

Minutes  
OHIO BOARD OF REGENTS  
January 19, 2006

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order by the Chair, Edmund J. Adams.

The roll was called by Regent Bruce R. Beeghly. Those present were:

Edmund J. Adams	James F. Patterson
Donna M. Alvarado	Walter A. Reiling, Jr.
Bruce R. Beeghly	Jerome F. Tatar
Jeanette G. Brown	James M. Tuschman
Anthony D. Houston	

Regent Beeghly stated “the record reflects that notice of this meeting was given in accordance with provisions of the Board of Regents’ Ohio Administrative Code § 3333-1-14, which rule was adopted in accordance with section 121.22(F) of the Ohio Revised Code.”

Consideration of matters related to the agenda (items may be amended, added to or deleted from the agenda at the discretion of the board.)

A motion was made by Regent Tuschman to approve the minutes of the November 10, 2005 meeting of the Board. The motion was seconded by Regent Brown and passed unanimously.

A motion was made by Regent Beeghly to approve the minutes of the December 16, 2005 but noted that the minutes should be corrected to reflect that Regent Houston read the record of conformance and the proper date of the meeting. The motion was seconded by Regent Houston and passed unanimously.

II. COMMITTEE REPORTS AND SUMMARY OF DELIBERATIONS

**Access Committee** – Regent Alvarado – The committee was briefed by Vice Chancellor Jon Tafel and Vice Chancellor Garry Walters on directions for college access. Progress has been made in bringing Ohio’s higher education participation and attainment rates closer to the national averages. Success can be attributed to: development of high school to college pathways such as Tech Prep; increasing the skills of high school students in the area of mathematics, science, and composition initiatives such as the Articulation and Transfer initiative; the proposed Student Portal for higher education information; improved financial access such as OCAN and OCOG initiatives.

One of the big challenges to access and success for Ohioans is to attract adult workers and nontraditional students to college for degrees and, as a result, improved lives. There is a need to develop a way to better coordinate the education resources in communities around the state that have recognized the importance higher education. One suggestion is to pilot a program that brings together business, education, and government leaders to coordinate resources to meet the needs of students in the community. There is legislative interest in developing such a pilot program and it could become a template to be used statewide.

The committee unanimously approved a resolution for the release Improving Teacher Quality Grants to 26 sites approved by a review panel representing the secondary and postsecondary education communities. Improving Teacher Quality Grants are intended to increase student achievement by the use of innovative professional development programs.

The committee unanimously agreed to ask Regents staff to file an amendment to Administrative Code §3333-1-06 to update the notice requirements for public hearings related to administrative rules.

Associate Vice Chancellor Deborah Gavlik provided a legislative update on the Higher Education Funding Study Council, and recently introduced higher education legislation and shared the names of new leadership for the House Democratic Caucus. Jamie Abel, Associate Director for Communications gave a media update.

The committee reviewed and recommended approval of items 3.1 through 3.2 for the January consent agenda.

**Resources & System Efficiency Committee** - Regent Beeghly – The committee was briefed by Darrell Glenn on the 2005 Performance Report. Ohio now has its highest ever levels of college enrollments, degrees granted and research volume. Because public support per student is very low by national standards, tuition, both gross and net, is high. It is approximately 50% higher than the national average. Ohio's two year public colleges' tuition is about \$1,100 higher than the national average and Ohio's four year public universities' tuition is about \$2,450 higher than the national average. Thirty eight percent (38%) of incoming college students require some remediation.

Vice Chancellor Rich Petrick updated the committee on the work of the various groups examining Ohio's higher education system, including the Higher Education Funding Study Council, State Share of Instruction Consultation, the SSI Taxonomy Subcommittee, the H.B. 66 Mandates and the Out of the Box subcommittees.

The Committee reviewed and approved the higher education capital recommendations for FY 2007 and FY 2008. The recommendations include a \$450 million core request and an unprecedented supplemental request for an additional \$150 million. This total request amounting to approximately \$600 million is the same as the core funding appropriated during biennia in the 90s. Approximately 95% of the recommended dollars are for the renovation or

replacement of existing campus space. Only 3% is for net new space, and much of that is for allied health education facilities.

Dan Reke of Edison State Community College briefed the committee on a proposed \$7.7 million bond issuance to finance the first phase of a new facility to help address the College's need for additional academic space. The Committee approved this request, but given the size of the debt relative to the size of the College, Edison State was asked to report to the Regents any deviation from the pro-forma that might subsequently occur.

John Kotowski from Ohio University briefed the committee on Ohio University's proposed \$38 million bond issue to finance several campus projects, including a new 350-bed residence hall.

The Controlling Board items for December 2005 were recommended for approval by the full board. The committee reviewed and recommended approval of items 3.5 through 3.8 for the January consent agenda.

**Program Effectiveness, Research & Technology Committee** – Regent Tuschman – The committee was briefed by Vice Chancellor Walters on a revised administrative rule to impose fees for the certificate of authorization process. Regents' staff initially filed an administrative rule pursuant to the Ohio Revised Code to establish a fee structure in December, 2005.

Upon further review by Regents' staff and the Association of Independent Colleges and Universities of Ohio, the fee structure was revised to include the following:

- A reduction in the reauthorization proposal process and review;
- The addition of a one time charge for the first submission of a request for a particular degree level;
- Increased fee amounts for proposal requests and coordination of site reviews; and
- Further differentiation of in-state and out-of-state fees.

Regents' staff and the AICUO will continue to collaborate on a reduced review process for institutional reauthorization reviews and staff will update the Committee on these efforts at the March board meeting.

Assistant Director Jack Connell, briefed the Committee on institutional reauthorization proposals from MedCentral College of Nursing and Myers University and a RN-BSN degree completion program proposal from Ohio Northern University.

Administrator Cathy Hill briefed the Committee on an Associate of Applied Science in Biotechnology degree program from Stark State College of Technology.

The Committee recommended that these items be considered for board approval at the March board meeting.

Vice Chancellor Walters briefed the Committee on a task force for adult education. He introduced Dr. Kate Carey, Executive Director of the Ohio Learning Network. The task force will focus on adults who have shown interest in higher education and those who have completed post-secondary coursework but not attained a degree. The task force will examine ways to better serve the needs of these individuals and staff plans to report strategies to the Committee in June, with implementation to follow in the fall.

The committee reviewed and recommended approval of items 3.3 through 3.4 for the January consent agenda.

**Consent Agenda:** A motion was made by Regent Tatar to approve Agenda Items 3.1 –3.8 for the January consent agenda. The motion was seconded by Regent Tuschman and unanimously passed.

- 3.1 Authorization to Amend Rule 3333-1-06
- 3.2 Distribution of Federal Funds Under the Improving Teacher Quality State Grants Program
- 3.3 University of Cincinnati, Master of Science in Statistics
- 3.4 Consideration of a revised administrative rule to impose fees for the certificate of authorization process
- 3.5 Consideration of a request by Edison State Community College to pledge student fees in support of a bond issuance not to exceed \$7,735,000, to be used to finance the construction of phase I of the Regional Centers for Excellence
- 3.6 Consideration of a Joint Use Agreement between Wright State University and the Dayton-Montgomery County Port Authority
- 3.7 Consideration of Higher Education Capital Recommendations for the FY 2007 – FY 2008 Capital Biennium
- 3.8 Requests to the Controlling Board for the period November 1, 2005 through December 31, 2005

RESOLUTION 2005-70  
Agenda Item 3.1

WHEREAS, the language in §119.03 of the Ohio Revised Code, attached hereto as Attachment I, requires the Ohio Board of Regents to file a public notice with the register of Ohio within 30 days prior to the date set for public hearing regarding the adoption, amendment, or rescission of an administrative rule; and

WHEREAS, the language in §119.03 of the Ohio Revised Code allows the Board of Regents to give additional notice as the agency deems necessary; however, the giving of such notice shall not be mandatory and failure to give notice by any means other than in the register of Ohio shall not in any way invalidate any action which may be taken by the Board of Regents; and

WHEREAS, Ohio Administrative Code § 3333-1-06 (the Ohio Board of Regents existing rule) contains outdated process to provide public notice prior to a public hearing; and

WHEREAS, the Ohio Board of Regents desires to amend and conform its methods for informing the public of public hearings regarding the adoption, amendment, or rescission of an administrative rule to the process provided in §119.03 of the Ohio Revised Code.

NOW, THEREFORE,

BE IT RESOLVED: the Ohio Board of Regents hereby approves of the attached proposed rule and requests that staff take all steps necessary and proper to amend Ohio Administrative Code § 3333-1-06 pursuant to the process in §119.03 of the Ohio Revised Code and through filing with the Joint Commission on Agency Rule Review.

RESOLUTION 2005-71  
Agenda Item 3.2

WHEREAS, the Improving Teacher Quality State Grants Program has provided \$2,700,869.00 in FY 2005 federal funds to the Board's Improving Teacher Quality Program; and

WHEREAS, \$2,572,256.00 of these federal funds are available for allocation to projects; and

WHEREAS, \$670,130.76 of unallocated and unspent FY 2004 funds are available for allocation to projects; and

WHEREAS, a Request for Proposals was widely distributed and fifty proposals requesting \$7,283,621.71 were received, focusing on science and mathematics activities for elementary and secondary teachers offered in collaborative arrangements that involve college and university faculty, teachers from high-need school districts, and other professionals from the public and private sectors; and

WHEREAS, a seventeen member Review Panel has reviewed and evaluated all proposals and has make recommendations for the distribution of funds;

NOW, THEREFORE.

BE IT RESOLVED: that \$3,237,859.00 of the available \$3,242,386.76 be distributed.

RESOLUTION 2005-72  
Agenda Item 3.3

BE IT RESOLVED: upon the recommendation of the Chancellor and with the concurrence of the Regents' Advisory Committee on Graduate Study as well

as the Program Effectiveness, Research & Technology Committee of the Ohio Board of Regents that the following new degree program is approved:

University of Cincinnati  
Master of Science in Statistics

RESOLUTION 2005-73  
Agenda Item 3.4

WHEREAS, the Ohio Board of Regents filed an administrative rule pursuant to the requirements of Chapter 119 of the Ohio Revised Code to establish a fee structure as required by §1713.03 of the Ohio Revised Code, in December 2005; and

WHEREAS, the Ohio Board of Regents staff conferred prior to filing the rule with the President of AICUO in order to understand the needs of his members; and

WHEREAS, the staff continued their discussions with AICUO to determine how best to meet the needs of the Ohio Board of Regents and AICUO after the rule filing; and

WHEREAS, staff has revised and extended the initially filed rule, to include a reduction in the reauthorization proposal process and review, the addition of a one time charge for the first submission of a request for a particular degree level, increased fee amounts for proposal requests and coordination of reviews and further differentiation of in-state and out-of-state fees, which revisions are reflected in the proposed rule text attached hereto as Attachment A; and

WHEREAS, staff requests board authorization to re-file the revised rule §3333-1-13; and

NOW THEREFORE,

BE IT RESOLVED, the Ohio Board of Regents approves the re-filing of Ohio Administrative Code §3333-1-13 and authorizes staff to re-file this rule and to seek its adoption pursuant to the process required by §119.03 of the Ohio Revised Code.

RESOLUTION 2005-74  
Agenda Item 3.5

WHEREAS, §209.64.69 of Am. Sub. H.B. 66 of the 126<sup>th</sup> General Assembly requires that any new pledge of student fees to secure bonds or notes of a state college or university must be approved by the Ohio Board of Regents; and

WHEREAS, Edison State Community College proposes to pledge student fees in support of general receipts obligation bonds and bond anticipation notes in an aggregate amount not to exceed \$7,735,000 for the purpose of financing the construction of the Regional Centers for Excellence on campus; and

WHEREAS, the College has determined that the proposed project is essential to fulfilling institutional goals; and

WHEREAS, the College's Board of Trustees authorized this debt issuance at its meeting of December 21, 2005; and

WHEREAS, this proposal complies with the requirements of Ohio Revised Code §3345.07, §3357.11 and §3345.12;

NOW THEREFORE,

BE IT RESOLVED: Upon the recommendation of the Chancellor and with the concurrence of the Resources & System Efficiency Committee of the Ohio Board of Regents, that the pledge of fees by Edison State Community College in support of general receipts obligation bonds and bond anticipation notes in an aggregate amount not to exceed \$7,735,000 is hereby approved.

RESOLUTION 2005-75  
Agenda Item 3.6

WHEREAS, the 126<sup>th</sup> Ohio General Assembly enacted H.B. 66 which includes a specific capital appropriation of \$1,000,000 to Wright State University for Montgomery County Port Authority, and

WHEREAS, the Ohio Board of Regents' Rule 3333-1-03 requires that a joint use agreement between the institution for which funds are appropriated and the organization which will own or lease and operate facilities to be constructed or improved with such funds must be approved by the Board; and

WHEREAS, Wright State University and the Dayton-Montgomery County Port Authority have presented a joint use agreement for approval by the Ohio Board of Regents; and

WHEREAS, the agreement has been reviewed and its format is found to be appropriate, its description of extent and nature of use has been specified, and the commitment extends no less than fifteen years, and it is in conformity with Rule 3333-1-03; and

WHEREAS, the parties have determined that the value of the use is reasonably related to the amount of the appropriation; and

NOW, THEREFORE,

BE IT RESOLVED: upon the recommendation of the Chancellor and with the concurrence of the Resources and System Efficiency Committee of the Ohio Board of Regents, that the Joint Use Agreement between Wright State University and the Dayton-Montgomery County Port Authority; and attached and made a part hereof, be approved.

RESOLUTION 2005-76  
Agenda Item 3.7

WHEREAS, Section 3333.04 (I) of the Ohio Revised Code provides that the Ohio Board of Regents shall make recommendations to the Governor and the General Assembly concerning the development of state-financed plans for higher education; and

WHEREAS, the capital recommendations are based on the submission of capital plans from colleges and universities regarding the design, cost, financing, and function of capital projects; and

WHEREAS, the capital recommendations are also based on the submission of capital plans from other entities, such as OhioLINK, that provide services to higher education throughout the state; and

WHEREAS, most of the recommended capital appropriations are allocated to campuses on the basis of (a) formulas based on information about enrollments and physical facilities or (b) competitive procedures.

NOW, THEREFORE,

BE IT RESOLVED: upon the recommendation of the Chancellor and with the concurrence of the Resources and System Efficiency Committee of the Ohio Board of Regents, that the higher education capital plan for FY 2007 – FY 2008 attached and made a part hereto is hereby approved for submittal to the Governor and General Assembly.

BE IT FURTHER RESOLVED: that campuses may subsequently request reallocations of their project appropriations recommended here provided that the requested change does not increase the state's obligations beyond the amounts listed in the attached table.

BE IT FURTHER RESOLVED: that these recommendations may be revised to reflect new control totals provided by the Office of Budget and Management.

RESOLUTION 2005-77  
Agenda Item 3.8

BE IT RESOLVED: upon the recommendation of the Research & System Efficiency Committee of the Ohio Board of Regents, that the request for release of capital improvements funds received in the period November 1, 2005

through December 31, 2005, shown on the sheets attached hereto, are hereby approved and recommended for approval by the Controlling Board.

## **CHANCELLOR'S REMARKS TO THE BOARD**

### **INTRODUCTION**

Thank you, Chairman Adams.

### **CAPITAL UNIVERSITY**

I'll begin my report with a cultural note: January 29<sup>th</sup> makes the start of the Chinese New Year – The year of the dog - Gung Huy Fat Coy!

Congratulations to Chairman Adams, Vice Chairman Alvarado, and Secretary Beeghly for starting their second year in their respective as Regents officers.

It's a pleasure to be here at Capital University to welcome both the star and lunar new year of fresh ideas and new beginnings. It was good to hear about Capital University from President Fredrickson in his welcome this morning.

Our meeting here provides me this opportunity to acknowledge the high caliber of its faculty. We heard the students speak of this quality in our conversation at dinner last night.

The fact is not new to us because one Capital faculty member, in particular, is a participant in an area of specific interest of the Regents.

We have had the pleasure of working with Professor Ignatios Vakalis as Educator Coordinator of Ohio's Computational Science Initiative.

Dr. Vakalis was one of the speakers at the unveiling last month of the Ralph Regula School of Computational Science. Starting with the development of a multi-institutional undergraduate minor in computational science, this virtual school will help to ensure that Ohio has the skilled people needed to support the use of computer modeling and simulation to solve complex business, technical and academic research problems.

I extend our thanks to President Theodore Fredrickson and his associates for sharing Professor Vakalis with all of Ohio as we build this important new capability to serve the economic future of our state.

Thanks also for hosting today's meetings and the Regents and my colleagues last evening for dinner. I have tokens of appreciation for the President and for his staff, Nona McGuire and Patricia Huston, for their hard work in making our meetings here so pleasant and successful.

## **BUSY TWO MONTHS**

Amongst the busyness of the holidays, there have been a panoply of important meetings since the Regents' last regular meeting in November.

### **NASULGC**

The annual meeting of the National Association of State Universities and Land-Grant Colleges featured a presentation on Ohio's leading work in the area of accountability and assessment.

Milt Hakel, psychology professor and Ohio Eminent Scholar from Bowling Green State University, and I spoke on the two faces of assessment: student completion and academic quality and our work in our Planning Committee for Higher Learning Accountability and Productivity.

I kicked-off our standing-room-only session with my observations on the growing calls for institutional accountability and the responsibility for institutions to improve teaching and learning.

a) I noted the need to break out of the cycle of a worsening economic position in the "flat" world providing less public funding for higher education, leading to a growing gap in the earning power of our citizenry. We can do so by improving student completion rates in higher education and it's in clearly our best interest to do so.

Professor Hakel spoke of the science of learning and the crucial differences in outcomes to be had depending on whether the focus is on teacher, on the learner, or on the learning – learning that should result in critical and constructive thinking, being well-versed in all facets of communication and able to socially interact with others in an effective way.

I was pleased that provosts throughout the country – self-acknowledged as being a very tough audience – praised the thought-provoking nature of our session and the new information it conveyed.

### **COLLEGE BOARD SURVEY**

Another recent national conference provided insights into how Americans feel about education and its relationship to success.

As the College Board's annual Colloquium, Peter D. Hart of Hart Research, one of America's leading public opinion and market research firms, presented his recent survey findings on this question.

Americans feel that a public education system that offers everyone a chance to learn is the most important factor of America's success – more important, in fact, than a democratic system of government. In addition, 85

percent believe a good education is essential or very important to get ahead in life.

However, less than half of Americans expect the next generation to enjoy a higher standard of living than we have now, because they are uncertain that the United States will be world leader in education in 20 to 30 years in preparing students for success.

Of greatest concern was the difference between what opinion leaders and the general public believe is the best strategy to compete in a global economy. An overwhelming majority of opinion leaders believe America needs to get smarter on issues like education, emphasize science and technology, and advance immigration policy to retain highly educated foreign-born students and workers. But the general public believes that America needs more protectionist policies, getting tougher on issues like jobs going overseas, and adopting immigration policies with stricter limits on hiring foreign-born workers.

Mr. Hart advised that given the public's concern about the global competitiveness and the importance of education, we most advance accountability of higher education institutions. He said institutions need to be creative in explaining what they're doing to achieve global competitiveness in understandable, practical ways and be rigorous in what they do.

## **OTHER MEETINGS**

The other meetings that have occupied our time over the last two months were less national in scope, but no less significant.

The 11-state Midwestern Higher Education Compact held its annual meeting in Columbus in November. Of particular interest, was a presentation by Articulation and Transfer Council co-chairs and presidents Roy Church, Nancy Zimpher and Rep. Shawn Webster on Ohio's efforts to improve its articulation and transfer system.

The Science and Mathematics Education Policy Advisory Council had its first meeting on November 21st. Governor Taft urged the council to develop a coherent overall strategy to improve math and science education in Ohio.

On November 29th, the eTech Ohio Commission had its retreat, which will help set the direction for this new agency formed in the fall through the merger of the Ohio Educational Telecommunications Network and the Ohio SchoolNet Commission. We are working through reorganizing and re-visioning to ensure eTech fulfills its fundamental objective of applying technology to increase student achievement.

The Higher Education Leadership Coalition met on January 12th and advanced the concept of an Innovation Summit to establish a more widely embraced vision for higher education in today's globally competitive economy.

The Partnership for Continued Learning met for the third time yesterday. Chaired by the Governor, we are continuing to investigate a range of strategies

to ensure that Ohio students are academically prepared and that students and parents know what needs to be accomplished in high school to successfully enter college or the workforce.

And there were numerous meetings of study groups formed to investigate higher education finance and operations. At last count, there had been 14 meetings since the November 10th board meeting, including:

- a) Three meetings of the Higher Education Finance Study Council;
- b) Two meetings of the SSI consultation;
- c) Five meetings of the Resource Analysis Taxonomy subcommittee;
- d) Two meetings of the House Bill 66 Mandates subcommittee;
- e) One meeting of the Out of the Box subcommittee, and
- f) One meeting of the Clinical Teaching consultation

The good news is that progress is being reported along all fronts of these studies. For example, discussions in the Study Council have coalesced around the three major goals: Student Access and Success, Operational and Administrative Efficiency, and Economic Development. The two subcommittees of the SSI consultation – HB 66 Mandates and the Taxonomy group – are expected to advance specific recommendations to the SSI consultation next month.

The bad news is that there is still a huge amount of work to do, little time to complete all of it, and the possibility that the recommendations of the various groups may conflict with each other, or at least not be well harmonized. To help minimize this danger, your staff devotes significant efforts to ensure each consultation is informed about the work of all of the others.

## **COLLEGE BOARD VISION**

I am encouraged in my belief that such harmonization is possible because of the vision statement adopted by the College Board. Here it is:

“The College Board will play a leadership role in creating and sustaining a national renaissance in education so that:

1. Students, regardless of background, are given the opportunity to achieve college success – best students in the world
2. Teachers and other educators are respected, rewarded, and appreciated
3. Schools are seen as the solution, not the problem
4. Colleges are challenging, valuable, and accessible – and continue to be the best in the world

5. and our nation and its people recognize education as the path to peace and prosperity requiring an education system committed to excellence and equity.”

That a national K-16 group would develop a statement that I believe many of us in Ohio’s education system could embrace is an indication that a commonality of purpose of Ohio’s groups can result in such harmony.

## **WELCOME**

To Frederick Finks who has been named the 28th president of Ashland University. Dr. Finks will not be traveling far; he has served as president of Ashland Theological Seminary for 23 years. On July 1, he will succeed G. William Benz, who is retiring at the end of the academic year after 13 years as president.

To Debra McCurdy who has been named president of James A. Rhodes State College. Dr. McCurdy comes from Georgia Perimeter College in Dunwoody, Georgia where she has served as provost and chief operating officer since 1997. She takes over on February 1st for Earl E. Keese, who announced his retirement in April and has served as president since 2000.

And to James M. Harder who has been named the ninth president of Bluffton University. Mr. Harder, who has served as vice president for institutional planning since 2003 and as special assistant to the president and professor of economics since 2001, will begin his duties in July. He takes over for Lee Snyder, who announced in April that she would retire at the end of the school year after 10 years at the helm.

## **KUDOS**

To Ohio’s Professors of the Year Katherine R. Rowell of Sinclair Community College and W.A. Hayden Schilling of the College of Wooster. Announced in Washington in November, Ohio took home two of the four national awards. The Carnegie Foundation for the Advancement of Teaching honors professors from a community college, research university, master’s college and baccalaureate college each year. Only one other Ohio teacher has won since the program began in 1981. Rowell began teaching sociology at Sinclair in 1996. Schilling has taught history at Wooster since 1964.

To Oberlin College’s music students who recently returned to the United States from China where they performed 10 concerts during a six-city tour. Sixty-six students were selected by audition to participate. They also prepared by taking an East Asian course at Oberlin.

And kudos to all the Ohio college students who chose to forgo their personal time over winter break and assist the victims of Hurricane Katrina in the Gulf Coast region.

**CONCLUSION**

Chairman Adams, that concludes my report for this month.

**OTHER BUSINESS:**

There being no further business to come before the Board, the meeting was adjourned.

The next meeting of the Ohio Board of Regents will be held on Thursday, March 9, 2006, at Cincinnati State Technical and Community College in Cincinnati, Ohio @ 1:30 p.m.

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Chair

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Secretary

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Date

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Date