

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA  
COUNCIL MEETING  
JULY 14, 2009  
MINUTES NO. 536**

Mr. Clement called the Council meeting to order at 8:50 a.m. in Room 305 of Tyler Haynes Commons, University of Richmond, Richmond, Virginia. Council members present were: Bob Ashby, Gilbert Bland, Whittington Clement, Mimi Elrod, Mary Haddad, Susan Magill, Christine Milliken, G. Gilmer Minor, Katharine Webb, and Alan Wurtzel.

Council Members absent: Jim Dyke

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. Jake Belue from the Office of the Attorney General (OAG) was also present.

**INTRODUCTIONS**

Mr. Clement introduced the two new Council members and welcomed them to the meeting. G. Gilmer Minor and Katharine Webb joined the Council effective July 1, 2009.

Secretary of Education, Thomas Morris, provided information as a follow-up to the July 13 Private College Advisory Board (PCAB) meeting saying that the Virginia Business Higher Education Council is undertaking a "Grow by Degrees" enrollment campaign to highlight the need for Virginia to graduate more students. The 7-point plan was rolled out last month and will attempt to raise awareness, particularly with the two gubernatorial candidates. He also reported on a parallel effort by the Council on Virginia's Future and wanted the Council to know that others are trying to work with SCHEV on important issues and opportunities for public and private education.

**PUBLIC COMMENT**

No requests for public comment were received, and Mr. Clement asked whether anyone requested to address the Council. No requests came forward.

**APPROVAL OF MINUTES**

On motion by Dr. Ashby and seconded by Ms. Milliken, the following minutes were unanimously approved as submitted. Mr. Clement thanked Ms. Rung for her work on the minutes and for the support she provides to the Council:

May 12, 2009 Executive Committee  
May 12, 2009 Council meeting  
June 8, 2009 Council meeting  
June 9, 2009 Council meeting

### **REMARKS BY PRESIDENT AYERS**

Mr. Clement introduced Dr. Ayers and thanked him for hosting the Council and the Private College Advisory Board on July 13.

Dr. Ayers talked about the importance of private education and indicated that he was grateful to have the opportunity to study and work at public institutions, such as the University of Virginia, before coming to the University of Richmond. He prefers the term “nonprofit education” to “private education” and mentioned some of the important functions that private colleges provide for the public good. He provided information on the “Richmond Promise,” which is the university’s strategic plan. The plan consists of five pledges that the university will work to achieve over the next five years. The five pledges are: Integrated Academics; Inclusive Diversity; Accessibility and Affordability; Community Engagement; and Distinctive Experience. To address the issues of access and affordability, the university provides need-blind financial aid at 100% of need, amounting to \$50M per year. Dr. Ayers reported that the average debt of students graduating from the University of Richmond is lower than student debt at five different public universities in the Commonwealth. The university is working to become more inclusive by increasing diversity. Dr. Ayers said the University of Richmond is committed to playing a role in the Commonwealth, and this year it will admit its largest-ever percentage of Virginia students. In an effort toward being an ally and active member of the Richmond community, the university now occupies space downtown. Referred to as “UR Downtown,” the space is the new home to the Law School’s family law clinic and pro bono center. Also occupying the downtown space is the Richmond Families Initiative, which is a program of the Bonner Center for Civic Engagement. The UR Downtown provides 100,000 service hours per year to the city through these programs.

Dr. Ayers indicated that while the university is fortunate in many ways, there is much responsibility that comes with its good fortune. He assured the Council that it has an ally in creating the best system of higher education and that his goal is to continue to get the message out about the good things that nonprofit institutions offer and the exciting opportunities that exist at the University of Richmond.

### **EXECUTIVE DIRECTOR’S REPORT**

Dr. LaVista thanked President Ayers for his remarks and for the informative tour that was provided to Council members and staff on July 13. In keeping with the nonprofit education theme, Dr. LaVista provided statistics on the institutions that make up the

private sector and indicated that they play an important role in the fabric of higher education in Virginia. There are 35 non-profit private institutions in the Commonwealth, enrolling a total of over 80,000 students. About one in four students pursuing a Bachelor's, Master's, or doctoral degree in Virginia attend a private institution. Approximately 41% of students pursuing First Professional degrees attend a private institution. Additionally, about 25% of students attending Virginia's private non-profit institutions are Pell grant recipients. Dr. LaVista also provided statistics on international education from the recent SCHEV survey.

### **REMARKS BY MICHAEL MAUL**

Mr. Clement introduced Michael Maul, Associate Director at the Department of Planning and Budget. Mr. Maul distributed a copy of his presentation and agreed to send a more legible electronic version to Ms. Rung to distribute to members.

Mr. Maul informed the Council of the budget process and reviewed the calendar showing the new due dates for completion of the budget. He indicated that this will not be a normal year in that the process is moving fast and changing almost daily. Budget packages will be due earlier than in prior years (September 1). Agencies have been requested to submit budget reductions of 5, 10, and 15 percent. By advancing the budget process, it is hoped that guidance to agencies could be provided early on to implement any reductions that may need to occur. The current goal is to announce the revenue forecast by August 19.

Mr. Maul discussed the federal stimulus funds and the effect these funds had on mitigating some potential budget crises. He warned of the "cliff effect" that could occur when the funds disappear in FY2012, but indicated that most institutions are addressing tuition with this in mind.

He explained that agencies submit component budgets, including the manpower associated with these components and are asked to rank the items critical to the mission of the agency. Mr. Maul stressed the importance of these rankings when determining what could be cut in the final budget.

### **BRIEFINGS AND DISCUSSION**

#### *Preliminary Discussion of Potential Budget Items for the 2010 Legislative Session*

Mr. Hix provided an overview of the items that will be prepared for further discussion at the September Council meeting and brought to the Council for approval in October. He reviewed the budget items, the guideline calculations and current funding, and the 2010-12 considerations. He noted that any agency pass-through budget items, such as the Tuition Assistance Grant Program (TAG) and the College Scholarship Assistance Program (CSAP) are scheduled for Council action in September.

Mr. Clement called for a break at 10:25 a.m. The meeting resumed at 10:35 a.m.

### *Update on SCHEV's Six-Year Higher Education Strategic Plan*

Dr. DeFilippo called attention to the bulleted strategic-plan items on page 28, and he briefly reviewed each goal-related activity. Ms. Rung was asked to provide the Council members with additional information on the Grow by Degrees campaign underway by the Virginia Business Higher Education Council.

## **ACTION ITEMS**

### *Action on Enrollment Targets and Estimates of Degree Awards at Public Institutions*

Mr. Massa provided an overview of SCHEV's duties generally as they relate to enrollment projections and admission policies. He explained that SCHEV staff had met with all public institutions, along with representatives from the Department of Planning and Budget, legislative staff, and the Secretary of Education's office to review the enrollment projection goals of the institutions, and in some cases, offered advice about revising targets.

Mr. Massa indicated that the institutions have risen to the challenge and have made every effort to meet the Commonwealth's needs. The information provided in the agenda book is a basic overview. More detail is provided on the SCHEV website.

Mr. Wurtzel felt that because the projections are so important he preferred that the Restructuring subcommittee be given time to react to them before voting.

After some discussion, it was determined that this subject should be addressed again in one year rather than the typical two year cycle. On motion by Ms. Magill and seconded by Dr. Elrod, the following resolution was unanimously **approved by the Council with the stipulation that it include a review of appropriate levels of student access within one year:**

**BE IT RESOLVED** that the State Council of Higher Education for Virginia approves the FY 2009-2015 institutional enrollment targets and degree estimates as provided in Tables 1-6 of Item 7.a and authorizes staff to make the detailed enrollment targets and degree estimates available to the public via the SCHEV website.

**BE IT FURTHER RESOLVED** that approval of these institutional enrollment targets does not constitute either implicit or explicit approval of any new program, site, higher education center, or campus determined by an institution as necessary to achieve these targets. Further, as a condition of certification under the Restructuring Act, institutions are expected to achieve

**95% of the in-state enrollments expressed herein, without regard for new facilities or programs not already approved by Council, for the period 2009-10 through 2010-11.**

*Action on Full Cost Report*

Mr. Hix provided historical information about the state's requirement that public institutions charge out-of-state undergraduates at least 100% of the cost of their education. Mr. Wurtzel mentioned that certain institutions should be asked to increase their numbers beyond what is currently being done. On motion by Ms. Milliken and seconded by Ms. Haddad, the following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the 2009-10 Full Cost Report.**

*Action on Final Report on 2008-09 Program Viability Process*

Dr. DeFilippo reminded Council of the initial report and briefly discussed the final report on degree-program productivity / viability (exemptions, probations/stipulations, and closures) and on motion by Dr. Ashby and seconded by Ms. Haddad, the following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the following degree program action:**

**Continue without stipulation:**

**University of Virginia**

**Doctor of Education in Counselor Education - CIP Code:  
13.1101**

**BE IT FURTHER RESOLVED that the State Council of Higher Education for Virginia authorizes the Executive Director to convey to the Governor and General Assembly the attached report: "Programs Identified for Closure: Results of the 2008-09 Academic Program Productivity/Viability Review."**

*Action on Programs at Public Institutions*

Dr. DeFilippo provided brief information about five programs for approval and introduced representatives from the institutions that were available to answer questions. On motion by Dr. Ashby and seconded by Ms. Magill, 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 Chemistry and Biochemistry (CIP: 26.0202), effective fall 2009.

**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 Civil and Infrastructure Engineering (CIP: 14.0899), effective fall 2009.

**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 Music Education (CIP: 13.1312), effective fall 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Doctor of Musical Arts (D.M.A.) degree program (CIP: 50.0999), 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 Nanoscience and Nanotechnology (CIP: 41.9999), effective fall 2009.

*Action on 2009-10 Virginia Guaranteed Assistance Program*

Mr. Andes presented an overview of this student-aid program, saying that revising its eligibility criteria would provide a bridge for home-schooled students to be evaluated on academic measures in order to be eligible for financial aid. It was suggested that the words “math and verbal combined” be added to the SAT’s and “composite” be added to the ACT’s. On motion by Dr. Elrod and seconded by Mr. Minor, the following revised resolution was unanimously approved by the Council:

**BE IT RESOLVED** that the State Council of Higher Education for Virginia recommends adoption of SAT math and verbal combined scores of 900 and above and ACT composite scores of 19 and above as “empirical alternative equivalent measures” to satisfy the high school achievement measures for VGAP eligibility as authorized under § 23-7.1:02 B.

**CONSENT AGENDA**

*Action on Programs at Public Institutions*

No requests were made to discuss the consent agenda items. For the benefit of new members, Mr. Clement provided clarification about the types of items that are

brought forth on the consent agenda. On motion by Ms. Milliken and seconded by Dr. Elrod, the following items were approved by consent:

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants final, unconditional, approval to Longwood University to initiate a Bachelor of Science (B.S.) degree program in Nursing (CIP: 51.1601), effective fall 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to Old Dominion University to initiate a Bachelor of Science (B.S.) degree program in Modeling and Simulation Engineering (CIP: 14.0101), effective spring 2010.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to Blue Ridge Community College to initiate an Associate of Science (A.S.) in General Science degree (CIP: 30.0101) effective Fall, 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to Eastern Shore Community College to initiate an Associate of Arts and Science (A.A.&S.) in Liberal Arts degree (CIP:24.0101), effective Fall, 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to Germanna Community College to initiate an Associate of Science (A.S.) in Engineering degree (CIP:14.0101) effective Fall, 2009.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to John Tyler Community College to initiate an Associate of Science (A.S.) in Business Administration degree (CIP: 52.0201) effective Fall, 2009.

*Action on Private and Out-of-State Postsecondary Education Institutions*

On motion by Ms. Milliken and seconded by Dr. Elrod, the following resolution was unanimously approved by the Council:

**BE IT RESOLVED** that the State Council of Higher Education for Virginia certifies Virginia Tech Carilion School of Medicine to operate a postsecondary institution in the Commonwealth of Virginia, effective July 14, 2009.

**ITEMS DELEGATED TO STAFF**

The following items had been reviewed and/or approved by staff, as delegated by the Council. For the benefit of the new members, Dr. LaVista provided an overview

of the types of items and actions that have been delegated to staff. As required, this information is included as part of these minutes:

- Program Actions
- Organizational Changes / Off-campus Instructional Sites - May-July 2009
- Governor's Career and Technical Academies
- Institutional Student Financial Aid Plans

## **OLD BUSINESS**

### *Discussion of Council Self-Evaluation Surveys*

Dr. LaVista presented the results of the most recent Council self-evaluation surveys and indicated that, for the most part, members had a positive view of the Council activities. He also read some of the individual comments that members provided in the surveys concerning what the Council does well and areas for improvement. Ms. Rung agreed to send a copy of the results to members.

### *Action on Council Meeting Schedule for Calendar Year 2010*

Dr. LaVista informed the Council that travel to institutions has been confirmed as discussed at the last meeting. Ms. Magill inquired about the possibility of changing the July meeting location so that the Council could visit the College of William and Mary when students are on campus. Staff agreed to look into the possibility. On motion by Dr. Elrod and seconded by Mr. Minor, the following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the following meeting schedule for calendar year 2010 and requests that staff distribute the information to all Council members:**

### **Briefings on Monday Afternoon - Meetings on Tuesday**

- **January 11-12 – SCHEV Offices (Richmond)**
- **March 15-16 – travel to public institution (Virginia Tech)**
- **May 17-18 – travel to private institution (TBD)**
- **June – meet with public college and university presidents – (date and location TBD)**
- **July 19-20 – travel to public institution (College of William & Mary)**
- **September 20-21 – SCHEV Offices (Richmond)**
- **October 25-26 – SCHEV Offices (Richmond)**

## **NEW BUSINESS**

### *Action on Amended Domicile Guidelines*

Mr. Andes provided background information on this item and Mr. Belue from the Office of the Attorney General was present to answer questions. Mr. Andes explained that the Office of the Attorney General had advised SCHEV staff that the Domicile Guidelines should be withdrawn from the Virginia Administrative Code (VAC) and reinstated as a standard guidance document before the beginning of the fall term to ensure there is no lapse in the instructions to the institutions. On motion by Dr. Ashby and seconded by Mr. Minor, the following resolution was unanimously approved by the Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia directs staff to work with the Office of the Attorney General and the Virginia Registrar to facilitate removal of the Domicile Guidelines from the Virginia Administrative Code, to withdraw the proposed revisions to the Guidelines from the APA process, and to reissue the language approved at its March 10, 2009 meeting as Council Domicile Guidelines consistent with the authorization provided by the Code of Virginia, §23-7.4:3.**

### *Mental Health Issues*

Mr. Clement informed the Council that he and Dr. LaVista met with Mr. Richard Bonnie from the University of Virginia School of Law. Mr. Bonnie is interested in working with SCHEV to conduct a study of mental health issues in higher education. Additional information on the proposal submitted by Mr. Bonnie will be shared with members who may be interested in learning more about this study.

### *Action on Report from Nominating Committee/Council Elections*

Dr. Elrod presented the report of the nominating committee, which consisted of herself, Christine Milliken, and Margaret Lewis. Dr. Elrod explained that a problem had arisen in the Council's order of succession due to Ms. Hardy's resignation after she accepted a position with Senator Mark Warner. In order to provide a deeper line of succession, the nominating committee suggested adding the position of secretary, which is permitted according to the Council's bylaws. Dr. Elrod reported that Ms. Milliken withdrew from the conversations of the nominating committee when discussions about the chair position took place. The nominating committee brought forward the following slate of officers: Christine Milliken for Chairman, Susan Magill for Vice Chairman, and Gilbert Bland for Secretary. Mr. Wurtzel seconded the nomination **and it was unanimously approved to appoint Ms. Milliken as Chair, Ms. Magill as Vice Chair, and Mr. Bland as Secretary for the 2009-10 fiscal year.**

Ms. Milliken thanked members for this honor and said she looks forward to serving the Council. She hopes to have a more formal set of goals to discuss at the September meeting to prepare for a productive year for higher education.

Ms. Milliken expressed the Council's appreciation to Mr. Clement for his service and indicated that a formal presentation will be made at the next meeting.

### **EXECUTIVE SESSION**

In accordance with Section 2.2-3711(A)(1) of the *Code of Virginia*, the Council convened in executive session at 12:15 p.m. to discuss personnel matters related to the Executive Director.

The Council reconvened from the executive session at 1:30 p.m. A roll call vote was taken on a motion certifying that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the executive session. The motion was carried by a vote of 10-0 and is attached to these minutes.

The meeting was adjourned at 1:35 p.m.

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Whittington Clement  
Chairman

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Lee Ann Rung  
Manager, Executive and Council Affairs

### 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
George Mason University	Spin-off a Bachelor of Arts degree program in Russian and Eurasian Studies (CIP Code: 05.0110) from the existing Bachelor of Arts in Area Studies (CIP Code: 05.0199)	Fall 2009
John Tyler Community College	Change the title, degree designation and CIP from the Associate of Arts and Sciences in General Studies (CIP Code: 24.0101) to the Associate of Arts in Liberal Arts (CIP Code: 24.0103)	Spring 2010
John Tyler Community College	Change the CIP and degree designation from the Associate of Arts and Sciences (CIP 24.0101) to the Associate of Science in General Studies (CIP Code: 24.0102)	Spring 2010
Virginia Commonwealth University	Spin-off a Bachelor of Science degree program in Real Estate (CIP Code 52.1501) from the existing Bachelor of Science in Business (CIP Code 52.0201)	Fall 2009
Virginia State University	Discontinue the Master of Education degree program in Mathematics (CIP Code: 27.0101)	Fall 2009

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  
May – July 2009**

<b>Institution</b>	<b>Change / Site</b>	<b>Effective Date</b>
Christopher Newport University	Reorganize the Luter College of Business and Leadership and move departments to create <b>the College of Natural and Behavioral Sciences</b> and <b>the College of Social Sciences</b> and rename the College of Liberal Arts and Sciences to become <b>the College of Arts and Humanities.</b>	July 1, 2009

**Governor’s Career and Technical Academies**

The following Governor’s Career and Technical Academy proposal has been reviewed and approved as delegated to staff:

**Title of Academy:** Governor’s Career and Technical Academy for Engineering Studies

**Location:** Chesterfield, Virginia

**Name of Lead Entity:** Lloyd C. Bird High School

**Collaborating Partners:**

- Northrop Grumman
- American Society of Civil Engineers
- Austin, Brockenbrough and Associates, L.L.P.
- John Tyler Community College
- Mazda North American Operations
- MBP
- Core Consulting
- Bon Secours & St. Francis Medical Center

**Date of Approval:** April 30, 2009

**Academy Operational Timeline:** 2009-10

**Title of Academy:** The Governor’s Career and Technical Education Academy for STEM in Richmond

**Location:** Richmond, Virginia

**Name of Lead Entity:** Richmond Public Schools

**Collaborating Partners:**

Virginia Commonwealth University/Medical College of VA  
Timmons Group  
YMCA North Richmond  
Science Museum of Virginia  
Block Data Processing Associates  
Quastar, L.L.C.  
Old Dominion University  
RAPME  
ECPI College of Technology

**Date of Approval:** June 18, 2009

**Academy Operational Timeline:** 2009-10

### **Institutional Student Financial Aid Plans**

Review of the Institution's S5 Financial Aid Plans include each individual institution's plan for expenditure of its appropriation for undergraduate student financial assistance and assumptions and calculations for determining the cost of education and student financial need as required by the Appropriation Act. The institutions' reports have been received and reviewed in accordance with the Appropriation Act.

**RESOLUTION NO. 50**  
**MEETING DATE: July 14, 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, to the best of each members' knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the State Council of Higher Education for Virginia.

**VOTE**

YES: 10 (Ashby, Bland, Clement, Elrod, Haddad, Magill, Minor, Milliken, Webb, Wurtzel)

NAYS: 0

Christine T. Milliken  
Chair  
State Council of Higher Education for Virginia