



Enclosure 3.
August 13, 2015

Minutes of the Council on Postsecondary Education Meeting
Wednesday, July 16, 2015, 5:30 p.m.
Community College of Rhode Island
Room 4090
Warwick, RI

The Council on Postsecondary Education met on Wednesday, July 17, 2015, at the Rhode Island Department of Education’s Board Room on the 5th Floor of the Shepard’s Building in Providence, RI. At 5:32 p.m. Chair William Foulkes welcomed everyone. He then took roll call.

Present: Michael Bernstein, Barbara Cottam, Dennis Duffy (arriving at 6:42 p.m.), William Foulkes, Senator Thomas Izzo, Judith Ouellette, Kerry Rafanelli (arriving at 5:43 p.m.), John Rainone, and John J. Smith Jr.

Absent: Dr. Jeffery Williams.

1. ACCEPTANCE OF THE AGENDA

Chair Foulkes entertained a motion to accept the agenda. On a motion duly made by Mr. Smith and seconded by Senator Izzo, it was

VOTED: **THAT** The Council on Postsecondary Education accepts the agenda for the meeting of July 16th, 2015 as revised and posted.

VOTE: 6 members voted in the affirmative and no members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, William Foulkes, Senator Thomas Izzo, Judith Ouellette, and John J. Smith Jr.

NAYS: 0

2. OPEN FORUM

Chair Foulkes reported that no one had signed up to speak at Open Forum.

3. APPROVAL OF THE MINUTES

Minutes of the Council on Postsecondary Education's June 17, 2015 Meeting.

Senator Izzo requested that the minutes of June 17, 2015 have the discussion of the committee formation and the proposed memberships be deleted as he did not believe that they portrayed the discussion as it occurred. After discussion among the Council members, a motion duly made by Mr. Smith and seconded by Mr. Bernstein, it was

VOTED: **THAT** The Council on Postsecondary Education approves the minutes for the meeting of June 17, 2015 with the following changes: that all mention of any new committee structure or possible membership be stricken from the minutes.

VOTE: 6 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, William Foulkes, Senator Thomas Izzo, Judith Ouellette, and John J. Smith Jr.

NAYS: 0

4. CHAIRS' REPORTS

Chair Barbara Cottam thanked everyone who attended the Monday meeting of the Board of Education to give advice and consent on the selection of the new Commissioner for Elementary and Secondary Education.

Chair Bill Foulkes reiterated his appreciation for the Council members who attended the Monday meeting and noted that he is delighted with the new Commissioner of Elementary and Secondary Education, Dr. Ken Wagner.

Chair Foulkes discussed his desire to bring back the committee structure and has designated the following committees:

Personnel Committee, whose charge it would be to review the executive leadership at the schools in addition to the review and renewal of the contract with our current Commissioner and the final details as we move forward related to the contract for the new President of CCRI. Chair Foulkes indicated that he would be sitting on the Personnel Committee, while Kerry Rafanelli would continue to be Chair, and Judy Ouellette and Senator Tom Izzo would continue to sit on it as well.

Finance and Facilities Committee, whose charge it would be to review such issues as related to the new nursing school building, issues around funding formulas, and issues on performance metrics and funding. Chair Foulkes indicated that the committee members would include Mr. Bernstein (chair), Mr. Smith, Dr. Williams, and Mr. Duffy.

Senator Izzo indicated his appreciation for the organization that a committee structure provides to the Council. He also recalled how much help and support was received from the Office staff in dealing with the myriad issues and decisions for which the Council is responsible. Senator Izzo also questioned the By-Laws that the Council is operating under.

There was a discussion related to the Council By-Laws. Chair Foulkes reported that the By-Laws are currently under review and that the symmetry between the by-laws of both councils was being addressed. Commissioner Purcell reported that they are close to completion and will be brought to the Council for discussion at the August meeting with an anticipated vote at the following meeting of the Council.

Chair Foulkes then addressed the Council's role in the selection of college presidents. He cited the Rhode Island Statute 16-59-4.7 (after the amendments effected by Article 20 of the FY 2015 Budget Appropriation Act) which states that the Council has the authority "to appoint and dismiss presidents of the public institutions of higher learning with the assistance of the Commissioner of Postsecondary Education and to establish procedures for this." He then provided the Council with an overview of the process:

- Selection committee has been established with a broad representation of Rhode Island education, community and business stakeholders.
- Selection committee will review the pool of candidates and recommend a set of finalists for consideration by the Council.
- Advertisements have been placed in national publications with the deadline of July 24th for applications.
- The initial screening of the applicants will begin during the first or second week of August.

- Phone or video interviews will be scheduled with the top-rated candidates.
- In-person interview with finalists will be scheduled for late September or early October. (Only at this point will names be publicly shared.)
- Council to vote on finalist with contract negotiations to follow.

Chair Foulkes reported that the Search Committee was a diverse group of individuals who represented CCRI's many partners and constituencies. They include 4 Council members, 3 from the Education and Training sector, 2 CCRI Faculty members, and 5 leaders from business, industry, union, and the community.

Senator Izzo said that he did not have an issue with the composition of the selection committee. However, he does have a concern about the authority to appoint this committee and the potential that a precedence has been set. He believes that the council needs to vote on membership of such committees.

Chair Cottam asked if finalists could be interviewed by all Council members by inviting non-search committee members to attend these interviews. Chair Foulkes confirmed that all the Council members to participate in the in-person interview process. At this time, Mr. Bernstein reviewed the process that had been followed for the hiring of the Commissioner one year ago. He related to the Council that the applications had been reviewed and telephone interviews had been conducted for a subset of the applicant pool. The committee then culled the group down to two finalists who were invited here for an interview and that the full Board had been able to attend. The review and interview process was conducted confidentially. Both candidates were here for a single meeting of the Council. The Board met in executive session to discuss the candidates.

Chair Cottam requested that finalists come to a full council meeting in executive session. Senator Izzo concurred.

Senator Izzo also requested a copy of the By-Laws as they currently exist to be provided to all Council members. Dr. Purcell told him that he would forward a redlined version showing the changes from the old by-laws to the revised documents as it will be proposed at next month's meeting.

5. COMMISSIONER'S REPORT

Dr. Purcell reported to the Council the following notices of new programs and changes that were submitted and reviewed:

- **New Program :** Bachelor of Science in Sustainable Agriculture and Food Systems in the College of the Environment and Life Sciences

- **New Program:** Formation of the Academic Health Collaborative with three colleges (Health Sciences, Nursing, and Pharmacy):
 - Creation of a College of Health Sciences, which would include the following departments/programs:
 - Communicative Disorders
 - Human Development and Family Studies
 - Kinesiology
 - Nutrition and Food Science
 - Physical Therapy
 - Psychology
 - Health Studies program
 - Creation of an Institute for Integrated Health and Innovation;
 - Creation of an Office of Shared Services; and
 - Closure of the College of Human Science and Services.
- **New Program:** Creation of an Undergraduate Minor in American Studies along with a new Course and AME Program Code
- **New Program:** Creation of the General Track for BS in Cell and Molecular Biology and creation of the CMB Course Code
- **Change:** Changes to BS in Mathematics Applied Mathematics Option and Minor in Mathematics
- **New Program:** Creation of the Interdisciplinary Minor in Restoration Science and Management.

Dr. Purcell reported to the Council that all of these programs fall successfully under the role, scope, and mission of the institution.

Dr. Purcell gave a brief update on the pending bills that had any action since the Council's last meeting. The bills tracked in this legislative session include:

- RIHEAA/OPC Merger – Passed
- Distance Learning (NC-SARA) – Passed
- Tuition for Covered Individuals under the Post-911 GI & Montgomery GI Bills – Passed

He reported that the FY 2016 Appropriation for Public Postsecondary Education had provided the system with an increase of 4.3% over the final supplemental budget for FY

2015 which translated into an overall increase in general and education funding of \$8.1M.

In addition, Rhode Island Capital Asset Protection funds awarded to the system totaled \$12.9M and the Rhode Island Capital Plan which finances specific projects from state funds provided the system with another \$12.8M.

Dr. Purcell reported that the Office would continue to monitor the Complete College Rhode Island bill as well as the Performance and Formula Funding bill which had not been voted upon by the full legislature during the regular session.

6. PRESIDENTS' REPORTS

a) University of Rhode Island - Update from last report and current events.

President Dooley provided the following update from the University:

- The University was awarded the prestigious James S. Cogswell Outstanding Industrial Security Achievement Award by the U.S. Department of Defense. It was one of 41 facilities selected out of 13,300 nationally for this award.
- The Pharmacy program has been ranked 10th among 127 schools in 2014 for matching 86% of its participating students with an appropriate post-graduate residency program. The national average match rate is 63%.
- A national website, "Best Value Schools" named URI the third "Most Beautiful Coastal College Campus" in the nation.
- West Kingston, RI was rated in the top 40 smaller markets for advanced manufacturing firms seeking new locations primarily because of its proximity to URI.
- The University was awarded \$2.5M over three years from the U.S. Health Resources and Services Administration (HRSA) to take the lead in the state for the RI Geriatric Workforce Enhancement Program.

b) Rhode Island College - Update from last report and current events.

President Carriuolo reported the following update on items related to Rhode Island College:

- She had been honored by the Alumni Association of the State University of New York (SUNY) at Brockport with the 2015 Hall of Heritage Award for her work in higher education.
- Vice President for Academic Affairs, Ron Pitt, had been named to the Rhode Island Executive Climate Change Science and Technical Advisory Board.

- RIDE has awarded the college with a \$25,000 Project Opportunity/ Adult Education grant to fund training programs for 15 DHS participant.
- The reinvigorated Women in Higher Education leadership group will hold a networking and professional development event on Friday October 16 at the Crowne Plaza where President Carriuolo will serve as chair.

c) Community College of Rhode Island – Update from last report and current events.

Dr. Ronald Schertz, Associate Vice President for Student Services, reported the following updates in President Di Pasquale’s absence:

- The TRIO program will receive more than \$554,000 in federal funding to support college success and completion programs. The U.S. Department of Education notified the college that it anticipates that the grants will be for a total of five years which could translate into the receipt of as much as \$2,773,710 through 2020.
- The Accelerated Study in Associate Programs (ASAP) will be implemented along with 2 other community colleges in an application to the First in the World Program with the goal of increasing persistence and graduation rates at community colleges.
- CCRI will be hosting two open houses for engineering and technology this summer to help prospective students learn about education and career paths into these fields.
- Dr. Schertz also reminded the Council that the 21st Annual CCRI Fall Classic will be held on September 21st at the Warwick Country Club.

7. DISCUSSION ITEMS.

Review of proposed 2015-2016 meeting schedule.

A discussion of the proposed 2015-2016 meeting schedule was held based on the enclosure in the meeting packet. Dr. Purcell indicated that a December meeting may be needed for budget approval. He also indicated that committee meetings would probably be held at RIHEAA on Jefferson Boulevard in Warwick.

(Council Member Dennis Duffy joined the meeting at this time.)

There was also a discussion about the possibility of a September meeting offsite which would be a combination of Council orientation and strategic planning discussions. Chair Foulkes stated that a Friday or Monday would probably be the best plan and he

wishes to find the date shortly. The Alton Jones Campus would be the best choice for the location of this meeting.

Overview of the newly created Division of Higher Education Assistance within the Office of the Postsecondary Commissioner.

The Commissioner introduced Gail Mance-Rios, former Executive Director of RIHEAA, Linda Makhlouf, Director of Programs- Admin/HR, and Charlie Miller, Program/Analyst Manager, to the Council. He described their roles at the Authority and then introduced Ms. Mance-Rios' presentation about the responsibilities of the Authority and now the division.

Ms. Mance-Rios provided the Council with an overview of the Authority's history which began with its establishment by the General Assembly in 1977 under R.I.G.L. 16-56 and 16-57. The mission of the Authority was:

- Promote equal opportunity access to higher education
- Provide a system of financial aid to enable students to attend public or private institutions of their choice
- Promote higher education through a tuition savings program

She provided additional background on the programs that are currently administered by the Authority:

- Federal Family Education Loan Program (FFELP) and the required reserves and responsibilities of the Authority.
- The WayToGoRI program which provides a website for all students in RI from kindergarten to adult to explore college programs, career planning, etc. as well as the professional development opportunities for guidance personnel and community entities around the state related to this program. Over 159,000 visits to the website from 5th through 12th grade students were recorded in 2014 with over 34,000 hours on the site. Utilization has increase by 12% in this current year.
- CollegeBound*fund* program which is the state's 529 fund managed by AllianceBernstein. These funds will now be administered by the Office of the General Treasurer with the fee proceeds returning to the division for the state grant program.
- Administration of the State Grant Program along with the administration of other grant programs such as the Academic Promise Scholarship, Rhode Island College Crusade, DCYF programs, etc.

At the end of the presentation, Council members expressed their enthusiasm for the merger with the opportunities that it presents to further the mission of both entities and asked Ms. Mance-Rios how the Council would be able to assist her best.

8. ACTION ITEMS.

8a. Approval of Recommendations from the System Personnel Review Committee (SPRC).

The Commissioner clarified the membership and the mission of the System Personnel Review Committee. This is a committee of the three administrative vice presidents of the institutions and the Director of Labor Relations. The mission of this committee is to maintain the continuity of the position titles and descriptions across the system of public postsecondary education.

Background: The change in title and job description from Director, Student Life to Associate Dean of Students, Community Standards reflects best practice per the Council for the Advancement of Standards in Higher Education (CAS) by clearly separating the roles of front line staff with those charged and authorized to act in the absence of the Dean or Vice President of Student Affairs in matters relating to students and their presence in the community.

The number of students experiencing behavioral difficulties related to diagnosed and undiagnosed mental health issues is growing exponentially. Intervention in these cases complicate the Community Standards process and requires a higher level of professional judgment than the current classification.

As a result of that review process, the System Personnel Review Committee is recommending that the Council approves the following:

Reclassify the Director, Student Life (NUNC BOG14 - \$57,158-\$122,365) to Associate Dean of Students, community Standards (NUNC BOG15 - \$61,746 - \$132,139) at the University of Rhode Island.

On a motion duly made by Ms. Ouellette and seconded by Mr. Smith, it was:

VOTED: THAT The Council on Postsecondary Education approves the following System Personnel Review Committee's recommendation.

VOTE: 8 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, Dennis Duffy,
William Foulkes, Senator Thomas Izzo, Judith
Ouellette, Kerry Rafanelli, and John J. Smith Jr.

NAYS: 0

9. EXECUTIVE SESSION

At 7:00 p.m. Chair William Foulkes entertained a motion to enter into executive session for:

- a) Discussion regarding the Annual Report on Litigation (all cases pending in Rhode Island Supreme, Superior, and District Court, the United States District Court Southern District of Indiana¹, the RI Commission for Human Rights), and potential litigation, pursuant to RIGL §42-46-5 (a)(2).
- b) Discussion and authorization concerning the PTFU (part-time Faculty Association/ AAUP) and RIC / Adjunct negotiations pursuant to R.I.G.L. 42-46-5 (a) (2).
- c) Update, discussion, and authorization on the negotiations with the higher education union coalition and the AAUP pursuant to R.I.G.L. 42-46-5 (a) (2).
- d) Update on Collective Bargaining pursuant to RIGL §42-46-5 (a)(2) - Ratification of Collective Bargaining Agreements with the following:
 - a. PSA at RIC
 - b. CCRIPSA

On a motion duly made by Senator Izzo and seconded by Mr. Bernstein, it was

¹ Rhode Island Council 94 v. Rhode Island Board of Governors for Higher Education, et al., (C.A. No. 11-6147); Cugini vs. University of Rhode Island, et al., (C.A. No. 08-0722); Ciancola, et al. vs. University of Rhode Island, et al., (C.A. No. 12-4045); Sequin v. University of Rhode Island, et al., (C.A. No. 13-0556); Sackos v. National Collegiate Athletic Association, et al., (C.A. No. 1:14-CV-1710 WTL-MJD); Felkner v. Rhode Island College, et al., (C.A. No. 07-6702); Day v. Rhode Island College, et al., (C.A. No. 14-0583); Losada v. Rhode Island College, et al., (C.A. No. 13-5897); Canavan v. Rhode Island College, et al. (C.A. No. 13-6556); Neill v. Rhode Island Board of Governors, et al., (C.A. No. 13-1069); Rhode Island College v. Lussier, et al., (C.A. No. 14-5255); Parrillo v. Community College of Rhode Island, et al., (C.A. No. 14-2461); Givan v. RI Board of Education, et al., (C.A. No. 15-0038); Shahwali v. RI Board of Education, (C.A. No. 13-6403); and Betances v. Community College of Rhode Island, et al., (C.A. No. 13-6061).

VOTED: **THAT** The Council on Postsecondary Education convenes in executive session pursuant to R.I.G.L. §42-46-5(a)(1) and §42-46-5(a) (2) for the reasons set forth above.

VOTE: 8 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, Dennis Duffy, William Foulkes, Senator Thomas Izzo, Judith Ouellette, Kerry Rafanelli, and John J. Smith Jr.

NAYS: 0

All non-Council members in the audience were excused with the exception of:

- Dr. Purcell, Commissioner of Postsecondary Education;
- Anne Marie Coleman, Director of Labor Relations for the Council;
- Douglas Tingle, Executive Assistant;
- Ron Cavallaro, General Counsel;
- Susan LaPanne, Associate Commissioner, Finance & Management
- David Dooley, President, URI
- Nancy Carriuolo, President, RIC
- Ronald Schertz, Associate Vice President, CCRI

The Council reconvened in open session at 7:38 p.m.

On a motion duly made by Senator Izzo and seconded by Mr. Rafanelli, it was

VOTED: **THAT** The Council on Postsecondary Education seals the minutes of the executive session held on July 16, 2015.

VOTE: 8 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, Dennis Duffy, William Foulkes, Senator Thomas Izzo, Judith Ouellette, Kerry Rafanelli, and John J.

Smith Jr.

NAYS: 0

10. ADDITIONAL NEW BUSINESS

Ratification of Collective Bargaining Agreement with Professional Staff Association (PSA) at RIC.

VOTED: **THAT** The Council on Postsecondary Education approves and ratifies the Collective Bargaining Agreement with the Professional Staff Association (PSA) at Rhode Island College as presented.

VOTE: 8 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, Dennis Duffy, William Foulkes, Senator Thomas Izzo, Judith Ouellette, Kerry Rafanelli, and John J. Smith Jr.

NAYS: 0

Ratification of Collective Bargaining Agreement with the Community College of Rhode Island Professional Services Association (CCRIPSA).

VOTED: **THAT** The Council on Postsecondary Education approves and ratifies the Collective Bargaining Agreement with the Community College of Rhode island Professional Services Association (CCRIPSA), as presented.

VOTE: 8 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, Dennis Duffy, William Foulkes, Senator Thomas Izzo, Judith Ouellette, Kerry Rafanelli, and John J. Smith Jr.

NAYS: 0

11. UPCOMING MEETINGS

- a) The next meeting of the Council on Postsecondary Education is on Thursday, August 13, 2015, at 5:30 p.m. at RIC.
- b) The next meeting of the Committees of the Council on Postsecondary Education is on Thursday, August 20, 2015, at 5:30 p.m. at RIDE.
- c) The next meeting of the Council on Postsecondary Education is on Wednesday, September 16, 2015 at 5:30 p.m., location TBD.

12. ADJOURNMENT

On a motion duly made by Mr. Duffy and seconded by Mr. Bernstein, it was:

VOTED: **THAT** The Council on Postsecondary Education adjourns its meeting.

VOTE: 8 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Michael Bernstein, Barbara Cottam, Dennis Duffy, William Foulkes, Senator Thomas Izzo, Judith Ouellette, Kerry Rafanelli, and John J. Smith Jr.

NAYS: 0

The meeting adjourned at 7:41 p.m.