



**WKU**<sup>®</sup>

**WESTERN KENTUCKY UNIVERSITY  
Board of Regents Second Quarterly Meeting**

**April 22, 2010 ~ 9:00 a.m. (CDT)**  
*Cornelius A. Martin Regents Room ~ Mass Media and Technology Hall*

**AGENDA**

- Call to Order (*Mr. Jim Meyer, Chair*)
- Invocation (*Mr. Howard Bailey, Vice President for Student Affairs*)
- Roll Call (*Mr. J. David Porter, Secretary*)
- Approval of Minutes (*Mr. Jim Meyer, Chair*)
  - ❖ First Quarterly Board Meeting – January 27, 2010

---

**1. ACADEMIC AFFAIRS COMMITTEE (*Ms. Yvette Haskins, Chair*)**

**Action Items:**

- 1.1 Approval of the BA in Art History (pending 45-day CPE review) [pp 1-8]
- 1.2 Approval of the BA in Film (pending 45-day CPE review) [pp 9-15]
- 1.3 Approval of the BA in Asian Religions and Cultures [pp 16-22]
- 1.4 Approval of the BS in Organizational Leadership [pp 23-31]
- 1.5 Approval of the AS in Water Resource Management [pp 32-38]
- 1.6 Approval to establish a Center for Excellence in Teaching & Learning –Models in Innovation [pp 39-40]

**Information Items:**

- Enrollment Report (*distributed at the meeting*)

---

**2. EXECUTIVE COMMITTEE (*Mr. Jim Meyer, Chair*)**

**Action Items:**

- 2.1 Approval of the Naming of College High Hall [p 41]
- 2.2 Approval of the Naming of Chapel and Chapel Areas [p 42]
- 2.3 Approval of Conveyance of Property to Kentucky Department of Transportation [pp 43-49]
- 2.4 Review of Decision on Faculty Continuance – Dr. Lee Florea [pp 50-56]
- 2.5 Approval of Employment Contract for Director of Athletics – Mr. Ross Bjork [pp 57-74]
- 2.6 Approval of Provost Emerita Appointment – Dr. Barbara Burch [p 75]
- 2.7 Authorization and Approval to Proceed with Acquisition and Sale of Real Property [pp 76-79]

### Information Items:

- Campaign Update [pp 2A-2D]
  - Construction Progress Update [pp 2E-2F]
  - WKU Earth Day Celebration [pp 2G-2L]
- 

## 3. FINANCE AND BUDGET COMMITTEE (*Mr. J. David Porter, Chair*)

### Action Items:

- 3.1 Acceptance of the Auditor's Report and Financial Statements for the Fiscal Year Ended June 30, 2009 [p 80 – report previously distributed with committee materials]
- 3.2 Acceptance of the Auditor's Report and Financial Statements for WKYU-TV and WKYU-FM Radio [p 81 – report previously distributed with committee materials]
- 3.3 Acceptance of the Accountants' Report on Application of Agreed-Upon Procedures, NCAA Compliance Report [p 82 – report previously distributed with committee materials]
- 3.4 Approval of Personnel Actions as of March 23, 2010 [pp 83-87]
  - Staff Personnel Actions [pp 84-86]
  - Faculty Personnel Actions [p 87]

### Information Items:

- Update on 2010 Session of General Assembly and the 2010-12 Biennial Budget
- 

- Other Business (*Mr. Jim Meyer, Chair*)
  - Chandler Memorial Chapel Dedication (May 7 ~ 2:00 p.m.)
  - 2010 President's Circle Gala (May 7 ~ 6:00 p.m.)
  - Dedication of College High Hall (May 8 ~ 10:00 a.m.)
  - Graduate Commencement (May 14 ~ 7:00 p.m.)
  - Undergraduate Commencement (May 15 ~ 10:00 a.m. and 3:00 p.m.)
  - BOR Committees and Special Budget Approval Meeting (June 25)
  - BOR Retreat (July 29)
  - BOR Third Quarterly Meeting (July 30)
  - President's Opening Convocation (August 23 ~ 8:00 a.m.)
  - BOR Committee Meetings (October 1)
  - BOR Fourth Quarterly Meeting (October 29)
  - Homecoming (October 30)
  - Commencement (December 18)

*\*Further details will be mailed separately to Regents regarding each calendar event listed above*

- Adjournment

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

**April 22, 2010**

• **CALL TO ORDER**

Required statutory notice having been given, the second 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 Jim Meyer at approximately 9:00 a.m., CDT.

• **INVOCATION**

The invocation was provided by Mr. Howard Bailey, Vice President for Student Affairs.

• **ROLL CALL**

The following Regents were present:

Mr. Jim Meyer, Chair  
Dr. Melissa B. Dennison  
Mr. Freddie Higdon  
Mr. Jim Johnson  
Mr. James Kennedy, Staff Regent

Dr. Patricia Minter, Faculty Regent  
Mr. J. David Porter  
Mr. Kevin Smiley, Student Regent  
Mr. Larry Zielke

The following Regents were absent:

Ms. Yvette Haskins, Vice Chair  
Mr. Rob Wilkey

Others in attendance included the following WKU Administrative Council members:

Dr. Gary A. Ransdell, President  
Mr. Howard Bailey, Vice President for Student Affairs

Dr. Richard Bowker, Vice President for Research & Dean of Graduate Studies  
Dr. Barbara Burch, Provost and Vice President for Academic Affairs  
Mr. Tom Hiles, Vice President for Institutional Development  
Ms. Ann Mead, Vice President for Finance and Administration  
Dr. Richard Miller, Associate Vice President for Academic Affairs &  
Chief Diversity Officer  
Mr. John Osborne, Vice President for Campus Services and Facilities  
Dr. Bob Owen, Vice President for Information Technology  
Dr. Wood Selig, Director of Athletics  
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**

Approval of the minutes of the January 27, 2010 meeting was postponed until the next meeting scheduled for June 25, 2010 so that Regents may have additional time to review.

**MOTION/APPROVAL:**

**Motion to postpone approval of the January 27, 2010, minutes was made by Dr. Patricia Minter, seconded by Mr. Jim Johnson, and carried unanimously.**

- **INTRODUCTION AND ACKNOWLEDGEMENTS**

President Gary Ransdell introduced Mr. Colton Jessie as the newly elected President of the Student Government Association. Mr. Jessie will begin his term on the Board as the 2010-11 Student Regent at the third quarterly meeting on July 30, 2010.

President Gary Ransdell acknowledged Dr. Barbara Burch and Dr. Wood Selig for their service at WKU over the past several years. “Wood and Barbara - thank you for your incredible service, and I look forward to the opportunity to sustain close relationships over the coming years with both of you.”



---

## 1. ACADEMIC AFFAIRS COMMITTEE ACTION ITEMS

*(Mr. Jim Meyer, Presided over Academic Affairs Committee items due to absence of Ms. Yevette Haskins)*

**Chair Meyer recommended that the Board vote on action items 1.1 - 1.5 as a group, there were no objections.**

### 1.1 Approval of the BA in Art History (pending 45-day CPE review)

#### **REQUEST:**

**Approval of a new Bachelor of Arts in Art History offered through the Department of Art in the Potter College of Arts and Letters.**

#### **FACTS:**

There is strong demand among current students for an Art History Major. The Art History major will utilize the rich history of human visual expression as a means to provide graduates with a deep understanding of global culture that is essential for success in the modern world.

Among the programs central goals are to:

- Provide students with an extensive and intensive understanding of the discipline of art history through a variety of methodological approaches (including but not limited to social history, iconology, formalism, semiotics, feminism, structuralism, and post-structuralism).
- Produce well-rounded, culturally literate graduates by offering coursework that sets the production and consumption of the visual arts into a broad historical framework that foregrounds the visual dimensions of politics, economics, science, religion, philosophy, and literature.
- Provide students with specialized training for careers in museums, galleries, auction-houses, secondary education, and the academy, and/or further graduate study in art history and related disciplines in the humanities.
- Emphasize critical and analytical thinking skills and their accurate and effective articulation through verbal and written forms of communication in order to prepare students for vocations and further graduate study within and beyond the discipline of art history.
- Encourage student engagement with international issues by designing and implementing study abroad programs and courses that utilize artworks as a primary resource for undergraduate research.
- Plan and implement innovative programming at WKU that promotes a critical understanding of the visual arts.

**BUDGETARY IMPLICATIONS:**

No additional funding is requested, as current faculty will teach the courses.

**RECOMMENDATION:**

President Gary A. Ransdell recommends approval of a new Bachelor of Arts in Art History.

**1.2 Approval of the BA in Film (pending 45-day CPE review)**

**REQUEST:**

**Approval of a new Bachelor of Arts in Film offered through the School of Journalism and Broadcasting in the Potter College of Arts and Letters.**

**FACTS:**

The film major provides students with a strong understanding of production techniques and theoretical approaches in a medium that, though transforming, continues to exert a powerful influence on global culture and values. Among the program's central goals are to:

- Give students a strong technical understanding of the current equipment, technology and software utilized in the entertainment production industry.
- Provide the necessary education in aesthetics and techniques, to adapt to evolving trends and technologies.
- Prepare students for a variety of careers related to the moving image, including but not limited to film and television production and post-production, commercial and industrial production, music video production, news and local video, screenwriting, and professional and commercial publication.
- Give students a strong grounding in the history of film on a global scale, ensuring that they have a familiarity with major figures and movements as well as the cultural impact of cinema.
- Develop skills in critical thinking and writing that will allow them to carefully analyze individual films as well as larger trends and movements in the film industry
- Make students aware of the changing nature of the film medium as digital and other newer technologies emerge as major forces in the industry.
- To support, coordinate, and expand the campus-wide interest in film by encouraging film majors to take a leading role in various campus film series and festivals.

**BUDGETARY IMPLICATIONS:**

No additional funding is requested, as current faculty will teach the courses.

**RECOMMENDATION:**

President Gary A. Ransdell recommends approval of a new Bachelor of Arts in Film.

### **1.3 Approval of the BA in Asian Religions and Cultures**

#### **REQUEST:**

**Approval of a new Bachelor of Arts in Asian Religions and Cultures offered through the Department of Philosophy and Religion in the Potter College of Arts and Letters.**

#### **FACTS:**

The continent of Asia is home to some of the most ancient and formative civilizations in history. All of the world's largest religious traditions have their origins on the continent, and Asian peoples have shaped and reshaped how humanity understands the world and itself for centuries. The Asian Religions and Cultures (ARC) major facilitates the understanding of the continent and its peoples, allowing students to understand not only the Asian past but to put current issues and problems into a broader historical, religious, and cultural context.

The major in ARC is an interdisciplinary, liberal arts degree. As such, it prepares students in the skills of reading, writing, critical thinking, and language acquisition. These are skills that are important for just about any profession. The objectives of the proposed major program:

- To provide students with knowledge of the main religious traditions and cultures of Asia.
- To provide students with language skills in at least one Asian language.
- To help students develop a sensitivity and concern for Asian cultures and an understanding of the interdependence of peoples around the world.

#### **BUDGETARY IMPLICATIONS:**

No additional funding is requested, as current faculty will teach the courses.

#### **RECOMMENDATION:**

President Gary A. Ransdell recommends approval of a new Bachelor of Arts in Asian Religions and Cultures.

### **1.4 Approval of the BS in Organizational Leadership**

#### **REQUEST:**

**Approval of a new Bachelor of Science in Organizational Leadership offered through the Center of Leadership Excellence in the University College.**

#### **FACTS:**

Organizational Leadership is an interdisciplinary degree designed to provide students with an understanding of leadership roles and responsibilities at various levels within organizations. Organizational Leadership provides professional and career-focused study for individuals matriculating to WKU with an associate's degree from a regionally accredited institution. It is also being developed to respond to changing educational needs arising within and driven by the

regional economy. Organizational Leadership is designed to advance the professional objectives of associate degree holders

- already in the workforce who need to complete a baccalaureate degree in their professional area for career advancement purposes or who desire to upgrade their knowledge and skills to improve career opportunities

or

- matriculating directly from a KCTCS or other regionally-accredited two-year institution who would like to complete a baccalaureate degree at one of the WKU campuses.

The core of the Organizational Leadership degree consists of an interdisciplinary combination of Leadership Studies, Management, Psychology, and Sociology courses that emphasizes the skills critical to effective leadership in a global perspective and at various levels within a variety of occupational environments. Focus options within the major teach students to apply these skills within a choice of organizational contexts. Faculty from participating departments assist in determining the identified electives. Program facilitation and coordination will occur through the Center for Leadership Excellence in the University College. The intent is that this program will be delivered primarily through the WKU regional campuses in Elizabethtown/Radcliff, Glasgow, and Owensboro. The major requires a minimum of 48 semester hours in addition to the other university degree requirements.

#### **BUDGETARY IMPLICATIONS:**

No additional funding is requested, as current faculty will teach the courses.

#### **RECOMMENDATION:**

President Gary A. Ransdell recommends approval of a new Bachelor of Science in Organizational Leadership.

### **1.5 Approval of the AS in Water Resource Management**

#### **REQUEST:**

**Approval of a new Associate of Science in Water Resource Management offered through the Department of Liberal Arts and Sciences in the Bowling Green Community College.**

#### **FACTS:**

According to the Bureau of Labor Statistics Occupational Outlook Handbook, 2008-09, the employment rate for water and wastewater treatment operators is predicted to grow by 14%, faster than the average for all other occupations. The Bureau predicts that over 20,000 new operators will be needed by 2016 to meet the needs of the industry. Bowling Green Community College, in partnership with the Center for Water Resource Studies at WKU, has received an Advanced Technological Education grant from the National Science Foundation to develop an education program in water and wastewater operations. As such, this program has funding for internships and other program development associated costs. Under this grant, a Program



Coordinator position has been created to recruit and assist students in the program as well as coordinate internship and other educational opportunities with partnering utilities.

**Objectives of the proposed major program:**

- Fill a need for operators and/or utility managers in the water/wastewater industry
- Enhance the perception of the water/wastewater industry as an employer of choice
- Protect public and environmental health by educating the stewards of the water/wastewater industry
- Provide prospective WKU students with a greater variety of educational opportunities
- Enhance the ability of WKU to reach students at greater distances
- Enhance relationships between WKU and other entities (namely public utilities)
- Fulfill the requirements of the Advanced Technological Education grant received from the National Science Foundation to develop this program

The program in Water Resource Management will prepare students to enter the fields of Water/Wastewater Treatment Operations and/or Water Utilities Management. The degree required a minimum number of 60 credit hours and leads to an Associate of Science degree.

**BUDGETARY IMPLICATIONS:**

No additional funding is requested, as current faculty will teach the courses.

**RECOMMENDATION:**

President Gary A. Ransdell recommends approval of a new Associate of Science in Water Resource Management.

**MOTION:**

**Motion to approve action items 1.1 – 1.5 (as set forth above) was made by Mr. Jim Johnson and seconded by Mr. Larry Zielke.**

**DISCUSSION:**

**Mr. Kevin Smiley:** “I think one of the coolest things we do is create these new academic programs. I would like to ask if any of the professors are here today and if they could spend two to three minutes to talk about each program?”

**Dr. Barbara Burch:** “Yes, Kevin. I could have someone speak briefly. Dean David Lee can speak about the first three programs, Dean Dennis George can speak about the fourth program, and Dr. Andrew Ernest can speak about the fifth program.”

Brief comments were given regarding each of the proposed academic programs by the individuals designated by Dr. Burch.

**Chair Jim Meyer:** “Okay. We have a motion and a second. Is there any further discussion?”

No further discussion.

**APPROVAL:**

**Motion carried unanimously.**

**1.6 Approval to establish a Center for Excellence in Teaching & Learning – Models in Innovation**

**REQUEST:**

**Approval of a WKU/GRREC Center for Excellence in Teaching & Learning – Models in Innovation.**

**FACTS:**

WKU has had a strong relationship with the Green River Regional Education Cooperative (GRREC) since its inception and in an effort to strengthen the ties between the two, both desire to establish a partnership entity to be known as the Center for Excellence in Teaching & Learning – Models for Innovation. The Center would be housed at WKU and is being created to better serve the needs of areas schools and enhance P-12 student learning and strengthen preparation and in-service programs for classroom teachers, school and district leaders, and other school personnel. We are entering an era that demands a transformation of our P-12 system and how we prepare educators. Preparation programs are going to become more clinical in nature with greater demands on higher education personnel to become involved in clinical aspects of educator preparation programs in school settings. Our collective work, WKU/GRREC, will not only enhance P-12 student learning but data from our work in schools will inform programs at WKU. There are numerous opportunities for funding relative to the P-12 systems and higher education and we desire to position WKU/GRREC to be highly competitive for various funding pools and to develop models of teaching and learning that move us closer to having all students completing high school and appropriately prepared for postsecondary education. Through activities associated with the Center, WKU and GREEC will further their collective stature in facilitating quality learning experiences for students in our region, state, and beyond.

**BUDGETARY IMPLICATIONS:**

No funds requested.

**RECOMMENDATION:**

President Ransdell recommends approval of a WKU/GRREC Center for Excellence in Teaching & Learning – Models in Innovation.



**MOTION/APPROVAL:**

**Motion for approval to establish a WKU/GRREC Center for Excellence in Teaching & Learning – Models in Innovation was made by Mr. Larry Zielke, seconded by Dr. Patricia Minter, and carried unanimously.**

**ACADEMIC AFFAIRS COMMITTEE INFORMATION ITEM(S)**

Mr. Dale Brown provided the Board with the official Spring 2010 (including Winter Term) Enrollment Report.

---

**2. EXECUTIVE COMMITTEE ITEMS (*Mr. Jim Meyer, Chair*)**

**2.1 Approval of the Naming of College High Hall**

**REQUEST:**

Approval for renaming Science and Technology Hall to College High Hall.

**FACTS:**

Built in 1925, this building originally housed the “Model Training School.” As a result of an agreement between the WKU Board of Regents and Bowling Green City Schools, some students in the first four grades of the city schools transferred to rooms in the Southern Normal School (known as Western Kentucky State Normal School after January 1907). When the Normal School moved to its hilltop location in 1911, the Training School also moved and was assigned to a wing of the old Potter College building. Connection with the city school system was severed in 1920, and one year of high school work was added that same year. The Training School then moved to this building, designed by Atlanta architect Ten Eyck Brown, and concurrently the school expanded its program to include K-12, and was called College High. In May of 1926 College High’s first commencement was held with ten graduates. Because of accessibility to WKU personnel and facilities, College High students enjoyed unusual opportunities in music, art, industrial arts, dramatics, science, and other academic and extracurricular activities. College High closed on May 29, 1970. The building was renovated by WKU in 1972 to house part of Ogden College, and was referred to as “Science and Technology Hall.” It is among the oldest buildings on campus. It was originally scheduled to be razed as part of a renovation/expansion of Western's science complex. Fortunately, a decision was made to renovate the building, and the project was completed this past year. It will house the Math Department. Given its history, the proposal is to rename the building “College High Hall.”

**BUDGETARY IMPLICATIONS:**

None.

**RECOMMENDATION:**

President Gary A. Ransdell recommends that the former Science and Technology Hall be renamed as College High Hall.

**MOTION/APPROVAL:**

**Motion that the former Science and Technology Hall be renamed as College High Hall was made by Mr. David Porter, seconded by Mr. James Kennedy, and carried unanimously.**

**2.2 Approval of the Naming of Chapel and Chapel Areas**

**REQUEST:**

Approval for naming the facilities noted herein in honor of the contributions of those individuals designated.

**FACTS:**

The proposed names for the Chapel are as follows:

Room/Area: Chapel building  
Donor: David Chandler  
Room/Area Name: *Chandler Memorial Chapel*

Room/Area: Chapel Terrace  
Donor: Joe and Cheri Natcher  
Room/Area Name: *Joe and Cheri Natcher Terrace*

Room/Area: Chapel Garden  
Donor: Rosella Isbell  
Room/Area Name: *Isbell-Spivey Garden*

Room/Area: Chapel Cupola Tower  
Donor: George and Cynthia Nichols  
Room/Area Name: *Cynthia and George Nichols Family Cupola Tower*

Room/Area: Chapel Entry Court  
Donor: Tom and Pat Gorin  
Room/Area Name: *Pat and Tom Gorin Family Entry Court*

**BUDGETARY IMPLICATIONS:**

None.

**RECOMMENDATION:**

President Gary A. Ransdell recommends that the Chapel and the areas in the Chapel be designated as proposed herein.

**MOTION/APPROVAL:**

**Motion to approve that the Chapel and the areas in the Chapel be designated as recommended herein was made by Mr. James Kennedy, seconded by Mr. Kevin Smiley, and carried unanimously.**

**2.3 Approval of Conveyance of Property to Kentucky Department of Transportation**

**REQUEST:**

The President requests that the Board approve the proposed Memorandum of Agreement with the Commonwealth of Kentucky Department of Transportation for the conveyance of 1.45 acres and a temporary construction easement for right of way purposes.

**FACTS:**

As part of the expansion and improvement of Nashville Road (US 31W), the Kentucky Department of Transportation (DOT) has proposed to acquire a portion of the WKU Farm property. The proposed deed, which is included with the Board material, conveys the following interests and amounts of real property as shown on the official plans:

- Fee simple 1.45 acres
- Temporary easement 2,791 square feet

The total consideration to be paid for the property and the easement conveyed is \$92,700. Dr. Jack Rudolph, Department Head in Agriculture, has reviewed all documentation and the appraisals provided by DOT, and he supports the conveyance. The funds paid in consideration of the land and easement will be allocated to the WKU Farm budget.

**BUDGETARY IMPLICATIONS:**

None.

**RECOMMENDATION:**

President Gary A. Ransdell recommends that the Board approve the proposed Memorandum of Agreement with the Commonwealth of Kentucky Department of Transportation and authorize the President to execute any documents necessary for the conveyance of 1.45 acres and a temporary construction easement for right of way purposes.

**MOTION/APPROVAL:**

**Motion to approve the proposed Memorandum of Agreement with the Commonwealth of Kentucky Department of Transportation and authorize the President to execute any documents necessary for or the conveyance of 1.45 acres and a temporary construction easement for right of way purposes was made by Dr. Patricia Minter, seconded by Mr. David Porter, and carried unanimously.**



## 2.4 Review of Decision on Faculty Continuance – Dr. Lee Flora

### **REQUEST:**

**The Board of Regents is charged with accepting or rejecting the recommendation of the President's decision relative to a complaint filed by Dr. Lee Florea regarding a recommendation of non-continuance.**

### **FACTS:**

Each appointment of a faculty member during the probationary period continues only for the limited term specified in the appointment document. There is no obligation to appoint for another such term. Each such appointment terminates without further action on the expiration date specified in the appropriate document, unless renewed.

If a decision is made not to reappointment of a probationary faculty member or not to recommend tenure for a faculty member upon completion of the probationary period, the Provost and Vice President shall provide the affected faculty member official written notice of the recommendation. The University is not obligated to furnish a statement of reasons for the decision not to recommend reappointment of a faculty member for another term during the probationary period, and it is the policy of the University not to furnish a written statement of reasons for such a decision.

Dr. Lee Florea was given notice of non-reappointment. WKU policy provides that if a non-tenured faculty member has received official notice of a decision not to recommend reappointment and the faculty member has factual information as grounds upon which it is claimed that the decision not to recommend reappointment or tenure was arbitrary or capricious, violated standards of academic freedom, or was based on considerations that violate constitutionally protected rights or interests, the faculty member may file a complaint with the department head or office to which the faculty member is assigned. Dr. Florea filed a complaint concerning the decision.

In accordance with WKU policy, the matter was referred to an Ad Hoc Committee for review and a written recommendation to the President. A copy of the Committee's recommendation is included with the Board material. President Ransdell's decision was to accept the recommendations of the Ad Hoc Committee to overturn the recommendation of non-continuance.

The Board of Regents is charged with accepting or rejecting the recommendation of the President's decision relative to the faculty member's complaint. The Board's decision is final.

### **BUDGETARY IMPLICATIONS:**

Not applicable.

**MOTION/APPROVAL:**

**Motion to approve the acceptance of the President's decision in the matter of Dr. Lee Florea was made by Mr. David Porter, seconded by Mr. Kevin Smiley, and carried unanimously.**

**2.5 Approval of Employment Contract for Director of Athletics - Mr. Ross Bjork**

**REQUEST:**

**Approval of the Employment Contract between Western Kentucky University and Mr. Ross Bjork.**

**FACTS / RECOMMENDATION:**

The President and Mr. Bjork have negotiated an Employment Contract which outlines the terms and conditions of Mr. Bjork's employment as Director of Intercollegiate Athletics at the University. A copy of the Employment Contract is included with this agenda material. President Gary A. Ransdell recommends approval of the Employment Contract between the University and Mr. Ross Bjork.

**MOTION:**

**Motion to approve the Employment Contract between the University and Mr. Ross Bjork was made by Mr. Larry Zielke and seconded by Mr. David Porter.**

**DISCUSSION:**

**Mr. Larry Zielke:** "I want to compliment General Counsel for drafting a nice contract."

**Ms. Deborah Wilkins:** "Thank you, Mr. Zielke. I told him that it is now the 'Zielke' clause."

**Dr. Patricia Minter:** "I just had a question about the base salary, which is on page 63. At our previous meetings, we had a lengthy discussion about the base salary in Dr. Selig's contract renewal. The compromise was reached that \$135 thousand would stay in the line, funded out of base budget, but \$34 thousand would be privately funded. Now this number is \$185 thousand, so it is \$10 thousand higher from base budget than even Dr. Selig's amount was. We are funding it for more than is in the line, and why aren't we funding this through private money—or are we?"

**President Gary Ransdell:** "No, it is University money and his current salary is \$179 thousand."

**Dr. Patricia Minter:** "In California?"

**President Gary Ransdell:** "Yes. When you fill a new position, you are typically going to pay more than the position that is being vacated, in most cases. This was no exception. With his credentials and his record, obviously the incentives are an important part of it. But that is the salary that was negotiated and accepted."

**Chair Jim Meyer:** “I would like to point out that this was approved by the Executive Committee at the committee meeting. Do we have any other discussion on the base salary or contract?”

**Mr. Kevin Smiley:** “The only thing I wanted to say is that I understand that this is, in some ways, a necessary step to move forward. As my term comes to a close soon, I worry about the margin of things and later on down the line. Are we going to have the dollars to do the same sort of things we have been able to provide for students in the time I have been here? When I look at just the sheer numbers of things involved here, I see scholarships, I see tutors, and I see all of these things that have made the University great for me. So, I just encourage the Board, in the future, to remember and think about these sorts of things—especially because tough decisions will have to come one day, as we don’t have a budget. I’m just uneasy about this sort of thing. Obviously, I don’t want to vote against it, but that may be my action today. Thank you.”

**Chair Jim Meyer:** “Okay. We have a motion and a second. Is there any further discussion?”

No further discussion

**APPROVAL:**

**Motion carried with the majority vote. Dr. Patricia Minter and Mr. Kevin Smiley voted nay.**

**2.6 Approval of Provost Emerita Appointment – Dr. Barbara Burch**

**REQUEST:**

**Approval of provost emerita status for Dr. Barbara Burch.**

**FACTS:**

Dr. Barbara Burch, Western Kentucky University’s Provost and Vice President for Academic Affairs, will leave that position on June 30, 2010. After June 30, Dr. Burch will work with WKU’s doctoral program in Education Leadership, civic engagement, internationalization, and research. President Ransdell recommends the Board of Regents approve the designation of “Provost Emerita” for Dr. Burch based upon her twelve years of service and her distinguished record of achievement and service at the University.

**BUDGETARY IMPLICATIONS:**

No funds requested.

**RECOMMENDATION:**

President Gary A. Ransdell recommends that Provost Emerita status be awarded to Dr. Barbara Burch.



**MOTION/APPROVAL:**

**Motion to approve provost emerita status for Dr. Barbara Burch was made by Mr. Jim Johnson, seconded by Mr. Larry Zielke, and carried unanimously.**

**2.7 Authorization and Approval to Proceed with Acquisition and Sale of Real Property**

**REQUEST:**

Authorization and approval to proceed with the sale and subsequent acquisition of real property as described below.

**FACTS:**

WKU proposes to sell to the Bowling Green SPE II property located in Bowling Green, Kentucky, and which borders on 14<sup>th</sup> Street on the most northeast corner of the main campus. The exact size and dimensions of the property ultimately transferred will be determined following the completion of a design development process. The property which WKU proposes to sell to the SPE will comprise no more than 100,000 square feet. The purchase price to be paid by Bowling Green SPE II will be based upon and shall be no less than an appraisal performed by a state approved appraiser of the final description (i.e. final, total square feet) of the property to be conveyed.

Proceeds generated from the sale of these properties to the Chapter 58 Corporation will, in turn, be used by WKU to acquire property located at 1324,1328,1336,1340 Center Street, Bowling Green, Kentucky from the Student Life Foundation. This property will then be held by WKU and offered for sale to fraternities for a reconfigured Greek Row. (Note: Contracts for the sale of these properties to fraternities will be presented to the Board for approval as they are negotiated.) A map showing the locations of the properties is attached.

**BUDGETARY IMPLICATIONS:**

There is no budget implication for WKU. Funds derived from the sale of property to Bowling Green SPE II will be utilized for the purchase of property from the Student Life Foundation.

**RECOMMENDATION:**

Authorization and approval to proceed with the sale of property located on 14<sup>th</sup> Street, Bowling Green, Kentucky, to the Bowling Green SPE II, and subsequent acquisition of real property from the Student Life Foundation as described in the agenda material.

**MOTION:**

**To authorize and approve President Gary Ransdell to proceed with the sale of property located on 14<sup>th</sup> Street, Bowling Green, Kentucky, to the Bowling Green SPE II, and subsequent acquisition of real property from the Student Life Foundation as described in the agenda material was made by Mr. Larry Zielke and seconded by Mr. Kevin Smiley.**

**DISCUSSION:**

**Chair Jim Meyer:** “Gary, would you or Debbie like to make any additional comments about this acquisition?”

**President Gary Ransdell:** “Page 79 has the map for the TIF project. This project is fluid and unfolding. The Chapter 58 Corporation and the single purpose entity will be the governing group for this Block 12 project that is beginning to move closer to the sale of bonds. If you will look at the map on page 78, and you see 14<sup>th</sup> Avenue that curves in front of the pink box, that would be the WKU Alumni Conference Center. 14<sup>th</sup> Street currently goes right through the middle of that pink space, the Alumni Center, and through the section of what will be the parking structure. 14<sup>th</sup> Street will have to be moved in order to accommodate that footprint in either design, with or without the 14<sup>th</sup> Street continuing on to Kentucky Street. That is the difference on these two maps. The final architecture rendering will determine exactly the footprint, but the University is going to have to sell some of its land to the Chapter 58 Corporation in order for this Block 12 project to unfold. Again, I will remind you of our intent. If you will look on page 77, you can see in yellow the property that is currently ours in the current 14<sup>th</sup> Avenue location. We are going to sell the yellow and our intent is to generate proceeds from that sale, and then we will turn around and buy the pink block that the Student Life Foundation currently owns for the same amount of money. The Student Life Foundation currently owns that property on Center Street, and then we will in turn sell lots to at least two Greek organizations to build Greek houses on Center Street. So, this is a wash for us. We will sell some land to the Chapter 58 Corporation, we will buy land from the Student Life Foundation, Greek organizations will then buy land from us, per the agreement we have for the Greek Village concept. Each Greek organization will pay \$50,000 to us to buy a part of that pink block. We will use the money to be sure that fiber and technology runs to those sites for Greek houses so they have the same wireless environment as those who live in either University owned or Student Life Foundation owned or affiliated residence hall has. So the way this property transaction will occur will net no financial gain for us, but it does allow the project to go forward, and it allows us to continue to move forward in getting some of our Greek houses out of some of the neighborhoods and into a Greek Village concept that has been on the table for a couple of years now. There is a multi-part retention here with these property transactions in this area. All I am seeking from you now is authorization to proceed with the sale of this land, because we will not actually know the exact square footage and footprint involved until the architects complete the architectural work for the parking garage and the other elements of this project come together. That could be a couple of months. That will likely happen fairly quickly and likely before we convene for the summer Board meeting in July.

**Dr. Patricia Minter:** “I have a question. Is page 79 the operating document at this point?”

**President Gary Ransdell:** “No. Neither one. Both of these are on the table. What is going to be a determining factor is the hotel operator. We, the city (Chapter 58 Corporation), are negotiating. We are involved in the conversation. We simply have to be because we are going to have an Alumni Conference Center attached to it. So there are discussions with hotel



operators taking place currently, and that negotiation needs to be completed before this whole footprint is final. There are a lot of parts, Alumni Center, Conference Center, hotel, parking structure. We are going to have retail space for the bookstore, coffee shop, and a fresh market for students. Student Life Foundation will have housing that will wrap the parking garage, police station lease, a lot of parts to this. All the parts have to be finally designed before we are prepared to sign leases and subleases for a lot of these elements. That is why I don't want to tell you which of these maps is going to be the final thing, because we don't know yet. But it will be something similar to one or the other. What you see here is 14<sup>th</sup> Street continue on through, on the other, 14<sup>th</sup> Street ends right at the turnaround of the projected hotel and conference center."

**Dr. Patricia Minter:** "Okay. The residential here on the right side bordering Kentucky Street and the wrap for the garage will all be constructed by the Student Life Foundation?"

**President Gary Ransdell:** "That's correct."

**Chair Jim Meyer:** "We have a motion, and a second. Is there any further discussion?"

No further discussion.

**APPROVAL:**  
**Motion carried unanimously.**

#### **EXECUTIVE COMMITTEE INFORMATION ITEM(S)**

- Campaign update was provided by Mr. Tom Hiles, Vice President for Institutional Advancement.
- Construction progress update was provided by Mr. John Osborne, Vice President for Campus Services and Facilities.
- WKU Earth Day Celebration announcement provided by Mr. John Osborne, Vice President for Campus Services and Facilities.

---

### **3. FINANCE AND BUDGET COMMITTEE ACTION ITEMS (*Mr. J. David Porter, Chair*)**

**Mr. David Porter recommended that the Board vote on action items 3.1 – 3.3 as a group, there were no objections.**

#### **3.1 Acceptance of the Auditor's Report and Financial Statements for the Fiscal Year Ended June 30, 2009**

##### **REQUEST:**

Acceptance of the Auditor's Report and Financial Statements for the fiscal year ended June 30, 2009.

**FACTS:**

The preparation of the financial statements of the University, the establishment and maintenance of an internal control structure, and compliance with laws, regulations, terms, and conditions of grants and contracts are the responsibility of University management. Western Kentucky University contracts with an independent external auditor who provides to the Board of Regents opinions that the financial statements present fairly the financial position of the University; the University has complied with applicable laws and regulations; and the design and operation of the University's internal control structure are effective.

Crowe Horwath, LLP completed the audit for fiscal year ending June 30, 2009 and has issued its report thereon dated October 8, 2009. The audit was performed in accordance with generally accepted auditing standards (GAAS). In performing GAAS procedures, Crowe Horwath, LLP established scopes of audit tests in relation to the financial statements taken as a whole. The audit does not include a detailed audit of every transaction. The Accountants' Report and Financial Statements include separate financial statements for the Western Kentucky University Foundation, WKU Student Life Foundation, and College Heights Foundation. These foundations are recognized as "discretely presented component units." Comparative information is included for each component unit.

We are pleased to report that Crowe Horwath, LLP is not reporting any findings to the administration and the Board of Regents and noted no internal control deficiencies during its

audit of Western Kentucky University. Consequently, no Management Comment Letter was issued.

In conjunction with this audit, Crowe Horwath, LLP prepared the Independent Accountant's Report in Compliance with Specified Requirements of Commonwealth of Kentucky House Bill 622. This State requirement is for an external auditor to express an opinion on the University's compliance with State requirements pertaining to accounting, auditing and payroll procedures; investments and interest income procedures; and purchasing procedures. The Report states that the University is in compliance with the criteria set forth by the Minimum Audit Scope for Compliance with House Bill 622.

As required by OMB Circular A-133, the Schedule of Findings and Questioned Costs is included with the Annual Financial Report, and Crowe Horwath, LLP noted no material weaknesses in internal control over financial reporting.

**RECOMMENDATION:**

President Gary A. Ransdell recommends that the Board of Regents accept the Auditor's Report and Financial Statements for the fiscal year ending June 30, 2009.

### **3.2 Acceptance of the Auditor's Report and Financial Statements for WKYU-TV and WKYU-FM Radio**

#### **REQUEST:**

Acceptance of the Auditor's Reports and Financial Statements, WKYU-TV and WKYU-FM Radio for the year ended June 30, 2009.

#### **FACTS:**

Western Kentucky University contracts with an external auditing firm to provide audits of the financial statements for WKYU-TV and WKYU-FM Radio. The audits were completed by Crowe Horwath, LLP for the fiscal year ended June 30, 2009. These separate audits are required under the contractual funding arrangements of Western Kentucky University with the Corporation for Public Broadcasting.

The respective financial statements present fairly, in all material respects, the financial position as of June 30, 2009, and the changes in financial position and cash flows for the year then ended, in conformity with generally accepted accounting principles. Each of the financial statements received unqualified opinions.

#### **RECOMMENDATION:**

President Gary A. Ransdell recommends that the Board of Regents accept the Auditor's Reports and Financial Statements for WKYU-TV and for WKYU-FM Radio for the year ended June 30, 2009.

### **3.3 Acceptance of the Accountants' Report on Application of Agreed-Upon Procedures, NCAA Compliance Report**

#### **REQUEST:**

Acceptance of the Accountants' Report on Application of Agreed-Upon Procedures (NCAA Compliance) for the year ended June 30, 2009.

#### **FACTS:**

Western Kentucky University contracts with an external auditing firm to issue a report on agreed-upon procedures to assist the University in complying with the NCAA Bylaw 6.2.3.1. The agreed-upon procedures were completed by Crowe Horwath, LLP for the fiscal year ended June 30, 2009 in accordance with attestation standards established by the American Institute of Certified Public Accountants. The Statement of Revenues and Expenses for intercollegiate athletics operations (included in Exhibit 1 of the report) was prepared by staff in the Office of Athletics Business Affairs who are responsible for compliance with NCAA Bylaw 6.2.3.1. Crowe Horwath, LLP reviewed revenues and expenditures for the Athletics Department, reviewed the internal control structure of, and performed other accounting tests on the financial records of the area. A listing of procedures performed, along with associated findings, is included in Attachment A of the report.

Crowe Horwath, LLP's review does not constitute an audit and, therefore, does not contain an opinion on compliance with NCAA Bylaw 6.2.3.1. It provides information intended for use by the Board of Regents, management of Western Kentucky University, and any authorized representative of the National Collegiate Athletic Association solely for reporting with respect to procedures described within the report.

**RECOMMENDATION:**

President Gary A. Ransdell recommends that the Board of Regents accept the "Report of Independent Accountants on Applying Agreed-Upon Procedures" as required by NCAA Bylaw 6.2.3.1 for the year ended June 30, 2009.

**MOTION/APPROVAL:**

**Motion to approve action items 3.1 – 3.3 (as set forth above) was made by Mr. Larry Zielke, seconded by Mr. James Kennedy, and carried unanimously.**

**3.4 Approval of Personnel Actions as of March 23, 2010**

**REQUEST:**

President Gary A. Ransdell requests approval of faculty and staff personnel actions which have previously been approved through administrative channels. Actions include those as of March 23, 2010.

**FACTS:**

Personnel changes occur throughout the year and for numerous reasons such as new hires, promotions, reclassifications of existing positions, added duties, degree completions, and market adjustments. The attached report lists personnel actions with source of funds for the respective position and a code associated with each of the actions that include a change in salary.

**RECOMMENDATION:**

President Gary A. Ransdell recommends approval of faculty and staff personnel actions.


**MOTION/APPROVAL:**

**Motion to approve faculty and staff personnel actions was made by Mr. Larry Zielke, seconded by Mr. Jim Johnson, and carried unanimously.**

**FINANCE AND BUDGET COMMITTEE INFORMATION ITEM**

Ms. Ann Mead, Vice President for Finance and Administration, provided an update on the 2010-12 Biennial Budget.





Ms. Robbin Taylor, Vice President for Public Affairs, provided an update on the 2010 Session of the General Assembly.

---

## **OTHER BUSINESS**

Chair Jim Meyer noted the upcoming calendar dates:

- Chandler Memorial Chapel Dedication **(May 7 ~ 2:00 p.m.)**
- 2010 President's Circle Gala **(May 7 ~ 6:00 p.m.)**
- Dedication of College High Hall **(May 8 ~ 10:00 a.m.)**
- Graduate Commencement **(May 14 ~ 7:00 p.m.)**
- Undergraduate Commencement **(May 15 ~ 10:00 a.m. and 3:00 p.m.)**
- BOR Committees and Special Budget Approval Meeting **(June 25)**
- BOR Retreat **(July 29)**
- BOR Third Quarterly Meeting **(July 30)**
- President's Opening Convocation **(August 23 ~ 8:00 a.m.)**
- BOR Committee Meetings **(October 1)**
- BOR Fourth Quarterly Meeting **(October 29)**
- Homecoming **(October 30)**
- Commencement **(December 18)**

---

## **ADJOURNMENT**

With no further business, motion to adjourn was made by Mr. James Kennedy, seconded by Mr. Kevin Smiley, and carried unanimously. Meeting adjourned at approximately 11:00 a.m. (CDT).

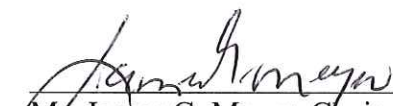
After adjournment, Regents attended the unveiling of the Confucius Institute and lunch at Helm Library. Following lunch, Regents toured Van Meter Auditorium and the Chapel. After the tours, Regents visited the WKU Earth Day Celebration activities at DUC Courtyard.

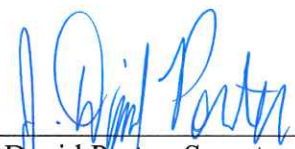
---



## 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 second quarterly meeting held April 22, 2010, 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. James G. Meyer, Chair  
WKU Board of Regents  
Approved on July 30, 2010

  
\_\_\_\_\_  
Mr. J. David Porter, Secretary  
WKU Board of Regents  
Approved on July 30, 2010