

Interim University Council

Date: July 11, 2016

Time: 8:15 a.m.

Location: D.P. Culp University Center, East Tennessee Room

Attendees: Dr. Brian Noland (chair), Dr. Gordon Anderson, Dr. Bert Bach, Tracy Barry (Mary Jordan), Dr. Wilsie Bishop, Dr. Larry Calhoun, Dr. Ranjan Chakraborty, Dr. David Collins, Dr. Wallace Dixon, Dr. William Duncan, Dr. Susan Epps, Dr. Jane Jones, Ed Kelly, Dr. Karen King, Dr. Cecilia McIntosh, Dr. Wendy Nehring, Dr. David Roane, Jeremy Ross, Dr. Richard Sander, Dr. Janna Scarborough, Pooja Shah, Dr. Joe Sherlin, Joe Smith, Josh Whitlock, Mary Cradic (staff support), Jennifer Hill (recording secretary)

Guests: Dr. Katie Baker, Jennifer Clements, Fred Conley, Jill Fair, Robin Fisher, Dr. Mike Hoff, Dr. David Linville, Patricia Van Zandt, Rachel Walden

MINUTES

Dr. Brian Noland opened the meeting and welcomed those in attendance. Before moving to the agenda, he encouraged Interim University Council (IUC) members to give thought to preparing for conversations this fall with staff and students in light of national happenings over the past week, including police shootings and protests in various major cities.

Approval of Minutes

The minutes from the May 9, 2016, meeting were approved.

Policies and Procedures for Creative Services

Dr. Wilsie Bishop gave a presentation on the proposed policies and procedures for Creative Services (*see attached [ETSU Creative Services PowerPoint presentation and Policy FP-39](#)*), assisted by Jennifer Clements (Marketing and Special Events, University Relations) and Fred Conley, Jill Fair, Robin Fisher and Rachel Walden (Biomedical Communications). Among the points made were:

- The proposed policy stems from a recommendation by the Administrative Services Review Committee and has been developed by a task force that was chaired by Bishop and Dr. Jane Jones and included representation from the key areas of Biomedical Communications, Printing and Publications, and administration.
- The policy guides the development of a process to centralize design, identity, printing and mailing services and to use technology to bring resources together and increase efficiency through a one-stop e-Commerce site.

- This e-Commerce site will simplify the processes of designing, printing and mailing materials (including posters, brochures and other printed materials; advertisements; mailers; and promotional items) that reflect established university branding/identity standards. Design, set-up and production will all be coordinated online through this site.
- Pending policy approval, the implementation schedule includes training and pilot implementation beginning Oct. 3 for the James H. Quillen College of Medicine/Medical Education Assistance Corp. and the School of Continuing Studies, followed by full-campus implementation on Dec. 1.

Some of the questions from IUC members dealt with timeliness of project completion, small print jobs completed “in-house” on departmental copiers, artistic freedom and cost. Presenters said the new system would be efficient, with workflow monitored by a project manager and additional staff to be hired only as needed to manage workload, and possibly eliminate the need for departments to hire staff to manage such projects. It would allow departments to design, submit and use their own camera-ready material. Vendors will be reviewed annually to ensure competitive pricing.

The proposed policy will be placed on the public comment website (<http://rfc.etsu.edu/publiccomment/>) for review and input, and brought back before the IUC for final approval.

Proposed Indoor Tan-Free Skin Smart Campus Policy

Dr. Katie Baker reviewed the comments and edits to the proposed “Indoor Tan-Free Skin Smart Campus Policy” for ETSU, which had been placed on the public comment website (*see attached [policy draft](#)*). Baker noted that some reviewers’ comments were supportive of the policy, while others questioned whether the policy would prohibit tanning salons from advertising in campus publications like the *East Tennessean* student newspaper, whether annual educational programming regarding tanning would be provided, and whether all businesses offering tanning would be prohibited as ID BUC\$ vendors.

Baker pointed out that the policy does not prohibit advertising in campus publications. She said that after evaluating the input, the proposed policy was changed to allow businesses that offer tanning as a secondary – but not primary (i.e. tanning salons) – service to be ID BUC\$ vendors. Education regarding the risks of UV exposure and skin cancer prevention will be available online year-round.

Baker noted that passage of the policy would make ETSU the first Skin Smart Campus in the country and would be Indoor Tan-Free at the Platinum Level. Following input from IUC members, the Platinum Level designation will be explained.

With these modifications, the [policy](#) was approved.

Stipends and Extra Compensation Task Force Recommendations

Patricia Van Zandt reviewed the comments from the public comment website (*see attached [PowerPoint presentation](#)*) regarding the report from the Task Force for Review of Stipends and

Extra Compensation ([full report](#) attached to the March 21, 2016, IUC minutes). The first comment addressed stipend issues within the Quillen College of Medicine and the lack of review of the Gatton College of Pharmacy, a second expressed confusion over whether winter term pay is subject to the 33 percent cap, and additional comments regarded whether salary equity should have been addressed by the task force. Following the stated responses to these comments (*see [presentation](#)*), Van Zandt said no further action is required of the task force, and she recommended approval of the report.

Following discussion, a motion was made and seconded to endorse the recommendations of the task force. The motion passed.

Strategic Planning Update

Dr. Mike Hoff reported that the strategic planning process is in the “Build the Plan” phase (*see attached [PowerPoint presentation](#)*), which includes processing the results of the [SWOT](#) (Strengths, Weaknesses, Opportunities, Challenges) exercises completed earlier in the year to set priorities, as well as setting short-term goals, KPIs (key performance indicators), departmental and individual goals, and a budget. Once this phase is complete, the following two phases will be “Track and Manage Performance” and “Closing the Loop.”

Dr. Hoff presented the top five items in each category of the SWOT exercise, which was sent in May to all faculty, staff and students and received 946 responses. He made the following points:

- There is an alignment between the strengths identified and the mission of the university.
- The items identified as weaknesses are “the parts needed for the machine to function.”
- It might be good to look at whether people are doing the right jobs; everyone here has value, and it would be helpful to implement a way for employees unhappy in their current positions to easily transition to spots in other areas of the university in which they’re interested. Being open to transition and change is important.
- Follow-up is needed on the “Increase academic reputation” item under Opportunities; perhaps promoting and celebrating some of the things already in place would be a solution, as opposed to drastic changes.
- Other items under Opportunities – growing graduate programs, improving the student experience and growing the honors program – are continually in process.
- An additional item not in the top five but ranked highly under Opportunities is the proposed Mountain States Health Alliance (MSHA)/Wellmont health systems merger, which respondents saw as something that would have a big impact both on ETSU and the region.
- Follow-up is also needed on two items under Challenges – “Low morale” and “Inadequate campus safety” (the latter not in top five but ranked highly) – with studies needed to identify the factors impacting these responses.

Next steps in the process include finalizing the domains and determining a process to expand the membership of the planning committee, with individuals added based on their interests. A draft of the strategic plan is slated for review by the IUC in September, with a draft to be ready for the new ETSU governing board in October.

Sexual Discrimination and Misconduct Policy Briefing

Ed Kelly gave an overview of the Sexual Discrimination and Misconduct Policy (P-080) (*see attached [PowerPoint presentation](#)*). His talk included definitions and examples of sexual discrimination and harassment and pertinent federal law; a discussion of the duty of faculty and staff to report and cooperate in investigations of violations; information on training provided for employees; an outline of procedures to be followed in making complaints; and identification of the ETSU offices and staff members responsible for handling these issues. Kelly noted that the existing policy will be subject to some revision during the upcoming governance transition process.

Budget Redesign Committee Update

Dr. Larry Calhoun encouraged IUC members to visit the Budget Redesign Committee website (<http://www.etsu.edu/125/newbudgetprocess/committees/budget.aspx>) to review the minutes of previous committee meetings and see the list of questions the group has been working to answer. The committee recently held a retreat to compare base-to-base and hybrid models of budgeting and formed a separate group to look at the base-to-base model more closely.

Dr. Calhoun noted that although Dr. David Collins has announced his upcoming retirement and the committee does not want to build a new budget model that a new chief financial officer would not wish to use, the committee will continue its work with the goal of having a budget model to provide to the IUC and the colleges for review this fall. He said they would like for the budget model to be tested by select campus units as a parallel to the existing budget beginning this fall in preparation for campus-wide implementation by the fall of 2017.

Governance Transition Committee Update

Dr. David Linville reported that the Governance Transition Committee has pulled Tennessee Board of Regents (TBR) and ETSU policies and procedures, which total approximately 800 pages, and beginning its review of policies, processes, contracts and bylaws in preparation for the governance transition from the TBR to a local ETSU board. The committee has begun categorizing these and prioritizing them according to the need for revision and timeliness during the transition (*see attached [PowerPoint presentation](#) and [workbook .pdf document](#)*). Dr. Linville noted that this review process will be lengthy and some things will not be completed by the time the new board is in place in the spring of 2017. He said representatives of ETSU and the other five TBR universities are working together to address issues and seek answers to questions.

The timeline for the committee's work calls for submission of a prospectus to the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) by Sept. 1; this must contain information on the current governance structure and the most advanced drafts of the proposed structure. A prospectus addendum is expected to be submitted to SACSCOC by Oct. 15 after the new ETSU board members are announced during the first week of October by Gov. Bill Haslam. The process will culminate in a site visit to campus by SACSCOC in the fall of 2017.

THEC Grant for Student Retention Project

Dr. Bert Bach reported that ETSU was one of six institutions in the state to receive Tennessee Higher Education Commission (THEC) grant funding to be used for student retention initiatives. The grant to ETSU totals over \$165,000 – the largest grant among the six – and will go toward a retention plan targeting sophomores. This effort, which will be led by Dr. Stacy Onks, University Advisement Center director, includes using the retention performance management services of the John N. Gardner Institute, creating a new retention specialist position, and providing professional development for current staff in the areas of retention and advisement strategies.

President's Report

Before beginning his planned report, Dr. Noland thanked Dr. David Collins and his staff for their hard work over the weekend cleaning up fallen limbs, leaves and other debris that resulted from the severe storm that impacted the region the evening of Friday, July 8.

- **Enrollment**

Dr. Noland noted that while credit hours are down for the current summer term, course sections are up by 22 over last year and by more than 100 from two years ago. He reported that fall enrollment projections are fluctuating but are within budgeted confidence intervals, and barring unforeseen circumstances, he does not see a need for major changes to the budget assumptions for the fall. He pointed to a decline in junior and senior enrollment, and encouraged administrators to follow protocols for contacting and assisting students who have not yet re-enrolled; freshman numbers are solid, and he anticipates the incoming freshman class to be larger than last year's. He also noted that housing numbers are down 3 percent (97 students) for this fall, and said that a proposal to require freshmen who live outside a certain radius of campus to reside on campus will be presented to the IUC in the future.

- **Fees and Salaries**

Dr. Noland said that the TBR approved a 2.7 percent fee increase for 2016-17, and this is the final time the TBR will review and approve fee increases for the universities. As previously directed by the IUC, the bulk of the new revenue will be directed toward salary and new faculty/staff lines, with most of that going toward a 2 percent salary enhancement and, barring unforeseen circumstances impacting the budget, a 1 percent equity pool. Those enhancements will be approved by the TBR in October, retroactive to July.

- **Weapons on Campus**

Dr. Noland reported that 16 faculty and staff members have gone through the process for approval to bring their weapons on campus since the new state law went into effect July 1 allowing certain employees with valid concealed carry permits to do so, and he anticipates that number to increase by fall. For safety purposes, only one individual on campus has access to the names of those who are approved to bring weapons on campus. Employees must read the policy and study the map of campus locations where weapons are/are not allowed as posted online, as

violation may be grounds for termination. In response to a question regarding specific areas on campus where weapons are prohibited, Dr. Noland said that anyone who identifies a campus location where weapons should be prohibited but are not should notify Public Safety Director Jack Cotrel, and the map can be amended.

- **FOCUS Act**

Dr. Noland reported that ETSU will receive the names of those appointed by Gov. Haslam to the new university board of trustees by early October. ETSU has had the opportunity to provide input regarding the membership. Dr. Noland said that given the number of variables Gov. Haslam is taking into account, he feels good about the board ETSU will have. The governor will personally interview prospective members before naming them to the board.

Dr. Noland referred back to the Governance Transition Committee report, noting that several critical functions administered system-wide by TBR, including D2L, Banner, RODP and more, remain in question and will likely stay that way for a while. He encouraged IUC members to continue to work with the current rules of engagement while planning for the change to come. He said not all questions can be answered now but are being stockpiled so they may be answered in order of critical importance.

- **Construction Projects**

Dr. Noland reported that with mostly good weather this summer, most construction projects, including the **Data Center** and **Football Stadium**, are on or ahead of schedule. Roadwork in front of the Basler Center for Physical Activity has started and should be complete by the start of the fall semester. The one project behind schedule is the **Fine and Performing Arts Center**; Dr. Noland said he has indicated to Johnson City officials that the university needs an answer regarding the city's participation in the project, and the City Commission is scheduled to vote on the proposed contribution later this month. He anticipates the vote will be favorable for ETSU, which can then seek state approval of the size and scope of the design before releasing the bid for construction services and breaking ground. If the city does not participate, ETSU should be on the agenda for the August meeting of the state Building Commission for approval to move forward. Dr. Noland noted that the project is a semester behind, but he believes it is worth the loss of a semester for the possibility of having a large auditorium with up to 1,200 seats, with the city's participation, as opposed to a medium-sized auditorium of 635 seats without it.

- **Proposed Addiction Treatment Center**

Dr. Noland reported that ETSU and MSHA will go before the Zoning Board this week to request rezoning of the MSHA property in Gray that is slated to become a holistic drug addiction treatment center. He stated that the community has asked ETSU to take a leadership role in this issue for the region, with 29,000 individuals in the service area who are addicted to or abuse prescription drugs and with 127 children born at Niswonger Children's Hospital in Johnson City with neonatal abstinence syndrome in this year alone. According to the proposal, all funds generated by the not-for-profit clinic would go back into research, treatment and outreach through ETSU's new Center for Prescription Drug Abuse Prevention and Treatment. He recognized that citizens of the Gray community do not want the center, but said no one else has provided a location, and unless elected officials can present a location everyone is supportive of,

ETSU/MSHA will move ahead with the Gray location. If the proposal fails, he said, ETSU and MSHA would not object to the establishment of a for-profit clinic by an outside agency.

Dr. Bishop noted this is a faculty-led initiative and that a treatment center was part of the plan for the Center for Prescription Drug Abuse Prevention and Treatment, and thanked Dr. Noland for his efforts in support of it.

- **Fair Labor Standards Act Overtime Rule**

Dr. Noland told the IUC that unless swift action is taken at the federal level to block it, the change to the Fair Labor Standards Act mandated through executive order by President Barack Obama affecting overtime pay for individuals making salaries of less than \$47,500 will go into effect on Dec. 1. He said a legislative proposal by Tennessee Sen. Lamar Alexander and his colleagues to block the rule is not likely to pass in the U.S. Senate, because it is believed there are not enough votes in the Senate to overturn a presidential veto.

Dr. Noland told the IUC that this rule change will impact all of state government, including higher education and K-12. Budgets for 2016-17 have been finalized and resources have not been identified to deal with it. He said that there may or may not be budgetary assistance from the state for higher education and K-12 to help offset the cost. He reported that ETSU finance and human resources administrators are continuing to examine the impact this will have on the university and look at ways to deal with it. Vice presidents have been asked to identify individuals who will be impacted and what their job responsibilities are and determine what will need to change should the rule change become law. Dr. Collins noted that some potential options include increasing the salaries of individuals close to the \$47,500 threshold to make them exempt, conducting job audits, using flex time and comp time, and paying overtime. Dr. Noland said the potential financial impact on the university could be around \$2.3 million.

In discussion, Dr. Collins and other IUC members pointed to several things the rule change forces administrators and staff to consider, including recordkeeping issues; the inability to do small tasks after-hours, such as sending a work-related text; time-keeping issues for employees who travel or work nights frequently, including Intercollegiate Athletics and Admissions staff; and the potential for hard feelings in cases where staff are close together in level and salary, but one must work overtime and the other cannot. Dr. Collins said the rule change could affect how employees are classified and will also have an impact on staff recruitment. Josh Whitlock said staff feel like they have been left out of discussions regarding this, and although they realize this impacts everyone nationwide, they sense they are losing something; if they had more of a voice than Staff Senate, it might ease the impact.

Dr. Noland said that not enough is known at this time, but as more specifics become available, educational sessions will be held.

The meeting was adjourned.