

AGENDA BOOK

Board of Regents

June 17, 2021

Morehead, Kentucky
www.moreheadstate.edu/bor



Morehead State University

Board of Regents Quarterly Meeting

Thursday, June 17, 2021 at 9:15 a.m.

Adron Doran University Center (ADUC), Room 329

Morehead State University

Board of Regents Members

Eric Howard, Chair

Sanford Holbrook, Vice Chair

Dr. Annie Adams

Craig Dennis

Adam Hinton

Debbie H. Long

Wayne M. Martin

Craig Preece

Arthur Walker, III

Terri S. Walters

Emily Wiley

Joseph A. (Jay) Morgan, President

**BOARD OF REGENTS QUARTERLY MEETING
MOREHEAD STATE UNIVERSITY**

Thursday, June 17, 2021

Adron Doran University Center (ADUC), Rm 329

9:00 a.m.—Audit Committee Meeting

9:15 a.m.— Quarterly Board Meeting

12:30 p.m.— Lunch

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. DONOR RECOGNITION
- IV. FACULTY AND STAFF RECOGNITION
- V. PRESIDENT’S RECOMMENDATIONS AND REPORTS

A. Consent Agenda (Action)

- 1. Approve Minutes of March 25, 2021 Quarterly Meeting 1
- 2. Ratify Spring 2021 Graduates..... 9
- 3. Ratify Personnel Actions 10
- 4. Approve 2021-2022 University Organizational Chart..... 16
- 5. Approve Promotion to Full Professor 24
- 6. Approve Granting of Emeritus Status..... 25
- 7. Approve Revisions to Student Media Board Charter..... 26
- 8. Approve Amendments to SGA Constitution and Bylaws..... 33
- 9. Approve Revisions to the University Police Standard
Operating Procedures Manual60
- 10. Approve Naming of Spaces in ADUC 90
- 11. Accept 2019-20 Single Audit Report..... 92

B. Recommendations (Action)

- 1. Accept Third Quarter Financial Report and Ratify Amended Operating
Budget..... 93
- 2. Approve 2021-2022 University Operating Budget, Tuition and Fee Schedule,
and Personnel Roster 101
- 3. Approve Faculty Compensation Plan 113
- 4. Approve Athletic Coach Employment Extensions 114
- 5. Approve Demolition of Real Property 115

C. Reports

1. Report on Personal Service Contracts, Mr. Kim Oatman
2. Report on University Fundraising, Mr. Jim Shaw
3. Report on Strategic Branding, Mr. Rick Hesterberg
4. Report on Student Government Association, Regent Emily Wiley

D. President's Report

- University Operating Update- Summer and Fall 2021

VI. CLOSED EXECUTIVE SESSION

The Closed Executive Session is called pursuant to KRS 61.810 to discuss matters relating to proposed or pending litigation against or on behalf of the University and matters relating to the future acquisition of real property where publicity would be likely to affect the value of a specific piece of property to be acquired for public use. The Board will take no action while in Closed Executive Session. The Board will act following Closed Executive Session.

VII. CONSIDERATION OF REAL PROPERTY

VIII. OTHER BUSINESS

- A. President's Annual Evaluation & Review, Chair Eric Howard
- B. Board of Regents – Board Evaluation of the Board, Chair Eric Howard
- C. Recognition of Regent Craig Dennis for Service to the University

IX. ADJOURNMENT

Agenda is available online at <http://www.moreheadstate.edu/bor>

**BOARD OF REGENTS
MOREHEAD STATE UNIVERSITY
QUARTERLY MEETING**

CALL TO ORDER

The Board of Regents of Morehead State University met on March 25, 2021 at 9:30 a.m. at the Morehead State University Mt. Sterling Campus. Due to the coronavirus pandemic, the meeting room provided ample room for social distancing and guests were encouraged to wear a mask.

ROLL CALL

Chair Eric Howard called the meeting to order.

**MEDIA
RECOGNITION**

Chair Howard recognized Jacqueline Graves to call the roll. The following regents were present: Chair Eric Howard, Vice Chair Sanford Holbrook, Dr. Annie Adams, Craig Dennis, Adam Hinton, Debbie Long, Wayne Martin, Craig Preece, Arthur Walker, III, Terri Walters, and Emily Wiley.

**SUPPORTER
RECOGNITION**

President Morgan recognized Tanner Boyd with Morehead State Public Radio.

President Morgan recognized Montgomery County Schools Superintendent, Dr. Matt Thompson, and thanked him for his support of Morehead State University. President Morgan also recognized Dr. Chris Miller, Director of MSU at Mt. Sterling and Professor of Education and commended him for his service to the University. Dr. Miller introduced MSU at Mt. Sterling faculty Ashley Spencer, Social Work Instructor, and Michelle Buckley, Nursing Resource and Lab Coordinator. Dr. Miller thanked them for their hard work and spoke about the life-changing impact both have had on students.

REPORTS

*Report on Spring
2021 Enrollment*

President Morgan recognized Dr. Patricia Harrelson as the incoming Faculty Senate President.

President Morgan recognized Russ Mast to provide a preliminary report on Spring 2021 enrollment. Mr. Mast stated that enrollment was steady and the University did better than most universities. Enrollment is up for graduate students, transfer students, and the Craft Academy. Eagles Scholar enrollment is down because of the coronavirus pandemic and the inability to visit students in the high schools. Winter term enrollment is up from prior years.

Vice Chair Holbrook asked if high school seniors were taking advantage of the new Kentucky law permitting students to repeat a year of school. Mr. Mast stated that the University wants to expand Eagle Outreach recruiting to target these students.

*Report on Prior Year
Metrics and Performance*

Ms. Courtney Andrews, Director of Institutional Research and Analysis, provided a report on prior year metrics and performance. Ms. Andrews stated that the University experienced a decline in enrollment, but an overall growth in underrepresented minority students.

Ms. Andrews stated that the University experienced growth in two or more race categories and received a good report for progress of underprepared students. She stated that retention is up from prior years and the University has continued its efforts to lower class size. Additionally, alumni giving and private financial support has increased.

Dr. Annie Adams asked why reading metrics are not tracked. Ms. Andrews responded that the Council on Postsecondary Education does not provide zip codes to track this, but the University can begin tracking.

Regent Craig Dennis asked why the facilities metrics increased. Mr. Kim Oatman, Assistant Vice President Facilities and Operations, responded that the facilities calculation is for performance funding and has increased because the University picked up additional space in the Adron Doran University Center.

Regent Arthur Walker asked if the increase in financial support and giving is an anomaly. President Morgan responded that the increase is due to the hard work of University employees and that the University Scholarship Campaign is strictly for student scholarships. Mr. Jim Shaw, Vice President University Advancement, stated that last year's private giving was higher than any other year in University history.

Regent Emily Wiley asked about the University student to faculty ratio. Ms. Andrews responded that the metric accounts for all faculty teaching undergraduate in-person or online courses, except dual credit classes.

QEP Update

President Morgan introduced Dr. Laurie Couch, Associate Provost Undergraduate Education Student Success and Associate Professor of Psychology, who provided an update on the Quality Enhancement Plan (QEP). President Morgan noted that all universities are required to have a QEP by SACSCOC.

Dr. Couch stated that the University is preparing to launch a new QEP plan, which will help the University improve students' career readiness. The five-year plan, which was based on the University's strategic plan and guided by feedback from constituent groups, will be reviewed by SACSCOC in a few weeks.

The QEP, titled "Level Up, Experience Your Future" will use high impact experiences, such as undergraduate research, education abroad, service learning, or internships to help students become more competitive in their job market.

*Report on Personal
Service Contracts*

**ELECTION OF
CHAIR, VICE
CHAIR, AND
SECRETARY AND
APPOINTMENT OF
TREASURER**

Through specially-designed experiences, students may “level up” their oral communication, written communication, critical thinking skills, teamwork, or professionalism. Students can choose their own path to adopt some or all of these experiences, but the goal is for every student to have all five of these experiences.

Students will be required to have at least one experience. Benefits from the QEP include deep learning, success in college courses, earned recognition, competitiveness in the job market, and future career success. It will also help students develop soft skills that 80-90% of employers polled stated recent graduates did not possess. Once completed, students can include these certifications on transcripts and can also be honored with distinction in certain areas at graduation. This will help students be more competitive in the job market.

Regent Debbie Long asked how this would affect online courses or hybrid programs. Dr. Couch responded that the programs would determine whether the course was a elective or required course.

Regent Emily Wiley stated that students are very excited for this new opportunity. Regent Adam Hinton commended the University for the QEP, stating that he believes this will really help students prepare for life after college. Regent Craig Dennis stated that the QEP is an excellent program.

President Morgan introduced Mr. Greg Rush, Council on Postsecondary Education, Senior Fellow, Academic Affairs, in attendance at the meeting.

Mr. Kim Oatman, Assistant Vice President Facilities and Operations, provided a brief report on personal service contracts.

Regent Craig Dennis asked about the contract with Robert W. Baird and Co. Mr. Oatman responded that the University consulted with Robert W. Baird and Co. to assist with restructuring University bonds and debt. Ms. Mary Fister Tucker, VP Fiscal Services and Chief Financial Officer, commented that the Commonwealth of Kentucky contracts with Robert W. Baird and Co. on behalf of all Kentucky universities.

President Morgan noted that all debt approved by the Board for restructuring has been completed.

Chair Howard stated that nominations were in order for the election of Chair, Vice Chair, Secretary and appointment of Treasurer.

MOTION: Regent Wayne Martin moved that Eric Howard be elected Chair, Sanford Holbrook be elected Vice Chair, Jacqueline Graves be elected Secretary, and Mary Fister Tucker be appointed Treasurer. Regent Dennis seconded the Motion.

**PRESIDENT'S
RECOMMENDATIONS
AND REPORTS**

Consent Agenda

VOTE: The Motion carried unanimously. Chair Howard abstained from voting for Chair. Vice Chair Holbrook abstained from voting for Vice Chair.

Chair Howard asked that the Board consider the following items on the Consent Agenda:

1. Approve Minutes of December 3, 2020 Quarterly Meeting
2. Approve Appointment of External Auditing Firm and Price
3. Receive NCAA Procedures and MSPR Audit
4. Approve Minimum Scope of Annual Audit
5. Ratify Personnel Actions
6. Approve Tenure
7. Approve Tenure with Promotion
8. Approve Policy Modification for Choice on Tenure Delay
9. Approve Sabbatical Leaves
10. Approve 2021-2022 Housing Rates

MOTION: Regent Preece moved that the Board approve the items on the Consent Agenda. Vice Chair Holbrook seconded the Motion.

VOTE: The Motion carried unanimously.

*Accept Second
Quarter Financial
Report and Ratify
Amended Operating
Budget*

The President recommended:

RECOMMENDATION: That the Board of Regents accept the financial statements and ratify the operating budget for the second quarter of the fiscal year that will end December 31, 2020.

Ms. Mary Fister Tucker explained that the University has a statutory requirement to furnish quarterly financial reports to the Board of Regents. Regents were provided with financial statements, along with management's discussion and analysis, and budget information. She stated that cash and cash equivalents are up significantly and that the University has made a conscious effort to increase these categories during the coronavirus pandemic. Expenses are trending well, with some expenses totaling fifty percent of the budget, but she explained this is due to fixed contract costs required to be paid early in the fiscal year and expenses related to the coronavirus pandemic. Overall, she believes the University is trending nicely for the fiscal year.

Ms. Fister Tucker also provided a thorough report on monies received and spent in response to the coronavirus pandemic. She reported that the University received a total of \$8,848,851.00 in federal stimulus funds from the Coronavirus Aid, Relief, and Economic Security Act (CARES) and \$11,587,469.00 in federal stimulus funds from the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA). She explained that some of the money was required to be awarded to students with the greatest financial need, while other money could be used for institutional progress.

The money that could be used for institutional use was used to reimburse the University for refunds given to students, revenue reductions, to offset personal protective equipment and hand sanitizer costs, and other expenditures in response to the coronavirus pandemic. She further explained that the University planned to use remaining stimulus money to aid students and fund improvements, such as replacing furniture in some residence halls.

Dr. Annie Adams asked how much money the University expects to receive from the new federal stimulus package recently passed. President Morgan responded that the University anticipated receiving approximately \$9 million, which is required to go directly to students, and approximately \$9 million which can be used by the institution.

Dr. Adams asked whether the newest source of federal funds had any fewer restrictions. Ms. Fister Tucker responded that the new guidance from the United States Department of Education suggests fewer restrictions. President Morgan responded that the University also received guidance from Dean Dorton Allen Ford, PLLC regarding use of the federal stimulus monies from an auditing standpoint.

Regent Dennis asked how much was the average check students received in stimulus money last May. Ms. Fister Tucker responded that the average check was \$1,500.00 per student for Pell eligible students. Regent Wiley commented that the University also provides Eagle Assurance scholarships for students who may have not received the federal stimulus money. She also commended the University for prioritizing student concerns and mental health needs.

Regent Long asked whether there would be a reduction in future stimulus funds received by universities if the university received prior funds. Ms. Fister Tucker responded that there would not be a reduction in future funds because the University has received prior funds.

Regent Arthur Walker, III asked whether the federal stimulus money would be accounted for in the University's financial statements. President Morgan responded that it would be accounted for in future financial statements.

MOTION: Vice Chair Holbrook moved that the Board approve the President's recommendation. Regent Hinton seconded the Motion.

VOTE: The Motion carried unanimously.

BREAK

Chair Howard called for a break. The meeting was soon called back to order.

*Approve Faculty
Compensation Plan*

The President recommended:

RECOMMENDATION: That the Board approve the recommended compensation plan for faculty. President Morgan explained that the recommendation is to recognize full-time tenure-track and non-tenure track faculty by providing a cumulative increase to nine-month base salary compensation. Faculty with tenure who also hold academic administrative appointments above nine months would also be eligible to receive the increase. President Morgan asked that the Board approve an amendment to the recommendation withdrawing the request for \$200,000.00 to address faculty compression. The University is continuing to evaluate this and needs more time.

MOTION: Regent Martin moved that the Board approve the President's recommendation. Regent Preece seconded the Motion.

VOTE: The following regents voted in favor of the Motion: Chair Eric Howard, Vice Chair Sanford Holbrook, Craig Dennis, Adam Hinton, Debbie Long, Wayne Martin, Craig Preece, Arthur Walker, III, Terri Walters, and Emily Wiley. Dr. Annie Adams abstained from voting.

*Approve Staff
Compensation Plan*

The President recommended:

RECOMMENDATION: That the Board approve the recommended compensation plan for staff. President Morgan explained that full-time staff shall move to a base floor of \$9.50 per hour beginning March 16, 2021. Full-time staff hired on or before June 30, 2020 can select a one percent increase to their base salary compensation, up to a maximum increase of \$500, or a one-time stipend. To further recognize and reward staff for recruitment efforts, full-time staff who served on an Eagle Outreach team in 2019-2020, who made at least one school visit, shall receive a \$100 increase to their base salary compensation. This does not apply to staff who have recruitment in their job description.

MOTION: Regent Martin moved that the Board approve the President's recommendation. Regent Preece seconded the Motion.

VOTE: The following regents voted in favor of the Motion: Chair Eric Howard, Vice Chair Sanford Holbrook, Craig Dennis, Adam Hinton, Debbie Long, Craig Preece, Arthur Walker, III, Terri Walters, and Emily Wiley. Dr. Annie Adams voted against the recommendation and Regent Martin abstained from voting.

Dr. Annie Adams read the following statement into the record:

I would like to thank the President for addressing compensation. I also fully support an increase in staff pay, and I would have advocated this pay was increased at the same rate as faculty. My objection is solely with the third part of the plan, which does not follow current policy. PG 44 specifies pay ranges are based on market data and job duties.

**PRESIDENT'S
REPORT**

Dr. Adams further stated:

If we are increasing base pay based on duties not in job descriptions, then we are not following PG 44. UAR 324.06 offers a way to remunerate duties not part of the regular job description: supplemental pay.

Regent Dennis asked whether the cumulative increase to base salary compensation would be for the current fiscal year. Ms. Fister Tucker responded that the increase would occur in fiscal year 2021-2022.

The President recommended:

RECOMMENDATION: That the Board of Regents approve the 2022-2028 Six-year Capital Plan that will be submitted to the Capital Planning and Advisory Board on April 15, 2021. Mr. Kim Oatman provided an overview of the plan and stated that the list of capital projects that make up the plan have an estimated scope of \$1 million or more and equipment purchases with an estimated scope of \$200,000 or more. A preliminary list of the projects in the 2022-2028 Six-Year Capital Plan was provided to each regent at the meeting.

Regent Dennis asked if the Camden-Carroll Library was increased in the plan. Mr. Oatman responded that it is, but the University also has the library as a separate project.

Dr. Adams asked why the technology plan completed in 2013 was included in the plan. Mr. Oatman responded that the nuts and bolts of the technology plan are still being completed.

Regent Wiley asked if improving Wi-Fi is included in the plan. Mr. Oatman responded that it is.

Dr. Adams asked if Blackboard would be upgraded. Mr. Oatman responded that it would be upgraded.

MOTION: Vice Chair Holbrook moved that the Board approve the President's recommendation. Regent Terri Walters seconded the Motion.

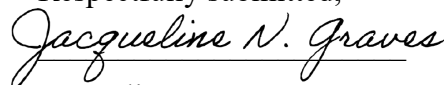
VOTE: The Motion carried unanimously.

President Morgan provided an update on the 2021 General Assembly legislative session. He also provided an update on OVC discussions to potentially refigure sports. President Morgan stated that University faculty and staff have had the opportunity to get a covid vaccine at St. Claire Regional Medical Center. The University does not require faculty and staff to get the vaccine but St. Claire Regional Medical Center has vaccines available if faculty and staff would like to receive a vaccine.

Dr. Adams asked if the OVC was considering adding new sports. President Morgan stated that the OVC is not considering adding new sports at this time.

ADJOURNMENT

There being no further business to discuss, Dr. Annie Adams moved that the meeting adjourn. Regent Hinton seconded the Motion and the Motion carried unanimously.

Respectfully submitted,

Jacqueline N. Graves, Secretary
Board of Regents

RATIFY SPRING 2021 GRADUATES

BOR (V-A-2)
June 17, 2021

Recommendation:

That the awarding of degrees to the candidates who successfully completed all degree requirements as approved by the faculty of the University at the 2021 Spring Commencement on May 8, 2021, be ratified.

Background:

At the May 8, 2021 Spring Commencement, students were awarded degrees from Morehead State University. This included 95 associate degrees, 794 bachelor degrees, 128 master degrees, 9 education specialist degrees, and 18 doctor of education degrees.

RATIFY PERSONNEL ACTIONS

BOR (V-A-3)
June 17, 2021

Recommendation:

That the Board ratify the Personnel Actions processed from March 1, 2021 through March 31, 2021.

Background:

The attached personnel actions, including supplemental and appointment changes that the President has approved, are recommended for ratification by the Board of Regents.

Definitions For Appointments

Personnel Actions Effective Through March 31, 2021

- Full-Time Standing:** A Full-Time Standing Appointment designates an appointment that is full-time and for which no ending date is specified. Such appointments are terminable in accordance with the appropriate University policy. Full-time Standing Appointments must be backed with budgeted funds. Full-Time Standing Appointments may be used for all four payroll classification categories namely 1) Academic; 2) Administrative; 3) Staff Exempt; and 4) Staff Nonexempt (see PG-2). Full-Time Standing Appointments may be specified for nine, ten, eleven, or twelve months per fiscal year. This type of appointment is provided all regular University benefits.
- Full-Time Fixed:** A Full-Time Fixed Appointment designates an appointment that is full-time for a fixed period of time and for which an ending date is specified. Such appointments may be specified for nine, ten, eleven, or twelve months. The appointments do not have to be backed by permanent funds. Full-Time Fixed Appointments may be used for all four payroll classification categories namely 1) Academic; 2) Administrative; 3) Staff Exempt; and 4) Staff Nonexempt (see PG-2). This includes instructors and any other individuals in a classification covered by the tenure regulations. Such appointments are discontinued automatically at the specified ending date. Appointments may be terminated before the ending date for cause or business necessity. Full-Time Fixed Appointments may be renewed. Persons appointed to Full-Time Fixed Appointments are not converted to Full-Time Standing Appointments without an appropriate search or search waiver. This type of appointment is provided all regular University benefits.
- Supplemental:** A Supplemental Appointment designates an appointment which is supplementary to a Full-Time Standing or Full-Time Fixed Appointment and has the effect of providing an additional contractual provision beyond the term of the Full-Time Standing or Full-Time Fixed Appointments. For example, a Supplemental Appointment may be used if an individual whose regular appointment is for nine months but whose appointment is extended for one to three additional months. Supplemental Appointments will also be used to designate those appointments which are supplementary to Full-Time Standing or Full-Time Fixed Appointments to compensate for approved additional services normally outside the scope of regular duties. For example, A Supplemental Appointment can be used when an eligible employee is employed to teach a course for additional compensation. Regular University benefits, except sick leave and vacation accrual, continue with a Supplemental Appointment.

Department/Office	Name	Effective Date	Ending Date	Title	Contract Months	Salary	Employment Status	Employment Action
<u>Leave of Absence</u>								
No Leave of Absences for This Report								
<u>New Hires</u>								
Nursing	Bradley, Sarah	03/16/2021	05/11/2021	Instructor, Nursing	5	\$ 12,500.00	Full-Time Fixed	New Hire
Student Activities	Lovend, Elizabeth	03/16/2021	06/30/2021	Coordinator, Fraternity and Sorority Life	12	\$ 35,568.00	Full-Time Fixed Probationary	New Hire
Enrollment Services	Williams, Lawrence	03/01/2021	06/30/2021	Enrollment Services Counselor	12	\$ 16.92	Full-Time Fixed Probationary	New Hire
<u>Promotions</u>								
Human Resources	Thompson, Angela	03/01/2021		Assistant Director, Office of Human Resources	12	\$ 59,391.00	Full-Time Standing Probationary	Promotion; Salary Adjustment; Title Change
<u>Reassignments</u>								
Human Resources	Dunn, Shayla	03/01/2021	06/30/2021	Human Resources Assistant	12	\$ 18.24	Full-Time Fixed Probationary	Reassignment; Title Change
Farm Maintenance	Hamm, Anthony	03/16/2021		Farm Services Technician/Generalist	12	\$ 13.08	Full-Time Standing	Reassignment; Title Change
Human Resources	McWain, Tina	03/01/2021		Human Resources Generalist	12	\$ 42,500.00	Full-Time Standing Probationary	Reassignment; Salary Adjustment; Title Change
<u>Renewals</u>								
Sociology, Social Work & Criminology	Blackshear, Greg	03/31/2021	05/30/2021	Research Assistant	12	\$ 17.29	Full-Time Fixed	Renewal; Update Grant Accounts
<u>Separations</u>								
First Year Programs	Clark, Cory	03/19/2021		Assistant Director of the Eagle Diversity Education Center	12	\$ 39,334.00	Full-Time Standing	Resignation
Enrollment Services	Frazier, Jenny (Randi)	03/31/2021		Enrollment Services Counselor/Virtual Recruitment Specialist	12	\$ 39,878.00	Full-Time Standing	Resignation
Department of English	Potter, David	02/28/2021		Post-Doctoral Research Associate	12	\$ 9,709.34	Full-Time Fixed	Resignation
Power Plant	Sloan, Ronnie	03/27/2021		Heat & Water Plant Operator III	12	\$ 17.30	Full-Time Standing	Resignation
Counseling & Health Services	Stidam, Alicia	03/31/2021		Registered Nurse (BSN)	12	\$ 38,500.00	Full-Time Standing	Resignation
Retired Senior Volunteer Program	Judd, Teresa	03/31/2021		Director, Retired Senior Volunteer Program	12	\$ 47,476.00	Full-Time Fixed	Retirement
Physics, Earth Science & Space Systems Engineering	Reid, Steven	02/28/2021		Associate Professor of Geoscience	9	\$ 64,488.00	Full-Time Standing	Retirement
Building Services	Stamper, Linda	03/31/2021		Building Services Technician	12	\$ 10.62	Full-Time Standing	Retirement
<u>Other</u>								
MSU Police Department	Martin, Michael	03/16/2021		Police Officer	12	\$ 15.32	Full-Time Standing	Advanced Degree Increase
Small Business Development Center	Bowling, Rachel	03/16/2021	03/31/2021	Interim Director, Small Business Development Center	12	\$ 55,391.00	Full-Time Fixed	Interim Appointment
Adult Learning Center, Montgomery County	Cooper, Tammy	03/16/2021	06/30/2021	Data Assessment Specialist/Instructor	12	\$ 32,990.00	Full-Time Fixed	Other; Move from Staff to Faculty
Adult Education	Fannin, Opal	03/16/2021	06/30/2021	Assistant Director/ABE Instructor II	12	\$ 35,568.00	Full-Time Fixed	Other; Move from Staff to Faculty
Adult Learning Center, Montgomery County	Fife, Steven	03/16/2021	06/30/2021	ABE Instructor II Montgomery	12	\$ 32,990.00	Full-Time Fixed	Other; Move from Staff to Faculty
Adult Learning Center, Wolf	Handshoe, Patricia	03/16/2021	06/30/2021	ABE Instructor II Morgan/Wolfe	12	\$ 32,990.00	Full-Time Fixed	Other; Move from Staff to Faculty
Adult Learning Center	Modaff, Allison	03/16/2021	06/30/2021	Instructor II	12	\$ 32,990.00	Full-Time Fixed	Other; Move from Staff to Faculty
Adult Learning Center	Rose, Verinda	03/16/2021	06/30/2021	ABE Instructor II Morgan/Wolfe	12	\$ 34,986.00	Full-Time Fixed	Other; Move from Staff to Faculty
Adult Education	Taulbee, Barbara	03/16/2021	06/30/2021	Adult Basic Education Instructor II	12	\$ 32,990.00	Full-Time Fixed	Other; Move from Staff to Faculty
Adult Basic Education, Bath	Wilson, Alicia	03/16/2021	06/30/2021	ADB Instructor II Bath County	12	\$ 32,990.00	Full-Time Fixed	Other; Move from Staff to Faculty
Grounds & General Services	Adkins, Jeffrey	03/16/2021	06/30/2021	General Service Worker	12	\$ 9.50	Full-Time Standing	Salary Adjustment
Grounds & General Services	Bartee, Andrew	03/16/2021	06/30/2021	Groundskeeper	12	\$ 9.50	Full-Time Fixed Probationary	Salary Adjustment
Building Services	Blankenbuehler, Kyle	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Bolin, David	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Cooper, Michael	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Cooper, Sharon	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Kelsey, William	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Lykins, Hope	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Markwell, Jacqueline	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Moore, Candace	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment

Department/Office	Name	Effective Date	Ending Date	Title	Contract Months	Salary	Employment Status	Employment Action
Other (cont.)								
Building Services	Riddle, Teresa	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Rodger, Terri	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Schultz, Lisa	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Simmons, Evelyn	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Building Services	Simmons, Vickie	03/16/2021	06/30/2021	Building Services Technician	12	\$ 9.50	Full-Time Fixed	Salary Adjustment
Nursing	Cloud, Merry Jo	02/01/2021		Simulation Specialist/Lecturer	9	\$ 44,250.00	Full-Time Standing	Title Change
Nursing	Lowery, Bethany	02/01/2021		Patient Care Laboratory Coordinator/Lecturer	9	\$ 42,000.00	Full-Time Standing	Title Change
Housing & Residential Education	Chaky, Anastasia	03/16/2021	06/30/2021	Area Coordinator	12	\$ 35,568.00	Full-Time Fixed	Title Change
Housing & Residential Education	Watts, Michael	03/16/2021	06/30/2021	Area Coordinator	12	\$ 35,568.00	Full-Time Fixed	Title Change

Total Appointment Status Actions: 45

Supplementals Report
June 2021

		Effective	Ending		Contract				
Department/Office	Name	Date	Date	Title	Months	Salary	Employment Status	Employment Action	Notation
Craft Academy Student Services	Fultz, Michael	02/16/2021	05/15/2021	Professor, Biology	9	\$2,100.00	Full-Time Standing	Additional Duties	Coach/Mentor ExoLab Research Craft Academy
Nursing	Noble, Christopher	03/15/2021	05/11/2021	Clinical Instructor	n/a	\$3,000.00	Part-Time	Additional Duties	Additional 3 Credit Hour Course
Kinesiology, Health & Imaging Sciences	Prater, Misty	01/19/2021	05/15/2021	TRIO Academic Coordinator	12	\$1,200.00	Full-Time Fixed	Correction	Incorrect Rate for Spring 2021 Teaching
Undergraduate Education & Student Success	Ashley, Angela	03/31/2021	03/31/2021	Lecturer (Part-Time)	n/a	\$1,500.00	Part-Time	Other	QEP LevelUp: Completed Trainings, Taught in Pilot, Committed for 2021-22 and 2022-23. EDEM 499C.
Nursing	Bates, Lauren	01/19/2021	05/15/2021	Associate Professor, Nursing	9	\$4,000.00	Full-Time Standing	Other	Clinical Support for Nursing
Athletics	Blanton, Andrew	02/20/2021	04/19/2021	Coordinator, MSU @ Prestonsburg	12	\$770.00	Full-Time Standing	Other	7 Football Broadcasts for ESPN
Nursing	Bush, Nathania	01/19/2021	05/15/2021	Associate Professor, Nursing	9	\$750.00	Full-Time Standing	Other	Clinical Support for Nursing
Undergraduate Education & Student Success	Chen, Steve	03/31/2021	03/31/2021	Professor, Sports Management	9	\$2,000.00	Full-Time Standing	Other	QEP LevelUp: Completed Trainings, Taught in Pilot, Committed for 2021-22 and 2022-23. SPMT 430 and SPMT 471
Undergraduate Education & Student Success	Cornett, Terry	03/31/2021	03/31/2021	Lecturer (Part-Time)	n/a	\$1,500.00	Part-Time	Other	QEP LevelUp: Completed Trainings, Taught in Pilot, Committed for 2021-22 and 2022-23. EDEM 499C.
Undergraduate Education & Student Success	Dobranski, J. Michael	03/31/2021	03/31/2021	Associate Professor, Mathematics	9	\$1,500.00	Full-Time Standing	Other	QEP LevelUp: Completed Trainings, Taught in Pilot, Committed for 2021-22 and 2022-23. MATH 385
MSU at Mt. Sterling	Fife, Steven	01/19/2021	05/12/2021	ABE Instructor, II	12	\$2,100.00	Full-Time Fixed	Other	Teaching 3 Credit Hours
Undergraduate Education & Student Success	Fitch, Malinda	03/31/2021	03/31/2021	Instructor, Education	9	\$1,500.00	Full-Time Fixed	Other	QEP LevelUp: Completed Trainings, Taught in Pilot, Committed for 2021-22 and 2022-23. EDEM 499C.
Quality Enhancement Plan	Getchell, Morgan	03/16/2021	03/31/2021	Associate Professor, Communication	9	\$1,000.00	Full-Time Standing	Other	QEP LevelUp: Completed Trainings, Taught in Pilot, Committed for 2021-22. COMS 382
Quality Enhancement Plan	Gonzalez-Espada, Wilson	03/16/2021	03/31/2021	Professor, Physics & Science	9	\$500.00	Full-Time Standing	Other	QEP LevelUp: Completed Training, Taught in Pilot, Committed for 2021-22. SCI 199
Quality Enhancement Plan	Hassan, Ahmad	03/16/2021	03/31/2021	Associate Professor, Management	9	\$1,000.00	Full-Time Standing	Other	QEP LevelUp: Completed Training, Taught in Pilot, Committed for 2021-22. BBA 499C.
School of Business Administration	Hypess, Julia	01/19/2021	05/07/2021	Associate Professor, Sports Management	9	\$1,100.00	Full-Time Standing	Other	Assessment & Quality Improvement Director, SCBA
Athletics/Rifle	Joseph, Alan	03/01/2021	03/16/2021	Head Rifle Coach	12	\$644.38	Full-Time Fixed	Other	Eagle Award for Excellence-OVC Coach of the Year
MSU at Mt. Sterling	Lewis, Erik	01/19/2021	05/12/2021	Lecturer (Part-Time)	n/a	\$2,100.00	Part-Time	Other	Additional 3 Credit Hour Course
Student Activities	Lovend, Elizabeth	03/16/2021	03/31/2021	Coordinator, Fraternity and Sorority Life	12	\$1,000.00	Full-Time Fixed	Other	Travel Expenses
Nursing	McClave, Ladonna	01/19/2021	05/15/2021	Associate Professor, Nursing	9	\$2,400.00	Full-Time Standing	Other	Clinical Support for Nursing
School of Business Administration	Ratliff, Janet	01/19/2021	05/07/2021	Associate Professor, Management & Entrepreneurship	9	\$2,500.00	Full-Time Standing	Other	Smith Endowed Chair in Entrepreneurship
Nursing	Rogers, Charles	01/19/2021	05/15/2021	Associate Professor, Nursing	9	\$3,000.00	Full-Time Standing	Other	Clinical Support for Nursing
Nursing	Royce, Holly	03/29/2021	05/07/2021	Clinical Instructor	n/a	\$2,000.00	Part-Time	Other	Teaching Additional 2 Credit Hours
Nursing	Sadler, Shelley	01/19/2021	05/15/2021	Instructor, Nursing	9	\$3,000.00	Full-Time Fixed	Other	Clinical Support for Nursing
History, Philosophy, Politics, International & Legal	Scott, Alana	01/25/2021	01/25/2021	Associate Professor, History	9	\$187.94	Full-Time Standing	Other	Evaluation Prior Learning Student Portfolio
Sociology, Social Work & Criminology	Shannon, Lisa	10/01/2020	05/15/2021	Associate Professor, Social Work	9	\$9,933.00	Full-Time Standing	Other	Community Based Treatment Outcomes Project Administrator
Health Care Leadership	Shi, Bo	03/09/2021	03/09/2021	Associate Professor, Finance	9	\$3,000.00	Full-Time Standing	Other	Completion of Module 5 Health Care Leadership Certificate Program
School of Business Administration	Stapleton, Samuel	01/19/2021	05/07/2021	Instructor, Management	9	\$2,500.00	Full-Time Fixed	Other	MBA Director
Nursing	White, Mary	01/19/2021	05/15/2021	Associate Professor, Nursing	9	\$2,900.00	Full-Time Standing	Other	Clinical Support for Nursing
School of Business Administration	Nataraj, Sam	01/19/2021	05/07/2021	Associate Dean, SCBA, Professor, Computer Information Systems	9	\$2,500.00	Full-Time Standing	Other	Greg Palmer Endowed Professorship
Undergraduate Education & Student Success	Grupe, Dirk	03/31/2021	03/31/2021	Associate Professor, Astrophysics & Space Science	9	\$1,000.00	Full-Time Standing	Other	QEP LevelUp: Completed Training. Taught in Pilot. Committed for 2022-23. ASTR 403.
Undergraduate Education & Student Success	Haberek, Mark	03/31/2021	03/31/2021	Instructor Education	9	\$1,000.00	Full-Time Fixed	Other	QEP LevelUp: Completed Training. Taught in Pilot. Committed for 2021-22 and 2022-23. EDEM 499C.
Computer Science & Electronics	Cheng, Cheng	08/18/2020	05/07/2021	Assistant Professor, Engineering & Technology Management	9	\$2,400.00	Full-Time Standing	Overload	3 Credit Hours
Music, Theatre & Dance	Hayes, William	01/19/2021	05/07/2021	Technical Director/Scene Shop Supervisor/Lecturer Theatre	12	\$2,100.00	Full-Time Standing	Overload	3 Credit Hours
Engineering & Technology Management	Jenab, Kouroush	03/11/2021	05/07/2021	Assistant Professor, Engineering & Technology Management	9	\$2,400.00	Full-Time Standing	Overload	3 Credit Hours
Foundational & Graduate Studies Education	Kessinger, Michael	01/13/2021	05/08/2021	Assistant Professor, Educational Leadership	9	\$2,811.02	Full-Time Standing	Overload	3.75 Credit Hours
School of Business Administration	Lunt, Lucas	01/19/2021	05/07/2021	Assistant Professor, Marketing	9	\$2,100.00	Full-Time Standing	Overload	3 Credit Hours
School of Business Administration	Njoroge, Lydia	01/19/2021	05/07/2021	Assistant Professor, Marketing	9	\$2,100.00	Full-Time Standing	Overload	3 Credit Hours
MSU Teach	Beaudine, Gregory	01/19/2021	05/07/2021	Visiting Assistant Professor, Math Education	9	\$2,100.00	Full-Time Fixed	Overload	Overload course taught: MATH 330.200, 202, 204, 209.
Early Child, Elementary & Special Education	Roach, Rebecca	01/19/2021	05/07/2021	Assistant Professor, Education	9	\$2,400.00	Full-Time Standing	Overload	Overload courses taught: EDEL 662, EDEL 624.
Early Child, Elementary & Special Education	Stultz, Sherry	01/19/2021	05/07/2021	Associate Professor, Education	9	\$4,200.00	Full-Time Standing	Overload	Overload courses taught: EDSP 357, EDSP 353.

Total Appointment Status Actions: 41

Roster Positions Summary
3/31/2021

	July 1 Positions	Position Adjustments	Current Positions	Current Positions Filled	Current Percentage Filled
Office of the President	14.07	(2.00)	12.07	12.00	99.42%
Division of University Advancement	24.58	-	24.58	24.58	100.00%
Division of Administration and Fiscal Services	72.68	1.00	73.68	68.18	92.54%
Facilities Management	87.75	(0.25)	87.50	82.00	93.71%
Division of Student Affairs	137.88	(3.83)	134.05	129.85	96.87%
Division of Academic Affairs	46.08	(0.58)	45.50	39.00	85.71%
Caudill College of Arts, Humanities & Social Sciences	119.84	-	119.84	114.91	95.89%
Smith College of Business and Technology	46.42	-	46.42	46.42	100.00%
Volgenau College of Education	48.90	-	48.90	48.40	98.98%
College of Science	141.65	0.50	142.15	134.15	94.37%
Undergraduate Education & Student Success	27.23	0.17	27.40	25.10	91.61%
Regional Education & Outreach	6.50	-	6.50	5.50	84.62%
Camden-Carroll Library	22.00	-	22.00	19.00	86.36%
	795.58	(4.99)	790.59	749.09	94.75%

Note: Positions are expressed in terms of full-time equivalency.

**APPROVE 2021-2022 UNIVERSITY
ORGANIZATONAL CHART**

**BOR (V-A-4)
June 17, 2021**

Recommendation:

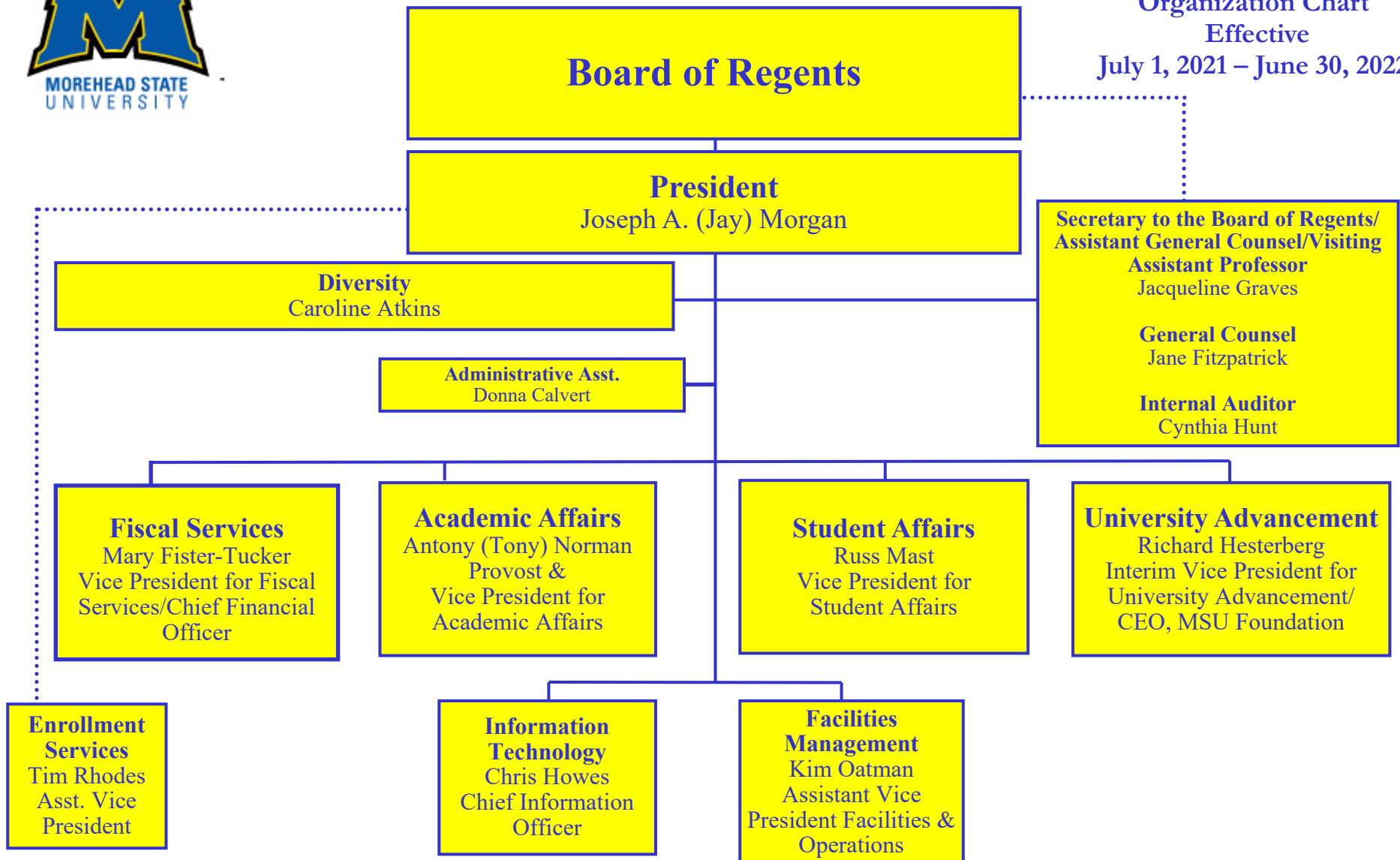
That the Board of Regents approve the University organizational chart for 2021-2022.

Background:

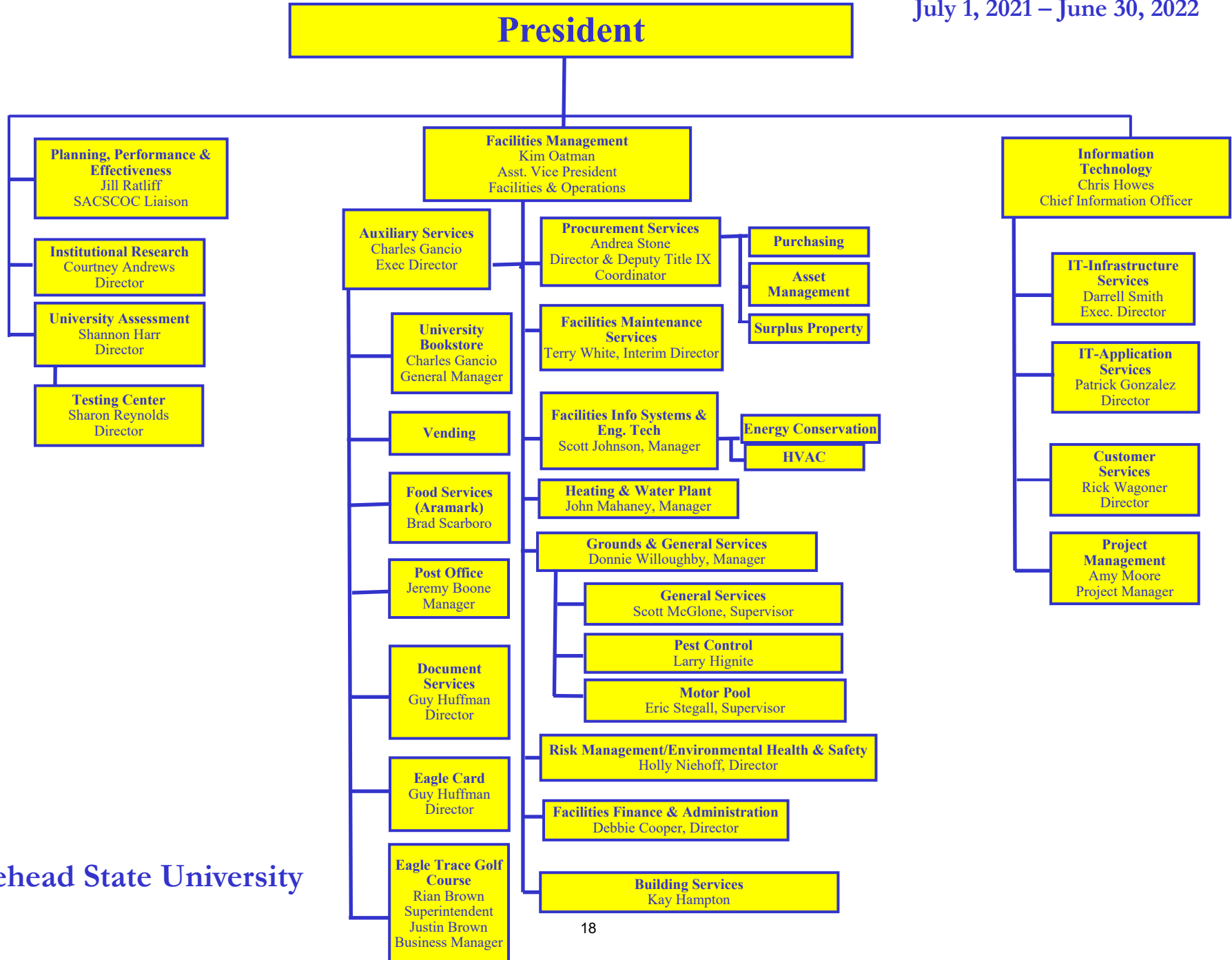
The organizational chart is updated annually to illustrate personnel reporting relationships at the University.



Organization Chart
Effective
July 1, 2021 – June 30, 2022

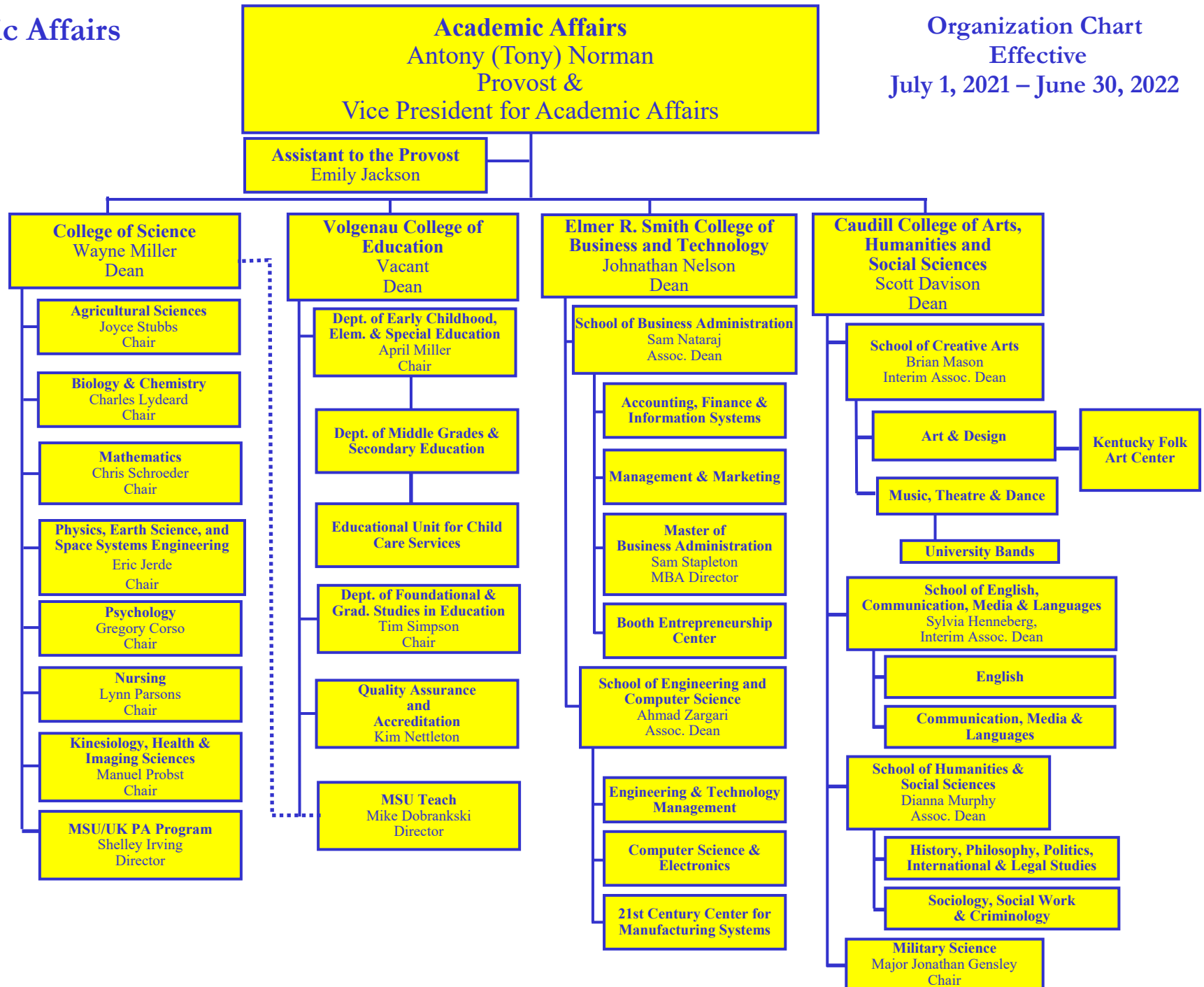


Organization Chart
Effective
July 1, 2021 – June 30, 2022



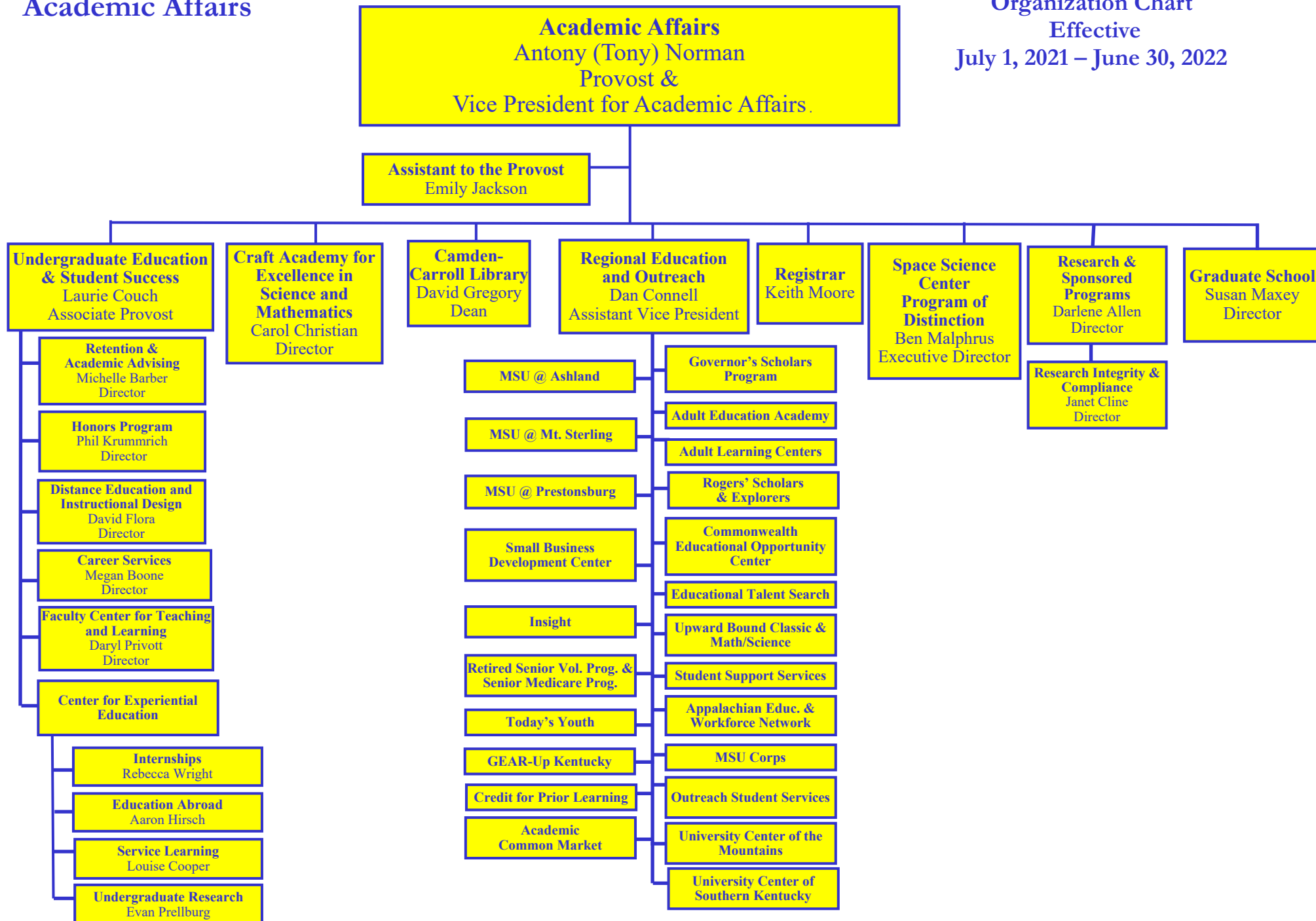
Academic Affairs

Organization Chart
Effective
July 1, 2021 – June 30, 2022



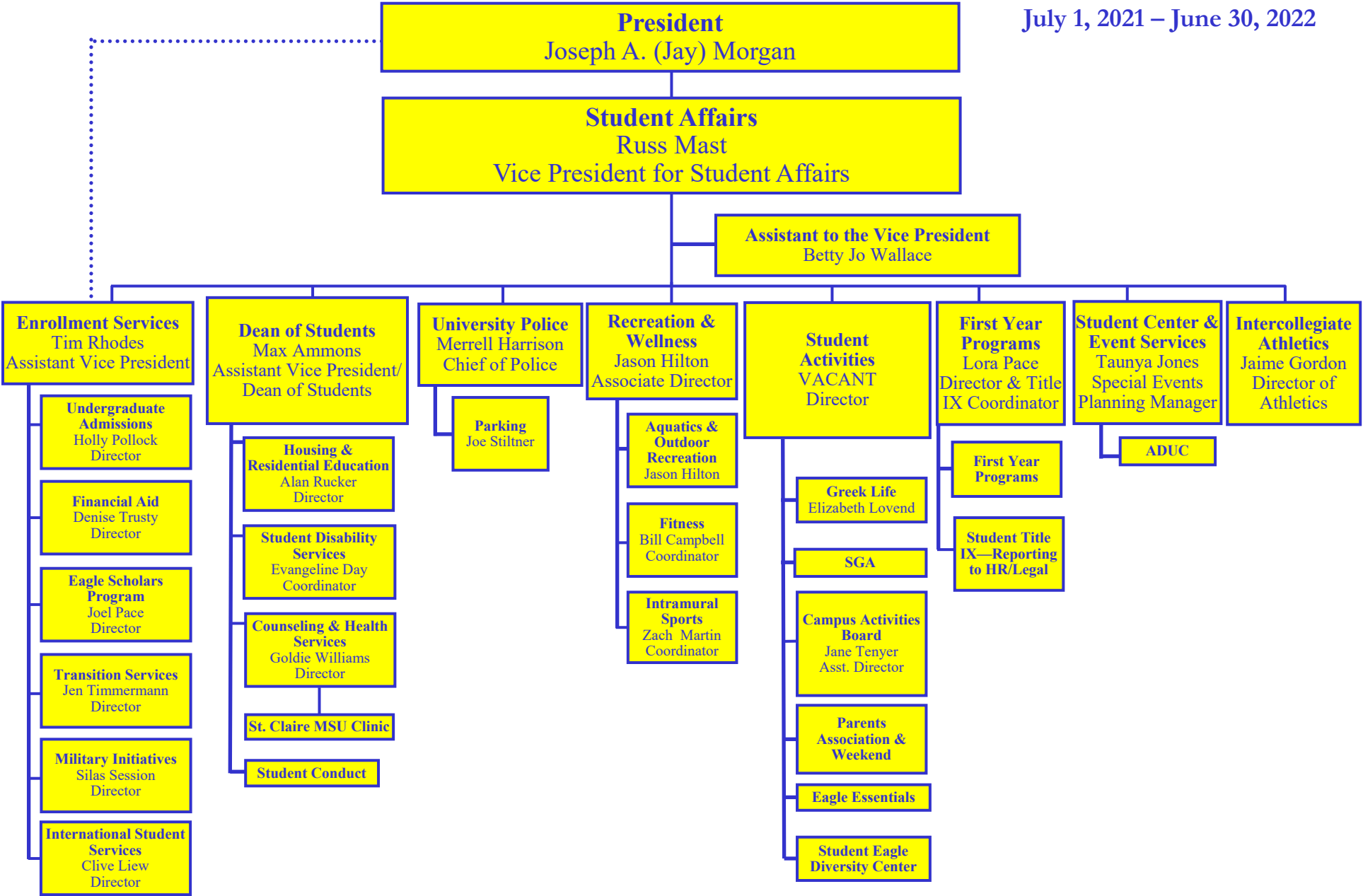
Academic Affairs

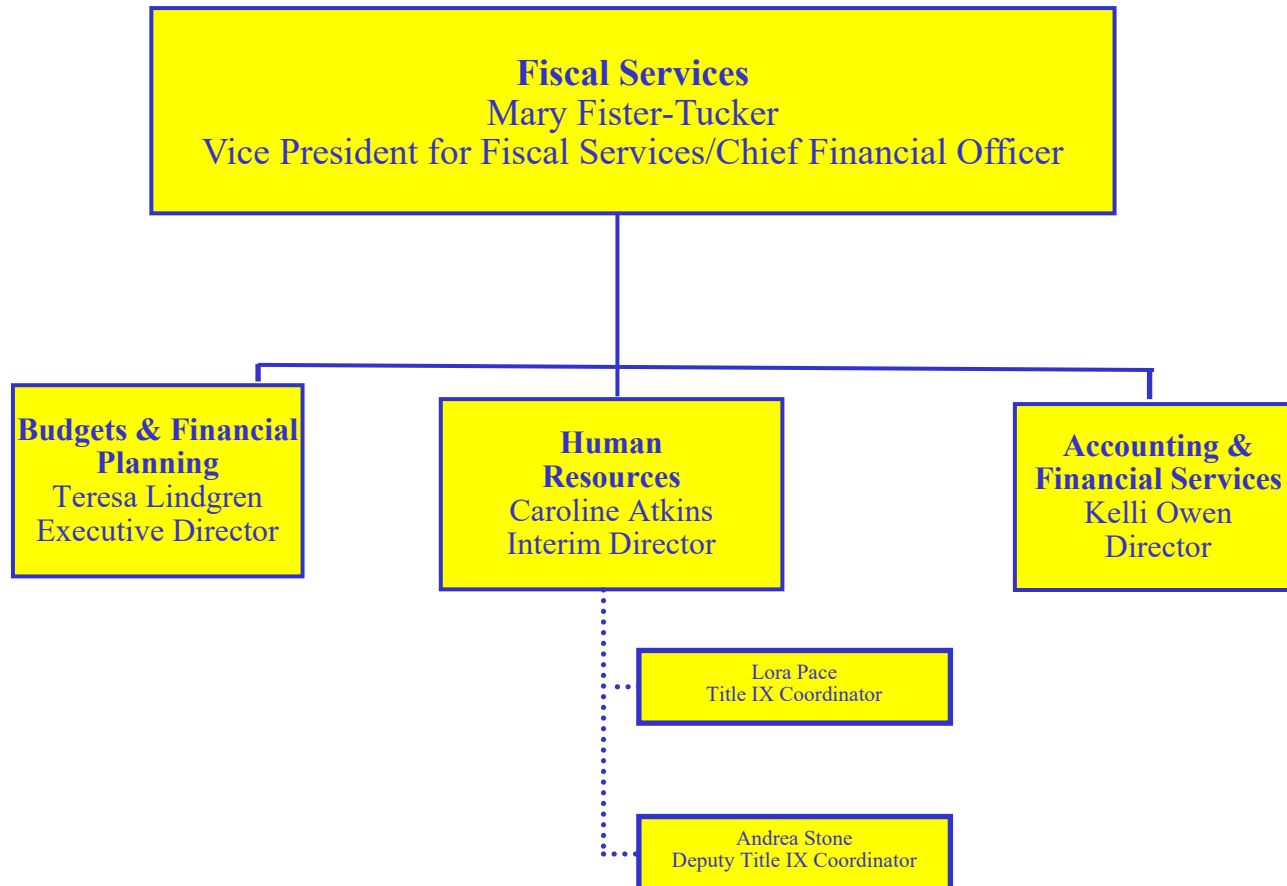
Organization Chart
Effective
July 1, 2021 – June 30, 2022

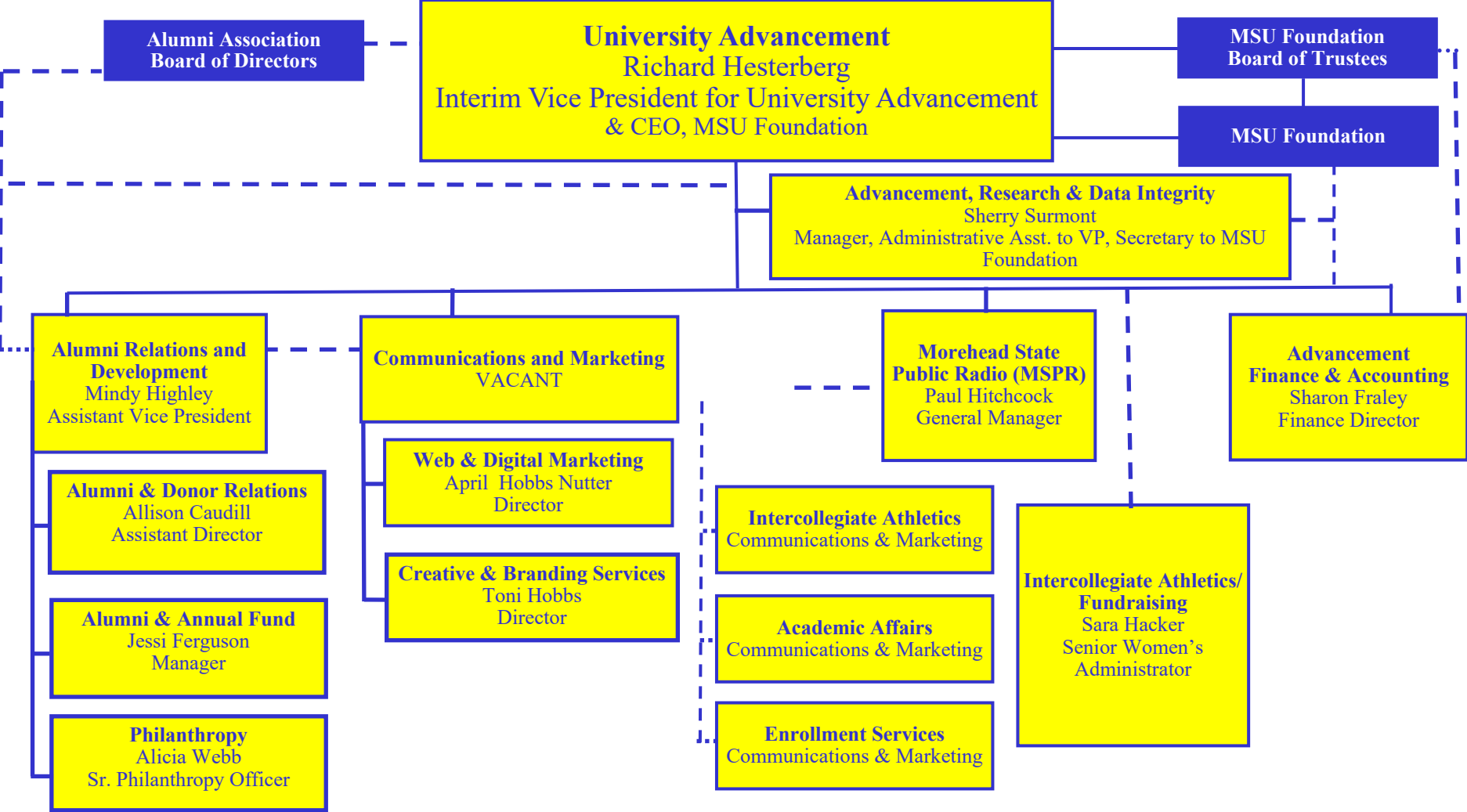


Student Affairs

Organization Chart
Effective
July 1, 2021 – June 30, 2022







APPROVE PROMOTION TO FULL PROFESSOR

**BOR (V-A-5)
June 17, 2021**

Recommendation:

That the Board of Regents approve the granting of promotion to those who are associate professors to the professor rank for the following faculty members with the issuance of their contracts for the 2021-2022 year:

Dr. Doug Chatham, Associate Professor of Mathematics
Dr. Jenny Dearden, Associate Professor of Health & Wellness
Mr. Dongfeng Li, Associate Professor of Art
Dr. Lisa Shannon, Associate Professor of Social Work
Dr. Itza Zavala-Garrett, Associate Professor of Spanish

Background:

Tenured faculty are eligible to apply for promotion to Professor after the completion of five years of service at the rank of Associate Professor. Faculty members are responsible for developing their own promotion portfolios for submission to their peers and administrative supervisors for analysis and review. These portfolios are reviewed by departmental committees, as well as by the candidate's department chair/associate dean and college dean. The University Promotion Committee receives and reviews the recommendations from these peer groups and administrators and forwards its recommendations to the Provost. The President, based upon recommendations from the Provost, submits his recommendations to the Board of Regents.

APPROVE GRANTING OF EMERITUS STATUS

BOR (V-A-6)
June 17, 2021

Recommendation:

That the Board of Regents approve the granting of Emeritus Status to the following:

Dr. Brent Rogers, Associate Professor of Agriculture
Dr. Steven Reid, Associate Professor of Geoscience
Dr. Edna Schack, Professor of Education
Dr. David Smith, Associate Professor of Biology

Background:

In accordance with PAC-3 and UAR 116.04, the faculty members listed above were recommended for emeritus status by their peers and immediate supervisors to the Provost. The President, based upon recommendations from the Provost, submits his recommendations to the Board of Regents. The emeritus status will become effective upon the date of retirement.

APPROVE REVISIONS TO STUDENT MEDIA BOARD CHARTER

**BOR (V-A-7)
June 17, 2021**

Recommendation:

That the Board of Regents approve the attached revised Student Media Board Charter. The University Administration worked with the Student Media Board to revise the Student Media Board Charter.

Background:

The MSU Board of Student Media (BoSM) is the responsible entity for student media organizations *The Trail Blazer* (TTB) and *NewsCenter* (NC). TTB is an on-line student multimedia newspaper; NC is a weekly student produced television news program. Both are produced through the Department of Communication, Media and Languages. The BoSM supports the role of student media to report and interpret the news accurately with fairness and objectivity. It also implements fiscal and student personnel policies for the student media. The BoSM receives its authority from the University's Board of Regents, which must approve all BoSM charter revisions.

We have recently updated our charter because the 1998 version was outdated, using names for programs and majors that no longer exist. In the new version before you, we are also seeking to simplify the membership (reduce the number of people needed) and the number of required meetings. Finally, we are seeking to modify the appointments of future TTB and NC faculty advisors to be decided by a consensus between the University President, Provost and the appropriate College Dean from nominations submitted by the BoSM.

**CHARTER GOVERNING STUDENT MEDIA
AT MOREHEAD STATE UNIVERSITY**
[Revised and Approved by Student Media Board 5/2021]

Preamble

By authority of the Board of Regents and the President of Morehead State University and on behalf of the University community, the Board of Student Media presents this charter governing specific student media, said charter representing the general framework of operations for the Board of Student Media.

Section I - Authority

The Board of Student Media of Morehead State University receives its authority from the University's Board of Regents through the President of the University.

Section II - The Publisher/Operator Function

Morehead State University is the legal publisher of the Trail Blazer and the legal owner/operator and producer of the NewsCenter, possessing ultimate responsibility for these media and such other student media as may be established, recognized, financed, controlled, and directed by the Board of Student Media. The Board of Student Media is the authorized responsible entity for the Trail Blazer and NewsCenter. The Board of Student Media must adhere to all University policies, administrative regulations, and all applicable state and federal laws in carrying out its duties and responsibilities.

Section III - Student Media

A. The Trail Blazer - The Trail Blazer is an online student newspaper with responsibility to the University community. Also, it provides opportunity for laboratory experience for students in journalism. The Board of Student Media has the responsibility for insuring both of these functions are performed.

In order to serve the university community and fulfill the historic check and balance role a newspaper plays on government and society, The Trail Blazer must preserve its editorial independence. Student newspaper editorial freedom of expression requires student responsibility for presenting the news and opinion accurately, fairly and completely.

B. NewsCenter is a student-operated television news program regularly cablecast to the MSU campus. It is also available for viewing online. In order to serve the university community and fulfill the check and balance role which news programming plays on government and society, NewsCenter must preserve its independence which requires student responsibility for presenting the news and opinion accurately, fairly and completely, within the rules and regulations of all governmental regulatory agencies.

Section IV - Goals of the Student Media

The goals of the student media shall be

- A. To serve their readership or viewing audience by distributing news and enlightened opinions for the general welfare of said readership or viewing audience.
- B. To report and interpret the news accurately with fairness and objectivity.
- C. To present the enlightened expression of opinions under the guidelines of fair comment and criticism.
- D. To follow the guidelines of good taste to avoid insulting their readership or viewing audience with the frivolous use of profanity or obscenity.
- E. To perform professionally in all aspects of their operations.
- F. To conform to the codes of ethics of the Society of Professional Journalists and the Radio Television Digital News Association.

Section V - The Charge of the Board of Student Media

The single charge of the Board of Student Media is to assure, on behalf of the University, the highest quality of publications and programming under its direction for the entire University community. This charge implies these general powers and responsibilities:

- A. To support the student media in their role of serving the University community.
- B. Recommending, establishing, implementing and monitoring sound editorial, fiscal, production and student personnel policies.
- C. Long-range planning in all areas of responsibility.

D. Assuring due process when, in the judgment of the Board, a Student Media Board student staff member acting on its behalf must be removed for cause.

Section VI - Duties of the Board of Student Media

The duties of the Board of Student Media shall be designated as the following:

A. To support the student media in their role of serving their readership and viewing audience.
B. To assure that personnel are appointed for proper management and production of the student media.

C. To adopt and implement policies and procedures necessary for efficient management and production of the student media.

D. To review and recommend an annual budget for each student media operation.

E. To select students for and, where necessary, dismiss students from executive staff positions on each student media operation. The executive staff positions shall be designated as:

1. The Trail Blazer

a. Editor

b. Managing Editor

2. NewsCenter

a. News Director

b. Assignment Editor

F. To monitor the laboratory functions of the student media and to assure that the academic functions are being carried out.

G. To arbitrate in all controversial matters concerning the student media.

H. To arbitrate in all appeals relating to the discipline or dismissal of a Student Media Board appointed student staff member of a student publication or media operation.

I. To approve and implement editorial, fiscal, production and student personnel policies for the student media.

J. To review operating procedures as they relate to governmental regulatory guidelines, procedures and policies.

Section VII - Regular Meetings

The Board of Student Media shall meet a minimum of once each fall semester and once each spring semester. Dates shall be set by the chair. Meetings of the Board may be conducted wholly in-person, virtually, or a mixture of both to allow those who wish to attend virtually the opportunity to do so.

Section VIII - Summer Meetings

Meetings shall be called by the chair as necessary during the summer sessions. Because some members may be away from the University during the summer sessions, the chair shall regard those who are reasonably accessible to the University as the total membership of the Board and shall alter accordingly the quorum rule, hereinafter detailed, during such periods. Meetings of the Board may be conducted wholly in-person, virtually, or a mixture of both to allow those who wish to attend virtually the opportunity to do so.

Section IX - Board Membership

To represent fully the total community it is to serve, the Board of Student Media shall be composed as follows:

A. One faculty or staff member representing the University President (Appointed by the University President).

B. One non-communication, non-convergent media faculty member representing the faculty at large (Appointed by the University President from nominations made by the Faculty Senate).

C. One staff member representing the staff at large (Appointed by the University President from nominations made by the Staff Congress.)

D. The Associate Dean of the School of English, Communication, Media and Languages (ex officio, Board Chair who shall vote only in case of a tie).

E. One student member majoring in Convergent Media and not holding the editorship of the Trail Blazer or the news directorship of NewsCenter (selected by The Trail Blazer and NewsCenter advisors).

F. One student not majoring in communication or convergent media, or serving on the staff of the Trail Blazer, or NewsCenter representing the students at large (selected by the Student Government Association).

- G. The faculty advisors to the Trail Blazer, and NewsCenter (ex officio voting).
- H. The Editor of The Trail Blazer, during tenure in that position (ex officio, voting).
- I. The News Director of NewsCenter, during tenure in that position (ex officio, voting).

Section X - Other Criteria for Board Meeting

These additional criteria for Board Membership shall be applicable:

- A. For student membership, each
 - 1. shall be enrolled as a full-time student at Morehead State University.
 - 2. shall be a student in good standing, not on academic or disciplinary probation.
 - 3. shall have posited no less than a 2.5 grade point average in the semester immediately preceding election to the Board and shall have no less than a 2.5 cumulative grade point average.

Section XI - Terms of Service

Terms of service for staff and faculty on the Board of Student Media shall be two years with no more than one-half of each being replaced each year. Election may not be for more than 2 successive terms. Terms for selected students shall be one year with a possible one-year reappointment.

Section XII - Board Vacancies

If an unexpired term shall occur, the chair shall report the vacancy to the appointing authority and request a replacement.

A Board member absent for three consecutive regular meetings shall be declared ineligible for membership, the seat vacated and the appointing authority requested to appoint a replacement.

Section XIII - Board Chair, Vice Chair and Secretary

The Associate Dean of the School of English, Communication, Media and Languages shall serve as chair and shall vote only in the case of a tie. The Board shall elect its own vice chair and secretary from the members of the Board by routine, normal nomination and election procedures.

In the absence of the chair from a meeting of the Board, the vice chair assumes the powers and responsibilities of the chair.

In the absence of the secretary, the chair may delegate the powers and responsibilities of the secretary to any member of the Board.

Section XIV - The Executive Committee

The Executive Committee is composed of the chair of the Board, the vice chair, and one student chosen on an ad hoc basis by the Board from among the selected voting student members of the Board.

The Executive Committee is, in effect, the day-to-day publisher/operator of all student media and exists primarily to see that the policies and procedures of the Board are carried out and to settle disputes as follows:

When a media advisor and editor reach a point of disagreement on a matter which cannot be resolved between them, they shall take the following steps:

A. If the situation needs to be decided within a matter of a few hours, the editor and advisor will call upon the Executive Committee to make a decision.

B. In cases where time is not a critical factor, the editor or advisor may request a 24-hour waiting period during which time at least one-half of the members of the Board will meet in the emergency session to decide the question. A quorum of at least seven voting members shall be present and if fewer than seven votes are cast on either side of the issue, the matter may be brought before the next meeting of the Board.

C. The editor or advisor also may request a review of a decision of the Executive Committee and the full Board shall be required to meet within 72 hours following such a request. A quorum of at least seven voting members shall be present; and if fewer than seven votes are cast on either side of the issue, the matter shall be brought before the next meeting of the Board.

D. In all such appeals, the decision of the Board is final.

The Executive Committee is empowered to make emergency decisions of any kind in those areas in which the Board has authority. Such decisions must be reported to the full Board at its next meeting.

Section XV - Authority Over Media

The Board of Student Media shall have direct supervision and control of The Trail Blazer and NewsCenter.

This includes the facilities and equipment of The Trail Blazer and NewsCenter, ensuring these resources shall not be used for production of publications or programs, not recognized as official publications or programs of the Board or the University.

Section XVI - Authority to establish, Consolidate, Discontinue

When, in the judgment of the Board of Student Media, conditions warrant such action, it may establish or discontinue any student publication or media operation under its control, subject to the approval of the President.

Section XVII - Properties and Funds

All properties, funds, securities, goodwill and titles of The Trail Blazer, and NewsCenter or other media held for the University by the Board of Student Media shall be managed in accordance with the fiscal management policy of Morehead State University.

Section XVIII- Authority Over Business Affairs

The Board of Student Media shall have the power to govern directly or through its authorized representatives or members the business affairs of the media under the control of the Board of Student Media, provided that such governance is consistent with and participant in current University accounting, purchasing and contracting procedure. The Board, or its authorized representatives or members, retain the power to set advertising rates, mail subscription rates, and employee pay rates within appropriate University administrative, state and national guidelines.

The Board may prepare annual operating and capital improvement budget requests for the new fiscal year. Such budgets shall be forwarded to the President as a recommendation, and an information copy of each budget request supplied to the University Director of Budgets.

The Board may undertake a five-year capital improvement plan for the publications and facilities under its control and revise said plan annually as appropriate to reflect changes in priorities for such improvements.

The plan, along with estimated costs, shall be supplied to the President at the time of its development and each subsequent revision.

Section XIX - Executive Staff Members of the Board

Executive Staff Members of the Board are the student executive staff members of The Trail Blazer and NewsCenter, as well as the staff and faculty advisors of those student media outlets. Executive Staff Members are eligible to receive stipends in recognition of and appreciation for their service on the Board. Stipend levels shall be set to reflect considerations of degree of responsibility and time spent discharging the duties of the position. All stipends must be approved by the Associate Dean and College Dean.

Section XX Selection of Editors and Directors

The following criteria must be met by applicants for the position of editor of The Trail Blazer:

- A. Applicant must be a full-time student at Morehead State University (i.e., be enrolled for at least the minimum University credit hour standards at the time of application and during term of appointment).
- B. Shall be a student in good standing (i.e., not be on academic or disciplinary probation).
- C. Shall have posited no less than a 2.5 grade point average in the semester immediately preceding selection to the position of editor and shall have no less than a 2.5 cumulative grade point average
- D. Shall have served at least one semester on the staff of The Trail Blazer.
- E. Shall not hold an elective or appointive position in the Student Government Association during tenure as editor.

The following criteria must be met by applicants for the position of news director of NewsCenter:

- A. Applicant must be a full-time student at Morehead State University (i.e., be enrolled for at least the minimum University credit-hour standards at the time of application and during term of appointment).
- B. Shall be a student in good standing (i.e., not be on academic or disciplinary probation).
- C. Shall have posited no less than a 2.5 grade point average in the semester immediately preceding selection to the position of news director and shall have no less than a 2.5 cumulative grade point average.
- D. Shall have served at least one semester on the staff of a student or professional media operation.
- E. Shall not hold an elective or appointive position in the Student Government Association during tenure as a news director.

Applicants will execute the proper application forms at the specific filing times and appear before the Board for interviews at a time prescribed by the chair. Voting will be by ballot which the secretary shall record in the minutes of the meeting. Terms of appointment are one semester for The Trail Blazer editor and NewsCenter News Director. Reappointment may be made, but the appointment is not to exceed two consecutive semesters.

Section XXI - Role of the Editor or News Director

The role of the editor or news director shall be to direct, control and oversee the operation of the publication of media production subject to the policies and procedures of the Board of Student Media.

The editor or news director shall also have the right to appoint any non-stipendiary student staff member

under his or her control with the approval of the advisor. Any student staff member with a grievance shall follow the appeal process outlined in this document (section XXIV).

Section XXII- Selection of Faculty Advisors

There shall be an advisor for each medium under control of the Board of Student Media. Faculty Advisors for The Trail Blazer, and NewsCenter are nominated by the Board of Student Media from the Department of Communication, Media and Languages.

Advisor appointments and dismissals shall be determined by a consensus between the University President, Provost and the appropriate College Dean. The College Dean and Associate Dean shall determine the rate of compensation.

Section XXIII- Role of the Advisor

A The advisor of a student medium shall be delegated with these general responsibilities:

1. To establish a climate of opinion in which the editor or director will feel free to exercise his or her own judgment in a professional manner, to help them understand the objectives of their medium and their duties and responsibilities as editor or news director, to acquaint them with the legal and ethical restrictions against publishing or broadcasting libel, innuendo, undocumented allegations, invasions of privacy and obscenity and to help them maintain generally responsible professional standards.

2. To supervise the editorial and advertising content of their publications and programming and the professional conduct of the members, instilling in them a sense of pride and respect for the profession of journalism and broadcasting.

3. To provide regular critiques of the publications and programming, to offer suggestions for improvement and, when necessary, to conduct training sessions or workshops to better acquaint student staff members with media operations.

4. To understand and adhere to the policies and procedures of the Board of Student Media contained in this document and in documents affecting publications and programming over which they have supervisory responsibilities. Adherence to the principle that editorial freedom of expression is a basic requirement for college media. However, advisors must realize that while college students possess the same constitutional rights of freedom of expression as any other American citizen, their individual rights of free expression may be modified by the professional judgments of their superiors where a decision to publish or broadcast is concerned. As with any publication or program, the editor is not required to print or broadcast each item submitted, regardless of grammar, style, taste or illegal content. Nor is the advisor of the Board, acting as publisher/operator, required to approve publication or broadcast of material that violates principles of good journalism or other reasonable professional standards that may be established by the Board, so long as those policies do not show evidence of discrimination, deprivation of due process, or arbitrary and capricious judgments.

5. The relationship between the advisor and members of the school medium shall be that of liaison between the Board of Student Media and members. The relationship between the advisor and the laboratory student shall be teacher-student.

Section XXIV- Due Process

In all matters relating to the discipline or dismissal of a student staff member, care shall be taken to insure due process. Each person so affected shall have a hearing before the Board of Student Media upon written request to the chair of the Board.

Section XXV - Parliamentary Procedure

The Board of Student Media shall establish its own parliamentary procedures, excepting quorum and proxy rules as follows:

For purpose of Board meeting, a quorum is five voting members of the Board. In all cases, five votes for or against a question is the minimum for valid action by the Board.

A proxy vote on questions before the Board may be cast by a member if the proxy is submitted in writing to the one who is to cast it and a copy filed with the secretary prior to the meeting of the Board

Section XXVI - Amendments to this Charter

Provisions of this charter may be amended by a two-thirds vote of the membership of the Board of Student Media; Amendment will be effective only after approval by the Board of Regents.

Adopted by Board of Regents April 26, 1980

Revised by Board of Regents June 22, 1990

Revised by Board of Regents May 22, 1992

Revised by Board of Regents May, 1998

APPROVE AMENDMENTS TO SGA CONSTITUTION AND BYLAWS

**BOR (V-A-8)
June 17, 2021**

Recommendation:

That the Board of Regents approve amendments to the SGA Constitution and Bylaws.

Background:

The Board of Regents has the power and duty to approve the Constitutions of the Faculty Senate, Staff Congress and Student Government Association, per the Board of Regents Bylaws, Section 1.3.25.

Per Article XII, Section 1 of the SGA Constitution, proposed amendments to the constitution must be presented to Student Congress for consideration. A proposed amendment will become effective when ratified by a two-thirds majority of those voting on the amendment in a campus-wide election, and when approved by the Board of Regents.

The Student Government Association has engaged in examination of its Constitution and Bylaws over the course of the last academic year, culminating in the revisions and amendments approved by the SGA Student Congress and presented here to the Board of Regents for approval.

The Constitution of the Morehead State University

Student Government Association

PREAMBLE

We, the students of Morehead State University, ~~cognizant~~ acknowledge our rights and responsibilities as citizens of the University community and do hereby establish a system of self-government whereby our convictions and actions may be fully represented in a forum, our rights protected by adjudication, and our desires executed into reality, in the constitution of the Morehead State University Student Government Association.

ARTICLE I – THE STUDENT ASSOCIATION

- Section 1. A. Definition: Any person enrolled as a full-time student of Morehead State University is a member of the Student Association and is entitled to all the privileges and protections granted within this constitution.
- B. Members of the Student Body shall possess the right to vote in any Student Government elections.
- C. Members of the Student Body possess the right to attend any Student Government meeting.

ARTICLE II – BRANCHES OF GOVERNMENT

- Section 1. Delegation of Powers: The Student Association of Morehead State University shall be governed by three branches: executive, legislative, and judicial. These branches shall be separate but interrelated.
- Section 2. Title of the Branches: These aforementioned branches shall have the powers of student self-government. They shall be named: the Executive Board, the Student Senate, and the Student Court, respectively.

ARTICLE III – BILL OF RIGHTS

- Section 1. Rights of Students: The rights of students of the Morehead State University Student Body, as citizens of the University, shall not be infringed

upon by any person, organization, association, or group affecting this University.

- Section 2. Inalienable Rights: All citizens are by nature free and equal, and have certain inherent and inalienable rights, among which are:
- A. The right of enjoying and defending their privileges and liberties granted in the Constitution of the United States
 - B. Right of students to freely communicate their thoughts and opinions.
 - C. The right of students to assemble together in a peaceful manner for their common good, and to apply to those invested with the power of government for a redress of grievances or other just causes by petition, address, or remonstrance.
 - D. The right of students to be protected from discrimination because of sex, race, nationality, birthplace, disabilities, sexual orientation, or association.
 - E. The right of students to free elections. Students appointed to office are to be appointed by freely elected officials.
 - F. The right of students to alter, reform, or abolish their government, conditioned by the Board of Regents.
 - G. The right of students to a speedy, judicial remedy. Protection from double jeopardy, self-incrimination, and excessive or cruel punishment shall be guaranteed.

- Section 3. University Reserved Right: The administration may, in those cases where there is a strong indication that a student's misconduct will be repeated or continue, or where the administration believes disciplinary action is necessary to permit the University to carry on its function, impose immediate suspension with resultant loss of all student rights and privileges, pending hearing, if the student desires, before the Student Disciplinary Committee. The student has a right to a speedy hearing on the limited question of whether the suspension should remain in effect until the regular hearing is completed.

ARTICLE IV – THE EXECUTIVE BRANCH

- Section 1. Officers: The Executive Branch shall consist of the following: President, Vice President, Secretary of Administrative Affairs, Secretary of Finance, Secretary of Public Relations, & Secretary of Campus Involvement.

- Section 2. Qualifications:

A. Any candidate for the executive branch must:

1. Be a member of the Student Association.
2. Have a 3.0 cumulative institutional grade point average.
3. Not be on academic warning.
4. Not be on disciplinary probation.
5. Have served prior in the Student Government Association. If no applicants meet this criteria, the candidacy will be opened to the general student body.

B. Any candidate for the office of President must also have successfully completed a minimum of 45 hours of full-time study at Morehead State University.

C. Any elected member of the executive branch must:

1. Be a member of the Student Association.
2. Maintain a minimum 3.0 cumulative institutional grade point average during their term in office.
3. Not be on disciplinary probation.

Section 3. Executive Board Responsibilities: The Executive Board shall be responsible for the execution of all Student Senatorial acts. It shall assist the President; advise the Vice President and their selection of chairman for the standing committees; meet prior to each general Student Senate session to set an agenda; meet in emergency sessions; and perform all duties granted by the Student Senate.

Section 4. Duties of Officers:

A. The President of the Student Government Association is the chief officer of the Executive Branch.

1. The major duties are as follows: to make all appointments granted to the executive branch: to preside at all the Executive Board meetings, and to perform such other duties as are necessary to serve the student(s) of the association to the best of their ability.
2. Their presidential-legislative power shall be limited to: introduction of legislation if applicable, a debate as granted in the latest edition of *Robert's Rules of Order*, messages, and power to initiate impeachment charges.

3. Their presidential-judicial appointment power shall be limited to appoint, with the approval of the Student Senate, judges to the court.
- B. The Vice President shall be vested with the powers of the President in the absence of, or at the request of the President. They shall be an ex-officio member of all Student Senate committees. They are charged with reporting their progress to the President. The Vice President shall preside during the impeachment and/or removal proceedings of the Chief Justice of the Student Court. The Vice President must attend each standing committee's meeting once a month. They shall conduct an evaluation of the effectiveness of all standing committees each semester to be submitted to the President.
 - C. The Secretary of Administrative Affairs shall be responsible for the oversight and maintenance of all records of Student Senate meetings and Executive Board meetings. They shall handle all correspondence and send a written notification of Student Senate meetings at least one day in advance of the dates of the respective meetings. The Secretary of Administrative Affairs shall have a copy of the constitution, standing rules, the book of parliamentary procedure, and a list of all members of the Student Senate at all Student Senate meetings upon the request of the President. They shall file an official copy of the Student Senate minutes with the advisor and the Chief of Staff within one day after the Student Senate meetings.
 - D. The Secretary of Finance shall have the power to conduct all financial transactions of the association. They are entrusted with the keeping of all financial records, in an orderly and consistent manner, and the collection and distribution of all monies as directed by the Student Senate, and/or the President, when granted the power by Student Senate. All monies must be kept in accordance with the policies of Morehead State University. The Secretary of Finance shall be responsible for the presentation, to the Student Senate, of a breakdown of the budget and disbursements of funds at the first and third Student Senate meetings of the month. The Secretary of Finance shall be the presiding official over the Finance Committee. The Secretary of Finance will be responsible for presenting funding packets to the Finance Committee where the committee will then vote on the approval or denial of the packet. This will then be sent to the Student Senate for approval. The Secretary of Finance will not be a voting member of this committee unless a tie would occur. If a tie occurs, the Secretary of Finance has the option to cast the deciding vote or table the packet until the next committee meeting.
 - E. The Secretary of Public Relations shall be responsible for the public affairs of the Student Government Association. They shall act as the public relations director of the Student Government Association and shall direct all notifications and announcements of Student Government Association sponsored events to the Student Association. They shall keep a record of all the Student Government Association's promotional activities. The Secretary of Public Relations shall be responsible for maintaining the Student

Government Association's online presence. The Secretary of Public Relations shall be the presiding official over the Public Relations Committee.

- E. The Secretary of Campus Involvement shall be responsible for the oversight of all sponsored programs and/or events to the Executive Board and Student Senate. They shall keep a record of all the Student Government Association's related programs and sponsored events. The Secretary of Campus Involvement shall be responsible for the administration of special programs related to student issues, safety, and concerns as directed by the Executive Board and Student Senate. The Secretary of Campus Involvement shall be the presiding official over the Campus Involvement Committee.
- F. The individual members of the Executive Board will be responsible for other duties as assigned by the President.
- G. The Executive Board will be paid as Morehead State employees with a salary coming from the Student Affairs budget. Each member must log office hours in order to receive payment. Payment is subject to change.

ARTICLE V – THE STUDENT SENATE

Section 1.

A. The **Class Representatives** will be elected from the following classifications: Freshman (2), Sophomore (2), Junior (2), Senior (2).

A.B. **The College Representatives shall be comprised of 24 Senators based on the percentages of the student base from each college at Morehead State University (College of Business and Technology, College of Education, College of Science, and Caudill College of Arts, Humanities and Social Sciences) from the prior year and are elected by their respective constituents. These representatives will also serve as student members on committees within their colleges.**

~~C. The residence halls will be represented by one (1) at-large position. D. One (1) commuter representative shall be elected from that constituency. Commuters are defined as students not living in University housing. E. One (1) representative per college shall be elected by their constituents. There shall be one (1) representative from the College of Business and Technology, one (1) representative from the College of Education, one representative from the College of Science, and one (1) representative from the Caudill College of Arts, Humanities and Social Sciences. These representatives will also serve as student members on committees within their colleges. F. There shall be fourteen (14) at-large representatives elected. Those elected shall be a member of the Student Association, as defined in Article I, Section 1.~~

B.C. **The Craft Academy Representative will be an appointed member to the Student Senate that is the Student Council President or their designee of the Craft Academy.**

~~C.D.~~ The **Graduate Student Representative** will be an appointed member of the Student Senate by the director of the Graduate School.

~~D.E.~~ The **Student Athlete Representative** shall be nominated by their constituents and appointed by the SGA president. Student Athlete is defined as a member of a Morehead, NCAA sanctioned sport.

~~E.F.~~ The **Veterans Representative** shall be nominated by their constituents and appointed by the president. To qualify for Veterans Representative, a student must be current or past active duty military personnel. If no interest arises, other applicants will be taken.

~~F.G.~~ The **Diversity and Inclusion Representative** shall be nominated by their constituents and appointed by the president.

~~I. One (1) RHA/RA Representative shall be elected by their constituents. The holder of this position/candidate must be either a member of the Executive Board of the Residence Hall Association, or be a Resident Advisor J. Each representative will be a member of a standing committee of Student Senate.~~

Section 2

A. The **Chief of Staff** shall be a member of the Student Senate that applies for the position. Applications will be reviewed by a four-person committee made up of one Senator from each respective college as selected by the Vice President. After review of the applications, the committee will then propose the appointment of the Chief of Staff to the Student Senate to then be voted on and confirmed by a majority vote. If no one would apply for the position, open nominations will be made at Senate meetings to be confirmed by a majority vote of the Senate. The Chief of Staff is responsible for; attending Executive meetings and keeping records of said meetings, administrative tasks, and other duties. The Chief of Staff will be responsible for reading bills, as well as facilitating discussion, motions, and voting. If a tie were to occur after a counted vote takes place, the Chief of Staff is able to either call for a ballot vote or motion to table until the next meeting. If the Chief of Staff is not present, the meeting will be presided upon entirely by the President or their designee. If for whatever reason the Secretary of Administrative Affairs is unable to record minutes for the Student Senate meeting, the Chief of Staff or their designee will be responsible for doing so.

B. Each representative will be a member of a standing committee of the Student Senate.

C. No changes may be made to the number of Senators unless there is a change to the number of colleges present at the university.

D. Each representative will be assigned at least two focus points by the Executive Board from the 16 Focus Points listed below as well as any Focus Points assigned as deemed fit for the remainder of the year.

1. Diversity/Inclusion
2. Graduate Students
3. Housing
4. Commuter
5. Parking/Transportation
6. Health & Wellness
7. Athletics
8. Student Organizations
9. Student Health Services
10. Community
11. Faculty/Staff Communication
12. Disability
13. Food Services
14. Honors
15. Non-traditional Students
16. Undeclared Students

Section 3. Qualifications: All representatives must be full-time students and in good social and academic standing with a 2.5 overall cumulative institutional grade point average on a 4.0 scale. A representative must be a member of the class that they represent during the first semester of their term of office or a member of the student segment that they represent for the entire term of their office. Qualifications of all candidates shall be verified and recorded by the Secretary of Administrative Affairs before names will be placed on the ballot. If a Student Senate member drops below full-time status or a 2.5 cumulative institutional GPA during a semester, they may not remain on Student Senate. The Secretary of Administrative Affairs and the Student Government Association Advisor shall ensure that all Student Senate members remain eligible for their positions throughout their term of office.

~~Section 4. Vacancies: If a vacancy occurs in Student Senate, a new representative from the same constituency shall be appointed by the President of the Student Government Association and approved by the Student Senate.~~

Section 4. Parliamentary Procedure: The Student Senate shall use *Robert's Rules of Order*, latest edition, to govern the parliamentary procedure when not in conflict with this constitution.

- Section 5. Appointments: The Student Senate shall, by a majority vote, ratify all appointments made unless otherwise provided for in this constitution. Any person appointed shall be entitled to exercise all powers of the appointed office upon ratification by the Student Senate.
- Section 6. Advisor: The advisor of the Student Senate shall be the Vice President for Student Affairs or their delegated representative. They shall have deliberate power but no voting power in the Student Senate. They must be notified in advance by the Secretary for Administrative Affairs of all Student Senate sessions.
- Section 7. Minutes: The Secretary of Administrative Affairs must keep minutes of the Student Senate meetings and proceedings and post them to be viewed by the public as well as being kept as a record to be sent out before the following Student Senate meeting.
- Section 8. Committees: All special and standing committees of the Student Government Association shall be established by the executive branch upon Student Senate approval. The Vice President shall regulate them. Committees shall be given direction through purposes and guidelines when established by the Student Senate and report to the Vice President.
- Section 9. Quorum: A majority of the voting members of the Student Senate shall form a quorum for the transaction of business.
- Section 10. Committee Reports: Committee representatives shall be asked to report weekly on the action of their respective committees.

ARTICLE VI – THE STUDENT COURT

- Section 1. Authority and Purpose: The Student Court established by the Student Government Association and approved by the Student Senate receives its authority from the Board of Regents through the President of Morehead State University. The Student Court will hear cases of members of the Student Association and student organizations charged by the Attorney General of the Student Court with violating provisions of the Student Government Association constitution, the association's election procedures, or other stated policies of the Association, and will recommend action to the appropriate University committee.
- Section 2. Composition and Duties:
- A. Composition:

1. The Student Court shall consist of a Chief Justice and six Associate Justices.
 - a. There shall be an Attorney General.
 - b. There shall be a Chief Defense Counsel.
 - c. There shall be a Clerk of Court as needed.

B. Duties:

1. Chief Justice:
 - a. The Chief Justice shall be chosen by a simple majority vote of the Student Court.
 - b. They will preside over all hearing and meetings.
 - c. They will call special meetings and hearings.
 - d. They may discuss each case with the court.
 - e. They will cast a vote only in case of a tie.
 - f. In cases in which the Chief Justice is unable to preside, an acting Chief Justice shall be selected by a lot of the Associate Justices.
 - g. The Chief Justice shall have the power to organize the court to work on projects related to its operation.
 - h. The Chief Justice shall have the power to create lesser courts.
 - i. The Chief Justice shall be the representative of the Court at all formal Student Senate meetings.
2. Associate Justices:
 - a. Each Associate Justice may discuss each case with the Court.
 - b. Each Associate Justice may cast one vote on all issues.
3. Attorney General:
 - a. Attorney General shall be designated by the Chief Justice, chosen from the associate justices.
 - b. They are to act as a prosecutor for the court.
 - c. They are to gather all pertinent and relevant information concerning the case.
 - d. They shall prepare a writ of summons on individuals or chief executive officers of organizations, ordering them to

appear before the court. The summons must be delivered at least forty-eight (48) hours before the date of appearance to allow the defendant to consult with their Chief Defense Counsel. The server of summons shall be a designee of the Student Court.

~~4. Assistant Attorney General: a. He or she is to assist the Attorney General as prosecutor for the court. b. He or she is to assist the Attorney General in gathering all relevant information concerning the case. c. In cases in which the Attorney General feels he or she cannot prosecute a case fairly, he or she may disqualify himself or herself and the Assistant Attorney General will assume the prosecution of the case.~~

4. Chief Defense Counsel:

- a. Chief Defense Counsel shall be designated by the Chief Justice, chosen from the associate justices.
- b. They shall gather evidence relevant to the case, and shall have access to the information of the Attorney General concerning the case.
- c. They shall conduct the defense for the case unless the defendant requests another Counsel. (Refer to Article VI, Section 1).
- d. The defendant reserves the right to waive their defense counsel.

5. Clerk of Court:

- a. Clerk of Court shall be designated by the Chief Justice, chosen from the associate justices as needed.
- b. They shall keep transcripts of all proceedings for the court.
- c. They shall forward each decision and a copy of the transcript of all proceedings to the President of the Student Government Association and the Secretary of Administrative Affairs.
- d. Upon dispute of the Chief Justice's appointment, the Court at large shall vote on the appointment.

Section 3. Method of Selection, Terms of Office, and Vacancies:

A. Method of Selection:

1. The President of the Student Government Association, with the approval of the Student Senate, shall appoint Justices to the court and designate a Chief Justice. No Justice may be a member of the

Student Senate while serving on the court. Appointments shall be made in the spring semester by the newly elected President prior to the final Student Senate meeting.

2. The Attorney General, Chief Defense Counsel, and Clerk of Court shall be appointed by the President of the Student Government Association with the approval of the Student Senate. They may not be members of the Student Senate during their respective terms of service. Appointments shall be made in the spring semester by the newly elected President prior to the final Student Senate meeting.

B. Terms of Office: All Justices, the Attorney General, Assistant Attorney General, the Chief Defense Counsel, and the Clerk of Court shall serve from the date of their approval by the Student Senate until the newly appointed members have been sworn in, unless otherwise stated in this constitution. All court officers must be full-time students with a minimum of 30 credit hours, a minimum of a 3.0 cumulative institutional GPA on a 4.0 scale, and must not be on social or academic probation at the time of appointment or during their term of office.

- C. Vacancies: In the event of vacancies, the Student Court and the President of the Student Government Association, with the approval of the Student Senate, shall appoint officers to serve the remainder of the term.

Section 4. Impeachment and Punishments: Any member of the Student Court may be removed from their respected office through the procedure defined in Article X, Section 1.

Section 5. Jurisdiction: Any member of the Student Association or any student organization charged by the Attorney General may be subject to the jurisdiction of the court.

Section 6. Authority and Appeal:

- A. The establishment of the court and the derivation of its authority are contingent upon statutory restrictions of the Commonwealth of Kentucky and delegation of power from the Board of Regents and the President of the University.
- B. The court may recommend any action, which it considers fair and equitable to the appropriate University committee and may be modified.
- C. Decisions resulting from the recommendation of the Student Court may be appealed to the appropriate University committee and may be modified.

Section 7. General Punishments:

- A. A Justice will be disqualified in any case in which proof of conflict of interest is established in the preliminary motions or any Justice may freely disqualify himself or herself from voting on a case, which they feel they cannot, without prejudice, pass judgment. A disqualified judge may not attend court hearings. They may not discuss the case and cannot vote.
- B. A decision is reached by a majority of justices voting on the case.
- C. The Student Senate may develop lower courts, as they are deemed necessary, with the majority vote of the Student Senate and approval of the Board of Regents.

Section 8. Advisor: The Advisor of the Student Court shall be the Vice President for Student Affairs or their designee. They shall have deliberate power but no voting power in court. They must be notified in advance by the Clerk of the Student Court of all hearings.

Section 9. Meeting Time:

- A. The court shall meet twice a semester as well as anytime that may arise.
- B. The Chief Justice shall have the power to call special meetings, providing a forty-eight (48) hour notice of all such meetings is given to all officials of the court.

Section 10. Hearings:

- A. The Chief Justice shall have the power to call special hearings. The Defendant, Chief Defense Counsel, Attorney General, Clerk of Court, Advisor, and all Justices must be notified of such hearings forty-eight (48) hours in advance.
- B. For regular hearings, the following procedures will be observed:
 - 1. Call of cases on the docket. Enter a plea.
 - 2. Opening statements from prosecution and defense counsels, respectively.
 - 3. Presentation of the case for prosecution, including evidence and witnesses through direct examination.
 - 4. Cross-examination.
 - 5. Any redirect or re-cross examinations.

6. After the prosecution rests its case, the defense will pursue its case in the same order.
7. Summation by the prosecution.
8. Summation by the defense.
9. The verdict of the court.

Section 11. Enumerated Rights of the Defendant: A person appearing before the court is to be advised of the following rights which they enjoy as an American Citizen or as a full-time student of Morehead State University. These rights shall be enumerated in the writ of summons.

- A. They may act as their own counsel, utilize the assistance of the Chief Defense Counsel's office, or have Counsel of their own choice. Such Counsel must be a full-time Morehead State University student.
- B. They may have witnesses testify on their behalf.
- C. They must be informed of the charges brought against him or her.
- D. They may not be forced to testify against themselves or be forced to otherwise incriminate themselves.
- E. They may change their plea.
- F. They may request an open or closed hearing.
- G. They have the right to request of the court that the courtroom be cleared of all spectators. The Chief Justice reserves the right to clear the courtroom of spectators who violate the dignity of the court by unruly action during proceedings.
- H. They have the right to testify in their own defense.

ARTICLE VII – STUDENT INITIATIVE, REFERENDUM, AND RECALL

Section 1. Initiative: Any election deemed appropriate may be initiated by a resolution approved by a majority of the Student Senate at a regular meeting or by a petition directed to the Student Senate stating the proposed matter in full and signed by at least 10 percent of the Student Association.

Section 2. Referendum: The Student Senate shall, within 15 days of receipt, verify the initiative and shall refer the referendum to the President of the Association to begin ratification within twenty-four (24) hours of its verification. Ratification shall be accomplished in the following manner:

- A. The President of the Student Government Association shall, within 60 days and not less than 15 days from the date of receipt cause a special election to be held, wherein the Student Association shall be entitled to vote on the matter submitted.
- B. The election will be held, provided that notice of such election setting forth the proposed referendum, in full, be made public by the Secretary of Public Relations not less than six days prior to the date set for the election.
- C. If the referendum is approved by a majority of those voting it shall be binding upon all branches of the Student Government Association.

Section 3. Recall: If by a petition of not less than 25 percent plus one of the official's constituency calls into question the qualification record or if the loyalty of the elected official is disputed, the Student Senate shall call a special election demanding a majority vote of the total constituency to declare a vacancy in that office. If a vacancy is declared it shall be filled as stated in ~~Article V, Section 4.~~ Article IX, of this constitution.

ARTICLE VIII – ELECTIONS AND TERMS OF OFFICE

Section 1. Executive Branch: The Student Association shall elect all members of the Executive Branch each year mid-term in the spring semester of the academic year. All dates, procedures, and rules pertaining to the elections and installations will be established by an Election Committee created by the Vice President. All newly elected officials shall be installed before the end of the spring semester at a time and in a fashion set by the Election Committee. The term of office, unless otherwise stated in this constitution, is to be no longer than 12 months and no less than 10 months after installation. If for whatever reason, a regular spring election for the Executive Branch is deemed to be infeasible, the Student Senate will vote on and confirm next year's Executive Branch from the current Student Government Association. If candidate registration has already taken place, this election will be limited to those who have already signed up for elections. If not, elections will be conducted based on nominations of members from the Student Government Association by the chair or the floor of the Student Government Association following Robert's Rules of Order. All elected representatives of the Student Association are subject to the qualifications, fulfillment of vacancies, recall, and responsibilities as set for the members of Student Senate.

Section 2. Student Senate: All members of the Student Senate listed in Article V, Section 1-~~subsections B, C, D, E, and F,~~ shall be elected from their respective constituencies during the first five weeks in the fall semester of the academic year. All dates, procedures, and rules pertaining to elections and installations will be established by an Election Committee created by the Vice President. All newly elected officials shall be installed after the election date at a time and in a fashion set by

the Election Committee. The term of office is not to extend beyond the closing of the spring semester.

Section 3. Miscellaneous Student Elections: The Student Association shall elect all other elected representatives of the Student Association created by the Student Government Association of the University. All dates, procedures, and rules pertaining to elections and installations will be established by an Election committee created by the Vice President. All newly elected officials shall be installed at a time and in a fashion set by the Election Committee. The term of office shall be no more than 12 months and no less than 10 months after installation. All elected representatives of the Student Senate are subject to the qualifications, fulfillment of vacancies, recall, and responsibilities as set for the members of the Student Senate.

ARTICLE IX – SUCCESSION

Section 1. Order of Succession: The order of succession to the presidency shall be:

Vice President, Secretary of Administrative Affairs, Secretary of Finance, Secretary of Public Relations Secretary of Campus Involvement, Chief of Staff, and an elected member of the Student Senate, respectively. It shall require a two-thirds vote of the Student Senate and a written letter of vacancy by the outgoing President to declare a vacancy in the presidency. If for some reason a letter cannot be obtained, a second vote of Student Senate will serve to declare the vacancy. Upon the fulfillment of the office of President, the vacated position may be filled by appointment of the President and the approval of the Student Senate.

Section 2. Order of Succession: The order of succession to any Secretary shall be:

Chief of Staff and an elected member of the Student Senate, respectively.

Section 3. Order of Succession: The order of succession for a college representative shall be:

The next highest voted for candidate of the respective position at the most recent Senate election. If no other students ran for the position, a committee will be formed to search for an acceptable candidate to then present to the Student Senate. It shall require a written letter of vacancy by the outgoing representative to declare a vacancy in the position. If for some reason a letter cannot be obtained, a vote of Student Senate will serve to declare the vacancy.

Section 4. Order of Succession: The order of succession for a class representative shall be as follows:

The next highest voted for candidate of the respective position at the most recent Senate election. If no other students ran for the position, a committee will be formed to search for an acceptable candidate to then present to the Student Senate. It shall require a written letter of vacancy by the outgoing representative to

declare a vacancy in the position. If for some reason a letter cannot be obtained, a vote of the Student Senate will serve to declare the vacancy.

Section 5. In the event that an elected Chair or Vice Chair is unfit, as deemed by the Student Court, or unwilling to fill the role of a succession, the Student Senate can vote to fill the vacancy from within the Student Senate.

ARTICLE X – IMPEACHMENT

Section 1. Definition of Impeachment: Any member of the Executive Board, Student Senate, or Student Court may be impeached by a majority vote of Student Senate for any act, which is detrimental to the best interests of the Student Senate and/or the University. A trial shall be held by the Student Court not sooner than one week, and not more than three weeks, from the act of impeachment. If a defendant is found guilty by the Student Court, the position shall be declared vacant and shall be filled by appointment by ~~the President~~ an Ad-Hoc committee. If a member of the Student Court is being impeached they may not vote in the trial of their impeachment.

Section 2. If the sitting Chief of Staff is deemed to be unfit for office, a four-person committee made up of one Senator from each respective college on campus as selected by the Vice President will evaluate the Chief of Staff and file for removal which will be confirmed by a 2/3 vote of the Student Senate.

Section 3. If a sitting Committee Chair or Vice Chair is deemed to be unfit for office, the respective committee and Secretary will evaluate the effectiveness of the respective member and file for removal which will be confirmed by a majority vote of the committee as well as the Executive Board.

ARTICLE XI – MEETINGS

Section 1. Schedule of Meetings: Student Senate shall meet weekly during the regular academic year at a time, place, and date set by the Executive Branch.

Section 2. A. A member of the Student Senate may not vote on a bill if it pertains to a student organization they are a part of, they may however speak on behalf of their organization regarding the bill.

B. Only members of the Student Senate are able to motion and cast a vote on an item on the floor.

Section 3. Meeting Etiquette: The Student Government Association is to remain a non-biased group in regard to politics outside of the university as its sole purpose is to make the student association the best it can be.

ARTICLE XII – AMENDMENTS

Section 1. Procedure: Amendments and changes to this constitution may be proposed by a member of the Student Senate in which an Ad Hoc Committee is assembled. The Ad Hoc Committee shall be chaired by the Vice President. Amendments and changes to this constitution may also arise by means of a petition signed by not less than 10 percent of the Student Association. An Amendment shall become effective when ratified by a two-thirds majority of the Student Senate, and when approved by the Board of Regents.

Revised April 2000

Approved by Board of Regents September 2000

Revised February 6, 2001

Approved by Board of Regents March 3, 2001

Approved by Board of Regents March 13, 2008

Approved by Board of Regents October 2010

Revised and Approved by Student Congress January 24, 2018

Revised and Approved by Student Senate November 28, 2018

Approved by the Board of Regents March 28, 2019

By-Laws of the Morehead State University Student Government Association

PURPOSE/MISSION STATEMENT:

The Student Government Association will commit itself to addressing student concerns, improving the overall quality of student life and work to make the college experience the best it can be.

ARTICLE I. STANDING COMMITTEES

Section 1.

The standing committees will be established as follows:

- Campus Involvement- Develops and manages civic engagement efforts, educational programming, philanthropic programming (e.g. Challenge for Change), and participation in the campus community. In addition, Campus Involvement will research policies and initiate plans to enhance the quality of student life while serving as a liaison to University departments.
- Public Relations- Promotes, publicizes information and maintains social media accounts affiliated with SGA in a professional and positive manner.
- Finance- Evaluates applications for SGA Funding Packets, reviews and selects candidates for SGA awards and oversees the organization's budget as a whole.
- Student Life- Researches policies and initiates plans to enhance the quality of student life while serving as a liaison to University departments.

Section 2.

Committee Chairs

- The Committee Chair is the presiding Student Senate member of the committee. This person is responsible for managing the committee's operations.
- The Committee Chair shall be elected from within the respective committee and approved by the Vice President.
- The responsibilities of the chair are to include the following:
 1. To determine a time and place for the meeting to be held.
 2. To produce an agenda for each meeting.
 3. To conduct the meeting pursuant to Robert's Rules of Order.

4. To report committee progress to the Student Senate.
5. To report directly to the presiding official.

Section 3.

Vice Chairs

- The Committee Vice Chair is the second presiding member of the committee. This person is responsible for assisting the chair in managing the committee's operations.
- The Committee Vice Chair shall be elected by the committee with the approval of the Vice President.
- In the event of the Committee Chair being removed, his/her position will be filled by the sitting Vice Chair.
- The responsibilities of the Vice Chair are to include the following:
 1. To take roll at each meeting.
 2. To submit a roll to the Secretary of Administrative Affairs.
 3. To take minutes of the meeting.
 4. To submit the completed committee minutes to the Vice President and the Secretary of Administrative Affairs.
 5. To fulfill the responsibilities of the chair in their absence.

Section 4.

Advisors to Standing Committees

- All committees will have an advisor from the Executive Board.
- The advisor should be available should the committee require assistance.
- The staff advisors will also be an available resource to the committees to advise as necessary.

Section 5.

Ad-Hoc Committees:

- The SGA may establish and disband supplemental committees with the intent of addressing specific purposes. These committees shall be referred to as Ad-Hoc committees.
- Ad-Hoc committees shall be vested with all powers, privileges, and responsibilities as designated to standing committees by the SGA Constitution and Bylaws.

ARTICLE II. ATTENDANCE POLICY

Section 1.

A. Attendance for Student Senate Members

B. SGA attendance will be regulated as follows; a maximum of two unexcused absences in total will be permitted per semester. The third unexcused absence will result in dismissal from their Student Senate position.

C. An absence shall also be defined as any appearance to one of the aforementioned events 15 minutes or more after its official start time unless permission is granted from the presiding official of the meeting.

D. Any Senator may submit a written excuse to the Secretary of Administrative Affairs no more than 48 hours after the absence has occurred, unless a long term emergency arises. The excuse will be reviewed by the Executive Board and the Senator will be notified of the excuse's approval or denial.

E. Any official university excuse may be submitted no more than 48 hours after the excused absence has occurred and the absence will be excused (e.g. Sporting Events, FYS Speakers).

F. By the first meeting of the semester, a pre approved list of events, created by the Executive Board, will be presented to the Student Senate. If two of these are attended before the third absence, these events may absolve one absence. No more than two absences can be absolved in one semester.

1. The Executive Board will be able to add makeup events as they see fit.

G. The Executive Board will notify SGA Student Senators individually after their first unexcused absence. After the second unexcused absence the Executive Board will notify the member in question to allow them to resign or appeal their absences. The appeal will be heard by the Student Court.

Section 2.

Attendance for the Executive Board

A. Required to attend weekly Student Senate meetings.

B. Advisors of the standing Committees are required to attend their respective committee meetings.

C. Attendance requirements for the Executive Board meetings will follow the policy written in Article II, Section 1, Part A of the Bylaws.

ARTICLE III. DISPENSATION OF SGA FUNDS

Section 1.

A. Prior to each fall semester the Executive Board shall take into consideration the SGA budget as a whole.

Section 2.

A. The Executive Board shall earmark funds for SGA standing committees based on analysis of previous and projected expenditures.

1. Any use of SGA standing committee funds must first be proposed by the respective standing committee and approved by a majority vote within the committee.
2. All standing committee transactions must be approved by a majority vote of the Student Senate unless otherwise specified in SGA governing documents.
3. All committee expenditures of less than or equal to \$50.00 may be approved by the Secretary of Finance without a majority vote of the SGA Senate.
 - a) Standing Committees must file a request to dispense funds with the Secretary of Finance and include:
 - Amount Requested
 - Description of Expenditure
 - Sponsorship by the Committee
 - b) If the Secretary of Finance is inaccessible for a signature of approval, committee expenditures of less than or equal to \$100.00 may be approved by the President.

Section 3.

A. All funds not allocated to SGA standing committees shall be designated as the SGA General Fund.

1. Allocations of the SGA General Fund may be proposed to the Student Senate and approved by a majority vote.
2. The SGA General Fund shall be designated for spending outside the specific duties of the standing committees.

Section 4.

A. The Executive Board shall present the Dispensation of SGA Funds to the Student Senate for ratification, no later than the second Student Senate meeting of each fall semester.

ARTICLE IV. SGA ELECTION RULES AND PROCEDURES

The following are rules by which the campaigning and elections will be governed. Should there be any violations of these rules, then action may be taken against the individual concerned and/or the candidate for which the individual is campaigning.

Section 1.

Election Committee

A. An election committee of five to seven members of the Student Senate shall be formed six weeks prior to the election day(s) by the Vice President.

B. In the event that the Vice President is running for election, they must step down from the committee and succession will be followed. If no member of the Executive Board or the Chief of Staff wish to assume the position, or are all running for election, open nominations will go to and be voted on the Senate floor with preference to members of the Student Senate with more than 45 credit hours and are not running for an Executive Board position.

- The election committee shall adhere to all regulations and responsibilities designated to committees in the Bylaws.
- No candidate for election is eligible for membership in the committee.
- The election committee will meet at least two times during the six weeks prior to the election(s).
- The committee shall be responsible for:
 1. Setting the election dates,
 2. Setting the date for the candidates meeting,
 3. Setting the date for the debate,
 4. Reviewing campaign violations,
 5. Conduction of a voter drive during the days of the election,
 6. And all other duties as assigned by the Assistant Vice President/Dean of Students.

Section 2. Voting / Election

A. In order for a student to vote in the election, he/she must be a full-time student at Morehead State University.

B. Voting may not be used as bribery or as a way to gain admittance or admission into any function.

C. The election will be open during the announced time provided by the Student Government Association. The election information will be announced one week prior to the election. Winners will be selected by receiving the highest percentage of votes. Results will be announced at least one week after the election.

D. If there is any failure of the university data network or alleged violation that would impair at least five percent of the total number of students from voting, the results of the election could be voided, and a new election may be held within 48 hours. The decision to hold a new election or declare an election void is at the discretion of the Assistant Vice President/Dean of Students.

E. If no campaign violation is filed, the results of the election will be posted within 48 hours of the election. If a campaign violation is filed, the results will be posted once the violation has been settled.

Section 3.

Candidate Requirements and Responsibilities

- Student Government Association Executive Board candidates must meet all the qualifications set forth in the SGA Constitution: be a full-time student, have at least a 3.0 cumulative institutional GPA and be in good disciplinary standing with the university.
- Any candidate for the office of President must have successfully completed a minimum of 45 hours of full-time study at Morehead State University.
- Candidates for all Executive Board offices must be able to attend at least two SOAR sessions.
- Candidates running for any Executive Board office must be available to attend KLA and summer job training unless they are unavailable due to a university sponsored event or if they live outside the university's in-state tuition district.
- Each candidate or their campaign manager as designated on the candidate's application must attend the first candidate's meeting as announced by the SGA Election
- Candidates for all Executive Board offices must have served in the Student Government Association. If no applicants, candidate availability will open to the rest of the student body.

At the conclusion of the meeting, each candidate, their campaign manager, or a designated representative must sign a form stating they understand the election rules and regulations.

a. If a representative is not present at the first candidate's meeting, the candidate will be removed from the ballot unless a University excused absence is presented in accordance with the absence policy outlined in the SGA Constitution and Bylaws.

b. While campaigning, candidates, their campaign managers, and any other representatives are required to conduct themselves in a professional manner.

Section 4.

Campaign Regulations

- Candidates running for office may begin campaigning after, and only after, the first candidate's meeting as announced by the SGA Election Committee.
- All campaigning functions including campaign promotion, passing out of campaign materials, social media usage, and any other legal campaigning activities are permitted between the end of the first candidate's meeting until the officially announced ending of the election. Candidates may campaign on election days.
- Any campaign activity cannot interfere with the academic mission of the university.
 1. Candidates must gain permission from the Area Coordinator and or Director of each residence hall and the visit must be documented by the Area Coordinator and or Director of each residence hall.
 2. Candidates must be escorted by a member of the housing staff for each respective dorm. No campaign materials may be posted in residence halls
- Starting the day after the first candidate's meeting and ending on the day of the election's announced closing, candidates may campaign door-to-door from 5pm-9pm.
- In order for a candidate to host political activities, documented permission must be gained from the Dean of Students or his/her designee and scheduled through the Office of Conference and Event Services.
- No voice amplification devices of any kind are to be used.
- No mass communication may be sent by a university employee on behalf of a candidate.
- Current executive members may not actively endorse candidates or distribute materials on behalf of a candidate.

a. The above provision does not apply if the current Executive Member(s) wish(es) to seek election on a joint ticket to an Executive Board position.

- No university social media accounts can be used for publicizing any candidate. This includes, but is not limited to, the social media accounts owned and operated by an officially listed office, individual, or organization that is directly affiliated with the University. The social media accounts of MSU Athletics, the University's official social media accounts, or the social media accounts of the Student Government Association may not be used to promote the election of any candidate.
- Social media accounts run by the candidate, their campaign manager, or any other non-affiliated University personnel may promote and utilize social media platforms both during campaigning and on the days of the elections. All other non-University affiliated organizations may only begin promoting a candidate on social media after the first candidates meeting and up until the officially announced close of the election Section 5.

Campaign Materials

- A candidate is responsible for all materials, activities or other aspects, relating to his/her candidacy; therefore, he/she should approve all materials and activities related to his/her candidacies that are conducted by his/her campaign manager or supporters.
- All campaign materials must include, "Paid for by Candidate" or PFBC. If a candidate does not have PFBC on their campaign material, they have 24 hours after being notified to make the change on the material. If the candidate fails to comply then it will be brought to the election committee as a campaign violation.
- The Student Government Association logo may not be used on any campaign material.
- All political advertising should be put on bulletin boards which are designated for general use and/or other areas designated by the SGA Election Committee. There will be a limit of ONE poster per candidate per bulletin board. No poster on a university bulletin board is to exceed 16'' x 24''. No campaign materials will be allowed to be posted in classrooms, computer labs, on trash cans, departmental boards, utility poles, trees, or other places deemed inappropriate by the Office of Student Affairs.
- All campaign literature distributed through the University Post Office or Residence Hall mail boxes must be properly addressed with the name and appropriate box number as well as the sender name. Each candidate is entitled to one stuffing of mail boxes in the residence halls during all-campus elections. The Office of Student Affairs must be notified 48 hours prior to the stuffing of Residence Hall mail boxes in order to notify the Office of Student Housing.
- Political banners are to be displayed only with the approval of the Office of Student Affairs.
- No candidate may negatively refer to his/her opponent or other person affiliated with an opponent in any campaign materials or events.
- No under-the-door distribution of materials will be approved for elections.
- A Candidate's campaign material may be removed only by the candidate, the campaign manager, or a designated representative.
- All posted campaign materials must be removed by the candidate or candidate's designated representative 48 hours following the completion of the election.

Section 6.

Campaign Finance

A. Any candidate running for an Executive Board position or for a position on the Student Senate is only permitted to spend up to \$250.00 on campaign advertising materials. Campaign advertising materials is defined as any promotional item that advances the candidates name presence and includes but is not limited to banners, promotional flyers, or business cards. A copy of the receipt for all campaign advertising materials must be turned in and filed with the Office of Student Affairs 24 hours before the opening of voting polls.

Section 7.

Campaign Violations

- Any formal complaint about a candidate or their materials must be filed by submitting a Campaign Violation Form to the Election Committee.
- Forms must be submitted no more than 48 hours after the election has ended.
- Any violation will be reviewed by the election committee, who will determine whether the violation will be submitted to the Student Court.

A. A Student Court hearing will take place no more than 5 business days after the form has been officially submitted by the Election Committee.

Section 8.

The election will follow Robert's Rules of Order to govern election procedure when not in conflict with the election rules. If at any time the election rules are found in conflict with the Constitution of the SGA, constitutional rules and requirements are to be followed.

Section 9.

If special election circumstances arise that would forego a normal campaign period and election, the Election Committee reserves the right to make temporary changes to Article IV, Section 4, Subsection A, Bullet Point 2.

ARTICLE V. ADDING, STRIKING, AND AMENDING THE BYLAWS OF SGA

Section 1.

Procedure: Amendments and changes to this constitution may be proposed by a member of the Student Senate in which an Ad Hoc Committee is assembled. The Ad Hoc Committee shall be chaired by the Vice President. Amendments and changes to this constitution may also arise by means of a petition signed by not less than 10 percent of the Student Association. An Amendment shall become effective when ratified by a two-thirds majority of the Student Senate, and when approved by the Board of Regents.

APPROVED by Legislative Committee: 2/20/07 APPROVED by Congress: 2/21/07
REVISED by Congress: 9/26/07 Revised & Approved by Congress: 2/03/10 Revised &
Approved by Congress: 9/22/10 Revised & Approved by Congress: 2/26/15 Revised by
Congress: 12/02/15 Revised & Approved by Congress: 1/24/18 Revised & Approved by
Senate: 11/28/18 APPROVED by the Board of Regents: 3/28/19

**APPROVE REVISIONS TO THE UNIVERSITY POLICE
STANDARD OPERATING PROCEDURES MANUAL**

**BOR (V-A-9)
June 17, 2021**

Recommendation:

That the Board approve the revisions to the Morehead State University Police Department Standard Operating Procedures (SOP) Manual.

Background:

The Morehead State University Department's Standard Operating Procedures Manual (SOP) was first approved and published in 1980 as the Public Safety Policy Manual. Since that time, there have been several revisions brought before and approved by the Board. It is customary to update the Manual as needed, which may include changes to KRS; as equipment, trainings, and accreditation standards are revised; and to address minor housekeeping updates related to University procedures and processes.

The proposed revisions are required by federal law.



Morehead State University Police Department Standard Operating Procedure Manual



Title: Response to Resistance	Chapter: 7 Page(s): 1-9	KACP 1.3, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14
Approved Date: January 2021	Review Month: July	Issued by: Colonel Merrell J. Harrison Chief of Police

I. **Purpose:** The purpose of this policy is to direct officers in the appropriate use of force.

II. **Policy:** The policy of this department is to protect and serve all citizens while at the same time respecting the rights of individuals suspects and balancing the need for officer safety in use of force events. It is the policy of this department that officers will use only reasonable force to bring an incident or event under control. ~~Reasonable force is only that force which is necessary to accomplish lawful objectives.~~ All uses of force must be objectively reasonable. The agency and all officers recognize that the sanctity of human life serves as the guiding principle in response to resistance decisions.

This policy shall be subject to annual review by the Chief of Police and Office of General Counsel to constantly assess and improve practices and policies to ensure transparent, safe, and accountable delivery of law enforcement services.

III. Definitions:

A. **Reasonable Force:** Reasonable force is only that force which is necessary to accomplish lawful objectives. All uses of force must be objectively reasonable.

A-B. **Deadly Force:** The Federal Courts have defined deadly force as any force which creates a substantial likelihood of death or serious bodily harm. The Kentucky Legislature has further defined deadly force in K.R.S. 503.010: "Deadly physical force" means force which is used with the purpose of causing death or serious physical injury or which the defendant knows to create a substantial risk of causing death or serious physical injury.

B-C. **Imminent:** Has a broader meaning than immediate or instantaneous, the concept of imminent should be understood to be elastic, involving an ongoing period of time depending on the circumstances rather than a moment in time under the definition of immediate.

C-D. **Immediate:** ~~means: That means that~~ the officer is faced with an instantaneous, or presently occurring threat of serious bodily harm or death.

E. Chokehold: means applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air.

F. Neck Restraint: A method of rendering a person unconscious by restricting the flow of blood to the brain by compressing the sides of the neck where the carotid arteries are located.

G. Intervene: To come between, whether verbally or physically, to change the course of events that clearly violate the law or agency policy.

H. De-escalation. Reduce the intensity of a conflict or potentially violent situation.

D-I. Objectively Reasonable: The amount of force that would be used by other reasonable and well-trained officers when faced with the circumstances that the officer using the force is presented with.

E-J. Reasonable Belief: Reasonable belief means that the person concerned, acting as a reasonable person believes that the prescribed facts exist.

F-K. Serious Physical Injury: "Serious physical injury" means physical injury which creates a substantial risk of death, or which causes serious and prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ"

G-L. Physical Injury: Substantial physical pain or any impairment of a physical condition.

H-M. Electronic Control Device: Electronic Control Devices, TASER,™ or stun-guns (electronic control weapons) that disrupt the central nervous system of the body.

I-N. Active resistance: a subject actively resists when they take affirmative action to defeat an officer's ability to take them into custody.

O. Active Aggression: verbal or physical behavior that creates an imminent risk of physical injury to a subject, officer, or third party, but would not lead a reasonable officer to perceive a risk of serious physical injury or death.

P. Excessive Force: is force that is not objectively reasonable from the perspective of a reasonable officer in similar circumstances. Excessive force will not be tolerated.

J-Q. Physical force: Use of any part of an officer's body, such as joint manipulation, leverage, pain compliance, take-down maneuvers or neck restraint holds.

K-R. Chemical spray: Use of any chemical agent to overcome subject resistance.

L-S. Impact tools/strikes: Use of any tools, object or body part to strike a subject

M-T. Electronic tools: Use of any electronic equipment on a subject being controlled

IV. Procedure:

A. In determining the appropriate level of force officers should apply the levels of force under the department's trained use of force continuum along with the following three factor test:

- a. How serious is the offense the officer suspected at the time the particular force used?
- b. What was the physical threat to the officer or others?
- c. Was the subject actively resisting or attempting to evade arrest by flight?

- B.** Officers may sometimes be required to take custody or otherwise control an individual who is a danger to themselves or others due to a medical or mental health emergency. In these cases, an officer may be required to use objectively reasonable force. In determining whether force is appropriate and the proper under the department's trained response to resistance options, the officer should consider the following three factor test:
- 1) Was the person experiencing a medical emergency that rendered him incapable of making a rational decision under circumstances that posed an immediate threat of serious harm to himself or others?
 - 2) Was some degree of force reasonably necessary to ameliorate or reduce the immediate threat?
 - 3) Was the force used more than reasonably necessary under the circumstances (i.e., was it excessive)?
- C. Force Options:** Officers have several force options that will be dictated by the actions of the suspect upon the appearance of the police officer. Officers may be limited in their options due to the circumstances and actions of the subject. For example, an officer who immediately observes a subject with a firearm unjustifiably threatening another may immediately respond with deadly force without considering other force options.
- a. **Command Presence:** Visual appearance of officer where it is obvious to the subject due to the officer's uniform or identification that the officer has the authority of law.
 - b. **Verbal Commands:** Words spoken by the officer directing the subject as to the officer's expectations.
 - c. **Soft Empty Hand Control:** Officer's use of hands on the subject to direct the subject's movement; Techniques that have a low potential of injury to the subject.
 - d. **Chemical Spray:** Where subject exhibits some level of active resistance/active aggression, officers may use chemical spray to temporary incapacitate the subject.
 - e. **Electronic Control Devices:** Where subject exhibits some level of active resistance/active aggression an officer may use an electronic control device to temporarily incapacitate the subject.
 - f. **Hard Hand Control:** Punches and other physical strikes, including knees, kicks and elbow strikes that have the possibility of creating mental stunning and/or motor dysfunction.
 - g. **Impact Weapons:** Batons, ASP/Expandable Baton may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control. Examples would be where other options have been utilized and failed or where based on the officer's perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
 - h. **Canine:** Use of canine to bite and hold subject to prevent escape or to gain control of a subject who is actively aggressing toward officer(s). Prior to deployment of a canine, a warning in the form of an announcement shall be made. Use of a canine will be reported on a special form to capture any form of use regardless of whether contact is made.
 - i. **Deadly Force:** The Federal Courts have defined deadly force as any force when employed may bring about serious bodily injury or death. The Kentucky Legislature has further defined deadly force in K.R.S. 503.010: "Deadly physical force" means force which is used with the purpose of causing death or serious physical injury or which the defendant knows to create a substantial risk of causing death or serious physical injury.

- D. Deadly Force:** The use of deadly force is objectively reasonable
- a. When the officer is faced with an immediate threat of serious physical injury or death to him/herself, or some other person who is present, or;
- E.** Kentucky statutory law provides:
- a. The use of physical force by an officer upon another person is justifiable when the officer, acting under official authority, is making or assisting in making an arrest, and he:
 - 1) Believes that such force is necessary to effect the arrest;
 - 2) Makes known the purpose of the arrest or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested; and
 - 3) Believes the arrest to be lawful.
 - b. The use of deadly physical force by ~~an officer a defendant~~ upon another person is justifiable only when:
 - 1) The officer, in effecting the arrest, is authorized to act as a peace officer; **and**
 - 2) The arrest is for a felony involving the use or threatened use of physical force likely to cause death or serious physical injury; **and**
 - 3) The officer believes that the person to be arrested is likely to endanger human life unless apprehended without delay.
- F.** In all deadly force events, officers should warn the subject prior to using deadly force where feasible.
- G.** Once the subject's active resistance has ceased and control has been gained an officer is no longer authorized to use force. If any person is injured and requires medical attention, officers of this agency shall request medical assistance and may render aid in accordance with their training.
- H.** Discharge of Firearms Restrictions:
- a. Warning Shots are prohibited
 - b. Discharge of firearms is prohibited when the officer is presented with an unreasonable risk to innocent third parties.
 - c. When a moving vehicle is involved, use of deadly force by discharging a firearm is dangerous, can be ineffective, and should not occur when there is an unreasonable risk to the safety of persons other than the subject. Whenever possible, officers should avoid placing themselves in a position where use of deadly force is the only alternative.
 - d. Even when deadly force is justified, firearms shall not be discharged at a vehicle unless:
 - 1) The officer has a reasonable belief that an occupant of the vehicle poses an imminent threat of death or serious physical injury to the officer or another person, or
 - 2) The officer has a reasonable belief that an occupant is using the vehicle in a manner that poses an immediate threat of death or serious physical injury to the officer or another person, and there is no avenue of escape.
- I.** **Chokeholds & Neck Restraints:** An officer shall not use a chokehold or neck restraint in the performance of his or her duties, except in those situations where the use of deadly force is permitted by law.

- 1) Officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. Officers shall not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted for the purpose of seizing evidence or preventing the destruction of evidence by ingestion.

J. Post-Restraint:

- 1) Officers restraining a subject should be cognizant of and avoid positional asphyxia. This agency prohibits prolonged face-down prone restraint.
- 2) As soon as practicable after the subject stops resisting, monitor the subject's condition. If the subject has difficulty breathing, exhibits other obvious signs of medical distress identifiable by any layperson, or requests medical assistance, officers of this agency shall request medical assistance and may render aid in accordance with their training.
- 3) If the subject is being lodged in a correctional facility or taken to a medical facility, the officer must advise the intake personnel that the subject was rendered unconscious or subjected to a chokehold (deadly force) during restraint.

I-K. Less-Lethal Weapons/Tactics: Prior to deployment of any less-lethal weapon, officers must be trained and certified through this agency or the manufacturer in a recognized training program covering the proper use of the weapon from both the technical and legal aspects. All deployments must be consistent with departmental use of force training and policy.

a. Chemical Spray:

- 1) Chemical Spray shall not be deployed as a compliance technique for a person who is passively or verbally non-compliant. Active resistance/active aggression shall be required.
- 2) Chemical Spray shall never be used as a punitive measure.
- 3) Officers should never spray from a pressurized can directly into a subject's eyes from a close distance due to the potential for eye injury as a result of the pressurized stream. Officers should never spray directly into a subject's eyes from closer than three feet or the distance recommended by the manufacturer of the spray (whichever is shorter) unless deadly force would be justified.
- 4) Officers shall consider alternatives to chemical spray when attempting to control a subject in a crowded-enclosed area due to the innocent over-spray that may cause the onset of panic.
- 5) Officers shall consider alternatives to chemical spray when the event is inside a building, particularly where the building has a closed-ventilation system due to the potential impact on innocent persons who may have to be evacuated (temporarily) from the locations.
- 6) Once control is gained, officers should immediately provide for the decontamination of the subject.
- 7) If the person shows any signs of physical distress or does not recover in a reasonable amount of time, officers should immediately direct an emergency medical response and render first-aid at the degree for which they are trained.

b. Electronic Control Devices

- 1) An electronic control device as a force option is the same level of force as chemical spray.
- 2) Electronic Control Device must be worn on the weak-side in either a weak-hand draw or cross-draw position.
- 3) Electronic Control Device deployment shall not be considered for the passively resistant subject. Active resistance or active aggression shall be required.
 - (a) Flight from an officer, standing alone, is not a justification for the use of an electronic control device. Officers should consider the nature of the offense suspected the level of suspicion with respect to the person fleeing, and the risk of danger to others if the person is not apprehended immediately. Additionally, officers should consider the type of area, i.e. asphalt, railroad tracks, grass etc.
 - (b) Officers must be trained concerning ability of electrical charge to act as an ignition for combustible materials. (Note: Officers have been seriously injured and or killed after deploying a Electronic Control Device in the presence of open natural gas during suicidal person call)
 - (c) Multiple Electronic Control Device deployments against an individual may increase the likelihood of serious injury where the individual is suffering from other symptoms such as cocaine intoxication. Policy and training should encourage officers to minimize the successive number of discharges against an individual where possible.
 - (d) The agency recognizes however, particularly where back-up officers are unavailable, that multiple applications may be necessary to gain or maintain control of a combative individual.
 - (e) No more than one officer should deploy an electronic control device against a single individual at the same time.
 - (f) A contributing factor to serious injury or death is the level of a subject's exhaustion. Studies recommend that when an officer believes that control of a subject will be necessary and met with resistance, deployment of the Electronic Control Device should be considered early on in the event so that the person has not reached a level of exhaustion prior to the Electronic Control Device's use.
 - (g) In cases where subject is actively resisting an officer's attempt to take them into custody but not threatening the officer with an assault-it is recommended that the Electronic Control Device be used in the "push [drive] stun mode."
 - (h) The preferred targeting is the center mass of the subject's back, however it is recognized that it is not always possible to get behind the subject.
 - (i) Where back-targeting is not possible, frontal targeting should be lower center mass, intentional deployments to the chest shall be avoided where possible.
 - (j) Officers who are aware that a female subject is pregnant shall not use the Electronic Control Device unless deadly force would be justified due to the danger created by the secondary impact or the possibility of muscle contractions leading to premature birth.
 - (k) Officers shall make all reasonable efforts to avoid striking persons in the head, neck, eyes or genitals.

- (l) Officers are prohibited from using the device as punitive measure.
- (m) Electronic Control Devices shall not be used against person who is in physical control of a vehicle in motion unless deadly force would be justified based on an existing imminent threat.
- (n) A warning prior to discharge is preferred but not always necessary for this type of force to be considered reasonable, model policies as well as courts have noted that giving a subject, who is assaultive toward the officer, a warning may enhance the danger to the officer and the subject by giving the subject time to avoid the deployment. See: *Draper v. Reynolds*, 369 F.3d 1270 (11th Cir. 2004).
- (o) Officers shall make all efforts to warn other officers that a deployment is about to occur.
- (p) The device shall never be used on a handcuffed person to force compliance unless the subject is actively resistant and control cannot be otherwise accomplished.
- (q) Officers should consider the location and environment of the subject. i.e. Is the subject at the top of a stairwell such that when incapacitated by the Electronic Control Device-they fall down the stairs causing a collateral injury. Officers shall avoid using Electronic Control Device in cases where the subject is elevated i.e. roof, fire escape, tree, bridge, stairwell, etc. etc. such that the secondary impact may cause serious injury.
- (r) Officers should be aware that a subject's heavy clothing may impact the effectiveness of the electronic control device.
- (s) Officers should consider whether the subject has been exposed to combustible elements that may be on their person such as gasoline. The use of an Electronic Control Device on such persons may cause an ignition and fire.
- (t) Officers should consider the particular subject and any vulnerabilities they may have such as: a person who is small in stature or very frail will be more dramatically impacted; some agencies have been criticized as well as sued for use on pregnant women, the very young and the elderly.
- (u) Alternative tactics shall be utilized where the officer has prior information that the subject suffers from a disability which would increase the danger to that person by using the Electronic Restraint Device. i.e. A person at the scene tells an officer that the subject has a heart condition.
- (v) Deployed probes that have been removed from a suspect should be treated as a bio-hazard.
- (w) Where EMS is available, their services may be utilized for the removal of darts that have penetrated the skin as long as such removal can be accomplished without causing further injury or pain to the subject.
- (x) All persons who have been the subject of a Electronic Control Device deployment shall be monitored for a period of time with a focus on symptoms of physical distress. Any person who appears to be having any form of physical distress following the deployment of an ECD, shall be transported to a medical facility for a medical examination. It should be noted that studies indicate that persons who suffer from excited delirium may not be immediately impacted and the onset of difficulty may occur a period of time after the police control event.
- (y) Mandatory Medical Clearance at Hospital:

- (i) Persons struck in a sensitive area-eyes, head, genitals, female breasts.
- (ii) Where the probes have penetrated the skin and Officers/EMS cannot safely remove darts in accord with this policy.
- (iii) Persons who do not appear to have fully recovered after a short period of time (Model Policies use a ten-minute time limit however officers who observe unusual physical distress should immediately call for medical assistance and should not wait the ten-minute recovery period recommended by some of the model policies)
- (iv) Persons who fall into one of the vulnerable classes such as juveniles, pregnant women, persons who are small in stature, persons who officers become aware have a pre-existing medical condition that increases danger and the elderly.
- (v) Subject who request medical assistance.

(z) Documentation:

- (i) All deployments of an Electronic Control Device shall be documented including those cases where a subject complies once threatened with such a device. By documenting the non-discharge uses, an agency establishes officer judgment and control as well as the deterrent effect of this tool.
- (ii) Photographs of the affected area, shall be taken following the removal of darts from the subject to document any injury. Where the push-stun method has been used, photographs are extremely important due to the increased potential for this method to cause scarring.
- (iii) Supervisory personnel shall be notified and review all Electronic Control Device deployment for consistency with policy and training.
- (iv) Darts/Cartridges shall be properly stored and maintained as evidence following a discharge.
- (v) Officers are required to complete a “use of force/response to active resistance form” which shall be reviewed by a supervisor following the ECD use.
- (vi) All deployments shall be reviewed by the agency as well as training personnel.
- (vii) Where there is any indication of lasting injury, claim or complaint internal data from the device shall be maintained.
- (viii) All ECD units will be audited quarterly to ensure that all deployment/activations have been reported as required.

c. Impact Weapons: Batons, ASP/Expandable Baton

- 1) Impact weapons may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control.
- 2) Examples would be where other options have been utilized and failed or where based on the officer’s perception at the time, the other options would not be successful in bringing the event to a successful conclusion.

- 3) Officers shall not intentionally strike a person in the head with an impact weapon unless deadly force would be justified.

V. Duty to Intervene:

In accordance with the agency's Duty to Intervene policy, officers of this agency have an affirmative duty to intervene if they witness a response to resistance that is clearly unreasonable. Any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances, when in a position to safely do so, must intervene to prevent the use of unreasonable force. An officer who observes another employee's response to resistance that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

V.VI. Reporting Control to Active Resistance:

- A. Purpose (Reporting):** It is the purpose of this policy to provide police employees and supervisors with guidelines for reporting control to active resistance. The department will develop a Report to Control Active Resistance (RCAR) form to capture all required information described in this policy.
- B. Policy (Reporting):** Police officers are given the authority to use force to overcome a subject's resistance to the officer's order to comply, effect arrest, defend against assault, and prohibit flight. It is incumbent that officers be held accountable to safeguard the rights of members of the public. This policy mandates that members of the Department accurately, completely and timely report subject control of active resistance and a supervisor conducts a prompt investigation and reports this investigation findings.
- C. Procedures (Reporting):**
 - a. Officers who become involved in an incident that requires any degree of force are required to immediately notify their supervisor. The involved officer will provide a detailed documentation of the use of force utilized in the official police report prepared for the incident involved. In cases where no supervisor is working the officer will also be responsible for completing the RCAR report identified below prior to the end of their shift.
 - b. A Report to Control Active Resistance (RCAR) form shall be prepared by a supervisor whenever an officer of this agency utilizes reportable force, as described in the definition of this policy, in the performance of their duties.
 - c. The RCAR form will be completed in detail including a narrative account of the following:
 - 1) The actions of the subject that necessitated that use of force as a response to overcome the active resistance of the subject.
 - 2) The reasons why force was required and the type of force the officer utilized in overcoming the resistant subject.
 - 3) Any injuries or complaint of injuries of either the subject or the officer and any medical treatment received.
- D. Supervisory Responsibilities:** Once notified of an incident in which an officer has utilized force, the supervisor will immediately respond to the scene to investigate the incident. If the involved officer's supervisor is not available to respond, another supervisor will be dispatched to complete the RCAR. The supervisor will accomplish the following investigative steps in conducting the investigation:
 - a. Interview the involved subject if they are cooperative, to determine their account of the incident and if they have a complaint. If they do have a complaint the supervisor

shall explain the complaint filing process. If they have any type of injury, the designated departmental IA person will be notified. Additionally, should the supervisor determine that unreasonable force was utilized, the Internal Affairs designated investigator will be notified and assume control of the investigation.

- b. If a crime scene exists; or police equipment exists, which may contain forensic evidence, the supervisor shall ensure that the scene and evidence is processed, photographed and preserved.
- c. Take photographs of the involved officer(s) and subject(s) depicting any potential injuries or documenting the lack of any injuries to the parties involved.
- d. Interview, preferably audio-recorded/audio-visual recorded, all witnesses to the incident and document their description of the event.
- e. Ensure that a qualified health care provider handles any injuries or other medical condition being experienced by the involved person.
- f. The supervisor shall review any video recording of the incident, if available, prior to the completion of the RCAR and the approval of the officer's reports
- g. The supervisor investigating the use of reportable force shall be responsible for the review and approval of the officer's reports of the incident, when practicable
- h. The supervisor will complete the RCAR prior to completing their shift and submit it along with the officer's report to their chain of command for review.
- i. **Exceptions: The following do not require the completion of a RCAR unless otherwise required by the above policy:**
 - 1) Handcuffing or escorting a compliant, cooperative subject.
 - 2) Physical removal of peaceful demonstrators whom do not resist.



**Morehead State University Police Department
Standard Operating Procedure Manual**



Title: Early Intervention System	Chapter: 71 Page(s): 1-2	KACP 4.7
Approved Date: January 2021	Review Month: July	Issued by: Colonel Merrell J. Harrison Chief of Police

Note: This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

- I. **Purpose:** The comprehensive Personnel Early Intervention System is a supervisory tool and not a disciplinary process. The early identification of employees exhibiting symptoms of stress or other behavior that could pose a liability to the community, the Department, or the officer must be detected as soon as possible. When appropriate, an intervention consisting of a menu of remedial actions can increase agency accountability, increase department morale and offer employees a better opportunity to meet the agency's values and mission statement.
- II. **Policy:** The Department will establish an Early Intervention System to identify agency employees who may require agency intervention efforts. The system should identify patterns of behavior that might be symptomatic that an individual employee requires an intervention. The system should review at a minimum,
 - A. Complaints
 - B. Foot pursuits
 - C. Vehicle pursuits
 - D. Incidents of Response to Resistance
 - E. Shooting incidents
 - F. Use of sick leave
 - G. Injuries
 - H. Damage to property
 - I. Vehicle collisions
 - J. Domestic misconduct incidents
 - K. Civil litigation

- L. Performance Evaluations
- M. Commendations
- N. Lateness-tardiness

III. Definitions:

- A. **Early Intervention System (EIS):** A data based management tool designed to identify officers/deputies whose performance exhibits potential problems, and then to provide interventions, usually counseling or training, to correct those performance problems. Early Intervention Systems have emerged as an effective mechanism for enhancing accountability within law enforcement agencies.

IV. Procedure:

- A. The Early Intervention System will be maintained by either the Chief of Police or designee.
- B. The Department will establish thresholds in each of the indicated categories in Section II of this document. It is recommended that the nature of the assignment of the officer be considered when establishing the threshold and that first-line supervisors and a cross section of the agency be involved in establishing realistic thresholds.
- C. The review of the data will generate periodic reports identifying officers who have met the established thresholds triggering the Early Intervention System. These reports should be prepared on a monthly, quarterly, and annual basis or more frequently if the data is available on line.
- D. It will be the responsibility of the identified officer's chain of command, to recommend, in writing, the appropriate action initiated to correct any deficiency that might be identified. The recommended actions could include the following:
 - a. No further action required. The officer's actions that triggered the EIS have been thoroughly reviewed and do not indicate any concern for corrective action.
 - b. Supervisory Counseling
 - c. Periods of observation in the field by the first line supervisor.
 - d. Peer Counseling
 - e. Referral to the Employee Assistance Program
 - f. Referral to psychological services
 - g. Referral for remedial training
 - h. Re-assignment
 - i. Referral for anger management training
 - j. Referral for stress reduction training
 - k. Other action as deemed appropriate
 - l. Where it is determined that the conduct is related to medical, psychological, employee assistance or other issue which is subject to confidentiality under Kentucky State law, all records shall be maintained as confidential.
- E. **Process:** Once the recommended action plan is discussed with the officer, and approved by the chain of command, the intervention will be engaged, and reported back in writing to the entity charged with the responsibility of maintaining the system. A follow-up component will be established in the action plan to ensure the behavior that triggered the intervention is no longer a concern.



Morehead State University Police Department Standard Operating Procedure Manual



Title: Criminal Justice Information Services (CJIS)	Chapter: 72 Page(s): 1-14	KACP
Approved Date: April 2021	Review Month: March	Issued by: Colonel Merrell J. Harrison Chief of Police

General:

The Morehead State University Police Department utilizes LINK/NCIC in the performance of daily operations. The ability to access records, make inquiries, and communicate with the criminal justice community is vital in providing a safe and secure environment.

TERMS, DEFINITIONS and ACRONYMS:

CAD- Computer-Aided/Assisted Dispatch — A method of dispatching emergency services assisted by computer.

CHRI- Criminal History Record Information — A subset of CJJ. Any notations or other written or electronic evidence of an arrest, detention, complaint, indictment, information or other formal criminal charge relating to an identifiable person that includes identifying information regarding the individual as well as the disposition of any charges

CJA- Criminal Justice Agency — The courts, a governmental agency, or any subunit of a governmental agency which performs the ~~administration~~ of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice. State and federal Inspectors General Offices are included.

CJI- Criminal Justice Information — Criminal Justice Information is the term used to refer to all of the FBI CJIS provided data necessary for law enforcement agencies to perform their mission and enforce the laws, including but not limited to: biometric, identity history, person, organization, property (when accompanied by any personally identifiable information), and case/incident history data. In addition, CJI refers to the FBI CJIS-provided data necessary for civil agencies to perform their mission; including, but not limited to data used to make hiring decisions. The following type of data are exempt from the protection levels required for CJI: transaction control type numbers (e.g. ORI, MC, UCN, etc.) when not accompanied by information that reveals CJI or PII.

CJIS- Criminal Justice Information Services — The FBI division responsible for the collection, warehousing, and timely dissemination of relevant CJI to the FBI and to qualified law enforcement, criminal justice, civilian, academic, employment, and licensing agencies.

Confidentiality — The concept of ensuring that information is observable only to those who have been granted authorization to do so.

Contractor — A private business, agency or individual which has entered into an agreement for the administration of criminal justice or noncriminal justice functions with a Criminal Justice Agency or a Noncriminal Justice Agency. Also, a private business approved by the FBI CJIS Division to contract with Noncriminal Justice Agencies to perform noncriminal justice functions associated with civil fingerprint submission for hiring purposes.

CSA- CJIS Systems Agency — CJIS Systems Agency (CSA) — A duly authorized state, federal, international, tribal, or territorial criminal justice agency on the CJIS network providing statewide (or equivalent) service to its criminal justice users with respect to the CJI from various systems managed by the FBI CJIS Division. There shall be only one CSA per state or territory. In federal agencies, the CSA may be the interface or switch to other federal agencies connecting to the FBI CJIS systems.

CSO- CJIS Systems Officer — The individual located within the CJIS Systems Agency responsible for the administration of the CJIS network on behalf of the CJIS Systems Agency. (Lt. Colonel Kentucky State Police)

CTA- Control Terminal Agency — The state criminal justice agency (Kentucky State Police (KSP) providing statewide served to criminal justice users with respect to NCIC data.

Digital Media — Any form of media designed to store data in a digital format. This includes, but is not limited to: memory device in laptops, computers, and mobile devices; and any removable, transportable electronic media, such as magnetic tape or disk, optical disk, flash drives, external hard drives, or digital memory card.

Dissemination — The transmission/distribution of CJI to Authorized Recipients within an agency.

Encryption — A form of cryptology that applies a cryptographic operation to provide confidentiality of (sensitive) information.

Escort — Authorized personnel who accompany a visitor at all times while within a physically secure location to ensure the protection and integrity of the physically secure location and any Criminal Justice Information therein. The use of cameras or other **electronic** means used to monitor a physically secure location does not constitute an escort.

FBI- Federal Bureau of Investigation — The agency within the DOJ responsible to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.

FIPS- Federal Information Processing Standards — Publicly announced standards developed by the National Institute of Standards and Technology for use in computer systems by non-military American government agencies and government contractors.

(Fax)-Facsimile — Facsimile is: (a) a document received and printed on a single or multi-function stand-alone device, (b) a single or multi-function stand-alone device for the express purpose of transmitting and receiving documents from a like device over a standard telephone line, or (c) a facsimile server, application, service which implements email-like technology and transfers documents over a network.

HIT — A computerized message received over a CJIS Terminal indicating that a person or item is entered in the LINK and/or NCIC system.

Identity History Data — Textual data that corresponds with an individual's biometric data, providing a history of criminal and/or civil events for the identified individual.

Information Exchange Agreement — An agreement that codifies the rules by which two parties engage in the sharing of information. These agreements typically include language which establishes some general duty-of-care over the other party's information, whether and how it can be further disseminated, penalties for violations, the laws governing the agreement (which establishes venue), procedures for the handling of shared information at the termination of the agreement, and so on. This document will ensure consistency with applicable federal laws, directives, policies, regulations, standards and guidance.

(ISO)-Information Security Officer — Typically a member of an organization who has the responsibility to establish and maintain information security policy, assesses threats and vulnerabilities, performs risk and assessments, oversees the governance of security operations, and establishes information security training and awareness programs. The ISO also usually interfaces with security operations to manage implementation details and with auditors to verify compliance to established policies.

Information System — A system of people, data, and processes, whether manual or automated, established for the purpose of managing information.

(III)-Interstate Identification Index — The CJIS service that manages automated submission and requests for CHRI that is warehoused subsequent to the submission of fingerprint information. Subsequent requests are directed to the originating State as needed.

(IT) — Information Technology- The use of computers to store, retrieve, transmit, and manipulate data or information.

(KSP)-Kentucky State Police — The State repository agency that manages state fingerprint identification services and CJIS systems control.

(LASO)- Local Agency Security Officer — The primary Information Security contact between a local law enforcement agency and the CSA under which this agency interfaces with the FBI CJIS Division. The LASO actively represents their agency in all matters pertaining to Information Security, disseminates Information Security alerts and other material to their constituents, maintains Information Security documentation (including system configuration data), assists with Information Security audits of hardware and procedures, and keeps the CSA informed as to any Information Security needs and problems.

(LINK)-Law Enforcement Network of Kentucky — The system, including hardware, software, equipment; facilities, procedures, agreements and organizations thereof responsible for the timely acceptance, processing, and subsequent dissemination of criminal justice.

Logical Access — The technical means (e.g., read, create, modify, delete a file, execute a program, or use an external connection) for an individual or other computer system to utilize CJI or CJIS applications.

(MCA) Management Control Agreement — An agreement between parties that wish to share or pool resources that codifies precisely who has administrative control over, versus overall management and legal responsibility for, assets covered under the agreement. An MCA must ensure the CJA's authority remains with regard to all aspects of Section 3.2.2. The MCA usually results in the CJA having ultimate authority over the CJI supporting infrastructure administered by the NCJA.

(MDT)- Mobile Data Terminal — A computerized device used in emergency vehicles, such as police cars, to communicate with a dispatch center.

(NCIC)-National Crime Information Center — An information system which stores CJI which can be queried by appropriate Federal, state, and local law enforcement and other criminal justice agencies.

(NCJA)-Noncriminal Justice Agency — A governmental agency, or any subunit thereof, that provides services primarily for purposes other than the administration of criminal justice. Examples of services include, but not limited to, employment suitability, licensing determinations, immigration and naturalization matters, and national security clearances.

(NICS)- National Instant Criminal Background Check System — A system mandated by the Brady Handgun Violence Prevention Act of 1993 that is used by Federal Firearms Licensees (FFLs) to instantly determine via telephone or other electronic means whether the of a firearm would be in violation of Section 922 (g) or (n) of Title 18, United States Code, or state law, by evaluating the prospective buyer's criminal history.

(NIST)- National Institute of Standards and Technology — Founded in 1901, NIST is a non-regulatory federal agency within the U.S. Department of Commerce whose mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic and national security.

(NLETS)-National Law Enforcement Telecommunications System — Is an information sharing network. ... The NLETS helps a **law enforcement** agency in one state to search for someone's criminal and driver records in another state.

(ORI) ORIGINATING Agency Identifier — FBI authorized issued Identifier to an agency for servicing and requesting agencies CJIS information.

Outsourcing — The process of delegating in-house operations to a third-party. For instance, when the administration of criminal justice functions (network operations, dispatch functions, system administration operations, etc.) are performed for the criminal justice agency by a city or county information technology department or are contracted to be performed by a vendor.

(OAN) Owner Applied Number — Identification number uniquely selected from an individual of lost or stolen property to help law enforcement locate the property(s).

(PII) Personally Identifiable Information — Is information which can be used to distinguish or trace an individual's identity, such as name, social security number, or biometric records, alone or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, or mother's maiden name.

Physical Access — The physical ability, right or privilege to view, modify or make use of Criminal Justice Information (CJI) by means of physical presence within the proximity of computers and network devices (e.g. the ability to insert a boot disk or other device into the system, make a physical connection with electronic equipment, etc.).

Physical Media — Physical media refers to media in printed form. This definition includes, but is not limited to, printed documents, printed imagery, printed facsimile.

Physically Secure Location — A facility, a criminal justice conveyance, or an area, a room, or a group of rooms, within a facility with both the physical and personnel security sufficient to protect CJI and associated information systems.

Property Data — Information about vehicles and property associated with a crime.

Secondary Dissemination — The promulgation of CJI from a releasing agency to an authorized recipient agency when the recipient agency has not been previously identified in a form information exchange agreement.

(SA) Security Addendum — A uniform addendum to an agreement between the government agency and a private contractor, approved by the Attorney General of the United States, which specifically authorizes access to criminal history record information, limits the use of the information to the purposes for which it is provided, ensures the security and confidentiality of the information consistent with existing regulations and the CJIS Security Policy, provides for sanctions, and contains such other provisions as the Attorney General may require.

Shredder — A device used for shredding documents, often as a security measure to prevent unapproved persons from reading them. Strip-cut shredders, also known as straight-cut or spaghetti-cut, slice the paper into long, thin strips but are not considered secure. Cross-cut shredders provide more security by cutting paper vertically and horizontally into confetti-like pieces.

System — Refer to connections to the FBI's criminal justice information repositories and the equipment used to establish said connections. In the context of CJI, this usually refers to applications and all interconnecting infrastructure required to use those applications that process CJI.

(TAC and ATAC) Terminal Agency Coordinator and Assistant Terminal Agency Coordinator — The TAC Serves as the point-of-contact at the local agency for matters relating to CJIS information access. The TAC administers CJIS systems programs within the local agency and oversees the agency's compliance with CJIS systems policies. The ATAC assists or fills in for the TAC when needed.

(VIN) Vehicle Identification Number — Identifying code for a specific automobile. The VIN serves as the car's fingerprint, as no two vehicles in operation have the same VIN. A VIN is composed of 17 characters (digits and capital letters) that act as a unique identifier for the vehicle.

PROCEDURE:

General Use and Restrictions

1. CJIS users and all Criminal Justice personnel shall adhere to federal and state laws, regulations, procedures, and policies adopted by the NCIC Advisory Policy Board, FBI/NCIC, NLETS, LINK and CSA relating to system operation and the security and privacy of criminal justice and law enforcement information.
2. Morehead State University Police Department adheres to the LINK/NCIC policy and CJIS Security Policy. Policies can be viewed @ <https://link.ky.gov> or kentuckystatepolice.org or www.fbi.gov
3. Each CJIS user shall monitor the LINK/NCIC terminal continuously while on duty.
4. The LINK, NCIC, and NLETS system(s) shall not be used to send regional broadcast messages for the following:
 - a. Social Announcements (i.e., holiday messages or retirements)
 - b. Personnel Recruitment
 - c. Messages in which the complainant is interested only in the recovery of property.
 - d. Attempt to locate vehicles when no prosecution will be pursued
 - e. Excessively long messages
 - f. Support or opposition of political, legislative bills, or labor issues.
 - g. Announcements of political, legislative bills, or labor oriented meetings.
 - h. Requests for information on salary, uniforms, personnel or related
 - i. Advertisement or sale of equipment
 - j. No messages regarding wanted subjects or vehicles if they can be entered into NCIC.
 - k. Requests for criminal history record information (IQ, FQ, & AQ must be used)
 - l. No reply only if wanted (ROIWS)
 - m. Solicitation of funds.
 - n. Training announcements identifying the name of "FOR PROFIT" companies providing training.
5. The LINK, NCIC, and NLETS system(s) shall be used for official business only and shall not be used for personal business or interests.

Roles and Responsibilities

Terminal Agency Coordinator (TAC)

1. Terminal Agency Coordinator (TAC) will serve as the point-of-contact at the local agency

- for matter relating to CJIS information access.
2. The TAC administers CJIS system programs with the local agency and oversees the agency's compliance with CJIS systems policies.
 3. The TAC will carry out all TAC duties as outlined in the LINK Policy.
 4. The TAC will complete any mandated TAC training.

Assistant Terminal Agency Coordinator (ATAC)

1. The ATAC will assist in the TAC duties and will act as the TAC in event the TAC is unable to perform duties.
2. The ATAC will complete any mandated TAC training.

Local Agency Security Officer (LASO)

1. Identify who is using the CSA approved hardware, software, and firmware and ensure no unauthorized individuals or processes have access to the same.
2. Identify and document how the equipment is connected to the state system.
3. Ensure that personnel security screening procedures are being followed.
4. Ensure the approved and appropriate security measures are in place and working as expected.
5. Support policy compliance and ensure the CSA ISO is promptly informed of security incidents.
6. LASO will complete any mandated LASO training.

User Agreements

1. This agency will maintain on file the appropriate and current user agreement:
 - a. Between this agency and the Kentucky State Police.
 - b. Between this agency and each respective satellite agencies.
 - c. Between this agency and each respective non-criminal justice agency. (i.e .management control agreements between agencies and dispatch centers, city IT, county IT, etc.)
 - d. If secondary dissemination is allowed a secondary dissemination log must be kept
2. This agency will implement and maintain on file the CJIS Security Addendum with each servicing private contractor and vendor.

CJI Access

All personnel that may have access to CJI will submit fingerprints at an IdentoGo location within ten (10) days of employment.

This agency will ensure the correct User Account Request form is sent to the ISO within ten (10) days of employment.

Terminal Operator's, Inquiry Only and MDT User's

This agency will ensure the CJIS user takes the respective training Full Access (within six (6)

months of assignment) or MDT/Inquiry Only (within 30 days of assignment) in the NexTest program on the CJIS LaunchPad.

This agency will ensure the user takes recertification every two (2) years.

Security Awareness Training

1. Basic security awareness training shall be required within six months of initial assignment, and biennially thereafter, for all personnel who have access to Criminal Justice Information (CJI), to include agency employees with physical and logical access (any personnel not required to take Full Access or Inquiry Only training). All noncriminal justice agency (government) personnel (state IT, city/county IT, etc.) All private contractor/vendor personnel. All unescorted personnel with physical access only (record clerks, custodial, maintenance, etc.). The agency will keep documentation (copy of certificates) on file.
 - a. Level One is addressed as baseline security awareness training for all personnel who have unescorted access to a physically secure location.
 - b. Level Two is addressed as baseline security awareness training for all authorized personnel with access to CJI.
 - c. Level Four is address as baseline security awareness training for all Information Technology personnel (system administrators, security administrators, network administrators, etc.).

Auditing and Accountability

1. Currently the state information system shall generate audit records for defined events indicating what events occurred, the source of the event, and the outcome of the event. The state system periodically reviews and updates the list of agency-defined auditable events and has an operation information security incident response policy which includes written report procedures. This agency will report any perceived events to KSP. *For NetMotion and LINK/NCIC Terminals on a stand- alone server routed to KSP****
2. For CAD Systems, Record Management Systems (RMS), Web based CPI Open Fox, Etc. the agency information system shall generate audit records for defined events indicating what events occurred, the source of the event, and the outcome of the event. The agency will periodically review and update the list of agency-defined auditable events and has and operation information security incident response policy which includes written report procedures. This agency will report any perceived events to KSP.

Incident Response

1. A consistent and effective approach shall be applied to the management of security incidents. Responsibilities and procedures shall be in place to handle security events and weaknesses effectively once they have been reported, to include adequate preparation, analysis, containment, recovery, and user response activities. The state system has automated mechanisms to support the incident handling process on the State LINK/NCIC Terminals and MDT through NetMotion. This agency will report all incidents to KSP.
2. This agency shall have their own Security Incident Response Policy with reporting procedures in place.

Identification and Authentication

1. This agency will follow CJIS Security Policy for password authentication. Each password will:
 - a. Be a minimum in length of eight (8) characters on all system.
 - b. Not be a dictionary word or proper name.
 - c. Not be the same as the Userid.
 - d. Expire within a maximum of 90 calendar days.
 - e. Not be identical to the previous ten (10) passwords.
 - f. Not be transmitted in the clear outside the secure location.
 - g. Not be displayed when entered.
2. This agency will use advanced authentication for personnel who access and/or manage information systems containing CJI from non-secure locations. (Examples include tokens, smartcards, etc.)
3. This agency will ensure the correct use of the Originating Agency Identifiers (ORI's) in Transactions and Information exchange

Configuration Management

1. This agency maintains on file a detailed network configuration diagram.

Media Protection, Storage, Transport and Destruction

1. To ensure that access to digital and physical media in all forms is restricted to authorized individuals, this agency shall:
 - a. Securely store all media within physically secure locations and controlled areas.
 - b. Restrict access to all media to authorized individuals.
 - c. Protect and control all media during transport outside of controlled areas and restrict the activities associated with transport of such media to authorized personnel.
 - d. Degauss or overwrite at least three times digital media prior to disposal or release for reuse by unauthorized individuals. Inoperable digital media shall be destroyed.
 - e. Ensure the sanitization and/or destruction is witnessed or carried out by authorized personnel, and maintain written documentation of the steps taken to sanitize or destroy electronic media.
 - i. The destruction of digital and electronic media will be logged in the CAD system or have some type of record log that could be viewable during an audit.
 - ii. Identifiable information for the digital or electronic media will be logged in the destruction CAD entry [i.e. Serial numbers and/or EXAMPLE property number]
 - f. Ensure all physical media is destroyed by shredding or incineration; and ensure the disposal is witnessed or carried out by authorized personnel.

Physical Protection

1. This agency shall document and implement all physical protection policy requirements according to the CJIS Security Policy, to include:
 - a. The perimeter of the secure location shall be prominently posted and separated from non-secure locations by physical controls.
 - b. Issue credentials to authorized personnel or maintain a current list of personnel with authorized access to the secure location.
 - i. Only authorized persons are permitted access to the Telecommunications Center without following visitor related policies.
 - ii. Authorized persons are those who have successfully completed security awareness training and/or CJIS User Training.
 - iii. Lists of authorized persons who have successfully completed CJIS user level training and/or security awareness training are available in the CJIS folder in the NCIC/LINK drawer in dispatch.
 - c. Control physical access points and verify individual access authorizations before granting access.
 - d. Control physical access to information system distribution and transmission lines within the physically secure location.
 - e. Control physical access to CJI on the CJIS terminal by:
 - i. Positioning information system devices that display and print CJIS information in such a way as to prevent unauthorized individuals from accessing and viewing CJI.
 - ii. Ensuring Information on the LINK/NCIC terminal is not viewed by unauthorized persons.
 - iii. Ensuring only actively manned consoles have the CJIS terminal screen operational. All unmanned consoles should have the CJIS screen turned off or locked.
 - iv. Prohibiting the use of removable storage devices in the CJIS terminal to store information from the terminal.
 - v. Obtaining prior approval from the TAC, Chief of Police, Assistant Chief or designee of the Chief of Police before moving or relocating the LINK/NCIC terminal or printer.
 - f. Monitor physical access to the information system to detect and respond to physical security incidents.
 - g. Escort visitors at all time and monitor visitor activity.
 - i. Visitors will sign in on the visitor log when entering the Telecommunications Center and will sign out on the log when leaving.
 - ii. Visitors shall only be permitted entry for the period of time needed to complete the official business.
 - h. Authorize and control information system-related items entering and exiting the physically secure location.
 - i. All information transmitted through LINK, NCIC, and/or NLETS shall be considered CONFIDENTIAL and shall be disseminated only for official purposes.

System and Communications Protection Information

1. The state control terminal (KSP) encrypt all network segments that access CJI with at least 128-bit NIST certified encryption to comply with the FIPS 140-2 requirements.
2. This agency will comply with the FIPS 140-2 requirements and obtain and keep on file all FIPS certificates.

Mobile Devices

1. This agency shall authorize, monitor and control Mobile Data Terminals and other wireless access to information systems containing CJI.
2. This agency has an MDT policy.

Network Infrastructure

1. This agency will comply with CJIS Security Policy Network Infrastructure to include the following:
 - a. Network Configuration
 - b. Personally Owned Information Systems
 - c. Publicly Accessible Computers
 - d. System Use Notification
 - e. Identification/User ID
 - f. Authentication
 - g. Session Lock
 - h. Event Logging
 - i. Advanced Authentication
 - j. Encryption
 - k. Dial-up Access
 - l. Mobile Devices
 - m. Personal Firewalls
 - n. Bluetooth Access
 - o. Wireless (802.11x) Access
 - p. Boundary Protection
 - q. Intrusion Detection Tools and Techniques
 - r. Malicious Code Protection
 - s. Spam and Spyware Protection
 - t. Security Alerts and Advisories
 - u. Patch Management
 - v. Voice Over Internet Protocol (VoIP)
 - w. Partitioning and Virtualization
 - x. Cloud Computing

Requesting LINK/NCIC Entry- Officer Responsibilities

1. An Officer shall consider requesting LINK/NCIC entry when taking reports of stolen items, wanted persons, and/or missing persons.
 - a. The Officer shall consult with his/her immediate supervisor when considering requesting LINK/NCIC entry.

- b. Firearms, computer equipment, vehicles, and items over \$300 shall be entered into LINK/NCIC if the item has a known unique identifier.
2. The Officer requesting LINK/NCIC entry shall complete the appropriate entry form located in the Telecommunication Center.
3. The Officer shall provide the original completed form to the on-duty CJIS user to create the entry. The Officer shall make a copy of the completed form and include in their case file.
4. The requesting Officer will provide the on-duty CJIS user with a copy of the related entry's report to include in the entry file.

Entering/Modifying/Canceling/Clearing a Record- CJIS User Responsibilities

1. Immediately upon receiving a completed Request for LINK/NCIC Entry form, the CJIS user shall accurately enter all known information on the person or item.
 - a. The CJIS user will follow the "Request for NCIC Entry Checklist"
 - b. Upon entering information into LINK/NCIC, the CJIS user shall query the record for accuracy.
 - c. The CJIS user shall sign the bottom of the request form and the "NCIC Entry Checklist" immediately following entry.
2. The CJIS user shall forward entered/queried information to the next on-duty CJIS user for a second check.
 - a. The CJIS user will follow the "Request for NCIC Entry Checklist" for "Second Operator Check."
 - b. Second check shall include a review for completeness and data accuracy.
 - c. Upon verification, the second CJIS user shall initial and date the printed entry in the upper right corner.
 - d. The CJIS user shall sign the bottom of the request form immediately following the second check.
 - e. The second CJIS user shall forward the completed entry file on to the Terminal Access Coordinator (TAC) for final review.
3. The Terminal Access Coordinator (TAC) shall perform a final review on the entered information.
 - a. The TAC shall print the entry on blue paper for the requesting officer's case file.
4. The TAC shall maintain an individual file for each person or item entered by Morehead State University Police Department.
5. Any CJIS user modifying an entry shall follow steps 1-3 of this section.
6. The CJIS user shall immediately cancel an entry/modification made in error.
7. As soon as Morehead State University Police Department entered record is no longer valid, the CJIS user shall remove it by canceling or clearing the record depending on the circumstances for the record no longer being valid.

Hit Confirmation- Officer/CJIS User Responsibilities

1. Immediately upon receiving a hit from an inquiry, the CJIS user shall;
 - a. Verify the information entered with the information queried,
 - b. Verbally confirm that the Officer is not in the presence of the potential violator,
 - c. Advise the Officer of the initial hit and the intent to follow-up,
 - d. Confirm through NLETS Administrative Message with the originating (entering) agency that the person/item is still wanted, and
 - e. Confirm (if appropriate) through NLETS Administrative Message the conditions of extradition.
2. A hit confirmation shall be received prior to an Officer arresting a wanted person, detaining a missing person, seizing stolen property, and/or charging a person with violating a protective order.
3. In situations where the hit is the only basis for detaining a suspect or the nature of the case requires urgent confirmation, the CJIS user shall assign a "Priority 1- URGENT" level. In these cases a response is required within 10 minutes.
4. In situations where the hit is not the only basis for detaining a suspect or the nature of the case does not require urgent confirmation, the CJIS user shall assign a "Priority 2- ROUTINE" level. In these cases a response is required within 1 hour.
5. If a response is not received within the appropriate time frame, the CJIS user shall immediately send a second NLETS Administrative Message with a copy being sent to our CTO and the originating agency's CTO.
6. If a response is still not received within the appropriate time frame, the CJIS user shall immediately send a third NLETS Administrative Message to the NCIC Quality Control with a copy to our CTO and the CTO of the originating agency.

Locate Message- CJIS User Responsibilities

1. Any time an Officer takes into custody a person or item entered into LINK/NCIC, the CJIS user shall immediately send a "locate" message to the originating (entering) agency.
2. This message shall contain the entering agency's case number, unique identifiers (SSN, VIN, OAN), date of recovery, and case number.

Hazardous Materials Inquiry

1. At the request of an Officer, the CJIS user shall inquire NLETS for information on hazardous materials.
 - a. The four-digit (placard) code shall be provided by the Officer.
 - b. Information from NLETS should include the chemical name, personal safety precautions, general handling procedures, disposal methods, degree of hazard to the public, and availability of counter-measure materials.

Misuse

1. Reports of violation of departmental, state or federal policies and regulations in regards to CJIS, CJI, NCIC, NLETS and/or LINK, misuse of CJIS equipment or information will be reported to the TAC, Chief of Police, Assistant Chief or designee of the Chief of Police.
2. Reports of violation of departmental, state or federal policies and regulations in regards to CJIS, CJI, NCIC, NLETS and/or LINK, misuse of CJIS equipment or information will be reported to the department's assigned CJIS auditor. The auditor will be updated as to the findings of the investigation and any disciplinary action taken.
3. Reports of violation of departmental, state or federal policies and regulations in regards to CJIS, CJI, NCIC, NLETS and/or LINK, misuse of CJIS equipment or information will be investigated in accordance with EXAMPLE Police Department's Personnel Complaint Procedure policy
4. Persons found to be in violation of departmental, state or federal policies and regulations in regards to CJIS, CJI, NCIC, NLETS and/or LINK, misuse of CJIS equipment or information will be subject to disciplinary action in accordance with applicable policies of Morehead State University Police Department up to and including termination

Formal Audits

Formal audits are conducted to ensure compliance with applicable statutes, regulations and policies.

This agency is aware the FBI conducts audits every three (3) years of the CSA. The FBI CJIS Division shall also have the authority to conduct unannounced security inspections and scheduled audits of Contractor facilities.

The Kentucky State Police CJIS Compliance Audit Staff will conduct at a minimum, triennially audits on all CJAs which have direct access to the state system in order to ensure compliance with applicable statutes, regulations and policies.

KSP CJIS Compliance Audit Staff have the authority to conduct unannounced security inspections and scheduled audits of all CJIS Agencies and Contractor facilities.

This agency and TAC will adhere to all guidelines of the audit process and will fully cooperate with the CJIS Audit Staff and/or the FBI.

Approved By: _____ Date: _____

Annual Review: _____, _____, _____, _____, _____, _____,

Revised: _____, _____, _____, _____, _____, _____,



Morehead State University Police Department Standard Operating Procedure Manual



Title: Criminal Justice Information Services (CJIS) Disciplinary Policy	Chapter: 72a Page(s): 1-3	KACP
Approved Date: April 2021	Review Month: March	Issued by: Colonel Merrell J. Harrison Chief of Police

DISCIPLINARY POLICY

In support of Morehead State University Police Department's mission of public service to the Morehead/Rowan County citizens, the Morehead State University Police Department provides the needed technological resources needed to personnel to access FBI CJIS systems and information in support of the agency's mission. All agency personnel, with access to FBI Criminal Justice Information (CJI) or any system with stored FBI CJI, have a duty to protect the system and related systems from physical and environmental damage and are responsible for correct use, operation, care and maintenance of the information. All technology equipment: computers, laptops, software, copiers, printers, terminals, MDTs, mobile devices, live scan devices, fingerprint scanners, software to include RMS/CAD, operating systems, etc., used to process, store, and/or transmit FBI CJIS is a privilege allowed by Morehead State University Police Department, state CSO, and the FBI. To maintain the integrity and security of the Morehead State University Police Department's and FBI's CJIS systems and data, this computer use privilege requires adherence of relevant federal, state and local laws, regulations and contractual obligations. All existing laws and Morehead State University Police Department regulations and policies apply, including not only those laws and regulations that are specific to computers and networks, but also those that may apply to personal conduct.

Misuse of computing, networking or information resources may result in temporary or permanent restriction of computing privileges up to employment termination. In some misuse situations, account privileges will be suspended to prevent ongoing misuse while under investigation. Additionally, misuse can be prosecuted under applicable statutes. All files are subject for search. Where follow-up actions against a person or agency after an information security incident involves legal action (either civil or criminal), the evidence shall be collected, retained, and presented to conform to the rules for evidence laid down in the relevant jurisdiction(s). Complaints alleging misuse of Morehead State University Police Department computing and network resources and FBI CJIS systems and/or data will be directed to those responsible for taking appropriate disciplinary action.

Examples of Misuse with access to FBI CJI

1. Using someone else's login that you are not the owner.
2. Leaving computer logged in with your login credentials unlocked in a physically unsecure location allowing anyone to access Morehead State University Police Department systems and/or FBI CJIS systems and data in your name.
3. Allowing unauthorized person to access FBI CJI at any time for any reason. Note: Unauthorized use of the FBI CJIS systems is prohibited and may be subject to criminal and/or civil penalties.
4. Allowing remote access of Morehead State University Police Department issued computer equipment to FBI CJIS systems and/or data without prior authorization by Morehead State University Police Department.
5. Obtaining a computer account that you are not authorized to use.
6. Obtaining a password for a computer account of another account owner.
7. Using the Morehead State University Police Department's network to gain unauthorized access to FBI CJI.
8. Knowingly performing an act which will interfere with the normal operation of FBI CJIS systems.
9. Knowingly propagating a computer virus, Trojan horse, worm and malware to circumvent data protection or compromising existing security holes to FBI CJIS systems.
10. Violating terms of software and / or operating system licensing agreements or copyright laws.
11. Duplication of licensed software, except for backup and archival purposes that circumvent copyright laws for use in Morehead State University Police Department, for home use or for any customer or contractor.
12. Deliberately wasting computing resources to include streaming audio, videos for personal use that interferes with Morehead State University Police Department network performance.
13. Using electronic mail or instant messaging to harass others.
14. Masking the identity of an account or machine.
15. Posting materials publicly that violate existing laws or Morehead State University Police Department's codes of conduct.
16. Attempting to monitor or tamper with another user's electronic mail or files by reading, copying, changing, or deleting without explicit agreement of the owner.
17. Using Morehead State University Police Department's technology resources to advance unwelcome solicitation of a personal or sexual relationship while on duty or through the use of official capacity.
18. Unauthorized possession of, loss of, or damage to Morehead State University Police Department's technology equipment with access to FBI CJI through unreasonable carelessness or maliciousness.
19. Maintaining FBI CJI or duplicate copies of official, Morehead State University Police Department files in either manual or electronic formats at his or her place of residence or in other physically non---secure locations without express permission.
20. Using Morehead State University Police Department's technology resources and/or FBI CJIS systems for personal or financial gain.
21. Deliberately failing to report promptly any known technology---related misuse by another employee that may result in criminal prosecution or discipline under this policy.
22. Using personally owned devices on Morehead State University Police Department's network to include personally---owned thumb drives, CDs, mobile devices, tablets on wifi, etc. Personally, owned devices should not store Morehead State University Police

Department data, State data, or FBI CJI.

The above listing is not all-inclusive and any suspected technology resource or FBI CJIS system or FBI CJI misuse will be handled by Morehead State University Police Department on a case-by-case basis. Activities will not be considered misuse when authorized by appropriate Morehead State University Police Department officials for security or performance testing.

Privacy Policy

All agency personnel utilizing agency-issued technology resources funded by Morehead State University Police Department expressly acknowledges and agrees that such service, whether for business or personal use, shall remove any expectation of privacy. Use of Morehead State University Police Department systems indicates consent to monitoring and recording. The Morehead State University Police Department reserves the right to access and audit any and all communications including electronic and physical media at rest, in transit and at end of life. Morehead State University Police Department personnel shall not store personal information with an expectation of personal privacy that are under the control and management of Morehead State University Police Department.

Personal Use of Agency Technology

The computers, electronic media and services provided by Morehead State University Police Department are primarily for business use to assist personnel in the performance of their jobs. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems' use for their business purposes. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

Misuse Notification

Due to the increase in the number of accidental or malicious computer attacks against both government and private agencies, Morehead State University Police Department shall: (i) establish an operational incident handling capability for all information systems with access to FBI CJIS systems and data. This includes adequate preparation, detection, analysis, containment, recovery, and user response activities; (ii) track, document, and report incidents to appropriate agency officials and/or authorities. ISOs have been identified as the POC on security-related issues for their respective agencies and shall ensure LASOs institute the CSA incident response reporting procedures at the local level.

All Morehead State University Police Department personnel are responsible to report misuse of Morehead State University Police Department technology resources to appropriate Morehead State University Police Department officials.

Local contact---LASO: m.stidam@moreheadstate.edu Phone: 606-783-2035
State contact---CSA ISO: erin.oliver@ky.gov Phone: 502-782-9936

**APPROVE NAMING OF SPACES IN THE
ADRON DORAN UNIVERSITY CENTER (ADUC)**

**BOR (V-A-10)
June 17, 2021**

Recommendation:

That the Board of Regents approve the naming of additional spaces in the Adron Doran University Center (ADUC).

Background:

The naming of facilities or components of the University requires a recommendation from the President and approval of the Board of Regents. Traditionally, naming of components or facilities is a permanent means of recognizing those who have provided outstanding support to the institution or given exemplary personal service over a sustained period.

In recognition of the commitment and enduring support of Morehead State University and scholarship aid for our students, we are recommending that the name of the individuals listed below be placed on the designated space in the renovated Adron Doran University Center. This will honor their commitment to our mission of educating students from East Kentucky and beyond. This recognition is in addition to the previous list of approved namings.

Donor	Scholarship Commitment	ADUC Facility to be Named	Name of Space
Fred R. Ross (67, 70)	\$ 200,000.00	1st Floor Enrollment Services Suite	Fred R. Ross Enrollment Services Suite
Eric Collis (70, 75)	\$ 157,000.00	Display inside the University Store	The "Collis"eum Display
Bernard McKay (91) on behalf of the McKay Family	\$ 100,000.00	Grand staircase leading from the 1st to 2nd Floor in the new addition section	The McKay Family Grand Staircase
Captain Bruce D. Rutherford (71)	\$ 71,000.00	Conference Room inside 1st Floor Enrollment Services Suite (Originally \$25,000)	Robert and Orene Wright Rutherford Conference Room
Kappa Delta Alumni	\$ 50,000.00	Meeting Room 301	Kappa Delta Room
Tau Kappa Epsilon Alumni	\$ 50,000.00	Meeting Room 310	Tau Kappa Epsilon Meeting Room
Chi Omega Alumni	\$ 50,000.00	Meeting Room 322	Chi Omega Founders Room
Sigma Phi Epsilon Alumni	\$ 50,000.00	3rd Floor - Lounge Area outside of the ballrooms overlooking the heart of campus	Sigma Phi Epsilon Lounge
James Salamon	\$ 50,000.00	3rd Floor, Landing on the by the original staircase	Sara Studebaker Conversation Area
Brandon Fraley (00)	\$ 25,000.00	Open Meeting Space inside 2nd Floor Student Affairs Office Suite	Brandon Wayne & Elizabeth Blackburn Fraley Fraternity and Sorority Life Meeting Room
Gayle Sullivan (70, 76)	\$ 25,000.00	2nd Floor Office 206	Gayle D. Sullivan Conference Room
Ronald E. (73) and Sharon Beard Cooper (74)	\$ 25,000.00	3rd Floor, Catering Kitchen connected to the Caudill Family Heritage Room	Cooper Family Kitchen
Anonymous	\$ 10,000.00	2nd Floor CAB Office	Luke Birkes Campus Activity Board Office
Leo (71) and Jeanne Yeager Dolan (72)	\$ 10,000.00	3rd Floor - Small cove at the beginning of the hallway leading to Room 310/311	Yeager & Dolan Family Conversation Area
Dr. Wayne (69, 71) and Carole Carte Morella (64, 66)	\$ 5,000.00	Outdoor Bench	Morella Outdoor Bench

ACCEPT 2019-20 SINGLE AUDIT REPORT

BOR (V-A-11)

June 17, 2021

Recommendation:

That the Board of Regents accept the Single Audit Report for the fiscal year ended June 30, 2020 as presented by Dean Dorton Allen Ford, PLLC.

Background:

KRS 164A.570 requires an annual audit to be conducted by all universities in the state system. The audit is to be conducted by an independent public accounting firm. On April 16, 2020, the Board approved the recommendation of the Audit Committee to appoint the accounting firm of Dean Dorton Allen Ford, PLLC to conduct the 2019-20 fiscal year audit. The Board also approved at that time, the Audit Committee's recommendation for the minimum scope of the audit work to be performed.

Dean Dorton Allen Ford, PLLC has completed the single audit for the June 30, 2020 fiscal year. The report was issued with an opinion that the University complied, in all material respects, with the compliance requirements reviewed as part of their audit. A copy of the single audit report has been provided to each member of the Board of Regents. The Audit Committee met on June 17, 2021. Representatives from Dean Dorton Allen Ford, PLLC presented the University's single audit to the Committee for acceptance.

**ACCEPT THIRD QUARTER
FINANCIAL REPORT AND RATIFY
AMENDED OPERATING BUDGET**

**BOR (V-B-1)
June 17, 2021**

Recommendation:

That the Board of Regents accept the financial statements and ratify the operating budget for the third quarter of the fiscal year ending June 30, 2021.

Background:

The University has a statutory requirement to furnish quarterly financial reports to the Board of Regents. Financial statements have been prepared as of March 31, 2021, the third quarter of the fiscal year ending June 30, 2021. The statements, along with management's discussion and analysis and budget amendment information are attached.

**Morehead State University
Management's Discussion and Analysis
Third Quarter Financial Statements
March 31, 2021**

This discussion and analysis of Morehead State University's financial statements provides an overview of the University's financial activities for the nine months that ended on March 31, 2021. The statements and this discussion and analysis have been prepared by Accounting and Financial Services staff.

Using These Financial Statements

This report consists of two basic financial statements. The Statements of Net Position include information about the assets, liabilities, deferred inflows/outflows, and net position of the entire University. The Statements of Revenues, Expenditures and Changes in Net Position provide information about the unrestricted current funds revenues, expenditures and transfers of the University. The statements are prepared on an accrual basis and reflect the results of all transactions that affect the financial status of Morehead State University. These financial statements have not been prepared in full accordance with *Government Accounting Standards Board Statement 35* (GASB 35). Interim statements are prepared using a fund approach to facilitate budget comparisons and management decisions. Year-end statements are prepared in the GASB 35 format.

Financial Highlights

Morehead State University's financial picture remains stable through the third quarter of the 2020-2021 fiscal year. During the period July 1, 2020 through March 31, 2021, the University operated with a surplus of revenues over expenses and transfers in the amount of \$32,871,896. This level of operating surplus is expected at this time, since most of the billings for the Spring 2021 semester are reflected in the tuition and fees revenue and only expenditures through March 31, 2021 are reflected. As the fiscal year proceeds, the variance between revenues and expenditures will continue to decrease and should reflect a more appropriate operating surplus or deficit.

Significant trends and variances for the nine months are summarized as follows:

- Total operating revenues decreased approximately \$7.4 million from last year to \$82.5 million. The decrease primarily relates to reductions in tuition and housing revenue due to declines in undergraduate and graduate enrollment.
- The percent of actual operating revenue to budget was 84.12% at March 31, 2021 and 86.75% at March 31, 2020. This percentage would be expected at this time, since most of the billings for the Spring 2021 semester are reflected in revenue.
- Total operating expenses were approximately \$85.5 million at March 31, 2021 and \$92.5 million at March 31, 2020. The \$7.0 million decrease is due to reductions in operating expense budgets from all divisions as a result of declines in tuition and housing revenue. Resources continue to be aligned to support instruction and student services to strengthen the financial position in support of the University's strategic plan.
- Total non-operating revenues increased approximately \$8.9 million from last year to \$40.2 million. The increase primarily relates to Higher Education Emergency Relief Funds that were received under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) to defray expenses associated with the Covid-19 pandemic.
- Net change in net position was approximately \$33 million at March 31, 2021 and \$20 million at March 31, 2020. As the fiscal year proceeds, the variance will continue to decrease and should reflect a more appropriate operating surplus or deficit.

Prepared by: Accounting & Financial Services Staff

Morehead State University
Statement of Net Position
March 31, 2021 and 2020

	2021	2020
	<u>ACTUAL</u>	<u>ACTUAL</u>
Current assets:		
Cash and cash equivalents	\$65,109,182	\$48,517,024
Accounts, grants and loans receivable, net	10,756,313	8,572,606
Prepaid interest	114,023	16,083
Inventories	1,878,358	1,955,825
Other current assets	69,958	82,542
Total current assets	<u>77,927,834</u>	<u>59,144,080</u>
Noncurrent assets:		
Accounts, grants and loans receivable, net	2,503,759	2,408,925
Prepaid interest	798,158	128,663
Prepaid lease	3,098,284	3,236,509
Investments	14,328,741	13,577,360
Capital assets, net	239,812,681	254,622,615
Total noncurrent assets	<u>260,541,623</u>	<u>273,974,072</u>
Total assets	<u>338,469,457</u>	<u>333,118,152</u>
Deferred outflows of resources:		
Pensions	15,232,103	25,595,846
OPEB	2,847,718	2,997,853
Total deferred outflows of resources	<u>18,079,821</u>	<u>28,593,699</u>
Total assets and deferred outflows of resources	<u>\$356,549,278</u>	<u>\$361,711,851</u>
Liabilities, Deferred Inflows and Net Position		
Current liabilities:		
Accounts payable and accrued liabilities	\$5,407,833	\$5,787,787
Unearned revenue	1,701,795	1,735,769
Other current liabilities	431,375	952,100
Bonds and capital lease obligations, current portion	4,910,688	5,441,807
Total current liabilities	<u>12,451,691</u>	<u>13,917,463</u>
Long-term liabilities:		
Bonds and capital lease obligations, noncurrent portion	74,511,683	79,854,774
Advances from federal government for student loans	1,997,860	2,554,354
Unearned revenue	290,235	290,235
Deferred gain on disposal	1,215,367	1,286,860
Net pension liability	101,444,195	126,215,896
Net OPEB liability	20,624,696	27,878,680
Total long-term liabilities	<u>200,084,036</u>	<u>238,080,799</u>
Total liabilities	<u>212,535,727</u>	<u>251,998,262</u>
Deferred inflows of resources:		
Deferred bond reoffering premium	1,671,061	1,857,933
Pensions	72,715,166	90,495,047
OPEB	9,771,825	3,991,902
Total deferred inflows of resources	<u>84,158,052</u>	<u>96,344,882</u>
Net Position		
Net investment in capital assets	159,631,430	167,612,847
Restricted:		
Expendable	6,405,609	5,642,700
Nonexpendable	11,640,965	11,392,815
Unrestricted	(117,822,505)	(171,279,655)
Total net position	<u>59,855,499</u>	<u>13,368,707</u>
Total liabilities, deferred inflows and net position	<u>\$356,549,278</u>	<u>\$361,711,851</u>

See Attached Notes To Statement of Net Position

Morehead State University
Unrestricted Current Funds
Statements of Revenues, Expenses & Changes in Net Position
For the Nine Months Ended March 31, 2021 and 2020

	2020-2021			2019-2020				
	Amended Budget	Actual	Percent of Actual to Budget	Amended Budget	Actual	Percent of Actual to Budget	Change in Actual	Percent of Change in Actual
Operating revenues:								
Student tuition and fees	\$59,531,150	\$60,859,485	102.23%	\$64,981,944	\$63,968,478	98.44%	(\$3,108,993)	(4.86%)
Sales and services of educational activities	1,575,085	1,228,299	77.98%	2,082,887	2,431,984	116.76%	(1,203,685)	(49.49%)
Budgeted fund balance E&G	10,902,911			9,020,125				
Auxiliary enterprises:								
Residence halls	12,629,653	12,716,252	100.69%	15,138,300	14,823,639	97.92%	(2,107,387)	(14.22%)
Bookstore	3,585,500	2,623,563	73.17%	3,659,000	3,134,034	85.65%	(510,471)	(16.29%)
Other auxiliaries	1,768,247	833,379	47.13%	1,896,047	1,215,536	64.11%	(382,157)	(31.44%)
Budgeted fund balance Aux.	3,793,400			1,944,000				
Other operating revenues	4,354,158	4,295,094	98.64%	4,972,236	4,376,898	88.03%	(81,804)	(1.87%)
Total operating revenues	98,140,104	82,556,072	84.12%	103,694,539	89,950,569	86.75%	(7,394,497)	(8.22%)
Operating expenses:								
Educational & general:								
Instruction	39,080,499	24,155,400	61.81%	39,427,435	25,809,721	65.46%	(1,654,321)	(6.41%)
Research	338,541	143,228	42.31%	159,676	29,614	18.55%	113,614	383.65%
Public service	1,167,208	776,885	66.56%	1,174,628	852,722	72.60%	(75,837)	(8.89%)
Library	2,247,628	1,617,271	71.95%	2,410,199	1,897,267	78.72%	(279,996)	(14.76%)
Academic support	4,314,384	2,208,585	51.19%	4,396,926	2,462,389	56.00%	(253,804)	(10.31%)
Student services	14,652,745	9,344,340	63.77%	15,515,045	11,769,208	75.86%	(2,424,868)	(20.61%)
Institutional support	12,580,469	10,240,106	81.40%	13,033,395	10,764,838	82.59%	(524,732)	(4.87%)
Operation and maintenance of plant	9,574,689	8,933,148	93.30%	9,646,859	9,539,293	98.88%	(606,145)	(6.35%)
Student aid	24,209,548	22,524,608	93.04%	23,902,827	23,514,263	98.37%	(989,655)	(4.21%)
Auxiliary enterprises:								
Residence halls	7,947,001	2,256,163	28.39%	6,714,487	2,283,740	34.01%	(27,577)	(1.21%)
Bookstore	3,093,185	2,350,953	76.00%	2,944,689	2,388,044	81.10%	(37,091)	(1.55%)
Other auxiliaries	2,144,996	984,820	45.91%	2,265,632	1,256,316	55.45%	(271,496)	(21.61%)
Total operating expenses	121,350,893	85,535,507	70.49%	121,591,798	92,567,415	76.13%	(7,031,908)	(7.60%)
Operating loss	(23,210,789)	(2,979,435)	12.84%	(17,897,259)	(2,616,846)	14.62%	(362,589)	13.86%
Nonoperating revenues (expenses):								
State appropriations	37,447,000	30,666,300	81.89%	38,466,800	30,773,400	80.00%	(107,100)	(0.35%)
CRF Grant Funds - Appropriations	885,900	885,900	100.00%				885,900	
Other Grant Funds	1,611,892	8,684,120	538.75%				8,684,120	
Investment income (net of investment expense)	45,000	(15,321)	(34.05%)	30,000	531,161	1,770.54%	(546,482)	(102.88%)
Budgeted contingency reserves	(8,154,331)			(10,777,522)				
Net nonoperating revenues	31,835,461	40,220,999	126.34%	27,719,278	31,304,561	112.93%	8,916,438	28.48%
Income before capital appropriations	8,624,672	37,241,564	431.80%	9,822,019	28,687,715	292.04%	8,553,849	29.82%
Capital appropriations/Transfers	(8,624,672)	(4,369,668)	50.66%	(9,822,019)	(8,193,891)	83.42%	3,824,223	(46.67%)
Increase in net position		<u>\$32,871,896</u>			<u>\$20,493,824</u>		<u>12,378,072</u>	60.40%

Morehead State University
Notes to the Statements of Net Position
March 31, 2021 and 2020

1. The Statements of Net Position include the unrestricted current funds, restricted current funds, endowment funds, loan funds, and plant funds of the University.
2. Cash and cash equivalents increased approximately \$17 million. This increase relates to Higher Education Emergency Relief Funds received under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) to defray expenses associated with the Covid-19 pandemic. The increase also relates to decreases in expenditures as a result of operating expense budget reductions.
3. Accounts, grants, and loans receivable are shown net of allowance for uncollectible student accounts of \$2,020,278 at March 31, 2021 and \$2,266,674 at March 31, 2020. Also, included in this category is \$6.7 million in receivables from federal and state agencies at March 31, 2021 and \$4.4 million at March 31, 2020. The increase in receivables from federal and state agencies relate to the timing of drawdowns for Direct Loan awards.
4. Other current assets include financial commitments from the MSU Foundation.
5. Noncurrent accounts, grants and loans receivable represent balances owed to the University from borrowers who have participated in the Federal Perkins Loan Program.
6. Capital assets, net decreased approximately \$14.8 million from the previous year primarily due to depreciation expense. Accumulated depreciation on buildings and equipment was \$227,136,031 at March 31, 2021 and \$214,637,350 at March 31, 2020.
7. Deferred outflows of resources include the amount of pension and OPEB contributions paid to KTRS and KERS from July 1, 2019 through June 30, 2020. These amounts were paid subsequent to the June 30, 2019 measurement date and will be recognized as a reduction of the net pension liability in the year ended June 30, 2021. Deferred outflows also include amounts related to changes in assumptions used in the calculations by the actuaries.
8. Accounts payable and accrued liabilities include amounts due to vendors and amounts due for withheld and matching portions of payroll taxes and estimated claims payable, but not paid until after the Statements of Net Position date.
9. Unearned revenue from federal and state grants represent amounts received but not expended at the Statements of Net Position date.
10. Bonds and capital lease obligations include the current and long-term portions of amounts borrowed for the purchase of plant assets. The University made principal payments on outstanding debt of approximately \$6 million. On November 27, 2020, the University entered into a new lease agreement with Kentucky Bank to refund the outstanding 2011 Series A General Receipts Bonds and to consolidate the debt with the existing Kentucky Bank lease. On December 15, 2020, the University issued the 2020 Taxable Series A Bonds to advance refund a portion of the 2012 and 2013 Series A General Receipts Bonds.
11. Net pension and OPEB liability is due to the implementation of GASB 68 and GASB 75, which required Morehead State University to record its proportionate share of the Commonwealth of Kentucky's net pension and net OPEB liability.
12. Deferred inflows of resources include bond premiums from the issuance of the 2014 Series A and B and 2016 Series A General Receipts Bonds. Also, included in this category are deferred inflows from changes in assumptions and changes in proportionate share of contributions related to GASB 68 and 75.

Morehead State University
Unrestricted Current Funds
Budget Amendments
For the Period January 1, 2021 to March 31, 2021

	Opening Budget As of 1/1/2021	Adjustments	Amended Budget As of 3/31/2021
Operating revenues:			
Student tuition and fees	\$59,531,150	-	\$59,531,150
Sales and services of educational activities	1,548,424	26,661	1,575,085
Budgeted fund balance	10,902,911	-	10,902,911
Auxiliary enterprises:			-
Residence halls	12,518,100	111,553	12,629,653
Bookstore	3,585,500	-	3,585,500
Other auxiliaries	1,766,180	2,067	1,768,247
Auxiliaries budgeted fund balance	3,793,400	-	3,793,400
Other operating revenues	4,134,449	219,709	4,354,158
Total operating revenues	97,780,114	359,990	98,140,104
Operating expenses:			
Educational & general:			
Instruction	38,664,406	416,093	39,080,499
Research	338,541	-	338,541
Public service	994,814	172,394	1,167,208
Library	2,226,814	20,814	2,247,628
Academic support	4,235,512	78,872	4,314,384
Student services	14,519,153	133,592	14,652,745
Institutional support	12,564,514	15,955	12,580,469
Operation and maintenance of plant	9,370,803	203,886	9,574,689
Student aid	24,207,280	2,268	24,209,548
Auxiliary enterprises:			
Residence halls	6,374,516	1,572,485	7,947,001
Bookstore	3,093,185	-	3,093,185
Other auxiliaries	2,142,929	2,067	2,144,996
Total operating expenses	118,732,467	2,618,426	121,350,893
Operating loss	(20,952,353)	(2,258,436)	(23,210,789)
Nonoperating revenues (expenses):			
State appropriations	38,332,900	(885,900)	37,447,000
CRF Grant Funds - Appropriations	-	885,900	885,900
Other Grant Funds	-	1,611,892	1,611,892
Investment income (net of expense)	45,000	-	45,000
Budgeted contingency reserves	(8,406,431)	252,100	(8,154,331)
Net nonoperating revenues (expense)	29,971,469	1,863,992	31,835,461
Income (Loss) before capital appropriations	9,019,116	(394,444)	8,624,672
Capital appropriations	(9,019,116)	17,643,788	8,624,672

Morehead State University
Unrestricted Current Funds
Notes of Significant Budget Amendments
For the Period January 1, 2021 to March 31, 2021

1. Budget amendments from residence halls totaled \$111,553 from Housing Contract Break fees for residence hall improvements, including furniture and security cameras.
2. Other operating revenue allocations were \$218,669 from the MSU Foundation primarily for instruction and student services.
3. Notable transfers to instruction were comprised of \$369,343 in one-time fund allocations of \$251,858 was for faculty, staff and classroom technology replacements and \$117,485 for classroom equipment, technology and supplies. These transfers were offset by the recognition of CARES Act and CRRSA Act grant funds revenue.
4. Public service budget amendments included \$252,100 returned to the Craft Academy from funds held in reserve pending a possible state reduction, \$81,544 of the funds were then reallocated for housing facility remodel projects in Grote-Thompson Hall and Field Hall.
5. Budget amendments to multiple student services units totaled \$87,700 in support of student recruitment and enrollment activities.
6. Significant amendments for the operation and maintenance of plant included an additional allocation \$150,000 from asset preservation funds for the Reed Hall chiller.
7. State appropriations were reduced by \$885,900 which was offset by the receipt of CARES Act CRF Grant funding from the State of \$885,900.
8. Total allocations of one-time funds totaled \$1,611,892 for multiple facility improvements, technology replacements and instructional supplies. These allocations were offset by the recognition of CARES Act and CRRSA Act grant funds revenue.
9. Budget contingency reserves of \$252,100 were returned to the Craft Academy.
10. Capital appropriation allocations during this quarter include additional asset preservation funds of \$150,000 for the Reed Hall chiller and cooling tower replacement project and \$205,400 in carry forwards to the Housing Strategic Fund.

Morehead State University
Capital Outlay Status Report
Agency Funds
For the Period of January 1, 2021 to March 31, 2021

Estimated		
Project	Completion	Project
Scope	Date	Status

I. Equipment Purchases \$200,000 or Greater
None

II. Capital Construction Projects, Information Technology Systems
or Land Acquisitions \$1,000,000 or Greater

Water Treatment Plant Sediment Basin	\$ 1,921,000	In Planning
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**APPROVE 2021-2022 OPERATING BUDGET,
TUITION AND FEE SCHEDULE, AND
PERSONNEL ROSTER**

**BOR (V-B-2)
June 17, 2021**

Recommendation:

That the Board of Regents approve the recommended 2021/2022 Operating Budget, which totals \$145,500,000, the 2021/2022 Tuition and Fee Schedule, and the 2021/2022 Personnel Roster.

Background:

The 2021/2022 Operating Budget for Morehead State University presents a financial plan for the year and outlines our priorities, resources and planned use of operating funds. The budget includes Educational and General (E&G) and Auxiliary Enterprises revenues and expenditures. E&G revenues consist of unrestricted operating funds and restricted plant funds from mandatory student fees. The recommended budget totals \$145.5 million and was developed in consideration of the following factors:

- Strategic goals of the University and the Commonwealth
- Fiscally conservative approach
- Performance Based Funding Model
- Projected enrollment
- Affordability for students
- Impact of the COVID-19 pandemic on enrollment and operations
- Economic climate

The budget reflects the continued commitment to advance the University's mission by focusing on the goals and objectives as defined in *Come SOAR With Us, Morehead State University Vision & Strategic Plan 2018-2022*.

Analysis – Operating Budget:

Educational and General Revenue:

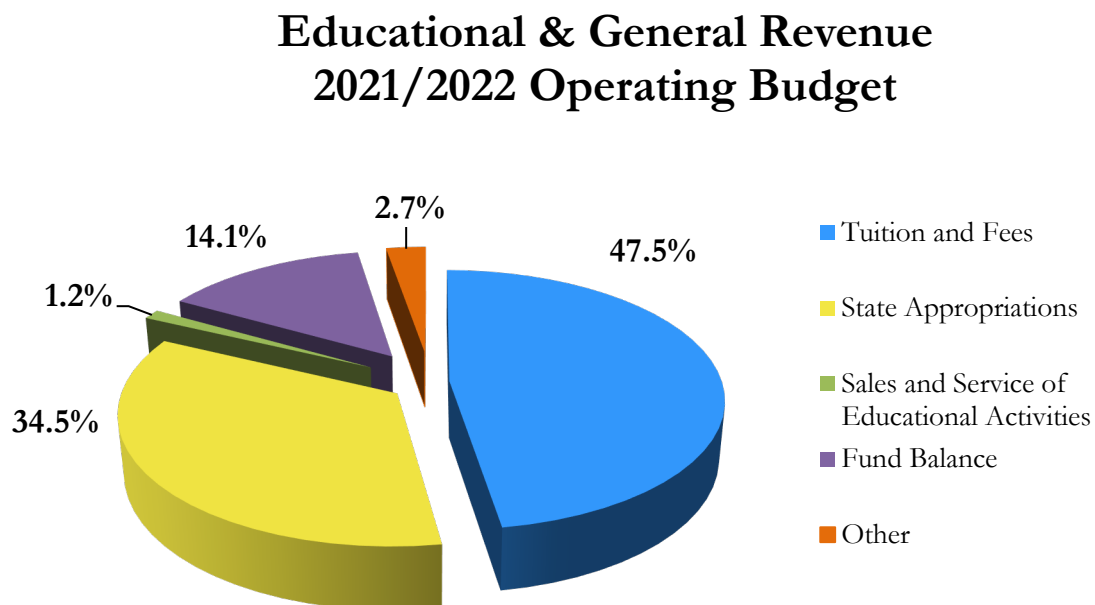
Educational and General Funds (E&G) represent 86.3 percent of the total operating budget and are the primary source of funds for the instructional mission and operational support of the University. The primary sources of the E&G budget include tuition and fee revenue of \$59.6 million (47.5 percent) and state appropriation for operating of \$43.3 million (34.5 percent). The total reflects an increase in tuition and fee revenue of \$102,850 (0.2 percent) and \$4,992,000 (13.0 percent) in state operating appropriation from the current year budget.

The enrollment projection for 2021/2022 takes into account multiple factors including graduations, historical student progression toward degree, retention, and external factors for select student populations. Additionally, the projection for new undergraduate students is set at a conservative level to account for the possible decrease in students due to the pandemic or economic factors.

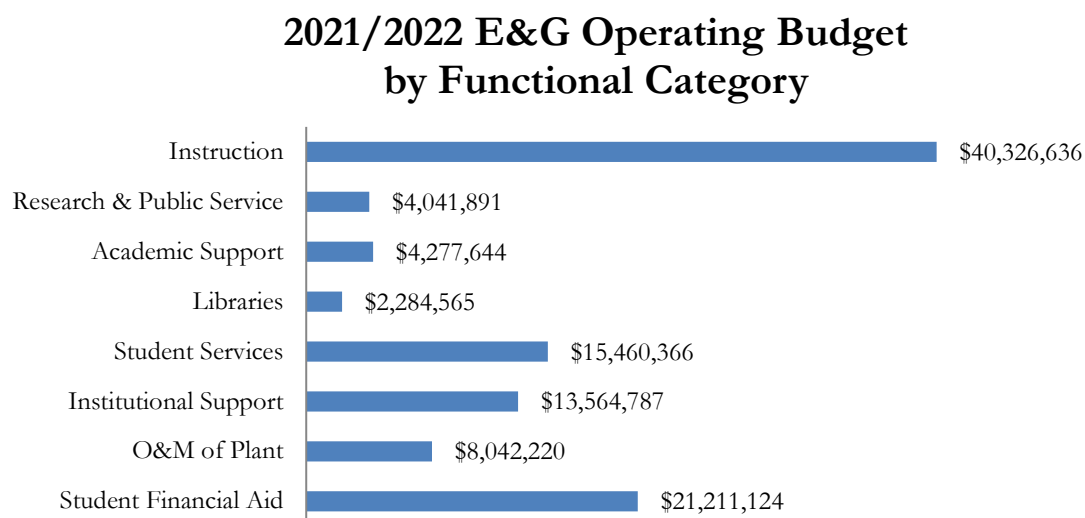
The net increase of \$4,992,000 in state operating appropriation is a result of the following offsetting factors:

- \$329,000 increase for the Craft Academy for Excellence in Science and Mathematics to support fourteen additional students
- \$250,000 decrease of non-recurring funds appropriated in 2020/2021 for the Space Science Center to install a twelve meter satellite tracking antenna for research and student training (NASA JPL gifted the antenna to MSU. The funding from the state was for the installation and site preparation.)
- \$4,913,000 increase for fixed allocation cost of employer required contribution related to the amortization of the unfunded actuarial accrued liability among employers in the KERS Non-Hazardous System

The following chart summarizes 2021/2022 budgeted E&G revenue by major revenue category.



The following chart summarizes the 2021/2022 budgeted unrestricted E&G expenditures by functional category.



Student Financial Aid:

The University demonstrates a continued commitment to affordability by including \$21.2 million (19.4 percent of E&G expenditures) in the 2021/2022 Operating Budget for student financial aid awards. Additionally, \$2.5 million is budgeted across all divisions in student wages accounts dedicated solely for student employment.

Fund Balance Allocation:

Fund Balance reserves are generally budgeted within the unrestricted operating budget to address strategic needs of a non-recurring nature such as capital projects, investments in property and equipment, and carry forward of prior year budget allocations. Fund balance allocations in the 2021/2022 Operating Budget include \$4.3 million carry forward for renovation and asset preservation projects, \$4.4 million carry forward of operating expense budgets, \$1.3 million for scholarships, \$70,000 for engineering fees associated with the Water Sediment Basin project, \$1.7 million for healthcare self-insurance reserve, \$5.6 million for E&G budget reserve (5 percent of E&G recurring expenditure budget), and \$734,000 for Auxiliary budget reserve (5 percent of auxiliary recurring expenditure budget).

Additionally, the 2021/2022 Operating Budget includes \$1.5 million fund balance allocation necessary to replace revenue declines. This reflects a reduction from 2020/2021 Operating Budget fund balance allocation of \$3.2 million. During the 2021/2022 fiscal year, the President will take actions to minimize the reliance on the use of this fund balance allocation.

Auxiliary Enterprises:

Auxiliary Funds are generated by enterprises that are essentially self-supporting through charging fees to students and others external to the institution. Auxiliary enterprises generate approximately 11.5 percent of the University's operating revenues and include services for student housing, dining and food services, Document Services, University Store, and Eagle Trace Golf Course.

Source and Use of Funds:

The following chart aligns the various sources of funds with the University's use of funds to illustrate where University resources originate and what they support.

Funds	Source of Funds	Use of Funds
Recurring E&G Revenues	<ul style="list-style-type: none">▪ State Appropriation▪ Tuition and Mandatory Fees▪ Course and Program Fees▪ Athletic Revenues▪ Transfers▪ Student Service Fees	<ul style="list-style-type: none">▪ Instruction▪ Public Service▪ Administrative Support▪ Student Financial Aid▪ Instructional Support▪ Student Services▪ Operation & Maintenance of E&G Facilities▪ Research
Fund Balance	Savings and reserves from prior years	<ul style="list-style-type: none">▪ Capital Projects▪ Non-recurring Strategic Investments▪ Budget Reserves▪ Non-recurring Revenue Losses
Auxiliary Enterprise Revenues	<ul style="list-style-type: none">▪ Rental of Housing Facilities▪ Dining & Food Services▪ University Store▪ Eagle Trace Golf Course▪ Document Printing Services	<i>Self-supporting auxiliary units pay their expenses and receive no taxpayer or tuition support.</i>

Analysis – Fee Schedule:

A comprehensive review of the University's fee schedule is conducted annually and recommended changes are presented to the Board for approval. The recommended 2021/2022 Fee Schedule is presented on pages C-1 through C-28 of the Operating Budget.

Tuition and Mandatory Fees:

On May 13, 2021, the Council on Postsecondary Education (CPE) adopted a two-year resident undergraduate tuition and mandatory fee ceiling for the 2021/2023 biennium that did not allow base tuition rate increases to exceed 3 percent over the two years and no more than 2 percent in any one year. The base tuition rate excludes Special Use Fees and Asset Preservation Fees previously approved by CPE as exemptions to the tuition and mandatory fee ceilings.

Given the need to provide sufficient revenue to offset inflationary increases and other operating cost increases, and to account for fluctuations caused by the COVID-19 pandemic, a 1.25 percent increase for undergraduate students is included in the recommended base tuition rate for 2021/2022. Resident graduate students enrolled in 600-level courses offered by the Volgenau College of Education will be assessed tuition at the same per credit hour rate as undergraduate resident students. Therefore, the tuition rate for this group of students will increase to \$379 per credit hour in 2021/2022 to continue to mirror the undergraduate resident per credit hour rate.

The 2021/2022 tuition and mandatory fee schedule includes a recommended increase in the Mandatory Student Facility Fee from \$5.00 per credit hour with a maximum of \$60 per academic term to \$7.50 per credit hour with a maximum of \$90 per academic term. The increase in the Facility Fee combined with the 1.25 percent increase for undergraduate students is within the 2 percent increase parameter set by CPE for undergraduate resident students.

A summary of changes in recommended resident undergraduate tuition and mandatory fees is listed below.

Per Semester Rates	Fall 2020	Fall 2021	Increase
Tuition			
Resident Undergraduate Base Tuition (12-18 hours)	\$4,485	\$4,541	\$56
Mandatory Fees			
Student Recreation & Wellness Center Fee	\$100	\$100	\$0
Facility Fee	\$60	\$90	\$30
Total Tuition & Mandatory Fees	\$4,645	\$4,731	\$86

The proposed rate schedule listed below is within the tuition parameters and non-resident student tuition and fee policy set by the Council on Postsecondary Education for 2021/2022.

Tuition and Mandatory Fee Schedule Effective Fall Semester 2021		
Tuition	Undergraduate Full-Time Rate (12-18 Credit Hours)	Per Credit Hour Rate
Undergraduate		
Resident	\$4,541	\$379
Non-Resident (Domestic)	\$6,863	\$572
International	\$11,507	\$959
Graduate		
Resident		\$570
Volgenau College of Education (600-level)		\$379
Non-Resident (Domestic)		\$570
International		\$570
Notes: <ol style="list-style-type: none"> <i>Full-time status is achieved for undergraduate students when enrolled in at least 12 credit hours per semester.</i> <i>Undergraduate students enrolled in more than 18 credit hours will be charged the Full-Time Rate plus the additional Per Credit Hour Rate for each credit hour above 18.</i> <i>The Full-Time Rate does not apply to graduate students. All graduate students are charged on a per credit hour basis.</i> <i>Resident graduate students enrolled in 600-level courses offered by the Volgenau College of Education with course prefixes EDAH, EDEC, EDEL, EDF, EDGC, EDIL, EDMG, EDSE, EDSL, EDSP, EDTC, EDTL, EDUC, and IECE will be assessed tuition at the same per credit hour rate as undergraduate resident students.</i> <i>Per credit hour tuition and mandatory fee rates also apply to students enrolled in a summer or winter session.</i> <i>All students will be assessed a \$9 per credit hour student recreation and wellness center mandatory fee with a maximum charge of \$100 per semester.</i> <i>All students will be assessed a \$7.50 per credit hour mandatory facility fee with a maximum charge of \$90 per semester.</i> <i>Non-resident (domestic) and International undergraduate students enrolled exclusively in internet courses and/or enrolled exclusively at a regional campus center will be assessed tuition and fees at the undergraduate resident rate. Academic courses delivered with at least 50% of the instruction online are categorized as internet courses.</i> <i>Students enrolled in internet courses will be assessed tuition at the applicable rate and will be assessed a \$15 per credit hour course fee.</i> 		

Student Housing:

On March 25, 2021, the Board of Regents approved a freeze on student housing rates effective for the 2021/2022 academic year. Housing rental rates are established to remain competitive with other state universities and the local housing market with similar amenities. MSU continues to provide housing as an affordable option for our students. The average residence hall rate recommended in the 2021/2022 Operating Budget is \$2,670 per semester.

Analysis – Personnel Roster:

Salary and Benefits:

In the development of the 2021/2022 Operating Budget and Personnel Roster, the recommendation was made to the Board of Regents to approve compensations plans for full-time faculty and staff to recognize and reward the efforts of our employees. The Board approved the recommendations on March 25, 2021. The compensation adjustments as outlined in the approved plans are included in the salary and fringe benefit accounts in the recommended 2021/2022 Operating Budget at a cost of \$579,838. Additionally, salary increases associated with faculty promotion and tenure policies, education attainment policies, position reclassification or other policy or employment agreements have been provided and are included in the 2021/2022 Operating Budget recommendation at a cost of \$63,239.

House Bill (HB) 8 as passed by the Kentucky General Assembly during the 2021 Regular Session, changed the method for allocating the contribution requirement related to the amortization of the unfunded actuarial accrued liability among employers in the KERS Non-Hazardous System beginning 2021/2022. Currently, employers contribute a percentage of their covered payroll. Pursuant to HB 8, employers will continue contributing a normal cost rate (currently 10.10% of pay) times the payroll of their employees enrolled in KERS-NH plus an allocated portion of the System's annual amortization cost. The amortization cost is based on the percentage of the System's total actuarial accrued liability (calculated as of the June 30, 2019 valuation) that is attributable to each employer's current and former employees who earned a benefit in the System. The amortization cost allocated to MSU to pay in 2021/2022 is \$6,592,436. The employer contribution rate for hazardous duty positions in KERS will decrease from the current rate of 36.00 percent to 33.43 percent in 2021/2022.

A significant expense in the University's budget is the cost of the employee insurance programs. The 2021/2022 Operating Budget includes \$7.3 million for the cost of the health insurance program, \$89,807 for the life insurance program, and \$578,220 for other employee-related insurance coverage. The health insurance budget allocation per full-time position increased by \$600 (6.9 percent) in 2021/2022.

The 2021/2022 Operating Budget includes \$569,900 for the cost of the MSU faculty and staff tuition waiver benefit.

The 2021/2022 Personnel Roster contains a listing of the recommended authorized positions as of July 1, 2021. Funding for each position listed in the roster has been included in the proposed 2021/2022 Operating Budget. A total of 859 positions are recommended for 2021/2022 with an estimated 800 positions contracted to be filled as of July 1, 2021. Total personnel expenditures represent 48.5 percent of the total expenditure budget.

The personnel roster is organized by division, with exempt (salary) and non-exempt (hourly) positions listed separately. The following information is shown for each position:

Position ID number
Employee currently holding the position
Position title
Appointment status if not a regular, full-time standing appointment
Recommended salary or wage at the start of the 2021/2022 employment period
Employment months for exempt employees

Alignment of Planning and Budgeting:

The following list highlights several areas where resources are aligned in the 2021/2022 Operating Budget to support *Come SOAR With Us, Morehead State University Vision & Strategic Plan 2018-2022*. Certain budget initiatives support multiple goals in the strategic plan and are listed in each of the respective areas.

Student Success

- Implemented Eagle Assurance Scholarship for first-time full-time Federal Pell Grant eligible students
- Continuation of tuition discount program for KCTCS full-time employees enrolled in Ed.D program
- Increased support for student recruitment program contract (marketing & recruitment, recruitment list purchases, predictive analytics)
- Priority criteria for under-represented minority and low income students in distribution of University Earn to Learn student wages
- Continued support for University Earn to Learn student wages
- Increased support for Quality Enhancement Program (QEP) focused on high-impact learning practices
- Continued support for student peer coaches, tutors, and career counseling
- Continued support for Mental Health Counselors
- Continued support for student diversity initiatives and programming
- Continued support for self-service module (course scheduling, financial management, etc.)
- Established new position for Assistant Chief Diversity Officer for Student Activities

Outcomes (Performance Based Funding)

- Increased funding for QEP focused on high-impact learning practices to increase retention and progression rates
- Continuation of tuition discount program for KCTCS full-time employees to increase graduate and transfer student enrollment at affordable rate
- Continued support for technology for data analytics and performance metrics
- Budgeted revenue from lease of Laughlin Building
- Continued funding for institutional matching requirement of SEOG (need-based federal student financial aid)
- Continued support for merit-based scholarships for gifted student high school participants (i.e. Craft Academy and Governor's Scholars Program)
- Remain competitive in cost of attendance by freezing course fees and housing rates
- Maintain per credit hour tuition rate for resident graduate students enrolled in 600-level courses offered by Volgenau College of Education equal to resident undergraduate students
- Realigned resources to support instruction and student services

Academic Excellence

- Continued support for Faculty Center for Teaching & Learning
- Continued support for instructional recruitment
- Increased faculty and staff salaries through compensation plans approved by Board of Regents and as defined by policy (i.e. promotion and tenure, educational attainment)
- Increased support for Quality Enhancement Program (QEP) focused on high-impact learning practices
- Continued support for Summer Success Academy
- Continued support for Honors Program
- Continued support for instructional equipment
- Continued support for classroom and computer lab technology
- Increased funding for cost increases of software that supports academic programs

Rankings, Reputation & Regional Responsiveness

- Increased percentage of Educational and General expenditure budget allocated to Instruction to improve position in rankings
- Continuation of tuition discount program for KCTCS full-time employees enrolled in Ed.D Program
- Maintain per credit hour tuition rate for resident graduate students enrolled in 600-level courses offered by Volgenau College of Education equal to resident undergraduate students
- Continued support for alumni relations, fund raising, communications & marketing to promote MSU's reputation and increase private giving
- Allocated funding for MSU website redesign
- Continued support for economic development grant matching
- Continued support for community relations

- Continued support for student outreach programs (i.e. Governor's Scholars Program and Rogers Explorers)
- Continued support for Regional Campus Centers
- Lease of Laughlin Building to City of Morehead for community recreation activities
- Continued support for service learning that provides community service opportunities for students

Budget Adoption Resolution:

The parameters outlining the administration's management responsibilities related to the 2021/2022 Operating Budget and periodic reporting requirements to the Board of Regents are specified in the following Budget Adoption Resolution.

**Morehead State University
Board of Regents
Resolution
Budget Adoption
2021-2022**

BE IT RESOLVED, that upon due consideration and upon recommendation of the President, the following budget authorizations, totaling \$145,500,000 are approved for Morehead State University from unrestricted current funds, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, subject to the realization and receipt of revenues totaling a like amount. Expenditure of funds from restricted sources such as state, federal or private gifts, grants, contracts or appropriations are authorized, subject to the realization of funds.

In the event current fund revenues now estimated should not be realized to equal \$145,500,000, the President shall take appropriate action to reduce budget authorizations to amounts sufficient to ensure that expenditures do not exceed available revenues. The President shall report to the Board in advance any major deviations from the approved operating budget. The President may make other adjustments to the budget subject to the following:

In the event actual revenues exceed estimated revenues, the President may authorize an increase in the unrestricted current funds expenditure budget in an amount not greater than five percent of the Board's authorized expenditure level. The Board may ratify increases and reauthorize expenditure levels within the five percent cap during a regular or special Board meeting. Increases greater than five percent of the authorized expenditure budget must have prior approval of the Board.

The President may authorize and approve internal operating budget adjustments as the President determines such adjustments to be in the best interest of the University. Except, if adjustments to any one of the four divisions (i.e. Academic Affairs, Administration & Fiscal Services, Student Affairs, and University Advancement), increase the total operating expenditure authorization of a division by more than seven percent, then it must have prior approval of the Board. The Board may ratify increases and reauthorize expenditure levels within the seven percent limitations during a regular or special Board meeting.

Any equipment item with a purchase price of \$200,000 or greater must have the prior approval of the Board of Regents, be contained in the Biennial Legislative Appropriations Act as required by KRS 45.750, and be reported to the Board as part of the quarterly financial report when purchased.

Any capital construction project, information technology system, or land acquisition of \$1,000,000 or greater must have the prior approval of the Board of Regents, be contained in the Biennial Legislative Appropriations Act in accordance with KRS 45.750, and be reported to the Board as part of the quarterly financial report when planned for the current fiscal year.

The Quarterly Financial Report shall contain a report that reflects the opening budget for the quarter and budget amendments during the quarter. This report shall provide the necessary detail for amending the budget as permitted by this resolution.

In the incurrence of financial obligations and the expenditure and disbursement of University funds resulting from this authorization, all units and individuals within the University shall observe and adhere to applicable laws, regulations, and policies of the Commonwealth of Kentucky and Morehead State University which govern the expenditure of funds. Heads of the various budget units shall not authorize nor incur financial obligations in excess of the budget authorization for that budgetary unit. Upon approval of the budget, the President is authorized to provide each operating unit a detailed copy of their budget(s) to guide and control the expenditures as authorized.

APPROVE FACULTY COMPENSATION PLAN TO ADDRESS FACULTY SALARY INVERSION

**BOR (V-B-3)
June 17, 2021**

Recommendation:

That the Board of Regents approve a faculty compensation plan to assist in alleviating salary inversion between tenure track faculty ranks based on the outlined parameters below, and that the Board authorize the University President to implement the increases as needed.

Background:

During the period of 2013 to 2016, MSU engaged a comprehensive compensation study and, despite financial challenges, implemented related compensation adjustments for faculty and staff. As a part of its market analysis, MSU compared faculty salaries to the College and University Professional Association's (CUPA) National Faculty Survey of Public Masters Institutions based upon the U.S. Department of Education Classification of Instructional Programs (CIP codes).

Since that time, the University has generally been financially unable to provide raises to employees, including faculty, to support market-based salaries in their individual fields. While unable to raise then current faculty pay, hiring of new faculty required the University to provide closer to market entry salaries for new hires. Over the years, this unfortunate circumstance has resulted in scattered cases of salary inversion whereby newer faculty in a lower rank receive higher pay than faculty in a higher rank.

To begin addressing this problem, a review of tenure track faculty salaries was undertaken. With input from Chairs and Deans, the Provost has presented a plan using the following criteria:

- Tenure track faculty were again compared within their CIP Codes to enable like fields of study and salary markets to be considered;
- As a first level of review, faculty salaries within the ranks of Associate Professor and Professor were reviewed to determine if any Assistant Professor within the same CIP Code was receiving a higher salary. If such an inversion existed, after considering the raises earlier approved for next year based on years of service, then the Associate Professor or Professor's salary was raised to the salary of the Assistant Professor with a cap on any increase at a maximum \$4,000.
- As a second level of review, faculty salaries within the rank of Professor were reviewed to determine if any Associate Professor promoted within the past five years was receiving a higher salary than that of a Professor, after considering the raises earlier approved for the upcoming year based on years of service. If such an inversion existed, the Professor's salary was adjusted to the minimum of the Associate Professor up to a maximum \$4,000 increase in total adjustment for both levels of review. The five-year window was used to account for market inversion as compared to salaries of longer serving Associate Professors that encompassed longevity and merit increases.

It is recommended that the Board of Regents authorize the University President to implement faculty salary increases based on the above parameters. The estimated cost is \$40,000, plus associated fringe. This plan includes all academic faculty with the exception of the Department of Nursing.

Prepared by: Joseph A. Morgan

APPROVE ATHLETIC COACH EMPLOYMENT EXTENSIONS

**BOR (V-B-4)
June 17, 2021**

Recommendation:

That the Board of Regents approve the contract extensions for the following athletic coaches:

Stephanie M. Barker, Women's Golf Coach (extended to June 30, 2025)
Benjamin Dixon, Men's & Women's Cross Country and Track Coach (extended to June 30, 2024)
Alan C. Joseph, Head Rifle Coach (extended to June 30, 2025)
William M. Martin, Men's Golf Coach (extended to June 30, 2025)
Preston R. Spradlin, Men's Basketball Coach (extended to March 30, 2025)

Background:

Stephanie M. Barker has been the Women's Golf Coach since August of 2007. Coach Barker's contract includes expectations regarding Academic Progress Rates (APR), and Graduation Success Rates (GSR). Furthermore, Coach Barker agrees to abide by all NCAA & Morehead State University policies and procedures. This is not a tenure-eligible appointment.

Benjamin Dixon has been the Men's & Women's Cross Country and Track Coach since January of 2020. Coach Dixon's contract includes expectations regarding Academic Progress Rates (APR), and Graduation Success Rates (GSR). Furthermore, Coach Dixon agrees to abide by all NCAA & Morehead State University policies and procedures. This is not a tenure-eligible appointment.

Alan C. Joseph has been the Head Rifle Coach since August of 2014. Coach Joseph's contract includes expectations regarding Academic Progress Rates (APR), and Graduation Success Rates (GSR). Furthermore, Coach Joseph agrees to abide by all NCAA & Morehead State University policies and procedures. This is not a tenure-eligible appointment.

William M. Martin has been the Men's Golf Coach since August of 2014. Coach Martin's contract includes expectations regarding Academic Progress Rates (APR), and Graduation Success Rates (GSR). Furthermore, Coach Martin agrees to abide by all NCAA & Morehead State University policies and procedures. This is not a tenure-eligible appointment.

Preston R. Spradlin has been the Men's Basketball Coach since April of 2017. Coach Spradlin's contract includes expectations regarding Academic Progress Rates (APR), and Graduation Success Rates (GSR). Furthermore, Coach Spradlin agrees to abide by all NCAA & Morehead State University policies and procedures. This is not a tenure-eligible appointment.

APPROVE DEMOLITION OF REAL PROPERTY

**BOR (V-B-5)
June 17, 2021**

Recommendation:

That the Board approve the demolition of two single family residential structures located at 419 East Main Street.

Background:

Both structures are approximately 1,200 gross square foot and in poor condition and unoccupied. After demolition, the sites will be graded out to drain and sowed with grass to create green space.

Statutory Authority:

KRS 164A.575 (7) provides that the governing board shall sell or otherwise dispose of all real or personal property of the institution that is not needed for the institution's use, or would be more suitable consistent with the public interest for some other use, as determined by the board. The determination of the board shall be set forth in an order, and shall be reached only after review of a written request by the institution desiring to dispose of the property. Such request shall describe the property and state the reasons why the institution believes disposal shall be effected.

Written Request to Demolish Two (2) Residential Structures:

A written request to demolish two (2) residential structures located at 419 East Main Street is hereby submitted for approval.

ORDER TO DEMOLISH STRUCTURES

WHEREAS, upon the recommendation of the President on June 17, 2021, the Board of Regents has reviewed the Written Request to Approve Demolition of Real Property located at 419 East Main Street on the main campus in Morehead, Rowan County, Kentucky, and

WHEREAS, the President of Morehead State University declares that the referenced structures have become of no beneficial use to the University, and

WHEREAS, the demolition of the structures referenced above is consistent with the University's Campus Master Plan adopted by the Board, and is in the best interest of the University and the Commonwealth of Kentucky.

BE IT RESOLVED, that the President is authorized to proceed with the demolition of two (2) residential structures located in Rowan County, Kentucky.

RECOMMENDED:

Joseph A. Morgan, President

Date

APPROVED:

Eric Howard, Chair
MSU Board of Regents

Date



Morehead State University is committed to providing equal educational opportunities to all persons regardless of race, color, national origin, age, religion, sex, sexual orientation, gender identity, gender expression, disabled veterans, recently separated veterans, other protected veterans, and armed forces service medal veterans, or disability in its educational programs, services, activities, employment policies, and admission of students to any program of study. In this regard the University conforms to all the laws, statutes, and regulations concerning equal employment opportunities and affirmative action. This includes: Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Executive Orders 11246 and 11375, Equal Pay Act of 1963, Vietnam Era Veterans Readjustment Assistance Act of 1974, Age Discrimination in Employment Act of 1967, Sections 503 and 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and Kentucky Revised Statutes 207.130 to 207.240; Chapter 344 and other applicable statutes. Vocational educational programs at Morehead State University supported by federal funds include industrial education, vocational agriculture, business education, and the associate degree program in nursing. Any inquiries should be addressed to: Affirmative Action Officer, Morehead State University, 301 Howell-McDowell Administration Building, Morehead, KY 40351, 606-783-2097.