

**Southern West Virginia Community and Technical College
Board of Governors Meeting of April 21, 2009
Center for Allied Health and Technology - Room 428
2900 Dempsey Branch Road, Mount Gay, WV**

Board Members Present: Kevin Fowler, George Kostas, Linda Akers, Terry Sammons, Tom Heywood, Shelley Huffman, Jada Hunter, Mike Baldwin, George Morrison

Board Members Absent: Robert Jude, Glenn Yost, Wilma Zigmond

Administrative Staff: President Joanne Jaeger Tomblin, Sam Litteral, Allyn Sue Barker, Ron Hamilton, Ron Lemon, Cindy Crigger, Patricia Clay, Pamela Alderman, Cindy McCoy, Carol Howerton, Charles Summers, Alyce Patterson-Diaz, Judith Curry, Barbara Donahue, Darrell Taylor, Prudence Barker, Debbie Dingess, Martha Maynard, Emma Baisden

1. Call to Order:

Chair, Kevin Fowler, declared a quorum present and convened the meeting at 6:25 p.m.

2. President's Report:

1. President Tomblin informed Board members that she, Merle Dempsey, and Sam Litteral conducted budget hearings with unit administrators on the proposed 2009-2010 budget February 23-25, 2009. She plans to bring an estimated budget before the Board for approval at its June 23rd meeting.
2. President Tomblin has completed conducting faculty roundtable luncheons with each academic department. This provided an opportunity for her to speak about the effects of the economy on the College, and the expectations and priorities of the Community College Council and College Administration in the upcoming year. The faculty was very appreciative of the opportunity to meet with President Tomblin and discuss pertinent issues. She is pleased with the dialog, suggestions, and ideas for improvement suggested by each department.
3. The President's High School Visiting Team completed visits to Williamson, Tolsia, Belfry and Liberty high schools during the Spring Semester.
4. A second meeting was recently held between officials of Southern and Concord University to discuss delivery of programs at our Wyoming/McDowell Campus.
5. We will soon sign Memorandum's of Understanding with WVU Institute of Technology for the delivery of Health Services Administration, Business Accounting and Business Management.
6. Governor Joe Manchin appointed President Tomblin to the West Virginia Workforce Investment Council.
7. Southern participated in Higher Education Day at the Legislature on March 20, 2009.
8. President Tomblin will complete visits to all campuses on April 22nd.
9. The Legislature did not deal with many higher education issues this session. The overview of Senate Bill 373:
 1. PROMISE Scholarship
 1. Abolished PROMISE Board and transfer power to Higher Education Policy Commission; Allows HEPC to adjust eligibility criteria if funds not available.
 2. For those students first enrolling in Fall 2010, the PROMISE is initially capped at \$4,750 a year but may not exceed cost of tuition.

3. For those students using an award prior to January 1, 2010, the award will continue to be calculated the same way as before.
 4. Beginning July 1, 2010, Legislature intends to fund at \$48 million.
 5. For subsequent fiscal years, funding would be at \$47.5 million.
 6. Funding provided by Excess Lottery increased from \$27 million to \$29 million.
2. Higher Education Policy Commission and Community and Technical College System to coordinate training opportunities for their members and members of the Boards of Governors.
 1. Training topics to be:
 1. State goals and objectives for higher education
 2. Accountability system
 3. Powers and duties
 4. Ethics
 2. All members to receive training except ex officio and student members.
 3. Members to complete three hours of training in first six months of service.
 4. Must complete six hours of training within two years of starting service and six hours every two years thereafter.
 5. Chairs must certify training every July 31.
 6. If adequate hours of training not received, HEPC or CTC to notify Secretary of State that member is disqualified from further service and ask Governor or appointing entity to appoint new member.
 7. HEPC and CTC to report training to LOCEA by September 30 of each year and include in report card.

3. Financial Report:

Chief Financial Officer, Sam Litteral, provided the financial report dated March 31, 2009 to Board members. He reviewed restricted, unrestricted, and auxiliary revenues and expenditures. These figures reflect the budgeted amount with actual year-to-date totals. Mr. Litteral informed Board members that the College's budget is on target and will have some carryover funds for next fiscal year.

4. Action Items:

1. Appointment of Board of Governors Nominating Committee

Chair Fowler appointed the following individuals to serve on its Nominating Committee: Glenn Yost, Chair; Jada Hunter and Mike Baldwin. The Committee will provide a report to the full Board with a recommendation for the 2009-2010 Board officers at its June 23, 2009 meeting.

2. Appointment of Presidential Evaluation Committee

Chair Fowler appointed the following individuals to serve on its Presidential Review Committee: Shelley Huffman, Chair; Linda Akers, George Kostas, George Morrison and himself, Kevin Fowler. The Committee will provide a report of its findings to the full Board at its June 23, 2009 meeting.

3. Appointment of Board Ceremonial Representatives

1. Terry Sammons will serve as the Board of Governors Ceremonial Representative for the Allied Health Pinning Ceremony scheduled for 6:00 p.m. on Friday, May 15, 2009.
2. Board Chair, Kevin Fowler, will bring Greetings from the Board at the Commencement Ceremony scheduled for 10:00 a.m. on Saturday, May 16, 2009.
3. George Morrison will bring Greetings from the Board for Southern's GED Ceremony scheduled for 6:00 p.m. on Thursday, May 21, 2009 in the Savas-Kostas Theater, Logan

Campus.

4. Approval of February 17, 2009 Meeting Minutes

MOTION: Shelley Huffman moved to accept the meeting minutes as presented.

ACTION: Jada Hunter seconded the motion. The motion carried unanimously.

5. Academic Program Review

1. Board of Governors, Associate in Applied Science, Adult Degree Completion

Ms. Pamela Alderman, Dean for Career and Technical Programs, presented the program review report and recommended resolution for the Board of Governors Adult Degree Completion program for the Board's consideration for approval:

MOTION: Shelley Huffman moved to accept the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors approve the continuance of the Board of Governors, Associate in Applied Science, Adult Degree Completion program at the current level of activity without corrective action, in accordance with the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Series 10, Policy Regarding Program Review.

ACTION: Tom Heywood seconded the motion. The motion carried unanimously.

2. Criminal Justice, Associate in Applied Science

Mr. Charles Summers, Chair, Department of Criminal Justice, presented the program review report and recommended resolution for the following programs for the Board's consideration for approval:

MOTION: Shelley Huffman moved to accept the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors approve the continuance of the Associate in Applied Science in Criminal Justice degree program at the current level of activity without corrective action, in accordance with the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Series 10, Policy Regarding Program Review.

ACTION: Terry Sammons seconded the motion. The motion carried unanimously.

3. Criminal Justice, Certificate

MOTION: Jada Hunter moved to accept the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors approve the continuance of the Criminal Justice, Certificate program at the current level of activity without corrective action, in accordance with the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Series 10, Policy Regarding Program Review.

ACTION: George Kostas seconded the motion. The motion carried unanimously.

4. Health Care Technology, Certificate

Ms. Alyce Patterson-Diaz, Chair, Department of Allied Health, presented the program review report and recommended resolution for the Health Care Technology program for the Board's consideration for approval:

MOTION: Shelley Huffman moved to accept the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors approve the continuation of the Health Care Technology, Certificate program without corrective action, in accordance with the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Series 10, Policy Regarding Program Review.

ACTION: Linda Akers seconded the motion. The motion carried unanimously.

5. Occupational Development, Associate in Applied Science

Ms. Pamela Alderman, Dean for Career and Technical Programs, presented the program review report and recommended resolution for the Occupational Development program for the Board's consideration for approval:

MOTION: Jada Hunter moved to accept the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors approve the continuation of the Occupational Development, Associate in Applied Science degree program without corrective action, in accordance with the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Series 10, Policy Regarding Program Review.

ACTION: Shelley Huffman seconded the motion. The motion carried unanimously.

6. Surgical Technology, Associate in Applied Science

Ms. Alyce Patterson-Diaz, Chair, Department of Allied Health, presented the program review report and recommended resolution for the Surgical Technology program for the Board's consideration for approval:

MOTION: Shelley Huffman moved to accept the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors approve the continuation of the Surgical Technology, Associate in Applied Science degree program without corrective action, in accordance with the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Series 10, Policy Regarding Program Review.

ACTION: Tom Heywood seconded the motion. The motion carried unanimously.

7. Three Year Post Audit Review Follow-up Report

To meet the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Procedural Rule, Series 37, Increased Flexibility for Community and Technical Colleges, programs started under the provisions of the rule must undergo a post audit review three years following the initial offering of the course of study. In 2007-2008, three academic programs underwent this review: Dental Hygiene, Associate in Applied Science; Electrical Engineering Technology, Certificate;

and Technical Studies in Applied Technology, Certificate. The Board of Governors requested a follow-up report be submitted in 2008-2009 on the Electrical Engineering Technology certificate program regarding enrollment, faculty, and graduation data according to the time-line established in SCP-3620, Policy Regarding Program Review. Ms. Carol Howerton, Department of Technology Chair, presented the follow-up review report and recommended resolution for the following program for the Board's consideration for approval:

1. Electrical Engineering Technology, Certificate

MOTION: Mike Baldwin moved to accept the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors approve the continuation of the Electrical Engineering Technology, Certificate program at the current level of activity without corrective action, in accordance with the provisions of the West Virginia Council for Community and Technical College Education, Title 135, Series 10, Policy Regarding Program Review.

ACTION: George Kostas seconded the motion. The motion carried unanimously.

6. Final Approval of Proposed Policies:

1. SCP-7125, Information Technology Acceptable Usage

MOTION: Tom Heywood moved the adoption of the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of the aforementioned policy as presented following a 30-day public comment period.

ACTION: Terry Sammons seconded the motion. The motion carried unanimously.

2. SCP-7720, Security of Information Systems

MOTION: Terry Sammons moved the adoption of the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors grant final approval of the aforementioned policy as presented following a 30-day public comment period.

ACTION: Jada Hunter seconded the motion. The motion unanimously carried.

7. Approval of Policies for 30-day Public Comment Period

1. SCP-1091, Classified Staff Council Constitution

MOTION: Tom Heywood moved the adoption of the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned revised policy to Southern's constituencies and the Chancellor for Community and Technical College

Education for a 30-day public comment period.

ACTION: Linda Akers seconded the motion. The motion carried unanimously.

2. SCP-2686, Promotion-in-Rank and Tenure Policy

MOTION: Shelley Huffman moved the adoption of the following resolution:

RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the aforementioned revised policy to Southern's constituencies and the Chancellor for Community and Technical College Education for a 30-day public comment period.

ACTION: Terry Sammons seconded the motion. The motion carried unanimously.

5. Discussion Items

1. FY 2009-2010 Budget

President Tomblin informed Board members that higher education institutions have been notified they will receive a 4% - 5% budget reduction for FY 2009-2010. It is unclear at this time if stimulus funding will be used to backfill institutional budgets to the FY 2009 level. Southern's FY 2010 Budget will be presented to the Board of Governors for approval at its June meeting.

2. BOG Tuition Committee Presentation to the West Virginia Council for Community and Technical College Education

Southern's Board of Governors Committee on Tuition and Fees are scheduled to present its tuition proposal to the Council at 1:00PM on May 7, 2009 in Charleston.

6. Informational Items

1. Budget for 2010 and Expenditure Schedule Memo

Email dated April 8, 2009, from Chancellor Skidmore regarding the budget for FY 2010 and expenditure schedules.

2. Tuition and Fees – Academic Year 2009-10 Memo

A memo dated March 27, 2009, from Richard Donovan, Chief Financial Officer for the West Virginia Council for Community and Technical College Education, regarding tuition and fee increases for academic year 2009-10.

3. Technology Assessment Final Report

Final report on the independent assessment of the current state of technology at Southern as conducted by Joanne Chabot on behalf of the League for Innovation in the Community College.

7. Executive Session Under Authority of WV Code §6-9A-4-2b

Mike Baldwin moved that the Board of Governors enter an Executive Session pursuant to West Virginia Code §6-9A-4-2b to discuss personnel and management issues. Shelley Huffman seconded the motion that carried unanimously, and the Board then met in an Executive Session. At the conclusion of discussions, Linda Akers moved and Shelley Huffman seconded the motion that the Board of Governors rise from Executive Session and convene in Open Session. Based upon discussions in Executive Session, the following action was taken:

MOTION: Shelley Huffman moved the adoption of the following resolution:

RESOLVED, that in order to comply with the provisions of Section 409A of the Internal Revenue Code, as amended, (the "Code") and applicable regulations thereunder, the Board of Governors of Southern West Virginia Community and Technical College previously approved and adopted, in 2008, that certain Amended and Restated Employment Agreement by and between Joanne Jaeger Tomblin and Southern West Virginia Community and Technical College, and now hereby approves and adopts a further amendment and restatement of said Amended and Restated Employment Agreement, (said further amendment and restatement of said Amended and Restated Employment Agreement is sometimes hereinafter referred to as the "2009 Amended and Restated Employment Agreement") effective as of April 21, 2009, provided, however that all provisions applicable to and all clarifications, modifications and amendments to Paragraphs 1, 3 and 7 are effective as of the date of execution of the said 2008 Amendment and Restatement of the said Employment Agreement, and does hereby authorize its President, Vice President or other officer to execute such 2009 Amended and Restated Employment Agreement, and any other document or documents deemed necessary or advisable, in the discretion of such duly authorized officer or officers, to carry out such 2009 Amended and Restated Employment Agreement; and

RESOLVED FURTHER that the appropriate officer(s) of Southern West Virginia Community and Technical College are hereby authorized to take any and all other actions that may be necessary or appropriate in connection with or to effectuate the foregoing resolution.

ACTION: Mike Baldwin seconded the motion. The motion carried unanimously.

8. Adjournment

There being no further business, Chair Fowler declared the meeting adjourned at 8:45PM.

Kevin N. Fowler

Chair

Emma L. Baisden

Assistant to the Governing Board

Approved June 23, 2009