

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

MINUTES

November 19, 2021  
Johnson City, Tennessee

The East Tennessee State University Board of Trustees met on Friday, November 19, 2021, at 1:00 p.m. in the East Tennessee Room of the D.P. Culp Student Center. The meeting was also live-streamed and recorded.

**I. Call to Order**

Board Chair Dr. Linda Latimer called the meeting to order at 1:00 p.m. She reflected upon the beautiful fall season on campus, which provided a perfect setting for ETSU's Homecoming Celebration earlier in the month. The Board Chair noted that Homecoming was a resounding success and thanked the students and staff who participated in planning the week's activities.

In highlighting events and accomplishments during the fall, the Board Chair reported the following:

- Charles Allen, Jr. was welcomed as the newest member of the Board of Trustees.
- Former Board Chair Scott Niswonger has been appointed to the Research Corporation Board.
- November 18, 2021, the Department of Theatre and Dance opened its first show of the season, "Men on Boats," which is also the first production in the Bert C. Bach Theatre at the Martin Center for the Arts.
- Ballad Health announced a \$10 million investment to establish the Appalachian Highlands Center for Nursing Advancement at ETSU.

Dr. Latimer also asked the Board to consider an enhanced strategy for the university in the new year based on the work of the Committee for 125 Chapter II. She encouraged the Board to be prepared to pursue state and federal resources by leveraging relationships with public and private partners; to be ready to explain how ETSU will provide a critical return on investment for our students and the region as a whole; explore and pursue opportunities to deepen our partnership with Ballad Health, expanding the Academic Health Sciences Center across the Ballad Health system to enhance and best serve the needs of our entire region; and to increase research and innovation on the ValleyBrook

campus with a focus on bioengineering and synthetic biology, artificial intelligence, and entrepreneurship.

Board Chair Dr. Latimer asked the Board to tell ETSU's story and be a champion for the University.

## **II. Roll Call**

Board Secretary Adam Green led the roll call and confirmed to Board Chair Dr. Latimer that a quorum was present.

Trustees present were:

Trustee Charles Allen  
Trustee Steve DeCarlo  
Trustee Virginia Foley  
Trustee Kara Gilliam  
Trustee Dorothy Grisham  
Trustee Ron Ramsey  
Trustee Melissa Steagall-Jones  
Trustee Kelly Wolfe  
Board Chair Dr. Linda Latimer  
*Absent: Trustee Janet Ayers*

## **III. Public Comment**

No individuals in attendance at the meeting requested to offer public comment.

## **IV. Approval of Minutes from September 17, 2021**

The minutes from September 17, 2021, were approved as submitted, with Trustee Melissa Steagall-Jones making the motion and Trustee Virginia Foley seconding the motion. The motion passed unanimously.

Immediately following the approval of the minutes, Board Chair Dr. Latimer requested that the Board move to agenda item XVII: Resolution for Mr. Scott Niswonger.

## **V. Report from the Finance and Administration Committee**

Committee Chair Steve DeCarlo reported that the Finance and Administration Committee reviewed and approved the following action items:

- FY 2021-22 October Revised Budgets provided in the Board consent agenda pages 62-66. The budgets were presented by Dr. B.J. King, Chief Finance

Officer, and include increases in expenditure budgets that arise from a “carry forward” of funds from the prior year and became available after the university closed the financial accounts for the prior fiscal year.

- Reallocation of the D.P. Culp Student Center debt service fees to operations, and renewal and replacement funding for student-focused projects, as outlined in the Board's consent agenda. Dr. King noted that when the project was bonded, the annual debt service levels were less than what was entailed within the original project budget. The reallocation of the fees will be used for operations of the D.P. Culp Student Center and student-funded auxiliary renewal and replacement projects.

Committee Chairman DeCarlo also reported that Dr. King reviewed the following information items with the committee:

- Unaudited budgets for June 30, 2021 – The audit is nearing completion, and the exit conference will be scheduled with the Audit Committee. The Comptroller of the Treasury will email links with an electronic audit report to each Trustee when the reports are made available to the public.
- Quarterly report of revenues and expenditures – Summary of financial activities for the university through the first quarter of FY 2021-2022.
- Tuition Transparency Act Report – Provided to the Office of Legislative Budget Analysis for distribution to the General Assembly, the report includes information regarding expenditures of revenue derived from any tuition and fees increase in the previous full academic year. The report will be delivered to the Office of Legislative Budget Analysis on behalf of the ETSU Board of Trustees.
- Quarterly Report on Agreements totaling \$250,000 or greater for the period of July 2021 – September 2021.

## **VI. Report from the Academic, Research, and Student Success Committee**

In the absence of Committee Chair Janet Ayers, Trustee Virginia Foley provided the Academic, Research, and Student Success Committee report. Trustee Foley stated that the committee reviewed and approved the following action item:

- Approval of a Master of Music Degree Program—The new program is designed to serve a regional need to provide advanced training to students seeking to earn a graduate degree in music education, which includes studies in areas such as performance, composition, conducting, and teaching. The Letter of Notification was included in the consent agenda.

Trustee Foley noted that two presentations were made to the committee:

- Dr. Robert Pack, Director of ETSU Addiction Science Center and Associate Dean for Academic Affairs at the College of Public Health, presented an overview of the ETSU Addiction Science Center.
- Dr. Nick Hagemeyer, Interim Vice Provost for Research, briefed the committee on current initiatives in the Office of Research and Sponsored Programs.

## **VII. Report from the Audit Committee**

Committee Chair Melissa Stegall-Jones reported that Rebecca Lewis, Chief Audit Executive, reviewed the following information items with the committee:

- Review of Audit Committee Responsibilities based on State Law, Requirements of State Audit, the Audit Committee Charter, and/or the Internal Audit Policy
- Review of audit work performed September through October 2021 that included a follow-up to the FY 2020 State Audit; an audit of Softball Expenditures completed upon the resignation of the Head Coach; an annual audit of the President's Expenses for FY 2021; and an update on completed investigations;

Dr. Mark Fulks, University Counsel, reviewed the Employee Code of Conduct and Conflict of Interest and Commitment policies as required annually. No other business items were discussed. Chair Stegall-Jones stated that the Committee went into Executive Session to discuss active audits and no action was taken during that session.

## **VIII. Consent Agenda**

With no requests for any items to be removed from the consent agenda, Trustees unanimously approved the consent agenda with a motion from Trustee Wolfe seconded by Trustee Grisham.

## **IX. Approval of Standing Committee Membership Appointments**

The Focus Act and the Bylaws for the ETSU Board of Trustees provide the organization for the Board, including the operations outlined in the structure of standing committees. With the recent appointment of Trustee Allen to the Board and a request by Trustee Gilliam to serve on the Academic, Research, and Student Success Committee (in addition to the Finance and Administrative Committee), the Board was required to take action. Board Chair Dr. Latimer called for a motion to confirm the selection of committee

members as outlined in the agenda materials. The motion passed unanimously with Trustee Wolfe making the motion and Trustee Foley making the second.

#### **X. Approval of Library Fines Rule**

Dr. Mark Fulks, University Counsel, presented the Library Fines Rule as originally drafted for the Board's consideration. As required by the Administrative Procedures Act and Notice of Rulemaking Hearing, the Library Fines Rule was filed with the Secretary of State and published on their website on September 7, 2021. A public hearing was conducted at the university on Friday, October 22, 2021 where no comments or questions were received.

The motion for the rule passed unanimously by roll call vote with Trustee Wolfe making the motion and Trustee Ramsey making the second.

#### **XI. College Spotlight: Gatton College of Pharmacy**

Dr. Debbie Byrd, Dean of the Gatton College of Pharmacy, provided an overview of the college. Highlights of the presentation included:

- The Bill Gatton College of Pharmacy was founded in 2005 as a result of the community uniting in a common purpose to establish a pharmacy school to train students across the Appalachian Highlands. ETSU is unique in that Gatton is a private college of pharmacy within a public university (one of a kind in the country) receiving no state funding.
- The Gatton College of Pharmacy offers the 4-year Doctor of Pharmacy (PharmD) degree, an undergraduate degree completion with a B.S. in Pharmacy Studies, along with the opportunity to complete dual degrees (PharmD/MBA, PharmD/MPH). Additionally, the college offers post-graduate year one and two pharmacy residency programs and a research fellowship. The college's structure includes two departments and four offices, with a total of 53 faculty and staff, and an enrollment of 254 student pharmacists.
- The presentation included the Gatton College of Pharmacy's mission, vision and major initiatives focused on student recruiting and retention, providing a healthy environment, engaging with the community, delivering an outstanding educational experience, and ensuring financial viability, including potential state funding.

## **XII. Update on University Marketing and Communications**

Jessica Vodden, Chief Marketing and Communications Officer, provided an update on the work of the Office of University Marketing and Communications. Highlights of the presentation included:

- The Office of University Marketing and Communications has restructured and aligned their work to the goals and objectives emerging from the work of the university's strategic plan and the Committee for 125 Chapter II.
- Marketing and communication efforts have been completely integrated across the staff, with an emphasis on developing integrated campaigns that include public relations, design, marketing, advertising, relationship building, and telling ETSU's story at a higher level.
- Staff have worked to create integrated dashboards with Student Life and Enrollment to provide real-time data to determine each campaign's impact on recruitment.
- A committee to "Paint the Region Blue and Gold" has been established to showcase the institution's spirit.
- University Marketing and Communications is engaging students to contribute relevant social media content.
- The office is working closely with the Research Corporation, Facilities, Athletics, and Student Life to expand branding efforts.
- Advocacy resources will be provided for the campus, such as a social media toolkit, templates and assets, video and photo galleries, and a messaging library.

## **XIII. ETSU Research Corporation**

Professor David Golden, Chief Executive Officer of the ETSU Research Corporation, provided the Board with an update on the work of the Research Corporation. Highlights of the presentation included:

- Four new board members have been appointed to the Research Corporation – Carol Anne Clayson, Bryan Daniels, Denise Grant, and Scott Niswonger.
- The Research Corporation's partnership with the Entrepreneurial Alliance of the Appalachian Highlands has recruited several early-stage companies.
- The Research Corporation leveraged engagements on campus including the World Underwater Robotics Championship and the Bands of America Regional Competition.
- The Research Corporation continues to explore innovative research and entrepreneurial opportunities for the ValleyBrook Campus.

#### **XIV. NCAA Policy Changes and Implications for ETSU Athletics**

Dr. Mark Fulks, University Counsel, presented a report on NCAA policy changes and implications for ETSU Athletics. Highlights of the presentation included:

- Name, Image, and Likeness – The NCAA enacted legislation on June 30, 2021 that permits student-athletes to receive financial compensation for their name, image, and likeness. The Tennessee General Assembly House Bill No. 1351, commonly known as the Name, Image, and Likeness law, will take effect on January 1, 2022. Due to the timing of House Bill No. 1351, it was necessary for ETSU to enact an emergency policy.
- National Labor Relations – According to a memo issued by the National Labor Relations Board's General Counsel, university football players at private colleges are considered employees under the National Labor Relations Act. Because the National Labor Relations Act does not apply to public universities or state employees, it has no direct impact on ETSU, but it does have implications for the NCAA.
- The NCAA Constitutional Convention – A special constitutional convention was convened in November. The constitutional committee is charged with presenting a final draft to the NCAA Board of Governors by December 15, 2021 that will be ratified at the 2022 NCAA Convention in Indianapolis.

#### **XV. Key 2021 Performance Indicators**

Dr. Michael Hoff, Vice Provost for Decision Support and University Chief Planning Officer, provided an update to the Board on the institution's Key Performance Indicators. After the current strategic plan was approved in 2016, these indicators were chosen to measure ETSU's performance. These high-level indicators drive the performance management system for the university. Indicators of note include:

- First-time freshmen applications saw a significant increase and transfer applications increased as well.
- In terms of research activities, the goal was \$60 million, and ETSU reached \$82 million in total sponsored activities. Research expenditures were slightly down due to the impact of the COVID-19 pandemic.
- Graduation rates improved to 51 percent.
- Faculty satisfaction rate is high as measured by the Best Colleges to Work for survey.

Dr. Hoff noted that additional information could be found in the Board's meeting materials.

## **XVI. President's Report**

President Noland began his update by providing the Board of Trustees with a fall enrollment update. According to President Noland, ETSU's year-over-year increase in first-time freshmen is the highest of any traditional public university in the state of Tennessee.

President Noland also provided the following updates related to recent actions taken by the Tennessee Higher Education Commission (THEC):

- THEC is recommending \$5.5 million of new resources for ETSU, with approximately \$197,000 based on outcomes.
- THEC's recommendation to support the Quillen College of Medicine is about a four percent increase year-over-year.
- Brown Hall is the No. 1 capital priority in the State of Tennessee and this two-phase renovation entails a \$90 million investment.
- The No. 3 project on the THEC list is the Integrated Health Services Building.
- In addition to the Brown Hall and the Integrated Health Services Building projects, the Academic Building is still moving through the planning process.

President Noland reminded the Board that the majority of the University's revenue sources come from non-state appropriated funds including tuition, fees, grants, and contracts. Specifically, the President noted the following:

- Employees account for 72 percent of the University's budget.
- Student scholarships are fixed at 11 percent.
- ETSU is at a lower price point than other public universities in the state and its peer institutions, leaving a 10 percent gap in terms of our market price against the market price for peers.
- Since creation of the Board, growth in reserves has increased to more than \$9 million.

President Noland also provided the following general campus-related updates to the board:

- National searches for the Deans of the College of Arts and Sciences and the College of Business and Technology will be announced soon.
- Staff is actively exploring operational structures that support the Research Corporation, including facility staffing and system integration.



- The institution continues to focus on enrollment growth and the launch of revised recruitment initiatives post-COVID.
- The Committee for 125 Chapter II Task Forces will present their recommendations to the Committee for 125 later this fall.
- Staff will continue to pursue state funding for the Gatton College of Pharmacy.

President Noland concluded his report by reflecting on what the University has accomplished in the past 10-years expressing gratitude to the Board, faculty and staff, and the community for their support and efforts to transform the institution into where it is today.

#### **XVII. Resolution for Mr. Scott Niswonger**

Former ETSU Board of Trustees Chairman Mr. Scott Niswonger was presented with a resolution from President Noland thanking him for his contributions to the ETSU Board of Trustees. The entire East Tennessee State University community is eternally grateful to him for his service on our Board of Trustees.

Mr. Scott Niswonger was unanimously approved by the Board to be given the honorary title of Inaugural Chairman Emeritus in recognition of his contributions, with Trustee Wolfe making a motion and Trustee Stegall-Jones seconding the motion.

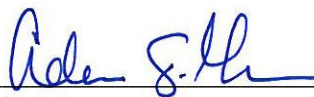
#### **XVIII. Other Business**

No other business was discussed.

#### **XIX. Executive Session**

Since there was no need for the Board to convene in executive session, Board Chair Latimer requested a motion to adjourn. The motion was unanimously approved, with Trustee Ramsey making the motion and Trustee Grisham making the second.

Respectfully submitted,



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Adam Green  
Secretary of the Board of Trustees

Approved by the Board of Trustees at its February 18, 2022 meeting.