

EAST TENNESSEE STATE UNIVERSITY
BOARD OF TRUSTEES

MINUTES

July 17, 2020
Johnson City, Tennessee

A special called meeting of the East Tennessee State University Board of Trustees was held at 1 p.m. on Friday, July 17 via teleconference call due to extraordinary circumstances surrounding the COVID-19 outbreak. The meeting was livestreamed to allow individuals to attend remotely.

I. Call to Order

Chair Scott Niswonger called the meeting to order at 1 p.m.

In his opening remarks, Chair Niswonger applauded the virtual Commencement Ceremony held May 9. A global pandemic has not prevented ETSU from continuing its teaching, research, and public service initiatives. He highlighted several major announcements since the last meeting:

- The launching of the Strong BRAIN Institute;
- A national education ranking of online nurse practitioner and radiologic sciences programs;
- Through the Department of Media and Communication, ETSU became the first university in the nation to earn accreditation from the Digital Marketing Institute; and
- Dr. Michael Meit was selected to lead research and programming for the Center for Rural Health Research.

Chair Niwsonger expressed pride for the way ETSU has been responsive to the tensions across the nation regarding racial injustice. He concluded his remarks by thanking Vice Chairman David Golden for his service as he is stepping away from his role with the Board of Trustees. During the next quarterly meeting, Vice Chairman Golden will be recognized with a resolution and a formal action will be taken to select a new Vice Chair for the Board of Trustees.

II. Roll Call

Secretary Green provided special instructions for telephonic meetings. Because Trustees participated via Zoom, votes were taken by roll call. In accordance with Tennessee Code § 8-44-108 section (c) (3), Secretary Green asked Trustees two questions. First, he asked each Trustee if he or she could clearly hear and participate in the meeting, and second, if any other persons were present in the room. All Trustees answered yes and that they were alone.

The following Trustees were present:

Janet Ayers

Virginia Foley
Linda Latimer
Scott Niswonger
Austin Ramsey
Ron Ramsey
Kelly Wolfe

Secretary Green said he did not detect a physical quorum present; however, a quorum existed by the inclusion of members participating by electronic means. He explained that in accordance with Tennessee Code § 8-44-108 section (b) (2), the meeting was necessary for the following reasons:

- Business critical decisions for the operations of the institution are slated for this meeting such as the modifications of the fall 2020 academic calendar, as well as budget planning among other items;
- Due to the COVID-19 virus outbreak and subsequent recommendations from the Centers for Disease Control and Prevention as well as Governor Bill Lee, social distancing measures and a limit on group gatherings are being observed.

Secretary Green said that for these reasons, he contended that participation by a quorum of the Board members by electronic or other means of communication is necessary. He then asked Chairman Niswonger for a motion and a roll call vote for a determination on the necessity of holding this meeting. Trustee Latimer made a motion, followed by a second from Trustee Foley. All Trustees provided affirmative votes that the meeting had a necessity to proceed.

III. Approval of the Minutes from April 24, 2020 Quarterly Meeting

Trustee Foley made a motion to accept the minutes which was seconded by Trustee Ayers and unanimously approved by roll call vote.

IV. Student Trustee Selection

President Noland presented a motion to accept the nomination of Mr. Austin Ramsey to serve as the Student Trustee for the 2020-21 academic year. Trustee Wolfe seconded the motion and the nomination was accepted.

V. Academic, Research, and Student Success Committee

A. Revised 2020-21 Academic Calendar

Dr. Wilsie Bishop presented proposed changes to the academic calendar developed out of concern for the health and safety of students, faculty, and staff. Details of the proposed changes were included in the meeting materials (pg. 12), however, Dr. Bishop affirmed that the revised calendar still honors the start and stop dates of the fall 2020 semester, which will not be shortened. Fall break (two days) would move to the week of Thanksgiving, thereby extending the holiday break to five days. Observance of the Labor Day and Veterans Day holidays would be forgone, creating additional instructional days. Students would not return for on-ground courses after Thanksgiving, and all instruction, including final exams, would be completed remotely. The Gatton College of Pharmacy would alter its start date slightly, but follow the proposed calendar in September. Quillen College of Medicine will

maintain its regular schedule. She said the proposed calendar is consistent with the other LGI's.

Trustee Foley seconded the motion provided in the meeting materials to approve the alterations to the academic calendar for 2020-21. Following a roll call vote, the revised academic calendar was adopted.

B. Emergency Rule – Title IX

Dr. Mark Fulks provided an overview of the Emergency Rule, which dictates how institutions of higher education handle sexual harassment and sexual assault on campus. The Title IX update was released in May and the U.S. Department of Education determined the deadline for implementation is Aug. 14, 2020.

Implementation of the Emergency Rule ensures compliance with Title IX regulations, he noted. Upon approval by the Board of Trustees, a full rulemaking process will be required for adoption of the permanent rule and will involve a comment period and hearing. Major changes are noted in the meeting materials, one of which is the adoption of “clear and convincing evidence” rather than the preponderance of evidence that was previously required.

Another major change outlined in the rule is colleges are no longer required to designate most members of campus as “mandatory reporters” of information learned about sexual harassment or discrimination. There are also changes to a single-investigator model and a narrower definition of harassment. Additionally, the rule changes the manner that off-campus incidents will be handled – through the student conduct process rather than Title IX process. In hearings, students are entitled to have an adviser and there is a formal cross-examination process, making the hearing a bit more legalistic, Dr. Fulks said. Hearings can also be held by video conference.

The proposed Emergency Rule was prepared collaboratively with legal counsel from the LGI's.

Chair Niswonger seconded the motion provided in the meeting materials to adopt the Title IX Emergency Rule, which was approved following a roll call vote.

C. Opening Strategy Update

President Brian Noland directed Trustees to a matrix providing a Summary of ETSU Actions and Strategies (pg. 62) framed by the Future Operations Workgroup Report (pg. 33) in the meeting materials.

Dr. David Linville, chair of the Future Operations Workgroup, said the report provides a framework to adapt university operations based on the status of the pandemic. The report follows some guiding principles, but does not over complicate the processes by providing four stages of operations. The summary following the report outlines how people are following the plan, making modifications as needed, and ensuring continuity of instruction, research, and service. The university is currently operating in stage 2 with the possibility of moving to stage 3 this fall.

President Noland then addressed the summary provided in the meeting materials. He is reminding students, faculty, and staff that patience, grace, and more patience are required as we move through an ever-changing landscape and prepare for the fall semester. Many people have asked about a “line in the sand” that dictates when operations would move from one stage to another. The Future Operations Workgroup Report provides latitude and flexibility. While research labs have reopened, ETSU is still working from a primarily remote structure with summer courses being taught online. Face coverings will be required for individuals returning to campus and several proposals are being considered for a face coverings policy that should be finalized in early August, he said.

A series of operational teams have been tasked with leading facilities (led by Mr. Jeremy Ross) and health (led by Dr. Bill Block) to address needs and help to implement and enforce safety protocols (pg. 62 of meeting materials). ETSU has ordered 10,000 face masks for students and 4,000 COVID-19 tests have arrived, President Noland added. The response team is going to each classroom in every building to determine physical distancing protocols and the Division of Student Life and Enrollment has developed detailed Housing and Food Service plans. The overall landscape remains very fluid as we put these plans into place, including determining course formats, he said. The bulk of fall course will likely either be online or on-ground with remote options.

Trustee Foley said she is confident the university is working through plans to finalize a policy on face coverings, and she noted that faculty have expressed concerns about enforcing the wearing of face masks.

VI. Budget Update

President Noland presented an overview of the final report submitted by the Strategic Options Workgroup (pg. 72). COVID-19 is greatly impacting higher education funding and jobs. The bulk of ETSU’s revenue is determined by enrollment, which is extremely dynamic (slide No. 6). The enrollment projection for fall is currently down 416, which includes loss of 170 from the freshman class. Many students and families are waiting to see what the fall will entail and some are taking a gap year and deferring enrollment. International enrollment could drop as much as 25%, he said.

In terms of budget, state allocations are predicated on performance in the THEC outcomes formula and ETSU had the top performance this year. The information being relayed from the state is much different now than it was in May when THEC directed institutions to remove 12% of its overall state appropriation. Then, in June, Gov. Lee announced that higher education would be held harmless. President Noland expressed much appreciation and said ETSU is in a much better place financially than institutions in other states facing drastic cuts. When the Board met in April, Trustees approved the 2020-21 budget and did not increase tuition or fees. President Noland said this action “blazed the trail” for other institutions in the state to hold fees flat as well and played a crucial role in Gov. Lee’s decision to not cut state appropriations. The budget approved in April included additional investments in reserves and salary enhancements, however, the landscape has changed significantly, he explained. The

bulk of revenue comes from non-state sources and is invested in teaching, research, and service – an investment in people.

The Strategic Options Workgroup (chaired by Dr. Mike Hoff and Mr. Jeremy Ross) was charged to provide budget scenarios and options for consideration. Because the university is expected to have a revenue shortfall from enrollment, the workgroup recommends reducing the budget by nearly \$8.3 million – based on a decline of 500 students among other factors: (slide No. 27):

- Post-Employment Benefits (OPEB)
- Tenure and Promotion Adjustments
- College of Arts and Sciences budget deficit
- Removing salary pool (transferring to contingency fund)
- Implementation of phased reopening plans

Trustees will vote on a revised budget in October, he explained. In the proposed budget scenarios, items listed in red are the level of reductions in each unit (slide No. 28). Administrative units will see 5.3% reductions and academic units and athletics will take 4.3% reductions.

A Voluntary Retirement Incentive Program was enacted for faculty and staff, and the purchase of goods and services has been restricted as well as travel. These savings strategies are in place with the goal to protect employment of those who call ETSU home, President Noland said.

VII. President's Report

In his report, President Noland told Trustees about a recent tabletop exercise related to the COVID-19 pandemic led by TEMA.

A review of organizational structure continues to ensure that the university is positioned to meet strategic planning objectives. Over the course of the spring semester, Dr. Bishop has led efforts to integrate the functions of the Provost Office to unify academics and health sciences under one roof, and continue her review of college alignment. On July 1, the School of Continuing Studies merged with the School of Graduate Studies to form the College of Graduate and Continuing Studies (Dr. Sharon McGee serving as dean). Dr. David Linville has assumed administrative oversight of off campus centers, and these actions address both academic and fiscal efficiencies.

The COVID-19 pandemic could continue to interrupt athletics, and the SoCon will convene in late July to discuss possible changes to the fall schedule. Men and Women's basketball programs are on campus practicing with safety measures in place, he said. ETSU Health provided COVID-19 screenings for athletes upon their arrival to campus. Athletic Director Scott Carter wants to do everything possible to continue offering scholarship athletic programs. There are no requests to cut athletic programs at this time, President Noland stated.

He also reported that the endowment is slightly higher than it was in March before the COVID-19 pandemic caused financial disruptions. ETSU has a new Executive Director of the Alumni Association, Whitney Calhoun Goetz.

For the last 8-9 years, ETSU has had a presence at the Kingsport Higher Education Center. The bulk of academic work has transferred from there to the Allandale campus because of the size, flexibility, and the needs of ETSU's nursing program. Dr. Linville will work with Northeast State President Dr. Bethany Flora to help frame new academic programs and vision for engagement in downtown Kingsport, President Noland noted.

Earlier in the month, President Noland said he approved Dr. Bishop's recommendation to close the Child Study Center. The CDC and Tennessee Department of Health guidelines to safely open during the COVID-19 pandemic makes it difficult for entities to operate. In order to meet the needs of University School and the needs of students who rely on childcare through Little Bucs the decision was made to close. Post-COVID, a group will come together to look at childcare needs across campus, he said.

There is a great sense of apprehension around the enforcement of a face covering requirement. Instead of taking a hard line approach, he suggested a public awareness campaign focused on being a good neighbor. To support this outcome, Dr. Randy Wykoff, Dean of the College of Public Health, has created a number of informational and educational videos regarding the importance of face coverings in the fight against COVID-19. One of the videos was shared with the board during the meeting.

The president closed his remarks to the Trustees with an overview of the strategic planning and visioning work of the Committee for 125 that occurred in 2012-13. There is a desire and energy to bring the campus together under the Board's leadership to frame a vision post-COVID to affirm and expand ETSU's teaching, research, and service mission, and the president noted that he would provide an update on the continued development of these efforts at the next quarterly meeting of the Board of Trustees.

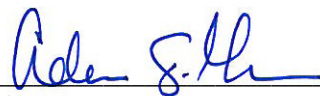
VIII. Other Business

No other business was brought before the ETSU Board of Trustees.

IX. Adjournment

The meeting adjourned at 2:35 p.m.

Respectfully submitted,



Adam Green
Secretary of the Board of Trustees

Approved by the Board of Trustees at its September 18, 2020 meeting.