

TENNESSEE HIGHER EDUCATION COMMISSION

Executive Director Search Committee

Minutes of the Executive Director Search Committee

Virtual Meeting

January 20, 2023

Link to recording: [Cisco Webex Meetings - Replay Recorded Meeting](#)

Chairman Stafford called the meeting to order at 10:31 a.m.

Member	PRESENT	ABSENT
Secretary Tre Hargett	X	
Commissioner Andrew Kingsolver	X	
Commissioner Pam Koban	X	
Commissioner Jimmy Matlock	X	
Commissioner Tara Scarlett	X	
Commissioner Vernon Stafford, Jr.	X	
Dr. Keith Carver	X	
Dr. Russ Deaton	X	
Dr. Brian Noland	X	

At the start of the meeting there were six (6) voting members present and participating electronically; however, Commissioner Andrew Kingsolver’s microphone was not working, and his votes were unable to be recorded until the third agenda item.

STATEMENT OF NECESSITY

Mr. Scott Sloan, General Counsel, read the statement of necessity, which is as follows:

All members are participating electronically today. As such, Tenn. Code Ann. § 8-44-108(b)(2), requires that the committee make a determination that a necessity exists in order for a quorum of members to participate by electronic or other means of communication.

A “Necessity” means that the matters to be considered by a public body at a meeting require timely action by the body, that physical presence by a quorum of the members is not practical within the period of time requiring action, and that participation by a quorum of the members by electronic or other means of communication is necessary.

In this case, two facts support a determination of necessity:

- First, today’s agenda items require timely action by this committee to meet the commission’s charge to develop a recommendation for a search process for the

executive director for consideration of the full commission at the next regularly scheduled meeting on January 27, 2023.

- Second, scheduling conflicts and other commitments prevented a quorum of members from being physically present today.

A motion for the necessity of the meeting was made by Commissioner Pam Koban. The motion was seconded by Secretary Tre Hargett. A roll call vote was taken, and the motion passed with five (5) ayes.

ADOPTION OF AGENDA

Secretary Hargett made a motion to adopt the agenda. Commissioner Tara Scarlett seconded the motion. A roll call vote was taken, and the motion passed with five (5) ayes.

AGENDA ITEMS

I. Selection of the Executive Director Search Committee Chair

Secretary Hargett made a motion to appoint Commissioner Scarlett as the Executive Director Search Committee Chair. The motion was seconded by Commissioner Jimmy Matlock. A roll call vote was taken, and the motion passed with four (4) ayes and one (1) abstention from Commissioner Scarlett.

Commissioner Vernon Stafford passed the gavel to Chairwoman Scarlett to conduct the remainder of the meeting.

II. Executive Director Job Description Recommendation for Commission Consideration

Mr. Lou Hanemann, Chief of Staff, shared the original job description and the job description that was revised by Commissioner Scarlett. Commissioner Scarlett stated that the edits she provided to THEC staff were to include information on where the state is wanting to go in higher education. A discussion was held on the job description. Commissioner Pam Koban suggested that the job description require campus experience. After discussion, it was decided that the job description include a preference of campus experience, but not a requirement.

Commissioner Stafford made a motion to approve the revised job description with the addition of campus experience being preferred. The motion was seconded by Commissioner Matlock. A roll call vote was taken, and the motion passed with five (5) ayes.

III. Search Process Recommendation for Commission Consideration

Chairwoman Scarlett again recognized Mr. Lou Hanemann, Chief of Staff, and asked that he provide an overview of the search process possibilities. Mr. Hanemann stated that the committee should consider: whether an executive search firm should be

utilized or a traditional search should be done using Department of Human Resources (DOHR) tools and committee review and interviews; where the job posting will be advertised; the pool size of candidates to consider; the number of final candidates to present to the Commission; and the timeline in which the committee proposes to finalize this search.

A discussion was held on the pros and cons of the executive search firm. A discussion was held on the pros and cons of utilizing DOHR tools and other internal resources and what types of advertisement for the position could be done. A discussion was then held on the timeline in which the committee wanted to hire an Executive Director for THEC.

A motion to use internal resources for the job search and a timeline of 120 days was made by Secretary Hargett. The motion was seconded by Commissioner Stafford. During the roll call vote, Secretary Hargett offered to withdraw his motion after Commissioner Koban voted nay and requested a longer timeline. However, it was determined that voting on the motion as stated would continue. The motion passed with four (4) ayes and one (1) nay from Commissioner Koban.

A discussion was held on finalizing the process to narrow down the search to two (2) or three (3) candidates to bring before the commission. The question of confidentiality of candidates was presented and a discussion was held that there would be no expectation of privacy, and this would be clearly outlined in the job advertisement.

Mr. Sloan presented information after consultation with the Attorney General's office regarding the interview process and the Open Meetings Act.

A motion to conduct early interviews of candidates with one (1) voting member and a nonvoting advisory member was made by Commissioner Koban. The motion as seconded by Commissioner Kingsolver. A roll call vote was taken, and the motion passed with six (6) ayes.

IV. Other Business

Chairwoman Scarlett opened the floor to any additional business. Commissioner Koban asked when the next meeting would be held. Mr. Hanemann recommended waiting on scheduling the next meeting until the full commission could vote on the decisions that were made today at the next commission meeting to be held on January 27, 2023.

Chairwoman Scarlett adjourned the meeting at 11:20 a.m.

NEXT THEC COMMITTEE MEETING:

TBD

Chairwoman Tara Scarlett