

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
COUNCIL MEETING
JANUARY 12, 2010
MINUTES**

Ms. Milliken called the meeting to order at 9:05 a.m. in the SCHEV main conference room, James Monroe building, 9th floor, Richmond, Virginia. Council members present: Bob Ashby, Gilbert Bland, Mimi Elrod, Mary Haddad, Jacob Lutz, Susan Magill, Christine Milliken, G. Gilmer Minor, and Katharine Webb.

Council members absent: Whittington Clement, James 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.

Ms. Milliken mentioned highlights from the previous afternoon's productivity discussion.

INTRODUCTIONS

Ms. Milliken introduced Mr. Lutz as the new Council member who will fill the unexpired term of Alan Wurtzel. Mr. Lutz expressed his interest in serving on the Council and was welcomed by the group. He is a former Rector at Virginia Tech and is an attorney with considerable financial experience in higher education. Mr. Lutz will be joining Mr. Clement and Ms. Magill as finance leads. He will also serve as a co-lead when staff prepares for the next trustee training session.

PUBLIC COMMENT

No requests for public comment were received.

APPROVAL OF MINUTES

On motion by Dr. Ashby and seconded by Mr. Bland the October 27, 2009 and the December 1, 2009 Council minutes were approved as submitted. The December 1 summary of the meeting with the Virginia Community College System (VCCS) was provided for information.

CHARGE TO STAFF

Ms. Milliken indicated that when the Council met with the VCCS on 12/1/09, Chancellor DuBois made two proposals:

1. To include a VCCS full-time/part-time faculty ratio goal of 65/70% in the base adequacy formula and

2. To incorporate distance learning students into the capital outlay guidelines for new space

Staff has met with VCCS on both proposals. The second proposal has been addressed successfully.

However, more study is needed on the first proposal.

On behalf of the Council, Ms. Milliken directed staff to study the current trends in higher education as they relate to full-time and part-time ratios insofar as various factors (e.g., mission, student success, management practice, etc.) are concerned and to provide the Council with recommendations on the ratios prior to the next budget cycle.

If Governor-elect McDonnell creates a higher education commission, any elements of the commission's charge pertaining to the study should be incorporated in staff recommendations.

REMARKS BY DONALD FINLEY

Don Finley and Frank Atkinson were introduced and Mr. Finley provided a presentation on the *Grow By Degrees* program, which is a campaign of the Virginia Business Higher Education Council (VBHEC). He reviewed the declining state support over the last decade and said that in 2001 Virginia had a state-supported system of higher education; today it's a "state neglected" system; and is on a trajectory to have a "state abandoned" system. Mr. Finley stressed that it is not possible to overstate the seriousness of the situation.

The objectives of the *Grow By Degrees* program are "to accomplish a systemic, sustainable transformation in the political-governmental standing of Virginia higher education and, through that transformation, to secure a reliable, predictable revenue stream and other positive policies that will help make Virginia higher education the national pacesetter over the next decade, and beyond."

He distributed a chart showing Virginia's degree gap which was prepared by the National Center for Higher Education Management Systems (NCHEMS). Mr. Atkinson said that it was his understanding that the Governor could introduce legislation that would achieve the goals of the *Grow By Degrees* program by making the investments needed, including a codified and dedicated funding source for higher education.

Mr. Finley answered questions from the members and it was mentioned that costs and objectives of the program should be kept at the forefront. Members commended the program and its leaders. The Council chair expressed her hopes that the VBHEC would take into consideration the work already begun with the P-16 Council as they work toward next steps in the program.

EXECUTIVE DIRECTOR'S REPORT

Dr. LaVista provided a recap of the last year's unprecedented events in Virginia higher education, including two significant budget reductions in the same fiscal year. One success of 2009 was the fact that financial aid was spared from budget reductions. The College Access Challenge Grant is providing the opportunity for stakeholders from Danville to present new ideas on access provision in Southside. Dr. LaVista said members should take pride in the Council's work to advance Virginia through higher education. The policy discussions the Council has been hosting on the afternoons prior to its meetings have allowed members to hear more about issues and to invite input from other stakeholders such as the Council of Presidents and the Virginia Community College System. Past policy topics have focused on global competitiveness, which led to a statewide meeting on international education. Also in 2009, the agency received a positive review by the Auditor of Public Accounts.

Challenges in 2009 included the agency's requirement to make further budget reductions which led to aligning with the Department of Human Resource Management Shared Services Center and eliminating two staff positions.

Dr. LaVista reported his pride in the agency staff's generosity, saying that they again responded positively to the Commonwealth Campaign.

Among all of the challenges and successes, staff continued to prepare the usual reports (e.g., Tuition and Fee Report, and enrollment projections and budget recommendations). Additionally, new reports were completed including the optometry study and two reports on student transfer. Staff also continued to respond to specialized legislative requests.

Mr. Bland was thanked for the efforts of the Restructuring subcommittee. SCHEV continues to play an important role in protecting students and recently assisted students in three localities affected by sudden school closure.

Dr. LaVista also reported on a few behind-the-scenes activities of staff. Staff oversaw the administration of various financial aid programs; three federal grants (GEAR UP, NCLB and the Access Challenge Grant); and responded to media, constituents and citizens. Dr. LaVista also informed the Council that thanks to the good work of staff, all Council minutes since 1956 to present have been transferred to digital format for easier retrieval.

During the year, new presidents were appointed and three long-serving presidents announced retirements. Looking ahead, he sees a balance between administrative freedom and accountability and said he looks forward to the coming year to ensure not only the survival, but the enhancement of Virginia higher education.

BRIEFINGS AND DISCUSSION

Update on Governor's Introduced Budget

Mr. Hix reviewed the calendar of upcoming events related to the budget as the General Assembly begins its work. He reminded members that this is an even year, which means it will be a major budget session lasting 60 days. The session is scheduled to end by March 13. A bill is being introduced and if passed, could change the budget cycle. Mr. Hix reviewed the operating budgets for all institutions as proposed in the Governor's 2010-12 introduced budget.

Members requested a full picture of the budget and requested that staff give thought to how nongeneral fund budget reductions within the self-supporting program of Auxiliary Enterprises could be captured by the state.

Update on Prefiled Legislation

Ms. Nelson provided a list of prefiled legislation. Ms. Magill indicated that she received a letter from Delegate Scott expressing concern and interest in the way in which institutions treat international baccalaureate (IB) students and how advanced placement (AP) credits are handled by the colleges. Delegate Scott is considering introducing legislation to study the issue. Ms. Magill asked if staff could survey the landscape and possibly avoid introduction of legislation on this issue. Dr. LaVista agreed to explore the matter. Ms. Nelson reminded members that the SCHEV website contains the long list of bills that will be followed and encouraged them to review the status of the bills throughout the session.

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

Dr. DeFilippo reminded the Council that submission of a POPE annual report began in 2008 at the request of Mr. Wurtzel when POPE was relatively new to SCHEV. The POPE 2009 initiatives were shared as well as the goals for 2010. Dr. DeFilippo answered questions from members and in response to a request, Dr. DeFilippo agreed to work with staff to get information about completion by ethnicity and placement statistics and report these findings to the Council in March.

Council members were also interested in knowing the risk to students after a school's ten-year exemption ends. Ms. Haddad and Dr. Elrod agreed to work with Dr. DeFilippo to prepare for the March discussion on this topic.

Report on SCHEV Study of Access Providers

Dr. DeFilippo said the report was prepared under the College Access Challenge Grant and coordinated by Dr. Monica Osei. He indicated that Dr. Osei championed the study to address a lack of understanding of where the access provider needs are currently and how these needs are being met. The study should be released later this month. Dr. Nathan Alleman and L. Neal Holly presented preliminary data from the study.

Distribution of the report was discussed and Council members felt it would be useful to take a proactive stance on its distribution.

The chair called for a break at 11:25 a.m. The Council reconvened at 11:40 a.m. and Ms. Webb departed the meeting.

ACTION ITEMS

Action on Proposed Measures for Longwood University – Level II

Mr. Alessio distributed an updated copy of materials as a result of the January 11 Restructuring Subcommittee meeting. He also provided background information about SCHEV's role in the approval process and provided an overview of the two measures proposed by Longwood University. The measures have been reviewed and supported by the appropriate Cabinet secretaries involved in the process. Mr. Bland commended SCHEV staff and Longwood University staff for working diligently on the concerns mentioned by the subcommittee. Mr. Bland was also thanked by the chair for his work and that of the subcommittee. On motion by Mr. Bland 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 on recommendation of its Restructuring Subcommittee approves the following Longwood University Level II measures:

LONGWOOD UNIVERSITY Level II – Education-related Measure

Course Redesign

Restructure Goal 5: Improve student retention such that students progress from initial enrollment to timely graduation, and that the number of degrees conferred increases as enrollment increases.

Measure II: This measure refers to Mathematics 261 Calculus I, and Mathematics 171 Basic Statistics. To improve the overall rate of student success in two of Longwood's key gateway mathematics courses, the University will redesign the Math 261 and Math 171 courses. We will use pretesting instruments to identify students that are most likely to fail these two courses; require computer based remediation for students demonstrating mathematical deficiencies; provide additional training for mathematics tutors; and provide additional tutorial hours of mathematics instruction in the Learning Center. These courses serve approximately 895 students per year and are a gateway requirement for all science, pre-professional, mathematics, computer science, and liberal studies majors. These courses have high levels of D, F, and W grades. Typically, over 50% of the students who originally enroll in the Calculus I course receive a grade of D, F, or W and must repeat the course to move forward in their curriculum. Typically, over 40% of the students who originally enroll in the Basic Statistics courses receive grades of D, F, or W for the course and must repeat it before they can move forward in their curriculum. This increases faculty workload and reduces overall efficiency within the University by slowing student progress toward degree completion. Tables 1 and 3 present grade distribution data for the fall and spring semester of the 2007-08 and 2008-09 academic years for Mathematics 261 and 171.

The University proposes setting the SCHEV suggested minimum threshold for reducing the D, F, and W rates in Mathematics 261 by 25% which represents the difference between the maximum threshold and the minimum threshold as indicated in Table 2. The University proposes a reduction in the actual target of 23% reduction after four years. Table 2 shows the projected threshold or threshold reductions for the academic years 2010-11, 2011-12, 2012-13, 2013-14, and 2014-15. The target and threshold rates remain high until 2012-13 because it will take time for the course to be redesigned and to demonstrate results. This is consistent with the length of time it took the Virginia Tech's Math Emporium to begin demonstrating results.

The University proposes setting the SCHEV suggested minimum threshold for reducing the D, F, and W rates in Mathematics 171 by 23% which represents the difference between the maximum threshold and the minimum threshold as indicated in Table 4. Longwood proposes an actual target of 24% reduction after four years. Table 4 shows the projected target reductions or threshold reductions for 2010-11, 2011-12, 2012-13, 2013-14, and 2014-15. As with Math 261 the target and threshold rates for Math 171 will remain high until 2012-13 because it will take time for the course to be redesigned and to demonstrate results.

Table 1 Baseline Grade Distribution Math 261, Calculus I

Grade	Grade Count 2007-08	2007-08 Percentage	Grade Count 2008-09	2008-09 Percentage	Combined Grade Count	Combined Percentage
A	3	4%	11	16%	14	10%
B	8	11%	10	15%	18	13%
C	17	24%	16	24%	33	24%
D	16	23%	9	13%	25	18%
F	21	30%	15	22%	36	26%
W	5	7%	7	10%	12	9%
Total Grades	70	100%	68	100%	138	100%
Total D, F, W	42		31		73	
Base Rate, Math 261		60%		46%		53%

**Table 2 Proposed Measure
Math 261, Calculus I**

	Actual D, F, W Rate	Threshold D, F, W, Rate	Target D, F, W Rate
Baseline Data		60%	53%
AY 2010-11		60%	53%
AY 2011-12		58%	53%
AY 2012-13		51%	46%
AY 2013-14		44%	39%
AY 2014-15		35%	30%

Table 3 Baseline Grade Distribution Math 171, Basic Statistics

Grade	Grade Count 2007-08	2007-08 Percentage	Grade Count 2008-09	2008-09 Percentage	Combined Grade Count	Combined Percentage
A	36	8%	28	8%	64	8%
B	84	18%	81	24%	165	21%
C	123	27%	98	29%	221	28%
D	87	19%	62	19%	149	19%
F	94	20%	47	14%	141	18%
W	39	8%	18	5%	57	7%
Total Grades	463	100%	334	100%	797	100%
Total D, F, W	220		127		347	
Base Rate, Math 171		48%		38%		44%

Proposed Measure**Table 4 Math 171, Basic Statistics**

	Actual D, F, W Rate	Threshold D, F, W, Rate	Target D, F, W Rate
Baseline Data		48%	44%
AY 2010-11		48%	44%
AY 2011-12		46%	41%
AY 2012-13		39%	34%
AY 2013-14		32%	27%
AY 2014-15		25%	20%

LONGWOOD UNIVERSITY
Level II – Education-related Measure

Cooperative Teacher Licensure Programs In
Emporia and Martinsville, VA

ENROLLMENT GROWTH:

Consistent with its institutional mission, Longwood University provides access to higher education for many underrepresented and first generation university students from across Southside Virginia. Longwood also provides transfer opportunities for students who begin and/or complete their college education at one of the Commonwealth's community colleges. SCHEV has designated preparation of teachers as a critical needs area. Longwood University provides an important service to the Commonwealth through its teacher preparation program.

BACKGROUND:

Since 1839, Longwood University been recognized as one of the Commonwealth's premier teacher preparation institutions. It has been said that if a student completes their entire K-12 education in the Commonwealth of Virginia they will certainly have been taught by one or more Longwood University trained teachers. On a national level, approximately 50% of all elementary teaching graduates remain in the profession after five years. Approximately 85% of Longwood University certified elementary teachers remain in the profession after 10 years.

While Longwood University serves students from the entire Commonwealth, our geographic home is the area of Southside Virginia. Southside Virginia encompasses a geographic area of approximately 7,000 square miles reaching from Emporia in the East, to Martinsville in the west, from between Farmville and Charlottesville in the north, to the North Carolina border in the south. Of the 15 counties which comprise Southside Virginia, five counties (Brunswick, Prince Edward, Pittsylvania, Campbell and Greensville) have been designated as having underrepresented populations. Several superintendants from these counties have told us that because of the rural nature, they have a hard time attracting and retaining teachers for their schools systems.

For most of the Southside region, Longwood is the only public four-year institution. Southside Virginia does have three community colleges, Southside Virginia Community College, Danville Community College and Patrick Henry Community College. Additionally, Southside is served by the following public institutions, Southern Virginia Higher Education Center (SVHEC) in South Boston, the Institute for Advanced Learning and Research in Danville, and the New College Institute (NCI) in Martinsville. Longwood University has well established transfer programs with each of the community colleges in our region, and Longwood offers programs at both the SVHEC and NCI. Longwood was the first and continues to be the only senior institution with a full-time faculty presence at NCI. Longwood University offers an undergraduate teacher licensure program at NCI and graduate and undergraduate courses at SVHEC.

PROGRAM NEED:

There is a persistent teacher shortage across Southside Virginia, and all school districts in the region have a serious teacher retention issue. Many districts currently have to temporarily fill teaching positions with teachers who do not have licensure to teach in the field in which they have been hired.

PROGRAM SCOPE:

Longwood University proposes to open a new joint teacher preparation program with Southside Virginia Community College on the Emporia campus. Longwood will place faculty at the Emporia campus so that students who plan to enroll in our teacher education program can take the course work in Emporia. This is significantly different from the traditional 2 + 2 program that would require students to transfer to Longwood and attend classes on the Longwood University campus. Currently, Longwood has a joint Liberal Studies teacher education program with NCI in Martinsville. We plan to expand the current joint teacher preparation program with NCI to more directly include Patrick Henry Community College in the partnership. Longwood University will work collaboratively with our partners to enhance the educational opportunities of Southside Virginia residents in the area of teacher education. Superintendents have told us that students who already live in Southside and can achieve the necessary education to become teachers are most likely to remain in Southside Virginia as lifelong teachers. Therefore, the number and quality of available teachers will increase within the region and the number of teachers retained within southern Virginia schools will increase. This should certainly help improve the overall educational quality within the Southside area.

COLLABORATIONS:

Longwood University will collaborate with Southside Virginia Community College, the New College Institute, and Patrick Henry Community College to provide the Liberal Studies teacher education program at both the Emporia Campus of Southside Virginia Community College and at the New College Institute. Longwood will place full-time faculty at Emporia and at NCI.

STUDENT ENROLLMENT:

The joint program in Emporia is designed to meet the specific educational needs for K-8 teacher licensure. We expect that it will take us three years to reach our goal of a 20 student cohort. We anticipate that 60% of each cohort class will be able to complete the program and receive licensure within three years. For the first cohort class, this would represent nine students receiving licensure by 2012-13. Because many of these students are likely to be working, first generation students from underrepresented populations, they are unlikely to be able to attend full-time. Therefore, we think a three-year graduation goal is appropriate. Longwood will continue to increase the cohort group size until we reach 20 students per cohort. Ultimately, this would result in an annual total stable enrollment of 40 students.

A graduation rate of 60% was used for creating the data in the tables below. This is above the national average but slightly below our current on-campus graduation rate. The only program which will be offered at the Emporia center will be the Liberal Studies Program leading to teacher licensure. Currently, it is possible for students at NCI/Patrick Henry Community College to seek a degree in Liberal Studies without licensure. This has been the current pattern as some students have decided to seek alternative licensure. However, given changes in the licensure law, alternative licensure will become less important. Longwood intends by 2013-14 to require all students enrolling in our program to enroll in the Liberal Studies degree program with licensure.

EMPORIA PROPOSED ENROLLMENT TARGETS

YEAR	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Enrollment Target	15 C1	17 C1 10 C2	20 C1 15 C2	40 C1&2	40 C 1&2	40 C 1&2
Enrollment Threshold	12	15 C1 8 C2	18 C1 13 C2	36	36	36
Graduation Target			9 C1	10 C1 & 6 C2	12 C1 9 C2	24
Graduation Threshold			7	9 C1 5 C2	10 C1 8 C2	21

C1= Cohort 1, C2= Cohort 2

NCI/PATRICK HENRY COMMUNITY COLLEGE PROPOSED ENROLLMENT TARGETS

YEAR	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Enrollment Target	18	25	35	40	40	40
Enrollment Threshold	16	22	31	36	36	36
Graduation Target	6	9	11	15	21	24
Graduation Threshold	4	7	9	13	19	21

Action on Provisional Certification of Nichols College

Dr. DeFilippo provided background information on Nichols College saying that in order to secure a lease from their landlord, the college requires certification that they are authorized to operate in Virginia. Dr. Elrod stated that she and Ms. Haddad discussed the matter extensively with SCHEV staff and she made a motion which was 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 provisionally certifies Nichols College 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, Nichols 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, Nichols College 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 materials 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 12, 2011), Nichols College 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 Nichols College’s provisional certification shall lapse if the school does not satisfy condition #4 by January 12, 2011. 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 Nichols College upon the school's successful completion of the site visit.

Action on Domicile Guidelines

Mr. Andes distributed the latest information about the guidelines and informed the Council that the guidelines have been reviewed by the Office of the Attorney General. The Council's approval would allow students with A-visas to continue to the second stage of establishing domicile. Mr. Belue answered questions and Council members felt that based on the Toll vs. Marino case, this type of visa should be permitted. On motion by Ms. Milliken and seconded by Ms. Haddad the following resolution was unanimously approved by the Council:

BE IT RESOLVED that, based on advice of legal counsel and effective for the spring 2010 term, the State Council of Higher Education for Virginia approves the recommended changes and accompanying clarifying language to Addendum A of the Domicile Guidelines which provides the eligibility status of certain nonimmigrant visas and alien status to establish domicile in Virginia. Specifically the recommendation is to add the "A-10: Withholding of Removal" status as "eligible" and change the following visas from "ineligible" to "eligible": "A – Foreign Government officials," "H-1C – Temporary Worker (nurses)" / "H-4 – Spouse or Child of H-1C," and "R – Religious Workers" as well as applicable clarifying language.

CONSENT AGENDA

Ms. Milliken reported that the academic affairs "leads" have reviewed the action items on the consent agenda. On motion by Mr. Lutz and seconded by Ms. Haddad, the following programs from the consent agenda 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 George Mason University to initiate a Master of Science (M.S.) degree program in Forensic Science (CIP: 43.0106), 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 Arts (M.A.) degree program in Graphic Design (CIP: 50.0409), effective fall 2010.

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 Computer and Information Systems Security (CIP: 11.1003), effective fall 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Polytechnic Institute and State University to initiate a

Master of Public Health (M.P.H.) degree program (CIP: 51.2201), effective summer 2010.

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

This item was pulled from the consent agenda for discussion. After some discussion about American Digital's certificate program, a representative from the institution answered questions. On motion by Ms. Haddad and seconded by Dr. Elrod the following resolutions were unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies American Digital University to operate a postsecondary institution in the Commonwealth of Virginia, effective January 12, 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies Evergreen College of Northern Virginia to operate a postsecondary institution in the Commonwealth of Virginia, effective January 12, 2010.

Action on Organizational Change: Extension of Preliminary Approval of George Mason University Loudoun Site

The following item from the consent agenda was approved without discussion:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants to George Mason University (GMU) approval to offer instruction at its current Loudoun County location through the end of its current lease in June 2011. GMU shall submit its application for conditional (final) approval of a permanent Loudoun County campus by October 1, 2010.

ITEMS DELEGATED TO STAFF

Dr. Elrod suggested that in future reports, information be included as to the reason for closure and the length of time the closed programs were in existence. The following items had been reviewed and/or approved by staff, as delegated by the Council. As required, this information is included as part of these minutes:

- Program Actions for Lord Fairfax Community College, Eastern Shore Community College, Northern Virginia Community College, and Virginia Commonwealth University.
- Organizational Changes/ Off-campus Instructional Sites for Virginia Commonwealth University.

NEW BUSINESS

Dr. Elrod reminded members of the Outstanding Faculty Awards luncheon on February 18 at 12:15 at the Jefferson Hotel and encouraged members to attend. She thanked the committee who read the nominations and reminded the Council that the information about the recipients is embargoed until January 27.

Dr. LaVista informed members of a proposal that would allow staff including faculty to choose to cover a spouse or otherwise qualified adult on the state's "employee plus one" health insurance plan. December 23 was the ending date for comments in the first phase of the process. Approximately 900 responses were received and beginning in February, there will be 60 days during which time others may respond as well. Because this will affect colleges and universities, he felt it should be brought to the attention of the Council.

Ms. Milliken requested that staff prepare a letter expressing the Council's concerns about the transfer of auxiliary balances to the general fund in FY2011 as well as withholding interest earnings on auxiliary balances in each year of the next biennium. The letter will be circulated to members of the Council for input before sending it to the legislature in a timely manner.

The Governor-elect announced Gerald Robinson as the Secretary of Education. Staff was asked to send a note of congratulations offering the Council's support.

ADJOURNMENT

Mr. Bland made a motion that the Council adjourn in executive session at 12:20 p.m. and the motion was unanimously approved. Mr. Minor was unable to stay for the executive session.

The Council reconvened in open session at approximately 1:00 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 7-0 and is attached to these minutes.

Gilbert Bland
Secretary

Lee Ann Rung
Manager for Council and Executive 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
Lord Fairfax Community College	Associate of Applied Science degree program in Emergency Medical Services (CIP Code: 51.0904)	Fall 2010

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*:

Institution	Degree/Program/CIP	Effective Date
Eastern Shore Community College	Offer a Certificate program in Industrial Maintenance Technology (CIP Code: 15.0699)	Spring 2010
Northern Virginia Community College	Discontinue the Associate of Applied Science degree program in Travel and Tourism (CIP Code: 52.0903)	Spring 2017
Virginia Commonwealth University	Discontinue the Doctor of Philosophy degree program in Pathology (CIP Code 26.0910)	Spring 2017
Virginia Commonwealth University	Discontinue the Pre-baccalaureate Certificate program in Critical Nursing (CIP Code: 51.1601)	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

Institution	Change / Site	Effective Date
Virginia Commonwealth University	Rename the Department of Public Health Management and Policy to the Department of Healthcare Policy and Research.	December 1, 2009
Virginia Commonwealth University	Rename the Department of Pharmacy to the Department of Pharmacotherapy and Outcomes Science.	December 1, 2009

RESOLUTION NO. 51
MEETING DATE: January 12, 2010

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: 7 (Ashby, Bland, Elrod, Haddad, Lutz, Magill, Milliken)

NAYS: 0

Gilbert T. Bland
Secretary
State Council of Higher Education for Virginia