

## MINUTES

### WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

June 22, 2018

#### I. Call to Order

Chairman Michael J. Farrell convened a meeting of the Higher Education Policy Commission on June 22, 2018, at 9:00 a.m. in the David K. Hendrickson Conference Center of the West Virginia Regional Technology Park, 2000 Union Carbide Drive, South Charleston, West Virginia. The following Commissioners were present: Jenny Allen, James W. Dailey, Michael J. Farrell, Diane Lewis (by phone), Dale Lowther, Andrew A. Payne, and Donna L. Schulte. Absent were Commissioners Robert L. Brown (Ex-Officio) and Steven L. Paine (Ex-Officio). Also in attendance were Chancellor Paul L. Hill, institutional presidents, higher education staff, members of the faculty and classified staff councils, and others.

#### II. Approval of Minutes

Commissioner Dailey moved to approve the minutes of the meetings held on March 15, March 23, April 23, and May 7, 2018. Commissioner Payne seconded the motion. Motion passed.

#### III. Chairman's Report

Chairman Farrell welcomed Commission members and the audience to the meeting. He expressed gratitude for everything the institutions and staff do for higher education. He reported that an advertisement for the chancellor's position was published and applications are being received. The Search Committee plans to submit a nominee to the Commission at its August meeting. Regarding the development of the new funding formula, Chairman Farrell stated that the Committee received many positive comments from the Legislature and hope to have a final product by the end of summer.

He introduced Ms. Donna L. Schulte as a new Commissioner appointed by Governor Justice. Chairman Farrell administered the Oath of Office to Ms. Schulte.

Chairman Farrell bid farewell to Commissioner Jenny Allen who expects to resign from the Commission before her term expires. He praised Ms. Allen for serving the Commission with great distinction, read a resolution honoring her service, and presented her with a memento.

Chairman Farrell announced the retirement of Dr. Michael Adelman as President of the West Virginia School of Osteopathic Medicine, and of Dan O'Hanlon as Vice Chancellor for Technology and Director of WVNET. Resolutions commending their service accompanied by mementos will be sent to each individual.

#### A. Nominating Committee Report and Election of Officers

Commissioner Jenny Allen, Nominating Committee Chair, reported that the committee recommends Michael J. Farrell to serve as Chairman, Andrew A. Payne as Vice Chairman, and Diane Lewis as Secretary. The recommended individuals are willing to serve if approved by the Commission.

Commissioner Lowther moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission elects the nominated officers for Fiscal Year 2019 as proposed by the Nominating Committee.

Commissioner Dailey seconded the motion. Motion passed.

#### IV. Chancellor's Report

Dr. Paul Hill, Chancellor, reported on upcoming events organized by Commission staff such as GEAR UP U, a 4-day summer academy, on June 27-30 at Marshall University; and the Student Success Summit on July 25-26 at the Waterfront Hotel in Morgantown. Among other activities, staff engaged in the preparation of the capital and operating budgets for the new fiscal year; the completion of the 2018 budget audit; the repeal of legislative rules; discussions with the campuses regarding the development of the new master plan for higher education; and the publication of This Week at the Commission, a weekly communication of news clips of the Commission.

#### V. Council of Presidents' Report

Dr. Kendra Boggess, Chair of the Council of Presidents, reported that the presidents are working on completion of their institution's annual audit for timely submission to the U.S. Department of Education. In addition, the Council discussed the development of the new master plan; the proposed funding model; the reports to Fleet Management regarding leased state vehicles, and the repeal of certain Commission rules. Dr. Boggess shared the presidents' enthusiasm over the beginning of the new academic year.

#### VI. Updates from Constituent Groups

##### A. Advisory Council of Classified Employees

Ms. Carrie Watters, representative of the statewide Advisory Council of Classified Employees, thanked the Commissioners for allowing the Council to report on its activities. Ms. Watters stated that the Council has formed several internal committees: Benefits Committee; Student Advocacy Committee, Legislative Committee, Website and Communications Committee, and Special Events Committee. Ms. Watters stated that the Council members are proud of the work they perform and strongly believe in the students they serve. They do not focus solely on the needs of their group as much of the work they conduct

helps all employees in public higher education. She announced that the Council will hold its annual retreat on July 16 at Canaan Valley Conference Center.

#### B. Advisory Council of Faculty

Dr. Mary Beth Beller, Vice Chair of the Advisory Council of Faculty, reported that the Council has been discussing the implications of House Bill 2542. The Council is concerned that the bill sets in motion a process that allows the Boards of Governors to override the provisions of the Commission's Series 9. The Council plans to meet with the appropriate legislators to discuss the effects of the bill on faculty tenure and workforce reduction. Dr. Beller announced the Council's annual retreat scheduled for July 13 at Blackwater Falls Conference Center.

#### C. Advisory Council of Students

The Council did not present a report.

### VII. Access

#### A. Approval of Lindsey Wilson College to Continue to Offer Baccalaureate and Master's Degree Programs at Southern West Virginia Community and Technical College

Dr. Corley Dennison, Vice Chancellor for Academic Affairs, presented an overview of the proposed approval to Lindsey Wilson College. In addition, Ms. Jacquelyn Montgomery, Lindsey Wilson College's Associate Dean of the School of Professional Counseling, spoke of the college's continuous willingness to offer courses in West Virginia.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the request of Lindsey Wilson College to continue to offer a Bachelor of Arts in Human Services and Counseling and a Master of Education in Human Development at Southern West Virginia Community and Technical College extending through June 30, 2022.

Commissioner Allen seconded the motion. Motion passed.

#### B. Approval of Final Reauthorization of Four-Year Degree-Granting Institutions

Dr. Mark Stotler, Director of Academic Programming, provided an overview of the proposed reauthorization.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the Annual Reauthorization for Bluefield State College, Concord

University, Fairmont State University, Glenville State College, Shepherd University, West Liberty University, and West Virginia State University; Alderson Broaddus University, Appalachian Bible College, Bethany College, Catholic Distance University, Davis and Elkins College, Future Generations University, Ohio Valley University, University of Charleston, West Virginia Wesleyan College, Wheeling Jesuit University; American Public University System, Salem University, and Strayer University.

Commissioner Lewis seconded the motion. Motion passed.

#### C. Review of Institutional Tuition and Fees

Dr. Edward Magee, Vice Chancellor for Finance and Facilities, reported that West Virginia Code requires the Commission to approve any tuition and fee increase greater than ten percent in any one year or where the increase would be more than seven percent per year, averaged over a rolling three-year period calculated by averaging the proposed increase with the increase for the immediate two previous years. He presented a detailed summary of regular tuition and fees for the 2018-2019 academic year.

### XIII. Success

#### A. Update on West Virginia GEAR UP

Dr. Adam Green, Vice Chancellor for Student Affairs, presented an update on West Virginia GEAR UP, the federally funded program that helps students in ten counties prepare to succeed in education and training beyond high school. Vice Chancellor Green introduced James "Ikke" Brooks, WV GEAR UP alum, and current Marshall University student, who will be featured in an upcoming documentary by Roadtrip Nation titled "Beating the Odds: To make it college, you've got to bet on yourself." Mr. Brooks shared his experiences as a GEAR UP student and expressed gratitude to all who have contributed to his success as a graduate of the program.

#### B. Update on the 2019 System Master Plan Development

Dr. Christopher Treadway, Senior Director of Research and Policy, reported that as the current master plan, *Leading the Way: Access. Success. Impact.* enters its fifth year, work has begun to craft a new plan that addresses the ever-changing needs of the institutions and students. Dr. Treadway stated that the Commission is spearheading a statewide attainment goal campaign "West Virginia's Climb" which will provide the overarching framework for the new master plan development. He provided a detailed overview of the proposed plan project timeline and related tasks for its completion.

## **IX. Impact**

### **A. Approval of Soccer Field Complex**

Mr. James King, Director of Facilities and Sustainability, provided an overview of the proposed soccer field complex for West Liberty University.

Commissioner Allen moved approval of the following resolution:

*Resolved*, that the West Virginia Higher Education Policy Commission provisionally confirms the attached informational packet and plans for the West Liberty University Soccer Field Complex.

Commissioner Dailey seconded the motion. Motion passed.

### **B. Update on Research Programs**

Chancellor Hill provided an update on research funding at state institutions. The Division of Science and Research was awarded a \$20M grant from the National Science Foundation in 2015 and also manages award programs that are funded by the state Research Challenge Fund. Chancellor Hill stated that the return on investment of state money spent on research in recent years is nearly 1:200.

## **X. Approval of Amendments to 401(a) Retirement Plan Document**

Ms. Patricia Humphries, Vice Chancellor for Human Resources, provided an overview of the proposed amendments.

Commissioner Lowther moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the amendments to the 401(a) Retirement Plan Document.

Commissioner Lewis seconded the motion. Motion passed.

## **XI. Review of Institutional Operating Budgets and Approval of Fiscal Year 2019 Institutional Capital Budgets**

Vice Chancellor Magee provided an overview of the institutional operating budgets and the proposed approval of the institutional capital budgets.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the Fiscal Year 2019 institutional capital budgets.

Commissioner Dailey seconded the motion. Motion passed.

**XII. Approval of Fiscal Year 2019 Higher Education Policy Commission Division Operating Budgets and Higher Education Resource Allocation Projects**

Vice Chancellor Magee provided an overview of the proposed Division operating budgets and Higher Education Resource Allocation projects.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the Fiscal Year 2019 Division operating budgets and Higher Education Resource Allocation projects.

Commissioner Schulte seconded the motion. Motion passed.

**XIII. Progress Report on Funding Model Research Study**

Dr. Treadway reported that House Bill 2815, passed during the 2017 regular session of the West Virginia Legislature, called for the Commission to study the State's methods for allocating general revenue appropriations to public higher education institutions and to provide recommendations for a new funding formula to be implemented as early as Fiscal Year 2019. He provided a detailed summary of the proposal, its development and implementation timeline.

**XIV. Approval to Repeal Legislative and Procedural Rules**

Chancellor Hill provided an overview of the reason for the proposed repeal of legislative and procedural rules.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the repeal of Title 133, Legislative Rules, Series 15 and Series 53.

*Further Resolved*, That the West Virginia Higher Education Policy Commission approves the repeal of Title 133, Procedural Rules, Series 8, Series 27, and Series 39.

Commissioner Lewis seconded the motion. Motion passed.

**XV. Approval of Proposed Series 62, Procedural Rule, Energy and Water Savings Performance Contracts, Monitoring, Use and Reduction**

Mr. King provided an overview of the proposed Series 62.

Commissioner Dailey moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the proposed Series 62, Procedural Rule, Energy and Water Savings Performance Contracts, Monitoring, Use and Reduction, to be filed with the Secretary of State

for a thirty-day public comment period, and if no substantive comments are received, that the Commission extends its final approval.

Commissioner Lowther seconded the motion. Motion passed.

**XVI. Approval of Revisions to Series 4, Procedural Rule, Rules and Administrative Procedures**

Mr. Bruce Walker, General Counsel, provided an overview of the proposed revisions to Series 4.

Commissioner Allen moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the revisions to Series 4, Procedural Rule, Rules and Administrative Procedures, to be filed with the Secretary of State for a thirty-day public comment period, and if no substantive comments are received, that the Commission extends its final approval.

Commissioner Lewis seconded the motion. Motion passed.

**XVII. Approval of Revisions to Series 5, Legislative Rule, Guidelines for Governing Boards in Employing and Evaluating Presidents**

Mr. Walker provided an overview of the proposed revisions to Series 5.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the revisions to Series 5, Legislative Rule, Guidelines for Governing Boards in Employing and Evaluating Presidents, to be filed with the Secretary of State for a thirty-day public comment period, and if no substantive comments are received, that the Commission extends its final approval.

Commissioner Lewis seconded the motion. Motion passed.

**XVIII. Approval of Revisions to Series 7, Emergency and Legislative Rules, West Virginia Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship**

Mr. Brian Weingart, Senior Director of Financial Aid, provided an overview of the proposed revisions to Series 7.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the proposed revisions to Series 7, as an Emergency Rule, West Virginia Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program, to be filed with the Secretary of State for a thirty-day public

comment period, and if no substantive comments are received, that the Commission extends its final approval.

*Further Resolved*, That the West Virginia Higher Education Policy Commission approves the revisions to Series 7, as a Legislative Rule for filing with the Secretary of State and submission to the Legislative Oversight Commission on Education Accountability and final filing with the Secretary of State if no substantive comments are received at the conclusion of the comment period.

Commissioner Allen seconded the motion. Motion passed.

**XIX. Approval of Revisions to Series 54, Procedural Rule, Campus Safety Procedures**

Mr. King provided an overview of the proposed revisions to Series 54.

Commissioner Payne moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the revisions to Series 54, Procedural Rule, Campus Safety Procedures, to be filed with the Secretary of State for a thirty-day public comment period, and if no substantive comments are received, that the Commission extends its final approval.

Commissioner Lewis seconded the motion. Motion passed.

**XX. Approval of Revisions to Series 59, Procedural Rule, Awarding Undergraduate College Credit for Prior Learning**

Vice Chancellor Dennison provided an overview of the proposed revisions to Series 59.

Commissioner Lowther moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the revisions to Series 59, Procedural Rule, Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program to be filed with the Secretary of State for the thirty-day public comment period and if no substantive comments are received that the Commission extends its final approval.

Commissioner Schulte seconded the motion. Motion passed.

**XXI. Executive Session under the Authority of West Virginia Code §6-9A-4 to Discuss Personnel Issues**

Commissioner Allen moved to convene in Executive Session under the authority of West Virginia Code §6-9A-4 to discuss personnel issues. Commissioner Payne seconded the motion. Motion passed.

After deliberations, the Commissioners returned to open session. Commissioner Payne moved to rise from Executive Session. Commissioner Dailey seconded the motion. Motion passed.

Chairman Farrell stated that no decisions were made or actions taken during Executive Session.

## **XXII. Additional Board Action and Comment**

### **A. Review of Presidential Contract at Shepherd University**

Commissioner Lowther moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the presidential appointment letter for Dr. Mary J.C. Hendrix as requested by the Shepherd University Board of Governors.

Commissioner Schulte seconded the motion. Motion passed.

### **B. Review of Presidential Contract at West Virginia State University**

Commissioner Lowther moved approval of the following resolution:

*Resolved*, That the West Virginia Higher Education Policy Commission approves the presidential appointment of Dr. Anthony Jenkins as requested by the West Virginia State University Board of Governors upon the terms and conditions communicated to it and delegates to the Chancellor the authority, consistent with its discussions, to approve a final contract as to form.

Commissioner Allen seconded the motion. Motion passed.

## **XXIII. Adjournment**

There being no further business, Commissioner Payne moved to adjourn the meeting. Commissioner Allen seconded the motion. Motion passed.

  
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Michael J. Farrell, Chairman

  
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Andrew A. Payne, Secretary