



**Board of Trustees Meeting  
December 5, 2019  
Roaden University Center, Room 282**

**MINUTES**

**AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL**

The Tennessee Tech Board of Trustees met in regular session on December 5, 2019, in the Roaden University Center, Room 282. Chair Trudy Harper called the meeting to order at 1:30 p.m.

Chair Harper asked Kae Carpenter, Secretary, to call the roll. The following members were present:

- Mason Hilliard
- Tom Jones
- Fred Lowery
- Sally Pardue
- Rhedona Rose
- Johnny Stites
- Teresa Vanhooser
- Barry Wilmore
- Trudy Harper

Tennessee Tech faculty, staff, and members of the public were also in attendance.

Chair Harper welcomed the Board's newest member, Fred Lowery, and announced he would be serving as a member of the Academic & Student Affairs Committee.

## **AGENDA ITEM 2: SPOTLIGHT ON STUDENT AND FACULTY EXCELLENCE**

Chair Harper welcomed the representatives from the Tennessee Tech GeoClub, which placed third in the 36<sup>th</sup> annual GeoConclave event. She introduced the faculty advisor, Dr. Jeannette Wolak, and students Alexis Bowen, president of the GeoClub, and Allison Bohanon, member of the GeoClub and president of the campus chapter of the Earth Sciences Honor Society. Dr. Wolak introduced students Eric Frye and Alex Guerra.

Dr. Wolak stated that the GeoConclave was a yearly competition in which students competed against other universities, that Alex Guerra placed first in the Pace and Compass competition, and Allison Bohanon placed first in the Geologic Mapping competition.

The GeoClub presented the Board members with Sphalerite mineral samples, which were mined at the Gordonsville, Tennessee, mine.

Chair Harper asked Dr. Wolak to talk about her work with a Mars crater. Dr. Wolak stated that as a result of her work mapping for NASA, she was able to name a crater that she discovered. She stated that Allison Bohanon was also able to name a crater this year.

## **AGENDA ITEM 3: APPROVAL OF MINUTES**

Mr. Jones moved to approve the September 9, 2019, meeting minutes. Mr. Stites seconded the motion. After an opportunity for further discussion and there being none, the motion carried unanimously.

## **AGENDA ITEM 4.A: RULEMAKING HEARING - TENNESSEE TECHNOLOGICAL UNIVERSITY RULE 0240-09-01 STUDENT CONDUCT**

Chair Harper called to order a Rulemaking Hearing for Tennessee Technological University rules related to student conduct (Rule 0240-09-01), parking (Rule 0240-09-03), and public records (Rule 0240-09-05). Chair Harper invited interested parties to sign in so they could be recognized to address the Board. Chair Harper also stated that the video would be the record of the hearing and that redline versions of the rules were available for anyone interested.

Chair Harper recognized Dr. Katherine Williams, Dean of Students, to summarize Rule 0240-09-01 related to student conduct.

Dr. Williams stated that the Student Conduct Rule, which the Board approved in 2017, was being revised to add language that complied with the Student Due Process Protection Act of 2018 and changed the standard for finding of a violation from clear and convincing evidence to a preponderance of the evidence. She stated that adoption of a preponderance standard of evidence aligned Tennessee Tech with all other state public institutions. She stated that, in addition, some terms related to prohibited conduct and disciplinary holds on records were clarified and a provision related to the application of the student conduct rule to prospective students' pre-attendance conduct was added. She stated the remaining changes were technical and corrected typographical or grammatical errors.

Chair Harper stated that no written comments were received on the rule, but Vanessa Curry had signed up to comment on the rule.

Ms. Curry stated that she wanted to know if there was any other discussion about changing the burden of proof other than the issue of alignment with other universities. She stated that the change put the burden of proof more on the person accused than the person making a claim and that there had been an increase in lawsuits related to these matters.

Dr. Williams stated that preponderance was the most equitable standard for student conduct processes and a best practice in the student conduct profession. She stated that the Department of Education advised that a single standard should be applied to all types of student conduct. She stated that, after considering best practices and researching the issue, she recommended using the preponderance standard because it allowed Tennessee Tech to address all conduct that needed to be addressed and ensured all students were treated equitably and fairly.

Mr. Jones asked Ms. Carpenter to explain the difference between clear and convincing evidence and preponderance of the evidence.

Ms. Carpenter stated a preponderance of the evidence was the greater weight of the evidence and clear and convincing was a higher standard. She stated the clear and convincing standard required a much greater weight of evidence to impose a disciplinary sanction.

Dr. Williams stated that the revision of the standard would not change the outcome of roughly 95 percent of her cases. She stated most students take responsibility for the violation and that this spoke to the caliber of Tennessee Tech students. She stated the standard would not need to be applied to a number of cases, but when it did need to be applied, it was an equitable standard and would require the greater weight of credible evidence. She stated that she did not believe the change would result in a greater number of cases or equity disparity for students.

Ms. Rose asked Dr. Williams if she ever dealt with any cases that seemed like they would have qualified under preponderance of evidence but did not meet the clear and convincing standard.

Dr. Williams stated that very few cases fell in that area. She stated that in four years she recalls two or three cases that would fall under that description.

Mr. Jones asked Dr. Williams if this standard did not align to that of other state universities, would she still recommend this change.

Dr. Williams stated that she would because it was recommended as a best practice in her field and it was a greater weight of credible evidence. She stated preponderance would allow some conduct to be addressed that currently cannot be addressed.

Ms. Rose moved to approve Rule 0240-09-01 related to Student Conduct as presented after due consideration of the comments received. Mr. Jones seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

#### **AGENDA ITEM 4.B: RULEMAKING HEARING - TENNESSEE TECHNOLOGICAL RULE 0240-09-03 PARKING, TRAFFIC, AND SAFETY ENFORCEMENT**

Chair Harper began the hearing for Rule 0240-09-03 related to Parking, Traffic, and Safety Enforcement. She asked Dr. Claire Stinson, Vice President for Planning and Finance, to provide a rule summary.

Dr. Stinson stated that the rule, which was approved by the Board in 2017, was being revised due to a change in administrative responsibility for parking. She stated the rule was amended to change parking citation authority from the Tennessee Tech University Police Department to the Tennessee Tech Parking and Transportation Office. She stated that the revision also clarified the appeals process and added a notice and comment period related to setting rates for fines. She stated the remaining revisions were technical and corrected typographical or grammatical issues.

Chair Harper stated that there were no written comments and no one had requested to address the Board on the rule.

Ms. Vanhooser moved to approve Rule 0240-09-03 related to Parking, Traffic, and Safety Enforcement. Mr. Jones seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

#### **AGENDA ITEM 4.C: RULEMAKING HEARING - TENNESSEE TECHNOLOGICAL RULE 0240-09-05 ACCESS TO PUBLIC RECORDS**

Chair Harper began the hearing for Rule 0240-09-05 related to Access to Public Records. She asked Karen Lykins, Chief Communication Officer, to provide a rule summary.

Ms. Lykins stated that the Board approved the rule related to access to public records in June 2019. She stated that this same rule, with no changes, was being presented to the Board again today for public comment and action by the Board. She stated that administration was bringing this rule back to the Board to ensure consistency in the rulemaking process for all proposed rules. She stated the rule required proof of Tennessee citizenship to access public records and described the process of requesting inspection of public records, assessment of cost per copy, and similar administrative provisions. She stated that this rule was being promulgated pursuant to Tennessee Code Annotated 10-7-503(g).

Chair Harper stated there were no written comments and no one had requested to address the Board on this rule.

Mr. Jones moved to approve Rule 0240-09-05 related to Access to Public Records. Ms. Vanhooser seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

#### **AGENDA ITEM 5.A: APPROVAL OF POLICIES RELATED TO RULES – TTU POLICY 302 (STUDENT CONDUCT)**

Dr. Williams stated that TTU Policy 302 (Student Conduct) was revised to align with the changes made in the student conduct rule and to correct typographical and grammatical errors.

Mr. Stites moved to approve TTU Policy 302 (Student Conduct) as presented. Mr. Jones seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 5.B: APPROVAL OF POLICIES RELATED TO RULES – TTU POLICY 415  
(GENERAL PARKING AND TRANSPORTATION POLICY)**

Dr. Stinson stated that TTU Policy 415 (General Parking and Transportation Policy) was revised to align with the changes made in the parking, traffic, and safety rule.

Capt. Wilmore moved to approve TTU Policy 415 (General Parking and Transportation Policy) as presented. Ms. Vanhooser seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 5.C: APPROVAL OF POLICIES RELATED TO RULES – TTU POLICY 110  
(ACCESS TO PUBLIC RECORDS)**

Ms. Lykins stated that TTU Policy 110 (Access to Public Records) was revised to align the language with the access to public records rule.

Mr. Jones stated that this rule and policy had undergone extensive discussion and public comment in previous board and committee meetings and moved to approve TTU Policy 110 (Access to Public Records) as presented. Ms. Rose seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 6: PRESIDENT'S REPORT**

President Oldham stated that he wanted to congratulate and recognize Dr. S.K. Ballal for his retirement and 55 years on the faculty at Tennessee Tech. He stated that it was an honor to recognize him for his many years of service. He stated Dr. Ballal was one of the few remaining faculty that worked for President Derryberry. He stated that Dr. Ballal began teaching at Tennessee Tech in January of 1965 at 25 years old and had taught more than 25,000 students. Dr. Ballal addressed the Board and expressed his thanks to Tennessee Tech. President Oldham and Chair Harper presented Dr. Ballal with a plaque in thanks for his service.

President Oldham stated that Vice President Marc Burnett would be retiring at the end of December, but would continue on a part-time basis as the Chief Diversity Officer. President Oldham stated that the Executive Committee approved Dr. Rob Owens as the Interim Vice President for Student Affairs.

President Oldham stated the search for the next Vice President for Research was entering the interview stage. He stated Provost Bruce was heading the search and anticipated having candidates on campus for interviews in January.

President Oldham stated that the first component to the budget was the recommendation from the Tennessee Higher Education Commission (THEC). He stated that the proposed engineering building was the top priority in the THEC recommendation. He stated that the engineering building was awarded \$250,000 of appropriation during the past legislative session for the purpose of beginning the design process. He stated that a designer had been selected and the process would begin soon.

President Oldham stated that THEC would be recommending an additional \$2,300,000 for the funding formula and \$8,100,000 in capital maintenance funds. He stated that these were recommendations only and would be more fully considered in the spring.

President Oldham stated Rural Reimagined projects were ongoing and that Tennessee Tech was becoming synonymous with rural issues and rural solutions. He stated that a number of strategic partnerships were being evaluated from regional, state, and national levels. He stated that NSF, SAIC, various State of Tennessee departments, and local governments in many of the distressed counties surrounding Cookeville had expressed interest in working with Tennessee Tech on Rural Reimagined projects. He stated that economic development continued to be a Tennessee Tech focus due to its impact on the surrounding communities and students. He stated that classrooms and clubs on campus were putting more focus on innovation and establishing solutions for the future. He stated there were 500 students engaged through classes and clubs involving Rural Reimagined, including 15 freshman courses focused on rural projects and a student club that was organized around the topic.

President Oldham stated that this particular Board meeting was focusing on demystifying the process of going to college, paying for college, finishing college, and launching a successful career. He stated that as a part of this goal, this year a university-wide Student Success Center was being launched that would focus on freshman and undeclared students. He stated that professional advisors would be available to serve students as they transition to university life. He stated that this effort was a product of the strategic planning process led by the faculty.

President Oldham stated that a recent Educational Advisory Board survey showed that the top three reasons a student chose to enroll in a particular university was campus environment, academic reputation, and cost. He stated that almost all the buildings on the quad have been renovated, all but one traditional residence halls have been renovated, and the final residence hall was currently being renovated. He stated the new addition to

the Roaden University Center opened Spring 2019, and the new fitness center was scheduled to open in April 2020. He stated that the new lab science building would be open in Fall 2020, and the new engineering building should be completed in 2022-2023. He stated that more green space would be created to contribute to the goal of having the prettiest campus in the region. He stated that the distinct and functional signage project would begin in the near future to incorporate more wayfinding signs as well as monument signs. He stated that more would be done to increase indoor and outdoor branding so visitors would be able to learn more about Tennessee Tech.

President Oldham stated that the out-of-state tuition proposal should strengthen Tennessee Tech's service to the students from Tennessee by being able to import more essential educated talent that would help drive Tennessee's economic future.

President Oldham stated that considerations for revised mandatory fee structure, out-of-state tuition rate changes, and continuing the discussion on the flat-rate tuition model were all addressed in the committees that morning. He stated that these items were coherent, bold, and could be transformative.

#### **AGENDA ITEM 7: EXECUTIVE COMMITTEE REPORT – APPOINTMENT OF INTERIM VICE PRESIDENT FOR STUDENT AFFAIRS**

Chair Harper stated that the Executive Committee approved the appointment of Dr. Robert Owens to the position of Interim Vice President for Student Affairs.

#### **AGENDA ITEM 8.A.1: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS – REPORT – PERFORMANCE AND PAY OUTCOMES**

Mr. Stites stated that the Committee reviewed the performance and pay outcomes. He stated that the Committee discussed a two-pronged approach, one with a one percent pool for performance-based salary, and a one percent pool for a one-time performance bonus. He stated that faculty and staff eligibility was discussed, and information of distribution by classification and category was provided. He stated that the pool for a performance-based increase and a one-time bonus was included in the revised budget. He stated that it was clear that performance would drive the pay going forward. He stated that he wanted to ensure all employees knew how their performance was being measured, which would be accomplished through five or six metrics that the Board would adopt and finalize to measure both the Board's performance and that of Tennessee Tech University.



**AGENDA ITEM 8.A.2: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REPORT – DISCUSSION OF FULL-TIME/PART-TIME TUITION MODEL**

Mr. Stites stated that the Committee discussed full-time and part-time tuition models. He stated that the Audit & Business Committee members and other Board members discussed a possible model and discussed revising the current tuition model to encourage full-time students to take 15 credit hours each academic semester to ensure they graduate in four years. He stated that the staff would continue to work on the model with the aim of presenting the model to the Board at the March meeting.

**AGENDA ITEM 8.A.3: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REPORT – CONSOLIDATED FINANCIAL INDEX**

Mr. Stites stated that the Committee discussed the consolidated financial index. He stated that the consolidated financial index (CFI) ratios for the fiscal year 2019, along with the trend for the past six years, was presented to the Audit & Business Committee. He stated that fiscal year 2019 CFI had significantly improved due to the return on net assets and net operating revenues.

**AGENDA ITEM 8.A.4: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REPORT – REPORT OF AUDIT ACTIVITY**

Mr. Stites stated that Internal Audit presented a report of activities completed from December 18 through November 19, 2020, to the Audit & Business Committee.

**AGENDA ITEM 8.A.5: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REPORT – APPROVAL OF 2020 AUDIT PLAN**

Mr. Stites stated that Internal Audit presented an audit plan for 2020 to the Audit & Business Committee for review and approval as required by the Tennessee Tech University Audit Committee Charter. He stated that the Audit & Business Committee approved the plan as presented.

**AGENDA ITEM 8.B.1: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– CONSENT AGENDA – POLICY 530 (DEBT MANAGEMENT), POLICY 531 (TENNESSEE  
STATE SCHOOL BOND INTERCEPT), AND POLICY 537 (NAMING BUILDINGS, FACILITIES,  
AND ORGANIZATIONAL UNITS)**

Mr. Stites stated that TTU Policies 530 (Debt Management), 531 (Tennessee State School Bond Intercept), and 537 (Naming Buildings, Facilities, and Organizational Units) were presented to the Committee.

Mr. Stites, upon the Committee's recommendation, moved to approve TTU Policies 530 (Debt Management), 531 (Tennessee State School Bond Intercept), and 537 (Naming Buildings, Facilities, and Organizational Units). Mr. Jones seconded the motion. After an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 8.C.1: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REGULAR AGENDA – APPROVAL OF 2019-20 OCTOBER REVISED  
BUDGET/ORGANIZATIONAL CHART**

Mr. Stites stated that the Committee reviewed and recommended approval of the Tennessee Tech 2019-20 October Revised Budget/Organizational Chart.

Mr. Stites, upon the Committee's recommendation, moved to approve the Tennessee Tech 2019-20 October Revised Budget/Organizational Chart, including the performance pay outcomes recommended by the Audit & Business Committee. Ms. Vanhooser seconded the motion. After an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 8.C.2: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REGULAR AGENDA – APPROVAL OF REVISED MANDATORY FEE STRUCTURE**

Mr. Stites stated that the revised mandatory fee structure would simplify the structure by establishing a consistent maximum hour-limit and packaging all mandatory fees into a "program service fee."

Mr. Stites, upon the Committee's recommendation, moved to approve the revised mandatory fee structure, including maxing all mandatory fees at six hours, not exceeding a cumulative maximum of \$639 per semester, and packaging all the mandatory fees into one fee named the Program Service Fee. Mr. Jones seconded the motion. After an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 8.C.3: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REGULAR AGENDA – APPROVAL OF OUT-OF-STATE TUITION RATE**

Mr. Stites stated the approval of out-of-state tuition rate recommendation would simplify and lower Tennessee Tech's domestic out-of-state tuition model to become more competitive with other state universities, gain access to new markets, and aid in recruiting diverse students.

Mr. Stites, upon the Committee's recommendation, moved to approve the out-of-state tuition rate of \$140 per hour for part-time students and a flat rate of \$2,100 for domestic undergraduates taking greater than 11 credit hours, and a flat rate of \$1,680 for full-time domestic graduate students taking greater than nine credit hours. Mr. Lowery seconded the motion.

Chair Harper stated that there was extensive discussion on this topic during the Audit & Business Committee's meeting earlier that day.

Ms. Vanhooser stated that she was concerned about additional funding to compensate for the lowered out-of-state tuition. She stated that there should be a plan for how Tennessee Tech would be able to reach out to out-of-state prospective students, because traveling out of state could become expensive.

Chair Harper stated that the Board was aware and was willing to take on the challenge.

Mr. Stites amended the motion to approve the out-of-state tuition rate of \$140 per hour for part-time students and a flat rate of \$2,100 for domestic undergraduates taking greater than 11 credit hours, and a flat rate of \$1,680 for full-time domestic graduate students taking greater than nine credit hours. Mr. Jones seconded the motion. Mr. Jones later move to clarify that the out-of-state- tuition rate would be effective Fall 2020 and the Board approved that clarification.

Mr. Jones stated that Tennessee Tech was attractive to prospective students not only for the cost, but many other factors, such as aesthetics and culture, make Tennessee Tech unique.

Chair Harper stated that she hoped the lowered out-of-state tuition rate would foster more diversity at Tennessee Tech.

With an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 8.C.4: AUDIT & BUSINESS COMMITTEE REPORT AND RECOMMENDATIONS  
– REGULAR AGENDA – TUITION TRANSPARENCY ACT REPORT (T.C.A § 49-7-1-1604)**

Mr. Stites stated that every year the Board is required to provide a report to the General Assembly with information regarding expenditures of revenues derived from any tuition and fee increases in the previous full academic year. He stated that the report must include how revenues were used, the effect on student financial aid, and the effect on average total cost of attendance per student.

Mr. Stites, upon the Committee's recommendation, moved to approve the Tuition Transparency Act report. Ms. Rose seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 9.A: ACADEMIC & STUDENT AFFAIRS COMMITTEE REPORT AND RECOMMENDATIONS – REPORT – LETTER OF NOTIFICATION FOR BACHELOR OF SCIENCE IN FINE ARTS**

Ms. Rose stated that a letter of notification for a Bachelor of Science in Fine Arts was submitted to THEC. She stated that the purpose of this degree was to provide an additional educational opportunity and graduation pathway for students wishing to major in art or music in an accredited program. She stated that the program was intended to reflect the contemporary, wide-ranging, and interdisciplinary arts approach to preparing students for numerous potential directions in visual art, craft, design, music, and other related fields of study.

**AGENDA ITEM 9.B: ACADEMIC & STUDENT AFFAIRS COMMITTEE REPORT AND RECOMMENDATIONS – CONSENT AGENDA – POLICY 204 (FACULTY APPOINTMENTS), POLICY 225 (NEW ACADEMIC PROGRAM), POLICY 271 (GENERAL GRADUATE DEGREE REQUIREMENTS), AND POLICY 1200 (UNDERGRADUATE ADMISSIONS)**

Ms. Rose, upon the Academic & Student Affairs Committee's recommendation, moved to approve as consent items TTU Policies 204 (Faculty Appointments), 225 (New Academic Program), 271 (General Graduate Degree Requirements), and 1200 (Undergraduate Admissions). Mr. Stites seconded the motion. With an opportunity for further discussion and there being none, the motion carried unanimously.

**AGENDA ITEM 10: OTHER BUSINESS**

Chair Harper stated in 2020 that the Board would hold its regular meetings on March 12, June 23, September 29, and December 1.

**AGENDA ITEM 11: ADJOURNMENT**

There being no further business, the meeting adjourned at 2:57 p.m.

Approved,

A handwritten signature in cursive script that reads "Kae Carpenter".

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Kae Carpenter, Secretary