

Fairmont State University Board of Governors
Emergency Meeting of August 13, 2009
219 Hardway Building
9:30 a.m.
AGENDA

Call to Order

1. Opening Comments
2. Approval of amendments to the Joint Operating Agreement for Academic Programs, dated April 21, 2005 and the Memorandum of Agreement for the Delivery of Associate Degree Programs, dated April 21, 2005. *Tab 1 Action Item*

The urgency of the meeting is for both boards to finalize approval in time for the amended agreement to be considered by the Community & Technical College Council at its August 19, 2009 meeting.

Fairmont State University Board of Governors
August 13, 2009

ITEM: Amendments to Joint Operating Agreement for Academic Programs, dated April 21, 2005, and the Memorandum of Agreement for the Delivery of Associate Degree Programs, dated April 21, 2005.

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: *Resolved*, That the Fairmont State Board of Governors approves the attached amendments to the Joint Operating Agreement for Academic Programs, dated April 21, 2005, and the Memorandum of Agreement for the Delivery of Associate Degree Programs, dated April 21, 2005.

STAFF MEMBER: Thomas L. Krepel

EXECUTIVE SUMMARY:

The amendments would remove the requirement to charge the C&TC tuition and fee rates for students enrolled in Fairmont State University associate degree programs.

Further, the amendments would remove the requirement for Pierpont C&TC to supplement the tuition and fee payments for those students by paying the difference between the University and C&TC tuition and fee rates.

FAIRMONT STATE UNIVERSITY
and
PIERPONT COMMUNITY AND TECHNICAL COLLEGE

Agreement to modify the terms and conditions

of the

Joint Operating Agreement for Academic Programs
dated 21 April 2005 between
Fairmont State University
and
Fairmont State Community and Technical College

and the

Memorandum of Agreement for the Delivery of Associate Degree Programs
dated 21 April 2005 between
West Virginia Council for Community & Technical College Education
and
Fairmont State Board of Governors

19 August 2009

The Board of Governors of Fairmont State University and the Board of Governors of Pierpont Community and Technical College agree to modify the above referenced documents, copies of which are attached, as follows:

Joint Operating Agreement for Academic Programs

1. All references to "Fairmont State Community and Technical College" are hereby replaced by "Pierpont Community and Technical College";
2. All references to "FSC&TC" are hereby replaced by "PC&TC";
3. Strike the last two sentences in the paragraph labeled "Associate degree program"; the paragraph shall read:

Associate degree programs: It is assumed that this will be the exclusive domain of FSC&TC PC&TC with the exception of the ADN nursing and the ABET accredited programs in Technology* These programs are expensive to operate, the faculty are all FSU employees and the programs have historic roots within FSU extending back to the 1950s and 60s. ~~The net cost to students in these programs shall not exceed the FSC&TC rate. This will be facilitated by a charge back from FSC&TC to FSU of the difference between the baccalaureate and FSC&TC tuition and fee rates.~~

Memorandum of Agreement for the Delivery of Associate Degree Programs

1. All references to "Fairmont State Community and Technical College" are hereby replaced by "Pierpont Community and Technical College";

2. In the section labeled "TERMS & CONDITIONS, *Fairmont State University will:*" strike the following sentence:

~~> Charge the Fairmont State Community and Technical College tuition and fee rate for programs identified in this agreement; and~~

Andy Kniceley, Chair
Board of Governors
Fairmont State University

Date

James Griffin, Chair
Board of Governors
Pierpont Community &
Technical College

Date

Thomas L. Krepel, President
Fairmont State University

Date

Blair Montgomery, President
Pierpont Community &
Technical College

Date

Bob Lee Brown, Chair
West Virginia Council for
Community and Technical
College Education

Date

Fairmont State University
 Fairmont State Community and Technical College

Joint Operating Agreement for Academic Programs

State Universities and Community and Technical Colleges have distinct missions in many areas of higher education but there is also a significant area of overlap. This agreement is intended to divide these areas of overlap of mission and thereby help both institutions focus resources, minimize duplication and allow for economies of scale. The end goal is to better provide cost effective and high quality service to the citizens of West Virginia.

Areas of mission overlap are as follows:

1. Continuing Education
2. Workforce Training
3. Lower Division Off-campus courses
4. Dual Credit High School courses
5. Some Associate Degree areas
6. Some Baccalaureate Degree areas

In the table below and the narrative that follows is a description of the agreement on how to partition the mission to meet the objectives.

Mission		FSU	FSC&TC	Comments
Graduate Programs				
	Masters	X		
	Graduate Certificates	X		
Bachelors Degree Programs		X		
Associate Degree Programs				
	AS/AA	X	X	FSU TAC/ABET Accredited Programs* and NURSING ADN ONLY
	AAS		X	
UG Certificate Programs		X	X	FSU Upper Division Only
Extension Programs				
	Workforce Training		X	FSU only by request and in collaboration with FSC&TC
	Continuing Education		X	FSU only by request and in collaboration with FSC&TC
	Off Campus Lower Division		X	
	Off Campus Upper Division	X		
	Dual Enrollment		X	

Graduate degrees, courses and programs: It is assumed this will be the exclusive area of FSU. In certain degree areas it maybe appropriate for FSC&TC faculty to teach at the graduate level for FSU and be members of graduate committees.

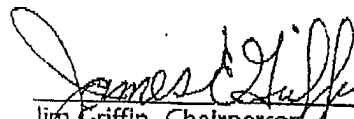
Bachelors degree programs: It is assumed that this will be the exclusive area of FSU. In many cases FSU expects to use the expertise of FSC&TC faculty to teach upper division courses and to advise bachelor level students. A current example would be the program in Aviation Administration.

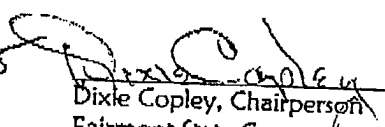
Associate degree programs: It is assumed that this will be the exclusive domain of FSC&TC with the exception of the ADN nursing program and the ABET accredited programs in Technology*. These programs are expensive to operate, the faculty are all FSU employees and the programs have historic roots within FSU extending back to the 1950's and 60's. The net cost to students in these programs shall not exceed the FSC&TC rate. This will be facilitated by a charge back from FSC&TC to FSU of the difference between the baccalaureate and FSC&TC tuition and fee rates.

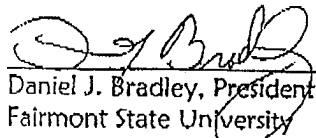
Extension Programs: FSC&TC is responsible for all lower division and not for credit programs.

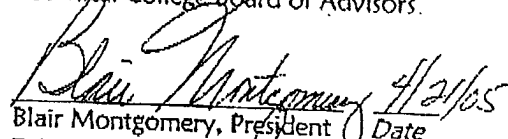
Contingency: Enforcement of this agreement is contingent on the continuation of the attached Memo of Understanding with the West Virginia Council for Community & Technical College Education.

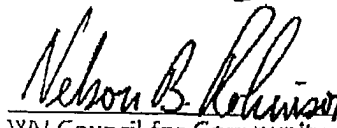
* Architecture, Civil, Electronics, Mechanical, and Safety Engineering Technology

 04/21/05
Jim Griffin, Chairperson
Fairmont State
Board of Governors

 4/21/05
Dixie Copley, Chairperson
Fairmont State Community &
Technical College Board of Advisors.

 4/21/05
Daniel J. Bradley, President
Fairmont State University

 4/21/05
Blair Montgomery, President
Fairmont State Community &
Technical College

 4.5.05
Nelson B. Robinson
WV Council for Community
& Technical College Education

Memorandum of Agreement

FOR THE DELIVERY OF ASSOCIATE DEGREE PROGRAMS

West Virginia Council for
Community & Technical College Education
and
Fairmont State Board of Governors

LEGISLATION

Senate Bill 448

§ 18B-3C-8

Section C (2) states the following:

- (2) *Fairmont state community and technical college.* -- Fairmont state community and technical college is an independently accredited community and technical college. The community and technical college is developed on the base of the component community and technical college of Fairmont state college. Subject to the provisions of this section, the president and the governing board of Fairmont state college are responsible, according to a plan approved by the council, for step-by-step implementation of the independently accredited community and technical college which adheres to the essential conditions pursuant to section three of this article. Subject to the provisions of section twelve of this article, the community and technical college will remain administratively linked to Fairmont state college. Fairmont state college may continue associate degree programs in areas of particular institutional strength which are closely articulated to their baccalaureate programs and missions or which are of a high-cost nature and can best be provided in direct coordination with a baccalaureate institution. Any such program shall be delivered under the authority of the council and through contract with the community and technical college. The terms of the contract shall be negotiated between the council and the governing board of the sponsoring institution. The final contract is approved by the council. Such a program shall be evaluated according to the benchmarks and indicators for community and technical college education developed by the council. If the council determines that the program is making insufficient progress toward accomplishing the benchmarks, the program shall thereafter be delivered by the community and technical college.

PURPOSE

The West Virginia Council for Community and Technical College Education (hereinafter "Council") and Fairmont State Board of Governors hereby enters into this agreement with Fairmont State University to deliver the associate degree level programs as follows:

- ❖ Architectural Engineering Technology
- ❖ Civil Engineering Technology
- ❖ Electronics Engineering Technology
- ❖ Mechanical Engineering Technology
- ❖ Safety Engineering Technology
- ❖ Nursing

TERMS & CONDITIONS

Fairmont State University will:

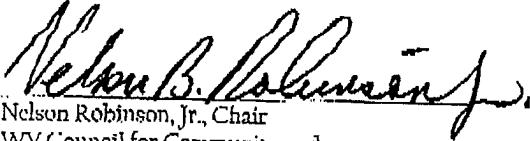
- Provide programmatic data as required by the Council;
- Conduct programmatic evaluations and student assessments as required by the Council for associate degree level programs under its jurisdiction;
- Participate in the North Central WV Community & Technical College Consortia District with the facilitating institution, Fairmont State Community & Technical College, to assist in the planning process for the delivery of the associate degree level programs identified in this agreement;
- Involve the President of Fairmont State Community & Technical College or designee in discussions pertaining to curricula changes and delivery of programs into other areas of the North Central WV Community & Technical College Consortia District other than the main campus of Fairmont State University;
- Follow guidelines, policies and procedural rules established by the Council for the delivery of associate degree level programs;
- Be responsible for the appointment and compensation of program directors and faculty;
- Charge the Fairmont State Community and Technical College tuition and fee rate for programs identified in this agreement; and
- Include the full-time equivalency (FTE) enrollment of the programs identified in this agreement as baccalaureate-level enrollment for the purpose of determining funding allocations

The WV Council for Community & Technical College Education:

- Has final approval authority of this contract;
- Will facilitate the collection of data and other required information pertaining to the programs identified in this agreement through the President of Fairmont State Community & Technical College;
- May assign the selected programs identified in this agreement to the community and technical college if the programs are making insufficient progress toward accomplishing the benchmarks established by the Council, state or Federal legislation or accrediting agencies for three consecutive years; and
- Will review and evaluate the contract at least every two years to determine any necessary changes or if the contract should be terminated.

SIGNATURES

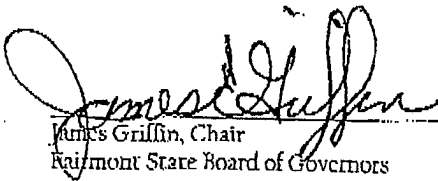
By signature below of all parties, this Memorandum of Agreement effective academic year 2004-2005 between the WV Council for Community & Technical College Education and Fairmont State Board of Governors.



Nelson Robinson, Jr., Chair
WV Council for Community and
Technical College Education

5.05.05

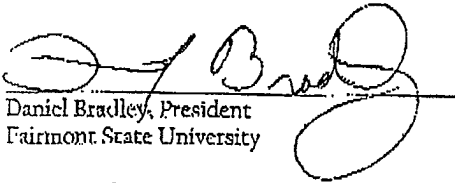
Date



James Griffin, Chair
Fairmont State Board of Governors

04-21-05

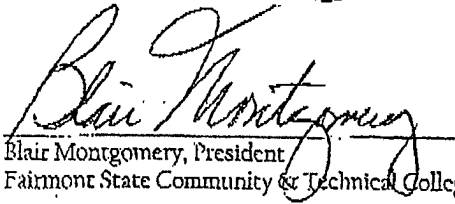
Date



Daniel Bradley, President
Fairmont State University

4/21/05

Date



Blair Montgomery, President
Fairmont State Community & Technical College

4/21/05

Date

Approved by the Fairmont State Board of Governors

4/21/05

Date

Approved by the WV Council for Community & Technical College Education

5/5/05

Date