

KENTUCKY STATE UNIVERSITY
Special Meeting of the Board of Regents
1:30 p.m., June 4, 2012
Julian Carroll Academic Services Building, Frankfort, Kentucky
Regent Laura M. Douglas, Presiding

MINUTES

I. Call to Order:

Chairperson Laura Douglas called the meeting of the Kentucky State University Board of Regents to order at 1:30 p.m. on June 4, 2012.

II. Roll Call:

Chairperson Douglas asked Lori Davis, Secretary to the Board, to conduct the roll call:

Regent Banks, *Present*
Regent Barfield, *Present*
Regent Bearden, *Present*
Regent Coleman, *Absent*
Regent Conner, *Present*
Regent Douglas, *Present*

Regent Guarnieri, *Absent*
Regent Henry, *Present*
Regent Reddy, *Absent*
Regent Whitehead, *Present*
Regent Williams, *Present*

Eight Regents were in attendance. A quorum was declared.

III. Opening Remarks:

Chair Douglas welcomed the attendees to the meeting. Chair Douglas stated the purposes of the special meeting included a review of the 2012-13 University Financial Plan and other items from the President, the Academic Affairs and Finance and Administration Committees.

IV. Approval of Minutes:

Regent Conner requested modification of the minutes from the meeting held on April 27, 2012 submitted for consideration by the Board. Regent Conner explained that the minutes submitted stated that the Board "*did not reconvene in Open Session*" but that the Board had actually reconvened in Open Session solely for the purposes of adjourning. Lori Davis, Board Secretary, acknowledged that the modification was appropriate.

Action: Motion to approve the minutes from the Board of Regents meeting held on April 27, 2012 as modified was made by Regent Whitehead and seconded by Regent Williams. The motion passed 8-0.

V. **President's Report:**

President Sias addressed the Board regarding the following matters:

Pedestrian Bridge:

President Sias requested that Stephen Mason, Sr., Chief of Staff, provide an update on the Pedestrian Walkway Bridge. Mr. Mason stated that the Kentucky Legislature authorized \$500,000 for the design of the pedestrian bridge project that would cross U.S. 60/East Main Street in the Fiscal Year 2012 state budget. The second phase of the project has been funded for the Fiscal Year 2013 in the amount of \$2 million for the actual construction of the bridge, with an elevator on the South side of campus. President Sias explained that this project is mission critical for the university as a safety issue since many students cross four lanes of traffic to reach the other side of campus, particularly in the bad weather. The pedestrian bridge will also be necessary as the university expects that more students will be living on the south side of the campus as additional housing facilities are constructed. President Sias thanked Mr. Mason, legislators and others who worked on the university's behalf for the addition of these project funds in the state budget.

Aquatic Vessel:

President Sias met with representatives with Thoroughbred Builders in Somerset to discuss the construction of the university's aquatic vessel. President Sias also met with the U.S. Coast Guard and reported that most of the construction elements have been approved by the Coast Guard. President Sias expects that the boat will be ready to go out on the Kentucky River in Spring 2013.

150th Anniversary of the Morrill Act:

President Sias stated that June 25, 2012 will be the date for the nationwide celebration of the 150th anniversary of the 1862 Morrill Act. The first Morrill Act established land-grant universities. President Sias will be one of three presidents speaking at the Library of Congress during the celebration. President Sias will present the history of the 1890 Morrill Act, the legislation authorizing land-grant status at HBCU's.

Patent Policy:

President Sias requested that Lori Davis, General Counsel, address the Board regarding the university patent policy. Ms. Davis explained the rationale to amend the patent policy to include a standard distribution of financial interests between the university and the inventor(s) whenever a patent is discovered at KSU. The share distribution recommendation provides 60% to KSU (to be used at the discretion at KSU) and 40% to the inventor(s). Ms. Davis stated that she reviewed the distribution policies at the University of Kentucky, Kentucky regional universities, other research institutions and various HBCU's to assist in the recommendation for KSU's distribution. The University of Kentucky's patent policy distributes financial interests between itself and inventors using a 60%/40% division. Additionally, Ms. Davis stated that a slightly higher

distribution for the university would be justified as the university provides the initial fees for the patent search and application. These fees could cost up to \$20,000.

Regent Henry asked whether the recommended distribution would be in line with what the university has done in the past. President Sias stated that during her term, she had not sought board approval for a patent distribution, but that she expected to see more patent applications as faculty have been encouraged to pursue more research.

Regent Conner asked about the recommended policy language that would permit the university's share of any patent proceeds to be distributed at the discretion of the President. Regent Conner stated his concern that future presidents could use this discretion inappropriately. Regent Conner stated that other comprehensive universities, except for one, specifically designate the distribution of the university's share. Regent Conner stated that KSU should provide a specified designation of its share. Ms. Davis explained that it was recommended that the president have the latitude to determine where best the university could utilize these distributions.

Regent Conner believed that the current patent policy provision regarding the determination of whether an invention or discovery was "related to employment" in Section 4.0.4.e was too broad and believed that it should be revisited in the future. After additional discussion, it was determined that further review of this provision will be done by President Sias with assistance of Regent Conner and Ms. Davis.

Action: Motion was made to approve the amendment of the current patent Policy 4.0.4 e. to state: *"Any share of the returns, royalties or income derived from an invention or discovery shall be shared as follows: 60% to Kentucky State University to be distributed at the discretion of the President and 40% to the inventor(s)."* The motion was made by Regent Henry. A second was made by Regent Bearden. The motion passed 7-0-1. Regent Conner abstained from the vote.

VI. Committee Reports:

Academic Affairs:

Regent Bearden presented the Academic Affairs Committee report. The Academic Affairs Committee did not have a quorum at its meeting.

Action: Motion by Regent Bearden was made to approve the tenure and appointment to the rank of Professor to Dr. Joel Thierstein, the incoming Provost and Vice President for Academic Affairs, effective August 1, 2012. A second was provided by Regent Barfield. The motion passed, 8-0.

Action: Motion was made to approve the faculty sabbatical leave of Dr. Stephen Gale for the Fall Semester 2012 by Regent Bearden. A second was provided by Regent Conner. The motion passed, 8-0.

Action: Motion was made to approve the faculty sabbatical leave of Dr. Tamara Sluss for the 2013 Academic Year by Regent Bearden. A second was provided by Regent Conner. The motion passed, 8-0.* *[see correction in Open Session]*

Finance and Administration Committee and Audit Committee meetings:

Regent Whitehead presented the joint Audit and Finance and Administration Committee report. The Committee had a quorum present at its meeting.

Action: Motion was made to approve the 2012-2013 University Financial Plan. The motion was made by Regent Whitehead on recommendation of the Committee. No second was necessary. The motion passed, 8-0.

VIII. Closed Session:

Action: Motion was made to convene a closed session to discuss personnel matters and pending litigation pursuant to the Kentucky Open Meetings Act. The motion was made by Regent Bearden and seconded by Regent Whitehead. The motion passed, 8-0 at 2:02 p.m.

The Board discussed pending litigation and personnel matters. The Board took no action in Closed Session.

IX. Open Session:

The Board reconvened in Open Session at 3:23 p.m.

Chairperson Douglas stated that part of the motion made regarding the sabbatical leave for Dr. Tamara Sluss was made in error.

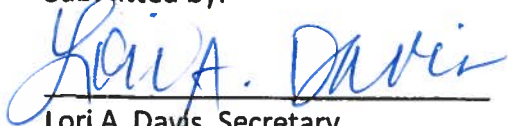
***Action:** *Motion was made to reconsider the earlier motion approving faculty sabbatical leave of Dr. Tamara Sluss for the 2013 Academic Term and instead be modified approving Dr. Tamara Sluss' faculty sabbatical leave for the Spring Semester 2013 by Regent Bearden. A second was provided by Regent Banks. The motion passed, 8-0.*

X. Adjournment:

Action: Motion was made to adjourn the Board meeting by Regent Williams and seconded by Regent Whitehead. The motion passed 8-0.

The meeting adjourned at 3:25 p.m.

Submitted by:



Lori A. Davis, Secretary
General Counsel
Kentucky State University

Approved with no corrections

Approved with corrections



Laura M. Douglas, Chair
Board of Regents
Kentucky State University