

**KENTUCKY STATE UNIVERSITY BOARD OF REGENTS  
SPECIAL CALLED MEETING**

**\*\*\* Meeting Was Conducted in Person and by Teleconference \*\*\***

**February 20, 2023  
11:00 a.m. EST**

**Board of Regents Room  
Julian M. Carroll Academic Services Building, 2nd Floor  
Frankfort, Kentucky 40601  
(Primary Physical Location)**

**MINUTES**

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**I. Call To Order**

The Board's Chair, Dr. Gerald Patton, called the meeting to order at 11:04 a.m.

**II. Roll Call**

The Board's Secretary, Mr. Zachary Atwell, called the roll:

Regent Gerald Patton, PhD	Present
Regent Herman Walston, EdD	Present
Regent Michael Adams, Jr.	Present
Regent Tammi Dukes	Present
Regent Edward Fields	Present
Regent Ernie Fletcher, MD	Not Present
Regent Edward Hatchett, Esq.	Not Present
Regent Jason Moseley	Present
Regent Charles Moyer, PhD	Present
Regent Robert Ramsey, Sr.	Present
Regent Savion Briggs	Present

During the roll call, at least six (6) Regents were present, thereby establishing a quorum. Shortly after the roll call, Regent Fletcher joined the meeting.

**III. Approval of the Agenda**

**MOTION** by Regent Dukes:

Move the Board of Regents to approve the agenda of the February 20, 2023, special called meeting of the Board of Regents.

Seconded by Regent Moyer and passed without dissent.

#### **IV. Information Items**

##### **A. Update on Management Improvement Plan**

Chair Patton asked Mr. Travis Powell, Vice President and General Counsel of CPE, and Interim President Dr. Ronald Johnson to present this agenda item.

Mr. Powell began by introducing Dr. Stephanie Mayberry and Mr. Greg Rush. The presentation covered three main areas: (1) CPE's relationship with KSU staff; (2) progress on HB 250 goals and requirements; and (3) actions still needed to continue moving the University forward.

Mr. Powell and Dr. Mayberry both noted that KSU's relationship with CPE was good, although it could be better in terms of consistency on the collaboration side. They requested that CPE be viewed as partners with KSU, not regulators or overseers, and asked to be brought in on issues more towards the front end, as had occurred with the Faculty review process.

Regent Fields asked whether CPE was working through a primary KSU point-of-contact person on campus.

Mr. Powell next spoke on KSU's progress on HB 250, commenting that while progress had been made, not all deliverables had been accomplished according to schedule. However, he stated that overall, the University was on the right track, which was a positive step. Mr. Powell further remarked that to assist various teams with meeting deadlines for deliverables, CPE would likely begin implementing deadlines by semester, rather than by month.

As for actions still needed to move the University forward, Mr. Powell reported that the General Assembly frequently inquired about audit status, program and faculty review process, and the online programming provider status. He also expressed concern that the financial exigency policy, which the Board adopted nearly a year ago, had not yet been implemented, to his knowledge.

In sum, Mr. Powell felt that KSU's progress was good but could improve; overall, he was excited about KSU's future.

Regent Fields asked about CPE's outside evaluator that Mr. Powell mentioned and who would be responsible for that expense.

Regent Dukes asked Mr. Powell for suggestions on how to improve and increase communication and collaboration between CPE and campus.

Regent Moseley asked Mr. Powell for suggestions to assist CPE in receiving information in a timely manner so it could be verified before Board meetings. Mr. Powell responded that it might be helpful to have regularly scheduled monthly meetings and to adhere to submission deadlines for Board and agenda materials.

Following CPE's presentation, Interim President Johnson responded to Mr. Powell's observations.

Chair Patton requested Dr. Johnson to elaborate on his relationship and activities with the legislature regarding HB 250, the management improvement plan, and any other issues related to Kentucky State, including enrollment.

Chair Patton thanked Mr. Powell, Dr. Mayberry, and President Johnson for their presentation.

**B. Information on Kentucky JROTC Director of Army Instructions (DAI) Pilot Program**

Dr. Daarel Burnette, Interim Executive VP of Finance & Business Affairs and Chief of Staff, and Mr. Harry Dodson from the U.S. Army Cadet Command, were scheduled to present this agenda item.

Dr. Burnette began by stating that Mr. Dodson was unable to attend today, and therefore, his part of the presentation might need to be postponed until next month.

Dr. Burnette reported that the intent of the pilot program was to host a one-week JROTC program at KSU over the summer, with the hope that high school students who attend will be exposed to the KSU campus and consider KSU as their school of choice upon graduation. Dr. Burnette viewed this as a win-win situation for both KSU and the students who attend the program.

President Johnson discussed why the JROTC pilot program was an important opportunity for KSU.

Chair Patton stated that he was very impressed upon reviewing the materials regarding this program and the benefits it would bring to the institution, and he looked forward to learning more about it.

Regent Briggs commented that he thought the JROTC pilot program would undoubtedly benefit enrollment and recruitment by bringing KSU's presence into geographic areas where it would not typically appear.

Chair Patton thanked Interim VP Burnette and President Johnson for their presentation.

**C. Update on FY 2023 Finances**

Next, Chair Patton asked Interim VP Burnette to present this agenda item. Interim VP Burnette began by echoing Interim President Johnson's comments regarding CPE's oversight and MIP deadlines for deliverables, then introduced KSU's Controller, Ms. Tonya Walker.

Dr. Burnette presented updates on the E&G budget execution (through December 2022), the cash flow report as of January 2023, as well as FY 2021 and FY 2022 Audit updates (which, he stated, are going very well).

Following Dr. Burnette's presentation regarding E&G Budget Execution – Dec 2022, Ms. Walker elaborated on KSU's standing with the FY 2021 and FY 2022 audits and some of CPE's MIP deliverables to date.

Dr. Burnette continued with a discussion of HEERF Funds, noting that \$19.8 million had been awarded to KSU with \$7.5 million still unspent that must be spent before October 30, 2023, to prevent losing those funds. Dr. Burnette detailed allowable expenses for HEERF Funds.

Regent Fields asked whether a student who is awarded HEERF funds must use those funds towards a bill or debt to the institution, or if they are permitted to simply receive and keep the money.

Regent Walston asked whether faculty and staff-related training expenses allowable under HEERF include on-campus attendance of conferences and workshops. Regent Walston further asked if allowable HEERF technology-related expenses included the use of funds to modernize classroom technology.

Regent Briggs inquired about the permissibility of several hypothetical uses of HEERF funds. Dr. Burnette replied that the use of funds was strictly limited to things related or connected to COVID-19, and some of the examples Regent Briggs gave would not be allowed expenses for HEERF funds.

Regent Walston asked whether currently available HEERF funds could be used to reimburse prior expenditures (such as those purchased with E&G funds) that would have qualified as HEERF expenditures.

Regent Moyer asked, regarding the list of unanticipated expenses included in the "Unfunded Requirements Report", how confident Interim VP Burnette was that no other substantial but unbudgeted expenditures remain for this budget year.

Regarding the "Cash on Hand" slide, Regent Moyer asked how much of the change is attributable to the inflow of emergency state funds and questioned how KSU will reach the 90 days of cash on hand target since many of those funds have been expended. Dr. Burnette deferred the question to Mr. Greg Rush.

Regent Moyer asked whether the state emergency funds had effectively come to an end since most of that money had been received and further inquired what a pro forma over the next 12 months would look like.

Regent Moseley inquired why the Board continued to authorize large expenditures such as EAB since the Board did not fully have a handle on cash flow and unexpected, unbudgeted expenses remained an issue. Dr. Burnette stressed the importance of increasing enrollment to increase revenue, which necessitates utilizing a group such as EAB. Interim President Johnson and Chair Patton also discussed the critical issue of increasing KSU's enrollment if the institution is going to survive.

Regent Moseley asked whether the funds to pay for EAB were coming from E&G or Title III. Interim President Johnson replied that it was a split.

Regent Briggs offered additional thoughts regarding recruiting and enrollment, suggesting that KSU could greatly increase its impact by engaging in on-site recruiting at high schools, especially in the Louisville area and other Kentucky communities. Regent Briggs further noted that many of his high school teachers are proud KSU alumni.

Regent Fields remarked that he was surprised to see some of the expenses listed in VP Burnette's Unfunded Requirements Report (such as the FICA deferral, and the energy savings and pension plans), and asked why these items had not been paid. Mr. Rush clarified that the money had gone where it was supposed to go, and the situation was actually more of an accounting issue.

Chair Patton thanked Interim VP Burnette for his presentation, and Regent Briggs for his insightful comments.

#### **D. Report on HHERF Funds**

This Agenda item was incorporated into agenda item IV(C).

**E. Report on Student Enrollment**

Dr. Bridgett Golman, Interim VP for Student Engagement and Campus Life, presented this agenda item. She began by thanking Regent Briggs for his passion and commitment regarding student recruitment, then discussed the Spring 2023 Enrollment and Retention Report.

Regent Fletcher asked how many online students KSU currently has and further inquired whether KSU is going to increase its online enrollment. President Johnson explained the long-term pros and cons of offering online programs.

Chair Patton asked when the Board could expect to begin seeing results from EAB and requested an update on their status.

Dr. Golman also introduced the newly hired AVP of Student Success, Dr. Palisa Rushin.

Regent Walston asked about KSU's relationship with the state government in terms of tuition reimbursement and creating internships and externships to enhance student enrollment.

Chair Patton welcomed Dr. Rushin and thanked Dr. Golman for her presentation.

**F. Report on Scholarships**

Interim VP for Student Engagement and Campus Life, Dr. Bridgett Golman, presented this agenda item as well.

Dr. Golman shared the scholarship process, as requested by the Board in previous meetings.

Director of Financial Aid, Ms. Russelle Keese, discussed the matching endowment spreadsheet titled "KSU Vision 2020 Matching Endowment (ARGI), Student Scholarship Fund Individual Donor Detail Report," and provided details regarding specific scholarship criteria.

Chair Patton inquired about the communication mechanism through which students become aware of scholarship opportunities.

Mr. Michael DeCourcy, Executive Director of Institutional Advancement, discussed the KSU Foundation and the balances of their endowed holdings as of September 30, 2022, noting that this was not the complete list of all accounts they hold. He also discussed the KSU Endowment data as of January 31, 2023, and remarked that many of the scholarships shown within this slide did not have written agreements. Therefore, his office is in the process of developing several policies pursuant to KSU's Policy on Policies regarding internal agreements, an investment policy, and a spending policy. Mr. DeCourcy further stated that no funds had been expended from the KSU Endowment this year for student scholarships, and none would be until approved policies and procedures are in place.

Chair Patton asked how students are made aware of these scholarship opportunities and requested Mr. DeCourcy and Director Keese to comment on the PAS (Permanent Alumni Scholarship) Fund.

Regent Moyer sought clarification regarding the Foundation's investment policy.

Regent Moseley asked whether scholarship information could be made available as a recruiting tool to students considering attending KSU, noting that many students, including student-athletes, are unaware of the breadth of scholarship opportunities when deciding where to attend school. He also suggested using it as a retention tool and advising athletic team coaches of the many scholarship opportunities that could benefit their student-athletes.

Chair Patton thanked Dr. Golman, Mr. DeCourcy, and Director Keese for their presentation.

**V. Action Items**

**A. Approval to Purchase a Thermo Fisher Scientific Apreo 2 S LoVac Scanning Electron Microscope**

Dr. Kirk Pomper, Director of Land Grant Programs, presented this agenda item.

Regent Fields inquired whether the company/vendor would provide training on the use of the equipment.

Regent Ramsey asked who would have access to this equipment.

Regent Walston queried whether training was included in the purchase package. Dr. Pomper clarified that there was no additional cost for training.

**MOTION** by Regent Adams:

Move the Board to approve the purchase of the Thermo Fisher Scientific Apreo 2S LoVac Scanning Electron Microscope.

Seconded by Regent Fields and passed without dissent.

**B. Approval of Pending Personnel Actions**

Chair Patton asked Interim VP Burnette to present this agenda item.

Regent Walston inquired where the Executive Administrative Assistant position was located within Academic Affairs, and whether it was a new position.

Regent Ramsey requested clarification that the positions being presented were not yet filled. Interim VP Burnette replied that the position were not filled; rather, permission is simply being sought to post them.

**MOTION** by Regent Adams:

Move the Board to approve the pending personnel actions.

Seconded by Regent Fletcher and passed without dissent.

**C. Approval of Head Football Coach Contract**

This agenda item was presented by Interim VP Burnette. Athletics Director Ramon Johnson provided details regarding the contract and the new head football coach.

Regent Fields inquired into the source of funding for bonuses, and whether they would be paid from football revenues.

Regent Dukes asked whether there was a cap on the number of assistant coaches referred to in the contract. AD Johnson replied that they have proposed six assistant coaches, which is standard for a football program of KSU's size.

**MOTION** by Regent Walston:

Move the Board to approve the Head Football Coach contract.

Seconded by Regent Moyer and passed without dissent.

**VI. Closed Session**

Next, the Board moved into closed session, pursuant to KRS 61.810(1)(c) and KRS 61.810(1)(f), to discuss pending litigation and individual personnel matters.

**MOTION** by Regent Dukes:

Move the Board to enter a closed session.

Seconded by Regent Fields and passed without dissent.

At this time, the Board entered a closed session.

**VII. Public Actions**

When the Board reconvened, Chair Patton stated that the Board had completed its discussion and called for a motion to enter an open session again.

**MOTION** by Regent Walston:

Move the Board to enter into an open session.

Seconded by Regent Fields and passed without dissent.

During closed session, the Board discussed one item on which they could take action, the settlement of Franklin Circuit case No. 19-CI-01137. Chair Patton requested a motion to approve the settlement of that case by the terms of the proposed written agreement as presented.

**MOTION** by Regent Adams:

Move to approve the settlement of the case by the terms of the proposed written agreement as presented.

Seconded by Regent Dukes, and passed without dissent.

**VIII. Closing Remarks**

Chair Patton closed the meeting by remarking that he was appreciative for everyone's participation as KSU continues to forge ahead.

**IX. Adjournment**

**MOTION** by Regent Dukes:

Move the Board to adjourn.

Seconded by Regent Walston and passed without dissent.

The meeting was adjourned at 4:32 p.m.

Submitted by:



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Zachary Atwell, Board Secretary  
Kentucky State University  
Board of Regents



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Regent Tammi Dukes, Board Chair  
Kentucky State University  
Board of Regents

Approved with no corrections

Approved with corrections