a resolution by Dale Lowther, seconded by Joe Touma, the following resolution was

unanimously approved:

*Resolved, that the Marshall University Board of Governors approve an Intent to Plan a new degree program: Bachelor of Science in Biomechanics.*

Fiscal Note: No additional faculty positions are needed to deliver this degree. An annual operational budget of \$20,500 will be needed initially, increasing to \$24,000 after 5 years.

The last item is an approval of a new degree program, Master of Arts in Public Administration. Upon a motion by Ed Howard, seconded by Dale Lowther, the following resolution was unanimously approved:

*Resolved, that the Marshall University Board of Governors approve a new degree program: Master of Arts in Public Administration.*

Fiscal Note: This program requires no additional resources.

At this time, the Board went into Executive Session under the authority of WV Code §6-9A-4 upon a motion by Joe McDonie, seconded by Michael G. Sellards and unanimously approved.

## **VI. Executive Session under the authority of WV Code §6-9A-4**

Executive Session under the authority of WV Code §6-9A-4

After reconvening in open session, the following resolutions were approved:

Upon a motion by David E. Haden, seconded by Mike Dunn, the following resolution was unanimously approved:

Resolved that the Marshall University Board of Governors approves the purchase agreement dated April 16, 2012, by and between Brass Ring, Inc. and East End Realty Company and the Board of Governors for the acquisition of Lots 12, 13, 14, 15, 16, 17 and 18 commonly known as block 167 and located at 331 Hal Greer Boulevard, Huntington, Cabell County, West Virginia and further that appropriate University Officials be authorized to consummate said purchase in accordance with the terms and conditions of the agreement.

Upon a motion by Mike Dunn, seconded by Raymond Harrell, Jr., the following resolution was approved:

*Resolved that pursuant to the terms of Marshall University Board of Governors Policy No. GA 10, the Board hereby authorizes the naming of Corbly Hall Room 106 in accordance with the gift agreement with the Marshall University Foundation, Inc. and further that the donor and the room name will be disclosed in the future.*

Upon a motion by Michael J. Farrell, seconded by Joe Touma, the nominating committee presents the following recommendations for the slate of officers for the year 2012-13.

Joe Touma as Chairman

Phyllis Arnold as Vice Chairman

Mike Sellards as Secretary

Ed Howard as Chairman of Academic & Student Affairs Committee

Joe McDonie as Vice Chairman of Academic & Student Affairs Committee

Dale Lowther as Chairman of Finance, Audit and Facilities Planning Committee

Oshel Craigo as Vice Chairman of Finance, Audit and Facilities Planning Committee

#### **VII. Announcements and Adjournment**

*The next Board Meeting is June 18, 2012, unless we have to call a special board meeting.*

As there were no other matters to bring before the Board, upon a motion by Joseph McDonie, seconded by Phyllis Arnold, and unanimously approved, the meeting was adjourned.

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Joseph Touma, Secretary