

**SPECIAL MEETING OF THE
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION**

**Presidents' Conference Room*
Boulevard Tower
1018 Kanawha Boulevard East
Charleston, West Virginia**

**May 18, 2011
11:00 A.M.**

AGENDA

- I. Call to Order
- II. Approval of Appointments to the West Virginia Regional Technology Park Board of Directors
- III. Approval of Revision to Series 47, Commission Organization and Meetings
- IV. Presentation of Marshall University College of Pharmacy Consultant Report
- V. Possible Executive Session under the Authority of West Virginia Code §6-9A-4 to Discuss Personnel Issues
 - A. Approval of Presidential Compensation at Bluefield State College
 - B. Approval of Presidential Compensation at West Virginia School of Osteopathic Medicine
- VI. Additional Board Action and Comment
- VII. Adjournment

**To join the meeting by conference call, dial the following numbers: 1-866-453-5550, participant code: 5245480#.*

**West Virginia Higher Education Policy Commission
Meeting of May 18, 2011**

ITEM: Approval of Appointments to the West Virginia Regional Technology Park Board of Directors

RECOMMENDED RESOLUTION: *Resolved*, That the West Virginia Higher Education Policy Commission approves appointments to the West Virginia Regional Technology Park Board of Directors.

STAFF MEMBER: Paul Hill

BACKGROUND:

On March 12, 2011, the Legislature approved Senate Bill (SB) 484, which provides for a new corporation to be established for operation and development of the West Virginia Regional Technology Park, a 258-acre property located in South Charleston. SB 484 authorizes the appointment of a Board of Directors. In order to complete the incorporation process, the Board membership and initial by-laws must be established.

At the April 29, 2011 meeting, the Commission approved the appointment of Bruce Berry, Ellen Cappellanti, Georgette George, David Hendrickson, Paul Hill, Brian Noland as Chair, and Charles Patton. To complete the membership of the Board, staff will recommend two additional members for the Commission's consideration.

**West Virginia Higher Education Policy Commission
Meeting of May 18, 2011**

ITEM: Approval of Revision to Series 47,
Commission Organization and Meetings

RECOMMENDED RESOLUTION: *Resolved*, That the West Virginia Higher Education Policy Commission approves a revision to Series 47, Commission Organization and Meetings, for submission to the Secretary of State's Office for a thirty-day comment period and, if no substantive comments are received, the Commission extends its final approval.

STAFF MEMBER: Bruce Walker

BACKGROUND:

Series 47, Commission Organization and Meetings, outlines the organizational procedures of the West Virginia Higher Education Policy Commission. It is recommended that the attached revision be approved to reflect a change in West Virginia Code and current practices of the Commission and submitted to the Secretary of State's Office for a 30 day comment period and, if no substantive comments are received, the Commission extends its final approval.

**TITLE 133
PROCEDURAL RULE
HIGHER EDUCATION POLICY COMMISSION**

**SERIES 47
COMMISSION ORGANIZATION AND MEETINGS**

SUMMARY OF PROPOSED CHANGES

Section 2.1

The proposed change increases the term limit of officers from two years to four years consistent with an amendment to West Virginia Code §18B-1B-3.

Sections 2.2

The proposed change removes the reference to the Finance Committee and the Academic Policy Committee.

Section 2.2.1

The proposed change clarifies the membership of the Executive Committee.

Section 2.2.2

The proposed change removes the reference to the appointment of Chairs of the Finance Committee and the Academic Policy Committee and the assignment of Commission members to these committees.

Section 3.1

The proposed change clarifies the number of regularly scheduled meetings to be held each year.

Sections 3.3, 3.8, 3.9, and 3.10

The proposed change removes the references to the committees.

**TITLE 133
PROCEDURAL RULE
HIGHER EDUCATION POLICY COMMISSION**

**SERIES 47
COMMISSION ORGANIZATION AND MEETINGS**

§133-47-1. General.

- 1.1. Scope – This procedural rule establishes the organization of the West Virginia Higher Education Policy Commission and conduct of its meetings.
- 1.2. Authority – W. Va. Code § 6-9A-1, 18B-1-6
- 1.3. Filing Date – January 4, 2008
- 1.4. Effective Date – February 3, 2008

§133-47-2. Organization.

- 2.1. The officers of the Commission shall be a chair, vice chair and a secretary. Officers shall be elected in June of each year for a one year term commencing on July 1 and ending on June 30 of the following year. Officers may not serve more than ~~two~~ four consecutive terms in the same office.
- 2.2. There shall be ~~three~~ one standing committees: the Executive Committee, ~~the Finance Committee and the Academic Policy Committee.~~
 - 2.2.a. The Executive Committee shall consist of the officers of the Commission, ~~the chairs of the Finance and Academic Policy Committees, and the Commission's immediate past chair.~~
 - 2.2.b. ~~The Finance and Academic Policy Committees shall consist of Commission members and chairs appointed by the Chair of the Commission. Each Commission member shall be assigned to either the Finance or Academic Policy Committee.~~
- 2.3. Members may be appointed by the Chair of the Commission to special or ad hoc committees.
- 2.4. All committees shall review and make recommendations to the Commission on matters assigned by the Chair of the Commission or the Executive Committee.

§133-47-3. Meetings of the Commission.

- 3.1. Meetings of the Commission will be scheduled approximately six (6) four (4) times per year. Special meetings may be convened by the Chair, or upon the petition of a majority of the members.
- 3.2. Meetings will occur in or near Charleston, West Virginia, or in association with campus visits at a public institution of higher education.
- 3.3. Members may participate in Commission ~~and committee~~ meetings by telephonic or other electronic means which permit the voice or video identification of the member.
- 3.4. A quorum of a majority of the members actually serving is required to conduct business on matters requiring a vote of the Commission.
- 3.5. Meetings will be noticed in accordance with the provisions of the Open Governmental Meetings Act. This includes notice of regularly scheduled meetings being filed with the Secretary of State for filing in the State Register at least five days prior to the date of the meeting.
- 3.6. The agenda for each regularly scheduled meeting will be made available to the presidents of each institution and to the Chairs of the statewide advisory councils of faculty, students, and classified employees at least three working days before the meeting. Agendas shall also be posted on the Commission's web site.
- 3.7. The notice provisions of this section shall not apply in the event of an emergency requiring immediate official action. Notice of an emergency meeting may be filed at any time prior to the emergency meeting and shall include the date, time, place and purpose of the meeting and the facts and circumstances of the emergency.
- 3.8. All meetings of the Commission ~~and the committees~~ shall be open to the public, except the Commission ~~or a committee~~ may vote to hold an executive session during its meeting for any of the reasons authorized under W. Va. § 6-9A-4. A motion to hold an executive session must identify the authorization in W. Va. § 6-9A-4 for the executive session and be approved by a majority of the members present.
- 3.9. At the discretion of the Chair, members of the Commission's staff, institutional presidents and administrative staff, faculty members, classified employees and members of the public may be recognized to address the Commission ~~or a committee~~ during its meeting.

3.10. Meetings will be conducted according to Robert's Rules of Order subject to the suspension of any rule by a majority vote of the Commission ~~or committee~~.

3.11. The Commission may cause the removal from a meeting of any member of the public who is disrupting the meeting to the extent that orderly conduct of the meeting is compromised.

3.12. At least once a year the chair will provide time on the agenda of the Commission to meet with the statewide advisory councils of faculty, students and classified employees to address the Commission on matters of concern to the respective advisory council.