

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA  
EXECUTIVE COMMITTEE MEETING  
JANUARY 6, 2009  
MINUTES NO. 529**

Mr. Clement called the Executive Committee meeting to order at 8:30 a.m. in the SCHEV main conference room, Richmond, Virginia. Council members present: Bob Ashby, Gilbert Bland, Whittington Clement, Jim Dyke, Mary Haddad, Margaret Lewis, Susan Magill, and Christine Milliken. Staff members present: Ellie Boyd, Tom Daley, Daniel LaVista, Lee Ann Rung.

**APPROVAL OF MINUTES**

On motion by Mr. Bland and seconded by Mr. Clement, the minutes from the October 21, 2008 meeting were unanimously approved as submitted.

**UPDATE ON SCHEV BUDGET**

Ms. Boyd provided an overview of the SCHEV budget and distributed copies of the FY 2009 Total Appropriation and Actual Expenditures for the period ended November 30, 2008.

Mr. Daley distributed a handout that showed actual budget reductions for FY 2009 and proposed reductions in the introduced budget for FY 2010. For the current fiscal year, SCHEV's general fund operating budget has been reduced by over \$583,000 (13%) including cuts made in FY 2008 and carried into the current biennium. However, student financial aid programs administered by SCHEV were exempted from cuts during this period as were other pass-through programs administered by the Council (i.e., Eminent Scholars, Virtual Library of Virginia, and Virginia Women's Leadership Institute). The introduced budget, however, included significant reductions in FY 2010 not only for SCHEV's operating budget but also for certain student financial aid and pass-through programs. The Eminent Scholars program was eliminated entirely.

Mr. Daley described the strategies employed over the past year to ameliorate the impact of budget reductions in FY 2009 allowing the agency to avoid further staff reductions in the current fiscal year. However, these one-time measures will not be available next year. He noted with concern that language in the Governor's budget document implied that proposed operating budget reductions in FY 2010 could be made without further staff reductions. This, he indicated, was not the case and, in fact, the agency's budget reduction plans submitted in October clearly indicated that substantial staff reductions would necessarily result from any further operating budget cuts.

Mr. Daley also explained that exacerbating the impact of the current round of budget cuts was the fact that the nine new general fund positions appropriated to the agency over the last several years, primarily to support its expanded duties under the Restructuring Act, were not accompanied by any nonpersonal services support. This has resulted in an agency operating budget that is disproportionately committed to salaries and benefits and which is grossly underfunded for typical support costs such as computing and telecommunications services, travel, professional development, etc.

During the discussion, Dr. LaVista indicated that a detailed budget impact statement had been communicated to the Secretary when the reduction scenarios were submitted to the Department of Planning and Budget in October, and that this statement included a detailed list of service reductions that would likely result from such budget reductions.

Mr. Daley and Dr. LaVista answered questions from Council members. Mr. Dyke expressed an interest in knowing what the Council can do and how the budget cuts would impact the areas of interest the Council would like to pursue.

The meeting was adjourned at 9:00 a.m.

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Whittington W. Clement  
Chair

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Lee Ann Rung  
Council Secretary

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA  
COUNCIL MEETING  
JANUARY 6, 2009  
MINUTES NO. 530**

Mr. Clement called the Council meeting to order at 9:05 a.m. in the SCHEV main conference room, Richmond, Virginia. Council members present: Bob Ashby, Gilbert Bland, Whittington Clement, Jim Dyke, Mary Haddad, Margaret Lewis, Susan Magill, and Christine Milliken. Staff members present: Jim Alessio, Lee Andes, Tom Daley, Joe DeFilippo, Alan Edwards, Dan Hix, Daniel LaVista, Tod Massa, Kirsten Nelson, and Lee Ann Rung.

**WELCOME**

Mr. Clement welcomed Mary Haddad as the newest Council member and provided background information about her current and past positions, including her service on the Board of Visitors of Old Dominion University.

Dr. Elrod could not be present but Mr. Clement thanked her for overseeing the Outstanding Faculty Awards process. The event will be held on February 19 at The Jefferson Hotel in Richmond. The Governor has been invited to speak at this event. Mr. Clement also acknowledged that Dr. Elrod has been elected mayor of Lexington.

**PUBLIC COMMENT PERIOD**

Mr. Clement asked if anyone wished to address the Council during the public comment period. No requests were received.

**APPROVAL OF MINUTES**

On motion by Mr. Dyke and seconded by Ms. Milliken, the minutes from the October 21, 2008 Council meeting were unanimously approved as submitted.

**REMARKS BY PRESIDENT CASTEEN**

Mr. Clement introduced John Casteen, President of the University of Virginia and listed his credentials, including service as Virginia Secretary of Education. Mr. Clement also recognized Mr. Dyke as a former Secretary of Education and Dr. Morris, current Secretary of Education, who was present. Mr. Casteen spoke about the current financial crisis and explained the importance of making the needs of colleges and universities understood at both the local and national levels. He referenced major universities around the country and explained some of the financial losses being experienced by MIT, Yale, Harvard, and the University of California system, and others. Virginia administrators and legislators were congratulated for the way they are

addressing the budget shortfalls and for seeking input from institutions. He discussed actions being taken by UVA to achieve cost savings and expressed gratitude to SCHEV's Executive Director and the Council for working on difficult issues.

Mr. Casteen emphasized the value of the Restructuring legislation as a major tool to protect the academic missions of the institutions.

Mr. Casteen answered questions from members regarding endowments, student applications, and diversity among the student population. In answer to a question raised by one of the Council members, Mr. Casteen said that an appropriate role for SCHEV in these difficult times is consistency in articulating and demonstrating the needs of academic programs. He recognized that SCHEV is not staffed or designed to provide advice in every area and indicated that SCHEV's coordinating role is critical. He noted that having former boards of visitors' members on the Council is useful, as they understand the important issues that the colleges and universities face. He also suggested that the Council and the state pay closer attention to degree completion for adults and emphasized the need to create a mechanism to simplify state comparisons.

### **EXECUTIVE DIRECTOR'S REPORT**

Dr. LaVista presented an overview of policy discussions that have been a part of the Council agendas over the last year and said the discussions have played an important role in crafting the Council's policy development. To help prepare for the upcoming policy discussion of global competitiveness at the March Council meeting, Dr. LaVista and Mr. Clement will gather input from presidents and chancellors at the January 27 General and Professional Advisory Committee (GPAC) meeting. Input will be solicited about which model should be used at the March Council meeting for this discussion. Dr. LaVista mentioned three national reports that could aid in the discussion (*Measuring Up 2008* from the National Center for Public Policy and Higher Education, the *Virginia Report 2008* from the Council on Virginia's Future, and *Coming to Our Senses* from the College Board). Council members were asked to provide suggestions or feedback to staff prior to the March meeting. Dr. LaVista will suggest a format for the March presentation to Chairman Clement following the January 27 GPAC meeting.

Dr. LaVista answered questions from members. Ms. Milliken stressed the importance of knowing ways in which greater cooperation could be achieved among institutions offering programs abroad, and felt it was important to explore options for working cooperatively. She also requested a report on public institutions' programs abroad and international education efforts.

## **BRIEFINGS AND DISCUSSION**

### *Update on Governor's Introduced Budget*

Mr. Hix distributed a table summarizing the major items in the Governor's introduced budget amendments for the 2008-10 biennium. Each item was briefly reviewed and the amount of general fund (GF) support for need-based undergraduate student financial aid for each institution was highlighted.

Mr. Hix noted that state support has declined over the last six years. A table summarizing Educational and General program support per student over the last six years was also reviewed. Adjusted for inflation, the system-wide average general fund appropriation for a full-time, in-state student for 2009-10 is \$5,321, down 7 percent from the 2003-04 school year. Meanwhile, the average nongeneral fund appropriation per student for 2009-10 is \$7,015, up 33 percent from 2003-04. Tuition and fees make up about 90 percent of nongeneral fund appropriations according to Hix. Council members encouraged staff to add statistics on how much surrounding states are spending per student. Members also stressed the importance of informing legislators of the direction Virginia is headed with regard to higher education funding. Mr. Dyke expressed an interest in sharing the information with business groups around the state, including the Virginia Business Higher Education Council. He also suggested contacting Virginia 21 to inform students about the significant impact any budget cuts will have on higher education and to engage them in getting the word out.

Mr. Hix mentioned that no budget reductions were made to the capital package from last session. Mr. Dyke stated that while the reality of budget cuts is recognized, he wished to note for the record his dismay at the reduction in the Tuition Assistance Grant (TAG) for graduate students. He felt the Council should continue to advocate for TAG for graduate students.

Mr. Clement suggested that the Council meet in executive session at the conclusion of the Council meeting to discuss personnel matters.

### *Update on Pre-filed Legislation*

Ms. Nelson distributed a list of pre-filed legislation and discussed the bills that will likely require SCHEV's involvement during the upcoming General Assembly session. A bill has been introduced by SCHEV to add a representative from a private, accredited nonprofit institution to the Student Advisory Committee (SAC). Ms. Nelson answered questions from members and Dr. LaVista informed the Council that the bills will be discussed with college Presidents at the January GPAC meeting. Dr. LaVista also informed the Council that he and Ms. Nelson will visit legislators prior to the start of the legislative session.

Mr. Clement reminded the Council that during the last legislative session, it was decided that he and Ms. Hardy would serve as the Council's ad hoc members for staff to contact regarding bills in question during the session. It was decided that this

practice would continue during the 2009 legislative session. Ms. Haddad and Ms. Magill also offered their assistance, if needed.

### SCHEV Domicile Guidelines

Mr. Andes reviewed the existing guidelines and the work that has been done over the last two years by the review committee. Most of the changes involved bringing the Domicile Guidelines into compliance with existing law. He summarized the changes that include clarification language, the definition of "alien," the 125% rule and military students. The Domicile Guidelines will be brought to the Council for approval in March. The members of the review committee as well as Mr. Andes were thanked for their work on this document. Council members were asked to forward comments to Mr. Andes prior to the March Council meeting.

### Private and Out-of-State Postsecondary Education (POPE) Annual Report

Ms. Woodley reviewed the report and answered questions from Council members. Mr. Clement thanked Ms. Woodley and the POPE section for their efforts over the last year.

## **ACTION ITEMS**

### Action on South University (Provisional Certification)

Dr. DeFilippo provided background information about this item. Tony Troy, Counselor for South University, and South University Chancellor, John South, provided a brief overview of the programs to be offered. On motion by Ms. Magill and seconded by Ms. Lewis, the following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia provisionally certifies South University to operate a postsecondary institution in the Commonwealth of Virginia, effective immediately and for a period of one (1) year, in accordance with the conditions enumerated below:**

- 1. that, during the period of provisional certification, South University shall be allowed to advertise and receive student applications, but not actually enroll or instruct students.**
- 2. that, during the period of provisional certification, South University may not collect tuition from prospective students, though it may collect initial non-refundable fees of no more than \$100, as per 8 VAC 40-31-160 (N) (2) of the *Virginia Administrative Code*.**
- 3. that, during the period of provisional certification, all publicity, advertisement, and promotional material must include a statement that the school is provisionally certified to operate in Virginia by SCHEV.**

4. that, prior to the expiration of the period of provisional certification (January 5, 2010), South University shall satisfy a site visit conducted by SCHEV staff demonstrating that the facility conforms to all federal, state and local building codes and that it is equipped with classrooms, instructional and resource facilities, and laboratories adequate for the size of the faculty and student body and adequate to support the educational programs to be offered by the school.
5. that South University's provisional certification shall lapse if the school does not satisfy condition #4 by January 5, 2010. In the event of such lapse, the school may reapply for certification.

**BE IT FURTHER RESOLVED** that Council delegates to the Executive Director authority to confer full certification on South University upon the school's successful completion of the site visit.

*Action on Programs at Public Institutions*

Dr. DeFilippo provided information about the proposal from Longwood University and said since it requires new funds, a conditional statement was included in the resolution. He also provided a brief overview of each doctoral proposal. On motion by Ms. Milliken and seconded by Dr. Ashby, the following resolutions were unanimously approved by the Council:

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Doctor of Philosophy (Ph.D.) degree program in Linguistics (CIP: 16.0102), effective fall 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants conditional approval to Longwood University to initiate a Bachelor of Science (B.S.) degree program in Nursing (CIP: 51.1601), effective fall 2009. This approval is conditioned on the University receiving funds necessary to initiate and sustain the program from the 2009 session of the General Assembly. If such funding is not secured, Longwood must submit a plan to SCHEV documenting how requisite funds will be obtained from other sources, in time for the Council to consider final unconditional approval of the program at its May 2009 meeting.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to James Madison University to initiate a Doctor of Philosophy (Ph.D.) degree program in Strategic Leadership (CIP: 30.9999), effective fall 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to Radford University to initiate a Doctor of Nursing Practice (DNP) degree program (CIP: 51.1699), effective fall 2010.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Doctor of

**Philosophy (Ph.D.) degree program in Social and Behavioral Health (CIP: 51.2207), effective fall 2009.**

**BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Doctor of Philosophy (Ph.D.) degree in Systems Modeling and Analysis (CIP: 27.9999), effective fall 2009.**

*Action on Recommendations from the Ad Hoc Affordability Committee*

Mr. Clement thanked Dr. LaVista and staff for making changes to the report that were requested by the Council. Mr. Clement requested that the Council review the financial aid section at the bottom of page 4. The recommended changes to this section were distributed and members provided input to staff. Mr. Wurtzel was thanked for his input as well as other members who made good suggestions to the financial aid portion of the report that honors current law but recognizes that the state should also consider financial aid based on merit.

On request by Dr. LaVista, the Council unanimously approved delegating to staff the amending of appendices. Mr. Clement recognized and thanked the members of the ad hoc affordability committee, which included Alan Wurtzel, Christine Milliken, Mimi Elrod, Gilbert Bland, and Bob Ashby.

It was mentioned that the way in which the report is utilized will be important and Mr. Clement asked members to email him or Dr. LaVista with their thoughts on this matter. The full report will be posted on the SCHEV website. It was suggested that the key highlights from the report be mailed to the higher education community, while referring them to the full report on the website.

A motion was made by Dr. Ashby and seconded by Ms. Lewis to adopt the report as amended with the recommended changes to the financial aid portion that were reviewed by members. The following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the recommendations contained in the "Toward Affordability" report of its Ad Hoc Committee on Affordability and directs staff to advocate for and facilitate the implementation of those recommendations.**

*Action on Institutional Performance Standards (IPS) Targets*

Mr. Clement thanked Messrs. Bland, Wurtzel, and Alessio for their work on the performance standards. Mr. Alessio distributed a revised page 44 due to a slight change made to one of the numbers reported by George Mason University. He reminded the Council that this is the second time it has approved IPS targets that will be used for institutional certification in 2010 as part of the higher education restructuring legislation. Mr. Alessio reviewed the 7-month long process and

highlighted a few concerns raised by the institutions. Institutions and IPS committee members have reviewed the targets in detail. On suggestion by Mr. Alessio, the Council agreed that staff would continue to monitor the targets and alert the Council of any "red flag" issues.

On motion by Dr. Ashby and seconded by Mr. Clement the following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the institutional targets and thresholds for 2008-09 through 2013-14.**

*Action on Organizational Change for George Mason University*

Dr. DeFilippo provided background information about the proposal and explained the reason for their request for an extension. A final study regarding the exact location of the permanent site is to be completed in 30-60 days. On motion by Ms. Lewis and seconded by Ms. Milliken the following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia grants to George Mason University (GMU) a third one-year extension of its preliminary approval to operate an instructional site in Loudoun County. GMU shall notify SCHEV of its intention to apply for conditional (final) approval by May 1, 2009.**

**CONSENT AGENDA**

*Action on Programs at Public Institutions and Action on Private and Out-of-state Postsecondary Education Institutions*

No requests were made to discuss the consent agenda items. Therefore, on motion by Mr. Dyke and seconded by Ms. Magill the following items were unanimously approved by consent:

**BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Science (M.S.) degree program in Computer Forensics (CIP: 11.9999), effective fall 2009.**

**BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Public Health (M.P.H.) degree program (CIP: 51.2201), effective fall 2009.**

**BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Science (M.S.) degree program in Real Estate Development (CIP: 52.1501), effective fall 2009.**

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Master of Science (M.S.) degree program in Mechanical and Nuclear Engineering (CIP: 14.9999), effective fall 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia certifies Make-Up Artist Studio to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia certifies Simply Ballroom Dance Teachers Academy to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia certifies Today's Dentist Assisting School to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

### **ITEMS DELEGATED TO STAFF**

The following items had been reviewed and approved by staff, as delegated by the Council. As required, this information is included as part of these minutes:

- Program Approvals:
  - The College of William and Mary
  - Old Dominion University
  - University of Virginia
  - Tidewater Community College
- Discontinuation of Program – Longwood University
- Organizational Changes / Off-campus Instructional Sites  
October – December 2008
- Approval of Institution State License Plate Scholarship Plan:
  - Roanoke College
  - GWU – VA campus
  - Hampton University

### **NEW BUSINESS**

In accordance with §2.2-3711 (A) (1) of the Code of Virginia, Mr. Clement requested a motion to adjourn to executive session to discuss a personnel matter. Mr. Dyke made the motion and it was seconded by Ms. Haddad. A roll call vote was taken and it was unanimously decided (8-0) to adjourn to executive session. The public meeting was adjourned at 11:55 a.m.

The Council reconvened from the executive session at 12:00 p.m. A roll call vote was taken on a resolution certifying that once in executive session, the Council decided not to discuss the personnel matter. The resolution passed by a vote of 8-0 and is attached to these minutes.

The Council continued to meet in open session and requested additional information from Mr. Daley regarding the agency budget. He provided clarification on the presentation that was made at the Executive Committee meeting. Staff was asked to focus on the programmatic work that the agency is required to do statutorily and to point out to legislative staff the effects that any future agency reductions would have on these mandates. Staff was also asked to consider finding other sources of funding for the agency; to work with certain outside groups to get support on broader issues, and to seek ways in which SCHEV can work collaboratively with these groups.

The meeting was adjourned at 12:45 p.m.

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Whittington Clement  
Chairman

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Lee Ann Rung  
Council Secretary

### Items Delegated to Director/Staff

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council's "Policies and Procedures for Program Approval and Changes," the following items were approved as delegated to staff:

#### Program Actions

| Institution                     | Degree/Program/CIP  | Effective Date    |
|---------------------------------|---|-------------------|
| The College of William and Mary | Change the CIP Code of the Bachelor of Arts degree program in Chinese Language and Culture from 30.9999 to 05.0123.                           | Fall 2008         |
| Old Dominion University         | Change the CIP Code of the Doctor of Philosophy degree program in Biomedical Sciences from 26.9999 to 26.0102.                                | Fall 2008         |
| University of Virginia          | Change the Title and CIP code from the B.S. Ed and M.Ed. degree programs in Health and Physical Education (13.1314) to Kinesiology (31.0505). | Fall 2008         |
| Tidewater Community College     | Approve the Associate of Applied Science degree program in Human Services (CIP Code: 51.1599).  | November 13, 2008 |

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council's "Policies and Procedures for Program Approval and Changes," the following items were reported to staff:

| Institution         | Degree/Program/CIP   | Effective Date |
|---------------------|--|----------------|
| Longwood University | Discontinue the Master of Science degree program in Environmental Science (CIP Code: 03.0103). | August 1, 2005 |

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council’s “Policies and Procedures for Internal and Off-Campus Organizational Changes,” the following items were approved as delegated to staff:

**Organizational Changes / Off-campus Instructional Sites  
October – December 2008**

| <b>Institution</b>      | <b>Change / Site</b>  | <b>Effective Date</b> |
|-------------------------|---|-----------------------|
| George Mason University | Reorganize the <b>Krasnow Institute for Advanced Study</b> to create a new academic unit to align existing programs and facilitate faculty collaboration. Two departments have been created (the <b>Department of Molecular Neuroscience</b> and the <b>Department of Computational Social Science</b> ) to manage degree programs in Neuroscience and Computational Social Science, respectively. The departments will be located in the Krasnow Institute for Advanced Study. | August 25, 2008       |

**Approval of Institution State License Plate Scholarship Plan**

As authorized by the Code of Virginia, § 46.2-749, state license plates may bear the seal, symbol, emblem, or logotype of an institution. Proceeds from sales of these license plates are then used by the institution for scholarships under a plan approved by SCHEV. The License Plate Scholarship Plans for the following institutions have been reviewed and found to be in compliance with state requirements:

- Roanoke College
- GWU – VA campus
- Hampton University

**RESOLUTION NO. 49**  
**MEETING DATE: January 6, 2009**

**CERTIFICATION OF EXECUTIVE MEETING**

**WHEREAS**, the State Council of Higher Education for Virginia has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

**WHEREAS**, §2.2-3712 (D) of the *Code of Virginia* requires a certification by the State Council of Higher Education for Virginia that such executive meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED** that the State Council of Higher Education for Virginia hereby certifies that once in executive session, the members decided not to have a discussion about the personnel matter.

**VOTE**

YES: 8 (Ashby, Bland, Clement, Dyke, Haddad, Lewis, Magill, Milliken)

NAYS: 0

Whittington Clement  
Chairman  
State Council of Higher Education for Virginia