



| Special Called Board Meeting | | |
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| 8.3.2017 | 11:05 am | 601 College Street Clarksville, TN 37040 |
| Meeting Type | Called Board Meeting | |
| Note taker | Dannelle Whiteside and Penny Howard | |
| Attendees | Mr. Billy Atkins | Yes |
| | Ms. Katherine Cannata | Yes (Phone) |
| | Mr. Larry Carroll | No |
| | Mr. Don Jenkins | Yes |
| | Gen. Gary Luck | No |
| | Dr. Valencia May | No |
| | Brig. Gen. Robin Mealer | Yes (Phone) |
| | Mr. Mike O'Malley | Yes (Phone) |
| | Dr. Nell Rayburn | Yes |
| | Crystal Wallenius | Yes |
| <p>Trustee O'Malley called the meeting to order. Trustees Atkins, Jenkins, Rayburn, and Wallenius were physically present. Trustees Cannata and O'Malley participated by teleconference and they were joined by Trustee Mealer later during the meeting. Mrs. Dannelle Whiteside asked those participating by teleconference if they could hear clearly and if they could distinguish the voices of those present in the meeting room from those at their location. They stated there were no others present to hear.</p> <p>Trustee O'Malley asked Mrs. Whiteside to call roll. Mrs. Whiteside asked all participants if they could hear each other. All stated that they could. Mrs. Whiteside announced that although there was not a physical quorum, there was one electronically.</p> <p>Mrs. Whiteside explained to the trustees that in accordance with T.C.A. § 8-44-108 section (b) (2), the following circumstances necessitated the reason for holding the meeting:</p> <p style="padding-left: 40px;">Policy 6:004 requires the Board to make a final determination within a reasonable time. A complaint of discrimination was filed on May 25, 2017. The investigator made his conclusion on July 19, 2017. In order to meet the reasonableness standard, it became necessary to call a special meeting for the Board to make its determination.</p> | | |

Trustee O'Malley made the motion to hold the meeting by cause of necessity. Trustee Jenkins seconded the motion. A roll call vote was taken and necessity was established and approved unanimously.

Gender Discrimination Allegation

Discussion

Trustee O'Malley asked Mrs. Whiteside to explain the policy governing allegations of gender discrimination to the Board. She stated that the Board would not normally be involved in these disputes. However, since President White was named in this complaint Mr. Blayne Clements, Chief Audit Officer, was appointed by the Board to investigate the complaint. She further explained that this was because Mr. Clements reported to the Board and not to the President, which ensured that the investigation was conducted without impartiality.

At 11:10 a.m., Trustee Mealer joined the meeting by teleconference.

Dannelle asked Mr. Clements to explain his investigation report, which was sent to the Board prior to the meeting. Mr. Clements explained that his investigation report determined that the gender discrimination allegation was unsubstantiated because the complainant did not have the terminal degree required for the position. He explained that the policy and accreditation standards used for hiring faculty in the past have changed since Austin Peay is no longer in the Tennessee Board of Regents (TBR) system. Therefore, some faculty who are currently teaching in the Department of Communications do not have a terminal degree. SACSCOC, the accreditation body for the university has standards with which the university must comply. TBR, SACSCOC standards, and university policy all recognize the need for faculty in the Department of Communications to have achieved a terminal degree, which in this case is a doctorate.

Trustee Atkins asked if HR reviewed all applicants to make sure they have the necessary credentials or degree required for each advertised position. Mr. Clements stated that there are several steps required. The department creates the job description and the chair of the department is responsible for determining the requirements are met.

Trustee Rayburn asked if anyone an alternate credential could be offered to a person who does not possess the requisite credential. Mr. Clements stated that the President can ask the Board to provide an exception to a person who is proposed to be hired without the requisite credential. However, he is not aware of the President ever being asked for such exception to be made.

Trustee Cannata asked if there had been claims made prior to this against the President. Mr. Clements stated he was not aware of any.

Trustee O'Malley made a motion that Mr. Clements' report be approved. The motion was seconded by Trustee Jenkins.

Trustee Atkins then referred to Dr. Gandy's response in the report of, "a tenure track faculty hire being one of the most important decisions that a university makes." Trustee Atkins recommended going forward there should be a clearinghouse through Human Resources to be sure applicants do match up with the qualifications of the positions. Mr. Clements stated that there was a recent change to require all future hires to be cleared by the Provost.

Trustee O'Malley called for the question to adopt the Investigator's report, thereby determining that no violation occurred. A roll call vote was take and the report was adopted unanimously.

Conclusions

The Board voted unanimously to uphold the findings of the investigator's report, thereby determining that no violation occurred.

| Follow-up Items | Person | Deadline |
|-----------------|--------|----------|
| N/A | | |

Trustee O'Malley then reminded everyone of the next Board meeting on September 14th and 15th.

Mrs. Whiteside reminded everyone of the Tennessee Higher Education Summit in Nashville on August 18th and stated that this will be the last part of the professional development for the Board required under the FOCUS Act. She hopes everyone will be able to attend.

Trustee O'Malley moved to adjourn. Trustee Atkins seconded the motion.

The meeting adjourned at 11:25 a.m.



Signature

September 15, 2017

Date