I. Executive Committee  
1:00 p.m. (ET), October 3, 2002  
Johnson Administration Building Room 102, Prestonsburg Community College, Prestonsburg, KY

Call to Order

Roll Call

Approval of Minutes

Approval of June 27, 2002, Committee Meeting Minutes ................................................................. 49

1. Information: Orientation on Committee Restructuring ................................................................. 55

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5. Information: Revisions to the KCTCS Board of Regents Bylaws  
Section 1.4: Process for Selection of Non-Appointed Members .......................................................... 63

Executive Session:  KRS 61.810 (1) (c) – Proposed or Pending Litigation  
KRS 61.810 (1) (f) – Individual Personnel Matters

Next Meeting – December 5, 2002, KCTCS System Office, Lexington, Kentucky

Adjournment
Committee Members Present:
Ms. Cynthia L. Read, Board Chair
Mr. Richard A. Bean
Dr. Joseph B. Wise, III, Board Secretary
Dr. John F. Hanel
Ms. Lorna D. Littrell, Board Vice Chair

Committee Member Absent:
Ms. Martha C. Johnson

CALL TO ORDER
Committee Chair Read called to order the KCTCS Board of Regents Executive Committee meeting at 12:37 p.m. (ET), June 27, 2002, in the Multipurpose Room B-201 of Rowan Technical College, Morehead, Kentucky. The meeting host was Rowan Technical College. She announced that the press was notified of the meeting on June 21, 2002, and that Hon. Beverly Haverstock would serve as parliamentarian.

Chair Read welcomed the two student regents elect, Ms. Laura Gay and Ms. Ida Tompkins, to the Committee meeting. She noted that Ms. Gay and Ms. Tompkins were observing the Board’s meetings and would receive the Oath of Office in August.

There being a quorum present, Committee business began with the approval of the minutes from the last meeting.

APPROVAL OF MINUTES
MOTION: Dr. Hanel moved that the Committee approve the minutes of the April 25, 2002, Executive Committee meeting. Ms. Littrell seconded the motion.

By unanimous consent, the minutes were approved.

ADDITIONS OR CHANGES TO THE AGENDA
There were no additions or changes to the agenda.
At the Committee meeting, KCTCS President Michael B. McCall provided an update on the 2002 legislative sessions. He reported that after two legislative sessions (one regular session and one special session), the General Assembly had yet to approve a budget for the 2002-04 biennium. He reported that Governor Paul E. Patton plans to enact a spending plan effective July 1, 2002.

Committee members requested an update on the enacted House Bill 846, which addresses post-retirement health benefits for retired state employees participating in 403b retirement programs. President McCall noted that currently the initial interpretation of the Kentucky Personnel Cabinet staff excludes KCTCS retirees under 403b plans from the program. However, KCTCS staff are working with state officials to negotiate inclusion in the bill’s provisions. President McCall also reported that staff are working with the University of Kentucky to explore the possibility of obtaining coverage through its post-retirement health benefits carrier.

**ACTION:**

**RECOMMENDATION:** That the KCTCS Board of Regents approve the revisions to the *KCTCS Board of Regents Bylaws Section 8: Matters on which Members May Vote* presented on page 52 of the agenda materials for implementation July 1, 2002.

Chair Read noted that the proposed changes were presented as an information item at the April 26, 2002, Board of Regents meeting. The Commonwealth’s Office of the Attorney General issued an Opinion (Ky. OAG 01-8, 2001 WL 1712690 (Ky.A.G.)) on December 21, 2001, which states that

...the Board of Regents of the Kentucky Community and Technical College System should adopt a narrow interpretation of the term ‘faculty compensation’ in KRS 164.289. Under that interpretation, the faculty and staff members of the KCTCS Board of Regents should be permitted to vote on the compensation of groups of faculty and staff as a whole, but not questions of individual compensation for themselves or other employees of the postsecondary institutions.

The OAG Opinion further states that the boards of regents of Kentucky’s other postsecondary education institutions have adopted a narrow interpretation of the term “faculty compensation” as used in KRS 164.289. To that extent, the other postsecondary education boards prohibit the faculty and staff regents from voting on individual compensation issues but not questions of group compensation. The OAG Opinion states, “This interpretation is consistent with language KRS 164.289 because the term ‘faculty compensation’ is not specifically defined by the statute.”
KCTCS Legal Counsel, Hon. Haverstock, advised that the KCTCS Board of Regents adopt the OAG Opinion without exception.

Dr. Hanel suggested that the proposed revisions include adding the word “individual” after the word “other” and before the word “employees.”

MOTION: Mr. Bean moved that the Board of Regents approve the following revisions to the KCTCS Board of Regents Bylaws Section 8.2: Matters on which Members May Vote for implementation July 1, 2002:

All members of the Board may vote on all matters coming before the Board for consideration, except that, pursuant to KRS 164.289 and OAG 01-8, the two (2) members representing faculty and the two (2) members representing non-teaching personnel/staff shall not vote on individual faculty compensation matters for themselves or other individual employees of KCTCS. Accordingly, the two members representing non-teaching personnel/staff shall not vote on non-teaching personnel/staff compensation.

Dr. Wise seconded the motion.

VOTE: The motion passed unanimously.

ACTION: RENAMING OF THE KENTUCKY RIVER COMMUNITY AND TECHNICAL COLLEGE DISTRICT

RECOMMENDATION: That the KCTCS Board of Regents rename the Kentucky River Community and Technical College District to the “Hazard Community and Technical College District.”

Mr. Timothy Burcham, KCTCS Vice President, presented this item. He noted that the KCTCS Naming Advisory Committee reviewed the request and recommends approval by the Board of Regents.

Hazard Community College has applied to the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) for a substantive change review and approval for consolidation, which will bring together into a single comprehensive college (Hazard Community College) the programs and faculty of both Hazard Community College and Hazard Technical College. In preparation for the substantive change process for SACS, the Hazard Community College Board of Directors reconsidered its designation of the district name and desires to return to the original name of “Hazard Community and Technical College District.”
Both the Hazard Community College Board of Directors and the Hazard Independent College Foundation requested that the name of the district be designated the “Hazard Community and Technical College District.” This change would eliminate a loss of identity that the local college board of directors believed occurred when the district’s name was previously changed to the Kentucky River Community and Technical College District.

MOTION: Dr. Hanel moved that the KCTCS Board of Regents rename the Kentucky River Community and Technical College District to the “Hazard Community and Technical College District.” Mr. Bean seconded the motion.

VOTE: The motion passed. Mr. Bean, Dr. Hanel, Ms. Littrell, and Ms. Read favored of the motion. Dr. Wise opposed the motion.

ACTION:
REVISED
MISSION
STATEMENT
FOR HAZARD
COMMUNITY
COLLEGE

RECOMMENDATION: That the KCTCS Board of Regents adopt the revised mission statement for Hazard Community College presented on page 56 of the agenda materials.

President McCall noted that as part of the colleges’ substantive change process for consolidation, a SACS Substantive Change Committee reviewed the mission statement and recommended that the new college resulting from consolidation of Hazard Community College and Hazard Technical College have a mission statement that accurately describes the consolidated institution and its characteristics. The proposed mission statement responds to that recommendation.

MOTION: Ms. Littrell moved that the KCTCS Board of Regents adopt the revised mission statement for Hazard Community College presented on page 56 of the agenda materials subject to approval of the previous agenda item regarding renaming the Kentucky River Community and Technical College District. Mr. Bean seconded the motion.

VOTE: The motion passed unanimously.

ACTION:
KCTCS
STRATEGIC
PLAN 2000-05,
JULY 2002
EDITION

RECOMMENDATION: That the Board of Regents adopt the KCTCS Strategic Plan 2000-05, July 2002 Edition as presented in the separate document entitled the same (copy on file).
President McCall noted that the revised plan is the result of a broad-based, inclusive planning process that began June 2001 and continued through May 2002. Feedback was obtained from the following groups:

- KCTCS Board of Regents
- President’s Leadership Team
- Representatives of the colleges’ local boards, including foundation boards
- Faculty, staff, and students via a web-based survey

The proposed revised strategic plan builds upon the existing strategic plan approved by the Board of Regents in October 1999 by incorporating strategic priorities that the System and its colleges intend to achieve in the coming year. It combines the original 10 goals into six goals that more accurately reflect the current status of KCTCS and refines the focus on the colleges’ efforts rather than the System. The proposed plan includes one-year priorities for 2002-03 that reflect the progress KCTCS has achieved toward the Plan’s original 10 goals and that align with the revised goals.

The updated plan focuses on the needs of students, accomplishments of the colleges, and communication with faculty and staff. The revised plan also aligns the KCTCS strategic planning process with the fiscal year and biennial budget development. Implementation will coincide with fiscal year 2002-03.

Committee members asked how staff anticipated accomplishing the 2003 priorities and how achievement of the priorities would be communicated. It was noted that the PLT addressed those issues at a recent planning retreat. Committee members requested that staff develop a plan to communicate various personnel policies placing emphasis upon the priority that addresses improving communication throughout KCTCS and that staff report on the progress of achieving that priority. Staff also was requested to identify the perceived inequities that some constituents have and to develop a plan that resolves or addresses those perceptions. In addition, Chair Read suggested that staff provide updates on strategic plan implementation at each meeting.

MOTION: Mr. Bean moved that the Board of Regents adopt the KCTCS Strategic Plan 2000-05, July 2002 Edition as presented in the separate document entitled the same with the understanding that the staff will provide details on how items related to faculty and staff compensation packages will be communicated. Dr. Wise seconded the motion.

VOTE: The motion passed unanimously.
ACTION:  2003 BOARD MEETING CALENDAR

RECOMMENDATION: That the KCTCS Board of Regents adopt the following meeting calendar for the year 2003:

February 20-21, 2003
May 15-16, 2003
August 14-15, 2003
December 4-5, 2003

Chair Read noted that moving to a quarterly meeting schedule would not impede the colleges’ pursuits of single accreditation with SACS and consolidation efforts. The revised proposed dates do not conflict with national or religious holidays. Members were polled via email to check their availability to participate in meetings on the revised dates; no major conflicts were brought to staff’s attention. Additionally, Section 4 of the KCTCS Board of Regents Bylaws allows the Board to call special meetings as needed.

MOTION: Dr. Wise moved that the recommendation be approved. Dr. Hanel seconded the recommendation.

VOTE: The motion passed unanimously.

NEXT MEETING

Chair Read announced that the next Executive Committee meeting would be held October 3, 2002, at Prestonsburg Community College, Prestonsburg, Kentucky.

ADJOURNMENT

MOTION: Ms. Littrell moved that the Committee meeting adjourn. Dr. Hanel seconded the motion.

VOTE: The motion passed unanimously, and the meeting adjourned at 1:36 p.m. (ET).

10/03/02
Date Approved by the Executive Committee

Cynthia L. Read, Chair
KCTCS Board of Regents

Joseph B. Wise, III, Secretary
KCTCS Board of Regents

Michael B. McCall, Ed.D.
KCTCS President
At the April 26, 2002, KCTCS Board of Regents meeting, the Board voted to restructure its committees. The attached chart details the committee’s former and revised responsibilities. In response to the committee’s request for additional information related to the revised responsibilities, KCTCS staff will provide information regarding those responsibilities.
## Bylaw Change Comparison
### Executive Committee

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<th>Old Committee Responsibilities</th>
<th>New Committee Responsibilities</th>
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<td><strong>10.2.4 Executive Committee.</strong> The Executive Committee shall be responsible for all matters related to the overall administration of KCTCS. Specifically, the Executive Committee shall advise KCTCS and recommend action on policies related to the following areas: 1) strategic planning, including institutional missions and plans, the KCTCS strategic plan, and the statewide strategic agenda; 2) organizational issues, including presidential evaluation and searches, bylaws, and policies; 3) legislative issues; 4) local boards of directors; and 5) capital fund drives/development.</td>
<td><strong>10.2.3 Executive Committee.</strong> The Executive Committee shall be responsible for all matters related to the overall administration of KCTCS. Specifically, the Executive Committee shall advise KCTCS and recommend action on policies related to creating and maintaining the highest level of quality, public accountability, and institutional effectiveness at KCTCS colleges as it pertains to the following areas: 1) ensuring that the System’s strategic planning process is completed, including institutional missions and plans, the KCTCS strategic plan, and the statewide strategic agenda; 2) organizational issues, including presidential evaluation and searches, bylaws, and policies; 3) legislative issues; 4) district structure and local boards of directors; and 5) institutional effectiveness, including the CPE accountability program and benchmarks.</td>
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Recommendation

That the KCTCS Board of Regents approve the Northern Kentucky Community and Technical College Board of Directors request to rename Northern Kentucky Community and Technical College to “Gateway Community and Technical College.”

Rationale

- The Kentucky Postsecondary Education Improvement Act of 1997 gives the KCTCS Board of Regents authority to name new colleges approved by the General Assembly. The 2000 General Assembly approved the comprehensive Northern Kentucky Community and Technical College when it designated capital project funding for Phase I of the “Northern Kentucky Community and Technical College.”

- The Northern Kentucky Community and Technical College Board of Directors request to change the name of the college based upon community-driven efforts.

- Northern Kentucky Community and Technical College plans to pursue single accreditation with the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) in 2003. To facilitate the process and to avoid confusion at a later date, the college would like its initial application to reflect the new name designated by the Board of Regents.

- The KCTCS Naming Colleges Advisory Committee reviewed the request and recommends approval by the Board of Regents.

Background

Choosing appropriate names for colleges of the Kentucky Community and Technical College System (KCTCS) is of the utmost importance in conveying to the public the value of postsecondary education and training, the strong support of the public and private sectors for the vision and mission of KCTCS, and an image of the highest integrity and excellence.
At the October meeting, Dr. Michael B. McCall, KCTCS President, will present the KCTCS legislative agenda proposal for the 2003 Regular Session of the Kentucky General Assembly.

**Background**

Section 10.2.4 of the *Bylaws of the Board of Regents* states that the Executive Committee “. . . shall advise KCTCS and recommend action on policies related to . . . 3) legislative issues . . .” Additional materials will be presented at the October 3, 2002, Executive Committee meeting.
Recommendation

That the KCTCS Board of Regents adopt a revised mission statement for Somerset Community College (see attached page).

Rationale

- It is the policy of the KCTCS Board of Regents that each community college have a Board-approved mission statement that is consistent with state statutes, the Council on Postsecondary Education’s Strategic Agenda, and the KCTCS Mission. In accordance with KCTCS Board of Regents policy, the KCTCS President developed procedures that assure that community college mission statements are periodically reviewed and approved. These procedures include endorsements by the college’s local board of directors, review by the Chancellor, and approval by the KCTCS President and the KCTCS Board of Regents.

- As part of the Pursuit of Single Accreditation (SACS) and Consolidation of Somerset Community College, Laurel Technical College and Somerset Technical College, the mission statement was reviewed. A team of faculty and staff revised the mission statement to include technical and occupational curricula. The mission statement was then distributed to all faculty and staff for approval.

- The Somerset Community College Board of Directors adopted the college’s revised mission statement by unanimous vote on March 14, 2002.

Background

The Southern Association of Colleges and Schools (SACS) 1998 Criteria for Accreditation states that “an institution must have a clearly defined purpose or mission statement appropriate to collegiate education as well as to its own specific educational role” and that “it must be approved by the governing board.”
SOMERSET COMMUNITY COLLEGE

Mission Statement

Somerset Community College is committed to academic excellence while recognizing the ever-changing economic and social needs of the services area. Somerset Community College, located in south-central Kentucky, is a comprehensive community and technical college with a mission to provide quality, affordable, and accessible educational and training opportunities that address the needs of its district for citizens in South Central Kentucky. Somerset Community College offers students appropriate educational experiences and associated services through traditional campus-based and distance learning modalities that promote intellectual curiosity and lifelong learning and encourage aesthetic awareness and social responsibility that develop their intellectual curiosity, promote aesthetic awareness, encourage a sense of social responsibility and lead to successful lives and lifelong learning.

Somerset Community College will provide:

- A general two-year academic curriculum designed for transfer; Academic, general education, and technical curricula leading to certificates, diplomas, and associate degrees;
- Technical and semi-professional programs; A general academic curriculum of university-parallel courses and programs meeting requirements of the first two years of a baccalaureate degree;
- Technical and occupational curricula designed to meet current and future workforce needs;
- Remedial and developmental education; A comprehensive program of remedial and developmental education;
- Workforce and Customized training to meet the changing needs of business and industry;
- Adult and continuing education; and,
- Associated services including, but not limited to, library services, cultural and enrichment opportunities, information technology resources, and appropriate student support services.

4-30-99  10-04-02  6-29-01; 10-04-02
Date Approved by Date of Last Review Date of Last Revision
KCTCS Board of Regents (Include all dates in chronological order)

Chair, Board of Regents Date President, KCTCS Date

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The KCTCS Board of Regents Bylaws Section 1.4 specifies the process for selection of non-appointed members, including the process for elections to fill vacancies. The current process for elections to fill vacancies, as stated in the Bylaws, is as follows:

- Elections to fill vacancies shall be for the un-expired term in the same manner as provided for the original election.

As a student regent is elected annually, a new, additional bullet is being proposed to this section of the Bylaws to provide for the use of an alternate for the student regent:

- The student regent candidate that receives the next highest number of votes cast when the student regent is elected shall serve as the alternate. The alternate shall serve the un-expired term in the event the student regent is unable to serve the one (1)-year term or any portion thereof unless and until the vacancy is filled by a special election. A special election shall be held if feasible in view of the time remaining in the one-year term.

The addition is being proposed to this section to allow for circumstances when it is not feasible to conduct elections due to the lack of time remaining in the un-expired term. The student regent alternate would serve the remaining un-expired term in the event an election is not feasible or would serve until the vacancy is filled by a special election.

Draft, revised bylaws (attached) are being presented as an information item at the October 4, 2002, KCTCS Board of Regents meeting. If the Board so chooses, the draft will be presented as an action item at the December 6, 2002, Board meeting. Elections will be held for community college and technical college faculty, staff, and student regents in spring 2003.
BYLAWS

The Bylaws of the Board of Regents of the
Kentucky Community and Technical College System

1.4 Process for Selection of Non-Appointed Members. Pursuant to KRS 164.321 as amended by HB 1, First Extraordinary Session 1997, the Board shall establish a written process to be published for the selection of the six (6) elected members of the Board. The Technical College Branch and the Community College Branch shall each have elected student, non-teaching personnel (staff) and faculty representatives on the Board. The process follows:

- Each branch’s elections for representatives to the Board shall take place at the following times:
  - Election for student representative shall take place annually in March.
  - Election for faculty representative shall take place every three years in April.
  - Election for non-teaching personnel representative shall take place every three years in May.

- Each branch’s slates for the election of its student, faculty, and non-teaching personnel representative members of the Board shall be determined as follows:
  - Each college in the respective branch may conduct elections to determine its candidates for the branch’s slates. However, no college shall have more than one representative on the Board.
  - Each college’s candidates shall be reported to the System Office.
  - The college shall submit for each candidate a brief statement not more than one page in length that includes the candidate’s background, experience, and plans for representation of the Systemwide constituency.

- Each branch’s slates shall be posted on the KCTCS Web and at each college, and each branch shall conduct statewide elections to determine the winning candidates.
  - If a candidate receives a simple majority of the votes cast, that candidate wins a seat on the Board.
  - If no candidate receives a simple majority of the votes cast, a run-off election shall be held.
    - The three candidates receiving the most votes shall constitute the run-off slate.
    - Run-off election winners shall be determined by a plurality vote.
    - Repeated balloting shall be used in case of a tie.

- Terms of Elected Board Members
  - The student members shall serve one (1) year terms beginning with the first meeting of the fiscal year that contains the academic year.
  - The faculty members shall serve three (3) year terms and until their successors are named. Faculty members may be reelected but shall not serve more than two (2) consecutive terms.
  - The non-teaching personnel members shall serve three (3) year terms and until their successors are named. A non-teaching personnel member may be reelected but shall not serve more than two (2) consecutive terms.

- Elections to fill vacancies shall be for the un-expired term in the same manner as provided for the original election.

- The student regent candidate that receives the next highest number of votes cast when the student regent is elected shall serve as the alternate. The alternate shall serve the un-expired term in the event the student regent is unable to serve the one (1)-year term or any portion
thereof unless and until the vacancy is filled by a special election. A special election shall be held if feasible in view of the time remaining in the one-year term.

- Elected members of the Board of Regents may not serve simultaneously on a college’s local board of directors in order to avoid a conflict of interest or the appearance of a conflict of interest.

- The KCTCS President shall promulgate administrative procedures to implement this process.