Monday, November 2, 2009

9.15 - 9.30 am  
SHEPC Learning Center  
Suite 100

Committee of the Whole, Call to Order/Introductions

Call to order: Jane Nichols, chair

Welcome

Introduction of new commissioners and guests  
2-3

Approval of the Committee of the Whole  
meeting minutes of May 18-19, 2009  
2-4

Report of the chair

Report of the president

Report of the Nominating Committee

Reminder to caucus on selection of committee members

Recess until November 3 at 8.00 am
New Commissioners

Duaine C. Espegard was appointed to the North Dakota State Board of Higher Education in 2007, to complete the four-year term of Charles Murphy, who resigned from the board. He is a retired bank administrator. From 1969 to 2003, he worked for Bremer Financial as a bank director, chief executive officer, and regional president. Espegard was elected to the North Dakota Senate in 2000 and served until 2006. He currently serves on the North Dakota Economic Development Foundation, the Grand Forks Region Economic Development Corporation, and a number of corporate boards. Espegard also has served on the Commerce Department’s Development Fund Board and numerous other boards and commissions. A native of Petersburg, ND, he is a graduate of Unity High School and Aakers Business College, where he obtained an associate degree in business administration. He also attended the University of North Dakota and the University of Wisconsin’s Graduate School of Banking.

Viola Florez began serving as the cabinet secretary for the New Mexico Department of Higher Education in September. Florez has been the interim provost and executive vice president at the University of New Mexico (UNM) since 2007. During the decade previous to that, she was the dean of the College of Education at UNM, where she developed a working plan for P-20 education efforts involving schools, community colleges, and various levels of government, business, industry, and philanthropy statewide; Governor Richardson wants Florez to carry that focus to the Higher Education Department. Florez also served in several capacities at Texas A&M University, including acting vice president and chief academic officer. She earned an education doctorate in curriculum and instruction from Texas A&M University at Kingsville.

Tim Nesbitt is deputy chief of staff for Oregon Governor Ted Kulongoski, a position he has held since 2006. He oversees policy staff and advises the governor on health and human services, education, revenue, and labor issues. In 2007 he represented the Governor’s Office on a legislative initiative to fix the flaws in Measure 37, which resulted in the referral to the voters of this year’s Measure 49. In 2008 he chaired the governor’s task force on federal forest payments and county services. In 2009 he cochaired a leadership team guiding the governor’s involvement in a legislative process that brought affordable healthcare to all children in Oregon and also launched the creation of the new Oregon Health Authority and the appointment of a new Oregon Health Policy Board. As a member of the Oregon Board of Higher Education from 2004 to 2006, Nesbitt led a pioneering effort to make higher education more affordable. That effort led to the creation of a new “shared responsibility model” for financial aid and a fourfold increase in the state’s funding for the Oregon Opportunity Grant program. Prior to joining the governor’s staff, Nesbitt served as the elected president of the Oregon AFL-CIO. He has been a columnist for the Northwest Labor Press and a frequent contributor of opinion pieces on tax policy and labor issues to newspapers throughout Oregon. He has a B.A. in journalism from St. Bonaventure University.

Jack R. Warner is executive director and chief executive officer of the South Dakota Board of Regents, the constitutional governing board for the state’s six public universities, school for the deaf, and school for the blind and visually impaired. Warner was commissioner of the Rhode Island Board of Governors for Higher Education from 2002 to 2009, responsible for governance and policy oversight of the state’s public system of higher education, consisting of the University of Rhode Island, Rhode Island College, and the Community College of Rhode Island. He has been an educator for more than 40 years, 32 of which were spent in the Massachusetts public higher education system. He was associate chancellor at the University of Massachusetts Dartmouth and spent nearly five years as vice chancellor of the Massachusetts Board of Higher Education, the state coordinating board for 15 community colleges, nine state colleges, and five campuses of the University of Massachusetts. Warner spent 17 years as dean of student affairs at Bristol Community College in Fall River, MA. He is a past president of the National Association of Student Personnel Administrators and a former member of the New England Student Affairs Think Tank. He taught in the Boston College Graduate School of Education for 18 years. He holds a doctorate of education in educational administration from Boston College; a master’s of education in student affairs administration in higher education from Springfield College; and a bachelor of arts in psychology from the University of Vermont.
ACTION ITEM
Minutes of the Committee of the Whole

Session I: Call to Order
Monday, May 18, 2009

Commissioners Present
Jane Nichols (NV), chair
Thomas Buchanan (WY), vice chair
Roy Ogawa (HI), immediate past chair
Diane Barrans (AK)
Patricia Brown Heller (AK)
Marshall Lind (AK)
Leah Bornstein (AZ)
David Lorenz (AZ)
Joel Sideman (AZ)
Joseph Garcia (CO)
Kaye Howe (CO)
David Skaggs (CO)
Roberta Richards (HI)
Helene Sokugawa (HI)
Mike Rush (ID)
Dan Harrington (MT)
Mary Sheehy Moe (MT)
Patricia Sullivan (NM)
Carl Shaff (NV)
Dave Nething (ND)
Robert Burns (SD)
James Hansen (SD)
Tad Perry (SD)
Ryan Deckert (OR)
Camille Preus (OR)
James Sager (OR)
Bonnie Jean Beesley (UT)
William Sederburg (UT)
Jeanne Kohl-Welles (WA)
Debbie Hammons (WY)
Klaus Hanson (WY)

Guests/Speakers
William Flores, interim cabinet secretary, New Mexico Department of Higher Education
Ed Lazowska, Bill & Melinda Gates Chair, Computer Science & Engineering, University of Washington
Louise Lynch, certifying officer, Arizona Board of Regents
Margot Plotz, certifying officer, Colorado Department of Higher Education
Lisa Shipley, certifying officer, University of Wyoming
Sheila Stearns, Commissioner of Higher Education, Montana University System

WICHE Staff
Erin Barber, executive assistant to the president and to the commission
Louis Fox, executive director, WCET, vice president, Technology and Innovation
Patrick Lane, project coordinator, Policy Analysis and Research
David Longanecker, president
Mimi McFaul, associate director, WICHE Mental Health Program
Demarée Michelau, director of policy analysis, Policy Analysis and Research
Craig Milburn, chief financial officer
Dennis Mohatt, vice president for behavioral health, director, WICHE Mental Health Program
Terese Rainwater, program director, State Scholars Initiative
Megan Raymond, project coordinator, WCET
Margo Schultz, program coordinator, Student Exchange Programs
Nicole Speer, research and technical associate, WICHE Mental Health Program

Committee Members Absent
Robert Kustra (ID)
Arthur Vailas (ID)
Kerra Melvin (MT)
Bill Goetz (ND)
Pamela Kostelecky (ND)
Dede Feldman (NM)
Warren Hardy (NV)
Peter Knudson (UT)
Ann Daley (WA)
Phyllis Gutierrez Kenney (WA)

Robert Burns (SD)
Jane Nichols (NV)
Thomas Buchanan (WY)
Roy Ogawa (HI)
Diane Barrans (AK)
Patricia Brown Heller (AK)
Marshall Lind (AK)
Leah Bornstein (AZ)
David Lorenz (AZ)
Joel Sideman (AZ)
Joseph Garcia (CO)
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Carl Shaff (NV)
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Robert Burns (SD)
James Hansen (SD)
Tad Perry (SD)
Ryan Deckert (OR)
Camille Preus (OR)
James Sager (OR)
Bonnie Jean Beesley (UT)
William Sederburg (UT)
Jeanne Kohl-Welles (WA)
Debbie Hammons (WY)
Klaus Hanson (WY)
Chair Jane Nichols called the meeting to order and welcomed the commissioners to the meeting.

She introduced newly appointed commissioners:

- Leah Bornstein, president, Coconino College, Arizona.
- William Flores, interim cabinet secretary, New Mexico Department of Higher Education (not yet officially appointed to the commission).
- William Sederburg, commissioner, Utah System of Higher Education (attending his first meeting).

Chair Nichols introduced guests attending the meeting and listed commissioners whose terms are expiring before the November meeting. She also announced that Commissioner Perry would be retiring this summer.

**Action Item**

**Approval of the Minutes of November 10-11, 2008**

Commissioner Nething asked that the minutes be amended to include him as present for the November 10-11, 2008, Committee of the Whole sessions. COMMISSIONER BURNS MOVED TO APPROVE THE COMMITTEE OF THE WHOLE MINUTES AS AMENDED FROM NOVEMBER 10-11, 2008. COMMISSIONER PREUS SECONDED THE MOTION. The motion was approved unanimously.

**Report of the Chair**

Chair Nichols commented on the impact the recession was having and how it may be a theme for the meeting as the commission considers ways to be more thoughtful about the use of resources. Holding the November 2009 meeting at the SHEPC offices in Boulder will be part of several cost-saving measures. She told the committee that they would be asked to consider more of these issues in the business session. Chair Nichols also explained that the Executive Committee had discussed whether or not to postpone the meeting to be held in Hawaii in November 2010. She said that the commission will need to consider how to keep moving forward in tough economic times.

**Report of the President**

David Longanecker introduced WICHE staff in attendance and also recognized new staff members.

The first session of the Committee of the Whole was concluded, and the committee went into recess until Tuesday, May 19.
Commissioners Present
Jane Nichols (NV), chair
Thomas Buchanan (WY), vice chair
Roy Ogawa (HI), immediate past chair
Diane Barrans (AK)
Patricia Brown Heller (AK)
Marshall Lind (AK)
Leah Bornstein (AZ)
David Lorenz (AZ)
Joel Sideman (AZ)
Joseph Garcia (CO)
Kaye Howe (CO)
David Skaggs (CO)
Roberta Richards (HI)
Helene Sokugawa (HI)
Mike Rush (ID)
Dan Harrington (MT)
Mary Sheehy Moe (MT)
Patricia Sullivan (NM)
Carl Shaff (NV)
Dave Nething (ND)
Robert Burns (SD)
Tad Perry (SD)
Camille Preus (OR)
James Sager (OR)
Bonnie Jean Beesley (UT)
William Sederburg (UT)
Jeanne Kohl-Welles (WA)
Debbie Hammons (WY)
Klaus Hanson (WY)

Committee Members Absent
Robert Kustra (ID)
Arthur Vailas (ID)
Kerra Melvin (MT)
Bill Goetz (ND)
Pamela Kostelecky (ND)
Dede Feldman (NM)
Warren Hardy (NV)
Ryan Deckert (OR)
James Hansen (SD)
Peter Knudson (UT)
Ann Daley (WA)
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Louise Lynch, certifying officer, Arizona Board of Regents
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Erin Barber, executive assistant to the president and to the commission
Patrick Lane, project coordinator, Policy Analysis and Research
David Longanecker, president
Dumaree Michelau, director of policy analysis, Policy Analysis and Research
Craig Milburn, chief financial officer
Terese Rainwater, program director, State Scholars Initiative
Megan Raymond, project coordinator, WCET
Margo Schultz, program coordinator, Student Exchange Programs
Nicole Speer, research and technical associate, WICHE Mental Health Program

Chair Jane Nichols called the meeting to order and reconvened the Committee of the Whole.

Report and Recommended Action of the Audit Committee
Commissioner Ogawa, committee chair and the commission’s immediate past chair, reported that the Audit Committee had decided to retain Clifton Gunderson as the auditors for the FY 2009 audit. The committee had reviewed the charter and member terms. Commissioner Barrans has been selected to replace Linda Blessing on the committee; Blessing has served for the maximum term of five years. The committee also reviewed the Code of Ethics and revised language to include the following statement:

- Assure that allegations of ethics violations raised by any staff person or citizen served by WICHE concerning a member of the staff or commission are thoroughly investigated and resolved.

The statement was created in response to Ken Mortimer’s report on the evaluation of WICHE, given at the November 2008 meeting.
Ogawa reported that no changes were made to the committee calendar. The next meeting of the Audit Committee will be held in September, to review the FY 2009 audit report.

COMMISSIONER MOE MOVED TO APPROVE THE REPORT OF THE AUDIT COMMITTEE. COMMISSIONER BURNS SECONDED THE MOTION. The report was approved unanimously.

Commissioner Moe asked if there are procedures in place to discuss ethics with staff. Longanecker responded that ethics are discussed in entrance interviews held with new staff members; however, there are no procedures in place for the commission. Chair Nichols responded that staff are to come to the officers for any complaints against the president.

COMMISSIONER HANSON MOVED TO APPROVE THE REVISION TO THE CODE OF ETHICS. COMMISSIONER BARRANS ACCEPTED THE MOTION. The motion was approved unanimously.

Report and Recommended Action of the Executive Committee
Chair Nichols reported that the Executive Committee had discussed whether or not to postpone the meeting scheduled to be held in Hawaii in November 2010. The committee had recommended not taking action on the decision until the November 2009 meeting in Boulder, CO, at which time the commission may have received commissioner appointments from California. If California appointments are made, the commission will need to decide whether or not to switch the order of the meetings and hold the November 2010 meeting in California and the May 2011 meeting in Hawaii.

Chair Nichols asked for a motion to postpone the FY 2011 4 percent dues increase. This would be a one-year deferment and would mean a $75,000 loss to WICHE’s budget. Chair Nichols said that the Executive Committee believed this would be a prudent approach to take, given the dire economic climate in most of the Western states.

Chair Nichols reported that the Executive Committee had concerns about the president’s salary and benefit package, particularly about whether or not it was competitive with similar organizations. Chair Nichols named a compensation committee, consisting of commissioners Perry, Preus, and Buchanan to bring a plan before the Committee of the Whole at the November 2009 meeting recommending ways to bring the president’s salary in line with other organizations.

Commissioner Howe asked if the committee would be looking at staff salaries, in addition to the president’s salary. Chair Nichols responded that at the present time, the compensation committee would only be researching the president’s salary package but hoped that a similar project would consider staff salaries in the future. Longanecker said that he would look at staff salaries within the next year but believed that WICHE remains competitive with salaries for staff.

COMMISSIONER NETHING MOVED TO ACCEPT THE POSTPONEMENT OF THE FY 2011 DUES INCREASE. COMMISSIONER LIND SECONDED THE MOTION. The motion was approved unanimously.

Report and Recommended Action of the Programs and Services Committee
Committee Chair Shaff reported that the committee had approved criteria for early participation in PSEP by provisionally accredited schools in high-demand fields, effective during the 2010/2011 academic year. The committee approved the proposed criteria, amending the sixth criteria to read:

- The proposed professional program prepares students to serve underserved, rural, OR other vulnerable populations.

COMMISSIONER SHAFF MOVED TO APPROVE THE FY 2010 WORKPLAN SECTIONS PERTAINING TO THE PROGRAMS AND SERVICES UNIT’S ACTIVITIES. COMMISSIONER LIND SECONDED THE MOTION. The majority of the Committee of the Whole voted to approve the motion, with Commissioner Rush voting against approval.

Report and Recommended Action of the Issue Analysis and Research Committee
Committee Chair Skaggs reported that in addition to the activities on the workplan, staff was waiting to hear back on the approval of an extension for the Getting What You Pay For grant from Lumina. If the extension is approved, funds would be used to hold a meeting of the Legislative Advisory Committee. Commissioner Skaggs also noted that
a project to broaden on-campus and online educational options for active service members and veterans, listed under the access and success category for projects “on the horizon,” should be highlighted as a Policy Analysis and Research project. Additionally, the committee had taken action to name Commissioner Burns as vice chair of the committee.

Commissioner Sederburg asked if any work would be done with funding from the stimulus package. Longanecker responded that WCET would be working on the broadband accessibility portion of the stimulus package and was waiting for guidelines from the federal government. Longanecker thought the Policy unit might have a role in assisting states to apply for and make use of federal funding available through the American Recovery and Reinvestment Act for statewide longitudinal data systems development.

COMMITTEE CHAIR SKAGGS MOVED TO APPROVE THE FY 2010 WORKPLAN SECTIONS PERTAINING TO THE POLICY ANALYSIS AND RESEARCH UNIT’S ACTIVITIES. COMMISSIONER SEDERBURG SECONDED THE MOTION. The motion was approved unanimously.

Self-funded Units Committee

Committee Chair Howe reported that the committee had requested that “Ad Hoc” be removed from the committee’s name. She also reported that the Mental Health Program was experiencing a drop in dues but presented a balanced budget. The Mental Health Program is considering changing its name to include “Social Services.” The committee also approved a project the Mental Health Program is working on with the University of Carolina at Chapel Hill to develop the National Citizen Soldier Behavioral Health Alliance.

Commissioner Howe reported that WCET was monitoring its budget carefully and wasn’t sure how successful this year’s annual meeting would be, given the economic climate. It is leaving positions in the Science and Technology initiative unfilled and plans to use reserves if the unit comes in over budget.

COMMISSIONER MOE MOVED TO APPROVE THE FY 2010 WORKPLAN SECTIONS PERTAINING TO THE SELF-FUNDED UNITS’ ACTIVITIES. COMMISSIONER OGAWA SECONDED THE MOTION. The motion was approved unanimously.

COMMISSIONER NETHING MOVED TO APPROVE THE CREATION OF A PARTNERSHIP AGREEMENT WITH THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO DEVELOP THE NATIONAL CITIZEN SOLDIER BEHAVIORAL HEALTH ALLIANCE. Commissioner Sederburg suggested that the mission statement in the letter be revised. COMMISSIONER MOE SECONDED THE MOTION. The motion was approved unanimously.

Action Item

Approval of the FY 2010 Annual Operating Budget (General Fund and Non-General Fund Budgets)

Craig Milburn and David Longanecker walked the committee through the budgets. Milburn and Longanecker noted the organization was ending FY 2009 with a surplus after a year with a very tight budget. They also noted the significant decrease in interest income and its effect on the budget. For FY 2010 Longanecker said that they hoped to recover the California dues from the community college system and would not be providing salary increases to the staff. Commissioner Skaggs asked where the reserves are invested. Milburn said that investments are made with Colorado Surplus Asset Fund Trust (CSAFE) and are very safe. Commissioner Hammons asked what happens if WICHE does not receive the dues from California. Longanecker responded that it would be considered bad debt and would require a decrease in the budget. Milburn reviewed all of the budgets with the committee. He noted that WCET was projecting a budget shortfall but had healthy reserves to cover the difference. Longanecker told the committee that the State Scholars Initiative (SSI) will be ending later this year and that they are currently trying to secure additional funding for the program.

COMMISSIONER SHAFF MOVED TO APPROVE THE FY 2010 ANNUAL OPERATING BUDGET. COMMISSIONER SKAGGS SECONDED THE MOTION. The motion was approved unanimously.
Action Item
Approval of Salary and Benefit Recommendations for FY 2010

Longanecker told the committee that it was a difficult decision to not give salary increases this year. He said that the cost of benefits for some staff have increased, causing them to have a reduction in their overall salary. The committee decided that no action was necessary, since there would be no salary increase. Commissioner Nething reminded the committee that even though the budget is tight, WICHE does not have to lay off staff, as happened when Longanecker started with WICHE. Commissioner Rush suggested canceling one of the meetings in FY 2011 or doing one of the meetings by teleconference, in order to offset the loss in the budget from the dues increase deferment. Chair Nichols agreed that a serious look at the meetings is appropriate.

Chair Nichols asked for other business from the committee. Longanecker thanked the Nevada commissioners for being wonderful hosts and for providing gift bags.

The May 2009 commission meeting was adjourned.