

**MINUTES**  
**KCTCS Board of Regents**  
**Executive Committee Meeting**  
**March 15, 2018**

**Committee Members Present:**

Ms. Marcia L. Roth, Committee Chair  
Dr. Gail R. Henson, Committee Vice Chair  
Ms. Lisa Desmarais  
Dr. Angela Fultz

Mr. Barry K. Martin  
Ms. Tammy C. Thompson  
Mr. Porter G. Peeples, Sr.

**CALL TO ORDER**

Committee Chair Marcia L. Roth called to order the meeting of the Kentucky Community and Technical College System Board of Regents Executive Committee at 9:03 a.m. (ET) on March 15, 2018. The meeting was held in Conference Room 102B of the KCTCS System Office in Versailles, Kentucky. The press was notified of the meeting on March 7, 2018. Hon. Michael Murray, KCTCS General Counsel, served as parliamentarian.

There being a quorum present, the meeting began with the approval of minutes.

**APPROVAL OF MINUTES**

Chair Roth asked if there were any corrections to the November 30, 2017, minutes presented in the meeting materials. There being none, the minutes were declared approved as presented.

**ADDITIONS OR CHANGES TO THE AGENDA**

There were no changes or additions to the agenda.

**INFORMATION: KCTCS BOARD OF REGENTS 2019 REGULAR MEETING CALENDAR**

According to KRS 164.340, the KCTCS Board of Regents is mandated to meet quarterly. Board compliance with this mandate has evolved into a two-day meeting format on Thursdays and Fridays with the meetings scheduled to avoid holidays in March, June, September, and December. The Board has held special meetings as necessary under the conditions set forth in Section 4 of the *KCTCS Board of Regents Bylaws*.

Chair Roth asked Regents to review their calendars and let staff know by April 29, 2018, whether they are available to attend meetings on March 14-15, 2019; June 13-14, 2019; September 19-20, 2019; and, December 5-6, 2019. The proposed dates do not conflict with federal or religious holidays.

Chair Roth noted that the Board's 2019 regular meeting calendar would be adopted at the June 15, 2018, Board of Regents meeting and locations would be announced at the September 14, 2018 meeting.

**INFORMATION:  
PROPOSED  
KCTCS BOARD  
OF REGENTS  
BYLAWS  
REVISION 10.2.4  
BOARD  
EVALUATION**

Chair Roth called on President Box to present the agenda item with assistance from KCTCS Assistant Chief of Staff Hannah Hodges.

President Box noted that the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) approved a new comprehensive standard at the annual College Delegate Assembly in December 2017. This new standard, 4.2. (g), states that governing boards are now expected to conduct board evaluations periodically. In order for KCTCS to comply with the new standard, a KCTCS Board of Regents Bylaws revision is needed.

President Box shared that the *KCTCS Board of Regents Bylaws Section 14 – Amendments* states that any provisions of the Board’s bylaws (except those required or governed by the Kentucky Revised Statutes) may be amended or new provisions added by two thirds of the cast votes of a quorum of the Board. Amendments or new provisions to the Board’s Bylaws must be introduced at a preceding regular or special meeting of the Board.

The proposed revision would revise *Section Ten: Committees, 10.2.4 Efficiency, Effectiveness, and Accountability Committee* to add that the committee’s responsibility shall be to evaluate the Board’s effectiveness and performance. The Committee will meet at least annually to review Board evaluations and report the findings. The Board evaluations will not be personal evaluations of Regents’ performances, but rather each Regent will have the opportunity to conduct an overall assessment of the Board as a whole.

President Box noted that this item would be brought back to the Committee as an Action Item at the June 14, 2018 meeting.

Chair Roth called for discussion. There being none, she moved to the next agenda item.

**INFORMATION:  
KCTCS  
PRESIDENT  
ANNUAL  
PERFORMANCE  
REVIEW  
PROCESS**

Chair Roth shared that President Box had distributed a report on the accomplishments of his 2017-18 Goals and Objectives as of March 2, 2018. President Box will finalize the accomplishments report for the 2017-18 evaluation period and provide them to the Board in mid-May so that the Board may finalize his performance review at the June 15, 2018 Board meeting.

Chair Roth called on President Box to review his accomplishments with the committee.

President Box noted that he spent a great deal of his time focused on advocating for KCTCS at the state level, working with lawmakers and policymakers to reshape the reputation of KCTCS, noting that KCTCS is 20 years old and many of the current officials do not know the history or the purpose for creating KCTCS. In addition to advocacy, President Box focused on adult population enrollment, strategic partnerships, and leading with an entrepreneurial and innovative style. President Box asked for any questions and feedback from the Board to be sent to him by April 15, 2018.

After President Box presented an overview of his many accomplishments thus far, Chair Roth called for discussion.

During discussion, the Committee expressed appreciation to President Box for working hard at rebuilding legislative and executive branch relationships in Frankfort. The committee also expressed appreciation for the work that President Box accomplished on the federal level in Washington, D.C.

Chair Roth noted that conducting President Box's evaluation is one of the most important statutory duties of the KCTCS Board of Regents and urged Board members to thoroughly review the final evaluation and provide constructive comments.

**INFORMATION:  
PROPOSED  
POLICY REVISION  
OF KCTCS  
BOARD OF  
REGENTS 2.8  
KCTCS  
EMPLOYEE  
SEPARATION**

Chair Roth called on President Box to present the agenda item with assistance from KCTCS General Counsel Mike Murray.

President Box noted that in order to respond to the changing nature and levels of funding, and community demands for programs, KCTCS needs to enact policies to permit large or small-scale changes in the workforce. A proposed revision to the *KCTCS Board of Regents KCTCS 2.8 KCTCS Employee Separation Policy* is needed to allow for reduction in staff and faculty when budget, economic, and other critical factors make it necessary to do so. The proposed revision would provide specific language empowering the KCTCS President to implement an administrative Reduction in Force (RIF) Policy, if necessary. By approving the suggested Board of Regents policy 2.8 revision, the Board of Regents is *not* directing that a RIF be implemented.

General Counsel Murray noted that the KCTCS Board of Regents was not being asked to approve an actual administrative policy or procedure, as it is not the role of a governing board to do so. He shared that an administrative policy and procedure would contain far more details than the KCTCS Board of Regents policies and be drafted only after the Board's revision approval of Policy 2.8. Contingent upon Board approval, the administrative policy and procedure will be developed by the KCTCS President and legal counsel and will outline specific processes and rights of staff and faculty, tenured and non-tenured.

General Counsel Murray noted that if a RIF were to be enacted, it could be done across the System, at a college, or at department levels within the colleges and System Office, thus affording maximum flexibility to restructure when necessary. He noted that other public universities in Kentucky have existing RIF policies, including the University of Kentucky and University of Louisville, Northern Kentucky University, Morehead State University, Eastern Kentucky University, and Kentucky State University.

President Box noted that given the time required to educate the workforce and stakeholders, allow input, plan, and give notice to faculty, staff, and other interested parties before the new fiscal and academic years, it is necessary for the Board of Regents to receive this information now and take action at the June 15, 2018 meeting.

Chair Roth called for discussion.

During discussion, the committee asked for several revisions to the draft policy presented. It was recommended that the provision 2.8.2 *Termination and Discipline* be further delineated into two separate paragraphs. It was confirmed by General Counsel Murray that both faculty and staff would each have a process to appeal decisions under the administrative policy and procedure and that neither tenure nor due process would not be eliminated. It was suggested that language be added to make clear that protected tenured status and continued status faculty were not being eroded under this policy.

Chair Roth called for a recess before moving to the next agenda item.

## **RECESS**

The Committee recessed at 10:12 a.m. (ET) and reconvened at 10:25 a.m. (ET).

## **UPDATE: 2018 KCTCS LEGISLATIVE SESSION**

Chair Roth called on KCTCS President Jay K. Box to present the item.

President Box presented the 2018 Bill Tracker and 2018-20 KCTCS Biennial Budget Summary Update handout to the Committee.

President Box shared that the 2018 Kentucky General Assembly biennial budget session is two-thirds of the way through. The last day of the session is April 13, 2018.

President Box noted that the Governor released his proposed budget on January 16, 2018. This proposal is outlined in House Bill 200. The House released its version of the budget as a committee substitute to House Bill 200 on February 28, 2018 and it has passed the House. KCTCS is waiting to review the Senate's budget proposal. President Box also reviewed a list of bills that KCTCS has tracked over the session.

President Box and Vice President Followell shared that the Biennial Budget Summary spreadsheet details the differences in the KCTCS request, the Governor's, and House's proposals. Of significant note is that the House budget proposal restores the 6.25 percent cut proposed by Governor Bevin's proposal. This would be a savings of \$11.1 million for KCTCS. It also partially funds the Kentucky Coal Academy and Adult Agriculture programs, both of which were eliminated by the Governor's proposal.

President Box shared that on February 27, 2018; KCTCS was recognized in both the House and Senate Chambers in honor of its 20-year anniversary. KCTCS Board of Regents members Dr. Gail Henson and Donald Tarter attended. Legislators were pleased to welcome President Box and all of the 16 college presidents to the House and Senate floor.

Chair Roth called for discussion.

During discussion, the committee asked for updates regarding KCTCS's dual credit costs and if there is opportunity to recoup some of those costs through future legislation. There was also discussion about the capital budget and increasing asset preservation costs.

Chair Roth moved to the next agenda item.

***NEXT MEETING***

The next regular meeting of the KCTCS Board of Regents Executive Committee is scheduled for June 14, 2018, at Gateway Community and Technical College, Florence, Kentucky.

***ADJOURNMENT***

Dr. Fultz moved and Mr. Martin seconded that the Executive Committee adjourn.

VOTE: The motion was approved unanimously, and the Executive Committee adjourned at 11:13 a.m. (ET).

*06/14/18*

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Date Approved by the  
Executive Committee

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Marcia L. Roth, Chair  
KCTCS Board of Regents

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Tammy C. Thompson, Secretary  
KCTCS Board of Regents

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Jay K. Box, Ed.D.  
KCTCS President

