



Virginia M. Barry, Ph.D.
Commissioner of Education
Tel. 603-271-3144

Paul K. Leather
Deputy Commissioner
Tel. 603-271-3801

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
Division of Higher Education – Higher Education Commission
101 Pleasant Street
Concord, N.H. 03301
FAX 603-271-1953
Citizens Services Line 1-800-339-9900**

MINUTES OF THE MEETING OF AUGUST 21, 2013

A regular meeting of the Higher Education Commission was held at 3 Barrell Court, Concord, New Hampshire at 2:00 p.m. on Wednesday, August 21, 2013. The following members were present:

Tom Galligan, Chair
Sara Jayne Steen, Vice Chair (via telephone)
Steve Appleby (via telephone)
James Birge
Sr. Paula Marie Buley (via telephone)
John Curran
Jim Fitzgerald
Peter Koch
Lynn Kilchenstein
David Mahoney
Kathleen Mullin
Michele Perkins (via telephone)
Eli Rivera
Lindsay Whaley
Roger Williams

The following members were unable to attend:

Virginia Barry
Ross Gittell
Mark Huddleston
Anne Huot
Todd Leach
Scott Kalicki

- 1) Chair Galligan called the meeting to order and welcomed everyone.
- 2) On the motion of Mr. Birge, seconded by Mr. Rivera, the Commission voted to accept the minutes of May 16, 2013. The motion passed without dissent.

- 3) Director Gustafson presented the expedited repeal of the N.H. Code of Administrative Rules, Pos 600 – New Hampshire Incentive Program, Pos 800 – Leveraged Incentive Grant Program, and Pos 1600 – Large Animal Veterinarian Net Tuition Repayment Program. Director Gustafson informed the Commission that all scholarships connected to these rules had been allocated in years past and due to the law being repealed, no new monies were allocated. Ms. Steen moved, seconded by Mr. Appleby, to accept the expedited repeal. The motion passed without dissent.
- 4) Director Gustafson presented the expedited repeal of the N.H. Code of Administrative Rules, Pos 1400 – Tuition Waivers for Foster Children and Pos 1700 – Scholarships for Orphans of Police and Firefighters. Director Gustafson informed the Commission that legislation was changed to place programs under the Community College System of New Hampshire and the University System of New Hampshire. Ms. Kilchenstein moved, seconded by Mr. Koch, to accept the expedited repeal. The motion passed without dissent.
- 5) Director Gustafson presented the first part of the college and university oversight, the repeal of the N.H. Code of Administrative Rules, Pos. 1000 – Degree-Granting Postsecondary Institutions with a Physical Presence, or Place of Contact that Conduct Advising/Mentoring or Instruction in New Hampshire. The Commission was informed that Pos 1000 would be followed until Hedc 400 – Degree-Granting Higher Education Institutions with a Physical Presence in New Hampshire was passed by the Joint Legislative Committee on Administrative Rules. Mr. Birge moved, seconded by Mr. Rivera, to accept the repeal of Pos 1000. The motion passed without dissent.

Director Gustafson presented the second part of the college and university oversight, the adoption of the final proposal for the N.H. Code of Administrative Rules, Hedc 400 - Degree-Granting Higher Education Institutions with a Physical Presence in New Hampshire. Director Gustafson provided an explanation as to why some institutions are not under the Commission's jurisdiction - Dartmouth College was founded before 1775 and the Community College System of New Hampshire and the University System of New Hampshire are governed by public boards specified by law. Mr. Curran moved, seconded by Mr. Fitzgerald to accept the final proposal. The motion passed without dissent.

- 6) Director Gustafson presented the re-adoption with amendments and renumbering of the N.H. Code of Administrative Rules, Pos 1100, Licensing of Private Postsecondary Career School to Hedc 300, Office of Career School Licensing. Mr. Koch moved, seconded by Mr. Rivera to accept the re-adoption with amendments and renumbering. The motion passed without dissent. Director Gustafson informed the Commission that a final proposal and public hearing for Pos 1100 and Hedc 300 would be on the October 3, 2013 Commission agenda.

Mr. Appleby presented draft legislation for Private Postsecondary Career Schools. Director Gustafson stated that he would seek a sponsor to submit the bill in January 2014. Mr. Koch moved, seconded by Mr. Curran to accept the draft legislation. The motion passed without dissent.

- 7) Director Gustafson presented the re-adoption with amendments and renumbering of the N.H. Code of Administrative Rules, Pos 700, Workforce Incentive Program-Forgivable Loan, and Pos 900, Workforce Incentive Program-Loan Repayment to Hedc 500, Workforce Incentive Program.

Mr. Birge moved, seconded by Mr. Appleby to accept the re-adoption with amendments and renumbering. The motion passed without dissent.

Director Gustafson presented the re-adoption with amendments and renumbering of the N.H. Code of Administrative Rules, Pos 1500, Program for Tuition Repayment for CART Providers and Sign Language Interpreters to Hedc 600, Program for Tuition Repayment for CART Providers and Sign Language Interpreters. Ms. Kilchenstein moved, seconded by Mr. Mahoney, to accept the re-adoption with amendments and renumbering. The motion passed without dissent.

- 8) Mr. Mahoney presented an update on the College Tuition Savings Plan Advisory Commission. He reported that the UNIQUE Plan has a pool of \$12M per year for students and institutions and that private, public and community colleges have come together on this. Individuals from other states can invest in the 529 UNIQUE College Savings Plan; in fact, 90% of the NH 529 Plan is from out-of-state investors. He also stated that N.H. has the highest student debt in the United States.
- 9) Director Gustafson presented the Director's Report as follows:
 - (a) College & University Activity –
 - A site visit was held at the American College of History and Legal Studies on July 10, 2013.
 - Upcoming site visits will be September 5, 2013 at InterCoast Career Institute and September 6, 2013 at the Upper Valley Educators Institute.
 - A site visit to Antioch University New England for BA completion programs in business, psychology and environmental science will take place in the fall of this year.
 - A comprehensive visit to New England College by the New England Association of Schools and Colleges (NEASC) is scheduled for April, 2014.
 - Await the NEASC decisions on Thomas More College and Hellenic American University.
 - Await the November progress report from St. John International University
 - Continue to follow the SARA project as it unfolds.
 - (b) Four new presidents were visited -
 - Stephen Jones – Antioch University New England
 - Alicia Harvey-Smith – River Valley Community College
 - Steven DiSalvo – Saint Anselm College
 - Michael Diffily – Daniel Webster College, who may serve on the Commission as a representative of a for-profit institution.
 - (c) Office Activity -
 - The Veterans Education Services was moved from Walker Building to Londergan Hall and the hiring of Kerry Schmidt as administrative support completes staffing.
 - The process of returning Student Guaranty Tuition Fund money in the amount of \$400,000+/- is underway.
 - The College Access Challenge Grant was denied by the US Department of Education, but staff is working with the Governor's Office to seek reconsideration. Scott

Power, at the N.H. College & University Council will continue with the NH Scholars Program.

- The Joint Legislative Committee on Administrative Rules will consider the Hedc 400, Degree-Granting Higher Education Institutions with a Physical Presence in New Hampshire at its September 19, 2013 meeting.
- The rulemaking and amendments to laws for career schools continue.

The meeting adjourned at 3:00 p.m.