



Board of Regents – First Quarterly Meeting

Friday, January 20, 2012 ~ 8:30 am (CST)
Cornelius A. Martin Regents Room (MMTH)

AGENDA

- Call to Order (*Mr. Freddie Higdon, Chair*)
- Invocation (*Mr. Joel Padgett, Student from Glasgow, KY*)
- Roll Call (*Dr. Melissa B. Dennison, Secretary*)
- Approval of Minutes (*Mr. Freddie Higdon, Chair*)
 - ❖ 2011 Fourth Quarterly Meeting – October 21, 2011

1. **ACADEMIC AFFAIRS COMMITTEE** (*Dr. Melissa B. Dennison, Chair*)

Action Items / Consent Agenda:

- 1.1 Approval of a Doctor of Physical Therapy degree [pp 1-13]
- 1.2 Approval of a Graduate Certificate in Dietetic Practice [pp 14-17]
- 1.3 Approval of a Graduate Certificate in Lean Sigma [pp 18-20]
- 1.4 Approval of a Undergraduate Certificate in Food Processing and Technology [pp 21-23]
- 1.5 Approval of a Undergraduate Minor in Global Health Service [pp 24-27]
- 1.6 Approval of a Undergraduate Minor in News/Editorial Journalism [pp 28-33]
- 1.7 Approval of room name change to honor Dr. John Wassom [p 34]
- 1.8 Approval of Emeritus Faculty Appointments [p 35]
- 1.9 Approval of Sabbatical Leaves [pp 36-37]

Information Items:

- Enrollment Report (*Dr. Brian Meredith*)
- Update on DELO activities (*Dr. Beth Laves*) [separate attachment]

EXECUTIVE / CLOSED SESSION – Update on pending litigation matters (*Ms. Deborah T. Wilkins*)

2. EXECUTIVE COMMITTEE (*Mr. Freddie Higdon, Chair*)

Action Items / Consent Agenda:

- 2.1 Approval of new contract for Head Football Coach [p 38 & attached contract pp 1-16]
- 2.2 Second Reading: Amendments to the Bylaws of the WKU Board of Regents [p 39 & attached Bylaws pp 1-11]

Information Item:

- Internal Auditor's Report
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3. FINANCE AND BUDGET COMMITTEE (*Mr. J. David Porter, Chair*)

Action Items / Consent Agenda:

- 3.1 Acceptance of Auditor's Report and Financial Statements for the fiscal year ended June 30, 2011 [p 40 – report and statements were distributed with 12-16-11 Committee material]
 - 3.2 Approval of 2011-12 Operating Budget Revisions [pp 41-44]
 - 3.3 Approval of Personnel Actions as of November 29, 2011 [p 45 & attached reports pp 1-5]
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4. PRESIDENT'S REPORT (*Dr. Gary A. Ransdell*)

Information Items:

- 2012 General Assembly
 - Beverage Pouring Rights
 - Health Center Usage Report [p 46]
 - Construction Progress Update (*Mr. John Osborne*) [pp 47-49]
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5. OTHER BUSINESS (*Mr. Freddie Higdon, Chair*)

Upcoming calendar dates:

- Committee Meetings – **March 23**
 - Second Quarterly Meeting – **April 27**
 - An Evening of Dance – **April 26-30**
 - Music Building Dedication Ceremony – **May 4**
 - Commencement – **May 11-12**
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6. ADJOURNMENT (*Mr. Freddie Higdon, Chair*)

**MINUTES
OF THE BOARD OF REGENTS
WESTERN KENTUCKY UNIVERSITY**

October 21, 2011

- **CALL TO ORDER**

Required statutory notice having been given, the fourth quarterly meeting of the Board of Regents of Western Kentucky University was held in the *Cornelius A. Martin Regents Room* of the Mass Media and Technology Hall on the Western Kentucky University campus. The meeting was called to order by Chair Freddie Higdon at approximately 8:00 a.m., (CDT).

- **INVOCATION**

The invocation was provided by Ms. Suzanne Spalding, WKU Honors College student from Lebanon, Kentucky.

- **ANNOUNCEMENTS**

Chair Higdon extended congratulations to Regent Patti Minter on her re-election as Faculty Regent for another three-year term. Chair Higdon relayed thoughts of appreciation from Regent Larry Zielke for the plant he received from the Board.

Regent Jim Meyer commented on the recent passing of former Athletic Director, Mr. Lewis Mills.

President Gary Ransdell and Regent Patti Minter commented on the recent passing of former WKU History Professor, Dr. Lowell Harrison.

- **OATH OF OFFICE**

The Constitutional Oath of Office was administered by Chair Freddie Higdon to Ms. Cynthia Harris. President Gary A. Ransdell presented Ms. Harris with the official Regent's pin which was designed specifically for members of the Board.

• **ROLL CALL**

The following Regents were present:

Mr. Freddie Higdon, Chair
Mr. J. David Porter, Vice Chair
Dr. Melissa B. Dennison, Secretary
Ms. Cynthia Harris
Mr. Jim Johnson

Mr. James Kennedy, Staff Regent
Mr. Jim Meyer
Dr. Patricia H. Minter, Faculty Regent
Mr. Billy Stephens, Student Regent

Regents not in attendance:

Mr. Rob Wilkey
Mr. Laurence J. Zielke

Others in attendance included the following:

Dr. Gary A. Ransdell, President
Mr. Howard Bailey, Vice President for Student Affairs
Mr. Ross Bjork, Director of Athletics
Dr. Randy Capps, Parliamentarian
Ms. Kathryn R. Costello, Vice President for Development & Alumni Relations
Dr. A. Gordon Emslie, Provost and Vice President for Academic Affairs
Ms. Julia McDonald, Senior Administrative Assistant
Ms. Ann Mead, Vice President for Finance and Administration
Mr. John Osborne, Vice President for Campus Services and Facilities
Ms. Robbin Taylor, Vice President for Public Affairs
Ms. Deborah Wilkins, Chief of Staff / General Counsel

In keeping with the policy of the Board, the agenda for the meeting and information and materials pertinent to items thereon had been mailed in advance of the meeting by the President to members of the Board.

• **APPROVAL OF MINUTES – ACTION ITEM**

The minutes of the June 24, 2011 special budget approval meeting and the July 29, 2011 third quarterly meeting were presented for adoption.

ACTION TAKEN: Approved Not Approved Other _____

Provost Gordon Emslie introduced and recognized Dr. Louis-Gregory Strolger, Associate Professor of Physics and Astronomy, for his work with three Nobel Prize-winning scientists—Saul Perlmutter of Lawrence Berkeley National Laboratory and the University of California at Berkeley; Brian Schmidt; of the Australian National University; and Adam Riess of The Johns Hopkins University and the Space Telescope Science Institute—who were awarded the 2011 Nobel Prize in Physics for their discovery that the expansion of the universe is accelerating.

1. ACADEMIC AFFAIRS COMMITTEE – ACTION ITEMS
(Dr. Melissa Dennison, Chair)

CONSENT AGENDA: No items were removed for discussion under the Academic Affairs Committee.

1.1 Approval of Graduate Certificate in Adult Education

REQUEST:

Approval of a new graduate certificate in Adult Education offered through the Department of Educational Administration, Leadership, and Research in the College of Education and Behavioral Sciences.

FACTS:

There has been a demonstrated need in various fields for a certificate that would enable practitioners in the field to gain the knowledge necessary to allow instructors and trainers the ability to facilitate learning with adults. The University of Kentucky's Cooperative Extension Agency has as part of their career ladder the requirement that those who already possess a master's degree pursue a certificate program. As new hires into the Cooperative Extension Agency are encouraged to pursue such programs as the MAE in Adult Education, the addition of the certificate would allow those who already have a master's degree to continue their education. Other potential students in the program include trainers and educators who currently are not required to complete a master's degree but would like to gain a stronger understanding of how adults learn and develop and to be able to develop and provide meaningful programs for adult learners.

Program Description: The Adult Education certificate program provides a basic understanding of the theories, techniques, and concepts used in the adult education setting. The certificate program includes the following components: Introduction to Adult Education (ADED 510), Methods for Teaching Adults (ADED 520), Program Planning for Adults (ADED 530), and Adult Learning and Development (ADED 611). The program provides graduates with a basic understanding of the field of adult education and the ability to carry out basic adult education functions in a variety of settings. Individuals from a variety of workplace and educational settings will find benefits to pursuing the AEC.

The graduate certificate in Adult Education requires 12 credit hours (curriculum outlines in the program proposal below).

BUDGETARY IMPLICATIONS & IMPLEMENTATION DATE: Spring 2012. As all of the courses are presently offered as part of the MAE, no additional resources are required.

RECOMMENDATION:

President Gary A. Ransdell recommends approval of graduate certificate in Adult Education.

1.2 Approval Emeritus Faculty Appointments

REQUEST:

Approval of faculty emeritus status for recommended individuals.

FACTS:

Listed below are faculty members who have been recommended by the tenured faculty, department head, and college dean to be awarded emeritus/a status. They have served the university for at least ten years and have had distinguished records of achievement and service at the university.

Potter College of Arts and Letters

Department of Communication

Dr. Larry Winn, Professor of Communication, Emeritus

Department of History

Dr. James T. Baker, Professor of History, Emeritus

Department of Music

Ms. Sylvia Kersenbaum, Professor of Music, Emerita

Department of Theatre and Dance

Dr. W. Jackson Kesler, II, Professor of Theatre and Dance, Emeritus

University College

Academic Support Department

Dr. Sherry Reid, Assistant Professor of Academic Support, Emerita

University Libraries

Library Special Collections

Ms. Nancy D. Baird, Professor of Library Special Collections, Emerita

BUDGETARY IMPLICATIONS:

No funds requested

RECOMMENDATION:

President Gary A. Ransdell recommends awarding the above individuals faculty emeritus status.

ACADEMIC AFFAIRS – INFORMATION ITEMS:

- The Enrollment Report was provided by Dr. Brian Meredith.
- An overview of Joint Admissions Agreements was provided by Dr. Brian Meredith.
- An overview of the new CPE program approval and review processes was provided by Provost Gordon Emslie.

2. EXECUTIVE COMMITTEE – ACTION ITEMS

(Mr. Freddie Higdon, Chair)

CONSENT AGENDA: No items were removed for discussion under the Executive Committee.

2.1 Approval of Resolution of Appreciation for Ms. Yvette Haskins

REQUEST:

Approval of Resolution of Appreciation for Ms. Yvette Haskins.

FACTS:

Resolution in appreciation of outstanding service demonstrated by Ms. Yvette Haskins as a member of the WKU Board of Regents from 2005-2011.

BUDGETARY IMPLICATIONS:

No funds requested.

RECOMMENDATION:

President Gary A. Ransdell recommends approval of the Resolution of Appreciation for Ms. Yvette Haskins.

2.2 First Reading: Amendments to the Bylaws of the WKU Board of Regents

REQUEST:

That the Board approve the first reading of proposed amendments to the Bylaws of the Board of Regents.

FACTS:

During the retreat and subsequent Board meeting in July of 2011, the Board approved moving forward with revisions to the Bylaws. During the July meeting, the Board also approved including an indemnity provision as part of the amendments. Due to the insertion of this provision, the amendments will require a first reading and approval.

BUDGETARY IMPLICATIONS:

No funds requested.

RECOMMENDATION:

President Gary A. Ransdell recommends that the Board approve the first reading of proposed amendments to the Bylaws of the Board of Regents.

2.3 Approval of Resolution regarding WKU Child Care Consortium (WKUCCC) Head Start and Early Head Start

REQUEST:

That the Board approve a Resolution pertaining to the oversight and governance of WKU Child Care Consortium (WKUCCC) Head Start and Early Head Start programs.

FACTS:

On August 1, 2008, President Gary A. Ransdell designated the WKU Research Foundation (WKURF) Board of Directors as the sub-board for WKUCCC Head Start and Early Head Start to oversee key responsibilities related to program governance and program improvement. Since that date, the WKURF Board has fulfilled the functions of the governing body prescribed in the *Improving Head Start for School Readiness Act of 2007*, section 1304.50 (including Appendix A: Governance and Management Responsibilities) of the *Head Start Program Performance Standards*, Office of Head Start Policy Clarification OHS-PC-E-024 (July 21, 2008), and other applicable laws, regulations, and directives.

In order to insure that the delegation meets all federal program requirements, the WKUCCC has requested that this delegation be memorialized in the form of a Resolution of the Board of Regents.

BUDGETARY IMPLICATIONS:

No funds requested.

RECOMMENDATION:

President Gary A. Ransdell recommends that the Board approve a Resolution delegating oversight and governance of WKU Child Care Consortium (WKUCCC) Head Start and Early Head Start programs to the WKU Research Foundation.

EXECUTIVE COMMITTEE – INFORMATION ITEM:

- A campaign update was provided by Ms. Kathryn Costello.

3. FINANCE AND BUDGET COMMITTEE – ACTION ITEMS

(Mr. J. David Porter, Chair)

CONSENT AGENDA: Regent Minter requested removal of item 3.2 – Personnel Actions for discussion.

3.1 Approval of WKU General Receipts Bond Resolution

REQUEST:

Approval of a Resolution authorizing the issuance and sale of approximately \$35,000,000 General Receipts Obligations (Renovate Downing University Center Phase III) of Western Kentucky University and approximately \$15,500,000 General Receipts Refunding Obligations of Western Kentucky University

pursuant to the trust agreement dated as of December 1, 2006; and authorizing WKU Board of Regents Treasurer, K. Ann Mead, to accept the lowest bids, award the bonds, and report back to the Board the results of said actions.

FACTS:

Based on legislative authorization and previous approvals by the Board of Regents, the Administration is recommending the issuance and sale of bonds totaling approximately \$35,000,000 to be allocated for the following project: Downing University Center Renovation - Phase III. The sale will yield approximately \$33.5 million to be deposited in the project construction fund.

In addition to the aforementioned bonds, we have identified potential opportunities for savings through advanced refundings of Western Kentucky University Consolidated Education Buildings Revenue Bonds, Series P and Western Kentucky University Consolidated Education Buildings Revenue Bonds, Series Q. We are requesting your approval to issue and sell the bonds in one or more series at such time and in such principal amounts as to provide the greatest overall savings for WKU.

The bond Resolution has been prepared by Peck, Shaffer & Williams, LLP who is serving as bond counsel for the University on this issuance. The bond Resolution permits WKU to initiate the steps under the general receipts indenture to sell the bonds, subject to WKU accepting the lowest and best bid for the bonds, and establishing the final principal amounts and maturities for the bonds. Hilliard-Lyons serves as financial advisor. The results of the final sales of bonds will be reported at the first Board of Regents meeting following each of the sales.

RECOMMENDATION:

President Gary A. Ransdell recommends that the Board approve a Resolution authorizing the issuance and sale of approximately \$35,000,000 General Receipts Obligations (Renovate Downing University Center Phase III) of Western Kentucky University and approximately \$15,500,000 General Receipts Refunding Obligations of Western Kentucky University pursuant to the trust agreement dated as of December 1, 2006; and authorizing WKU Board of Regents Treasurer, K. Ann Mead, to accept the lowest bids, award the bonds, and report back to the Board the results of said actions.

3.2 Approval of Personnel Actions (during the period of 07/13/11 – 09/09/11)

REQUEST:

Approval of faculty and staff personnel actions which have been approved through administrative channels and executed through the human resources information system during the period 7/13/2011 – 9/9/2011.

FACTS:

This request includes a variety of customary actions pertaining to people and positions. Each action is identified by “type” and “funding source”. Salary increases equal to or greater than \$5,000 and not associated with a personnel transfer are noted with a detailed explanation.

BUDGETARY IMPLICATIONS:

Funding is provided as indicated for each transaction.

RECOMMENDATION:

President Gary A. Ransdell recommends approval of all faculty and staff personnel actions as referenced above and as individually displayed in attached report.

DISCUSSION:

Regent Minter: Concerning item 3.2 which is Personnel Actions, I have a question about an item on page three regarding the \$17,000 proposed supplemental payment for Dr. Gordon Baylis, Vice President for Research. Why is that coming to the Board at this particular date?

President Ransdell: Because the Board asked to see that which goes through the Foundation. Per the Chairman's request, the terms of his employment agreement was shared with the Board a couple of weeks ago.

Regent Minter: Since this is part of a hiring agreement, does that mean that going forward if such supplemental payments are to be made that it will be hitting at the fourth quarterly meeting every year?

Ms. Ann Mead: The exact amount will vary based on performance; therefore, you close out the old fiscal year to determine what the supplemental amount will be. So, I would anticipate that it will always be hitting this time of year.

Regent Minter: So any future employment/hiring agreements made with anyone would follow the same format? You would close the books at the end of the fiscal year, calculate the supplemental payment amount, and send it through fourth quarterly committees, and then on the full Board?

Ms. Ann Mead: Yes.

3.3 Acceptance of filing the 2011-12 First Quarter Statement of Revenues & Expenditures

REQUEST:

Accept for filing the 2011-12 First Quarter Statement of Revenues & Expenditures.

FACTS:

Total realized Educational and General (E&G) revenue, as a percentage of the budget, was comparable to the first quarter revenue of 2010-11. State appropriations are distributed on a quarterly basis, but the distribution for each quarter does not represent 25 percent of the total due to the state's variable allocation schedule.

Restricted revenues and expenditures for grants and contracts were comparable to the first quarter revenues and expenditures of 2010-11. Other revenue includes revenue generated by individual programs such as Athletics, University Farm, and various revenue dependent programs. The amount of revenue and the timing of receipt vary, but program administrators know they must manage expenditures so as to not exceed receipts. It is noted that several programs have significant activity in spring and summer. Revenues and expenditures for Auxiliary Enterprises are very similar to first quarter revenues and expenditures of 2010-11. At this point in the fiscal year, it appears that revenues and expenses are at expected levels.

RECOMMENDATION:

President Gary A. Ransdell recommends that the Board of Regents accept for filing the 2011-12 First Quarter Statement of Revenues and Expenditures.

MOTION:

Chair Higdon: We have now presented all the action items on the agenda and I would entertain a motion to approve the action items under Academic Affairs, Executive, and Finance & Budget Committees. Motion to approve all action items was made by Regent Patti Minter and seconded by Regent Jim Meyer.

ACTION TAKEN: Approved Not Approved Other _____
ALL ACTION ITEMS WERE UNANIMOUSLY APPROVED.

4. STUDENT AFFAIRS COMMITTEE – INFORMATION ITEMS
(Mr. Jim Johnson, Chair)

- The fall housing report was provided by Mr. Howard Bailey.
 - A meal plans report was provided by Mr. John Osborne.
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5. OTHER BUSINESS *(Mr. Freddie Higdon, Chair)*

Upcoming calendar dates:

- Homecoming – **October 22**
- Graduate Commencement – **December 16**
- Undergraduate Commencement – **December 17**
- 2012 First Quarterly BOR Meeting – **January 20**

President Ransdell commented that BOR Committees will be scheduled to meet on Friday, December 16, prior to the first quarterly meeting in January. President Ransdell stated that the current Internal Audit report is being updated and that going forward, it will be presented at each quarterly meeting, beginning with the January 20, 2012 meeting. In addition, President Ransdell noted that an informational session regarding Foundations will be held at the January meeting.

6. ADJOURNMENT (Mr. Freddie Higdon, Chair)

With no further business, motion to adjourn was made by Regent Kennedy, seconded by Regent Minter, and carried unanimously. The meeting adjourned at approximately 9:15 a.m., (CDT).

CERTIFICATION OF SECRETARY

I hereby certify that the minutes herein above set forth an accurate record of votes and actions taken by the Board of Regents of Western Kentucky University in the fourth quarterly meeting held October 21, 2011 in the Cornelius A. Martin Regents Room in the Mass Media and Technology Hall on the Western campus, and further certify that the meeting was held in compliance with KRS 61.810, 61.815, 61.820, and 61.825 (enacted as Sections 2, 3, 4 and 5 of House Bill 100, 1974 Regular Session, General Assembly).



Mr. Frederick A. Higdon, Chair
WKU Board of Regents
Approved on 1-20-12



Dr. Melissa B. Dennison, Secretary
WKU Board of Regents
Approved on 1-20-12