

Board of Governors Meeting

February 2024



Pennsylvania's
STATE SYSTEM
of Higher Education



Pennsylvania's
STATE SYSTEM
of Higher Education

Board of Governors Meeting

February 8, 2024 at 9 a.m.

Alexander Grass Campus for Jewish Life
2986 North Second Street, Harrisburg, PA 17010

1. Roll call
2. Pledge of allegiance
3. Remarks by the Chair
4. Public comment
5. Remarks by union leaders
6. Remarks on behalf of PACT
7. Consent agenda
(These items will be considered in one motion unless a member requests an item be removed for individual consideration)
 - a. Meeting minutes (pg. 5)
 - b. Meeting calendar (pg. 12)
 - c. Student member re-appointment (pg. 13)
8. Remarks by the Chancellor and staff
9. University Success Committee
 - a. Fiscal year 2023-24 capital spending plan and capital budget authorization request (pg. 15)
 - b. Venango property disposition (pg. 20)
 - c. Phillipsburg property disposition (pg. 22)
10. Governance & Leadership Committee
 - a. Student trustee appointment (pg. 25)
 - b. Update to Policy 2009-01: Criminal Background Investigations (pg. 26)
11. Board consideration
 - a. Approval of committee recommendations
 - b. Ratification of collective bargaining agreement for SCUPA (pg. 33)
 - c. Service resolutions
12. Other business
13. Adjournment

Executive Session may be called as needed;
sequence of agenda items may change

CONSENT AGENDA



Pennsylvania's
STATE SYSTEM
of Higher Education

**Board of Governors
Pennsylvania's State System of Higher Education**

Meeting Minutes

Draft for Approval

301st Meeting
Thursday, October 19, 2023
9:00 a.m.
Commonwealth University - Bloomsburg

ATTENDING

Board of Governors:

Senator David Argall
Robert W. Bogle
Tim Briggs
Deputy Secretary Kate Shaw
Abigail Hancox
Darrek Harshberger
Steve D'Ettorre, Designee for Secretary Akbar Hossain
Daniel Klingerman
David M. Maser
Marian Moskowitz
Representative Brad Roae
Senator Judith Schwank
Dr. Cynthia D. Shapira (Chair)
Larry C. Skinner (Vice Chair)
Samuel H. Smith (Vice Chair)
Skylar Walder
Secretary Neil R. Weaver
Janet L. Yeomans

Also, in attendance was Faculty Liaison, Dr. Tina Chiarelli-Helminiak.

Chair Cindy Shapira called the meeting to order at 9:03 a.m.

Attendance taken at the direction of Chair Shapira established that a quorum of the Board was present.

CHAIR'S REMARKS (Full remarks in video archive)

Chair Shapira welcomed all in attendance and extended thanks to President Hanna and the campus of Commonwealth University – Bloomsburg for hosting the meeting.

Chair Shapira made note of the enrollment data that was released last week which demonstrated a 3.4% increase in new student enrollment. She shared that we have seen an increase in this number for two years in a row.

HOST PRESIDENT’S REMARKS (Full remarks in video archive)

President Hanna welcomed everyone to the Commonwealth University – Bloomsburg. He recognized Aramark and the team in the President’s Office for their great work and hospitality.

REMARKS BY UNION LEADERS (Full remarks in video archive)

Dr. Todd Spaulding, Vice President, SCUPA, provided brief remarks.

Dr. Ken Mash, President, APSCUF, provided brief remarks.

PUBLIC COMMENT

None.

CONSENT AGENDA

Chair Shapira moved that the Consent Agenda be approved as presented:

- Meeting Minutes – July 20, 2023
- Meeting Minutes – September 8, 2023

Voice vote. No opposition. The motion passed.

REMARKS BY CHANCELLOR AND STAFF (Full remarks in video archive)

Chancellor Greenstein presented the State System’s Fall 2023 Report Card and the progress toward 2022-25 system priorities which focuses on five areas – 1). Expanding student opportunities and improving student outcomes, 2). Expanding student affordability and grow, 3). Operating sustainably, 4). Enhancing partnership with the state, and 5). Investing in our people and infrastructure to prepare for the future.

Dr. Kate Akers, Associate Vice Chancellor & Chief Data Officer, presented data and key indicators of board affirmed metrics for the five areas of the system priorities.

Chancellor Greenstein presented the 2023-24 Objectives in support of 2022-25 system priorities which focuses on three areas – 1). Scale innovations that drive credentialing growth, 2). Continue focus on financial stabilization, and 3). Continue investment in enabling people and infrastructure.

UNIVERSITY SUCCESS COMMITTEE (Full remarks in video archive)

Roll call was conducted at the request of Committee Chair Skinner, and the following members were present: Weaver, D’Ettorre, Roae, Klingerman, Walder, Yeomans, Shapira (ex-officio).

Committee Chair Skinner reviewed the committee items as presented in the meeting materials – Fiscal year 2023-24 final budget, and Fiscal year 2024-25 educational and general appropriation request.

The Fiscal year 2023-24 capital spending plan and capital budget authorization request was tabled until a later date.

Molly Mercer, Chief Financial Officer, provided an overview of the fiscal year 2023-24 final budget and fiscal year 2024-25 educational and general appropriation request.

MOTION: COMMITTEE CHAIR SKINNER MOVED THAT THE BOARD APPROVES THE FISCAL YEAR 2023-24 FINAL ANNUAL OPERATING BUDGET FOR STATE SYSTEM UNIVERSITIES AND OFFICE OF THE CHANCELLOR, AS REFLECTED IN ATTACHMENT 1.

Voice vote of the committee. No opposition. The motion passed.

MOTION: COMMITTEE CHAIR SKINNER MOVED THAT THE BOARD APPROVES THE FISCAL YEAR 2024-25 EDUCATIONAL AND GENERAL APPROPRIATION REQUEST, AS REFLECTED IN ATTACHMENT 1.

Voice vote of the committee. No opposition. The motion passed.

BOARD CONSIDERATION (Full remarks in video archive)

CHAIR SHAPIRA MOVED THAT THE BOARD APPROVES THE UNIVERSITY SUCCESS COMMITTEE ACTIONS AS PRESENTED:

- **THE FISCAL YEAR 2023-24 FINAL ANNUAL OPERATING BUDGET FOR THE STATE SYSTEM UNIVERSITIES AND OFFICE OF THE CHANCELLOR, AS REFLECTED IN ATTACHMENT 1.**
- **THE FISCAL YEAR 2024-25 EDUCATIONAL AND GENERAL APPROPRIATIONS REQUEST, AS REFLECTED IN ATTACHMENT 1.**

Voice vote. No opposition. The motion passed.

POLICY UPDATES (Full remarks in video archive)

- POLICY 1985-07-A: MANAGEMENT PERFORMANCE AND REWARD PROGRAM
- POLICY 1998-04-A: PROCUREMENT OF GOODS, SERVICES, SUPPLIES AND CONSTRUCTION
- POLICY 1997-03: NAMING OF STATE SYSTEM OF HIGHER EDUCATION FACILITIES

Dr. Denise Pearson, Vice Chancellor, Chief Diversity, Equity & Inclusion Officer, provided a brief overview of the policy review updates.

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD APPROVES AMENDMENTS TO POLICIES 1985-07-A, 1998-04-A, 1997-03, AS REFLECTED IN ATTACHMENTS.

Voice vote. No opposition. The motion passed.

SERVICE RESOLUTIONS (Full Remarks in video archive)

Chair Shapira presented resolutions to the following individuals honoring their contributions and service to the State System:

Cody Jones, recently served as Chief Strategic Relations Officer.

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD APPROVE THE FOLLOWING RESOLUTION:

WHEREAS, CODY JONES SERVED AS CHIEF STRATEGIC RELATIONS OFFICER FOR THE STATE SYSTEM OF HIGHER EDUCATION – STAUNCHLY ADVOCATING FOR OUR SYSTEM UNIVERSITIES THAT SERVE MORE THAN 80,000 STUDENTS ACROSS THE COMMONWEALTH; AND

WHEREAS, HE HELPED TRANSFORM OUR RELATIONSHIP WITH THE PENNSYLVANIA LEGISLATURE – ENHANCING OUR PARTNERSHIP WITH THE COMMONWEALTH AND INCREASING INVESTMENT IN OUR STATE SYSTEM UNIVERSITIES; AND

WHEREAS, HE WAS PIVOTAL IN DRAFTING AND SECURING LANDMARK LEGISLATION THAT PROVIDED THE STATE SYSTEM WITH THE AUTHORITY TO REDESIGN ITSELF FOR THE FUTURE.

THEREFORE BE IT RESOLVED THAT THE BOARD OF GOVERNORS PROUDLY RECOGNIZES CODY JONES FOR HIS DEDICATION TO THE STATE SYSTEM AND HEREBY HONORS HIS CONTRIBUTIONS TO ADVANCING THE CAUSE OF PUBLIC HIGHER EDUCATION IN PENNSYLVANIA.

Resolution approved by acclamation.

Allison Jones, who recently rotated off of the Board of Governors.

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD APPROVE THE FOLLOWING RESOLUTION:

WHEREAS, ALLISON A. JONES SERVED ON THE BOARD OF GOVERNORS FOR THE STATE SYSTEM OF HIGHER EDUCATION AS DESIGNEE FOR GOVERNOR TOM WOLF AND THEN AS GENERAL APPOINTEE; AND

WHEREAS, SHE WAS A STRONG PARTNER WITH THE BOARD AS IT UNDERTOOK MAJOR SYSTEM REDESIGN EFFORTS – PROVIDING INSIGHTS FROM THE PERSPECTIVE OF THE ADMINISTRATION; AND

WHEREAS, ALLISON WAS AN VOCAL ADVOCATE FOR THE SYSTEM, WHICH LED TO HISTORIC INVESTMENTS THAT PROVIDED GREATER FINANCIAL STABILITY FOR THE UNIVERSITIES WHILE KEEPING TUITION FLAT EVERY YEAR SHE SERVED ON THE BOARD.

THEREFORE BE IT RESOLVED THAT THE BOARD OF GOVERNORS PROUDLY RECOGNIZES ALLISON A. JONES FOR HER DEDICATION TO THE STATE SYSTEM AND HEREBY HONORS HER CONTRIBUTIONS TO ADVANCING THE CAUSE OF PUBLIC HIGHER EDUCATION IN PENNSYLVANIA.

Resolution approved by acclamation.

ADJOURNMENT

For the record, Chair Shapira noted that the Board met in executive session on October 18, 2023, from 1:30 p.m. to 2:15 p.m. to discuss contractual matters.

Representative Roae presented a final matter before the board regarding his concerns about the old signage at the merged universities of PennWest and Commonwealth. He suggested that a plan be put in place to make the signage consistent with university names.

The meeting was adjourned at 11:45 a.m.

ATTEST:

Randy A. Goin, Ph.D.
Deputy Chancellor

Meeting webcast is available here: [BOG Meeting - October 2023 - YouTube](#)

DRAFT

Board of Governors Pennsylvania's State System of Higher Education

Meeting Minutes

Draft for Approval

302nd Meeting
Wednesday, December 20, 2023
8:30 a.m.
VIA ZOOM

ATTENDING

Board of Governors:

Representative Tim Briggs
William A. Gindlesperger
Daniel Klingerman
David Maser (Vice Chair)
Marion Moskowitz
Dr. Cynthia D. Shapira (Chair)
Deputy Secretary Kate Shaw
Larry C. Skinner
Samuel H. Smith (Vice Chair)
Skylar Walder
Secretary Neil R. Weaver
Janet Yeomans

Chair Cindy Shapira welcomed all in attendance called the meeting to order at 8:30 a.m.

Attendance was taken at the direction of Chair Shapira established; quorum of the Board was present.

PUBLIC COMMENT

None.

REMARKS BY UNION LEADERS

Fran Cortez Funk provided remarks on behalf of SCUPA.

CHAIR'S REMARKS (Full remarks in video archive)

Chair Shapira welcomed all in attendance. Chair Shapira reviewed the purpose of the meeting and agenda item that the Board will consider for action.

BOARD CONSIDERATION (Full remarks in video archive)

Chair Shapira presented the following items for board consideration:

APPOINTMENT OF PRESIDENT OF WEST CHESTER UNIVERSITY

MOTION: THAT THE BOARD APPROVES THE APPOINTMENT OF DR. LAURIE BERNOTSKY AS PRESIDENT OF WEST CHESTER UNIVERSITY EFFECTIVE JULY 1, 2024 AND AUTHORIZES THE CHAIR AND CHANCELLOR TO EXECUTE THE NECESSARY DOCUMENTS.

Voice vote. No opposition. The motion passed.

Chair Shapira invited Dr. Bernotsky to offer brief remarks.

ADJOURNMENT

The meeting was adjourned at 8:45 a.m.

ATTEST:

Randy A. Goin, Ph.D.
Deputy Chancellor

Meeting webcast is available here:
<https://www.youtube.com/watch?v=wb5WOmDApIY>



Quarterly Board of Governors Meeting Dates

2024

February 7 - 8
April 10 - 11
July 10 - 11
October 9 - 10

2025

February 5 - 6
April 9 - 10
July 16 - 17
October 15 - 16

2026

February 4 - 5
April 15 - 16
July 8 - 9
October 7 - 8

Board of Governors Meeting
February 8, 2024

SUBJECT: Student Governor Re-appointment

UNIVERSITIES AFFECTED: All

BACKGROUND: Act 50 of 2020 empowers the Board of Governors to make the appointment of student members for the Board of Governors. Student member Darrek Harshberger was appointed to the Board in December 2022 and completed his undergraduate studies in December 2023. He is now enrolled in a graduate program at PennWest.

According to statute, a student member's term technically expires upon graduation. As such, this action would re-appoint Darrek Harshberger so that he continues service as a student member of the Board.

MOTION: That the Board hereby re-appoints Darrek Harshberger for continued service as a student member of the Board.

Supporting Documents Included: [Statute](#) providing Board authority

Other Supporting Documents Available: None

Reviewed by: Office of the Chancellor

Prepared by: Randy A. Goin Jr.

Contact: rgoin@passhe.edu

UNIVERSITY SUCCESS COMMITTEE



Pennsylvania's
STATE SYSTEM
of Higher Education

**Board of Governors
University Success Committee
February 8, 2024**

SUBJECT: Fiscal Year 2023-24 Capital Spending Plan and Capital Budget Authorization Request

UNIVERSITIES AFFECTED: All

BACKGROUND: For a Commonwealth-funded capital project to start design and construction, funding must be allocated in the Capital Spending Plan, and the project must have authorization from the General Assembly in a capital itemization act. The spending plan is a rolling five-year plan wherein the Board of Governors approves the execution of projects in the first year of the plan and the remaining four years are subject to annual reviews and updates. Projects not currently authorized by the General Assembly must be submitted for approval in the itemization bill. The General Assembly's authorization in a capital itemization bill does not guarantee project funding.

Capital Spending Plan— Earlier in 2023, the universities provided input for the Capital Spending Plan in accordance with Board of Governors' Policy 2000-02-A: *Capital Facilities Planning, Programming, and Funding*, and the procedures in Volume IV of the State System's *Facilities Manual*. Projects submitted were evaluated, prioritized, and compiled into the spending plan considering the following elements:

- University priority.
- Prior year position in the spending plan.
- Academic benefit.
- Space, ADA, safety, and code compliance deficiencies.
- New revenue or matching funds potential.
- Cost savings potential.
- Impact on the deferred maintenance backlog.

Capital Budget Authorization Bill—Most projects in this spending plan were previously authorized by the General Assembly in capital itemization acts. Projects that may need authorization, upon Board approval, will be submitted for inclusion in the next capital itemization bill.

On January 4, 2024, the System received notification from the Governor's Office of the Budget that this fiscal year's spending plan will total \$70 million.

The System is beginning a collaborative project with the Department of General Services on a redesign of our capital request processes. Additionally, given the changes in enrollment and their impact on space and utilization, the current capital distribution methodology will be reviewed. Any changes resulting from this work will be incorporated into the plans presented for Fiscal Year 2024-2025. Finally, the attached plan also reflects internal project redistributions for West Chester University (WCU) and Indiana University of Pennsylvania (IUP). The impact of these changes is neutral for WCU and for the Fiscal Year 2023-2024 plan as presented but reduces overall future capital available by approximately \$9.5M to accommodate IUP's project needs in the future four-year period. Fiscal Year 2023-24 includes \$500,000 for a facility

feasibility study associated with academic facilities for IUP's proposed College of Osteopathic Medicine. Future year's capital levels will be updated as needed to reflect this analysis. The redesign process referenced above will at a minimum ensure that other universities are not impacted by this reduction.

MOTION: That the Board approves the fiscal year 2023-24 Capital Spending Plan.

Supporting Documents Included: Attachment 1 – Fiscal Year 2023-24 Capital Spending Plan and Capital Budget Authorization Request; Attachment 2 – Informational items – Financial Summary and Future Four Year Tentative Spending Plan

Other Supporting Documents Available: University-submitted project justifications

Reviewed by: Executive Leadership Group, September 29, 2023 and February 2, 2024, and Fiscal and Administrative Vice Presidents, September 6, 2023

Prepared by: Molly Mercer

Contact: mmercerc@passhe.edu

Attachment 1
Fiscal 2023-24 Capital Spending Plan and Capital Budget
Authorization request
Subject to Board of Governors Approval

Execution Year	University	Project Description	Facility Use	Original Furniture and Equipment	Authorization Act	Total Authorization (\$000)	University Funds (\$000)	Commonwealth Capital Funding (Current Year \$000)
2023-24	Cheyney	Ada Georges Dining Hall Renovation (Deferred Maintenance and Capital Renewal)	Mixed Usage	—	36/20	\$ 19,000	—	\$ 10,000
		Cope Hall Additional Funds	Athletics	—	82/10,82/17	\$ 48,000	—	\$ 9,000
	Commonwealth University	Stevenson Library Renovation (Lock Haven)	Libraries	—	52/17	\$ 30,000	—	\$ 20,485
		Raub Hall (Lock Haven)	General Education	OF&E	36/20	\$ 2,000	—	\$ 2,000
	East Stroudsburg	Renovate Kemp Library	Libraries	OF&E	52/17	\$ 2,000	—	\$ 700
	Indiana	Academic Building Replacement (Culinary Bldg) (Construction)	General Education	—	36/20	\$ 50,000	—	\$ 17,100
		Academic Program Building Renovation - College of Medicine Feasibility Study	Science and Technology	—	36/20	\$50,000 (General Academic Bldg Renovation)	—	\$ 500
	Millersville	Replace Science Center (Design)	Science and Technology	—	36/20	\$ 60,000	\$ 3,000	\$ 10,215
2023-24 Total								\$ 70,000

Attachment 2 - Informational Materials
Financial Summary

Financial Summary In Current Year Dollars (\$000)									
University	Campus	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Five-Year Total	Total Capital Funding FY1996-97 - FY2022-23	
⊕ Cheyney		\$19,000		\$10,900			\$29,900	\$200,240	
⊖ Commonwealth University	Bloomsburg							122,124	
	Lock Haven	\$22,485			2,000			87,977	
	Mansfield							87,916	
Total		22,485			2,000		24,485		
⊕ East Stroudsburg		\$700		7,500		20,000	28,200	122,534	
⊕ Indiana		17,600	2,500	2,000	\$20,000		42,100	205,689	
⊕ Kutztown			\$25,500	1,900	1,700		29,100	115,092	
⊕ Millersville		10,215	1,000	23,000	28,000		62,215	106,395	
⊖ Penn West	California		4,000				4,000	130,557	
	Clarion						0	134,121	
	Edinboro			1,500		9,300	10,800	122,657	
Total		0	4,000	1,500		9,300	14,800		
⊕ Shippensburg				4,800		6,520	11,320	138,044	
⊕ Slippery Rock				10,000	15,000	18,200	43,200	118,941	
⊕ West Chester			35,600		1,855	4,000	41,455	170,709	
Five-Year Total		\$70,000	\$68,600	\$61,600	\$68,555	\$58,020	\$326,775	\$1,862,994	

Notes

Annual totals add to less than annual allocation to allow for future adjustments and inflation. Numbers may not add due to rounding.

Tentative Multi-Year Plan by Project

Execution Year	University	Project Description	Facility Use	Original Furniture and Equipment	Authorization Act	Total Authorization (\$000)	University Funds (\$000)	Commonwealth Capital Funding (Current Year \$000)
2024-25	Indiana	Academic Building Replacement (Culinary Bldg) Construction - Remainder)	General Education	—	36/20	\$ 50,000	—	\$ 500
		Academic Program Building Renovation - College of Medicine (Design)	Science and Technology	—	36/20	\$50,000 (General Academic Bldg Renovation)	—	\$ 2,000
	Kutztown	Educational Building (Lytle Hall) Replacement	Mixed Usage	—	41/08	\$ 30,000	\$ 6,500	\$ 25,500
	Millersville	Brooks Hall Renovation	Business Education	OF&E	82/10	\$ 1,000	—	\$ 1,000
	Penn West	Replace Science Building (California)	Science and Technology	OF&E	52/17	\$ 5,000	—	\$ 4,000
	West Chester	FH Green Library Renovation	Libraries	—	40/04, 52/17	\$ 50,400	—	\$ 5,600
		Struzebecker Health and Science (Additional Funds)	Science and Technology	—	131/02, 85/13	\$ 62,768	—	\$ 30,000
2024-25 Total								\$ 68,600
2025-26	Cheyney	Tubman Hall Renovation	Auxiliary	—	36/20	\$ 21,000	—	\$ 9,400
		Ada Georges Dining Hall Renovation	Auxiliary	OF&E	36/20	\$ 2,000	—	\$ 1,500
	East Stroudsburg	Renovate Linden Hall (Design)	General Education	—	36/20,36/20	\$ 35,000	—	\$ 7,500
	Indiana	Academic Building Replacement (Culinary Bldg)	General Education	OF&E	36/20	\$ 5,000	—	\$ 2,000
	Kutztown	Keystone Hall/Fieldhouse Upgrade	Athletics	OF&E	36/20	\$ 1,500	—	\$ 1,900
	Millersville	Replace Science Center (Construction Partially Funded)	Science and Technology	—	36/20	\$ 60,000	—	\$ 23,000
	Penn West	Renovate Wiley Hall (Edinboro)	Science and Technology	OF&E	27/22	\$ 2,500	—	\$ 1,500
	Shippensburg	Franklin Science Center Renovation	Science and Technology	OF&E	52/17	\$ 9,000	—	\$ 4,800
	Slippery Rock	Morrow Field House Renovation (Design)	Athletics	—	131/02, 41/08, 52/17	\$ 41,800	—	\$ 10,000
2025-26 Total								\$ 61,600
2026-27	Commonwealth University	Stevenson Library Renovation (Lock Haven)	Libraries	OF&E	52/17	\$ 3,000	—	\$ 2,000
	Indiana	Academic Building Deferred Maintenance and Capital Renewal - College of Medicine (Construction)	Science and Technology	—	36/20	\$50,000 (General Academic Bldg Renovation)	—	\$ 20,000
	Kutztown	Educational Building (Lytle Hall) Replacement	General Education	OF&E	85/13	\$ 3,000	—	\$ 1,700
	Millersville	Replace Science Center	Science and Technology	OF&E	36/20	\$ 6,000	—	\$ 6,000
		Replace Science Center (Construction - balance of funding)	Science and Technology	—	36/20	\$ 60,000	—	\$ 22,000
	Slippery Rock	Morrow Field House Renovation (Partial)	Athletics	—	131/02, 41/08, 52/17	\$ 41,800	—	\$ 15,000
	West Chester	FH Green Library Renovation	Libraries	OF&E	131/02	\$ 1,855	—	\$ 1,855
2026-27 Total								\$ 68,555
2027-28	East Stroudsburg	Renovate Linden Hall (Construction)	General Education	—	36/20,36/20	\$ 35,000	—	\$ 20,000
	Penn West	Road and Sidewalk Infrastructure Repair or Replacement (Deferred Maintenance) (Edinboro)	Infrastructure	—	131/02, 82/10	\$ 11,950	—	\$ 2,500
		McComb Fieldhouse Renovation (Edinboro)(Design)	Athletics	—	36/20	\$ 45,000	—	\$ 6,800
	Shippensburg	Henderson Hall Replacement (Design)	Athletics	—	83/06, 85/13, 52/17	\$ 40,500	—	\$ 6,520
	Slippery Rock	Morrow Field House Renovation	Athletics	OF&E	40/04	\$ 1,400	—	\$ 1,400
		Morrow Field House Renovation (Construction Balance)	Athletics	—	131/02, 41/08, 52/17	\$ 41,800	—	\$ 16,800
	West Chester	Lawrence Hall Renovation (Design)	Administration	—	131/02, 52/17	\$ 31,387	—	\$ 4,000
2027-28 Total								\$ 58,020
Grand Total (2023-24 and remaining four years)								\$ 326,775

**Board of Governors
University Success Committee
February 8, 2024**

SUBJECT: Property Disposition, Pennsylvania Western University

UNIVERSITIES AFFECTED: Pennsylvania Western University (PennWest)

BACKGROUND: PennWest seeks approval to transfer the property known as its PennWest Clarion - Venango location. The property is located in Oil City, Venango County, with a mailing address of 1801 West First Street, Oil City, Pennsylvania, 16301.

Enrollment at Venango has declined from 450 students in fall 2001 to 95 in fall 2023. Nearly all of these students are in the Associate Degree in Nursing (ASN) program, the only academic program delivered at the Venango location. The current students will be transferred to the Clarion campus approximately 35 minutes away. Clarion will be able to provide the full breadth of academic support and student life services for a robust student experience.

This transfer will also reduce the losses associated with the underutilized facility space as well as eliminate the short-term deferred maintenance requirements. PennWest expects to realize approximately \$1.3 million in annual savings, as well as forego more than \$6 million in necessary maintenance on the site.

PennWest Clarion has state-of-the-art simulation labs, and students will have access to a greater number of elective courses and extracurricular opportunities. The 15 faculty previously based at Venango will continue to teach the ASN program courses and clinical experiences. In addition to faculty, all 12 staff at Venango will be offered positions at other PennWest locations.

The Oil Region Alliance contacted university leadership to express interest in utilizing the space for economic development within the region. The University is exploring options to dispose of the property.

The property consists of two parcels totaling 62.1 acres with four buildings on 60.72 acres and one building on 1.38 acres. The total gross building is approximately 85,400 square feet. The transfer of this property will require notification to and favorable resolution from the General Assembly.

MOTION: That the Board approves PennWest's request to proceed with disposition of property at the Venango location.

Supporting Documents Included: Property photos and map

Other Supporting Documents Available: Property disposition information

Reviewed by: PennWest University Council of Trustees, Office of the Chancellor

Prepared by: Molly Mercer

Contact: mmercerc@passhe.edu



Venango
1801 West First Street, Oil City, Pennsylvania, 16301

**Board of Governors
University Success Committee Meeting
February 8, 2024**

SUBJECT: Property Disposition, Pennsylvania Western University

UNIVERSITIES AFFECTED: Pennsylvania Western University (PennWest)

BACKGROUND: PennWest seeks approval to transfer or sell the property known as the Phillipsburg Building. The property is located in the Borough of California, Washington County, with a mailing address of 740-750 Orchard Street, California, Pennsylvania, 15419.

The property is not currently in use; it is neither contiguous to the university nor considered strategic. PennWest has developed a plan to sell the property to an entity with potential opportunities for alignment to the mission of the university and its students.

California University of Pennsylvania purchased the facility in 2009. The property is on 0.79 acres with a 17,680 square foot building containing office and classroom spaces.

The sale or transfer of this property will require notification to and favorable resolution from the General Assembly.

MOTION: That the Board approves PennWest's request to proceed with disposition of the property known as the Phillipsburg Building.

Supporting Documents Included: Property photos and map

Other Supporting Documents Available: Property disposition information

Reviewed by: PennWest University Council of Trustees, Office of the Chancellor

Prepared by: Molly Mercer

Contact: mmercerc@passhe.edu



Phillipsburg Building

740-750 Orchard Street, California, Pennsylvania, 15419



Phillipsburg Building

740-750 Orchard Street, California, Pennsylvania, 15419

GOVERNANCE & LEADERSHIP COMMITTEE



Pennsylvania's
STATE SYSTEM
of Higher Education

Board of Governors Meeting
Governance and Leadership Committee
February 8, 2024

SUBJECT: Student Trustee Appointment

UNIVERSITIES AFFECTED: Commonwealth University of Pennsylvania

BACKGROUND: Act 50 of 2020 empowers the Board of Governors to make the appointment of students to serve on the Councils of Trustees for universities with the State System. The universities utilize a thorough and inclusive recruiting process to identify and vet potential candidates to make a recommendation for student trustee appointments. The robust nature of the local process has been retained and has been updated to reflect that the final appointment action will be taken by the Board of Governors.

Based on input from the University President and the Office of the Chancellor, the Committee recommends the following action.

MOTION: That the Board hereby appoints [Marvens Ravix](#) to the Commonwealth University of Pennsylvania Council of Trustees.

Supporting Documents Included: Resume of candidate

Other Supporting Documents Available: [Statute](#) providing Board authority

Reviewed by: University President; Office of the Chancellor

Prepared by: Randy A. Goin Jr.

Contact: rgoin@passhe.edu

Board of Governors
Governance and Leadership Committee
February 8, 2024

SUBJECT: Update to Policy 2009-01: *Criminal Background Investigations*

UNIVERSITIES AFFECTED: All

BACKGROUND: Based on input from the universities, the System's human resources and legal teams have updated the Board's background check policy with an eye toward maintaining robust background clearance requirements while better serving the students and universities relative to student employment opportunities. The policy currently requires all employees to have a background check, even for itinerant student workers who have no contact with minors. The latter has created significant challenges for universities and student workers alike by causing delays in start dates for jobs that sometimes only last for one semester.

The proposed changes in the attached draft would:

1. Require background checks for all employees and volunteers except student employees, unless they have contact with minors as a regular part of their job.
2. Clean up some imprecise language (including the title of the policy) to provide greater clarity
3. Ensure continued adherence with state statutes.

MOTION: That the Board approves the changes to Policy 2009-01 as shown in the board materials.

Supporting Documents Included: Changes to policy language

Other Supporting Documents Available: Existing policy

Reviewed by: Office of the Chancellor; Presidents; university staff

Prepared by: Randy A. Goin Jr.

Contact: rgoin@passhe.edu



PA State System of Higher Education Board of Governors

Effective: January 15, 2009

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Policy 2009-01: *Criminal Background Clearances*

See Also

Board of Governors' Policy 1991-04-A
PASSHE Procedure/Standard Number 2015-21

Adopted: January 15, 2009

Amended: February 8, 2024

A. Purpose

To provide for the safety of students, staff, and guests of PASSHE institutions, the Board requires criminal background clearances for employees, applicants for employment, and official volunteers, to obtain/maintain employment/volunteer position within in the Pennsylvania State System of Higher Education (PASSHE). Nothing herein is intended to contradict or lessen compliance with applicable federal and state laws or regulations.

B. Scope

This policy applies to employees, applicants for employment, and official volunteers. This policy does not apply to student employees who have no direct contact and/or routine contact with a minor/child during the course of their employment duties.

C. Criminal Background Investigations Defined

All employees and official volunteers subject to this policy are required to have criminal background clearances in accordance with the applicable procedures/standard(s) promulgated by the chancellor. At a minimum, the following background clearances are required: 1) a criminal history record check completed by the Pennsylvania State Police; 2) a criminal history record check completed by the Federal Bureau of Investigation; and 3) a child abuse check completed by the Pennsylvania Department of Human Services.

D. Responsibility for Administration

Each University and the Office of the Chancellor shall be required to administer this policy and apply the applicable procedure/standard in accordance with

applicable state and federal laws and regulations regarding the administration of criminal background screenings.

Only felony and misdemeanor convictions, and indicated or founded allegations of child abuse may be considered by the Chancellor/President or his/her Designee and only to the extent to which they relate to the applicant's suitability for employment in the position for which he/she has applied. The assessment is to be done in conjunction with legal counsel.

E. Criminal Record Question

All employment applications will contain the following criminal history section:

CRIMINAL HISTORY:

CRIMINAL OFFENSE includes felony and misdemeanor offenses.

CONVICTION is an adjudication of guilt and includes determinations before a court, a district justice or magistrate and pleas of *nolo contendere* (no contest) that result in a criminal penalty such as a fine, jail/prison sentence or probation.

For this question disregard: summary offenses, including traffic violations, offenses committed before your 18th birthday which were adjudicated in juvenile court or under a Youth Offender Law, and any charges which have been expunged by a court, or for which you successfully completed an Accelerated Rehabilitative Disposition Program.

A “Yes” answer is not necessarily a bar to employment.

If you answer “Yes,” please provide a written explanation. All convictions will be reviewed pursuant to law, or evaluated based upon the recency and severity of the offense(s), and relevancy to the position being sought.

WERE YOU EVER CONVICTED OF A CRIMINAL OFFENSE? YES NO

F. Confidentiality of Information

All records resulting from criminal background investigations shall be kept confidential, separate from employee personnel files and shall not be accessible by supervisors and others who might otherwise have access to an individual's personnel records, save the Chancellor/President and his/her Designee and legal counsel.



REDLINE VERSION

PA State System of Higher Education Board of Governors

Effective: January 15, 2009

Page 1 of 2

Policy 2009-01: Criminal Background ~~Investigations~~Clearances

See Also:

Board of Governors' Policy 1991-04-A
PASSHE Procedure/Standard Number 2015-21

Adopted: January 15, 2009

Amended: XXXXX, XX, 2023

A. Purpose

To provide for the safety of students, staff, and guests of PASSHE institutions, the Board requires criminal background ~~investigations-clearances~~ for ~~appointees~~ employees, applicants for employment, and official volunteers, for—to obtain/maintain employment/volunteer position ~~all-positions—within~~ in the Pennsylvania State System of Higher Education (PASSHE). Nothing herein is intended to contradict or lessen compliance with applicable federal and state laws or regulations.

B. Scope

This policy applies to employees, applicants for employment, and official volunteers. This policy does not apply to student employees who have no direct contact and/or routine contact with a minor/child during the course of their employment duties.

B.C. Criminal Background Investigations Defined

All employees and official volunteers subject to this policy are required to have criminal background clearances in accordance with the applicable procedures/standard(s) promulgated by the chancellor. At a minimum, the following background clearances are required: 1) a criminal history record check completed by the Pennsylvania State Police; 2) a criminal history record check completed by the Federal Bureau of Investigation; and 3) a child abuse check completed by the Pennsylvania Department of Human Services.

~~Criminal background investigations include inquiries to determine past criminal convictions. All inquiries must comply with all state and federal laws.~~

C.D. Responsibility for Administration

Each University and the Office of the Chancellor shall be required to administer this policy and apply the applicable procedure/standard in accordance with applicable state and federal laws and regulations regarding the administration of criminal background screenings.

~~Within ninety days of the effective date of this policy, each President and the Chancellor will develop a criminal background investigation policy and ensure its consistent application. Said policies must comply with federal and state laws or regulations regarding criminal background investigations and the use of such investigation in employment situations. Appointing authorities shall not consider nonofficial accusations or arrests.~~

Only felony and misdemeanor convictions, and indicated or founded allegations of child abuse may be considered by the Chancellor/President or his/her Designee and only to the extent to which they relate to the applicant's suitability for employment in the position for which he/she has applied. The assessment is to be done in conjunction with legal counsel.

~~1. An advance copy of each University's policy will be sent to the Chancellor.~~

D.E. Criminal Record Question

All employment applications will contain the following criminal history section:

CRIMINAL HISTORY:

CRIMINAL OFFENSE includes ~~felonies~~ felony and misdemeanor offenses.

CONVICTION is an adjudication of guilt and includes determinations before a court, a district justice or magistrate and pleas of *nolo contendere* (no contest) that result in a criminal penalty such as a fine, jail/prison -sentence or probation.

For this question disregard: summary offenses, including ~~minor~~ traffic violations ~~(no points)~~, offenses committed before your 18th birthday which were adjudicated in juvenile court or under a Youth Offender Law, and any charges which have been expunged by a court, or for which you successfully completed an Accelerated Rehabilitative Disposition Program.

A "Yes" answer is not necessarily a bar to employment.

If you answer "Yes," please provide a written explanation. All convictions will be reviewed pursuant to law, or evaluated based upon the recency and severity of the offense(s), and relevancy to the position being sought.

WERE YOU EVER CONVICTED OF A CRIMINAL OFFENSE? YES NO

E.F. Confidentiality of Information

All records resulting from criminal background investigations shall be kept confidential, separate from employee personnel files and shall not be accessible by supervisors and others who might otherwise have access to an individual's personnel records, save the Chancellor/President and his/her Designee and legal counsel.

BOARD CONSIDERATION



Pennsylvania's
STATE SYSTEM
of Higher Education

**Board of Governors
February 8, 2024**

SUBJECT: Ratify the Collective Bargaining Agreements (SCUPA)

UNIVERSITIES AFFECTED: All

BACKGROUND:

The State College and University Professional Association (SCUPA) has ratified the collective bargaining agreement with the State System. The terms of the SCUPA collective bargaining agreement were achieved through individual negotiations between the State System and SCUPA. Implementation of the agreement is dependent upon the Board of Governors approving the collective bargaining agreement.

MOTION: That the Board of Governors ratify:

- (1) the Collective Bargaining Agreement with the State College and University Professional Association; and
- (2) authorize the Chancellor and the Chairwoman of the Board of Governors to execute the appropriate documents.

Supporting Documents Included: SCUPA Tentative Agreement Summary

Other Supporting Documents Available: N/A

Prepared by: Cathleen A. McCormack

Contact: cmccormack@passhe.edu

**Summary of Major Provisions of the Tentative Professional Employees Collective
Bargaining Agreement Between
Pennsylvania’s State System of Higher Education and State College and
University Professional Association/PSEA (SCUPA)
July 1, 2023 – June 30, 2027**

Article 6 Maintenance of Membership and Article 7 Dues Deduction

- Combine articles and revise to allow for increased efficiency and accuracy for both parties in the processing of union membership and dues deduction.

Article 9 Workload

- Allow for positions with a ten-month work schedule.
- Require all employees to be paid biweekly using the 26.08 pay method.
- Provide employees with notice prior to changes to their basic work schedule.

Article 10 Salaries and Wages

- Beginning of the Fall Semester 2023 4.0% General Pay Increase¹
- Beginning of the Spring Semester 2024 Step Increment²
- Beginning of the Fall Semester 2024 2.0% General Pay Increase
- Beginning of the Spring Semester 2025 Step Increment
- Beginning of the Fall Semester 2025 1.0% General Pay Increase
- Beginning of the Spring Semester 2026 Step Increment
- Beginning of the Fall Semester 2026 2.0% General Pay Increase
- Beginning of the Spring Semester 2027 Step Increment
- Require all employees to sign up for direct deposit of paychecks and travel expense reimbursements.
- Provide clarity and consistency related to existing policy and practice regarding impacts to salary when moving to another position within the bargaining unit.

¹ A General Pay Increase (GPI) represents a percentage change applied to the entire salary schedule.

² A Step Increment is movement one step (average value of 2.5%) up on the 16-Step salary schedule.

Article 13 Grievance and Arbitration

- Add “excluding holidays” to the timeframes for processing grievances.

Article 17 Holidays

- Add Juneteenth as a major holiday.
- Rename Columbus Day to Indigenous Peoples’ Day.

Article 19 Sick Leave and Bereavement Leave

- Increase number of days of sick bereavement leave for siblings.

Article 28 Health Benefits

- PEBTF benefits as negotiated by the Commonwealth.
- Biweekly Employer Contribution:
July 2023 \$590
July 2024 \$649
July 2025 \$668
July 2026 \$688
- Employee contribution rate increases to 5.5% (2.75% for those securing *Get Healthy* waiver) of the employee’s biweekly salary effective July 2023 and to 6.0% (3.0% for those securing *Get Healthy* waiver) effective July 2026.
- Remove reference to same-sex domestic partner.

Article 33 Furlough and Recall

- Modify furlough bumping process to allow employee to attempt to bump one of three least senior employees, based on the President or designee determination as to whether the employee possesses the necessary skill and ability to perform the duties of the position held by the less senior employee. Along with this, the timeframe for furlough notification to the employee was decreased and the requirement for President to issue statements about skill and ability determinations was expanded to President or their designee.

Article 34 Vacancies

- Update job posting process and allow for virtual interviews.

Article 36 Miscellaneous Provisions

- Address reference to same sex domestic partner by ending eligibility for tuition waiver effective at the end of the Spring Semester 2027.
- Allow for assigned supervision of graduate assistants to be reflected in job descriptions.

Various Articles – Impact of university consolidation on existing language

- Clarify definition of campus and university due to impact of university consolidations.

Side Letter – Domestic Partner References in Agreement

- Address potential that in the future the Obergefell decision may be overruled or undermined by the U.S. Supreme Court or other means by agreeing to reinstate tuition waiver for same sex domestic partners in accordance with tuition waiver for spouses in the then existing collective bargaining agreement.