

MINUTES

HIGHER EDUCATION POLICY COMMISSION

October 4, 2013

1. Call to Order

Chairman Bruce Berry convened a meeting of the Higher Education Policy Commission at 10:00 a.m. in the 9th floor conference room at 1018 Kanawha Boulevard, East, Charleston, West Virginia. The following Commission members were present: Bruce Berry, Jenny Allen, Michael Farrell, Kay Goodwin, David Hendrickson, John Leon, Clarence Pennington, James Phares, and Gary White. Absent: Kathy Eddy.

2. Oath of Office

The Oath of Office was taken by continuing members Chairman Berry and Dr. Leon, and new members Mr. Farrell and Mr. White.

3. Approval of Proposed Series 54, Campus Safety Procedures

Dr. Neal Holly, Research and Policy Analyst, provided an overview of a proposed procedural rule, Series 54, Campus Safety Procedures. The rule establishes procedures to direct institutional planning and response to on-campus emergencies.

Mr. Farrell inquired about quality control and stated that issues came to light during recent natural disasters. He commented that implementation of this rule and training are important. Chairman Berry cited sections of the rule relating to threat assessment committees/teams at institutions and training and resources that will be provided by the Commission.

Secretary Goodwin moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves Series 54, Campus Safety Procedures, Procedural Rule, for submission to the Secretary of State for a 30-day comment period.

Further Resolved, That staff is instructed to file the procedural rule with the Legislative Oversight Commission on Education Accountability and final filing with the Secretary of State if no comments are received at the conclusion of the comment period.

Mr. Farrell seconded the motion. Motion passed.

4. Final Approval of Series 40, Equal Opportunity and Affirmative Action

Mr. Mark Toor, Vice Chancellor for Human Resources, presented an overview of proposed changes to Series 40, Equal Opportunity and Affirmative Action, Procedural Rule, which was approved for filing with the Secretary of State for a 30-day public comment period at the Commission's August 9, 2013 meeting. He reviewed comments that had been received during the comment period and resulting changes to the rule.

Superintendent Phares moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves Series 40, Equal Opportunity and Affirmative Action for final filing with the Secretary of State.

Mr. White seconded the motion. Motion passed.

5. Approval to Increase Investment Authority

Dr. Ed Magee, Vice Chancellor for Finance, presented an overview of a requested increase in investment authority with the Marshall University and West Virginia University foundations.

Mr. Farrell commented that this is a critical component in the midst of budget cuts.

Secretary Goodwin asked about transparency with the foundations' investments. Dr. Magee responded that the institutions' financial audits include foundation investments.

Mr. White moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the requested increase in Marshall University's investment authority with the Marshall University Foundation, Inc. and in West Virginia University's investment authority with the West Virginia University Foundation, Inc.

Mr. Farrell seconded the motion. Motion passed.

6. Approval of Master of Professional Studies in Organizational Leadership Program

Dr. Kathy Butler, Vice Chancellor for Academic Affairs, provided an overview of a proposed Master of Professional Studies in Organizational Leadership program at West Liberty University for fall 2014 implementation. The program places an emphasis on the development of leadership skills that can be applied in

business, government, non-profit, for-profit and education settings.

Secretary Goodwin asked how this program compares to the program at Wheeling Jesuit University. Dr. Butler noted the cost differential.

Mr. White inquired about assessment of the program. Dr. Butler stated that assessment is one of the requirements.

Mr. White moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the Master of Professional Studies in Organizational Leadership Program at West Liberty University, effective fall 2014. This approval expires in two years from the date of Commission approval if the program is not fully implemented at that time.

Mr. Farrell seconded the motion. Motion passed.

7. Approval of Amendments to TIAA-CREF Retirement Plan Documents

Mr. Toor provided an overview of amended retirement plan documents for TIAA-CREF to bring them into compliance with two federal acts.

Mr. Farrell moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the amendments to the TIAA-CREF Retirement Plan Documents to incorporate language related to the Heroes Earning Assistance and Relief Tax Act of 2008 and the Worker Retiree and Employer Recovery Act of 2008.

Mr. White seconded the motion. Motion passed.

8. Approval of Presidential Search Procedure for Concord University

Chancellor Paul Hill provided an overview of Concord University's presidential search procedure. Secretary Goodwin noted that the Chancellor serves, as outlined in West Virginia Code, on the committee.

Mr. Farrell moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the presidential search procedure adopted by the Concord University Board of Governors.

Mr. White seconded the motion. Motion passed.

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

Mr. Farrell moved to go into Executive Session under the authority of West Virginia Code §6-9A-4 to discuss personnel issues. The motion was seconded by Mr. White. Motion passed.

Mr. Farrell moved to rise from Executive Session. Mr. White seconded the motion. Motion passed.

Chairman Berry reported that the Commission discussed the items noted on the agenda during Executive Session, but no action was taken.

A. Approval of Presidential Contract for Fairmont State University

Mr. Farrell moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the presidential contract for Fairmont State University, as proposed by the institutional board of governors.

Mr. White seconded the motion. Motion passed.

B. Approval of West Virginia Regional Technology Park Executive Director

Mr. Farrell moved approval of the following resolution:

Resolved, That the West Virginia Higher Education Policy Commission approves the selection of Rusty Kruzelock as Executive Director of the West Virginia Regional Technology Park and delegates to the Chancellor the authority to negotiate a contract with Rusty Kruzelock and the West Virginia Regional Technology Park Board under the terms and conditions communicated by the Commission.

Mr. White seconded the motion. Motion passed.

10. Additional Board Action and Comment

There was no additional board action or comment.

11. Adjournment

There being no further business, the meeting was adjourned.

Bruce Berry

Chairman

Kathy Eddy

Secretary