



November RUSO Regent Meeting

Regional University System of Oklahoma
Friday, November 8, 2024 at 9:00 AM
Northeastern State University

Agenda

I. ANNOUNCEMENT OF FILING MEETING NOTICE AND POSTING OF THE AGENDA IN ACCORDANCE WITH THE OPEN MEETING ACT

Official action can only be taken on items which appear on the agenda. The RUSO Board of Regents may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the Regents may refer the matter to the Executive Director or Legal Counsel. The Regents may also refer items to staff or committees for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely.

II. CALL TO ORDER AND REGENTS' ROLL CALL

A. (Action) Discussion and possible action excusing absent Regents.

III. Presentation by Regent Jane McDermott regarding the Chairman's Report.

IV. (Action) Discussion and possible action regarding the Consent Docket consisting of previous minutes and academic program modifications.

A. MINUTES OF PREVIOUS MEETING

1. Approval of Minutes of Regular Meeting, October 4, 2024

B. ACADEMIC AFFAIRS

1. East Central University

Program Deletions:

- BSEd in Special Education Mild/Moderate (044)
- MEd in Secondary Education – Academic Discipline (083)

New Program Proposals:

- MS in Applied Psychology
- MS in Sport Psychology

2. Northeastern State University

Program Modifications:

- Mathematical Statistics (CIP: 270101)
- Business Administration B.B.A. (012)

- Health Organizations Administration B.B.A. (004)
- Information Systems B.B.A. (123)
- Management B.B.A. (054)
- Marketing B.B.A. (055)
- Computer Science B.S. (100)
- Integrative Biology B.S. (115)
- Reading, M.ED. (075)
- Healthcare Administration Certificate (181)
- Healthcare Information Analytics Certificate (182)
- International Business Certificate (065)
- Operations and Supply Chain Management Certificate (180)
- Quality Management Certificate (192)
- Entrepreneurship Minor (1120)
- Hospitality and Tourism Management Minor (1950)
- Entrepreneurship B.B.A. (136)
- Hospitality and Tourism Management B.B.A. (093)
- Supply Chain Management B.B.A. (145)

5-year Program Reviews:

- Bachelor of Arts in History (042) with Embedded Certificate in Public History (207).
- Bachelor of Science in Criminal Justice (020), Master of Science in Criminal Justice (085) with embedded Certificates in Crime and Society (201), Criminal Justice Leadership and Administration (202), and Planning, Resilience, and Incident Management (211).
- Master of Science in Leadership (052) with Embedded Certificates in American Indian Leadership (172), Diversity, Equity, and Inclusion in the Workplace (208), Higher Education Administration (119), Leadership (174), Training and Development (175).

3. Northwestern Oklahoma State University

Program Modifications:

- Bachelor of Music Education in Instrumental (026)
- Bachelor of Applied Arts and Sciences in Technical Management (064)

4. Southeastern Oklahoma State University

Program Modifications:

- Bachelor of Science in Aviation Management (002)
- Master of Science in Native American Leadership (112)
- Certificate in Tribal Sovereignty (135)
- Master of Specialty in Technology (076)
- Certificate in Managerial Accounting (133)

- Certificate in Management (113)

Program Deletion:

- Bachelor of Arts in Spanish (106)

New Programs Proposals:

- Bachelor of Science RN to BSN in Nursing (136)
- Doctor of Specialty in Business Administration -DBA (134)

5. Southwestern Oklahoma State University

Program Modifications:

- BS Applied Engineering Management
- BA History Education
- BS Chemistry (Professional)
- BS Computer Science

New Program Proposal:

- BA Digital Design

5- year Program Review:

- BS Mathematics

V. REPORT OF RUSO COMMITTEE PROCEEDINGS

A. FACILITIES STEWARDSHIP COMMITTEE – Regent Amy Anne Ford

1. (Action) Discussion and possible action regarding facilities approvals for Northeastern State University.

Project #485-0067 – Campus Wayfinding and Building Signage

- Project Description: Requesting permission to design, bid, and award to the lowest responsive bidder both upgrades to existing and installation of new campus signage.
- Requested Funding Approval: \$350,000
- Budget Breakdown: Renovation/Repairs
- Revenue Source(s): 751 Fund

Project #485-0067 – Tennis Courts Resurface and New Pickle Ball Courts

- Project Description: Requesting permission to design, bid, and award to the lowest responsive bidder the creation of a new pickle ball court and the resurfacing of existing tennis courts.
- Requested Funding Approval: \$150,000
- Budget Breakdown: Renovation/Repairs
- Revenue Source(s): 751 Fund, 650 Fund, 600 Fund

Project #485-0073 – Cyber Security Labs

- Project Description: Requesting permission to design, bid, and award to the lowest responsive bidder the renovation of existing classrooms to accommodate two cyber security laboratory classrooms.
- Requested Funding Approval: \$200,000
- Budget Breakdown: Renovation/Repairs
- Revenue Source(s): 430 Fund

2. (Action) Discussion and possible action regarding facilities approvals for Southeastern Oklahoma State University.

- In accordance with Board policy 2.4, Public Construction and Improvement Projects related to change orders, Southeastern Oklahoma State University reporting the following items:
 - Legacy Plaza Sculpture
Change Order #1 – Final Patina & Installations Cutting Street Pavement for Sanitary Line....\$6,000
- In accordance with Board policy 2.4, Public Construction and Improvement Projects exceeding \$100,000, Southeastern Oklahoma State University is requesting approval to bid and award to the lowest and best possible candidate the following project:
 - Project Name: Wrought Iron Fencing
 - Project Description: The existing chain-link fence will be replaced with a new wrought iron fence to establish a secure boundary, enhance the aesthetic appeal of the football stadium for spectators, and align with the design of the current front gate entrance.
 - Project Number(s): 660-0809
 - Amount: \$200,000 Estimated
 - Source of Funds: Durant Community Facilities Authority
 - Vendor: To Be Determined
- In accordance with Board policy 2.3.4, Purchases exceeding \$150,000, Southeastern Oklahoma State University is requesting approval to purchase the following items:
 - Item: Paul Laird Field Turf
 - Description: Replacement of the artificial surface at Paul Laird Field is in alignment with industry and safety standards. It is recommended to replace the surface every 8-10 years based on usage, safety testing and wear and tear.
 - Amount: \$900,000
 - Source of Funding: Master Lease Equipment 2024, Durant Community Facilities Authority, E&G I, Auxiliary
 - Vendor: TBD through use of TOPS (The Oklahoma Purchasing System) Cooperative Purchasing Program

3. (Action) Discussion and possible action regarding facilities approvals for the University of Central Oklahoma.

Project # 120-1091 Parking Improvements

- Project Description: Request approval to bid and award contract not to exceed \$1,500,000 for the replacement of parking lots 17 & 18. Lots 17 & 18 are a combined approximately 130,000 sqft. of area that needs full demolition, compaction/rework of base, and replacement of asphalt. Work will be competitively bid and awarded to lowest responsible bidder.
- Requested Funding Approval: \$1,500,000
- Budget Breakdown: \$1,455,000 for construction, \$45,000 design and engineering
- Vendors: Contractor TBD, Civil Engineer CEC
- Congruent with Facility Master Plan or Strategic Plan: Yes
- Fund Source(s): OSRHE Deferred Maintenance Appropriation

Project # 120-0079 Business Building Renovation & Additions

- Project Description: Request approval to increase budget for College of Business Addition (January 2020 approval) from \$4,100,000 to \$5,125,000. The reason behind the cost increase is construction inflation. Addition includes: (4) large lounge/ study areas on first and second floors, breakout rooms, restrooms, classroom/simulator room for PGA management program, and remodel of (3) existing spaces.
- Requested Funding Approval: \$1,025,000
- Budget Breakdown: \$1,025,000 for construction
- Vendors: Lippert Bros. Construction, Beck Design
- Congruent with Facility Master Plan or Strategic Plan: Yes
- Fund Source(s): Private Donation

Project # 120-0032 Sports Complex Improvements

- Project Description: Request approval to award contracts not to exceed \$1,000,000 for the renovation of restrooms and visitor locker rooms at Hamilton Fieldhouse. Renovations will include complete overhaul of second floor men's and women's restrooms, first floor men's restroom, and two visitor locker rooms. (This past summer, women's first floor restroom, two family restrooms, and coaches' locker rooms were completed.) Lingo Construction has an on-call construction manager contract. (June 2024 RUSO)
- Requested Funding Approval: \$1,000,000
- Budget Breakdown: \$925,000 for construction/Lingo, \$50,000 design and engineering/Studio, \$25,000 furnishings and audio/video.
- Vendors: Lingo Construction, Studio Architecture
- Congruent with Facility Master Plan or Strategic Plan: Yes
- Fund Source(s): OSRHE Deferred Maintenance Appropriation

Project # 120-1091 Parking Improvements

- Project Description: Request approval to modify contracting method and increase overall budget from \$700,000 to \$1,100,000 for the repair and replacement of parking lot 6. Projected cost increase is due to original estimate/contracting method was to be provided by Oklahoma County Commissioner. They were providing the material and labor at cost. Their office ultimately decided it was outside of their statutory authority to provide this service to a 4-year college. Work will now be competitively bid and awarded to lowest responsible bidder.
- Requested Funding Approval: \$400,000
- Budget Breakdown: \$400,000 construction
- Vendors: Contractor TBD, Civil Engineer CEC
- Congruent with Facility Master Plan or Strategic Plan: Yes
- Fund Source(s): Campus Enterprises (Auxiliary)

Project # 120-1010 University Center Renovations and Improvements

- Project Description: Request approval to increase budget for Nigh University Center Ballrooms and Heritage Room renovations Business Addition (June 2024 approval) from \$1,500,000 to \$1,850,000. Budget increase is due to updated estimate information provided by selected construction manager. Original estimate was provided by an independent construction estimator. Project scope remains the same.
- Requested Funding Approval: \$350,000
- Budget Breakdown: \$250,000 for construction, \$100,000 for audio/video
- Vendors: Lingo Construction, GSB Architects
- Congruent with Facility Master Plan or Strategic Plan: Yes
- Fund Source(s): Section 13

Project # 120-1012 Residence Hall Improvements

- Project Description: Request approval to award contract to Johnson Controls International (JCI) in an amount not exceed \$120,000 for the purpose of installing dehumidification systems to (5) main air-handling units in West Hall dormitory. Previously, (1) air-handling unit was outfitted with the system as a test case and was successful in reducing humidity by 15%. Humidity above 60% has historically been an issue in the building. JCI utilizes General Services Administration (GSA) pricing for their quotations.
- Requested Funding Approval: \$120,000
- Budget Breakdown: \$120,000 equipment and installation
- Vendors: Johnson Controls International
- Congruent with Facility Master Plan or Strategic Plan: Yes
- Fund Source(s): Campus Enterprises (Auxiliary)

Sale of Radio Repeater Stations

Request approval to sell two radio repeater stations KBCW (91.9, McAlester) and KCSC (95.9, Woodward) and associated FCC licenses to The Christian Center, Inc. for the amount of \$200,000. Because the location of these stations only serves relatively sparsely population regions and KUCCO is also now available digitally, the stations no longer serve a strategic purpose and the operating costs exceed their value. There is a very limited market for these non-commercial educational FCC licenses and this was the only buyer with serious interest in both stations at a reasonable price.

4. Discussion of facilities tour at Northeastern State University.

B. PERSONNEL COMMITTEE- Regent Lake Carpenter

1. (Action) Discussion and possible action regarding the new process for presidential evaluations.

C. AUDIT AND FINANCE COMMITTEE- Regent Chris VanDenhende

1. (Action) Discussion and possible action regarding ECU request for Contract with Ideal Impact, Inc.

- Part A – Ideal Impact Service Contract
- Part B – OK Lease Purchase Agreement with Ideal Impact
 - For the purposes of energy conservation.
 - Currently being reviewed by RUSO Legal.

2. (Action) Discussion and possible action regarding ECU request in accordance with Board policy 2.3.4, to purchase the following item:

Carpet Warehouse

- Flooring for Briles Hall renovation
 - Source: *AUX*
 - \$171,380.00

3. (Action) Discussion and possible action regarding NSU request to provide a \$500 stipend to all Full-Time Eligible Employees.

Funding will be provided from additional revenue due to increase in fall enrollment.

4. (Action) Discussion and possible action regarding SE request to be put on the list for the ODFA 2024 Equipment Master Lease Program with OSRHE.

Name of Project: Paul Laird Field Turf Replacement

Project Description: Replacement of the artificial surface at Paul Laird Field is in alignment with industry and safety standards. It is recommended to replace the surface every 8-10 years based on usage, safety testing and wear and tear.

Project Budget: \$900,000

The projected annual debt payment for this project would be about \$110,000 over a 10-year period.

Location of Project: SOSU Main Campus – Durant, Oklahoma

Project Number(s): Congruent with Facilities Master Plan project: 660-0809

5. (Action) Discussion and possible action regarding SE request for revenue generating contracts.

In accordance with Board policy 2.3.6, Revenue Generating Contracts, Southeastern Oklahoma State University requests ratification of emergency approval to enter into an agreement with Dobson Fiber. The agreement will allow Dobson Fiber to utilize rack space in our data center as well as existing fiber conduit throughout campus. Pursuant to the agreement, Dobson Fiber will pay Southeastern for access to and use of the space.

6. (Action) Discussion and possible action regarding SWOSU request in accordance with Board policy 2.3.4, to purchase the following item:

Bruker, Nuclear Magnetic Resonance (NMR) spectrometer is used to determine the structure of molecules.

Sources E&G, SWOSU Foundation, SWOSU Pharmacy Foundation.....\$360,000

7. (Action) Discussion and possible action regarding UCO request to transfer funds.

University of Central Oklahoma requests a transfer of \$96,000 from *290 E&G Funds* to *295 Capital Funds* established by OSRHE for capital projects.

Source: 290 Educational & General - \$96,000 (College of Education Course Fees)

8. (Action) Discussion and possible action regarding UCO request in accordance with Board policy 2.3.4, to purchase the following items:

Paycom Payroll Holdings LLC, payroll processing services for FY24.

Source: E&G\$447,933

Enterprise Fleet Management, fleet leasing and management services per state contract for a 5-year agreement. Total agreement \$1,040,051.

Source: E&G\$1,040,051

Request approval to award campus janitorial contract pursuant to RFQ process not to exceed \$2,600,000. This contract will be for a 1-year agreement with the university (January 2025-January 2026). Contract to be awarded before the next RUSO Board meeting in January 2025.

VI. Presentation by Nellie Sanders, Secretary of Education

VII. Presentation by President Bo Hannaford regarding the President’s Council Report and possible discussion with RUSO Regents

VIII. (Action) Presentation and possible action regarding the RUSO University Presidents recommendations presented by leadership at each institution.

A. East Central University President's Recommendations

1. Personnel

2. Grants (\$0)

3. Purchases

a. THE FOLLOWING PURCHASES ARE PRESENTED AS INFORMATIONAL ITEMS IN ACCORDANCE WITH BOARD POLICY 2.3.3, OVER \$50,000 AND UNDER \$150,000:

Blackboard Inc.

- Learning Core Software as a Service
 - Source: *E&G*
 - \$93,948.46

Moon-Baker Agency, Inc.

- Intercollegiate Sports Secondary Accident Insurance
 - Source: *AUX*
 - \$60,756.00

Elsevier, Inc.

- Custom solution for Nursing RN Cohorts
 - Source: *E&G*
 - \$52,318.52

Mead Holding Company

- Solid core doors for Briles Hall
 - Source: *AUX*
 - \$51,950.11

Fisher Scientific

- Optical emission spectrometer for Oka' Institute
 - Source: *AUX*
 - \$85,646.10

Trane

- Two technicians ongoing assessment of campus HVAC
 - Source: *E&G*
 - \$54,496.10

Apple, Inc.

- Replacement Macintosh computers (30) for labs
 - Source: *AUX*
 - \$54,150.00

B. East Central University President's Report

C. Northeastern State University President's Recommendations

1. Personnel

2. Grants and Contracts (\$1,662,536.00)

3. Purchases

None at this time

D. Northeastern State University President's Report

E. Northwestern Oklahoma State University President's Recommendations

1. Personnel

2. Grants and Contracts (\$0)

3. Purchases

a. The following purchases are being made in accordance with Board Policy 2.3.3, (over \$50,000 and under \$150,000):

Software for Student/Faculty Coaching: Inside Track/Strada Collaborative, Inc., Indianapolis, Indiana, at a cost not to exceed \$110,000. (Fund 430 Grants)

F. Northwestern Oklahoma State University President's Report

G. Southeastern Oklahoma State University President's Recommendations

1. Personnel

2. Purchases

a. In accordance with Board policy 2.3.3, Purchases exceeding \$50,000 but not over \$150,000, Southeastern Oklahoma State University is reporting the following purchase:

Vendor: Semple Brown Design

Description: Architectural Services for Museum Expansion

Amount: \$56,859.59

Funding Source: Donated Funds

Vendor: Cxtec

Description: Servers

Amount: \$52,800

Funding Source: E&G Part I

H. Southeastern Oklahoma State University President's Report

I. Southwestern Oklahoma State University President's Recommendations

1. Personnel

2. Grants and Contracts (\$101,731.00)

3. Purchases

a. SWOSU presents the following purchases being made in accordance with Board Policy (Over \$50,000 and under \$150,000)

Kim Rex, Aerospace Defense, Workforce Liaison

Source E&G\$60,000

Caddo Kiowa Technology Center, Educational Services for Occupational and Physical Therapy Assistant Program

Source E&G.....\$111,758

Crawford & Associates PC, Audit Preparation

Source E&G.....\$60,000

Forvis Mazars, Audit Work
Source E&G.....\$72,000

Culver Electric, Personal Service Contract for Electrical needs on Campus
Source E&G.....\$125,000

J. Southwestern Oklahoma State University President's Report

K. University of Central Oklahoma President's Recommendations

1. Personnel

2. Grants and Contracts (\$520,116.00)

3. Purchases

a. In accordance with Board policy 2.3.3, Purchases exceeding \$50,000 but not over \$150,000, the University of Central Oklahoma is reporting the following purchase:

ProctorU Inc., online exam proctoring services. Year 3 of 3-year agreement.
Source: Distance Education Course Fees.....\$110,000

Paradigm Shift, LLP, student leadership training and development workshop.
Source: TRIO Grant.....\$62,400

Overland Charters, sports team fall transportation.
Source: Athletics Fee\$100,000

Chickasaw Telecom Inc., HyperFlex data platform.
Source: Technology Fee.....\$92,256

Chickasaw Telecom Inc., Cisco SmartNet Total Care technical support service.
Source: Technology Fee\$54,995

Carnegie Dartlet LLC, Premium Plus Admissions Slate Reportal and consultation. Year 2 of 2-year professional services agreement.
Source: E&G\$58,423

A&V Holdings Midco LLC., Center for eLearning and Connected Environments classroom technology.
Source: Course Fees.....\$84,115

Swansea University, study abroad collaboration and reconciliation for 23-24 academic year.
Source: E&G.....\$111,207

National Council for Behavioral Health, TRIO training for mental health first aid.
Source: TRIO Grant.....\$52,000

Griffin Communications, UCO digital billboard advertising.
Source: E&G.....\$52,000

4. Faculty Senate Constitution

Having been approved by more than two-thirds (2/3) of the University of Central Oklahoma Faculty Association members voting in a special election, the Faculty Senate seeks Board approval for the attached amended Faculty Senate Constitution.

L. University of Central Oklahoma President's Report

IX. (Action) Presentation by Dr. Brandon Tatum and possible discussion with RUSO Regents regarding the CEO's report.

X. Regent's Comments and Announcements

XI. Discussion and possible action regarding New Business (not known about or which could not have been reasonably foreseen prior to the time of the agenda).

XII. (Action) Vote to enter into executive session pursuant to 25 O.S. 307(B)(4) and (8) for the purpose of discussion and possible action on the following issues:

A. Jackson Shepherd and Mallory Scott v. Regional University System of Oklahoma County ("RUSO") et al., District Court of Oklahoma Case #CJ-2020-2383

B. Charles E. Sneed and Tabitha Sneed v. Northeastern State University ("NSU"), Acting President Kim Cherry, and NSU Employees, E.C.A.L. [sic et al.], District Court of Cherokee County, Case #CJ-2007-840

C. Marci D. Walkingstick Dixon v. State of Oklahoma ex rel. the Regional University System of the Oklahoma Board of Regents sic. d/b/a Northeastern State University ("NSU"), Eastern District of Oklahoma Case #CIV-19-391

D. Tatum Robertson, Eve Brennan, and Marin Rhodes v. University of Central Oklahoma ("UCO") and Board of Regents for the Regional University System of Oklahoma ("RUSO"), Western District of Oklahoma, Case # CIV-2022-836-HE

E. Dr. Rachel Tudor v. Marie Galindo et al. and Ezra Young and Brittany Stewart v. Dr. Rachel Tudor, Southeastern Oklahoma State University ("SE"), and Regional University System of Oklahoma ("RUSO"), Western District of Oklahoma Case #CIV-2022-480-C

F. Noreen Swank v. State of Oklahoma ex rel. the Regional University System of Oklahoma Board of Regents d/b/a Northeastern State University ("NSU"), Eastern District of Oklahoma Case #CIV-2024-102-GLJ

G. Terry Worcester v. East Central University, District Court of Pontotoc County Case #CJ-2019-37

H. Alan Scott Asher and Nancy Asher v. Northeastern State University-Broken Arrow ("NSU"), and The Board of Regents of Oklahoma Colleges-Regional University System of Oklahoma ("RUSO"), District Court of Wagoner County Case #CJ-2022-309

I. Shekhar Rathor v. University of Central Oklahoma ("UCO") EEOC Charge #564-2022-02211

J. OCR Docket No. 07-23-2169 - Website accessibility complaint against East Central University

K. US Department of Education Complaint by Margo McKenzie against Northeastern State University for alleged FERPA violations

L. MidFirst Bank v. James L. Lindsay II, Northwestern Oklahoma State University ("NWOSU") et al., District Court of Oklahoma County Case #CJ-2022-6342

M. Northwestern Oklahoma State University Internal Revenue Service Audit

N. Oklahoma Insurance Department Consumer Complaint against VOYA

O. Discussion of legal opinion provided by John E. Priddy and next steps

XIII. (Action) Vote to acknowledge and return to Open Session.

A. Discussion and possible action to implement matters discussed in Executive Session.

XIV. (Action) Vote to Adjourn the November Board Meeting