

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
EXECUTIVE COMMITTEE MEETING
MAY 18, 2010
MINUTES**

Ms. Milliken called the meeting to order at 7:30 a.m. in the Campus Center, Room 229, Eastern Mennonite University, Harrisonburg, Virginia. Council members present: Gilbert Bland, Whittington Clement, Jim Dyke, Mimi Elrod, Mary Haddad, Jacob Lutz, Susan Magill, Christine Milliken, G. Gilmer Minor, and Katharine Webb.

Council members absent: Bob Ashby

Staff members present: Daniel LaVista and Lee Ann Rung.

APPROVAL OF MINUTES

On motion by Ms. Magill and seconded by Mr. Minor the minutes of the March 16, 2010, Executive Committee meeting were unanimously approved as submitted.

DISCUSSION OF COUNCIL SELF-EVALUATION SURVEY

Dr. LaVista inquired if the Council was interested in following the same procedure with regard to self evaluations as has been done in years past. Ms. Milliken asked that the survey be sent electronically with a cover note and pending due date to all members.

DISCUSSION OF COUNCIL BYLAWS CHANGES

Ms. Milliken reviewed the minor housekeeping changes suggested by staff. The changes include adding the Council secretary to the line of succession of officers and changing the title of the Council's staff support from secretary to executive assistant to distinguish it from the Council secretary position. Members were asked to inform Ms. Milliken or Ms. Rung within the next two weeks if additional changes are recommended. The item will be brought to the July meeting for further discussion and possible approval.

FALL MEETINGS WITH PRESIDENTS AND BOARDS OF VISITORS (BOV)

Dr. LaVista reported that October 19 and 20 dates have been confirmed. The meeting with public presidents will be held the afternoon of October 19 and the BOV conference will be held from approximately 9:00 – 3:00 on October 20. Both meetings will be held in Richmond. Dr. LaVista also reported that he shared draft agendas with Mr. Lutz but advised the Council that the agendas be revisited and possibly amended pending the outcome of the higher education commission. Dr. LaVista suggested that a speaker for the BOV conference be secured as soon as possible and he volunteered to assist in this effort before he departs SCHEV. Mr.

Lutz indicated that he would be scheduling a planning committee with Messrs. Clement and Dyke within the next few weeks to finalize the agenda.

In addition to determining the invitation list, it was mentioned that because there are no funds available in the agency budget for an evening function with the presidents, if a dinner is planned, a set price would need to be determined and attendees would need to pay for dinner in advance.

Staff informed Council members that the Governor's appointment letter will make reference to the BOV meeting so that new appointees will be aware of it.

Council members were encouraged to attend the May 25 and June 29 General and Professional Advisory Committee (GPAC) meetings from 8:30 a.m. – 10:00 a.m. Dr. LaVista indicated that these are the last meetings with GPAC before he leaves SCHEV. He is working with Laura Fornash to provide information at the May meeting about the work of the higher education commission.

EXECUTIVE SESSION

Per § 2.2-3711 (A) (1) of the Code of Virginia, Mr. Bland made a motion that the Council convene in a closed meeting at 7:50 a.m. to discuss personnel matters related to the Executive Director position and the motion was unanimously approved.

The Council reconvened in open session at approximately 8:55 a.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 9:00 a.m.

Gilbert T. Bland
Secretary

Lee Ann Rung
Manager for Executive & Council Affairs

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
COUNCIL MEETING
MAY 18, 2010
MINUTES**

Ms. Milliken called the meeting to order at 9:10 a.m. in the Campus Center, Strite Conference Suite, Eastern Mennonite University, Harrisonburg, Virginia. Council members present: Gilbert Bland, Whittington Clement, Jim Dyke, Mimi Elrod, Mary Haddad, Jacob Lutz, Susan Magill, Christine Milliken, G. Gilmer Minor, and Katharine Webb.

Council members absent: Bob Ashby

Staff members present: Jim Alessio, Lee Andes, Tom Daley, Alan Edwards, Joe DeFilippo, Dan Hix, Daniel LaVista, Kirsten Nelson, and Lee Ann Rung. Jake Belue from the Office of the Attorney General (OAG) was also present.

PUBLIC COMMENT

No requests for public comment were received.

APPROVAL OF MINUTES

On motion by Ms. Webb and seconded by Mr. Lutz, the March 16, 2010 and April 26, 2010 Council minutes were unanimously approved as distributed.

REMARKS BY PRESIDENT SWARTZENDRUBER

Ms. Milliken thanked President Swartzendruber for hosting a very special evening with the Council and staff.

President Swartzendruber welcomed the Council and shared demographic characteristics of the university. He said the university will be adding a Master's level nursing program this fall and anticipates adding a Master's degree in biomedical science. Fifty percent of EMU's undergraduates are from the Mennonite church. Undergraduate students receive hands-on research experience and the acceptance rate of EMU students to medical school is 85%. Dr. Swartzendruber credited the use of cadavers in the undergraduate student experience for this high acceptance rate. As described in the May 17 dinner presentations, the cross-cultural requirement for EMU students was stressed. The Center for Justice and Peace Building brings 100 adult students from 50 countries studying peace building strategies.

PRIVATE COLLEGE ADVISORY BOARD MEETING

Ms. Milliken provided a brief overview of the May 17 meeting with the private college presidents and said the takeaway message was the importance of one Virginia system of higher education which is made up of public and private colleges.

Mr. Dyke has been appointed as liaison on the Wizard project. It is hoped that the various parties will report next year that the project is fully inclusive of public and private higher education. Mr. Lambeth was also thanked for his continuing service to the Council and the Council of Independent Colleges in Virginia.

EXECUTIVE DIRECTOR'S REPORT

Dr. LaVista provided observations and recommendations on his 40th and last report to the Council before his departure. He reviewed some of the important studies in which SCHEV has been involved, and reminded the Council that the agency has been viewed since 1956 as a reliable source of data and information.

SCHEV roles and responsibilities were reviewed. Dr. LaVista reviewed the three duties of the two commissions that will study higher education and efficiencies in state government and he provided recommendations on what could bring SCHEV members and staff to the table as these items are discussed.

Dr. LaVista reflected on his six years at SCHEV and thanked current and past Council members for their support and respect. He also thanked the staff for their excellent work ethic and integrity and said the Council is fortunate to have them to provide support. Dr. LaVista also thanked Presidents Casteen and Steger for their assistance in demonstrating the importance of a coordinating body and for their guidance over the years.

PRESENTATION

Ms. Milliken said that Dr. LaVista has brought an extraordinary breadth of experience to the agency and she asked Mr. Clement to read a resolution thanking Dr. LaVista for his service. **On motion by Mr. Clement and seconded by Ms. Magill the following resolution was unanimously approved by the Council:**

WHEREAS, Dr. Daniel J. LaVista has served as an exemplary Executive Director of the State Council of Higher Education for Virginia from 2004 to 2010, providing leadership and coordination of Virginia's public four-year institutions, community colleges, and private institutions; and

WHEREAS, he played a significant role in the development and administration of the 2005 Higher Education Restructuring Act, a nationally groundbreaking set of higher education policies that forged a new relationship between Virginia's public institutions and the Commonwealth; and

WHEREAS, Dr. LaVista oversaw the development of the 2007 Statewide Strategic Plan for Higher Education in Virginia, the first systemwide six-year plan in the new format prescribed by the Restructuring legislation; and

WHEREAS, Dr. LaVista has been a tireless advocate for greater access to higher education for underserved populations, including his stewardship of the College Access Challenge Grant and his role in the creation of the New College Institute; and

WHEREAS, his commitment to consensus building has been a guiding principle and led to success in his work as Chair of the General Professional Advisory Committee; and

WHEREAS, his diligent, on-the-ground efforts at the Virginia General Assembly have resulted in legislation that positively impacts the Commonwealth's system of post-secondary education; and

WHEREAS, his gift for creating positive relationships has also led to many successful partnerships such as the agency's work with Dominion Resources, which has yielded the continuation of a robust Outstanding Faculty Awards program; and

WHEREAS, Dr. LaVista has not only assembled a superb staff, but he has also provided them with personal support and mentorship, encouraging each to pursue his or her talents and ambitions; and

WHEREAS, throughout his tenure, Dr. LaVista's service and leadership has been marked by civility and humility and respect for all with whom he has interacted on behalf of the Council; and

WHEREAS, Dr. LaVista has shown character, integrity, and professionalism beyond reproach; and

WHEREAS, Dr. LaVista's leadership has made the agency, Virginia's system of higher education, and the Commonwealth better places to live, work, and learn, and he leaves the Commonwealth of Virginia having earned the gratitude and friendship of all who advocate for higher education in Virginia;

NOW THEREFORE BE IT RESOLVED, that the State Council of Higher Education for Virginia expresses its sincere gratitude and appreciation to Dr. Daniel J. LaVista for his commitment, distinguished service, and numerous contributions to higher education in Virginia, and extends to him best wishes for continued success in all future endeavors.

It was mentioned that email invitations will be sent out soon for a reception that is being planned in Dr. LaVista's honor on June 28 in Richmond.

BRIEFINGS AND DISCUSSION

Report from Nominating Committee

Mr. Clement reported that the nominating committee consisted of Dr. Elrod, Ms. Webb and himself. He reported that the committee unanimously endorses Susan Magill as the next chair of the Council. Gilbert Bland was the committee's recommendation for vice chair. A motion for action on these recommendations will be made at the July meeting, assuming that the Governor has made his appointments by that time. However, the Council bylaws call for the nomination of officers no later than the September meeting. Because two members whose terms expire on June 30 could be reappointed, the nominating committee decided to delay its recommendation for the office of secretary. Ms. Milliken reminded the Council that she cannot be reappointed because she has served two full terms. However, her term could be held over if appointments are not made in time for the July meeting.

ACTION ITEMS

Action on Commonwealth Graduate Engineering Program (CGEP) Operating Plan

Ms. Vermaaten provided background information on the program and introduced Dr. Sharon Caraballo, State Chair and GMU Director. Dr. Caraballo summarized the annual report and reported on the online course initiative currently underway. Total enrollment is 6,299 and online enrollment is 1,600, or about 25% of the instruction. It is becoming increasingly important to transition the delivery of CGEP courses from videoconferencing to online delivery to the computer desktop. This transition is critical to increase access to programs for the target audience of working professional engineers. Dr. Caraballo answered questions from members and she was invited to provide thoughts on how the Council could help increase the proportion of available online courses. It was requested that next year the Council be provided with information on the courses that are in the pipeline as well as any that are expected to come online. It was mentioned that while the Council approves the funds for this program, often times internal budget reductions at the institutional level result in cuts to the program.

On motion by Ms. Haddad 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 approves the 2010-11 Commonwealth Graduate Engineering program operating plan and recommends to the Governor that the appropriated funds be released to operate the program.

The chair called for a recess at 10:25 a.m. The Council resumed the meeting at 10:35 a.m.

Action on Assessment of Institutional Performance

Ms. Milliken commended Mr. Bland and the subcommittee members for the time they devoted to restructuring. Mr. Alessio introduced staff who worked on the analysis that was provided. Ms. Moschos and Ms. Vermaaten were introduced. Mr. Ringer from the Department of Planning and Budget, who assisted with the finance and administrative measures, was also introduced. Mr. Alessio reported on several positive results from restructuring. He indicated that institutions have responded well. Of the 450 measures (including the administrative and financial measures) 98% were met by all institutions. Only a few measures were not met, and most of those have been corrected. Mr. Alessio distributed and discussed a handout summarizing the benefits of restructuring.

Mr. Bland also expressed his gratitude to the institutional presidents and their staffs for their cooperation and important interaction with the subcommittee. Mr. Alessio answered questions from members and Mr. Ringer was thanked for his assistance in dealing with the financial and administrative goals. Mr. Ringer expressed his gratitude to the institutions for providing the information. The Council members thanked Mr. Bland and the subcommittee members for their hard work. The subcommittee's motion was seconded by Mr. Lutz and the following resolution was unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies for 2010-11 that the following public institutions have satisfactorily met the performance standards of the Higher Education Restructuring Act and Appropriation Act:

**Christopher Newport University
College of William and Mary
George Mason University
Norfolk State University
Old Dominion University
Radford University
University of Mary Washington
University of Virginia
University of Virginia's College at Wise
Virginia Commonwealth University
Virginia Community College System
Virginia Military Institute
Virginia Tech**

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies for 2010-11 the following public institutions as having substantially met the performance standards of the Higher Education Restructuring Act and Appropriation Act:

James Madison University
Longwood University
Richard Bland College
Virginia State University

In addition,

1. After careful consideration of the request from James Madison University, the Council has decided not to grant an exemption from Measure A.5.b. Degrees per FTE Students. However, because the institution has exhibited substantial progress toward meeting this measure, a remedial plan will not be necessary.
2. Longwood University has met its 2009 target for Measure A.1.a. In-State Enrollment, therefore, a remedial plan will not be necessary.
3. Richard Bland College shall provide the Council with a progress report on the implementation of their October, 2009 remedial plan by August 1, 2010.
4. University of Virginia's College at Wise shall provide the Council with a progress report on the implementation of their October, 2009 remedial plan by August 1, 2010.
5. Virginia State University
 - a. The Council will change the 2009-10 target/threshold for the ratio of degree per FTE students .144/.115; and
 - b. The Council requests the president and rector of the Board of Visitors to meet with the Restructuring Subcommittee to ensure success with future performance assessments.

Action on Programs at Public Institutions

Dr. DeFilippo provided background information about the Doctor of Nursing Practice program at George Mason University and answered questions. There was some discussion about the nursing shortage and the possible involvement of private institutions in meeting these needs. Ms. Haddad also asked if there might be an opportunity to explore establishing a nursing consortium much like CGEP and suggested that a dialogue with IPAC might be a first step. Dr. DeFilippo was asked to provide additional feedback to the Council in July. On motion by Ms. Magill and seconded by Mr. Bland the following resolution was 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 Nursing Practice (DNP) degree (CIP:51.3818) effective fall 2010.

Action on New Policy on the Assessment of Student Learning

Dr. DeFilippo reminded Council that he was requested at the last meeting to develop a thoroughly revised assessment policy that would allow more complete alignment between Virginia's assessment mandate and accreditation requirements. He explained the actions he has taken and noted that Council "academic leads" (Dr.

Elrod and Ms. Haddad) have been consulted on the item. Over the course of a single cycle of assessment, it is expected that the proposed policy will reduce the number of institutional reports to SCHEV from (up to) eighteen to two. Dr. DeFilippo explained that the new policy affords institutions the flexibility to develop a single assessment plan that can be used to satisfy reporting to SCHEV and the Southern Association of Colleges and Schools (SACS). On motion by Mr. Lutz and seconded by Mr. Dyke the following resolution was unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia adopt the Virginia Public Higher Education Policy on the Assessment of Student Learning, effective immediately.

CONSENT AGENDA

Ms. Milliken reported that the academic affairs “leads” (Dr. Elrod and Ms. Haddad) had reviewed the action items on the consent agenda. On motion by Mr. Clement and seconded by Mr. Dyke the following programs were approved without discussion:

Action on Programs at Public Institutions

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Christopher Newport University to initiate a Bachelor of Arts (B.A.) degree program in Economics (CIP: 45.0601), effective fall 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Bachelor of Arts (B.A.) degree program in Art History (CIP: 50.0703), effective fall 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Bachelor of Science (B.S.) degree program in Bioengineering (CIP: 14.0501), effective fall 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Bachelor of Arts (B.A.) degree program in Environmental and Sustainability Studies (CIP: 30.3301), effective fall 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Bachelor of Science (B.S.) degree program in Environmental Science (CIP: 03.0104), effective fall 2010.

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 Geoinformatics and Geospatial Intelligence (CIP: 45.0799), effective fall 2010.

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 Sport and Recreation Studies (CIP: 31.0504), effective fall 2010.

Action on Private and Out-of-State Post-secondary Education (POPE) Institutions

On motion by Dr. Elrod and seconded by Mr. Clement the following resolutions were unanimously approved by the Council without discussion:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies American College of Commerce and Technology to operate a postsecondary institution in the Commonwealth of Virginia, effective May 18, 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies Virginia Technical Institute to operate a postsecondary institution in the Commonwealth of Virginia, effective May 18, 2010.

Action on Provisional Certification of Virginia College

On motion by Mr. Clement and seconded by Dr. Elrod, the following motion was unanimously approved by the Council without discussion:

BE IT RESOLVED that the State Council of Higher Education for Virginia provisionally certifies Virginia College to operate a postsecondary institution in the Commonwealth of Virginia, effective May 18, 2010, in accordance with the conditions listed below, for one (1) year.

1. That, during the period of provisional certification, Virginia College shall be allowed to advertise and receive student applications, but not actually enroll or instruct students.
2. That, during the period of provisional certification, Virginia College may not collect tuition from prospective students, though it may collect an initial non-refundable fee 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 has received provisional certification to operate by SCHEV.
4. That, prior to the expiration of the period of provisional certification, Virginia College must 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 offered by the school.

5. That, if Virginia College does not satisfy condition #4 above, the provisional certification shall lapse. In the event of such lapse, the school may reapply for certification.

BE IT FURTHER RESOLVED that Council delegates the granting of full certification to the Executive Director, upon Virginia College's successful completion of the site visit.

ITEMS DELEGATED TO STAFF

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

- Program Actions:
 - George Mason University
 - Lord Fairfax Community College
 - Piedmont Community College
 - Radford University
 - Virginia Polytechnic Institute and State University
- Organizational Changes/Off-campus Instructional Sites:
 - George Mason University
 - Norfolk State University
- Eminent Scholars Allocation for 2010-11

NEW BUSINESS

It was reported that the COLA subcommittee met on May 14 at the University of Mary Washington. Mr. Dyke chaired the meeting and provided an update. Subcommittee members include Jim Dyke, Jake Lutz, Susan Magill, Chris Milliken, and Gil Minor. Mr. Dyke reported that cost of living has been discussed for 3 years and a study was commissioned to get a statewide perspective of the issue. The subcommittee agreed (on a split vote) that the item should be discussed at the full Council meeting in July. At that time, the Council will consider a resolution after getting input from the presidents. Mr. Dyke read the resolution that was approved at the COLA subcommittee. He also indicated that the subcommittee might meet again prior to the July Council meeting, depending on feedback received from presidents.

There was some discussion about the possibility of discussing the matter with the presidents at the Council of Presidents (COP) meeting on May 24. Ms. Atkins from Longwood University indicated that Dr. Cormier has already finalized the COP agenda for that meeting and indicated that the agenda was already full. It was decided that SCHEV staff would contact Dr. Merten and Dr. Cormier to decide the best time to get input from the presidents. Once this has been decided, Dr. LaVista will provide the information to Council members and encourage them to attend. Ms. Webb suggested that in order to be better informed, Council members should be provided with a copy of the consultant's report prior to any discussion at the July Council meeting.

REPORT FROM EXECUTIVE COMMITTEE

Ms. Milliken reported that the Executive Committee decided to send out the annual self-evaluation survey to members. Results will be compiled by staff and reported at the July meeting.

The committee also discussed a few “housekeeping” changes to the Council bylaws that include changing a title and adding the Council Secretary as an officer. A final vote on the bylaws will be held at the July meeting.

Mr. Lutz has been asked to chair a group to plan for the October 19 meeting with presidents and the October 20 Boards of Visitors conference. Mr. Clement and Mr. Dyke will also work with Mr. Lutz to prepare the agendas and finalize the details for both meetings.

Ms. Milliken explained that the Executive Committee met in executive session to discuss personnel matters related to the Executive Director. The executive committee decided that a search committee should be formed to fill the Executive Director’s position. **The motion that a search committee be chaired by Mr. Bland and include Messrs. Clement, Minor, Dyke and Ms. Magill was seconded by Ms. Haddad and unanimously approved by the Council.** Ms. Milliken indicated that the search committee will meet on June 3 at 11:00 a.m. Location details are to be determined. She also said that the Council would like to hold time for a full Council meeting on June 3. A special meeting of the Council may also be held on the afternoon of June 28 in Richmond. The Council will be recruiting an interim director at this point. However, a decision will be made at a later date about whether to begin a national search.

Ms. Milliken complimented Dr. LaVista for capturing in his report the work that SCHEV has done since 1956. She indicated that this would be a good time to take a step back and think anew about what the Council’s principal tasks and responsibilities should be over the next 6-8 years, similar to what is required of the institutions. She asked Council members and staff to consider ways in which this can be addressed and to submit ideas prior to the July meeting.

Dr. LaVista reported that he has discussed with the Deputy Secretary of Education ways in which SCHEV can assist with the work of the two commissions.

He also reported that he is compiling a notebook of useful information for his successor and he offered his assistance in working with the Council on issues of importance prior to his departure on June 30.

ADJOURNMENT

The meeting was adjourned at 11:35 p.m.

Gilbert Bland
Secretary

Lee Ann Rung
Manager for Council and Executive Affairs