



October RUSO Regent Meeting

Regional University System of Oklahoma

Friday, October 4, 2024 at 9:00 AM

Southeastern Oklahoma State University, McKinney Ballroom, Room A

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, September 6, 2024

B. ACADEMIC AFFAIRS

1. Northeastern Oklahoma State University

a. NSU Letter of Intent for a Doctorate of Education in Community Based Leadership.

2. Northwestern Oklahoma State University

a. Bachelor of Business Administration in Accounting (001) – reduction of one-hour required in major; total hours for degree reduced by one-hour; reducing 45 upper-level business hours to 40 for graduation.

b. Bachelor of Business Administration in Business Administration (007) – reduction of one-hour required in major, no change in total hours for degree, will increase electives one-hour; reducing 45 upper-level business hours to 40 for graduation.

3. Southwestern Oklahoma State University

a. AAS Surgical Technology

- b. AS Wildland Firefighting
- c. BFA Art
- d. MBA Data Science and Technology

V. REPORT OF RUSO COMMITTEE PROCEEDINGS

A. FACILITIES STEWARDSHIP COMMITTEE – Regent Amy Anne Ford

1. (Action) Discussion and possible action of the Deferred Maintenance Tracking Document for each university.

ECU

2. (Action) Discussion and possible action regarding facilities approvals for East Central University.

- a. Naming new STEM Center at East Central University in honor of Daniel Hays.
- b. Request for Contract with Ideal Impact, Inc.

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

NSU

a. Project #485-0073 – Broken Arrow Administration Building Automation Control System

Project Description: Requesting permission to design, bid, and award the installation of the campus standard automation controls system. This will be the first step to convert the entire BA campus to the university standard control systems Automated Logic.

Requested Funding Approval: \$300,000

Budget Breakdown: Renovation/Repairs

Revenue Source(s): 751 Fund

b. Project #485-0073 – Muskogee Campus Exterior Door Replacement

Project Description: Requesting permission to design, bid, and award to the most responsive bidders the removal and replacement of exterior doors and ADA openers. This work will focus on the Muskogee Administration building and portions of the Muskogee Synar Building.

Requested Funding Approval: \$180,000

Budget Breakdown: Renovation/Repairs

Revenue Source(s): 600 Fund

c. Project #485-0073 – Physical Plant Mechanical Room Renovation Phase I

Project Description: Requesting permission to design, bid, and award to the most responsive bidders the renovation of the Tahlequah Campus physical plant. Phase I scope will focus on removal of most old mechanical components to create a secure file storage room with conditioned air.

Requested Funding Approval: \$200,000

Budget Breakdown: Renovation/Repairs

Revenue Source(s): 295 Fund

d. Project #485-0073 – Mesh Radio Fire Alarm Communicators

Project Description: Requesting permission to design, bid, and award to the most responsive bidder the creation and installation of a radio communication network for our existing fire alarm panels. This will replace analog communication for the fire alarm panel monitoring and communication. This is a phased approach with initial investment to install ten mesh radio communicators on existing systems.

Requested Funding Approval: \$180,000

Budget Breakdown: Renovation/Repairs

Revenue Source(s): 650 Fund

e. Project #485-0043 – Webb Building Lower Flat Roof Replacement

Project Description: Requesting permission to design, bid, and award to the most responsive bidder the removal and replacement of the existing lower flat roof and associated components.

Requested Funding Approval: \$325,000

Budget Breakdown: Renovation/Repairs

Revenue Source(s): 600 Fund

f. Project #485-0043 – Broken Arrow Campus Flat Roof Replacement

Project Description: Requesting permission to design, bid, and award to the most responsive bidder the removal and replacement of select sections of flat roof on the BA Administration, Liberal Arts, and Library buildings.

Requested Funding Approval: \$150,000

Budget Breakdown: Renovation/Repairs

Revenue Source(s): 600 Fund

g. Informational: Project #485-0073 – Multipurpose Event Center Gym Floor Resurface and Bleacher Service

Project Description: NSU Requests permission to bid, design, and award to the lowest responsive bidder the resurfacing of the Gym floor and perform service and maintenance to the mechanical bleacher seating.

Requested Funding Approval: \$65,000

Budget Breakdown: Renovation/Repairs

Congruent with Facility Master Plans or Strategic Plans: Yes

Revenue Source(s): 600 Fund

4. (Action) Discussion and possible action regarding facilities approvals for Southwestern Oklahoma State University.

SWOSU

a. Parker Hall 3rd Floor Repair and Renovation

Project Description: Southwestern requests permission to bid and award a contract(s) for 3rd Floor Parker Hall. This top floor of a former residence hall has been unused for several decades and is slowly deteriorating from lack of use. Over time, the first two floors of Parker Hall have been repurposed into academic spaces.

This floor needs repair and renovation for use as classroom, lab, and office space. This space is also in critical need for modification of HVAC for the entire building.

Requested Funding Approval: Not to exceed \$3,087,000

Congruent with Facilities Master Plan or Strategic Plan: Yes

Revenue Source: Fund 295, Section 13 (Deferred Maintenance One-Time Funding Revenue)

b. Hibler Education Space Repair and Renovation

Project Description: Southwestern requests permission to bid and award a contract(s) for the Hibler Education Building repairs for boiler/chiller replacement, HVAC controls, and building upgrades.

Requested Funding Approval: Not to exceed \$465,000

Congruent with Facilities Master Plan or Strategic Plan: Yes

Revenue Source: Fund 295, Section 13 (Deferred Maintenance One-Time Funding Revenue)

c. HVAC Upgrades and Modifications

Project Description: Southwestern requests permission to bid and award a contract(s) for the HVAC upgrades and modifications for the following buildings across campus: Science Building, Art Building, and Chemistry, Pharmacy, and Physics Building. Library Rankin

Requested Funding Approval: Not to exceed \$400,000

Congruent with Facilities Master Plan or Strategic Plan: Yes

Revenue Source: Fund 290 and Fund 295, Section 13 (Deferred Maintenance One-Time Funding Revenue)

d. Fine Arts Center

Project Description: Southwestern requests permission to bid and award a contract(s) to modify and upgrade the house lighting in the Fine Arts Center. The upgrade would replace all lights with LED. This request is required due to low light levels becoming a hazard for guests.

Requested Funding Approval: Not to exceed \$70,000

Congruent with Facilities Master Plan or Strategic Plan: Yes

Revenue Source: Fund 290

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

UCO

a. Project # 120-0027 Major Repairs and Deferred Maintenance

Project Description: Request approval to award Johnson Controls International (JCI) a contract not to exceed \$1,050,000 for the replacement of (4) 4mBtu (million British thermal units) boilers and a water filtration system at the Boiler Plant building. The new boilers will replace the existing same-sized boilers (22 years old);

however, the new boilers are approximately 12.5% more efficient. JCI utilizes General Services Administration (GSA) pricing for their quotes.

Requested Funding Approval: \$1,050,000

Budget Breakdown: \$1,050,000 for engineering, equipment, and installation

Vendors: Johnson Controls International (JCI)

Congruent with Facility Master Plan or Strategic Plan: Yes

Fund Source(s): Section 13 & New College

b. Project # 120-0027 Major Repairs and Deferred Maintenance

Project Description: Request approval to award Chickasaw Telecom a contract not to exceed \$1,015,000 for the replacement of 197 Cisco network switches. The current switches are at their end of life and are located in multiple buildings across the campus. Chickasaw Telecom has a state contract number ITSW1006.

Requested Funding Approval: \$1,015,000

Budget Breakdown: \$1,015,000 equipment and installation

Vendors: Chickasaw Telecom Inc.

Congruent with Facility Master Plan or Strategic Plan: Yes

Fund Source(s): Technology Fee

c. Project # 120-0032 Sports Complex Improvements

Project Description: Request approval to award Performance Surfaces a contract not to exceed \$230,000 for the replacement of the chairback style seating at Chad Richison Stadium. The replacement will be for 773 seats. Due to age and weather, the original seats, installed in 2004, have deteriorated and become brittle. Performance Surfaces has a state contract, and the seating manufacturer will be Irwin Seating, for which they are the authorized local representative.

Requested Funding Approval: \$230,000

Budget Breakdown: \$230,000 removal of old seating, new seating and installation

Vendors: Performance Surfaces

Congruent with Facility Master Plan or Strategic Plan: Yes

Fund Source(s): Section 13

d. Project # 120-0060 Health and Safety Projects

Project Description: Request approval to award contracts to multiple vendors in a total amount not to exceed \$220,000 for the purposes of adding electronic access control and/or video surveillance at multiple locations across campus. Video surveillance cameras to be added near exterior doors of: Education, Human Environmental Sciences, Wantland Hall, Health and Physical Education, and daycare. Card swipe access would be provided at all of these locations as well as clinic areas inside the library, Education building and the Child Study Center.

Requested Funding Approval: \$220,000

Budget Breakdown: \$132,500 access control hardware, \$40,000 data cabling and camera installation, \$35,000 video surveillance equipment, \$12,500 licenses and infrastructure costs

Vendors: Transact Campus (sole source), Telco (state contract), Digi Security Systems (state contract)

Congruent with Facility Master Plan or Strategic Plan: Yes

Fund Source(s): College of Education & Professional Studies Course Fees

e. Project # 120-0027 Major Repairs and Deferred Maintenance

Project Description: Request approval to award contract to Johnson Controls International (JCI) in an amount not exceed \$110,000 for the purpose of replacing the dedicated outdoor air system at Coyner Hall, which services the cadaver lab. The unit has a capacity of 13 tons and operates continuously to provide the appropriate ventilation required to meet accreditation standards. The old unit has recently had several service issues and is at the end of its recommended life span of 15 years. JCI utilizes General Services Administration (GSA) pricing for their quotations.

Requested Funding Approval: \$110,000

Budget Breakdown: \$110,000 equipment and installation

Vendors: Johnson Controls International

Congruent with Facility Master Plan or Strategic Plan: Yes

Fund Source(s): Section 13 Offset

f. Informational: Project# 120-0027 Major Repairs and Deferred Maintenance

Project Description: Issued contract in the amount of \$66,747 to Johnson Controls International (JCI) for replacement of exterior pipe insulation at the Math and Computer Science building. Work also includes reconfiguration of the valving for increased efficiency. JCI utilizes General Services Administration (GSA) pricing for their quotes.

Fund Source: Section 13 Offset

g. Informational: Project# 120-0027 Major Repairs and Deferred Maintenance

Project Description: Issued contract in the amount of \$66,431 to Johnson Controls International (JCI) for the procurement of 18 variable frequency drives (VFD's), varying in size from 1-hp to 50-hp. These will be utilized as shelf stock, as the university has approximately 59 VFD's that are now obsolete, and this shelf stock represents one of every size on campus. JCI utilizes General Services Administration (GSA) pricing for their quotes.

Fund Source: Student Facility Fee

6. Discussion of facilities tour at Southeastern Oklahoma State University.

B. PERSONNEL COMMITTEE- Regent Lake Carpenter

1. (Action) Discussion and possible action regarding the Executive Director title.

C. SYSTEM ADVANCEMENT COMMITTEE- Regent Susan Winchester

1. (Action) Discussion and possible action regarding RUSO legislative goals and policy statements.

D. AUDIT AND FINANCE COMMITTEE- Regent Chris VanDenhende

1. (Action) Discussion and possible action regarding UCO approval for 2014A Master Real Property Lease Refunding

2. Discussion of Forvis and upcoming audits of universities.

E. POLICY COMMITTEE- Regent Chris Vandenhende

1. (Action) Discussion and possible action regarding the RUSO staff implementing a systematic review of the RUSO policies.

VI. Presentation by April Grace, Executive Director of Oklahoma Public School Resource Center and possible discussion with RUSO Regents regarding EPP program and apprenticeships

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 and Contracts (\$5,368,419.55)

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:

Johnson Controls

- Fentem Hall chiller source
 - Source: 650 New College
 - \$149,418.00

EBSCO Industries Inc.,

- Folio ILS
 - Source: E&G
 - \$67,263.00

Compass Group USA Inc.,

- Meals for Chickasaw Arts Academy
 - Source: AUX
 - \$91,054.80

b. ECU REQUESTS APPROVAL TO MAKE THE FOLLOWING PURCHASES IN ACCORDANCE WITH BOARD POLICY, OVER \$150,000:

Convergent Technologies LLC

- Pontotoc Hall fire alarm system

- Source: *650 New College*
 - \$156,126.49

4. ECU requests approval to serve alcoholic beverages in VIP areas at sporting events.

B. East Central University President's Report

C. Northeastern State University President's Recommendations

1. Personnel

2. Grants and Contracts (\$1,486,125.00)

3. Purchases

None at this time

D. Northeastern State University President's Report

E. Northwestern Oklahoma State University President's Recommendations

1. Personnel

None at this time

2. Grants and Contracts (\$50,000.00)

3. Purchases

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

Educational Supplies for Nursing: Laerdal Medical Corp., Philadelphia, Pennsylvania, at a cost not to exceed \$100,000 (Fund 705 Auxiliary-ARPA)

F. Northwestern Oklahoma State University President's Report

G. Southeastern Oklahoma State University President's Recommendations

1. Personnel

2. Grants and Contracts

None at this time

3. Purchases

None at this time

- 4. SEOSU requests approval to award a posthumous degree, Master of Education in Curriculum & Instruction, to Solan Genesis Harrison. This request is in compliance with our policy and the Oklahoma State Regents for Higher Education policy.**

H. Southeastern Oklahoma State University President's Report

I. Southwestern Oklahoma State University President's Recommendations

1. Personnel

2. Grants and Contracts (\$120,839.00)

3. Purchases

- a. SWOSU presents the following purchases being made over \$150,000 in accordance with Board Policy**

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

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

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

- Touchnet Information Systems, Integrated provider for comprehensive and secure payment system.

Source E&G.....\$117,044

- Softchoice Corporation, Microsoft and cloud solution licensing.

Source E&G.....\$119,544

J. Southwestern Oklahoma State University President's Report

K. University of Central Oklahoma President's Recommendations

1. Personnel

2. Grants and Contracts (\$1,436,938.00)

3. Purchases

a. Informational Items from Purchasing

Forvis Mazars LLP., accounting audit services.

Source: E&G.....\$95,000

Overland Charters., sports team post-season transportation.

Source: Athletics Fee.....\$57,787

International Business Machines Corporation, SPSS Statistics & Amos license subscription and support.

Source: E&G.....\$52,190

Mongoose Research, Cadence text messaging and solution for CRM Recruit.

Source: E&G.....\$58,949

IPARADIGMS Holdings LLC., Turnitin plagiarism software.

Source: E&G.....\$81,164

Timco Machine Tools and Tooling, Inc., Lathe machine for Makerspace Lab.

Source: E&G.....\$51,529

Software House International, Varonis information security monitoring application.

Source: E&G.....\$101,483

36Brickhouse Performance Inc., concert performance.

Source: E&G.....\$50,000

Complete Home Assistance LLC., fall housing cleaning.

Source: Auxiliary.....\$60,000

Certified Commercial Restoration LLC, water remediation and removal.

L. University of Central Oklahoma President's Report

IX. (Action) Presentation by Dr. Brandon Tatum and possible discussion with RUSO Regents regarding the Executive Director'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. Ronald Wyatt v. Jennifer Kay Wyatt, Patti Buhl, Northeastern State University Police Department, Northeastern State University Board of Regents, and Northeastern State University ("NSU"), District Court of Wagoner County Case #CJ-2017-240

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

I. 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

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

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

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

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

N. Northwestern Oklahoma State University Internal Revenue Service Audit

O. Oklahoma Insurance Department Consumer Complaint against VOYA

P. Discussion of legal opinion provided by John E. Priddy

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 October Board Meeting

XV. New Section