



MINNESOTA STATE

Board of Trustees

30 East 7th Street
St. Paul, MN 55101

651-201-1705

Board of Trustees Meetings

April 22, 2020



Minnesota State is an affirmative action, equal opportunity employer and educator.



Board of Trustees Meeting
April 22, 2020
Minnesota State
30 East 7th Street
St. Paul, Minnesota

The Board of Trustees are adhering to the Center for Disease Control's social distancing guidelines. The trustees will convene either by conference call or on a virtual meeting platform. Interested parties can listen to the live audio-streaming of the proceedings by clicking the link at: <https://www.minnstate.edu/board/index.html>.

Wednesday, April 22, 2020

- 8:30 AM Committee of the Whole, Jay Cowles, Chair
- Minnesota State Response to COVID-19 Update
- 10:00 AM Facilities Committee, Jerry Janezich, Chair
Other board members may be present constituting a quorum of the board.
1. **Minutes of January 28, 2020**
 2. **2022 Capital Program Guidelines (Second Reading)**
- 10:30 AM Finance Committee, Roger Moe, Chair
Other board members may be present constituting a quorum of the board.
1. **Minutes of March 18, 2020**
 2. **Contracts Exceeding \$1 Million:**
 - a. **Nursing Assessment Software Agreement, Minnesota State University, Mankato**
 - b. **Exclusive Beverage Contract, Winona State University**
 3. **2022 Capital Program Guidelines (Second Reading)**
 4. **FY2021 Budget Planning**
 - a. **Federal CARES Act**
 - b. **Short and Long-Term Enrollment and Financial Implications of COVID-19**
- 11:30 AM Academic and Student Affairs Committee, Alex Cirillo, Chair
Other board members may be present constituting a quorum of the board.
1. **Minutes of January 29, 2020**
 2. **Proposed Amendment to Policy 2.6 Intercollegiate Athletics (Second Reading)**
 3. **Proposed Amendment to Policy 3.26 Intellectual Property (Second Reading)**
 4. **Approval of Mission Statement: Riverland Community College**

12:00 PM Board of Trustees, Jay Cowles, Chair

1:00 PM Meeting Ends

Bolded items indicate action is required.



Committee Rosters

2019-2020

(Updated December 16, 2019)

Executive

Jay Cowles, Chair
Roger Moe, Vice Chair/Treasurer
Alex Cirillo
April Nishimura
Louise Sundin
Cheryl Tefer
Michael Vekich

Academic and Student Affairs

Alex Cirillo, Chair
Cheryl Tefer, Vice Chair
Ashlyn Anderson
Dawn Erlandson
Jerry Janezich
Rudy Rodriguez
Samson Williams

President Liaisons:

*Michael Berndt
Robbyn Wacker*

Audit

George Soule, Chair
Michael Vekich, Vice Chair
Bob Hoffman
Jerry Janezich
April Nishimura

President Liaisons:

*Richard Davenport
Stephanie Hammitt*

Diversity, Equity, and Inclusion

Rudy Rodriguez, Chair
George Soule, Vice Chair
Ashlyn Anderson
April Nishimura
Louise Sundin
Cheryl Tefer
Samson Williams

President Liaisons:

*Anne Blackhurst
Annesa Cheek*

Facilities

Jerry Janezich, Chair
Louise Sundin, Vice Chair
Bob Hoffman
Roger Moe
Samson Williams

President Liaisons:

*Faith Hensrud
Kent Hanson*

Finance

Roger Moe, Chair
April Nishimura, Vice Chair
Ahmitara Alwal
Ashlyn Anderson
Bob Hoffman
Jerry Janezich
George Soule

President Liaisons:

*Joe Mulford
Scott Olson*

Human Resources

Michael Vekich, Chair
George Soule, Vice Chair
Ahmitara Alwal
Dawn Erlandson
Roger Moe
Rudy Rodriguez
Cheryl Tefer

President Liaisons:

*Ginny Arthur
Annette Parker*

Nominating Committee

George Soule, Chair
Rudy Rodriguez, Vice Chair
Cheryl Tefer

Outreach and Engagement Committee

Dawn Erlandson, Chair
Louise Sundin, Vice Chair
Ahmitara Alwal
Ashlyn Anderson
Rudy Rodriguez

President Liaisons:

*Anne Blackhurst
Hara Charlier*

Chancellor Review

Jay Cowles, Chair
Roger Moe, Vice Chair
Dawn Erlandson
Michael Vekich



Proposed FY2021 and FY2022 Board Meeting Dates

The meeting calendar is subject to change. Changes to the calendar will be publicly noticed.

Approved FY2020 Meeting Calendar

Meeting	Date	If agendas require less time, these dates will be cancelled.
Board Meeting/Combined meeting with Leadership Council <i>Hibbing Community College</i>	July 23-24, 2019	July 24, 2019
Board Retreat	September 17-18, 2019	
Executive Committee	October 2, 2019	
Committee/Board Meetings Combined meeting with Leadership Council on October 15 <i>No meetings on October 16.</i>	October 15, 2019 <i>ACCT Leadership Congress, October 16-19, San Francisco</i>	October 16, 2019
Cancelled: Executive Committee	November 6, 2019	
Committee / Board Meetings <i>Bemidji State University and Northwest Technical College</i>	November 19-20, 2019	November 19, 2019
No December meeting		
Cancelled: Executive Committee	January 8, 2020	
Committee / Board Meetings Combined meeting with Leadership Council on January 28	January 28-29, 2020	
No February meeting	<i>ACCT National Legislative Summit, Feb. 9-12, Washington, D.C.</i>	
Cancelled: Executive Committee	March 4, 2020	

Minnesota State is an affirmative action, equal opportunity employer and educator.

Meeting	Date	If agendas require less time, these dates will be cancelled.
Committee / Board Meetings	March 17-18, 2020	There were no meetings on March 17, 2020
Cancelled Executive Committee	April 1, 2020	
Committee / Board Meetings Awards for Excellence in Teaching	April 21-22, 2020 <i>AGB National Conference April 5-7, Washington, D.C.</i>	There are no meetings on April 21, 2020
Executive Committee	May 6, 2020	
Committee / Board Meetings	May 19-20, 2020	May 19, 2020
Committee / Annual Board Meetings	June 16-17, 2020	June 16, 2020

Revised/Proposed FY2021 Meeting Calendar

Board Meeting/Combined meeting with Leadership Council <i>Anoka-Ramsey Community College, Coon Rapids</i>	July 21-22, 2020	July 22, 2020
Orientation for new trustees	<i>August or after governor makes the appointments</i>	
Executive Committee	September 2, 2020	
Board Retreat	September 15-16 <u>22-23</u> , 2020	
Executive Committee	October 7, 2020	
Committee / Board Meetings	October 20-21, 2020 <i>ACCT Leadership Congress Sept. 30-Oct. 3, Chicago</i>	October 21, 2020
Executive Committee	November 3, 2020	
Committee / Board Meetings	November 17-18, 2020	
No December meeting		

Executive Committee	?	
Committee / Board Meetings Combined meeting with Leadership Council	January 26-27, 2021	
No February meeting	<i>ACCT National Legislative Summit, Feb. 7-10, Washington, D.C.</i>	
Executive Committee	March 3, 2021	
Committee / Board Meetings	March 16-17, 2021	March 16, 2021
Executive Committee	April 7, 2021	
Committee / Board Meetings	April 20-21, 2021 <i>AGB National Conference, Apr. 11-13, San Diego</i>	April 20, 2021
Executive Committee	May 5, 2021	
Committee / Board Meetings	May 18-19, 2021	May 18, 2021
Executive Committee	June 2, 2021	
Committee / Annual Board Meetings	June 15-16, 2021	June 15, 2021

National Higher Education Conferences:

AGB National Conference: April 5-7, 2020, Washington, DC
ACCT Leadership Congress: September 30-Oct. 3, 2020, Chicago
ACCT National Legislative Summit: February 7-10, 2021, Washington, DC.
AGB National Conference: April 11-13, 2021, San Diego
ACCT Leadership Congress: October 13-16, 2021, San Diego
ACCT National Legislative Summit: February 2022 (dates not posted)
AGB National Conference: April 10-12, 2022, Orlando

AGB is the Association of Governing Boards of Universities and College
ACCT is the Association of Community College Trustees



MINNESOTA STATE

Committee of the Whole
April 22, 2020
8:30 AM
McCormick Room
30 7th Street East
St. Paul MN

Note: Committee/board meeting times are tentative. Committee/board meetings may begin up to 45 minutes earlier than the times listed below if the previous committee meeting concludes its business before the end of its allotted time slot.

Committee of the Whole, Jay Cowles, Chair

1. Minnesota State Response to COVID-19 Update



Bolded items indicate action is required.



MINNESOTA STATE

Facilities Committee

April 22, 2020

10:00 AM

McCormick Room

Note: Committee/board meeting times are tentative. Committee/board meetings may begin up to 45 minutes earlier than the times listed below if the previous committee meeting concludes its business before the end of its allotted time slot.

- 1. Minutes of January 28, 2020 (pp. 1-8)**
- 2. 2022 Capital Program Guidelines (Second Reading) (pp. 9-12)**

Committee Members:

Jerry Janezich, Chair

Louise Sundin, Vice Chair

Bob Hoffman

Roger Moe

Samson Williams

President Liaisons:

Kent Hanson

Faith Hensrud



Bolded items indicate action is required.

**Minnesota State Board of Trustees
Facilities Committee Meeting Minutes
January 28, 2020**

Facilities Committee members present: *Jerry Janezich, Chair; Louise Sundin, Vice Chair; Trustees, Bob Hoffman, Roger Moe, Samson Williams, and Chancellor Devinder Malhotra*

Facilities Committee members absent: *None*

Other board members present: *Trustees Ashlyn Anderson, Dawn Erlandson, April Nishimura, George Soule, Cheryl Tefer, Michael Vekich, and Jay Cowles, Board Chair*

Cabinet members present: *Bill Maki, Interim Vice Chancellor*

Others present: *President Faith Hensrud, Bemidji State University, Interim President Mike Raich, NHED, Bart Johnson, ICC Provost, Mary Ives, Student Center Campaign Co-Chair, Peter Birkey, Student Center Campaign Co-Chair, Cynthia Wu, ICC Student Senate President, Susan Lynch, ICC Foundation and Alumni Relation Director, and Associate Vice Chancellor for Facilities, Brian Yolitz*

Committee Chair Janezich called the meeting of the Facilities Committee to order at 2:30 PM.

1. Approval of the Facilities Committee Meeting Minutes

Committee Chair Janezich stated the October 15, 2019 minutes had a typo on page 2, item C, should read 2022 Capital Program Guideline, not 2020. He called for a motion to approve the October Facilities Committee meeting minutes. A motion was made by Trustee Hoffman and seconded by Trustee Soudin. The minutes were approved as written.

Facilities Update: Associate Vice Chancellor, Brian Yolitz

Associate Vice Chancellor Yolitz provided Committee updates before starting the agenda items. Greg Ewig, Senior System Director for Capital Development has taken a position with Metropolitan Council to lead their real estate program. He foresees crossing paths with him regarding train lines on our campuses. He was a great resource and has done great work here.

Kristi Heintz from Lake Superior College has joined us as the new Sustainable Facilities Program Manager. She will be covering our sustainability initiatives, facilities condition index, energy consumption/reduction program, analysis and reporting.

A. 2020 Capital Program

The House concluded visits last fall. The Senate will be visiting Century College tomorrow, January 29th and Minneapolis College on Thursday. Campuses have been very flexible and

responsive in handling these short turnaround visits. That should conclude our visits with the committees.

Governor Walz and Lieutenant Governor Flannigan outlined their recommendation for the capital bonding in the 2020 legislative session at Anoka Ramsey Community College, in Coon Rapids, on Monday, January 13th. Kent Hanson and his team did a great job coordinating this important event at the last minute. Several presidents and board members were in attendance.

The Governor recommended \$262.7 million or 97% of the Board's request for the 2020 legislative session. We are pleased with this. It is a strong marker for us. It shows that the colleges and universities did a very good job telling their story. Chair Janezich commented that normally we don't start out this strong and all should be proud.

The session starts on February 11 and runs through May 18, 2020.

B. Capital Improvement Program Update

Associate Vice Chancellor Yolitz mentioned a couple grand openings. President Boyd and his staff at Rochester Community and Technical College hosted a ribbon cutting for Memorial Hall. This was a \$24M project for new and improved spaces. Several legislators were also in attendance.

Minnesota State Technical and Community College, Fergus Falls, Center for Student and Workforce Success project, particularly the library, is now open and students are using it this term. It was a great update to the facilities on this campus.

C. Recognition: St. Cloud State University

Congratulation to President Wacker, St. Cloud State University facilities staff and their project team consisting of Terra Construction, Pegasus Group and RSP Architects upon receiving the Minnesota Construction Associations Award of Excellence for the government construction project category. They will be recognized tomorrow, January 29th, at the Minneapolis Marriott West in St. Louis Park.

Associate Vice Chancellor Yolitz asked if there were any questions. Vice Chair Sundin referred to the minutes from the last meeting and asked if data is available yet to show whether we are making progress with minority/women owned businesses. Associate Vice Chancellor Yolitz responded that we have done some analysis, learning the data isn't reflecting everything we need to know, and working with facilities staff, Interim Vice Chancellor Bill Maki, and the procurement team on a broader report. We will be bringing that data and initiatives to the Committee later.

2. Action Items: Contracts Exceeding \$1 Million: McMahan Student Center Renovation, Itasca Community College and Student Affairs Renovation, Phase 2, Minneapolis Community and Technical College

McMahon Student Center Renovation, Itasca Community College and Student Affairs Renovation

Associate Vice Chancellor Yolitz recognized several Itasca Community College attendees and guests responsible for the McMahon project: NHED Interim President, Mike Raich, Provost, Bart Johnson, foundation members: Mary Ives, Peter Birkey, Cynthia Wu, and Susan Lynch. Chair Janezich asked if any of them wanted to come up and speak.

Mary Ives, co-chair, said they were proud and excited about the support the college received from the community and that the campaign was very successful. They had 250 individual donors and received support from many foundations and the business community. They were happy it is moving forward and appreciated the Committee's support. She said Peter Birkey also served as co-chair and this worked well for reaching out to diverse groups and constituents for this project. She thanked the Committee for allowing them to be part of the meeting today. Chair Janezich thanked her for their work.

Associate Vice Chancellor Yolitz said the project renovates approximately 14,300 square feet for infill spaces, mezzanine, library, Davies Hall, media center, and reduces \$500,000 in deferred maintenance. They raised nearly \$5M for the project through their capital campaign. The college will provide \$500,000. Subject to board approval, everything is in place to move forward with construction. The project schedule includes finishing the design work in March, with construction this summer, and completion in the fall of 2021.

Chair Janezich asked for a motion to approve. Trustee Moe made the motion:

The Board of Trustees authorizes the chancellor or chancellor's designee to execute a construction contract not to exceed \$5 million to renovate and construct a new student center at Itasca Community College, provided 1) the college may award the construction contract upon receipt of final, irrevocable financial commitments for non-state contributors/donors in the amount of \$4.9 million, and 2) upon providing satisfactory evidence to the chancellor or chancellor's designee of sufficient financial resources encumbered to complete the project. Trustee Hoffman seconded the motion. Motion was carried.

Phase 2, Minneapolis Community and Technical College

About a year ago, Minneapolis College came before the Board with a five-phase project for the T building spaces. Phase 2 of that initiative renovates over 10,000 square feet focusing on student services, welcome center, and a host of student support areas on the second floor of the campus. Financing will be with college operating funds of \$1.7M. The project schedule includes the design phase in April, bidding in June, construction summer and fall, and spaces will be ready for students by spring term of 2021.

Chair Janezich called for a motion to approve. Trustee Moe made the motion:

The Board of Trustees authorizes the chancellor or chancellor's designee to execute a construction contract not to exceed \$1.7 million for Phase 2 construction of the student affairs renovation located in the T-building of the Minneapolis Community and Technical College.

Chair Janezich asked after phases 3, 4, and 5, how much money will be invested in this and will any state funding be used. Associate Vice Chancellor Yolitz responded approximately \$9M and he will check on the exact amount. He said it is funded with campus resources and that they have a 2020 capital program bonding request. Trustee Hoffman seconded the motion. Motion carried.

3. 2022 Capital Program Guidelines (First Reading)

Associate Vice Chancellor Yolitz said these guidelines help set the stage for the 2022 capital budget request, the potential 2021 revenue fund bond sales by setting the Board's strategic direction. This first reading provides an opportunity to engage in some discussion about the guidelines. With Greg Ewig's departure, Michelle Gerner will be team lead for capital planning and analysis.

He walked through the capital program bonding avenues, timelines, historical perspective, theme highlights for the Committee and Leadership Council updates.

FUNDING AVENUES

Capital bonding

- Bonding for academic facilities competes with several different areas throughout the state.
- Bonding occurs in even years but can be done in odd years.
- Minnesota State is responsible for 1/3 debt service for major capital projects that is split between the individual institution gaining the facilities space and the Facilities system office.
- HEAPR is debt free to Minnesota State.

Revenue Fund bonds

- These bonds focus on revenue generating/auxiliary facilities such as residence halls, student unions, parking ramps, etc.
- Minnesota State has authority to sell bonds –usually done in 'odd years' or as needed. Refinancing bond rates has saved institutions a lot of money.

- The system office has full debt responsibility for capital projects that is recouped through user fees and fee rates for students.

TIMELINES

Capital Bonding

Associate Vice Chancellor Yolitz presented a slide to show timelines for capital bonding and revenue fund bond sales. He said Board guidelines established the spring of 2020 will be used for upcoming scoring and prioritization processes for the 2022 program. Institutions will look at their comprehensive facilities plans, determine their projects and begin pre-design work using these guidelines. Some institutions have already started because they know what their priorities are. After scoring candidate projects, the chancellor will make a recommendation for Board approval by June 2021. Bonding tours will occur in the fall of 2021 in preparation for the 2022 legislative session.

Revenue Fund Bond Sales

Projects are reviewed to be financially solvent and will be brought to the Board for approval this fall to start bond sales. Construction can potentially start the following summer.

Focused on the following:

Programmatic: to enhance access, student support services, advising, STEM/STEAM, and focus on transferability to a baccalaureate

What kind of space: review existing space, determine what is needed, and keep new square footage at a premium

How much space: rightsizing space, mothball and demolish what we can, and minimize building new space

Design: create spaces that are accessible, flexible, adaptable and sustainable

Operational context: must be affordable, reduce operating costs and conserve energy

Program size: size averages around (\$250M)

PROPOSED 2022 CAPITAL PROGRAM GUIDELINES

Protect and modernize academic and student support spaces

Stewardship responsibilities include focusing on capital investments for maintaining, repairing, and updating existing campus classroom, laboratory, and student support space, and enhance core academic missions of our colleges and universities. Quality facilities directly impact the recruitment, retention, and success of students, faculty, and staff. Preserving Minnesota State's facilities ensures faculty and students have safe, secure, compliant, and inspiring environments in which to teach and learn, reduces the impact campus buildings have on operating budgets and the environment, and remains the system's top capital investment priority. HEAPR is a top priority for the Board.

Facilitate progress towards Equity 2030

Prioritize facility improvements that support student success at Minnesota State colleges and universities. These improvements should ensure Minnesota State provides inclusive educational opportunities, grow programs, improve campus climate and uplift diverse students.

Energy efficiency and renewable energy infrastructure

Reduce campus impact on the environment by eliminating obsolete space, creating flexible, prioritizing sustainable construction and operating practices, and utilizing renewable energy systems where practicable.

New square footage

Maximize utilization and potential of existing facility spaces through renovation and retrofit before adding new square footage; additional square footage should be considered only in unique situations where options for reutilization or replacement of existing space have been exhausted. Don't want to make a bigger footprint per Leadership Council. (Associate Vice Chancellor Yolitz will rework phrasing of this piece).

Seek funding for college and university priorities

Meet the capital investment priorities expressed by presidents to meet the most urgent needs of their colleges and universities. Prioritize asset preservation and investments to build upon work enabled by the 2020 and 2021 legislative sessions. Given the construction associated with planning and design in the board's 2020 request, anticipate a chancellor's recommendation for the 2022 capital budget request from the State of Minnesota on the order of \$350

million. \$150M in HEAPR and \$200M in capital projects that will be managed over the legislative session. Revenue Fund bond sales to be based on college and university priorities and the financial viability of individual projects.

Leadership Council Update

They reviewed guidelines to set strategic direction and had two areas of concern: weighing of various elements and new square footage. More time will be spent to clarify what we want which is new, effective space, not more. Associate Vice Chancellor Yolitz said we will be looking for feedback from the Committee, leadership and campus staff on this.

Committee Discussion

Trustee Hoffman asked if we are seeing an upswing in partnerships and participation with capital expenditures on our campuses. Associate Vice Chancellor Yolitz said we are seeing some movement and mentioned Itasca and the foundation, and a partnership between the school district and NHCC. At Fergus falls, financing is coming from local communities. He said we need to look internally and make sure colleges and universities are partnering as well.

Vice Chair Sundin said everyone would have legislation this session to help the homeless and felt it would be a mistake for us not to include this issue in our value system and our program. She feels it is our responsibility to address this issue. She stated that two-year colleges have many homeless students due to the lack of housing on these campuses and that homelessness is affecting multiple populations. Our institutions are the place for them to receive training and get a job to help them get out of homelessness. We have made some progress with the veterans. Other states have done some creative things in this area and she suggested revenue bonds to fund housing for the homeless and that we need to determine what space is available and needed.

Chair Janezich said Trustee Moe has already thought about this issue. Trustee Moe thanked Trustee Soudin for mentioning it. He said we can't change our 2020 program request at this stage of the game but we can make sure Minnesota State is included in the state's initiative for homelessness. The legislature can have an impact on our state's economy by investing in human infrastructure and we need to advance an aggressive capital budget request for this. Vice Chair Soudin said the legislature needs to know about the housing need on our campuses and we need to get our oar in the water. She also mentioned that the parking lot on MCTC was rumored to be built for housing above it.

Trustee Samson Williams said he wasn't sure of the state's approach towards homeless students. He said a survey was done on campuses to get the number of students facing hunger on campuses. He suggested that we need to get some actual numbers of the homeless too then we can design an approach and strategy for funding.

Associate Vice Chancellor Yolitz stated that each institution population is different. He will reach out to presidents to find out what they are doing, if there are partnership opportunities, and if there are opportunities in the built space to address this issue. He will bring his findings back to the Committee. Chair Janezich wanted him to find out about the housing on top of the MCTC ramp and he will check on it.

Associate Vice Chancellor Yolitz added that capital guidelines were discussed with the CFOs at the conference in December. He will take input from what we heard today and from leadership council, student organizations, and unions, and bring something back to the Committee in March for their approval.

Chair Janezich adjourned the meeting at 3:20 PM.

Respectfully submitted: Kathy Kirchoff, Recorder

**MINNESOTA STATE
BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Facilities Committee / Finance Committee

Date: April 22, 2020

Title: 2022 Capital Program Guidelines (Second Reading)

Purpose (check one):

- | | | | | | |
|--------------------------|--|-------------------------------------|------------------------------------|--------------------------|--------------------|
| <input type="checkbox"/> | Proposed
New Policy or
Amendment to
Existing Policy | <input checked="" type="checkbox"/> | Approvals
Required by
Policy | <input type="checkbox"/> | Other
Approvals |
| <input type="checkbox"/> | Monitoring /
Compliance | <input type="checkbox"/> | Information | | |

Brief Description:

Board Policy 6.9, *Capital Planning*, calls for the chancellor to develop and recommend for board approval capital funding guidelines for system facilities and real property. These guidelines shape college and university facility project planning and recommendations for capital bonding requests from the State of Minnesota in 2022 as well as potential Revenue Fund bond sales for 2021 and beyond.

Key aspects of the proposed recommendation:

1. Protect and modernize academic and student support spaces
2. Facilitate ~~achieving~~ fulfilling the vision of Equity 2030
3. Energy efficiency and renewable energy infrastructure
4. New square footage that enlarges the campus footprint in rare cases only
5. Value internal and external partnerships
6. Seek funding for college and university priorities

Scheduled Presenter(s):

Brian Yolitz, Associate Vice Chancellor for Facilities

MINNESOTA STATE
BOARD OF TRUSTEES

BOARD ACTION

**2022 Capital Program Guidelines
(Second Reading)**

BACKGROUND

Board Policy 6.9, *Capital Planning*, calls for the chancellor to develop and recommend for board approval capital program guidelines for system facilities and real property. Minnesota State is responsible for more than 28 million square feet of college and university facility space and over 7,000 acres of property in its 54 campuses across the state. College and university property and buildings contribute to and influence the delivery of extraordinary higher education and the Minnesota State experience. They set a lasting first impression of our institutions and their programs and directly impact the recruitment, retention, and success of students, faculty, and staff.

Academic facilities, to include classrooms, labs, student support spaces, and offices make up 80% of our facility space and are eligible for capital investment through the State of Minnesota. Revenue Fund facilities, including residence halls, dining facilities, student unions, some parking ramps and lots, along with other auxiliary facilities make up the remaining 20% of campus facilities. Capital investment in these auxiliary facilities come through the sale of revenue bonds.

Capital investment by the State of Minnesota typically occurs in even-year legislative sessions. While the Minnesota State system has statutory authority to conduct Revenue Fund bond sales when needed, they traditionally occur in odd years. It's important that Minnesota State effectively prioritize and invest in the most urgent and impactful capital needs of its colleges and universities. The following guidelines will shape college and university facility project planning, prioritization, and recommendation of capital bonding requests from the State of Minnesota in 2022 as well as potential Revenue Fund bond sales for 2021 and beyond.

Comments and feedback associated with the guidelines presented in the First Reading are annotated with ~~strikethroughs~~ depicting deletions and underscores reflecting additions.

CAPITAL PROGRAM GUIDELINES

1. **Protect and modernize academic and student support spaces.** Uphold our collective stewardship responsibilities by focusing capital investments on maintaining, repairing, reshaping and updating existing campus classroom, laboratory, and student support space to meet and enhance core academic missions of our colleges and universities. Quality facilities directly impact the recruitment, retention, and the success of students, faculty, and staff. Minnesota State's top capital investment priority is preserving the system's facilities, which ensures faculty and students have safe, secure, compliant, and inspiring environments in which to teach and learn, and reduces the impact campus buildings have on operating budgets and the environment.

2. **Facilitate ~~achieving~~ fulfilling the vision of Equity 2030.** Prioritize facility improvements that support student success at Minnesota State colleges and universities. These improvements ~~should ensure~~ will support Minnesota State's ongoing efforts to provide inclusive educational opportunities, grow programs, and improve campus climate and culture.
3. **Energy efficiency and renewable energy infrastructure.** Reduce the long term impact on campus operating budgets and the environment by eliminating obsolete space, creating flexible and adaptable spaces, prioritizing sustainable and efficient construction and operating practices, and utilizing renewable energy systems where practicable.
4. **~~New~~ Additional square footage in rare cases only.** Maximize utilization and potential of existing facility spaces through renovation and retrofit before adding new square footage; ~~additional square footage space that would expand the campus footprint~~ should be considered only in unique situations where options for reutilization or replacement of existing space have been exhausted.
5. **Value Partnerships.** Recognize the value and opportunity presented by regional partnerships and interconnectedness ~~between~~ among Minnesota State colleges and universities, their ~~industry~~ workforce partners and the communities they serve. Leverage community and regional partner support and financial contributions to expand impact of state resources.
6. **Seek funding for college and university priorities.** Seek funding for the capital investment priorities expressed by presidents to meet the most urgent needs of their colleges and universities. Prioritize asset preservation and investments to build upon work enabled by the 2020 and 2021 legislative sessions. Anticipate a chancellor's recommendation for the 2022 capital budget request from the State of Minnesota on the order of \$350 million, to support the substantial amount of construction funding needed to complete projects' planning and design efforts from the board's 2020 request and address new and emerging priorities. Revenue Fund bond sales to be based on college and university priorities and the financial viability of individual projects.

OTHER CAPITAL PROGRAM CONSIDERATIONS

While capital bonding is the primary focus of even-year legislative sessions, there may be opportunities for capital bond funding through the State of Minnesota in odd-year sessions. The board has historically supported the completion of unfunded priorities from the bonding session immediately prior to the odd-year session. That strategy is recommended for future odd-year sessions as well. At the conclusion of the 2020 legislative session, staff will provide an update of the final bonding bill and prepare a list of unfunded 2020 priorities for the board to consider for seeking funding for in the 2021 legislative session. A similar approach would be used in preparation for the 2023 legislative session based on outcomes of the 2022 session.

CAPITAL BONDING DEBT MANAGEMENT

The state requires Minnesota State to pay one-third of the total debt service obligation attributable to the individual capital projects funded in a bonding bill (excluding Higher Education Asset Preservation and Replacement (HEAPR) projects). Serving this debt is shared 50% of the debt service addressed with funds taken off the top of the state allocation and 50% paid by the benefiting college or university. Staff will

continue to monitor the impacts of this policy in context with the many other drivers of campus financial conditions.

2021 REVENUE FUND BOND GUIDELINES

The 2019 Revenue Fund bond guidelines will be used as guidance as the system prepares for a potential 2019 revenue bond sale, which is expected to be brought for Board consideration in the fall of 2020. The revenue bond process is distinguishable from the capital bonding process by two primary differences:

1. Minnesota State has statutory authority to issue revenue bond debt, and
2. Each institution is responsible for the full debt associated with their project and must levy student/user fees and charges sufficient to finance the entire debt service and operating expenses for their particular project and program.

To that end, the board will support projects in the revenue fund capital program and bonds sale that:

1. Show evidence of strong student involvement and long-term support for a project
2. Balance student affordability with required reinvestment in the buildings
3. Reduce program operating costs and maintenance backlog
4. ~~Address~~ Align with long-term demographic and associated enrollment forecasts
5. Leverage partnerships or private industry to generate additional income

RECOMMENDED COMMITTEE MOTION:

The Facilities Committee recommends the Board of Trustees adopt the following motion:

The Board of Trustees approves the 2022 Capital Program Guidelines informing the planning and development of recommendations for a capital budget request for the state of Minnesota in 2022 and potential Revenue Fund bond sales in 2021 and beyond.

RECOMMENDED BOARD MOTION:

The Board of Trustees approves the 2022 Capital Program Guidelines informing the planning and development of recommendations for a capital budget request for the state of Minnesota in 2022 and potential Revenue Fund bond sales in 2021 and beyond.

Date Presented to the Board of Trustees: April 22, 2020
Date of Implementation: April 22, 2020



MINNESOTA STATE

Finance Committee
April 22, 2020
10:30am
McCormick Room
30 7th Street East
St. Paul MN

Note: Committee/board meeting times are tentative. Committee/board meetings may begin up to 45 minutes earlier than the times listed below if the previous committee meeting concludes its business before the end of its allotted time slot.

Finance Committee, Roger Moe, Chair

Other board members may be present constituting a quorum of the board.

- 1. Minutes of March 18th, 2020 (pp. 1-4)**
- 2. Contracts Exceeding \$1 Million:**
 - a. Nursing Assessment Software Agreement, Minnesota State University, Mankato. (pp.5-7)**
 - b. Exclusive Beverage Contract, Winona State University (pp. 8-10)**
- 3. 2022 Capital Program Guidelines (Second Reading) (pp. 11-14)**
- 4. FY2021 Budget Planning (pp. 15-23)**
 - a. Federal CARES Act
 - b. Short and long term enrollment and financial implications of COVID-19

Committee Members:

Roger Moe, Chair
April Nishimura, Vice Chair
Ahmitara Alwal
Ashlyn Anderson
Bob Hoffman
Jerry Janezich
George Soule

President Liaisons:

Joe Mulford
Scott Olson



Bolded items indicate action is required.

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**Minnesota State Board of Trustees
Finance Committee Meeting Minutes
March 18, 2020
McCormick Room
30 7th Street East
St. Paul, MN**

Finance Committee members present: *Trustee George Soule, and Chancellor Devinder Malhotra.*

Committee members present by Telephone: *Roger Moe, Chair; April Nishimura, Committee Vice Chair; Trustees Ahmitara Alwal, Ashlyn Anderson, and Bob Hoffman*

Other board members present: *Jay Cowles, Board Chair and Trustee Alex Cirillo*

Other board members present by Telephone: *Trustees Dawn Erlandson, Louise Sundin, Cheryl Tefer, and Samson Williams.*

Cabinet Members Present: *Interim Vice Chancellor Bill Maki*

Committee Chair Moe called the meeting to order at 9:55am.

1. Approval of the Finance Committee Meeting Minutes

Committee Chair Moe called for a motion to approve the Finance Committee Meeting Minutes from January 28, 2020. Trustee Anderson made the motion. Trustee Hoffman seconded. The minutes were approved.

Vice Chancellor Maki was recognized by the Chair and presented updates before entering into the agenda:

- *Fiscal year 2021 college, university, and system budget consultation process is underway. Conversations with Leadership Council were had in February, and a packet of materials was sent to campus financial officers, at the end of February. Campuses are in the midst of conversations with their constituents regarding their budgets, tuition and fees. Priority of discussions has shifted to COVID-19 issues but alternate means of holding the consultation process are being discussed. The impact of COVID-19 on the revenue fund requires us to project new estimates and these are underway and will be shared with MMB. Our preliminary number is more than \$15M exposure in our revenue fund. Use of our fund balance and reserves may come into play.*
- *Continuing work on finance team on how we move towards implementation of NextGen once we have a vendor selected. We are continuing to work with MMB and campuses to determine best how we move forward with implementation.*

Associate Vice Chancellor Brian Yolitz joined Vice Chancellor Maki at the front table to present the next agenda items.

2. Contract Exceeding \$1 Million: Parking Lot Repairs, Minnesota State Community and Technical College, Moorhead Campus

Associate Vice Chancellor Yolitz provided a summary of the proposed contract.

Committee Chair Moe called for questions. There were none.

Committee Chair Moe asked for a motion to adopt the following:

RECOMMENDED COMMITTEE MOTION:

The Board of Trustees authorizes the chancellor or chancellor's designee to execute a construction contract not to exceed \$1.5 million to repair the west, south and east parking lots of the Moorhead campus of Minnesota State Community and Technical College.

RECOMMENDED BOARD OF TRUSTEES MOTION:

The Board of Trustees authorizes the chancellor or chancellor's designee to execute a construction contract not to exceed \$1.5 million to repair the west, south and east parking lots of the Moorhead campus of Minnesota State Community and Technical College.

Trustee Anderson made the motion, Trustee Hoffman seconded. Committee Chair Moe called for a vote on the motion. The motion was adopted.

3. Lease Amendment: Northwest Technical College and the Hoffman Building for HVAC programming (pp. 13-15)

Associate Vice Chancellor Yolitz provided a summary of the proposed lease amendment.

Committee Chair Moe called for questions. There were none.

Committee Chair Moe asked for a motion to adopt the following:

RECOMMENDED COMMITTEE ACTION:

The Board of Trustees authorizes the chancellor or the chancellor's designee to enter into a Lease agreement for the Hoffman Building, 808 Paul Bunyan Drive, Bemidji, MN,

for an additional term not to exceed five (5) years, and a value over this term not to exceed \$500,000.

RECOMMENDED BOARD OF TRUSTEES MOTION:

The Board of Trustees authorizes the chancellor or the chancellor's designee to enter into a Lease agreement for the Hoffman Building, 808 Paul Bunyan Drive, Bemidji, MN, for an additional term not to exceed five (5) years, and a value over this term not to exceed \$500,000.

Trustee Hoffman made the motion, Committee Vice Chair Nishimura seconded. Committee Chair Moe called for a vote on the motion. The motion was adopted.

4. Lease Amendment: Metropolitan State University and 1380 Energy Park

Associate Vice Chancellor Yolitz provided a summary of the proposed lease amendment.

Committee Chair Moe called for questions. There were none.

Committee Chair Moe asked for a motion to adopt the following:

RECOMMENDED COMMITTEE ACTION:

The Board of Trustees authorizes the Chancellor or the Chancellor's designee to modify, amend and extend the lease at 1380 Energy Lane, Suite 104, St. Paul, which contains approximately 7,946 sq. ft., on a month-to-month tenancy, not to extend beyond December 31, 2020

RECOMMENDED BOARD OF TRUSTEES MOTION:

The Board of Trustees authorizes the Chancellor or the Chancellor's designee to modify, amend and extend the lease at 1380 Energy Lane, Suite 104, St. Paul, which contains approximately 7,946 sq. ft., on a month-to-month tenancy, not to extend beyond December 31, 2020.

Trustee Anderson made the motion and Trustee Nishimura seconded. Committee Chair Moe called for a vote on the motion. The motion was adopted.

Before adjourning, committee Chair Moe reminded the committee that the system, already under financial stress, submitted a supplemental budget to this session of the legislature, but

any supplemental appropriations will likely be 100% focused on the Coronavirus issue in Minnesota. We will continue to feel the financial stress and the virus will accentuate the problem. We will have some very tough decisions coming up in the months ahead.

Committee Chair Moe adjourned the meeting at 10:11am.

Respectfully submitted: Don Haney, Recorder

**MINNESOTA STATE
BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Finance Committee

Date: April 22, 2020

Title: Contracts Exceeding \$1 Million: Nursing Assessment Software Agreement, Minnesota State University, Mankato.

Purpose (check one):

- | | | |
|---|--|---|
| <input type="checkbox"/> Proposed
New Policy or
Amendment to
Existing Policy | <input checked="" type="checkbox"/> Approvals
Required by
Policy | <input type="checkbox"/> Other
Approvals |
| <input type="checkbox"/> Monitoring /
Compliance | <input type="checkbox"/> Information | |

Brief Description:

Board Policy 5.14, *Contracts, Procurements, and Supplier Diversity*, requires Board of Trustees approval of any procurement, lease agreement, or professional/technical/consulting service contract with a value in excess of \$1,000,000 or contract amendment that would increase the total value of a contract to more than \$1,000,000.

Minnesota State University, Mankato seeks Board approval to enter into a contract for nursing instructional tools and comprehensive assessments provided by Assessment Technologies Institute, LLC, that is in excess of \$1,000,000.

Scheduled Presenter: William Maki, Vice Chancellor for Finance – Chief Financial Officer

**MINNESOTA STATE
BOARD OF TRUSTEES**

BOARD ACTION
NURSING ASSESSMENT SOFTWARE AGREEMENT, MINNESOTA STATE UNIVERSITY, MANKATO

BACKGROUND

Board Policy 5.14, Procurement and Contracts, requires that contracts, including amendments, with values greater than \$1,000,000, must be approved in advance by the Board of Trustees.

Minnesota State University, Mankato is seeking to enter into a contract with Assessment Technologies Institute, LLC (ATI) for nursing instructional tools and comprehensive NCLEX Assessment. The purpose of this contract is to provide tools and assessments to nursing students with a goal of increasing the first time pass rate of the MN Board of Nursing Certified Examination. The contract includes web-based instructional tools that are integrated throughout the student’s enrollment in the nursing program. Practice and proctored assessments are given each semester that determine student readiness for the NCLEX-RN over the course of the program. Additionally, faculty can consult with an expert nurse educator to maximize use of the products and faculty and students have easy access to product support. Analytics and reporting is included that provides aggregate and individual reports on the major NCLEX-RN client need categories and will support program evaluation. Lastly, on-campus review course for program graduates is included.

In 2023, nursing graduates will take a “new” NCLEX-RN licensure exam, termed “Next Generation”. The Next Generation NCLEX examination will test graduates on their clinical judgment and decision making by providing video scenarios and using alternate-style questions. It will be important to provide students with learning opportunities in the program that mirror those that they may see on NCLEX. Nursing students will pay the cost of this software and assessment tool via a Property and Personal Service Fee equal to the cost per student.

An RFP was published January 15, 2020 with replies to the RFP due on February 10, 2020. ATI was the successful proposer based on a rubric/matrix-based evaluation by the RFP Committee.

RECOMMENDED COMMITTEE ACTION:

The Finance and Facilities Committee recommends that the Board of Trustees authorizes the chancellor or his designee to execute an agreement with ATI for a length of five years at an

estimated cost of \$210,000 per year for a total five-year cost of \$1,050,000. The board directs the chancellor or his designee to execute all necessary documents.

RECOMMENDED BOARD OF TRUSTEES ACTION:

The Board of Trustees authorizes the chancellor or his designee to execute an agreement with ATI for a length of five years at an estimated cost of \$210,000 per year for a total five-year cost of \$1,050,000. The board directs the chancellor or his designee to execute all necessary documents.

Date Presented to the Board of Trustees: April 22, 2020

**MINNESOTA STATE
BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Finance Committee

Date: April 22, 2020

Title: Contracts Exceeding \$1 Million: Exclusive Beverage Contract, Winona State University

Purpose (check one):

- | | | |
|---|--|---|
| <input type="checkbox"/> Proposed
New Policy or
Amendment to
Existing Policy | <input checked="" type="checkbox"/> Approvals
Required by
Policy | <input type="checkbox"/> Other
Approvals |
| <input type="checkbox"/> Monitoring /
Compliance | <input type="checkbox"/> Information | |

Brief Description:

Board Policy 5.14, *Contracts, Procurements, and Supplier Diversity*, requires Board of Trustees approval of any procurement, lease agreement, or professional/technical/consulting service contract with a value in excess of \$1,000,000 or contract amendment that would increase the total value of a contract to more than \$1,000,000.

Winona State University seeks Board approval to enter into a contract for an exclusive beverage partnership with an expected value not to exceed \$1,600,000 for on campus pouring services.

Scheduled Presenter: William Maki, Vice Chancellor for Finance – Chief Financial Officer

**MINNESOTA STATE
BOARD OF TRUSTEES**

BOARD ACTION
CONTRACTS EXCEEDING \$1 MILLION: EXCLUSIVE BEVERAGE CONTRACT, WINONA STATE UNIVERSITY

BACKGROUND

Board Policy 5.14, Procurement and Contracts, requires that contracts, including amendments, with values greater than \$1,000,000, must be approved in advance by the Board of Trustees. The purpose of this report is to request Board approval of an exclusive beverage partnership contract with an expected value not to exceed \$1,600,000 for on campus pouring services at Winona State University.

The university issued a call for RFPs for this purpose. The published notice asked vendors who responded to the Request for Proposal (RFP) to provide financial information for a ten year contract term. The university initiated the RFP process on February 10, 2020 and received responses on March 6, 2020. Board approval in April is requested so a fully executed contract with the selected vendor can be completed by June 1, 2020. The schedule for the RFP and decision-making process is presented below.

Selection and Implementation Timeline

February 10, 2020	Publish RFP notice in <i>State Register</i>
March 6, 2020	Deadline for RFP proposal submissions
March 9-31, 2020	Review RFP proposals
April 3, 2020	Zoom vendor presentations
April 6, 2020	Complete selection process
April 2020	Mn State Board of Trustees approval
May 2020	Contract is fully executed

Respondents to the RFP were also asked to provide information for (a) exclusive pouring rights in all campus facilities; and/or (b) shared pouring rights among athletics, residence halls, student union, and all other facilities. Pursuant to Minnesota Statute § 248.07, Subd.7, Minnesota State Services for the Blind (SSB) operates the vending machines in all university buildings. Therefore, the successful responder must work cooperatively with SSB.

The contract would be ten years in length. The total value of the contract is estimated at between \$1,200,000 and \$1,600,000 and could consist of items including marketing support, scholarships, sustainability support, student club donations of product and athletic products. The requested Board motion provides capacity for changes to the valuation over the life of the contract.

RECOMMENDED COMMITTEE MOTION:

The Finance and Facilities Committee recommends that the Board of Trustees adopt the following motion:

The Board of Trustees approves Winona State University to enter into an exclusive beverage contract not to exceed \$1,600,000 for on campus pouring services. Execution of the contract is subject to the review and approval of the contract by the chancellor or his designee.

RECOMMENDED BOARD MOTION:

The Board of Trustees approves Winona State University to enter into an exclusive beverage contract not to exceed \$1,600,000 for on campus pouring services. Execution of the contract is subject to the review and approval of the contract by the chancellor or his designee.

Date of Adoption: April 22, 2020

Date of Implementation: April 22, 2020

**MINNESOTA STATE
BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Finance Committee

Date: April 22, 2020

Title: 2022 Capital Program Guidelines (Second Reading)

Purpose (check one):

- | | | |
|---|--|---|
| <input type="checkbox"/> Proposed
New Policy or
Amendment to
Existing Policy | <input checked="" type="checkbox"/> Approvals
Required by
Policy | <input type="checkbox"/> Other
Approvals |
| <input type="checkbox"/> Monitoring /
Compliance | <input type="checkbox"/> Information | |

Brief Description:

Board Policy 6.9, *Capital Planning*, calls for the chancellor to develop and recommend for board approval capital funding guidelines for system facilities and real property. These guidelines shape college and university facility project planning and recommendations for capital bonding requests from the State of Minnesota in 2022 as well as potential Revenue Fund bond sales for 2021 and beyond.

Key aspects of the proposed recommendation:

1. Protect and modernize academic and student support spaces
2. Facilitate ~~achieving~~ fulfilling the vision of Equity 2030
3. Energy efficiency and renewable energy infrastructure
4. New square footage that enlarges the campus footprint in rare cases only
5. Value internal and external partnerships
6. Seek funding for college and university priorities

This item has been previously reviewed by the Facilities Committee.

Scheduled Presenter(s):

Brian Yolitz, Associate Vice Chancellor for Facilities

MINNESOTA STATE
BOARD OF TRUSTEES

BOARD ACTION

2022 CAPITAL PROGRAM GUIDELINES
(SECOND READING)

BACKGROUND

Board Policy 6.9, *Capital Planning*, calls for the chancellor to develop and recommend for board approval capital program guidelines for system facilities and real property. Minnesota State is responsible for more than 28 million square feet of college and university facility space and over 7,000 acres of property in its 54 campuses across the state. College and university property and buildings contribute to and influence the delivery of extraordinary higher education and the Minnesota State experience. They set a lasting first impression of our institutions and their programs and directly impact the recruitment, retention, and success of students, faculty, and staff.

Academic facilities, to include classrooms, labs, student support spaces, and offices make up 80% of our facility space and are eligible for capital investment through the State of Minnesota. Revenue Fund facilities, including residence halls, dining facilities, student unions, some parking ramps and lots, along with other auxiliary facilities make up the remaining 20% of campus facilities. Capital investment in these auxiliary facilities come through the sale of revenue bonds.

Capital investment by the State of Minnesota typically occurs in even-year legislative sessions. While the Minnesota State system has statutory authority to conduct Revenue Fund bond sales when needed, they traditionally occur in odd years. It's important that Minnesota State effectively prioritize and invest in the most urgent and impactful capital needs of its colleges and universities. The following guidelines will shape college and university facility project planning, prioritization, and recommendation of capital bonding requests from the State of Minnesota in 2022 as well as potential Revenue Fund bond sales for 2021 and beyond.

Comments and feedback associated with the guidelines presented in the First Reading are annotated with ~~strikethroughs~~ depicting deletions and underscores reflecting additions.

CAPITAL PROGRAM GUIDELINES

1. **Protect and modernize academic and student support spaces.** Uphold our collective stewardship responsibilities by focusing capital investments on maintaining, repairing, reshaping and updating existing campus classroom, laboratory, and student support space to meet and enhance core academic missions of our colleges and universities. Quality facilities directly impact the recruitment, retention, and the success of students, faculty, and staff. Minnesota State's top capital investment priority is preserving the system's facilities, which ensures faculty and students have safe, secure, compliant, and inspiring environments in which to teach and learn, and reduces the impact campus buildings have on operating budgets and the environment.

2. **Facilitate ~~achieving~~ fulfilling the vision of Equity 2030.** Prioritize facility improvements that support student success at Minnesota State colleges and universities. These improvements ~~should ensure~~ will support Minnesota State's ongoing efforts to provide inclusive educational opportunities, grow programs, and improve campus climate and culture.
3. **Energy efficiency and renewable energy infrastructure.** Reduce the long term impact on campus operating budgets and the environment by eliminating obsolete space, creating flexible and adaptable spaces, prioritizing sustainable and efficient construction and operating practices, and utilizing renewable energy systems where practicable.
4. **~~New~~ Additional square footage in rare cases only.** Maximize utilization and potential of existing facility spaces through renovation and retrofit before adding new square footage; additional ~~square footage~~ space that would expand the campus footprint should be considered only in unique situations where options for reutilization or replacement of existing space have been exhausted.
5. **Value Partnerships.** Recognize the value and opportunity presented by regional partnerships and interconnectedness ~~between~~ among Minnesota State colleges and universities, their ~~industry~~ workforce partners and the communities they serve. Leverage community and regional partner support and financial contributions to expand impact of state resources.
6. **Seek funding for college and university priorities.** Seek funding for the capital investment priorities expressed by presidents to meet the most urgent needs of their colleges and universities. Prioritize asset preservation and investments to build upon work enabled by the 2020 and 2021 legislative sessions. Anticipate a chancellor's recommendation for the 2022 capital budget request from the State of Minnesota on the order of \$350 million, to support the substantial amount of construction funding needed to complete projects' planning and design efforts from the board's 2020 request and address new and emerging priorities. Revenue Fund bond sales to be based on college and university priorities and the financial viability of individual projects.

OTHER CAPITAL PROGRAM CONSIDERATIONS

While capital bonding is the primary focus of even-year legislative sessions, there may be opportunities for capital bond funding through the State of Minnesota in odd-year sessions. The board has historically supported the completion of unfunded priorities from the bonding session immediately prior to the odd-year session. That strategy is recommended for future odd-year sessions as well. At the conclusion of the 2020 legislative session, staff will provide an update of the final bonding bill and prepare a list of unfunded 2020 priorities for the board to consider for seeking funding for in the 2021 legislative session. A similar approach would be used in preparation for the 2023 legislative session based on outcomes of the 2022 session.

CAPITAL BONDING DEBT MANAGEMENT

The state requires Minnesota State to pay one-third of the total debt service obligation attributable to the individual capital projects funded in a bonding bill (excluding Higher Education Asset Preservation and Replacement (HEAPR) projects). Serving this debt is shared 50% of the debt service addressed with funds taken off the top of the state allocation and 50% paid by the benefiting college or university. Staff will

continue to monitor the impacts of this policy in context with the many other drivers of campus financial conditions.

2021 REVENUE FUND BOND GUIDELINES

The 2019 Revenue Fund bond guidelines will be used as guidance as the system prepares for a potential 2019 revenue bond sale, which is expected to be brought for Board consideration in the fall of 2020. The revenue bond process is distinguishable from the capital bonding process by two primary differences:

1. Minnesota State has statutory authority to issue revenue bond debt, and
2. Each institution is responsible for the full debt associated with their project and must levy student/user fees and charges sufficient to finance the entire debt service and operating expenses for their particular project and program.

To that end, the board will support projects in the revenue fund capital program and bonds sale that:

1. Show evidence of strong student involvement and long-term support for a project
2. Balance student affordability with required reinvestment in the buildings
3. Reduce program operating costs and maintenance backlog
4. ~~Address~~ Align with long-term demographic and associated enrollment forecasts
5. Leverage partnerships or private industry to generate additional income

RECOMMENDED COMMITTEE MOTION:

The Facilities Committee recommends the Board of Trustees adopt the following motion:

The Board of Trustees approves the 2022 Capital Program Guidelines informing the planning and development of recommendations for a capital budget request for the state of Minnesota in 2022 and potential Revenue Fund bond sales in 2021 and beyond.

RECOMMENDED BOARD MOTION:

The Board of Trustees approves the 2022 Capital Program Guidelines informing the planning and development of recommendations for a capital budget request for the state of Minnesota in 2022 and potential Revenue Fund bond sales in 2021 and beyond.

Date Presented to the Board of Trustees: April 22, 2020
Date of Implementation: April 22, 2020

**MINNESOTA STATE
BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Finance Committee

Date: April 22, 2020

Title: FY2021 Budget Planning

- a. CARES Funds
- b. Short and long term enrollment and financial implications of COVID-19

Purpose (check one):

- | | | |
|---|---|---|
| <input type="checkbox"/> Proposed
New Policy or
Amendment to
Existing Policy | <input type="checkbox"/> Approvals
Required by
Policy | <input type="checkbox"/> Other
Approvals |
| <input type="checkbox"/> Monitoring /
Compliance | <input checked="" type="checkbox"/> Information | |

Brief Description:

A review of the FY2021 budget planning process including an assessment of the Federal CARES Act and the enrollment and financial implications of COVID-19.

Scheduled Presenter: William Maki, Vice Chancellor for Finance and Facilities
Brian Yolitz, Associate Vice Chancellor for Facilities

**MINNESOTA STATE
BOARD OF TRUSTEES**

INFORMATION ITEM
FY2021 BUDGET PLANNING: <ul style="list-style-type: none">a. FEDERAL CARES ACTb. SHORT AND LONG TERM ENROLLMENT AND FINANCIAL IMPLICATIONS OF COVID-19

Background

As calendar year 2019 came to close, colleges and universities were engaged in financial planning that was typical of the second year of a biennium. With the state of MN having a budget surplus in the current biennium and collective bargaining agreements all tentatively settled, the system's FY2020 and FY2021 state appropriation was in place with the Board of Trustees approving a \$54.2M supplemental budget request for FY2021. Colleges and universities were focusing on their FY2021 enrollment projections and preparing to seek approval of 2020-2021 tuition and fees at the May and June 2021 Board of Trustees meetings.

Early in 2020, Minnesota State began planning to respond to COVID-19. Colleges and universities began by reviewing their emergency operations and continuity of operations plans and associated pandemic plans. Simultaneously, Minnesota State was collaborating with the Minnesota Department of Health (MDH) to convey their information and guidance to our colleges and universities. In the beginning the focus was on being aware of and evaluating the travel of faculty, staff, and students to China, Iran, South Korea, Italy, or Japan. Colleges and universities were focused on ensuring the health and safety of students and faculty that were part of study abroad programs in one of these countries.

The first formal action by Minnesota State occurred on February 28, 2020 when Chancellor Devinder Malhotra suspended all international travel related to Minnesota State. In the course of the next three weeks, several difficult decisions were made to safeguard the health, safety, and welfare of our faculty, staff, and students while also enabling students to complete spring semester and progress toward their educational goals.

Initially on March 12, Chancellor Malhotra suspended classes by one week, thus extending spring break, to provide our faculty and administrations time to explore moving all spring semester classes to alternative modes of delivery. In addition, all out-of-state business travel for students, faculty, and staff was suspended. Attendance limits were also placed on large events that quickly went from 100 to 50 to 10 or less within the matter of a couple days. On March 15, Chancellor

Malhotra extended spring break by an additional week, recognizing the enormity of the situation and the complexities of adjusting course and service delivery.

On March 17, Minnesota State implemented telework for all employees where feasible while still maintaining and making available the services students, faculty, and staff need. On March 25, Governor Walz's Executive Order 20-20 announced a "stay at home order" for all Minnesota residents through April 10. As part of the order, the governor declared educational activities and services as essential. The approximately 95% of all spring college and universities' courses were able to proceed, however with the "stay at home order" being focused on reducing person-to-person contact, in-person courses were not able to be held. On April 8, Governor Walz issued a new executive order that extended the "stay at home order" until May 4.

The actions taken since February 28 along with the unpredictability of the length of the COVID-19 crisis has put immediate financial pressures on our colleges and universities and has created an unprecedented amount of uncertainty in planning for fiscal year 2021. While federal funding will supplement a portion of the lost revenue, help support the disruption to our students, and cover some additional expenditures; the financial scenarios for fiscal year 2021 will be anything but typical when it is time to present the operating budget later this spring.

a. Federal CARES Act

On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The \$2.2 trillion economic relief package included numerous provisions related to higher education institutions, students, and student loan borrowers.

The law includes a \$30.75 billion state stabilization fund, divided among institutions of higher education (46.3%), K-12 education (43.9%), and governors to use on state educational priorities (9.8%). In the higher education portion, 90% of funds will be distributed to campuses based on the Pell Grant full-time equivalent (FTE) student enrollment count (75%) and the FTE student enrollment of those not participating in the Pell Grant program (25%). Students in fully online programs are not included in the count. At least 50% of those funds must be distributed as emergency grant aid to students. The remaining 10% will be distributed to eligible institutions under Titles III, V, and VII of the Higher Education Act.

The new law includes a requirement that states maintain their funding levels for higher education and K-12 education at the average of the last three years. This will affect state eligibility for the federal K-12 education and governors' funding streams but will not affect federal funding for institutions of higher education.

The CARES Act provides \$14.2 billion in funds to institutions of higher education. The most significant portion of that funding allocation provides that \$12.56 billion to be distributed directly to institutions using a formula based on student enrollment. On April 9, 2020, Secretary of Education DeVos announced the allocations to each institution of higher education. School

allocations are set by formula prescribed in the CARES Act that is weighted significantly by the number of full-time students who are Pell-eligible but also takes into consideration the total population of the school and the number of students who were not enrolled full-time online before the coronavirus outbreak. The Department is utilizing the most recent data available from the Integrated Postsecondary Education Data System (IPEDS) and Federal Student Aid (FSA) for this calculation. The total amount for the 30 colleges and 7 universities of Minnesota State is \$93.361 million. The breakdown by institution is included in attachment 1.

Secretary DeVos also on April 9 announced guidance for the distribution of the 50% portion that is being reserved to provide students with financial aid grants to help cover expenses related to the disruption of campus operations due to coronavirus. Guidance for this funding stream was prioritized in order to get money in the hands of students in need as quickly as possible. The Department of Education is expected to provide guidance for the institutional share of the Higher Education Emergency Relief Fund in the coming weeks.

The CARES Act provides institutions with significant discretion on how to award this emergency assistance to students. This means that each institution may develop its own system and process for determining how to allocate these funds, which may include distributing the funds to all students or only to students who demonstrate significant need. The only requirement is that the funds be used to cover expenses related to the disruption of campus operations due to coronavirus (including eligible expenses under a student's cost of attendance, such as food, housing, course materials, technology, health care, and child care).

Chancellor Malhotra assigned the presidential liaisons to the Board of Trustees' Academic and Student Affairs committee (Berndt and Wacker) and the Finance committee (Mulford and Olson) to work with members of the chancellor's cabinet to recommend a framework of the utilization of the funds to him. As has been the case during the system's COVID-19 response and planning, we are looking at balancing consistency as a system and flexibility for each college and university in the utilization and distribution of these federal funds.

The new law also includes a suspension of student loan payments and wage garnishments on defaulted loans until September 30, flexibility on numerous student aid rules, increased opportunities for charitable contributions, and numerous other features affecting the education community and beyond. Some of the financial aid changes included in the CARES Act are:

- Schools can temporarily suspend providing matching funds for Federal Supplemental Educational Opportunity Grants (SEOG) and Federal Work Study (FWS) programs
- Students can receive work study wages even if they are not able to perform job functions due to COVID-19 disruptions
- Students who do not complete spring semester 2020 will not have the payment period counted toward their maximum of 12 semesters of federal aid
- Schools do not need to return Title IV funds if students withdraw due to COVID-19 crisis

- Federal student loan payments are paused for 6 months and interest accrual is halted during this time period

b. Short and Long-Term Enrollment and Financial Implications of COVID-19

Effective March 9, 2020, Minnesota Management and Budget (MMB) directed all state agencies to begin tracking costs related to COVID-19 activities. Minnesota State followed suit by providing guidance that included in part the following:

- Tracking of hours worked by employees in support of COVID-19 preparations
- Tracking of employee paid and unpaid leave hours related to COVID-19 absences
- Tracking of direct expenses related to COVID-19 response and preparation including supplies and business expenses

Short-term Enrollment and Financial Implications of COVID-19 (March 1, 2020 – June 30, 2020)

As of April 13, spring enrollment has remained stable as we continue to carefully monitor the changes on a week to week basis. Minnesota State enrollment on March 8, 2020 (prior to the majority of spring breaks) was 52,992 FYE. As of April 13, 2020, the amount was relatively unchanged at 53,020 FYE. This is a promising indicator that we are progressing towards one of our primary goals of enabling students to complete spring semester.

The first direct costs absorbed due to COVID-19 were as a result of the suspension of international travel on February 28. Many institutions had to cancel study abroad trips that were scheduled to depart the following week. In addition, there were several other trips related to professional development such as presenting or attending a conference. Our colleges and universities have and still are working diligently to mitigate the financial implications of the canceled travel to our students, faculty, and staff that were impacted. They also are mitigating the amount that will need to be absorbed by their institution if they are unable to secure a refund or credit from the airline or travel agency.

Some colleges and universities also had to act promptly to bring students and faculty home that were involved in programs in countries that were high risk. One example is one of our universities needed to spend approximately \$75,000 to bring 22 students home on March 12 from global advisory level 3 countries. This university had 10 faculty-led study abroad trips totaling approximately 130 students that were directly impacted during spring semester.

Subsequently in mid-March 2020, all out-of-state travel was also suspended and both the NCAA and the NJCAA canceled their spring seasons.

The total estimated costs that will need to be absorbed by Minnesota State due to the cancellation of travel will range **from \$2 million to \$3 million.**

After all instruction was suspended for two weeks to allow for time needed to convert current face-to-face courses to alternative course delivery modes, the following short-term financial costs were estimated at just over **\$26 million**.

- Student Safety in Dorms: \$17 million

Refunding students' room and board fees on a pro-rated basis so they can disburse to safer living conditions. This is to support the social distancing of as many students as possible. Schools have insufficient fund balances to absorb all these refunds in their residential life accounts while still maintaining an adequate fund balance to cover fixed costs such as debt service.

- Immediate Campus Safety: \$0.53 million

Cleaning costs for residence halls and other facilities that still need to be used. This is to enable students, faculty and staff that need to be on campus to work in a safe environment.

- Student Support Services \$3.2 million

Continuation of key support activities that students are not able to replace on their own; adding online support services. The most common needs projected are additional academic advising and personal counseling. We also have additional costs for having a small number of students that are place bound to our campuses because they are unable to return to a permanent home.

- Academic and Staff Continuity Support: \$5.3 million

This is to provide necessary continuation of operations to complete core activities and achieve the goal of enabling as many students as possible to complete spring semester. Licenses and other costs to enable distance work for faculty and other staff are also included.

We will update these numbers as we get additional information from the colleges and universities. Much of this work, especially issuing refunds, is still in progress. We currently estimate that the amount of refunds will increase due to suspension of face-to-face instruction that was not yet part of the calculation in mid-March.

COVID-19 planning and preparations were the focus of nearly all Minnesota State faculty, staff, and students during the two week time period that instruction was suspended. For the pay period from March 18, 2020 to March 31, 2020; we estimated that over \$30 million in personnel costs were dedicated to the COVID-19 preparations. While this amount is not an additional cost to the system, it does show the magnitude of the investment that occurred related to the continuity of academic operations. While Minnesota State did not directly spend \$30 million plus during this time period, there needs to be acknowledgement that this redirected resources away from other college, university, and system priorities. Costs related to the system's COVID-19 response and absences will continue to be tracked and will be easily exceed \$100 million by the end of this fiscal year.

Social distancing and the limits on the size of gatherings has resulted in the cancellation of several events, trainings, workshops, and camps. On March 17, 2020, Minnesota State suspended spring 2020 commencements at all colleges and universities. Many colleges and universities are working on alternate ways to acknowledge spring graduation.

The “stay at home order” which is currently in place from March 27, 2020 to May 4, 2020 has resulted in a significant reduction of continuing education and customized training activities by the colleges and universities. Without taking expenses into account, Minnesota State expects to see a reduction of 60-75% in training revenue the remainder of this fiscal year.

In addition, many colleges and universities have canceled or postponed long standing summer events and camps that generate auxiliary revenues for the campuses. Examples include academic and athletic camps, foundation events, professional development opportunities, and community events that utilize Minnesota State facilities.

The estimated revenue lost ranges from \$7.0 to \$10 million.

As information becomes more precise we will continue to report the direct and indirect financial impact of COVID-19 to the board. **As of April 13, our total direct impact of additional expenses and lost revenue ranges from \$35 million to \$40 million the remainder of this fiscal year.** The indirect financial impact of personnel time related to COVID-19 is calculated each pay period and will be included in future updates.

Longer-term Enrollment and Financial Implications of COVID-19 (Fiscal Year 2021)

Colleges and universities are currently in the process of developing their FY2021 budgets. The last official system enrollment projection from February 2020 indicated that our colleges and universities planned on FY2021 enrollment being relatively stable (+0.2%) from FY2020 numbers. Colleges and universities are currently updating their enrollment projections to be submitted as part of the FY2021 budget approval process. Due to the current impact of COVID-19, along with the uncertainty it is creating in planning for summer session and fall semester, we now expect to see a system enrollment decline between FY2020 and FY2021. The level of decline at each institution may vary considerably based on their academic program mix and whether or not the campus is heavily reliant on a residential and student life component for their enrollment.

Areas of interest related to enrollment for this upcoming year include the following main factors:

- Retention rate of current students
- Number of new students for fall semester
- Number of international students
- Impact of unemployment rates on our enrollment
- Ability to return to the “norm” for face-to-face instruction

System enrollment scenarios will be presented at the April meeting and will be refined going into the first reading of the FY2021 budget at the May board meeting. These scenarios will focus on the financial impact of various levels of enrollment reductions.

At its November 2019 meeting, the Board of Trustees approved a supplemental request to strengthen the state's commitment to access and affordability, invest in critical technology infrastructure, and support student success. The request of \$54.2 million is for base funding to support ISRS Next Gen and to support campuses by reducing a portion of the structural funding gap and keeping tuition affordable. At the time the request was made, the State of Minnesota had a budget surplus of \$1.332 billion in the FY2020-21 biennium. The surplus for the current biennium increased to \$1.513 billion when the February 2020 economic forecast was released. On April 10, 2020, MMB's revenue and economic update began showing the impacts of COVID-19 as net receipts for March 2020 were 3.8% less than forecast. Commissioner Frans testified to the Senate that the surplus is likely gone and it was recently announced that an interim revenue and economic update will be prepared in May 2020.

The Board motion in November 2019 also stated how the campus support request provides critical operating funds to every college and university and, if fully funded, would allow the board to hold undergraduate tuition rates at current levels. The board, after consultation with Minnesota State constituents, will make final budget decisions, including tuition rates, at the conclusion of the legislative session. Our colleges and universities have built in the revenue generated from a three percent tuition increase into their budgets for the biennium. With the likelihood of receiving state appropriation being diminished, campuses are currently consulting with their campuses on increasing tuition for the 2020-2021 academic year. At the same time other options besides a tuition increase for all students for fall semester is being explored.

It is anticipated that many colleges and universities may need to utilize their fund balances in order to cover unexpected expenses and revenues from FY2020 and to potentially temporarily cover a structural gap in their FY2021 operating budget. The rate of decline in our revenue happened at a much faster pace than our ability to reduce our expenses in the short-term. Scenarios showing the extent to which the fund balance may be relied upon for FY2021 will be discussed from a macro-level during the presentation.

Attachment 1 - MINNESOTA STATE CARES ACT FUNDING BY INSTITUTION

Institution	Total Allocation	Minimum Allocation to be Awarded for Emergency Financial Aid Grants to Students
Alexandria Technical & Community College	\$807,310	\$403,655
Anoka Technical College	\$1,108,759	\$554,380
Anoka-Ramsey Community College	\$3,580,976	\$1,790,488
Bemidji State University	\$2,813,298	\$1,406,649
Central Lakes College-Brainerd	\$1,658,191	\$829,096
Century College	\$4,996,271	\$2,498,136
Dakota County Technical College	\$1,467,178	\$733,589
Fond du Lac Tribal and Community College	\$744,831	\$372,416
Hennepin Technical College	\$2,654,457	\$1,327,229
Hibbing Community College	\$779,596	\$389,798
Inver Hills Community College	\$1,718,868	\$859,434
Itasca Community College	\$741,976	\$370,988
Lake Superior College	\$1,757,151	\$878,576
Mesabi Range College	\$561,010	\$280,505
Metropolitan State University	\$5,159,002	\$2,579,501
Minneapolis Community and Technical College	\$4,640,122	\$2,320,061
Minnesota State College Southeast	\$666,447	\$333,224
Minnesota State Community and Technical College	\$2,832,620	\$1,416,310
Minnesota State University Moorhead	\$3,518,533	\$1,759,267
Minnesota State University-Mankato	\$9,088,962	\$4,544,481
Minnesota West Community and Technical College	\$1,072,094	\$536,047
Normandale Community College	\$4,802,575	\$2,401,288
North Hennepin Community College	\$3,021,425	\$1,510,713
Northland Community and Technical College	\$1,355,409	\$677,705
Northwest Technical College	\$192,242	\$96,121
Pine Technical & Community College	\$481,263	\$240,632
Rainy River Community College	\$161,267	\$80,634
Ridgewater College	\$1,950,916	\$975,458
Riverland Community College	\$1,272,243	\$636,122
Rochester Community and Technical College	\$2,629,500	\$1,314,750
St. Cloud State University	\$7,821,764	\$3,910,882
Saint Paul College	\$4,580,520	\$2,290,260
South Central College	\$1,873,482	\$936,741
Southwest Minnesota State University	\$1,644,234	\$822,117
St Cloud Technical and Community College	\$3,055,197	\$1,527,599
Vermilion Community College	\$454,539	\$227,270
Winona State University	\$5,696,956	\$2,848,478
Total	\$93,361,184	\$46,680,600



MINNESOTA STATE

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

APRIL 22, 2020

11:30 AM

McCORMICK ROOM

30 7TH STREET EAST

SAINT PAUL, MN

Please note: Committee/Board meeting times are tentative. Committee/Board meetings may begin up to 45 minutes earlier than the times listed below if the previous committee meeting concludes its business before the end of its allotted time slot.

Academic and Student Affairs, Alex Cirillo, Chair

Other board members may be present constituting a quorum of the board.

- 1. Minutes of January 29, 2020 (pp 1-4)**
- 2. Proposed Amendment to Policy 2.6 Intercollegiate Athletics (Second Reading) (pp 5-8)**
- 3. Proposed Amendment to Policy 3.26 Intellectual Property (Second Reading) (pp 9-19)**
- 4. Approval of Mission Statement: Riverland Community College (pp 20-24)**

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

Alex Cirillo, Chair

Cheryl Tefer, Vice Chair

Ashlyn Anderson

Dawn Erlandson

Jerry Janezich

Rudy Rodriguez

Samson Williams

Presidents Liaisons

Michael Berndt

Robbyn Wacker

Bolded items indicate action required.



**Minnesota State Board of Trustees
Academic and Student Affairs Committee
January 29, 2019
McCormick Room
30 7th Street East
St. Paul, MN**

Academic and Student Affairs Committee members present: *Alex Cirillo, Chair; Cheryl Tefer, Vice Chair; Rudy Rodriguez, Jerry Janezich, Samson Williams Ashlyn Anderson, Dawn Erlandson*

Remote: *None*

Academic and Student Affairs Committee members absent: *None*

Other board members present: *Almitara Alwal, April Jay Cowles; Bob Hoffman; Roger Moe, George Soule, Louise Sudin, Michael Vekich, Chancellor Devinder Malhotra*

Committee Chair Cirillo called the meeting to order at 8:35 am.

1. Minutes of November 19, 2019

Chair Cirillo called for approval of the minutes from November 19, 2019. Trustee Janezich moved to approve the minutes as written. Trustee Tefer seconded the motion and the minutes were unanimously approved.

2. Proposed Amendment to Policy 1A.1 Minnesota State Colleges and Universities Organization and Administration (Second Reading)

No changes or edits were received since the first reading of this policy. Trustee Rodriguez made a motion to approve and Trustee Janezich seconded the motion. The motion passed unanimously.

3. Proposed Amendment to Policy 3.27 Copyrights (Second Reading)

No changes or edits were received since the first reading of this policy. Trustee Rodriguez made a motion to approve and Trustee Janezich seconded the motion. The motion passed unanimously.

4. Proposed New Policy 3.43 Accreditation (Second Reading)

No changes or edits were received since the first reading of this policy. Trustee Tefer made a motion to approve and Trustee Janezich seconded the motion. The motion passed unanimously.

5. Proposed Amendment to Policy 2.6 Intercollegiate Athletics (First Reading)

Sr. Vice Chancellor Anderson stated that this policy was reviewed as part of the five year review cycle. Any amendments are technical changes there is no substantive change to the Policy. No action is necessary at this time since this is the first reading of the Policy.

6. Proposed Amendment to Policy 3.26 Intellectual Property (First Reading)

Sr. Vice Chancellor Anderson stated that this policy has been updated to reflect how intellectual property is handled throughout the colleges and universities. He also stated that new language has been added around student internship agreements and open educational resources, and how those can alter the ownership of intellectual property. No action is necessary at this time since this is the first reading of the Policy.

Trustee Hoffman initiated a discussion surrounding the use of Minnesota State versus Minnesota State System. Chancellor Malhotra invited Noelle Hawton to address the group to provide a brief history of the name. Ms. Hawton stating that in June 2016 the Board approved the branding of the short name of Minnesota State as a way to refer to the legal name, which is Minnesota State Colleges and Universities. During that discussion there were members of the Board who voiced their disdain for the word "System", because it sounded cold and institutional. The word system will added to communications if it is needed grammatically or for clarity. Chancellor Malhotra stated that the word system cannot be completely eliminated due to the nature of the business; therefore it will be used for clarity when needed. Chair Cirillo stated that the wording in Policies and Procedures should be left as Minnesota State when deemed necessary.

7. State of Minnesota Perkins V Plan

Sr. Vice Chancellor Anderson introduced Jeralyn Jargo, System Director for Career Technical Education. Ms. Jargo also serves as the state director for technical education, which is a dual role involving oversight of the Perkins consortium within the system. Perkins is a funding lever from the Federal government used to continuously improve and innovate career technical education programs.

Ms. Jargo stated that Minnesota State and the Minnesota Department of Education submit one unified plan for the State of Minnesota, which is a consortium model. Perkins V looks at the consortia structure to determine the formula for distribution of funds. Ms. Jargo stated that the federal government allocated \$1.19 billion to the Perkins V initiative in the past year of which the state of Minnesota received \$18.7 million. The formula for distribution is based on the census and age of population. The money is a federal grant and by calculation not less than 85% of the state allocation must be awarded to the consortium. So the amount distributed to the programs the past year was approximately \$16 million.

Trustees Hoffman and Erlandson initiated discussion regarding the distribution of the funds that the state received. Ms. Jargo stated that there is an equal 50-50 split between the secondary and post-secondary institutions.

There was discussion surrounding PELL grant eligibility, program requirements and the process used for distribution of funds. The Trustees, Mr. Anderson and Ms. Jargo engaged in discussions surrounding tactile versus visual learning and the integration of the academic and technical sides of education. Ms. Jargo stated that the guidelines that need to be followed and the record keeping of funding distribution is quite intense. Additionally all consortia are audited and need to file an annual report.

Ms. Jargo stated if the current Perkins V Plan is approved by the ASA Committee and subsequently receives Board approval, it needs to reside with the governor's office for 30 days and then submitted to the Federal level by March 2, 2020.

Trustee Janezich provided support for the following motion: "Upon the recommendation of the Chancellor, the Academic and Student Affairs Committee recommends that the Board of Trustees approve the State of Minnesota Perkins V Plan. The Plan will be submitted to the U.S. Department of Education, Office of Career, Technical, and Adult Education, in fulfillment of the requirements of the Strengthening Career and Technical Education for the 21st Century Act Public Law 115-224." The motion was seconded by Trustee Tefer and was unanimously approved by the Committee.

8. Restructuring of the Northeast Higher Education District

Sr. Vice Chancellor Anderson introduced Northeast Higher Education District (NHED) Interim president Michael Raich. Interim President Raich stated that NHED was formed in 1999 as an umbrella structure over 5 independently-accredited colleges. The colleges currently share a president and several services such as institutional research, business services, human resources and various others, but each continue to operate as independent competing colleges.

Interim President Raich stated that there are challenges within NHED now due to the changing demographics in the Northeast region of the state. The region is experiencing student decline due to the fact that people are working instead of seeking education. There has been a 35% enrollment decline, meaning there is less enrollment revenue, fewer employees and shared services have been compromised. There are also accreditation challenges when there are fewer employees, using multiple databases to complete their work. Additionally, students are faced with the reality of travelling between campuses in order to complete the classes they need. This has been a barrier for some.

Interim President Raich said that the colleges recognized the problems and under the leadership of now-Interim Vice Chancellor Maki, the colleges started a strategic planning process. The outcome of the 2-year process was to center on more collaboration between the colleges. After a year of regional academic planning 2 options were for continuation were proposed. Option 1 was to move to a single accredited college with six campuses; Option 2 was to move to accredited college with five campuses and then one college in a single campus. The single campus would be Vermillion because of its unique programming, which is tied closely to the Boundary Waters area.

Interim President Raich described the process that was followed to identify that Option 1 was the best path forward. He stated that the Chancellor's office, Higher Learning Commission and bargaining units were involved in the discussions to come to the decision. This path means there would be more resources and a unified message, while keeping the strong community identities.

Interim President Raich stated that motion before the committee is approval for NHED to move forward with the planning process and the intent to merge the campuses.

Chair Cirillo read the suggested motion: "Upon the recommendation of the Chancellor, the Academic and Student Affairs Committee recommends that the Board of Trustees support the intent of merging the Northeast Higher Education District's five independently accredited colleges (six campuses) into one accredited college (six campuses) and charges Interim President Raich with developing a comprehensive plan and timeline for such a merger and for securing institutional accreditation."

Trustee Janezich moved to approve the motion as stated by Chair Cirillo. The motion was seconded by Trustee Erlandson and passed unanimously.

Chair Cirillo adjourned the meeting at 10:00 AM.

Meeting minutes prepared by Rhonda Ruiter 2/19/20.

**MINNESOTA STATE
BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Academic and Student Affairs Committee

Date: April 22, 2020

Title: Proposed amendment to Policy 2.6 Intercollegiate Athletics

Purpose (check one):

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Proposed
New Policy or
Amendment to
Existing Policy | <input type="checkbox"/> Approvals
Required by
Policy | <input type="checkbox"/> Other
Approvals |
| <input type="checkbox"/> Monitoring /
Compliance | <input type="checkbox"/> Information | |

Brief Description:

The policy was reviewed as part of the five year review cycle pursuant to Board Policy 1A.1 Minnesota State Colleges and Universities Organization and Administration, Part 6, Subpart H, Periodic review.

The proposed amendment was reviewed by the Office of General Counsel, cabinet, then sent out for formal consultation and received support from the presidents, employee representative groups, student associations, and campus leadership groups. All comments received from the consultation were considered.

Scheduled Presenter:

Ron Anderson, Senior Vice Chancellor for Academic and Student Affairs

**MINNESOTA STATE
BOARD OF TRUSTEES**

BOARD ACTION – SECOND READING
BOARD POLICY 2.6 INTERCOLLEGIATE ATHLETICS

1 **BACKGROUND**

2 Board Policy 2.6 Intercollegiate Athletics was adopted by the Board of Trustees on May 16,
3 1995 and implemented on July 1, 1995. The policy was reviewed as part of the five year review
4 cycle pursuant to Board Policy 1A.1 Minnesota State Colleges and Universities Organization and
5 Administration, Part 6, Subpart H, Periodic review. The policy was previously reviewed in 2015
6 and the language amended to encompass all gender identities and expressions of students.

7
8 The proposed amendment consists of technical edits and was reviewed by the Office of General
9 Counsel, cabinet, then sent out for formal consultation and received support from the
10 presidents, employee representative groups, student associations, and campus leadership
11 groups. All comments received from the consultation were considered.

12
13
14 **RECOMMENDED COMMITTEE MOTION**

15 The committee recommends the Board of Trustees adopt the proposed new Board Policy 2.6
16 Intercollegiate Athletics.

17
18
19 **RECOMMENDED BOARD MOTION**

20 The Board of Trustees adopt the proposed amendment to Board Policy 2.6 Intercollegiate
21 Athletics.

22
23
24 *Date Presented to the Board of Trustees:* 03/18/2020
25 *Date of Implementation:* xx/xx/20

**MINNESOTA STATE
BOARD OF TRUSTEES**

BOARD POLICY –SECOND READING			
Chapter	2	Chapter Name	Students
Section	6	Policy Name	Intercollegiate Athletics

1 **2.6 Intercollegiate Athletics**

2
3 **Part 1. Conference and Division Membership-**

4 Consistent with the unique identity and mission of the institution, a college or university may
5 engage in programs of intercollegiate athletics. A college or university may join one or more
6 conferences and add or remove sports after a review of the impact on students, finances, the
7 ~~institution's~~ facilities master plan, Title IX compliance, and completion of the student and
8 college/university consultation process. The college or university shall operate according to the
9 rules and standards of the conference as long as such rules are not in conflict with federal or
10 state law, board policies, or system procedures. Adding any sport at the National Collegiate
11 Athletic Association or the National Junior College Athletic Association division-one level
12 requires a recommendation from the chancellor and prior approval by the board. A request for
13 ~~B~~board approval of participation in a division-one-level sport ~~shall~~ **must** be directed to the
14 chancellor or designee and ~~shall~~ include analysis and review of the expected impact on
15 students, institutional and student services finances, the college's or university's ~~institution's~~
16 mission and facilities master plan, compliance with equal opportunity requirements, and a
17 report of the consultation process used.

18
19 **Part 2. Gender Equity in Athletics-**

20 The Minnesota State ~~C~~colleges and ~~U~~universities are committed to providing equal opportunity
21 in athletics for students of all gender identities and gender expressions. Each college or
22 university with intercollegiate athletics ~~must~~ **shall** provide athletic opportunities for students in
23 accordance with federal and state requirements.

24
25 **Part 3. Student Athlete Health Insurance-**

26 Students participating in intercollegiate athletics are required to maintain health insurance
27 through a plan or rider that includes coverage for participation in intercollegiate athletics. Prior
28 to student participation in intercollegiate athletics, colleges and universities ~~must~~ **shall** provide
29 adequate written notice to students of the requirement for health insurance.

Related Documents:

- [Board Policy 2.3](#) Student Involvement in Decision-Making
- [System Procedure 2.3.1](#) Student Involvement in Decision-Making

To view the related statute, go to the Revisor's Web site (<http://www.revisor.leg.state.mn.us/>). You can conduct a search from this site by typing in the statute number.

- Minn. Stat. §13.392 Internal Auditing Data

Policy History:

Date of Adoption: 5/16/95
Date of Implementation: 7/01/95
Date of Last Review: xx/xx/20

Date & Subject of Revisions:

Xx/xx/20 – Replaced “institution’s” with “college’s or university’s” in Part 1, and applied new writing and formatting styles.

4/22/15 – Editorial changes and revised language in Part 2 to encompass all gender identities and expressions of students.

03/17/10 - Amends Part 1 clarifying that Board approval is required in order to add a sport at the Division 1 level. Amends Part 3 to require student athletes to have adequate health insurance.

12/17/03 - Deleted Part 1. Definitions, Subparts A and B; clarified conference and division membership by colleges and universities (Part 2) and renumbered to Part 1; amended language in Part 3 and renumbered to Part 2; deleted Part 4.

No additional HISTORY

**MINNESOTA STATE
BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Academic and Student Affairs Committee

Date: April 22, 2020

Title: Proposed amendment to Policy 3.26 Intellectual Property

Purpose (check one):

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Proposed
New Policy or
Amendment to
Existing Policy | <input type="checkbox"/> Approvals
Required by
Policy | <input type="checkbox"/> Other
Approvals |
| <input type="checkbox"/> Monitoring /
Compliance | <input type="checkbox"/> Information | |

Brief Description:

The policy was reviewed as part of the five year review cycle pursuant to Board Policy 1A.1 Minnesota State Colleges and Universities Organization and Administration, Part 6, Subpart H, Periodic review.

The proposed amendment was reviewed by the Office of General Counsel, cabinet, then sent out for formal consultation and received support from the presidents, employee representative groups, student associations, and campus leadership groups. All comments received from the consultation were considered.

Scheduled Presenter:

Ron Anderson, Senior Vice Chancellor for Academic and Student Affairs

**MINNESOTA STATE
BOARD OF TRUSTEES**

BOARD ACTION – SECOND READING
BOARD POLICY 3.26 INTELLECTUAL PROPERTY

1 **BACKGROUND**

2 Board Policy 3.26 Intellectual Property was adopted by the Board of Trustees on June 16, 2002
3 and implemented on January 1, 2003. The policy was reviewed as part of the five year review
4 cycle pursuant to Board Policy 1A.1 Minnesota State Colleges and Universities Organization and
5 Administration, Part 6, Subpart H, Periodic review.

6
7 The proposed amendment updates the policy and makes it more applicable to the current
8 activities in Minnesota State that involve intellectual property. Two new agreements have
9 been added to Part 4; student internship agreements and open educational resource
10 agreements. The intellectual property coordinator language is being deleted since the policy is
11 now 17 years old and the policy champion role of the coordinators has been fulfilled. Language
12 requiring the review of contracts involving intellectual property is being added to help ensure
13 compliance with Minn. Stat. 16C.05. The title of Part 5 has been changed to management of
14 intellectual property.

15
16 The proposed amendment was reviewed by the Office of General Counsel, cabinet, then sent
17 out for formal consultation and received support from the presidents, employee representative
18 groups, student associations, and campus leadership groups. All comments received from the
19 consultation were considered.

20
21
22 **RECOMMENDED COMMITTEE MOTION**

23 The committee recommends the Board of Trustees adopt the proposed amendment to Board
24 Policy 3.26 Intellectual Property.

25
26
27 **RECOMMENDED BOARD MOTION**

28 The Board of Trustees adopt the proposed amendment to Board Policy 3.26 Intellectual
29 Property.

30
31
32 *Date Presented to the Board of Trustees:* 03/18/2020
33 *Date of Implementation:* xx/xx/20

**MINNESOTA STATE
BOARD OF TRUSTEES**

BOARD POLICY – SECOND READING			
Chapter	3	Chapter Name	Educational Policies
Section	26	Policy Name	Intellectual Property

3.26 Intellectual Property

Part 1. Policy Statement-

The Board of Trustees endeavors to develop and maintain a post-secondary educational system marked by academic excellence. Research and development of original works and inventions that require intellectual property protection are a vital part of the academic community. The Board recognizes and acknowledges that system colleges, and universities, and the system office may create or commission the creation of such works on its behalf and incorporates in Board policy the traditional commitment to faculty and student ownership in scholarly work.

Part 2. Applicability-

This policy applies to colleges, universities, the system office and their respective employees, student employees, and students.

Part 3. Definitions-

For the purposes of this policy only, the following definitions apply. words and terms shall have the meanings given them:

Subpart A. Agreement-

Agreement when used in this policy means a signed written contract between or among a corporation, business, individual(s), and a college, university, or the system office, but does not include mean a sponsorship agreements and or a collective bargaining agreements between the Board and an exclusive bargaining representatives.

Subpart B. Collective Bargaining Agreement-

A collective bargaining agreement means a negotiated contract between the Board and a specific bargaining unit.

Subpart C. College or University-

College or university, except where specifically defined otherwise, means a system [A Minnesota State](#) college or university.

Subpart D. College, University, or system office Resources-

College, university, or system office resources means services and all tangible resources including such as buildings, equipment, facilities, computers, software, personnel, research assistance, and funding.

39 **Subpart E. Course Outline.**
40 The course outline is the document approved by the college or university curriculum committee and shall
41 include the course title, course description, prerequisites, total credits, lecture/lab breakdown, and
42 student learning outcomes. (As referenced in Board Policy 3.22 Course Syllabi and Course Outlines)
43

44 **Subpart F. Course Syllabus.**
45 The course syllabus is a document that contains the elements of the corresponding course outline,
46 standards for evaluation of student learning, and additional information that reflects the creative work of
47 the faculty member. (As referenced in Board Policy 3.22 Course Syllabi)
48

49 **Subpart G. Creator/Inventor.**
50 A creator is an The individual or group of individuals who invent, author, discover, or are otherwise
51 responsible for the creation of intellectual property. And inventor refers to the creator of an invention
52 that may be patentable.
53

54 **Subpart H. Employee.**
55 An employee is a Any person employed by the State of Minnesota as defined by the Public Employees
56 Labor Relations Act (PELRA).
57

58 **Subpart I. Faculty.**
59 The term "Faculty" refers to Full-time and part-time employees performing work in bargaining units 209
60 and 210 and other employees who teach or conduct research with a level of responsibility and self-
61 direction equivalent to that traditionally exercised and enjoyed by instructional unit employees when
62 engaged in similar activities, e.g., the preparation of research articles for peer review journals by
63 Administrative and Service Faculty (ASF) members or graduate students.
64

65 **Subpart J. Intellectual Property.**
66 Intellectual property is any Any work of authorship, invention, discovery, or other original creation that
67 may be protected by copyright, patent, trademark, or other category of law.
68

69 **Subpart K. Intellectual Property Rights.**
70 Intellectual Property Rights means a All the protections afforded the owner or owners of an original work
71 under law, including all rights associated with patent, copyright, and trademark registration.
72

73 **Subpart L. Jointly Created Work.**
74 A jointly created work is one where two or more creators contribute to the work and intend that it result
75 in a unified, single work. A work prepared by two or more individuals who intend their separate
76 contributions be merged into a single work.
77

78 **Subpart M. Minnesota State Colleges and Universities System.**
79 The public higher education system established at Minnesota Statutes Chapter 136F. The system
80 Minnesota State includes the Board of Trustees, the office of the chancellor, system office, the state
81 colleges and universities, and any part or combination thereof.
82

83 **Subpart N. System Office.**
84 System office means the The central administrative office under the direction and supervision of the
85 chancellor and which is part of the Minnesota State Colleges and Universities system.
86
87
88

89 **Subpart O. Sponsor-**
90 A sponsor is a A person, private sector company, organization, or governmental entity, other than the
91 system Minnesota State, that provides funding, equipment, or other support for a college, university, or
92 the system office to carry out a specified project in research, training, or public service.

93
94 **Subpart P. Sponsorship Agreement-**
95 A sponsorship agreement is a A written agreement between the sponsor and a college, university, and/or
96 the system office and that may include other parties including such as the creator of the work.

97
98 **Subpart Q. Student-**
99 A student is an individual who was or is An individual enrolled in a class or program at any system a
100 Minnesota State college or university at the time the intellectual property was created.

101
102 **Subpart R. Student Employee-**
103 A student employee is a A student who is paid by any system college, university, or the system office for
104 services performed. Graduate assistants and work-study students are student-employees. For graduate
105 students who teach, see Faculty definition. in Subpart I.

106
107 **Subpart S. Substantial Use of Resources-**
108 Substantial use exists when resources are provided beyond the normal professional, technology, and
109 technical support supplied by the college, university, and/or system office to an individual or individuals
110 for development of a project or program.

111
112 **Subpart T. System-**
113 See Minnesota State definition. Colleges and Universities System definition. in Part 3. Definitions,
114 Subpart N of this policy.

115 Types of Works

116 Institutional work

117 A work made for hire in the course and scope of employment by an employee or by any person with
118 the use of college or university resources, unless the resources were available to the public without
119 charge or the creator had paid the requisite fee to utilize the resources.

120 Personal work

121 A work created by an employee outside their scope of employment and without the use of college or
122 university resources other than resources that are available to the public or resources for which the
123 creator has paid the requisite fee to utilize.

124 Scholarly work

125 A creation that reflects research, creativity, and/or academic effort. Scholarly works include course
126 syllabi, instructional materials (such as textbooks and course materials), distance learning works,
127 journal articles, research bulletins, lectures, monographs, plays, poems, literary works, works of art
128 (whether pictorial, graphic, sculptural, or other artistic creation), computer software/programs,
129 electronic works, sound recordings, musical compositions, and similar creations.

130 Student work

131 A work created by a person in their capacity as a student.

132
133
134
135
136
137
138

139 **Works made for hire**

140 **Works produced by employees within the scope of their employment or specially commissioned**
141 **works.**

142
143 ~~**Subpart U. Works Made for Hire.**~~

144 ~~Works made for hire means all work done by an employee within the scope of his or her employment or~~
145 ~~specially commissioned work.~~

146
147 **Part 4. Ownership of Intellectual Property Rights.**

148
149 ~~**Subpart A. Basic Ownership Rights of the Various Types of Creative Works.**~~

150 The ownership rights to a creation shall **must** be determined generally by the provisions in Subpart A
151 below, but ownership may be modified by an agreement, sponsorship agreement, or other condition
152 described in **Part 4**, Subpart B or **C**. ~~Subpart C~~ below.

- 153
154
- 155 1. ~~**Institutional Works.**~~ Intellectual property rights in institutional works belong to the college or
156 university. ~~Institutional works are works made for hire in the course and scope of employment~~
157 ~~by employees or by any person with the use of college or university resources, unless the~~
158 ~~resources were available to the public without charge or the creator had paid the requisite fee to~~
159 ~~utilize the resources.~~ A course outline is an institutional work. A college, university or the system
160 office may enter into a written agreement with a non-faculty employee granting the employee
161 ownership of a work that the parties agree is of a scholarly nature as described in Subpart A.2.
162 For the purposes of this policy, scholarly works are not considered institutional works.
 - 163 2. ~~**Scholarly Works.**~~ Intellectual property rights in scholarly works belong to the faculty member
164 or student who created the work, unless an agreement, sponsorship agreement, or other
165 condition described in Subpart B or C below provides otherwise. ~~Scholarly works are creations~~
166 ~~that reflect research, creativity, and/or academic effort. Scholarly works include course syllabi,~~
167 ~~instructional materials (such as textbooks and course materials), distance learning works, journal~~
168 ~~articles, research bulletins, lectures, monographs, plays, poems, literary works, works of art~~
169 ~~(whether pictorial, graphic, sculptural, or other artistic creation), computer software/programs,~~
170 ~~electronic works, sound recordings, musical compositions, and similar creations.~~
 - 171 3. ~~**Personal Works.**~~ Intellectual property rights in personal works belong to the creator of the
172 work. ~~A personal work is a work created by an employee or student outside his or her scope of~~
173 ~~employment and without the use of college or university resources other than resources that are~~
174 ~~available to the public or resources for which the creator has paid the requisite fee to utilize.~~
 - 175 4. ~~**Student Works.**~~ a) Intellectual property rights in **a** student works belong to the student who
176 created the work. b) A creative work **created** by a student to meet course requirements using
177 college or university resources for which the student has paid tuition and fees to access
178 courses/programs or using resources available to the public, is the property of the student. e) A
179 work created by a student employee during the course and scope of employment is an
180 institutional work and **the** intellectual property rights to such creation belong to the college or
181 university unless an agreement, sponsorship agreement, **internship agreement**, or other
182 condition described in Subpart B or C below provides otherwise.

183 ~~**Subpart B. Modification of Basic Ownership Rights.**~~

184 The general provisions for ownership of intellectual property rights set forth in Subpart A may be
185 modified by ~~the~~ entering into a signed written agreement as provided in this subpart, following
186 collaborative discussion among the affected parties, or through the substantial use of resources.

187

- 188 1. **Sponsorship Agreement.** The ownership of intellectual property rights in a work created under
 189 a sponsorship agreement ~~shall be~~ is determined by the terms of the sponsorship agreement. If
 190 the sponsorship agreement is silent on the issue of ownership of intellectual property rights,
 191 ownership will be determined under applicable law.
- 192 2. **Collaborative Agreement.** A college, university or the system may participate in projects with
 193 persons, corporations, and businesses to meet identified student, citizen, community and
 194 industry needs. Ownership rights pursuant to any collaboration ~~shall~~ must be addressed
 195 pursuant to this policy.
- 196 3. **Specially Commissioned Work Agreements.** Intellectual property rights to a work specially
 197 ordered or commissioned by ~~the a~~ college or university from a faculty member or other
 198 employee, and identified ~~by the college or university,~~ as a specially commissioned work at the
 199 time the work was commissioned, is a work made for hire and ~~shall~~ belongs to the college or
 200 university. The college or university, and the employee shall enter into a written agreement for
 201 creation of the specially commissioned work.
- 202 4. Student Internship agreement. The ownership of intellectual property rights in a work created
 203 during a student internship is determined by the terms of the internship agreement. If the
 204 agreement is silent on ownership of intellectual property rights, ownership is determined under
 205 applicable law.
- 206 5. Open Educational Resource (OER) Agreements. When colleges, universities, and the system
 207 office use OER agreements, authors will retain ownership of the copyright to their works, but
 208 agree to share the works through an Open or Creative Commons license.
- 209 6. **4- Substantial Use of Resources.** In the event a college, university or the system office provides
 210 substantial resources to a faculty member for creation of a work that is not an institutional work
 211 created under a sponsorship agreement, individual agreement, or special commission, the
 212 college university and/or the system office and the creator shall own the intellectual property
 213 rights jointly in proportion to the respective contributions made. Use of resources is considered
 214 substantial when the additional support received is beyond the normal support level made
 215 available by a college, university and/or the system office to the individual in ~~his or her~~ their
 216 position.

217
 218 **Subpart C. Other ownership factors.**

- 219
- 220 1. **Collective Bbargaining Agreement.** In the event the provisions of this Ppolicy and the
 221 provisions of any effective collective bargaining agreement conflict, the collective bargaining
 222 agreement ~~shall~~ must take precedence.
- 223 2. **Jointly Ccreated Wworks.** Ownership of jointly created works ~~shall be~~ is determined by
 224 separately assessing which of the above categories applies to each creator, respectively. Jointly
 225 created works involving the contributions of students and/or student employees must be
 226 assessed considering ~~this and other~~ all relevant categories of ownership rights as set forth
 227 above.
- 228 3. **Sabbatical Wworks.** Intellectual property created during a sabbatical is defined as a scholarly
 229 work. Typical sabbatical plans do not require the use of substantial college/university resources
 230 as defined in Part 2-Subpart S- of this policy. If the work created as part of an approved
 231 sabbatical plan requires resources beyond those normal for a sabbatical, the parties may enter
 232 into one of the applicable arrangements as set forth in Part 4- Subparts B-~~and or~~ C. of this
 233 policy.
- 234 4. **System Minnesota State, Ccollege or Uuniversity Nname.** Intellectual property rights associated
 235 with Minnesota State's the system's identity, the identities of its colleges and universities, logos,
 236 and other indices of identity belong to the respective entity. Such rights may be licensed
 237 pursuant to reasonable terms and conditions approved by the Ccancellor, presidents or their

238 designees, respectively. System Minnesota State employees may identify themselves with such
239 title of their position as is usual and customary in the academic community; but any user of the
240 system's Minnesota State's or a college's or university's name, logo, or indicia of identity shall
241 take reasonable steps to avoid any confusing, misleading, or false impression of particular
242 sponsorship or endorsement by the system, its colleges or universities. When necessary, specific
243 disclaimers shall must be included.

244 5. **Works Owned Jointly by Colleges, Universities and the system.** Colleges, universities and
245 system ownership interests in jointly owned intellectual property shall must be determined by
246 the relative contributions made by each contributor - unless otherwise provided in a written
247 agreement. The ownership interests may be expressed in percentages of ownership or an
248 unbundling of the rights associated with the work, whatever the parties agree to. This paragraph
249 applies only to allocation of ownership interests among a college, university or Minnesota State
250 the system. The ownership of any other joint owner shall must be determined in accordance
251 with applicable policy, collective bargaining agreement, or personnel plan provisions, or as
252 negotiated among the parties.

253 6. **Equitable Distributions.** In any instance in which Minnesota State the system and/or its
254 colleges or universities execute an agreement with an individual, corporation, business, or other
255 entity for economic gain using intellectual property in which the colleges, universities, or the
256 Minnesota State system has an ownership interest, the colleges, universities or the system shall
257 must receive an equitable distribution. The proceeds of the equitable distribution shall must be
258 shared among the creators of the work as determined by agreement in accordance with this
259 policy.

260
261 **Part 5. ~~Coordination Function.~~ Management of Intellectual Property**

262
263 **Subpart A. Record-keeping**
264 Each college and university shall maintain a record-keeping system to manage the development and use
265 of its intellectual property.

266
267 **Subpart B. Contracts involving intellectual property**
268 College, university, and system office contracts involving intellectual property must be reviewed by the
269 Office of General Counsel or Attorney General's Office before signing, unless the contract is one of the
270 Minnesota State approved contract templates.

271
272 ~~**Subpart A. Appointment of Coordinator.**~~
273 The president or Chancellor, or his/her designee at each college, university, or system office shall
274 appoint an employee to be the local Intellectual Property Coordinator. The coordinator has responsibility
275 to administer provisions of this policy to include dissemination of the college or university's procedures
276 regarding implementation of Policy 3.26 Intellectual Property and Policy 3.27 Copyrights and any related
277 procedures.

278
279 ~~**Subpart B. Record Keeping.**~~
280 ~~Each college and university shall establish a record-keeping system to monitor the development and use~~
281 ~~of its intellectual property. Any questions relating to the applicability of this policy should be directed to~~
282 ~~the Intellectual Property Coordinator.~~

283
284 ~~**Subpart C. Conflicts of Interest and Ethics.**~~
285 System employees are responsible for adhering to all legal and ethical requirements in accordance with
286 State law, Board Policy and system procedure.

287

288 **Part 6. Preservation of Intellectual Property Rights-**

289

290 **Subpart A. Protection of R~~ights~~.**

291 A college, university, or the system office shall undertake such efforts, as it deems necessary to preserve
292 its rights in original works when it is a sole or joint owner of the intellectual property rights. A college,
293 university, or the system office may apply for a patent, trademark registration, copyright registration, or
294 other protection available by law on any new work in which the college, university, or the system office
295 maintains intellectual property rights.

296

297 **Subpart B. Payment of C~~osts~~.**

298 A college, university, or the system office may pay some or all costs required for obtaining a patent,
299 trademark, copyright, or other classification on original works for which the college, university or the
300 system office owns or jointly owns the intellectual property rights. If a college, university, or the system
301 office has intellectual property rights in a jointly owned work, the college, university, or the system office
302 may enter into an agreement with joint owners relating to the payment of such costs.

303

304 **Part 7. Commercialization of Intellectual Property-**

305

306 **Subpart A. Right of C~~ommercialization~~.**

307 The college, university, or the system office that owns or has shared intellectual property rights to a work
308 may commercialize the work using its own resources or may enter into agreements with others to
309 commercialize the work as authorized by law. Upon request of a creator who retains intellectual
310 property rights in a work, the college, university, or the system office shall advise the creator of progress
311 in commercializing the work.

312

313 **Subpart B. Sharing of P~~roceeds~~.**

314 An employee who creates a work and retains an intellectual property interest in such work in which the
315 college, university, or system office maintains intellectual property rights is entitled to share in royalties,
316 licenses, and any other payments from commercialization of the work in accordance with applicable
317 collective bargaining agreements, individual agreements, and applicable laws. All expenses incurred by
318 the college, or university, or the system office in protecting and promoting the work, including costs
319 incurred in seeking patent or copyright protection and reasonable costs of marketing the work, shall
320 must be deducted and reimbursed to the college, university, or the system office before the creator is
321 entitled to share in the proceeds.

322

323 If a college, university, or the system office decides not to pursue patent or copyright protection in a
324 jointly owned work and the creator/inventor decides to pursue such protection, all expenses incurred by
325 the creator/inventor in protecting and promoting the work including costs incurred in seeking patent or
326 copyright protection and reasonable costs of marketing the work, shall must be deducted and
327 reimbursed to the creator/inventor before the college, university, or the system office is entitled to share
328 in the proceeds.

329

330 Net proceeds generated from the commercialization of works owned jointly by colleges, universities, or
331 the system office (not creators/inventors) will be distributed in accord with the terms of a written
332 agreement, or absent an agreement, in amounts equal to the relative contributions made by the
333 colleges, universities, or the system office.

334

335 **Subpart C. Intellectual P~~roperty~~ A~~ccount~~.** Each college, university, and the system office shall deposit
336 all net proceeds from commercialization of intellectual property in its own general intellectual property
337 account. The P~~resident~~/C~~hancellor~~ (or designee) may use the account to reimburse expenses related

338 to creating or preserving the intellectual property rights of the college, university, or system office or for
339 any other purpose authorized by law and Board policy, including the development of intellectual
340 property.

341
342 **Subpart D. Trademarks-**

343 Income earned from the licensing of college, university, or system trademarks and logos is not subject to
344 the requirements of Subpart C for distribution of funds.

345
346 **Part 8. Assignment of Rights-**

347
348 **Subpart A. College, University or System Office Assignment-**

349 A college, university, or the system office may assign all or a portion of its rights in a work to the creator,
350 corporation, business, or to any other person in accordance with the law and when in the best interests
351 of the college, university, or the system. As a condition of the assignment, the college, university, or the
352 system office, may preserve rights, such as a royalty-free, perpetual, irrevocable, non-exclusive license to
353 use and copy the work in accordance with the preservation and the right to share in any proceeds from
354 commercialization of the work.

355
356 **Subpart B. Creator Assignment-**

357 Any person may agree to assign some or all of his or her their intellectual property rights to the college,
358 university, or system. The creator may preserve any rights available to the creator as part of the
359 assignment.

360
361 **Subpart C. Assignment in Writing-**

362 Any assignment of intellectual property rights shall must be in writing and signed by the assignor and
363 assignee.

364
365 **Part 9. Dispute Resolution Process-**

366 The system office may develop procedures to resolve disputes relating to this policy.

367
368 **Part 10. Notification of Policy-**

369 The Intellectual Property Coordinator at each college, university, and the system office shall provide a copy of
370 this Intellectual Property Policy and any other forms developed to implement this Policy to persons upon
371 request. The college, university, or system office shall arrange training on a periodic basis for faculty, staff
372 and/or other persons who are covered by this Intellectual Property Policy.

Related Documents:

- [Board Policy 3.22](#) Course Syllabi and Course Outlines
- [Board Policy 3.27](#) Copyrights
- [System Procedure 3.22.1](#) Course Syllabi and Course Outlines
- [System Procedure 3.26.1](#) Patent Inquiry Procedures
- [Finance Contract Templates](#)

To view any of the following related statutes, go to the Revisor's Web site (<http://www.revisor.leg.state.mn.us/>). You can conduct a search from this site by typing in the statute number.

- Minnesota Statutes 136F Minnesota State Colleges and Universities
- Minnesota Statutes 16C.05 Contract Management; Validity and Review

Policy History:

Date of Adoption: 6/19/02
Date of Implementation: 1/01/03
Date of Last Review: xx/xx/20

Date & Subject of Amendments:

XX/XX/20 – Reorganized the types of works in the Part 2 Definition section, added student internship agreements and open educational resource agreements in Part 4, Subpart B, 4 & 5; deleted the intellectual property coordinator language in Parts 5 and 10; added language on system legal counsel’s review of contracts involving intellectual property in Part 5, Subpart B; changed Part 5 into the management of intellectual property, and made general technical edits throughout the policy.

11/16/11 - Effective 1/1/12, the Board of Trustees amends all board policies to change the term "Office of the Chancellor" to "system office," and to make necessary related grammatical changes.

06/16/10 - Amended Part 3, Subpart G to include Inventors. Added Subpart I, Faculty, Subpart T, System and Subpart U, Works Made for Hire. Delete Subpart N, Professional Staff. Amended Part 4, Subpart A1 to allow a written agreement with a non-faculty member. Amended Subpart A3 to delete Encoded Works. Amended Subpart B to allow modification of Basic Ownership Rights through a written agreement. Deleted Subpart B3, Equity Distributions, and Subpart 6, Certain Encoded Works. Amended Subpart B4 to define substantial resources. Added Subpart 5, Works Owned Jointly by Colleges, Universities, and the System, and Subpart 6, Equitable Distributions. Amended Part 7, Subpart B to include language regarding patents or copyright protections that are not pursued, and distributions of net proceeds generated from the commercialization. Other minor amendments throughout the entire policy.

No additional HISTORY

**MINNESOTA STATE COLLEGES AND
UNIVERSITIES BOARD OF TRUSTEES
Agenda Item Summary Sheet**

Name: Academic and Student Affairs Committee

Date: April 22, 2020

Title: Approval of Mission Statement: Riverland Community College

Purpose (check one):

Proposed
New Policy or
Amendment to
Existing Policy

Approvals
Required by
Policy

Other
Approvals

Monitoring /
Compliance

Information

Brief Description:

The mission of Riverland Community College is being presented for Board approval. The mission meets the criteria in Board Policy 3.24 Institution Type and Mission, and System Mission, Part 4: Approval of College or University Mission Statements.

Scheduled Presenter(s):

Ron Anderson, Senior Vice Chancellor for Academic and Student Affairs
Adenuga Atewologun, President, Riverland Community College

**BOARD OF TRUSTEES
MINNESOTA STATE COLLEGES AND
UNIVERSITIES**

BOARD ACTION ITEM

APPROVAL OF MISSION STATEMENT: RIVERLAND COMMUNITY COLLEGE

BACKGROUND

The revised mission statement of Riverland Community College is being presented for Board approval. The mission and vision meet the criteria identified in Board Policy 3.24 *Institution Type and Mission, and System Mission*, Part 4: Approval of College or University Mission Statements.

Riverland Community College, a proud member of the Minnesota State system, serves approximately 10,000 students annually through credit and non-credit courses. Of the nearly 4800 credit students, 43 percent are first generation and 21 percent are students of color. Its academic excellence is guaranteed through accreditation by the Higher Learning Commission North Central Association of Colleges and Schools.

With three campuses in Albert Lea, Austin and Owatonna, all located along the busy I-90 and I-35 corridors in southern Minnesota, Riverland offers associate degrees in more than 50 career programs, liberal arts and sciences and transfer pathways for those pursuing advanced degrees. In fact, Riverland continues to establish a growing list of agreements with a variety of public and private universities that enables students' seamless transfer into baccalaureate programs without adding extra credits or repeat coursework.

Many of its career programs have received specialized accreditation. This accreditation ensures that the curricula and qualifications of the program in a specific field are aligned with national industry standards.

Riverland shares rich relationships with business leaders, governmental agencies and entrepreneurs to provide innovative solutions for economic growth, workforce development and healthful living. These relationships help assure Riverland students receive a relevant education that means the difference between working at a job and enjoying a rewarding career. As a college, it will constantly leverage people and financial resources to meet the higher educational needs of the region's populations.

In addition, Riverland's online courses and support services allow students access to courses across the globe. Since 1999, Riverland online education has grown. Currently, nearly 460 Riverland courses are offered either entirely or partially online. Numerous certificates, diplomas and degrees can be completed entirely online in the program areas of accounting, business,

computer technology, supervisory management and liberal arts and sciences. Nearly 3,000 Riverland students are receiving education online.

Riverland prides itself on student-centered education with small class sizes, personal instruction and hands-on learning. Its support services help students improve study skills, locate resources, resolve personal issues, make strong career decisions, pay for college, or arrange the details of a smooth college transfer. All services are offered in person or online.

Students enjoy a rich college experience through a wide array of student life activities. Opportunities in theatre, music, clubs, intercollegiate sports, and student government provide an easy way to meet new friends, share talents, and develop leadership skills.

Student Enrollment and Demographics

- Total number of students served: 4,387
- Full-time students: 41%
- Part-time students: 59%
- Percent female: 56%
- Percent male: 44%
- Percent students of color: 21%
- Percent of first-generation students: 43%

The revised mission and vision statements are designed to meet the criteria identified in Board Policy 3.24 Institution Type and Mission, and System Mission, Part 4: Approval of College or University Mission Statements.

Current Mission Statement:

Riverland Community College inspires personal success through education.

Proposed Mission Statement:

Riverland Community College transforms lives through excellence in service, education, and career training.

Current Vision Statement:

Achieve Best in Class status in programs through excellence in teaching, scholarship and service.

Proposed Vision Statement:

Riverland Community College will offer the best opportunity for every enrolled student to attain academic and career goals in an ever-changing world.

Current Values Statement:

Cultivating student growth through service, innovation, and respect.

Proposed Values Statement:

Riverland Community College cultivates student growth through service, collaboration, innovation, and respect.

Other Statement (Heart of Riverland):

Riverland Community College is dedicated to our students, our mission and our communities.

Proposed Other Statement (Heart of Riverland):

Riverland Community College is dedicated to our employees, our students, and our region.

The college vision and mission respond to the following elements in system procedure:

1. The alignment of the proposed mission with the system mission and statewide needs;

The new mission, vision and value indicate a stronger emphasis on considering and meeting the full range of student needs (“service”) and expectations (excellent “education and career training”).

Focus was given to emphasize the demographics of the region and aligning it with the system’s focus to eliminate the achievement gaps in the state by 2030. Riverland wants its students to “transform” their lives through a Riverland education and career training.

Behind the proposed statements lie four pillars that make up Riverland’s strategic framework. These are:

- 1) Outreach (potential students, community and industry partners, and delivery methods).
- 2) Resources (the financial and facility needs that will help it achieve its mission).
- 3) Program (what current and future programming needs will help it best serve the region, the career needs and training for the “ever changing world”).
- 4) People (what focus will its employees need to serve the changing needs of students that will transform lives, provide necessary services, education and career training.)

2. The extent to which the college or university will meet expectations of statute and how it relates to other institutions of higher education;

Riverland Community College does not believe that the new mission, vision, and values change the institutional mission of the college, but instead they state more clearly a commitment to ensure access to an extraordinary education for all Minnesotans in harmony with legislative statutes. The four strategic objectives (pillars) require strengthening Riverland’s relationships with other institutions of higher learning and creating new or nurturing existing partnerships with community organizations and employers -

- 1) broadens it using an equity lens to be more inclusive of all students
- 2) integrates the importance of career education and academic education to be more comprehensive
- 3) focuses on service to include both service to the student during their academic journey and their service to the community
- 4) strengthens the importance of community, industry, K12, and academic partnerships
- 5) Focuses on student success outcomes

3. The array of awards it offers;

Riverland Community College offers certificates, diplomas, and AAS, AA and AS degrees. (See attached).

4. The compliance of the college or university mission with statute, policy, and regional accreditation requirements;

The new mission statement complies with all requirements and does not change the institutional mission. Instead, it focuses on equity and inclusion of all students and the preferred outcomes of those enrolled.

5. The consultation with faculty, students, employers, and other essential stakeholders;

The proposed statements emerged from the work of the strategic planning leadership group during its full-day retreat in October 2019, additional planning work and discussion by the Riverland President and his Cabinet, and student and community feedback sessions in each of the three communities with a Riverland campus (Austin, Albert Lea, and Owatonna). During this process, those involved worked with an outside facilitator and Consultant, Jessie Saul, PhD, the president and CEO of North American Research and Analysis, Inc.

RECOMMENDED COMMITTEE ACTION

Upon the recommendation of the Chancellor, the Academic and Student Affairs Committee recommends that the Board of Trustees approve the mission statement of Riverland Community College.

RECOMMENDED MOTION

The Board of Trustees approves the mission statement of Riverland Community College.

Board of Trustees Meeting

Minnesota State
McCormick Room
Wednesday, April 22, 2020
12:00 PM

The Board of Trustees are adhering to the Center for Disease Control's social distancing guidelines. The trustees will convene either by conference call or on a virtual meeting platform. Interested parties can listen to the live audio-streaming of the proceedings by clicking the link at: <https://www.minnstate.edu/board/index.html>.

Convene and Call to Order, Jay Cowles, Chair

Chair's Report, Jay Cowles

Chancellor's Report, Devinder Malhotra

Consent Agenda

- 1. Minutes of the Committee of the Whole, March 18, 2020**
- 2. Minutes of the Board of Trustees Meeting, March 18, 2020**
- 3. 2022 Capital Program Guidelines (Second Reading)**
- 4. Contracts Exceeding \$1 Million:**
 - a. Nursing Assessment Software Agreement, Minnesota State University, Mankato**
 - b. Exclusive Beverage Contract, Winona State University**
- 5. Approval of Mission Statement: Riverland Community College**

Board Policy Decisions

- 1. Proposed Amendment to Policy 2.6 Intercollegiate Athletics (Second Reading)**
- 2. Proposed Amendment to Policy 3.26 Intellectual Property (Second Reading)**

Board Standing Committee Reports

Committee of the Whole, Jay Cowles, Chair

- Minnesota State Response to COVID-19

Facilities Committee, Jerry Janezich, Chair

- Report of the Committee



Finance Committee, Roger Moe, Chair

- FY2021 Budget Planning
 - a. Federal CARES Act
 - b. Short and Long-Term Enrollment and Financial Implications of COVID-19

Academic and Student Affairs Committee, Alex Cirillo, Chair

- Report of the Committee

Student Associations

1. Lead MN, Oballa Oballa, President
2. Students United, Ola Abimola, State Chair

Minnesota State Colleges and Universities Bargaining Units

1. American Federation of State, County, and Municipal Employees, Tom Torgerud, President, AFSCME Council 5
2. Inter Faculty Organization, Brent Jeffers, President
3. Middle Management Association, Gary Kloos, Executive Director
4. Minnesota Association of Professional Employees, Jerry Jeffries, Regional Director
5. Minnesota State College Faculty, Matt Williams, President
6. Minnesota State University Association of Administrative and Service Faculty, Tracy Rahim, President

Trustee Reports

Adjournment

Bolded items indicate action is required



Consent Agenda

Minnesota State
McCormick Room
Wednesday, April 22, 2020
12:00 PM

The Board of Trustees are adhering to the Center for Disease Control's social distancing guidelines. The trustees will convene either by conference call or on a virtual meeting platform. Interested parties can listen to the live audio-streaming of the proceedings by clicking the link at:

<https://www.minnstate.edu/board/index.html>.

Consent Agenda

- 1. Minutes of the Committee of the Whole, March 18, 2020 (pp. 1-11)**
- 2. Minutes of the Board of Trustees Meeting, March 18, 2020 (pp. 12-19)**
- 3. 2022 Capital Program Guidelines (Second Reading) (pp. 9-12 of the Facilities Committee's meeting materials and pp. 11-14 of the Finance Committee's meeting materials)**
- 4. Contracts Exceeding \$1 Million:**
 - a. Nursing Assessment Software Agreement, Minnesota State University, Mankato (pp. 5-7 of the Finance Committee's meeting materials)**
 - b. Exclusive Beverage Contract, Winona State University (pp. 8-10 of the Finance Committee's meeting materials)**
- 5. Approval of Mission Statement: Riverland Community College (pp. 20-24 of the Academic and Student Affairs Committee's meeting materials)**

Bolded items indicate action is required



MINNESOTA STATE COLLEGES AND UNIVERSITIES
BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE MEETING MINUTES
March 18, 2020

Members Present: Jay Cowles, Chair, Roger Moe, Vice Chair, and Trustees Ahmitara Alwal, Ashlyn Anderson, Alex Cirillo, Jay Cowles, Dawn Erlandson, Robert Hoffman, Jerry Janezich, Roger Moe, April Nishimura, George Soule, Cheryl Tefer, Michael Vekich, and Samson Williams and Chancellor Devinder Malhotra

Convene, Jay Cowles, Chair

Chair Cowles called the meeting to order at 8:32 am. He commented that most of the trustees are participating by phone to comply with the recommendations from the Centers for Disease Control to limit gatherings to no more than 10 people. Besides Chair Cowles, Trustees Soule and Vekich and Chancellor Malhotra were seated at the board table. The handful of people in the board room are socially distanced from one another and are either standing apart or seated on chairs that are at least six feet apart from one another.

Chair Cowles conducted a roll call of the trustees who are participating by telephone. They are: Ahmitara Alwal, Ashlyn Anderson, Alex Cirillo, Dawn Erlandson, Bob Hoffman, Jerry Janezich, Roger Moe, April Nishimura, Rudy Rodriguez, Louise Sundin, Cheryl Tefer and Samson Williams.

COVID-19 Preparedness Planning, Jay Cowles, Chair

Chair Cowles called on Chancellor Malhotra to introduce the topic.

Chancellor Devinder Malhotra's Comments

Chair Cowles and members of the board, today's discussion focuses on a topic that has shifted our attention over the last few weeks as we deal with the COVID-19 pandemic. I will reserve a more detailed account of our efforts for the board meeting.

In the course of just 20 days, we have had to make some salient and difficult decisions. What has made this difficult is the rapid change of new information coming not only from the state but also from the federal level. On February 28, I made the decision to suspend all international travel for all students, faculty, and staff across our 37 colleges and universities. In hindsight, that was perhaps the easiest decision.

Throughout all of this, we have kept two very important priorities front and center in our decision-making. First, to safeguard the health, safety, and welfare of our faculty, staff, and students, and second, to enable students to complete the spring semester and progress towards their educational goals. This has called for a dramatic shift and departure of our normal consultative channels but know that we have stressed communication and I am sure my colleagues will go into more detail as to how this is taking place.

As we organize this work to respond to COVID-19, there are two organizing principles we are adhering to. First, we will act as a system. The gravity of the situation, the torrent of information, and the growing health crisis requires that we act with a unified voice and action plan with flexibility to campuses to deal with their local conditions. The second organizing principle is we need to stay ahead of the curve based on the rapidly changing information and guidance that is available to use from the Center for Disease Control, the World Health Organization, and the Minnesota Department of Health. Indeed, it has required swift, directive decision-making. I would much rather take criticism for over reacting rather than inaction.

Chair Cowles, before I hand it over to Associate Vice Chancellor Yolitz and Interim Vice Chancellor Bill Maki to share more details about the planning and actions that we have taken, I just want to extend a deep gratitude to the faculty, staff, and campus leadership who have worked tirelessly and are working hard to do right by our students and employees.

COVID-19 and our response to this pandemic would also test the mettle of our leadership. This leadership will have to be very nuanced. On one side, we have to take swift action and direct the decision-making with higher frames of accountability which would be put in place. But, on the other hand, given the nature of this crisis, it is very, very important that all of us, all through the system who are in leadership roles, that we lead by our hearts. With that Chair Cowles, I pass it on to Associate Vice Chancellor Yolitz.

Report from Brian Yolitz, Associate Vice Chancellor for Facilities

Good morning, Chair Cowles, trustees here in the McCormick Room...and those joining us remotely...I am Brian Yolitz, associate vice chancellor for facilities. As we get started, please know there are no handouts or materials for this agenda item. If trustees or others wish to have specific documents we reference, let us know and we'll gather and make them available.

Turning to the topic of Minnesota State's planning and response to the COVID-19 outbreak, you may recall from a Board Study Session in the summer of 2018, that in addition to facilities, I also oversee guidance and policy development and campus training and support for among many things...campus security and emergency management.

During our time then, I shared that the Board, acting on state and federal direction and guidance, including:

- Presidential Policy Directives on *Management of Domestic Incidents* and *National Preparedness*;
- NFPA 1600, *Standard on Continuity, Emergency, and Crisis Management*;
- Minnesota state statutes on Emergency Management, as well as
- Minnesota Executive Orders on *State Agency Emergency Responsibilities* and *Continuity Government and Agency Continuity of Operations Plans*

Policy 5.24 Safety and Security Compliance calls for each college and university...and the system office....to create plans, programs, procedures, and training to promote the safety and security of students, faculty, staff, and those in the campus community...and if required, effectively respond to emergency situations. This includes the development and implementation of individual Emergency Operations Plans...or EOPs and Continuity of Operations Plans...or COOPs. To support this work, system office staff created and shared standard templates for each of these plans based on, and consistent with the National Incident Management System (or NIMS) guidance and command standards utilized by first responders at the local community level through state and federal entities.

Utilizing these templates, colleges and universities create their own individual emergency and continuity plans, assign campus emergency planning and response responsibilities, and create local operating guidelines. These plans focus heavily on communication (immediate and long term/recurring) with the campus community as well as close coordination with local or community first responders and emergency managers.

Our EOPs include an Annex dedicated to Pandemic Influenza response to throughout the various stages of an outbreak. (Annex P: Pandemic Influenza specifically preparedness and procedures for pandemic influenza or other novel disease outbreak.) COOP Plans outline prioritization and decision-making methodologies for sustaining and reestablishing academic program delivery and campus operations after an incident or event. Together these documents serve as the basic framework for response by our colleges and universities...and the system office...to a wide array of disasters or emergencies.

As COVID-19 cases began to spread internationally, the system office activated their EOP and stood up our Emergency Operations Team which we have called the *System Office Coordinating Group*. Chancellor Malhotra assigned Interim Vice Chancellor Bill Maki to lead this group.

This group began reviewing information on the state and spread of COVID-19 along with guidance and recommendations from the Centers for Disease Control and Prevention (CDC) and the Minnesota Department of Health (MDH) and then outlined a host items for action and consideration.

The first was establishing a communication plan and activating a Communication Network linking the *System Office Coordinating Group* with Leadership Council, our colleges and universities, our employees and students, the Governor's Office and Legislature, and other state agencies including the Office of Higher Education and the Department of Health. We also established a COVID-19 website at the Minnesota State level with initial FAQs and offered recommendations for colleges and universities to do the same.

To facilitate direct communication with institutions, we established a *COVID-19 Contact Group* based on specific input from Leadership Council. Initially we set a *weekly* meeting

tempo or battle rhythm for the *Coordinating Group* and *Contact Group*...but frankly that changed almost immediately to a daily tempo and *Contact Group* membership expanded to a host of campus leaders including presidents as the threat and severity of COVID-19 rapidly escalated and federal and state guidance changed seemingly hourly. We also utilizing energized functional lines of communication to share and clarify technical details around academic delivery and student support, HR, communication and messaging, finance, and facilities guidance and issues.

A parallel set of actions have happened at the institution level. After reviewing their Emergency Operations and Continuity of Operations Plans, our colleges and universities have:

- Activated their individual Emergency Operations Teams,
- Engaged local emergency planners and public health departments,
- Established internal and external communications with their campus communities through recurring calls, e-mails distributions, video messaging, social media, and websites,
- Conducted initial response and continuity planning, and
- Are now acting on pandemic response and continuity of learning and operations actions based on direction, guidance and recommendations from the Chancellor, Governor Walz, the Minnesota Department Health, Minnesota Office of Higher Education, the Centers for Disease Control and Prevention (CDC), and others.

Emergency and continuity planning and plans have been the foundation for Minnesota State's communication, decision making and response to COVID-19 and has enabled our colleges and universities and the system office to adapt to the ever changing conditions associated with this outbreak.

Unless there are any questions, I'd recommend turning to Interim Vice Chancellor Maki to walk through some of the major response actions and their implementation here within Minnesota State and at our colleges and universities.

Report from Bill Maki, Vice Chancellor for Finance

System response and actions

- Protecting students health and financials
As Chancellor Malhotra stressed, protecting the health and safety of our faculty, students, and staff is our top priority. We also are working diligently to minimize the impact to our students in their educational pursuits and to mitigate the financial impact to them.
- International/U.S. travels
Getting students home from Level 3 and Level 2 countries – South Korea and China.

Since all international school and business-related travel for Minnesota State was suspended on February 28 and all out-of-state travel on March 12, we have been working with all our colleges and universities to mitigate the financial implications of the canceled travel. We also need to work on contingency plans in the event some of these students are unable to return to their home countries as planned. Campuses have been working with them on temporary room and board accommodations. In addition, we are also ensuring that decisions we make regarding our academic calendar does not create unintentional consequences for our students related to their federal financial aid.

- March 12 actions
 - o Along with domestic travel, restricted the size of gatherings to less than 100
 - o Extended spring break to allow planning time for alternate program and course delivery
 - o Shift to academic continuity planning and staff continuity planning
 - o March 15 added a second week for preparation
- Campus operations – remain open to students, faculty and staff
 - o Services provided, may look different
- HR flexibility and accommodations
- Until further notice, all colleges and universities and the system office are directed to take immediate action to implement telework for all employees unless work responsibilities require an employee to be physically present on site.
- Throughout this effort, we aim to will keep staffing and services sufficient to enable students to complete the spring semester, while safeguarding the health, safety, and welfare of our faculty, staff, and students.
- Employees will be notified by their supervisor if they are required to report to campus. All other employees are expected to work with their supervisor to develop a work plan for working remotely now and until further notice.
- Minnesota State supervisors are strongly encouraged to accommodate employees who are concerned their work assignment will put them or vulnerable family members at greater risk of exposure to the virus. In cases of employees whose work does not lend itself to remote work or telework, supervisors will consult with the employee to determine the appropriate protective measures, which may include but is not limited to protective equipment, social distancing plans, staggered or flexible shifts, approved leave options, and increased hygiene measures.
- Finally, to help employees and their families navigate through anxiety and uncertainty, Minnesota State employees and their family members are eligible for confidential counseling sessions free of charge through the EAP Work/Life Counseling service.

Effective immediately and according to current MDH and CDC guidelines, any gathering must have less than 50 people if social distancing can be adhered to. If possible, please adhere to the President's Coronavirus Guidelines for America by avoiding social gathering in groups of more than 10 people. This is effective until you receive further guidance from us.

Spring 2020 commencements at all colleges and universities are canceled. We know there is interest in having a virtual or online way of acknowledging spring graduation. Given our priorities of safeguarding the health, safety, and welfare of our faculty, staff, and students, along with enabling students to complete the spring semester and progress towards their educational goals, please recognize that this is appropriately prioritized after these two goals.

Financial Implications

We are also working with our colleges and universities so we can assess the financial implications of COVID-19. Initially, we were focused at direct expenses related to the travel cancellations as well as other costs related COVID-19 activities as defined by the recent guidance from MMB. The magnitude of the cost of COVID-19 mitigation and lost revenue is now a longer term planning issue for us to address. My largest financial concern is the impact on our revenue fund. Student refunds in residential life (room & board) - concern about revenue fund finances.

Minnesota State also has approximately 4,500 international students attending our colleges and universities. Longer-term, we may also need to assess the enrollment implications related to international students.

Thank you and now I will turn it over to Sr. Vice Chancellor Anderson to provide information on our academic planning.

Report from Ron Anderson, Senior Vice Chancellor for Academic and Student Affairs

Senior Vice Chancellor Anderson provided an update on the work that the faculty and leadership are doing to adapt instruction and move away from a face-to-face model. The key priorities are to protect the health and safety of students, faculty, and staff and to get students through their programs. Access varies across student populations and key areas of the state. All courses have been suspended through March 30 to give faculty time to prepare for online instruction and student support services and other services. Our guidance to campuses has been to see if they can migrate the course to an online system, such as D2L Brightspace. If that is not viable, we have asked them to migrate to an alternative asynchronous format. If a full course cannot be delivered in one of these modes, and face to face must continue, maintaining social distances, staggering lab times, cleaning protocols, and other options will be considered.

Faculty have worked diligently to integrate courses. Crowd sourcing of resources are online and available for faculty and staff so folks can see how others are adapting their courses. One of the challenges we face is the unbundling of lab and other in-person course components with those components that can be delivered online, while still maintaining cohesion in the curriculum. We have developed guidance to balance student access and key delivery protocols as we move into

the next phases of social distancing, and the need to meet basic housing, food, and financial needs. Other resources for students are quick start guides, and virtual drop-in assistance to learn about technology if they are unfamiliar with it.

Sr. Vice Chancellor Anderson said that the Higher Learning Commission has issued guidance to campuses on temporary changes to accreditation requirements during this pandemic period. HLC has relaxed some of their requirements but they want to make sure we are following rigor in our instructions. Upcoming accreditation visits will be rescheduled or held virtually – this is being managed by HLC on a case-by-case basis. As planned are being postponed and will be restructured. ASA is also compiling guidance from program regulatory and licensure boards, and sharing that information with campuses in the coming week.

The work of staff in academic and student affairs has pivoted and lines across units are blurring. Key contacts have been established in academic continuity, student services continuity, and data and information sharing. There are weekly calls with student affairs officers, academic affairs officers, faculty leaders, and student association leaders.

Faculty, staff, and leadership across the system have shown great creativity and commitment as they work to modify courses for alternative delivery. We have eliminated two weeks of instruction from the calendar and remain focused on getting students through to the end of the semester. Our equity 2030 chancellor's fellows have been very helpful in identifying equitable practices and resources and searching for ways to ensure students have the broadest access possible. Sr. Vice Chancellor Anderson thanked the presidents, chancellor, statewide faculty and student leadership, and campus faculty and staff for their outstanding work and commitment to doing what is best for our students during this time of crisis.

ASA will continue to update its guidance on academic and student services continuity as new information becomes available.

Sr. Vice Chancellor Anderson concluded his remarks by sharing the words (with permission) of Brandon Bayne, a professor at the University of North Carolina, Chapel Hill.

1. No one signed up for this.
2. The humane option is the best option.
3. We cannot just do the same thing online.
4. We will foster intellectual nourishment, social connection, and personal accommodation.
5. We will remain flexible and adjust to the situation.

Questions/Answers

- Is it possible to expand summer courses for people who are losing out on pieces of their programs?
Sr. Vice Chancellor replied that summer course offerings are being reviewed and campuses will work to complete spring semester work during the summer if needed

- Is access to technology happening such as keeping computer access open on the campuses?
Sr. Vice Chancellor Anderson replied that the computer labs are open with social distancing and cleaning protocols in place. Students have access to a number of resources such as Distance Minnesota and ITS staff to assist with access issues and questions.
- Is housing available if students, such as international students, have no other place to go?
Associate Vice Chancellor Yolitz replied that some students returned home when they learned that all of their courses were online. The residence life directors on each campus are working with others such as international students or students with housing needs or food insecurity on a case by case basis. He added that if a student contracts COVID-19, the local health department will be notified.
- Is someone working with the Board of Nursing?
St. Vice Chancellor Anderson replied that one of the first calls was to the Board of Nursing, and ASA continues to be in regular conversation with them.
- Fall enrollment?
Sr. Vice Chancellor Anderson replied that everyone is thinking about what this means for fall enrollment.
- Mental health support for students.
Sr. Vice Chancellor Anderson replied that each campus has a contact list of resources for students. In addition, United Healthcare which covers international students has a 24/7 hot line for students with mental issues to call and get support. The hot line is available for all students.

Trustee Sundin inquired if students may receive service learning credits for community service such as helping at risk populations with food delivery and other needs.

Trustees thanked the whole team for their meticulous planning and leadership. Chair Cowles thanked Vice Chancellors Maki and Anderson and Associate Vice Chancellor Yolitz for their remarks and work on preparedness planning.

Adjournment

The meeting adjourned at 9:50 am.

Minnesota State Colleges and Universities

Board of Trustees Meeting Minutes

March 18, 2020

Present: Chair Jay Cowles, Vice Chair Roger Moe, and Trustees Ahmitara Alwal, Ashlyn Anderson, Alex Cirillo, Dawn Erlandson, Bob Hoffman, Jerry Janezich, April Nishimura, Rudy Rodriguez, George Soule, Louise Sundin, Cheryl Tefer, Michael Vekich, Samson Williams, and Chancellor Devinder Malhotra.

Chair's Report

Chair Jay Cowles called the meeting to order at 11:00 am. He commented that most of the trustees are participating by phone to comply with the recommendations from the Centers for Disease Control to limit gatherings to no more than 10 people. The board room as a result looks very different. There are only four people at the board table: Trustee Soule, Trustee Vekich, himself and Chancellor Malhotra. The few other attendees in the room are all socially distanced from one another and seated on chairs that are at least six feet apart from one another.

Chair Cowles conducted a roll call of the trustees who were participating by telephone. They are: Ahmitara Alwal, Ashlyn Anderson, Alex Cirillo, Dawn Erlandson, Bob Hoffman, Jerry Janezich, April Nishimura, Rudy Rodriguez, Louise Sundin, Cheryl Tefer and Samson Williams.

Chair Cowles called on Chancellor Malhotra for his report.

Chancellor's Report, Devinder Malhotra

Chair Cowles, Vice Chair Moe, and members of the board, my remarks today are a bit unusual. I have shared with each of you my board update and it will also be posted to the board website, as well for you to review the important work and conversations that are taking place.

To the board and to the wider Minnesota State community, thank you for all that you are doing in providing leadership and guidance during this unprecedented time. My message to the Minnesota State community centers on the response and decisions made regarding the COVID-19 pandemic. Just 20 days ago, I made a difficult decision to suspend international travel for all students, faculty, and staff. As I have shared, in hindsight, that was the easiest decision. The rapid pace by which this crisis has unfolded and new information presents itself has never been witnessed before. Never has higher education – not just a single institution or a system – but each and every institution of higher education across the nation and even the world – have had to face this type of challenge that effects not only a segment of what we do but every aspect of how we deliver education and support our students. I have often asked the question – “how many times does one get to rethink one’s own profession”. This is not exactly what I had

in mind, but it will have lasting implications not just for the semester, or summer, but extending long into the future.

If we pause and reflect on the last 20 days:

The CDC has increased the number of international countries to a Level 3 threat now including most of Europe and the United Kingdom and Ireland with the United State categorized as a Level 2. The guidance for large gatherings went from 200 to 50 to now a cautionary suggestion for the next, now 14 days of gatherings no more than ten.

The Chronicle of Higher Education stopped tracking the number of higher education institutions who either suspended classes, extended spring break, or moved entirely online after the number reached well over a hundred.

Our way of life has changed, social settings are temporarily closed, some cities are issuing in home stays as a way to flatten the curve and reduce the number of people convening and possibly transmitting the virus more.

The Governor has signed 7 Executive Orders with the last one announced last night –and perhaps the most impactful to the core business of what we do – temporarily closing K-12 schools in order to plan for a safe educational environment. For Minnesota State, the decisions made have been equally as swift and bold:

On February 28, I suspended all international travel for students, faculty, and staff. Following that decision, I charged Interim Vice Chancellor Maki to serve as the system point of contact to lead our COVID-19 response and we established the operational infrastructure, including single points of contacts at each of our colleges and universities.

On March 11, I requested that all colleges and universities begin to plan in earnest their academic continuity plans for spring semester. On March 12, I made the difficult decision to suspend classes by one week, thus extending spring break, to provide our faculty and administrators time to explore moving all spring semester classes to alternative modes of delivery. In addition, I suspended all out-of-state business travel for students, faculty, and staff. And placed a limit on large events to total no more than 100 attendees, which as of today is now a moot point given the current guidance. That was just 5 days ago.

On March 15, I extended spring break by an additional week, recognizing the enormity of the situation in front of us and wanting to ensure that we are doing all we could to keep our students safe. At that same time, I highly encouraged those to follow the guidance given to us and to explore telework options, practice social distancing, and to use alternative meeting methods whenever possible. And just yesterday, I updated that

previous guidance to take immediate action to implement telework for all employees where feasible while still maintaining and making available the services needed by students, faculty, and staff.

None of these have been easy decisions and not one decision was made lightly without thinking about the impact on our students, faculty, and staff, and our campus leaders.

I like many of you have been glued to the news. One of the most insightful pieces I have heard was from Dr. Michael Ryan, the World Health Organization Executive Director Health Emergency Programme. When he was asked lessons learned from dealing with past outbreaks. I will paraphrase. Here is what he said:

Be fast, have no regrets, you must be the first mover...If you need to be right before you move, you will never win. Perfection is the enemy of the good when it comes to emergency management – speed trumps perfection. The problem now is that everyone is scared to make a move – paralyzed by the fear of failure.

A school superintendent said, *“it will be impossible to know if we overacted or did too much, but it will be quite apparent if we under reacted or did too little.”*

I want to be clear that we will gladly take the criticism of being over reactive.

Throughout all of this, we have kept two very important priorities front and center in our decision-making:

- To safeguard the health, safety, and welfare of our faculty, staff, and students, and
- To enable students to complete the spring semester and progress toward their educational goals.

I am confident that you will agree that after listening to this morning’s presentation led by the Interim Vice Chancellor Maki, Associate Vice Chancellor Yolitz, and Senior Vice Chancellor Anderson as well as the remarkable leadership on each of our campuses by our presidents, their administrative team, faculty, staff, and students that I hope you feel confident that we all understand what we need to do during this crisis.

The information we are presented with literally changes on the hour and the truth is no one know with certainty on what lies ahead but if we understand what our decision-making priorities are we can act in a cohesive manner.

Two organizing principles have guided our work: We will act as a system. The gravity of this situation, the torrent of information, and the growing health crisis requires we act

with a unified voice and action plan with flexibility to the campuses to deal with their local compulsions.

We need to stay ahead of the curves based on the rapid changing information and guidance that is available to us from CDC, WHO, and MN Department of Health.

It is also clear to me that we cannot underestimate our ability to over communicate. I want to reassure the board that we are communicating, and we are consulting – just in a very different manner and sequence. This is how we learn about what is going on at our campuses and what we can do to provide them with additional assistance, clarify guidance, and learn from one another.

This week, in my individual conversations with each and every one of our presidents and statewide bargaining units and student association leaders, after those conversations, I am confident, more than ever, of the creativity, passion, commitment, and energy which will enable us to overcome these challenges and provide the needed resiliency to successfully navigate our campuses through these difficult times.

COVID-19 will test the mettle of our leadership. On one side, we have to take swift, decisive action with increased levels of accountability given the fast, changing pace of information. But it is equally as important to remember that during this crisis that we lead by our hearts. This is what binds us together as a community of learners and educators. This is what has brought our campuses and communities together. Faculty and staff across our 54 campuses have ramped up their efforts - coming together - focused on ensuring that our students can meet their educational goals and continue to provide the services that they need.

My deepest thanks and gratitude to the 15,000+ employees at our 37 colleges and universities and the system office employees for the amazing work that is being done. Thank you to our presidents and to the system level cabinet and in particular to Interim Vice Chancellor Maki for your steady leadership during this unknown time.

This work also has other challenges that cannot be ignored. The stress of the situation not only on ourselves as leaders but on our students is an ever increasing concern. The mental health of our community will remain a focus point as we help our students, faculty, and staff wrestle with their new normal.

The change in our delivery modes requires students to have to grapple with the ever increasing divide of access to technology. As we have talked about together, meeting the basic needs of our students is a struggle. This is enhanced ten-fold when you consider the security of our campus operations and services for many of our students and the impact on reducing or limiting those services during this crisis. Our students

need more than ever before the community connections that each of our campuses have created and fostered to help them through this time.

We must continue to be on guard of behaviors that target our fellow Minnesotans based on their ethnicity and the fears surrounding the coronavirus. This is unacceptable. Disparate treatment or uncivil behavior will not be tolerated. None of us know what tomorrow, or to that end, what the semester or next academic year will bring. I have to be honest - I am scared, as I believe we all should be.

We are really dealing with a set of unknowns: the potential financial implications for our campuses both in the short and the long-term; and the possible effects this crisis will have on retention and enrollment. However, I know that with the leadership on our board, the teamwork in our system office, the campus leadership of our presidents, the community of our faculty and staff, and our amazing students - my fears are alleviated knowing what we can and will do together.

We also have unwavering partners at the state and federal level. We have been in constant communication with leaders from the Minnesota Legislature, members in the Walz and Flanagan administration, in addition with the congressional delegation. Their partnership and leadership is and will continue to be vitally important to Minnesota State.

Chair Cowles, today more than ever I want anyone who is listening to know I am honored and humbled to serve as Chancellor of Minnesota State. I am honored and humbled to work alongside my system office colleagues, our presidents, but most importantly bargaining units, student associations, our faculty and staff across all our colleges and universities. We are a resilient bunch, and we will get through this together, and we will come out stronger.

Thank you, Chair Cowles.

Chair's Comments

Thank you, Chancellor for those remarks, I thought they were an appropriate beginning to our meeting. This is a difficult time for everyone especially for our students.

Chancellor Malhotra, presidents, faculty, staff and cabinet have been doing an extraordinary amount of work meet the daily challenges presented by the covid-19 outbreak. The Chancellor has kept the board apprised of all actions and activities. Chancellor Malhotra and I have been in daily communication and he has consulted with board leadership as conditions have warranted.

The Chancellor's leadership in this crisis has been steady, collaborative, thoughtful and most of all reassuring. The guiding principles are twofold the safety and health of our students' faculty and staff and for our students to complete the spring semester and attain their academic goals on time.

I know that faculty and staff at the campuses have been hard at work to develop new and creative ways to meet the needs of our students. There is no doubt that we are in uncharted territory with no immediate end in sight. But I am confident that with Chancellor Malhotra's leadership combined with the collective wisdom and resolve of the Leadership Council, our faculty our staff and the resiliency of our students. We will get through this crisis and retain the future that all hold dear for Minnesota State and its students.

Consent Agenda

Chair Cowles asked if anyone wanted to remove an item from the Consent Agenda, as show below. No items were removed.

- 1. Minutes of the Committee of the Whole, January 28, 2020**
- 2. Minutes of the Board of Trustees Meeting, January 29, 2020**
- 3. Contract Exceeding \$1 Million: Parking Lot Repairs, Minnesota State Community and Technical College, Moorhead Campus**
- 4. Lease Amendment: Northwest Technical College and the Hoffman Building HVAC Programming**
- 5. Lease Amendment: Metropolitan State University and 1380 Energy Park**
- 6. CliftonLarsonAllen Contract Extension/Amendment (External Auditing Services)**
- 7. Baker Tilly Contract Extension/Amendment (Internal Auditing Services)**

Following a motion by Trustee Vekich and a second by Trustee Cirillo, the Consent Agenda was adopted.

Board Standing Committee Reports

Human Resources Committee, Michael Vekich, Chair

- 1. Appointment of President of Dakota County Technical College and Inver Hills Community College**

Committee Chair Vekich moved the following motion which carried unanimously.

The Board of Trustees, upon the recommendation of Chancellor Malhotra, appoints Michael Berndt as President of Dakota County Technical College and Inver Hills Community College effective March 18, 2020, subject to the completion of an employment agreement. The board authorizes the chancellor, in consultation with the chair of the board and the chair of the human resources committee to negotiate and execute an employment agreement in accordance with the terms and conditions of the Minnesota State Colleges and Universities Personnel Plan for Administrators.

Chair Cowles congratulated President Berndt and invited him to make some comments. President Berndt thanked the board, Chancellor Malhotra and the colleagues who are listening to the audio-stream. He said he is deeply honored for this opportunity to lead Dakota County

Technical College and Inver Hills Community College. He thanked Suzanne, his partner of 27 years, and children Reed and Paige. He also thanked Nancy Hoagland, his longtime friend and coach. Inver Hills Community College and Dakota County Technical College have been celebrating their 50th anniversaries. President Berndt added that he is humbled to be in the company of the presidents who led these institutions in the last 50 years, and he looks forward to working with his colleagues to launch the next 50 years.

2. Appointment of President of North Hennepin Community College

Committee Chair Vekich moved the following motion which carried unanimously.

The Board of Trustees, upon the recommendation of Chancellor Malhotra, appoints Dr. Rolando Garcia as President of North Hennepin Community College effective July 1, 2020, subject to the completion of an employment agreement. The board authorizes the chancellor, in consultation with the chair of the board and the chair of the human resources committee to negotiate and execute an employment agreement in accordance with the terms and conditions of the Minnesota State Colleges and Universities Personnel Plan for Administrators.

Chair Cowles congratulated Dr. García who was participating by conference call. He invited Dr. García to make some comments. Dr. García thanked Chair Cowles, Chancellor Malhotra, trustees, and future colleagues for their warm welcome. He commented that he is humbled, excited, and honored to join Minnesota State and to lead North Hennepin Community College.. He commended Dr. Jeffrey Williamson for his leadership over the last year, and he recognized the amazing faculty, staff, and administrators that have built North Hennepin Community College into the wonderful institution it is today. President-elect García thanked his wife Elizabeth Snyder, and his son Adam García for their support.

3. Appointment of Vice Chancellor for Finance and Facilities

Committee Chair Vekich moved the following motion which carried unanimously.

The Board of Trustees, upon the recommendation of Chancellor Malhotra, appoints William Maki as Vice Chancellor for Finance and Facilities effective today, March 18, 2020, subject to the completion of an employment agreement. The board authorizes the chancellor, in consultation with the chair of the board and the chair of the human resources committee to negotiate and execute an employment agreement in accordance with the terms and conditions of the Minnesota State Colleges and Universities Personnel Plan for Administrators.

Chair Cowles congratulated Vice Chancellor Maki and invited him to make some comments.

Vice Chancellor Maki commented that he is blessed and humbled and honored to be appointed as vice chancellor for finance and Facilities. He added that it is almost five years to the day that he was appointed President of the Northeast Higher Education District; today is the third time

he is before the board accepting a new position. He thanked his wife Jody, daughters Madison and Mackenzie and son Parker who have always provided him with strong support and made sacrifices for his career. He stated that he is looking forward to serving the colleges and universities and helping lead Minnesota State's long-term programmatic and financial stability.

Committee of the Whole, Jay Cowles, Chair

Chair Cowles reported that earlier in the day, the Committee of the Whole heard about Minnesota State's planning for COVID-19 from Vice Chancellor Bill Maki, who has been charged to lead the system preparations on COVID-19. Associate Vice Chancellor Brian Yolitz and Senior Vice Chancellor Ron Anderson also reported on planning efforts. They spoke extensively about their particular areas of focus: finance, facilities, and academic and student affairs.

Student Associations

There was no testimony from LeadMN or Students United at the board meeting. LeadMN provided testimony during the Human Resources Committee meeting.

Minnesota State Colleges and Universities Bargaining Units

Written testimony was provided by President Brent Jeffers, Inter Faculty Organization, President Matt Williams, Minnesota State College Faculty, and President Tracy Rahim, Minnesota State University Association of Administrative and Service Faculty. Their testimony is attached to these minutes.

Trustee Reports

Trustee Sundin announced that the Nellie Stone Johnson Scholarship dinner has been postponed to Tuesday, June 16, 2020.

Chair Cowles thanked everyone for making this meeting as effective as possible under the circumstances. He wished everyone to be safe and healthy.

Adjournment

The meeting was adjourned at 12:09 pm.



Dear Trustees,

The last week has been extraordinarily challenging for so many in our community. As we adapt to our new reality and confront the uncertainty that lies ahead, we are thankful for the leadership of the Chancellor, our campus presidents, and the faculty, student, and staff leadership on each campus.

In addition to the pressures of responding to the pandemic, we have multiple campuses facing extraordinary budget shortfalls – so extraordinary that campuses are facing unprecedented layoffs of tenured faculty. We have never faced significant layoffs on multiple campuses at the same time.

With the realities facing our campus communities, we urge the Board of Trustees to begin discussions of how to address the negative impacts to students, academic programs, and support services due to the looming budget shortfalls.

It has become increasingly clear that our partners at the Legislature will not be providing us supplemental funding as they work to protect the health and safety of Minnesota’s citizens. We support this prioritization, therefore, Our campuses will rely on the Trustees to authorize the necessary resources to protect students from reduced course offerings, fewer opportunities to receive the support they need to succeed, and a diminishing quality of the educational experience we can offer. The resources collected through a 3% tuition increase will help ensure that students have the classes they need to graduate within a reasonable timeframe. The resources will also help ensure that students have tutors, counselors, janitorial staff, IT support, librarians, professors, and the many other people who go to work each day to ensure the success of each student.

More than ever, campuses need the flexibility – up to the level set by the legislature – to manage their budgets and protect the programs and unique educational experiences which today’s students, families, employers, and our communities expect. Without these resources, we will not be able to fulfill our mission and meet the demands of all students that rely on the MinnState System for access to a better life.

Faculty, coaches, librarians, and counselors represented by the IFO ask you to consider these negative impacts to our students if the Board does not support the flexibility our campuses need.

Thank you –

Brent Jeffers
IFO President

Chair Cowles, Trustees, Chancellor Malhotra,

I want to start my brief written remarks by expressing my gratitude to the system office, and Chancellor Malhotra personally, for swiftly responding to our concerns regarding the safety and health of all employees on campuses.

We recognize the rapid evolution of this crisis which has moved faster than policy and procedure could adapt. And yet, as we began to understand the implications of in-person gatherings was shifting, we were happy to see our concerns were heard and guidelines were adjusted as needed to ensure everyone is as safe as they can be in this situation.

This situation is still evolving. Right now, across the state, faculty, staff, and administration at our college campuses are engaged in extraordinary, unprecedented work in preparing to support our students in their educational pursuits. Their work should be recognized and commended.

But our work must continue in other avenues, as well. Given the students and communities we serve as open access, public colleges, we join other labor unions, community groups, and non-profits in calling for immediate emergency assistance for all.

Barely two weeks ago, Minnesota State released the results of the basic needs survey conducted by The Hope Center for College, Community, and Justice.

This survey confirmed what faculty at our two-year colleges already knew: a majority of our students face ongoing and persistent basic needs insecurity.

This situation will only be exacerbated by this crisis. Immediate emergency assistance for all, in whatever manner is needed, is what will make the difference between a disruption and a tragedy for many members of our communities. We hope you will join us in calling on Governor Walz to continue his leadership and to go further in protecting our students and our communities.

As leaders, we have a special responsibility to use our positions during this emergency to speak for those that will be most affected by this pandemic. If there was ever a moment to put in some phone calls to the people who can make a difference, now is that time.

Thank you.



Matt Williams | President
Minnesota State College Faculty
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Pronouns: *he/him/his*

Association of Administrative and Service Faculty

Testimony from Tracy Rahim, President

Chair Cowles, Chancellor Malhotra, and Trustees:

I am probably the 1,000,000th person to say that these are unprecedented times and no one has any certainty about what the next day will bring. I first want to acknowledge and express my gratitude for the leadership of Chancellor Malhotra, Ron Anderson, Bill Maki, Eric Davis and all their staff members for the difficult decision-making and “turn on a dime” communications that have been necessary. As a leadership educator for our students, this is a true case study in how effective, personal, and efficient leadership has been put into action. There may be confusion or some missteps along the way in interpreting guidance from the federal government, state government, CDC, WHO, MDH, and MMB, but we are all in this together. I can assure you that ASF members have stepped up and have been working diligently to keep our campuses thriving in a safe and smart manner. And they are doing their best to serve students in anyway they can that keeps health and safety at the forefront. Many thanks to the ASF members across the system who work in faculty development, online learning, and other IT areas who are helping teaching faculty into the wee hours of the night to get their courses moved to alternate methods. Thank you to the academic advisors who are meeting with students in a variety of methods to answer questions and reassure them that everything will be OK. And thank you to residence hall directors who are living with students who have returned to campuses and cannot really separate their home lives from their work lives right now.

Giving employees greater latitude to telework or stagger schedules to keep themselves safe, their co-workers safe, and their families safe has been the saving grace to helping to flatten the spread among employees. We have had to reimagine how we do some of our work, but that has also helped us give pause to determine our top priorities.

I know tough roads are in front of us still with COVID-19: Helping students be successful in completing courses this term, working remotely when access to resources may be clunky, and realizing that the things everyone looks forward to at the end of the academic year won't happen in 2020. On top of this, our campuses are still wrangling with difficult budget decisions for the future and the realization that additional state funding is not going to be a reality. Anxiety is high for so many reasons. But having thoughtful leadership, making tough decisions, and communicating at all levels is the only way we can survive these murky waters. I hope as things settle down, these things will not cease on our campuses and at the system level. We are all in this together to help our students in their educational goals and to keep our campuses thriving.

Sincerely,

Tracy Rahim

President



Board Policy Decisions

Minnesota State
McCormick Room
Wednesday, April 22, 2020
12:00 PM

The Board of Trustees are adhering to the Center for Disease Control's social distancing guidelines. The trustees will convene either by conference call or on a virtual meeting platform. Interested parties can listen to the live audio-streaming of the proceedings by clicking the link at: <https://www.minnstate.edu/board/index.html>.

Board Policy Decisions (Second Readings)

- 1. Proposed Amendment to Policy 2.6 Intercollegiate Athletics**
(pp. 5-8 of the Academic and Student Affairs Committee's meeting materials)
- 2. Proposed Amendment to Policy 3.26 Intellectual Property**
(pp. 9-19 of the Academic and Student Affairs Committee's meeting materials)

Bolded items indicate action is required.



Minnesota State Acronyms

AACC	American Association of Community Colleges
AASCU	American Association of State Colleges and Universities
ACCT	Association of Community College Trustees
ACE	American Council on Education
AFSCME	American Federation of State/County/Municipal Employees
AGB	Association of Governing Boards of Universities and Colleges
API	Application Programming Interface
AQIP	Academic Quality Improvement Program
ASA	Academic and Student Affairs
BPAC	Business Practices Alignment Committee
CAG	Cross-functional Advisory Group
CAS	Course Applicability System
CASE	Council for the Advancement and Support of Education
CCSSE	Community College Survey of Student Engagement
CFI	Composite Financial Index
CIP	Classification of Instructional Programs
COE	Centers of Excellence <ul style="list-style-type: none">• Advance IT Minnesota• 360° Manufacturing and Applied Engineering Center of Excellence• HealthForce Minnesota• Minnesota Center for Engineering and Manufacturing Excellence (MNCEME)• Center for Agriculture - Southern Minnesota• Minnesota Agriculture Center for Excellence – North – AgCentric• Minnesota Energy Center• Minnesota Transportation Center

CRM	Constituent Relationship Management
CSC	Campus Service Cooperative
CST	Collaborative Sourcing Team
CTF	Charting the Future
CTL	Center for Teaching and Learning
CUPA	College and University Personnel Association
DARS	Degree Audit Reporting System
DEED	Department of Employment and Economic Development
DOA	Department of Administration
DOER	Department of Employee Relations (merged with MN Management and Budget)
EEOC	Equal Employment Opportunity Commission
EIC	Enterprise Investment Committee
ERP	Enterprise Resource Planning
FERPA	Family and Educational Rights and Privacy Act
FIN	Finance
FTE	Full Time Equivalent
FUG	Financial User Group
FY	Fiscal Year (July 1 – June 30)
FYE	Full Year Equivalent
HEAC	Higher Education Advisory Council
HEAPR	Higher Education Asset Preservation
HLC	Higher Learning Commission
HR	Human Resources
HR-TSM	Human Resources Transactional Service Model

IAM	Identity and Access Management
IDM	Identity Management (Old term)
IFO	Inter Faculty Organization
iPASS	Integrated Planning and Advising for Student Success
IPEDS	Integrated Postsecondary Education Data System
ISEEK	CareerWise Education
ISRS	Integrated Statewide Records System
IT	Information Technology
ITS	Information Technology Services
LTFS	Long-term Financial Sustainability
MAPE	Minnesota Association of Professional Employees
MDOE	Minnesota Department of Education
MDVA	Minnesota Department of Veterans Affairs
MHEC	Midwestern Higher Education Compact
MMA	Middle Management Association
MMB	Minnesota Management and Budget
MnCCECT	Minnesota Council for Continuing Education and Customized Training
MMEP	Minnesota Minority Education Partnership
MNA	Minnesota Nurses Association
MOU	Memorandum of Understanding
MSCF	Minnesota State College Faculty
MSCSA	Minnesota State College Student Association
MSUAASF	Minnesota State University Association of Administrative and Service Faculty
MSUSA	Students United (previously known as MSUSA or Minnesota State University Student Association)

NASH	National Association of System Heads
NCAA	National Collegiate Athletic Association
NCHEMS	National Center for Higher Education Management Systems
NSSE	National Survey of Student Engagement
OCR	Office for Civil Rights
OET	Office of Enterprise Technology
OHE	Minnesota Office of Higher Education
OLA	Office of the Legislative Auditor
PEAQ	Program to Evaluate and Advance Quality
PM	Project Manager
PSEO	Post-Secondary Enrollment Options
RFP	Request for Proposal
SAG	Services Advisory Group
SCUPPS	State College and University Personnel/Payroll System
SEMA4	Statewide Employee Management System
SER	Subcommittee on Employee Relations
SHEEO	State Higher Education Executive Officers
SME	Subject Matter Experts
USDOE	United States Department of Education
USDOL	United States Department of Labor