

MINUTES

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

June 10, 2022

I. Call to Order

Chairman Andrew A. Payne convened a meeting of the West Virginia Higher Education Policy Commission on June 10, 2022, at 9:00 a.m., in the David K. Hendrickson Conference Center, Room 1220, Building 2000 of the West Virginia Regional Technology Park, 2001 Union Carbide Drive, South Charleston, West Virginia, and by Zoom videoconference and conference call. The following Commission members participated: Clayton Burch, Ex-Officio; Christina Cameron, Ex-Officio; James W. Dailey; Michael J. Farrell; Diane Lewis Jackson; and Andrew A. Payne. Other participants included state college and university representatives, Chancellor Sarah Armstrong Tucker, and Commission staff.

Chairman Payne secured a quorum and welcomed all participants to the meeting. He announced changes to the order in which agenda items would be presented.

II. Chairman's Report

Chairman Payne asked Commissioner Cameron to report on the action taken by the Nominating Committee.

A. Nominating Committee Report and Election of Officers

Commissioner Cameron reported that the Nominating Committee recommended the following slate of officers:

Chairman: Andrew A. Payne
Vice Chairman: Michael J. Farrell
Secretary: Diane Lewis Jackson

Chairman Payne entertained a motion to approve the slate of officers for the upcoming year.

Commissioner Burch moved to approve the nominated candidates to serve as officers of the Higher Education Policy Commission from July 1, 2022 to June 30, 2023. Commissioner Dailey seconded the motion. Motion passed.

III. Chancellor's Report

Due to time constraints, Chancellor Sarah Armstrong Tucker did not provide a report.

IV. Consent Agenda

Chairman Payne entertained a motion to approve items A to D on the consent agenda.

Commissioner Farrell moved approval of the following items:

- A. Minutes from the May 12, 2022, meeting.
- B. The Fiscal Year 2023 WVNET budget.
- C. The Fiscal Year 2023 Higher Education Policy Commission division operating budgets and Higher Education Resource Assessment projects.
- D. Sunset date extension for Series 12, Legislative Rule, Capital Project Management; Series 42, Legislative Rule, West Virginia Higher Education Grant Program; and Series 55, Legislative Rule, Human Resources Administration.

Commissioner Lewis Jackson seconded the motion. Motion passed.

V. Approval of Annual Reauthorization of Four-Year Degree-Granting Institutions

Dr. Randall Brumfield, Vice Chancellor for Academic Affairs, provided an overview of the proposed annual reauthorization of four-year degree-granting institutions.

Commissioner Lewis Jackson moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the Annual Reauthorization for Bluefield State University, Concord University, Fairmont State University, Glenville State University, Shepherd University, West Liberty University, and West Virginia State University; Appalachian Bible College, Catholic Distance University, Davis and Elkins College, Future Generations University, University of Charleston, West Virginia Wesleyan College, American Public University System, Salem University, and Strayer University.

Further Resolved, That the West Virginia Higher Education Policy Commission approves provisional annual reauthorization for private institutions with a CFI score below 1.0, Alderson-Broaddus University and Bethany College. Commission staff are directed to collect and review additional financial information from those institutions.

Commissioner Cameron seconded the motion. Motion passed.

VI. Approval of Provisional Annual Reauthorization of Wheeling University

Ms. Nikki Bryant, Director of Academic Programming, provided an overview of the provisional annual reauthorization of Wheeling University.

Commissioner Cameron moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves provisional annual reauthorization for Wheeling University.

Commissioner Burch seconded the motion. Motion passed.

VII. Approval of Revisions to Series 2, Legislative Rule, Higher Education Finance Policy

Dr. Christopher Treadway, Vice Chancellor for Community and Technical College Education, who led the development of Series 2, Higher Education Finance Policy, provided an overview of the proposed revisions to the rule.

A. Commissioner Farrell moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the proposed revisions to Series 2, Legislative Rule, Higher Education Finance Policy, to be filed as an Emergency Rule with the Secretary of State.

Commission Cameron seconded the motion. Motion passed.

B. Commissioner Farrell moved approval of the following resolution:

Further Resolved, That the West Virginia Higher Education Policy Commission approves the proposed revisions to Series 2, Legislative Rule, Higher Education Finance Policy, to be filed with the Secretary of State for a thirty-day public comment period, and if no substantive comments are received, extends its final approval.

Commissioner Cameron seconded the motion. Motion passed.

VIII. Approval of Revisions to Series 10, Procedural Rule, Policy Regarding Program Review

Vice Chancellor Brumfield provided an overview of the proposed revisions to Series 10.

Commissioner Dailey moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves revisions to Series 10, Procedural Rule, Policy Regarding Program Review to be filed with the Secretary of State for the 30-day public comment period and if no substantive comments are received, that the Commission extends its final approval.

Commissioner Burch seconded the motion. Motion passed.

IX. Approval of Revisions to Series 11, Procedural Rule, Submission of Proposals for Academic Programs at Public Regional Institutions and the Monitoring and Discontinuance of Existing Programs

Vice Chancellor Brumfield provided an overview of the proposed revisions to Series 11.

Commissioner Lewis Jackson moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves revisions to Series 11, Procedural Rule, Submission of Proposals for Academic Programs at Public Regional Institutions and the Monitoring and Discontinuance of Existing Programs to be filed with the Secretary of State for the 30-day public comment period and if no substantive comments are received that the Commission extends its final approval.

Commissioner Cameron seconded the motion. Motion passed.

X. Approval of Revisions to Series 32, Legislative Rule, Tuition and Fee Policy

Dr. Edward Magee, Vice Chancellor for Finance, provided an overview of the proposed revisions to Series 32.

Commissioner Dailey moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves revisions to Series 32, Legislative Rule, Tuition and Fee Policy to be submitted to the Secretary of State for a thirty-day comment period and if no substantive comments are received that the Commission extends its final approval.

Commissioner Lewis Jackson seconded the motion. Motion passed.

XI. Approval of Revisions to Series 52, Legislative Rule, Annual Reauthorization of Degree-Granting Institutions

Vice Chancellor Brumfield provided an overview of the proposed revisions to Series 52.

Commissioner Cameron moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves revisions to Series 52, Legislative Rule, Annual Reauthorization of Degree-Granting Institutions to be filed with the Secretary of State for the 30-day public comment period and if no substantive comments are received that the Commission extends its final approval.

Commissioner Lewis Jackson seconded the motion. Motion passed.

XII. Approval of Amendment to Chancellor's Contract

Ms. Kristin Boggs, General Counsel, provided an overview of the proposed amendment to Chancellor Tucker's contract.

Commissioner Lewis Jackson moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the First Amendment to the June 3, 2021, contract for Chancellor Sarah Armstrong Tucker, enabling the Chancellor to be eligible to receive the annual experience increment available to all State employees as provided by W.Va. Code § 5-5-2 and any legislatively authorized salary increases, in money or percentage terms, provided to other State employees through increases to the agencies' operating budgets as appropriated by the Legislature (the "across-the-board raises").

Commissioner Farrell seconded the motion. Motion passed.

XIII. Review of Tuition and Fees

Vice Chancellor Magee provided a report regarding institutional tuition and fees.

XIV. Review of Institutional Operating and Capital Budgets and the Approval of Institutional Capital Budgets

Vice Chancellor Magee provided an overview of the institutions' operating and capital budgets and the proposed approval of their capital budgets.

Commissioner Farrell moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the Fiscal Year 2023 institutional capital budgets.

Commissioner Dailey seconded the motion. Motion passed.

XV. Approval of Institution Capital Assessments for Fiscal Year 2023

Vice Chancellor Magee provided an overview of the proposed institution capital assessments for Fiscal Year 2023.

Commissioner Lewis Jackson moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the institution capital assessments for Fiscal Year 2023.

Commissioner Farrell seconded the motion. Motion passed.

XVI. Correction of December 2021 Program Productivity Review

Ms. Bryant provided an overview of the correction to the December 2021 Program Productivity Review.

A. Commissioner Lewis Jackson moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission rescinds the December 2021 low-productivity report in its entirety, including the recommendation to the institutional governing boards that programs be placed on probationary status.

Commissioner Cameron seconded the motion. Motion passed.

B. Commissioner Farrell moved approval of the following resolution:

Further Resolved, That the West Virginia Higher Education Policy Commission adopts the revised low-productivity report as set forth below and recommends to the institutional governing boards that the programs listed thereon be placed on probationary status.

Commissioner Dailey seconded the motion. Motion passed.

XVII. Approval of Bachelor of Science in Nursing

Ms. Bryant provided an overview of the proposed Bachelor of Science in Nursing as requested by West Virginia Junior College.

Commissioner Farrell moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves West Virginia Junior College to begin offering bachelor's degree programs with the implementation of the Bachelor of Science in Nursing for implementation in June 2023. This approval expires two years from the date of Commission approval if the program is not fully implemented at that time.

Commissioner Cameron seconded the motion. Motion passed.

XVIII. Update from Constituent Groups

A. Advisory Council of Classified Employees

Ms. Jenna Derrico, Chair of the Advisory Council of Classified Employees and an employee at West Virginia Northern Community College, provided a report on behalf of classified employees. Ms. Derrico expressed the employees' concern over delays in the external market study and securing funding for its implementation. She mentioned that other concerns include PEIA's future liabilities, policy review affecting the area of Human Resources, and the need for institutions to conduct evaluations. Ms. Derrico added that the Council will hold its annual retreat in July.

XIX. Additional Board Action and Comment

There were no additional Board actions or comments.

XX. Adjournment

There being no further business, Commissioner Lewis Jackson moved to adjourn the meeting. Commissioner Cameron seconded the motion. Motion passed.



Andrew A. Payne, Chairman



Diana Lewis Jackson, Secretary

