

**MIDDLE TENNESSEE STATE UNIVERSITY**  
**BOARD OF TRUSTEES**  
**MINUTES**

The Middle Tennessee State University Board of Trustees met on December 8, 2020, in the Miller Education Center Meeting Room at Middle Tennessee State University.

**Call to Order and Pledge of Allegiance**

Board Chair Steve Smith called the meeting to order at 1:00 p.m. Lt. Gen. (Ret.) Keith Huber led the Pledge of Allegiance.

**Introduction of Student Veteran**

Gen. Huber introduced U.S. Army veteran Brian Galaz. Mr. Galaz enlisted in the U.S. Army at the age of 17, immediately upon graduating from high school, and served in the most difficult position the Army offers, the basic infantryman. He deployed to combat in Afghanistan with the 101<sup>st</sup> Airborne division, Air Assault, in 2016-2017. He will be a junior at MTSU, majoring in economics with the goal of becoming involved in international finance. Mr. Galaz stated that he chose to come to MTSU because he admired its economics program. He expressed thanks for the Daniels Center for their support during his transition out of the military and gave special thanks to Dr. Hilary Miller.

**Roll Call**

Board Secretary Heidi Zimmerman called the roll. The following trustees were in attendance: J.B. Baker, Pete DeLay, Darrell Freeman, Joey Jacobs, Mary Martin, Stephen Smith, Pam Wright, and Delanie McDonald. Trustee Chris Karbowski participated electronically. Based on T.C.A. § 8-44-108(c)(3), Ms. Zimmerman asked whether she could hear clearly in order to participate in the meeting and whether there was anyone present in the room with her. Trustee Karbowski indicated that she could hear clearly and that there was no one in the room with her. Trustee Tom Boyd was absent. A quorum was declared. President Sidney A. McPhee; Mark Byrnes,

University Provost; Joe Bales, Vice President for University Advancement; Bruce Petryshak, Vice President for Information Technology and Chief Information Officer; Deb Sells, Vice President for Student Affairs and Vice Provost for Enrollment and Academic Services; Andrew Oppmann, Vice President for Marketing and Communications; Brenda Burkhart, Chief Audit Executive; Heidi Zimmerman, University Counsel and Board Secretary; and, Kim Edgar, Executive Assistant to the President and Chief of Staff, were also in attendance. Alan Thomas, Vice President for Business and Finance, participated electronically.

**Approval of September 15, 2020 and October 20, 2020 Meeting Minutes – Action**

The first agenda item was approval of the minutes from the September 15, 2020 Board Meeting and the October 20, 2020 Special Called Board Meeting. Trustee Freeman made the motion to approve the minutes from the September 15, 2020 and the October 20, 2020 meetings, and Trustee DeLay seconded the motion. A roll call vote was taken and the motion to approve the minutes from the September 15, 2020 and October 20, 2020 Board meetings passed unanimously.

**Committee Report: Academic Affairs, Student Life, and Athletics**

Committee Chair Pam Wright gave the report from the November 10, 2020, meeting of the Academic Affairs, Student Life, and Athletics Committee. The meeting began with approval of the minutes from the August 18, 2020 meeting. The Committee report contained five (5) action items approved by the Committee to be considered and voted on by the Board. Several information items were also presented. Materials outlining these actions were made available for review prior to the Board meeting and were contained in the Board notebooks.

**New Academic Degree Program: Master of Science in Physician Assistant Studies – Action**

University Policy 251 Approval of Academic Programs, Units, and Modifications states that all academic actions that require review and approval by the Tennessee Higher Education Commission (THEC) must be approved by the Board of Trustees. The proposal for the M.S. Physician Assistant Studies degree was approved by the Committee for recommendation to the

Board.

### **Approval of Expedited Tenure – Action**

The University may find it necessary to expedite tenure review in order to recruit high-quality faculty for administrative positions. Departmental input regarding tenure for an administrator is necessary since tenure is awarded in a specific department (Policy 204 Tenure, Section VII).

Dr. Trey Martindale, the new Chief Online Learning Officer and faculty member in University Studies, has been reviewed for tenure by his department chair, department committee, and college dean according to Policy 204 Tenure and the respective college and department policies. The President and University Provost recommended that tenure be granted effective December 8, 2020. The Committee approved the recommendation.

### **New Policy 204-A Tenure Policy Amendment – Action**

This new policy provides tenure-track faculty with an additional stop-the-clock opportunity to address the interruption in their progress towards tenure caused by COVID-19. This action item was approved.

### **Revision to Policy 206 Tenure and Promotion Appeals – Action**

Proposed revisions to Policy 26 include separating and expanding sections on “Nature of an Appeal” (Section IV) and “Procedure for an Appeal” (Section V), as well as, streamlining language. The revision also proposes replacing paper copies with scanned documents to be transmitted electronically. The Committee approved the policy.

### **MTSU’s Campus COVID-19 Response – Action**

Dr. McPhee, along with representatives from MTSU Health Services and from Athletics, briefly outlined plans and actions that have been taken to manage the virus on campus beginning in January through the time of the Committee meeting. The Committee voted unanimously to acknowledge, to commend, to support, and endorse the administration’s actions and responses

to COVID-19.

### **Updates – Information**

Updates were presented to this Committee on performance metrics, athletics, and diversity efforts.

All action items were approved unanimously by the Committee.

### **Motion**

Trustee Baker made the motion to approve the action items recommended by the Committee and Trustee Freeman seconded the motion. A roll call vote was taken and the motion to approve the action items from the Academic Affairs, Student Life, and Athletics Committee passed unanimously.

### **Diversity**

Trustee Freeman spoke on the issue of diversity indicating his concern with the low percentage rate at which African American males are graduating. He reminded the trustees that the issue of diversity was discussed at the last two Board meetings. Trustee Freeman reported that after the last Board meeting, he contacted the Governor's Office, the Chair of the Tennessee Board of Regents, Emily Reynolds, and Mike Krause, THEC Director to discuss African American graduation rates, and it was agreed that this is a problem across the state. Trustee Freeman, Chairperson Reynolds and Mr. Krause, who appointed a staff member to assist with this matter, have begun an initiative to help improve graduation rates. They have met several times in the past weeks and will continue those meetings to devise a plan to address this issue.

### **Committee Report: Audit and Compliance Committee**

Committee Chair Pete DeLay stated that the Audit and Compliance Committee met on November 10, 2020. The Committee approved minutes from its August 18, 2020 meeting. There were no action items before the Committee. Two (2) information items were presented to the

Committee: the results of an external review and a quarterly report of the results of two internal audit reports.

### **Office of Compliance and Enterprise Risk Management**

Prior to discussing the Committee's information items, and at the request of Committee Chair DeLay, Dr. McPhee provided information concerning the resources available for audit and compliance responsibilities. Dr. McPhee stated that the Office of Compliance and Enterprise Risk Management reports to the Vice President for Business and Finance. It was created in January 2017 with an initial budget of \$115,000. In fiscal year 2017-2018, funding for a part-time position was provided by the Vice President's office and amounted to \$35,000 annually. In December 2019, the Board of Trustees approved Policy 90 Athletics Integrity and Conduct of Athletics Staff, which required the University to have an investigator on staff for complaints submitted by student athletes. This position, along with funding of \$50,000 plus benefits, was added to the department. In fiscal year 2019-2020, an additional \$25,000 in base funding was provided for travel and operating expenses. An office suite consisting of 837 square feet was created for this department in 2019. In 2020, the office began using the services of a student worker to assist with routine office duties. Recruiting for the athletic investigator position was put on hold in the spring due to the pandemic and budget concerns. Dr. McPhee approved an exception to proceed with filling this position shortly after information was received on the State budget; recruiting is now underway. The office is also currently looking for a person to fill a part-time position. The current budget for the department is \$243,758 inclusive of salary, benefits, travel, and operating expenses. Dr. McPhee noted that MTSU was the first LGI to create an Office of Compliance and Enterprise Risk Management, and that it is a hub for compliance activities across the campus. Dr. McPhee assured the trustees that, despite tight budgetary constraints, compliance and the integrity of the institution is a priority and, therefore, funds have been allocated for the operation of this office. Trustee DeLay stated that this information makes it clear that necessary resources are available for this area and that if additional resources are needed, he is confident Dr. McPhee will address those needs.

### **External Review Results - Information**

The Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, conducted an on-site monitoring review of the VOCA (Victims of Crime Act) contract for the fiscal year ending June 30, 2020. There were no findings of noncompliance.

### **Quarterly Report of Internal Audit Results – Information**

The quarterly report concerned two internal audit reports. First, an audit of inventories for fiscal year ended June 30, 2020 concluded the inventory counts were accurate and in compliance with the inventory procedures. There were no reportable issues.

Second, a review of the use of the MTSU mobile production lab for the period July 1, 2018 – June 30, 2020 concluded the risk of personal use was minimal and the procedures for managing the use of the asset were adequate. The report contained no findings or recommendation.

### **Committee Report: Finance and Personnel Committee**

Committee Chair Joey Jacobs reported that the Finance and Personnel Committee met on November 10, 2020. The Committee approved the minutes from its August 18, 2020 meeting. There was one (1) action item to be considered and voted on by the Board, and three (3) informational items. Materials outlining these items were made available for review prior to the meeting and were included in the Board notebooks.

### **2020-21 October Revised Budget - Action**

The Board of Trustees is charged with approving the operating budgets and setting the fiscal policies for MTSU. As required by THEC, one of the three budgets submitted by the University annually is an October (Revised) budget. The Committee unanimously approved the recommended changes made to the budget since the original July budget was approved.

## **Informational Items**

Informational items brought before the Committee included THEC 2021-22 Capital Outlay/Maintenance Recommendations, THEC 2021-22 Operating Recommendations, and a philanthropy report.

## **Motion**

Trustee Freeman made the motion to approve the action item recommended by the Committee and Trustee Baker seconded the motion. A roll call vote was taken and the motion to approve the action item passed unanimously.

## **Board and Committee Meeting Dates for 2021 – Action Item**

Dates for Board and Committee meetings for 2021 were provided to the trustees. Trustee Baker made the motion to approve the dates for Board and Committee meetings for 2021 and Trustee DeLay seconded the motion. A roll call vote was taken and the motion to approve the dates for Board and Committee meetings passed unanimously.

## **Board Secretary's Report**

Ms. Zimmerman stated that there were revisions to two (2) policies. Revisions to Policy 540 Student Conduct and Policy 541 Residential Life and Housing Rules were updated to reflect the change in a position title. Ms. Zimmerman then called on Mr. Bales to make a special presentation.

## **Philanthropy Report – Information**

Mr. Bales addressed the Board regarding the extraordinary leadership shown by a unique group of donors who have made a continuous financial commitment to the University. To honor these remarkable individuals, he stated that the MTSU Foundation created the Signal Society to recognize donors who have sustained their philanthropic support of the University through continuous years of giving. Mr. Bales and the MTSU Foundation believe it appropriate to recognize leaders who not only talk about the importance of giving but also choose to lead by

example. He stated that when Dr. McPhee became president 20 years ago, one of the first things he did was begin a regular contribution to the institution. Annually, he and his wife provide support for a number of activities and programs and he presented them with their Signal Society 20-year medallion. Next, he presented a medallion to Trustee Jacobs for his 25 years of continuous giving to the University. Finally, he presented the Signal Society medallion to Chairman Smith and his wife, Denise, marking their 40 years of continuous giving.

## **Report of the President**

### **Enrollment and Recruitment Efforts, and Academic Programs**

Dr. McPhee stated that for the first time, MTSU will have a winter session for students interested in completing an online course during the holiday break. This is consistent with efforts to help students move quickly through their degree programs and graduate. He gave credit to the Provost and his staff, and to Student Affairs and the Registrar's Office for putting this in place. Approximately fifty (50) courses will be offered starting December 21, 2020 and ending January 21, 2021. As of November 30, more than 1,000 students had enrolled in the inaugural winter session.

Despite concerns related to the pandemic, enrollment for the upcoming spring semester was equivalent to enrollment from the prior spring semester. Throughout the past fall term, MTSU maintained an active calendar of online and socially distanced new student recruiting events. With regard to Fall 2021, more than 675 students and families logged into one of the online True Blue Tour events. Recruiters have also been busy working with students through more than 300 online information sessions and 150 virtual college fairs and high school visits. In-person campus tours for more than 1,250 prospective students and family members have taken place since the beginning of September. The College of Basic and Applied Sciences had 37 prospective students visit for two special Saturday events focused on the sciences.

Unfortunately, despite these efforts, and as is true across the country, both freshman and transfer applications and admits for Fall 2021 are down significantly. Unlike previous years in which MTSU imposed a strict December 1 deadline for freshman scholarships, work will continue



through December to qualify students for scholarships. In January, awards will be made of additional guaranteed scholarships to students who make late decisions to apply. A focus on providing on-campus tour experiences and a calendar of online live events where prospective students can chat with Admissions staff and academic advisors will continue through next year. There are plans for a hybrid model for CUSTOMS orientations during the summer with some content provided online and a shorter on-campus experience for students and their families.

### **COVID-19 Update**

In-person, on-campus classes were successfully completed on November 25. Dr. McPhee credited the faculty, staff and administrators for this. He indicated that no hospitalizations of students were initiated by MTSU Student Health during the semester due to the coronavirus. He then shared some noteworthy statistics from the fall semester. Student Health Services staff worked about 500 hours of overtime; administered 2,402 COVID tests; and, issued 231 self-test kits. Counseling Services offered a weekly pandemic support group for students. Housing placed 240 residential students in isolation/quarantine spaces. Each student in quarantine or isolation received delivery of three meals, plus snacks, every day throughout their stay. Aramark provided almost 3,500 meals (breakfast, lunch, and dinner) for isolated/quarantined students on campus during the fall semester. Housing sent a daily dose of inspiration (i.e. an e-mail and a video of a “campus celebrity”) to students in isolation/quarantine to let them know they were not forgotten and were missed. These are the extra efforts staff implemented to make this very challenging time for the university one in which students can thrive and survive. Students did not return to campus after Thanksgiving, and final exams will be given online and remotely.

Dr. McPhee also shared some challenges and lessons learned. When the decision was initially made to designate every room in on-campus housing as single occupancy, the higher standard single occupancy rate was charged. However, within 48 hours, after receiving immediate feedback that the additional cost would prove to be a barrier for many students, that decision was revised to provide for single occupancy but at no additional charge. That cost the Housing operation millions of dollars. Prior to the pandemic, most computing was based on desktop technology. The institution is now transitioning to laptops and docking stations when

replacements are needed, allowing staff to be able to work from home, either due to quarantining or closure due to inclement weather. The assumption that students are comfortable and competent using technology for learning remotely was not entirely accurate and students should have been provided with training opportunities. Further, the differences in course delivery modes, especially regarding remote course delivery, could have been better defined. The Provost has made needed clarifications in explaining the various delivery modes. Technology opened up new ways to conduct the learning experience but not everyone had access to the technology they needed. In response, the free loan program for internet and laptops was created. Dr. McPhee admitted that there were occasions when too much information may have been provided to students so that the number of communications are now being sent less frequently.

Dr. McPhee praised the work of the faculty, staff, and executive team as being the reason the university was able to complete the semester without any major pandemic outbreaks. He particularly singled out the health care employees under the leadership of Dr. Eric Clark and Mr. Rick Chapman who spent long hours to ensure that the campus was safe and healthy for students and employees during the fall semester. Dr. McPhee thanked the Board for entrusting the administration to make appropriate and timely operational decisions regarding its response to the pandemic because there were some very tough decisions that had to be made.

### **Graduation**

On Saturday, November 21, MTSU held three historic ceremonies, honoring more than 1,700 December graduates, as well as almost 400 May and August graduates who wanted to experience an in-person celebration after their commencements for spring and summer were moved to a virtual format. These ceremonies were held in Floyd Stadium under strict social distancing and health protocols due to the COVID-19 pandemic. These were the first such ceremonies in Floyd Stadium since 1972 and, by most accounts, were very successful and much appreciated by the graduates and their families.

### **Sunset Audit Hearing**

The Tennessee Division of State Audit recently concluded its performance audit of MTSU and the five other locally governed higher education institutions. This comprehensive review of operations was conducted to comply with the State Sunset Law which requires each public entity be audited at least once every eight years to determine whether it should be continued, restructured, or terminated. Chairman Smith and Trustee DeLay, along with Dr. McPhee and staff, attended a hearing before the Tennessee General Assembly's Joint Subcommittee for Education, Health, and General Welfare. Based on the results of this audit, that Committee voted unanimously to extend MTSU's operations through 2027. Not every university that went before the Committee got the six-year extension. This audit was the first for MTSU since governance transitioned in 2017 from the Tennessee Board of Regents to the Board of Trustees.

MTSU had only one audit finding from among 23 major areas reviewed. This finding related to administrative processes in preparing the Clery crime log. Under the leadership of Vice President for Business and Finance, Mr. Thomas, corrective actions have already been implemented. Dr. McPhee also thanked General Counsel, Heidi Zimmerman, who managed the process in working with the auditors.

Dr. McPhee stated that he was appreciative of this thorough review of MTSU as a locally governed institution, as well as observations provided concerning how to further enhance and improve operations. The audit outcome confirms the excellent and responsible work by MTSU's faculty, staff, and administration, and is a positive reflection of the governance by the Board of Trustees.

### **Upcoming Budget Hearings**

As in the past, Dr. McPhee and appropriate administrators will be attending legislative budget hearings before various committees in Spring 2021. The Governor's budget is anticipated to be released in late January with budget hearings to soon follow. Dr. McPhee was unable to provide further budget details as there has been no information released from the Governor's Office.

### **Trustee Martin and Colleagues**

Dr. McPhee stated that even with the many distractions due to the pandemic, the faculty continue to do outstanding work. A writing team of MTSU faculty led by Trustee Mary Martin and including Teresa Schmidt, Dovie Kimmins, and Tammy Jones, has had three chapters accepted in a new book focused on STEM education. Submitted to a nationally competitive process, these chapters were selected as part of the ATE/NASA Joint Commission on STEM Education in the Future book project. The three chapters will appear in 2021 in a book entitled “Cultivating a Scientific Mindset in the Age of Inference.” Congratulations were extended to Trustee Martin and her colleagues.

#### **UT - Martin Methodist**

Dr. McPhee distributed a document regarding the UT – Martin Methodist proposal that includes pertinent talking points regarding the concerns and issues related to this proposal. He and Chairman Smith have been working to get information out to policymakers about the impact this proposal would have if it is approved by the General Assembly and the Governor.

#### **Recognition of Retiring Cabinet Members**

With mixed emotions, Dr. McPhee announced that two key administrators have informed him they will be leaving MTSU. Dr. Marian Wilson, Assistant to the President for Institutional Equity and Compliance, is returning home to the East Coast. She has worked at the University for a number of years in a critical position that advises the President and served an important role in this area. Dr. Deb Sells will chair the search committee for this important senior level executive position.

General Counsel Heidi Zimmerman has indicated her intent to retire from the University effective January 20, 2021. Dr. McPhee thanked her for her many years of extraordinary service, first as General Counsel and, over the past three years, as Secretary to the Board. He stated that this is also a very critical position that advises the President and the Board on policy and legal matters related to the operation of the University. Dr. McPhee stated that Ms. Zimmerman worked at the Tennessee Board of Regents at the same time he was there and also worked at the Attorney General’s Office. He stated that she brought tremendous experience and historical knowledge

about higher education and will certainly be missed. Alan Thomas will chair this search committee.

Dr. McPhee stated his appreciation for the commitment of the Board in supporting the University. He wished them a very restful, happy, healthy holiday.

### **Concluding Remarks**

Chairman Smith congratulated and thanked the leadership and staff in getting through an unknown pandemic. He stated that none of the decisions made were easy and they all had consequences. He recognized that it was aggressive leadership that caused that to happen. Chairman Smith stated that everyone he has met at MTSU has a common goal in trying to give one more student a better life. He stated it is a great honor to serve as Board Chairman and wished everyone a very Merry Christmas and New Year.

### **Adjournment**

Chairman Smith adjourned the meeting at 2:00 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Heidi Zimmerman".

Heidi Zimmerman

Board Secretary