

AGENDA BOOK

January 6, 2009

Location:

SCHEV's Office
Richmond, VA



State Council of
Higher Education for Virginia

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Executive Committee Agenda

SCHEV Offices
Main Conference Room
Richmond, Virginia

**Tuesday, January 6, 2009
8:30 a.m.**

1. Approval of Minutes (October 21, 2008) 8:30 a.m. [Page E1](#)
2. Update on SCHEV Budget 8:35 a.m. [Page E2](#)

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
EXECUTIVE COMMITTEE MEETING
OCTOBER 21, 2008
MINUTES NO. 527**

Mr. Clement called the Executive Committee meeting to order at 8:00 a.m. in the SCHEV main conference room, Richmond, Virginia. Council members present: Whittington Clement, Jim Dyke, Eva Hardy, Susan Magill, and Christine Milliken. Staff members present: Daniel LaVista, Lee Ann Rung. Jake Belue from the Office of the Attorney General was also present.

EXECUTIVE SESSION

In accordance with §2.2-3711 (A) (1) of the Code of Virginia, the State Council of Higher Education for Virginia convened in executive session at 8:05 p.m. to discuss personnel matters related to the Executive Director.

The Executive Committee reconvened from the executive session at 9:00 a.m. A roll call vote was taken on a resolution certifying that to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the executive session. The resolution passed by a vote of 5-0 and is attached to the October 21 Council minutes.

Whittington W. Clement
Chair

Lee Ann Rung
Council Secretary

State Council of Higher Education for Virginia Agenda Item

Item: Executive Committee Item #E-2 – Update on SCHEV Budget

Date of Meeting: January 6, 2009

Presenter: Daniel LaVista, Executive Director
DanielLaVista@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements: An update of SCHEV's FY 2009 budget will be presented.

Materials Provided:

- "FY2009 Appropriation and Actual Expenditures" through 11/30/08 will be provided as a handout.

Financial Impact:

Timetable for Further Review/Action: Review only.

Resolution: N/A

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Meeting Agenda

SCHEV Offices
Main Conference Room
Richmond, Virginia
Tuesday, January 6, 2009
9:00 a.m.

1. Call to Order and Announcements 9:00 a.m.
2. Public Comment Period
3. Approval of Minutes (October 21, 2008) 9:00 a.m. [Page 1](#)
4. Remarks by President Casteen 9:05 a.m.
5. Executive Director's Report 9:20 a.m.
6. Briefings and Discussion: 9:45 a.m.
 - a. Update on Governor's Introduced Budget [Page 11](#)
 - b. Update on Pre-filed Legislation [Page 12](#)
 - c. SCHEV Domicile Guidelines [Page 13](#)
 - d. Private and Out-of-State Postsecondary Education (POPE) Annual Report [Page 16](#)
7. Action Items: 10:45 a.m.
 - a. Action on Recommendations from the Ad Hoc Affordability Committee [Page 22](#)
 - b. Action on Institutional Performance Standards Targets [Page 24](#)
 - c. Action on Programs at Public Institutions [Page 47](#)
 - d. Action on South University (Provisional Certification) [Page 69](#)
 - e. Action on Organizational Change for George Mason University [Page 75](#)
8. **CONSENT AGENDA:** 11:45 a.m.
 - a. Action on Programs at Public Institutions [Page 77](#)
 - b. Action on Private and Out-of-State Postsecondary Education Institutions [Page 91](#)
9. Items Delegated to Staff 11:50 a.m. [Page 99](#)
10. New Business 11:55 a.m.
11. Adjournment 12:00 p.m.

NOTE: All meeting times are approximate and may vary slightly.

NOTE:

Materials contained in this Agenda Book are in draft form and intended for consideration by the Council at its meeting (dated above), and may not reflect final Council action. For a final version of any item contained in these materials, please visit the Council's website at www.schev.edu or contact Lee Ann Rung at LeeAnnRung@schev.edu

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
COUNCIL MEETING
OCTOBER 21, 2008
MINUTES NO. 528**

Mr. Clement called the Council meeting to order at 9:05 a.m. in the SCHEV main conference room, Richmond, Virginia. Council members present: Gilbert Bland, Whittington Clement, Jim Dyke, Eva Hardy, Margaret Lewis, Susan Magill, Christine Milliken, and Alan Wurtzel. Staff members present: Lee Andes, Tom Daley, Joe DeFilippo, Alan Edwards, Dan Hix, Daniel LaVista, Tod Massa, Kirsten Nelson, and Lee Ann Rung. Jake Belue from the Office of the Attorney General was also present.

EXECUTIVE SESSION

The Executive Committee reconvened from the executive session at 9:05 a.m. A roll call vote was taken on a resolution certifying that to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the executive session. The resolution passed by a vote of 5-0 and is attached.

APPROVAL OF AGENDA

Mr. Clement requested that Item #7.c be postponed.

He also recognized a representative from the Student Advisory Committee (SAC), Fajir Amin, a student at Virginia Commonwealth University, and indicated that the Council appreciates the interest of the SAC in higher education issues.

Mr. Clement informed the Council that he received a thank you note from Helen Dragas for the framed resolution presented by the Council for her service. The letter was distributed to the members.

PUBLIC COMMENT PERIOD

Mr. Clement asked if anyone wished to address the Council during the public comment period. No requests were received.

APPROVAL OF MINUTES

On motion by Mr. Wurtzel and seconded by Ms. Hardy, the minutes from the September 9, 2008 Executive Committee and Council meeting were unanimously approved as submitted.

REMARKS BY DR. RICHARD R. SHURTZ

Mr. Clement introduced Dr. Shurtz, President and CEO of Stratford University, located in Falls Church, Virginia. Dr. Shurtz provided information about Stratford and distributed a brochure about the university. Stratford represents the for-profit sector of the higher education community. Dr. Shurtz provided a brief history of the institution, reviewed the student population of 2,000, the various locations as well as the number of degrees and fields of study offered by the University. Stratford offers accelerated degree programs and a flexible schedule to support the job requirements of its students. It offers an inverted curriculum to allow students to enroll in specialty courses before taking General Education courses.

Dr. Shurtz feels that accredited POPE institutions can help the state deal with budget shortfalls and stressed that private-public partnerships in education would allow the state to leverage the potential of the career college sector.

Dr. Shurtz answered questions from members relating to the profiles of the student body and faculty and the cost per credit hour. The average student age is 29, with a 50/50 split of international and domestic students; the teaching ratio is 50/50 adjunct faculty; and the cost is \$325/credit hour for undergraduate courses and \$360/credit hour for graduate level courses. Stratford has no articulation agreements with state institutions but it assists students individually if they are interested in transferring to a state institution. There are limited scholarships available to Stratford students, but the institution does offer loan programs.

Mr. Clement thanked Dr. Shurtz for his presentation and recognized Mark Singer for his good work in representing the Virginia Career College Association.

EXECUTIVE DIRECTOR'S REPORT

Dr. LaVista highlighted important contributions that Consortia make to higher education institutions. Collaboration and cooperation are emerging as important concepts and becoming more popular within the higher education community. He pointed out the good work of the consortia in Virginia and other states.

Examples of inter-state consortia are the Chesapeake Research Consortium, which includes Johns Hopkins, Penn State, the University of Maryland System, Old Dominion University, VIMS, and the Smithsonian; and the new Chesapeake Crescent Innovation Alliance which includes Johns Hopkins, the University of Maryland System, George Washington University, George Mason University, and Virginia Tech. Intra-state consortia include the Virginia Space Grant Consortium, the Tidewater Consortium for Higher Education, and the Valley of Virginia Partnership for Education. Dr. LaVista also named other consortia and reviewed the focus of each. These include the Colonial Academic Alliance, the Professional Arts Consortium and the Africana Studies Consortium, the Consortium of Universities of the Washington Metropolitan Area, and the Virtual Library of Virginia.

Dr. LaVista reviewed the work of the various consortia and stressed the importance of these organizations in benefiting the system of higher education in Virginia and the Commonwealth as a whole.

BRIEFINGS AND DISCUSSION

Report from Ad Hoc Affordability Committee

Mr. Clement indicated that the Council spent time at the October 20 briefing session reviewing the report. It was decided that staff would continue to work on recommendations in the report and bring it to the Council in January. Mr. Clement expressed his appreciation for the work staff has done and for Council members' participation.

ACTION ITEMS

Action on the Review of Eastern Virginia Medical School (EVMS)

Mr. Daley was asked to provide information about the report, which was brought to the Council in draft form in September. It was mentioned that a recommendation was made to add a statewide review of the overall fiscal health of medical education in Virginia, and this was added to the report. SCHEV's Executive Director would be responsible for reviewing the overall fiscal health of medical education in the Commonwealth with representatives from the medical schools, and working with the Department of Planning and Budget (DPB) and the appropriate legislative staff for ways to formulate a strategy to address this in the future.

There was some discussion about the report and Ms. Milliken asked that staff consider where it might be appropriate to bring together additional healthcare professions other than medical schools and nursing programs in an effort to avoid a piecemeal approach and to have this as an ongoing effort. Ms. Lewis and Ms. Hardy agreed.

Ms. Hardy thanked all those who worked on the report. Mr. Lester, President of EVMS, thanked Mr. Daley for his research and writing of the report.

On motion by Ms. Hardy and seconded by Mr. Bland, the following resolution was approved (7-1). Mr. Wurtzel indicated that while he is in favor of the report, he abstained from voting due to concerns over the governance structure and his uncertainty about accountability:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the "Review of Eastern Virginia Medical School."

Action on 2008-10 Systemwide Budget Amendment Items

Mr. Hix discussed each item and provided background information. A resolution was distributed and discussed. The resolution addressed the concerns expressed by the Council members at the September meeting and delineated short and long-term goals.

Mr. Hix informed the Council that Radford University has named its fine arts center (Covington Center for Visual and Performing Arts). This name change will be added to information that will be posted on the SCHEV website.

There was some discussion about the financial aid recommendation and Ms. Hardy suggested adding a requirement that a portion of tuition increases be set aside for financial aid.

There was also a suggestion that an additional recommendation be added regarding the continuation of the Tuition Assistance Grant (TAG) at current levels. Staff was asked to draft this additional language and add it to the recommendations related to financial aid in the short-term goals listed in the resolution.

A suggestion was made to add language stating that while institutions are provided flexibility in raising tuition, new revenues between 5-30% should be dedicated to need-based financial aid. It was mentioned that according to the Affordability Study, this is being done in 17 other states.

The revised language was read and on motion by Mr. Bland and seconded by Mr. Dyke, the following resolution was unanimously approved by the Council addressing Items 7.b.1 through 7.b.4, and Item 7.b.6:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the following addendum to its 2008-10 budget amendment recommendations:

Budget Addendum Language

The policies and goals contained in the individual budget amendment items (see list below) reviewed by the Council at its October 21, 2008 meeting, are critical to the quality and affordability of our system of higher education, but the current state revenue shortfall makes it necessary to distinguish between the Council's long-term and short-term goals for higher education in the Commonwealth.

Long-term goals that have been supported strongly and consistently by the Council include:

- 1) Reaching full funding under the base adequacy funding guidelines**
- 2) Raising average faculty salaries to the 60th percentile**

- 3) **Securing the funds needed to properly operate and maintain new facility space and address deferred maintenance needs through the Maintenance Reserve program**
- 4) **Providing sufficient financial aid to needy in-state undergraduate students based on the Partnership model and adequate financial aid to graduate students to ensure competitiveness and strengthen our research efforts**

In order to preserve our nationally acclaimed system of higher education and ensure the well being of our citizens, the continued pursuit of these goals is a necessity. However, the economic crisis now threatening the Commonwealth and the nation as a whole makes it necessary to recommend the following strategies for higher education in Virginia that focus more on short-term goals.

- 1) **We recommend that need-based financial aid for in-state undergraduate students and Virginia Commonwealth awards for graduate students be identified as the highest priority for any additional funding that may be available since there is currently no increase budgeted in the Appropriation Act in the second year of the biennium. We further recommend that the Tuition Assistance Grant (TAG) minimally be continued at the current level to ensure that resident Virginia students have access to higher education.**
- 2) **We recommend the use of the base adequacy funding guidelines as a means to equitably reduce institutional budgets if reductions are necessary. In general, institutions that are currently funded at a higher percentage of the guidelines could afford a larger reduction than those institutions at the lower end of the scale.**
- 3) **We recognize that our institutions should be given the flexibility needed to increase tuition appropriately to help offset any necessary general fund budget reductions provided that, as in many other states, institutions be required to dedicate between 5% and 30% of such tuition increases (depending on their circumstances) to need-based financial aid for in-state students. This recommendation could very well adversely impact the affordability of our institutions in the short-term, but such flexibility may be necessary in order to preserve an acceptable level of service to our students and their families. Without this flexibility, access to essential course offerings and timely graduation could be at risk. Further, we recommend to the institutions that tuition increases be structured so as to minimize—as much as possible—the impact on Virginia students, particularly in-state undergraduates.**

Finally, we direct our staff to begin preparing a financial plan that will address the growing imbalance in the higher education cost-sharing policy between the Commonwealth and our in-state students and their parents, so that when the economy improves, we can be assured that our acclaimed system of higher

education is in a stronger position to meet the challenges of not only today's students but also the students of tomorrow.

Private Institutions and the State's Nursing Shortage

On motion by Mr. Dyke and seconded by Mr. Wurtzel, the following resolution was unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia remains concerned about the challenges facing Virginia's private, nonprofit colleges to recruit and retain sufficient nursing faculty and considers it a high priority of the Commonwealth to examine ways to expand enrollment capacity at the 7 private institutions with nursing programs.

The joint subcommittee established by House Joint Resolution No. 91 is encouraged to review existing state programs, such as graduate scholarships for nurses or nursing students committed to teaching; consider modifications to these programs that would help private colleges build capacity; and explore other partnership opportunities between the Commonwealth and private, nonprofit institutions to address the shortage of nurses and nursing faculty in Virginia.

Action on Institutional Performance Standards Targets

This item was removed from the agenda and will be brought to the Council in January.

Action on Recommendations from the Restructuring Task Force

Mr. Alessio reminded members that the Task Force appointed by the Council met during September and developed language on the assessment of institutional performance. Institutions were surveyed and their recommendations were included in the final version approved by the Task Force. Mr. Clement indicated that the discussion from the October 20 briefing session on this topic was excellent. On motion by Ms. Hardy and seconded by Mr. Clement, the following resolution was unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the changes to the performance standards and directs the staff to forward the changes to the Governor and General Assembly.

CONSENT AGENDA

Action on Private and Out-of-state Postsecondary Education Institutions

No requests were made to discuss the consent agenda items. Therefore, on motion by Ms. Hardy and seconded by Mr. Wurtzel the following items were unanimously approved by consent:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies Bon Secours Memorial School of Nursing to operate a postsecondary institution in the Commonwealth of Virginia, effective October 21, 2008.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies Saint Michael College of Allied Health to operate a postsecondary institution in the Commonwealth of Virginia, effective October 21, 2008.

ITEMS DELEGATED TO STAFF

The following items had been reviewed and approved by staff, as delegated by the Council. As required, this information is included as part of these minutes:

- Program Actions
 - George Mason University
 - Old Dominion University
- Organizational Changes / Off-campus Instructional Sites
 - Old Dominion University

NEW BUSINESS

Mr. Clement reminded members of the Boards of Visitors orientation session scheduled for November 17 and invited all members to attend.

He also reminded members that the next meeting of the Council will be held on January 5-6.

The meeting was adjourned at 10:40 a.m.

Whittington Clement
Chairman

Lee Ann Rung
Council Secretary

Items Delegated to Director/Staff

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council's "Policies and Procedures for Program Approval and Changes," the following items were approved as delegated to staff:

Program Actions

Institution	Degree/Program/CIP	Effective Date
George Mason University	Discontinue the Master of Arts in Music (CIP Code: 50.0999)	August 29, 2008
Old Dominion University	<ol style="list-style-type: none"> 1) Dissolve its partnership with Eastern Virginia Medical School in offering a joint Doctor of Philosophy (PhD) degree program in Biomedical Sciences (CIP Code: 26.0699); and 2) Offer (solely) the Doctor of Philosophy (PhD) degree program in Biomedical Sciences (CIP Code: 26.0699). 	September 1, 2008

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council's "Policies and Procedures for Internal and Off-Campus Organizational Changes," the following items were approved as delegated to staff:

Organizational Changes / Off-campus Instructional Sites

Institution Site	Change	Effective Date
Old Dominion University at Rappahannock Community College (Warsaw) 52 Campus Drive Warsaw, VA 22572	Consolidated	December 2007
Old Dominion University at Germanna Community College (Locust Grove) 2130 Germanna Highway Locust Grove, VA 22508	Consolidated	December 2007

Old Dominion University at Northern Virginia Community College (Annandale) 833 Little River Turnpike Annandale, VA 22003	Consolidated	December 2007
Old Dominion University at Danville Community College 1008 South Main Street Danville, VA 24541	Closed	May 2008
Old Dominion University at Dabney S. Lancaster Community College 100 Dabney Drive Clifton Forge, VA 24422	Closed	May 2008
Old Dominion University at Paul D. Camp Community College 100 North College Drive Franklin, VA 23851	Closed	May 2008

RESOLUTION NO. 48
MEETING DATE: October 21, 2008

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Executive Committee of the State Council of Higher Education for Virginia has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 (D) of the *Code of Virginia* requires a certification by the State Council of Higher Education for Virginia that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the State Council of Higher Education for Virginia hereby certifies that, to the best of each members' knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the State Council of Higher Education for Virginia.

VOTE

YES: 5 (Clement, Dyke, Hardy, Magill, Milliken)

NAYS: 0

Whittington Clement
Chairman
State Council of Higher Education for Virginia

State Council of Higher Education for Virginia Agenda Item

Item: #6.a. - Update on Governor's Introduced Budget

Date of Meeting: January 6, 2009

Presenter: Dan Hix, Finance Policy Director, DanHix@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements:

On December 17, 2008, Governor Kaine introduced his proposed budget amendments for the 2008-10 biennium.

Materials Provided:

- A summary of the Governor's introduced budget will be provided at the meeting.

Financial Impact: TBD

Timetable for Further Review/Action: None.

Resolution: None.

State Council of Higher Education for Virginia Agenda Item

Item: #6.b – Update on Pre-filed Legislation

Date of Meeting: January 6, 2009

Presenter: Kirsten Nelson, SCHEV Director of Communications and Government Relations

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements: A summary of legislation that has been pre-filed for the 2009 General Assembly session will be discussed. This summary will include bills and resolutions that have a potential impact on higher education in the Commonwealth.

Materials Provided:

- A handout listing pre-filed bills will be provided at the meeting.

Financial Impact: N/A

Timetable for Further Review/Action: N/A

Resolution: N/A

State Council of Higher Education for Virginia Agenda Item

Item: # 6.c. – SCHEV Domicile Guidelines

Date of Meeting: January 6, 2009

Presenters: Dan Hix, Finance Policy Director/Lee Andes, Asst. Director for Financial Aid

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: 03/14/2006

Action: Council approved members of the Domicile Guideline Review Committee consisting of ten representatives from colleges and universities including four-year public, two-year public, and four-year private institutions. The members of the Domicile Guidelines Review Committee approved by Council were:

- Mary Swartz - Old Dominion University
- Barry Simmons - Virginia Tech
- Linda Combs - James Madison University
- Lisa Duncan Raines - Christopher Newport University
- Michelle Bhatta - University of Richmond
- Nilaya Baccus - George Mason University
- Roberta Fife - Virginia Commonwealth University
- Andrea Leeds Armstrong - University of Virginia
- Ervenia Miller - Northern Virginia Community College
- Lorene Safavinia - Norfolk State University

The committee was supported by representatives from the Office of the Attorney General, immigration counsel, and SCHEV staff.

Background Information/Summary of Major Elements:

- The Domicile Guidelines support the Code of Virginia §23-7.4 which provides standards for being considered a Virginia domiciled resident eligible for the in-state tuition rate.

- Many other programs and benefits refer– by Code, regulation, or policy - to this section of the statute including admissions standards and eligibility for state financial aid.
- The Code assigns responsibility for administering this section of the Code of Virginia to the individual colleges and universities but charges SCHEV with development of Domicile Guidelines to ensure “the application of uniform criteria in administering” the statute.
- The Domicile Guidelines were last updated in 2002. Since that time immigration practices/policies/forms have changed and the Commonwealth also has changed in-state eligibility requirements for military families and limited eligibility for the benefit to just 125 percent of time to degree.

Summary of Recommendations:

Clarification – throughout the Guidelines, the language has been updated or otherwise reworded to simplify interpretation and implementation.

Aliens

- The Guidelines offer a new definition of “alien” so that the short-hand “Eligible Alien” and “Ineligible Alien” can be used throughout the Guidelines.
- The Guidelines were modified to make clear that the first step in the domicile review process is a review of the student’s legal status. If the student does not have current legal status, then the domicile review does not continue and the student is classified as out-of-state.
- A table of alien visa status has been moved from the Guidelines into an Addendum. This will allow the eligibility information to be kept current with each new alien status created by the federal government.
- The “Pending Status” subsection under “Aliens” has been completely reworked to make clear what documentation is acceptable for students in the process of transitioning to Permanent Resident or from one nonimmigrant status to another.
- Temporary Protective Status and other nonimmigrant status have been added to the Addendum referring to various types of legal status and whether they are eligible to establish domicile.
- An Addendum has also been added that will provide an avenue of explaining the various organizations and forms that a domicile officer might encounter during their review process. This will provide a convenient resource and reduce the need for additional research.

125% Rule

- Definitions for “Credit hour threshold” and “Surcharge” were created in support of the restriction of in-state tuition benefits to 125% of degree program.
- An entire section was added in support of SB542 signed into law in 2006.

Military

Recent changes in the Code of Virginia affecting the tuition status of military members and their families have required a complete rewrite of the military section of the Guidelines.

- Retirees are no longer required to wait the standard one year after establishing domicile.
- Dependents are deemed in-state if military member assigned/residing in Virginia.
- Military member may be eligible for reduced tuition rate.

Materials Provided:

A draft copy of the Domicile Guidelines based upon recommendations from the committee and the recommended addenda.

Financial Impact:

As the majority of the recommendations are based upon existing law and already effective, there is no anticipated additional fiscal impact directly due to updating these Guidelines.

Timetable for Further Review/Action:

For discussion only at this time as the Council will take final action on this item at its meeting on March 10, 2009.

Resolution: N/A

1 **Domicile Guidelines**

2 **CHAPTER 120**
3 **GUIDELINES FOR DETERMINING DOMICILE AND ELIGIBILITY FOR IN-STATE TUITION RATES**

4 **PART I - Definitions**

5 **PART II - In-State Tuition Rates for Domiciliary Residents of Virginia.**

6 **Article 1 - Domicile Requirement:**

- 7 8 VAC 40-120-20. Determining eligibility for in-state tuition
- 8 8 VAC 40-120-30. Domicile: residence requirement
- 9 8 VAC 40-120-40. Domicile: intent requirement
- 10 8 VAC 40-120-50. Residence for educational purpose

11 **Article 2 - Special Rules for Determining Domiciliary Residence**

- 12 8 VAC 40-120-55. Extended Eligibility for In-State Tuition Rates
- 13 8 VAC 40-120-60. Unemancipated minors
- 14 8 VAC 40-120-70. Dependent children
- 15 8 VAC 40-120-80. Independent students
- 16 8 VAC 40-120-90. Emancipated minors
- 17 8 VAC 40-120-100. Married persons
- 18 8 VAC 40-120-110. Aliens

19 **Article 3 - Reclassification and Falsification of Information**

- 20 8 VAC 40-120-120. Reclassification
- 21 8 VAC 40-120-130. Falsification of information

1 8 VAC 40-120-140. Student responsibility to register under proper classification; responsibility for supplying information.

2 **PART III - In-State tuition Rates for ~~Spouses and Dependent Children of Active Duty Military~~ Family Members**

3 8 VAC 40-120-150. General.

4 8 VAC 40-120-160. Children of military members. ~~- REPEALED~~

5 8 VAC 40-120-170. Spouses of military members. ~~- REPEALED~~

6 8 VAC 40-120-180. Application of military provision.

7 8 VAC 40-120-190. Grace period tuition. ~~REPEALED~~

8 8 VAC 40-120-200. Military members and domiciliary status.

9 **PART IV - IN-State Tuition Rates for Non-Virginia Residents Employed in Virginia**

10 8 VAC 40-120-210. Eligibility for in-state rates for nonresidents employed in Virginia.

11 8 VAC 40-120-220. Application of provision.

12 **PART V - Reduced or In-State Tuition Rates Under Special Arrangement Contracts**

13 8 VAC 40-120-230. Reduced tuition under Special Arrangement Contracts.

14 8 VAC 40-120-240. Application of provision.

15 **PART VI - Reduced or In-State Tuition Rates for Other Non-Residents**

16 8 VAC 40-120-250. In-state tuition eligibility.

17 8 VAC 40-120-260. Reduced tuition rates, waiver of tuition and fees, and other benefits.

1 [PART VII - Appeals Process](#)

- 2 8 VAC 40-120-270. Institutional appeals process
3 8 VAC 40-120-280. Appeal to circuit court

4 [FOOTNOTES](#)

5 [FOOTNOTES](#)

6 [Part 1 - DEFINITIONS](#)

7 The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates
8 otherwise.¹

9 **"Active-duty military"** means full-time duty in the active military service of the United States. Such term includes full-time training duty,
10 annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the
11 secretary of the military department concerned. Such term includes the Air Force, Army, Coast Guard, Marines, Navy, and National Guard
12 members operating under Title 10 of the United States Code but does not include full-time National Guard duty operating under Title 32 of
13 the United States Code.

14 "Alien" means any person not a citizen or national of the United States.

15 The term "national of the United States" means (A) a citizen of the United States, or (B) a person who, though not a citizen of the
16 United States, owes permanent allegiance to the United States.

17 "Eligible Alien" means an alien in a valid current immigrant or non-immigrant visa status that permits the development of immigrant
18 intent.

19 "Ineligible Alien" means an alien not in a valid current immigrant or non-immigrant visa status that permits the lawful development of
20 immigrant intent.

1 "Credit hour threshold" means the minimum credit hours required to complete a student's declared degree program or combination of
2 degree programs multiplied by 125 percent. For example, if a degree program requires a minimum of 120 credit hours, the credit hour
3 threshold is 120 multiplied by 125 percent for a total of 150 credit hours. If a double major requires a minimum of 140 credit hours, the
4 credit hour threshold would be 175 total credit hours.

5 **"Date of alleged entitlement"** means the first official day of class within the semester or term of the program for the institution in which the
6 student is enrolled. For special classes, short courses, intensive courses, or courses not otherwise following the normal calendar schedule,
7 the date of alleged entitlement refers to the starting date of the nontraditional course in which the student is enrolled.

8 **"Dependent student"** means one who is listed as a dependent on the federal or state income tax return of his parents or legal guardian or
9 who receives substantial financial support from his spouse, parents or legal guardian. It shall be presumed that a student under the age of
10 24 on the date of the alleged entitlement receives substantial financial support from his parents or legal guardian, and therefore is
11 dependent on his parents or legal guardian, unless the student (i) is a veteran or an active duty member of the U.S. armed forces; (ii) is a
12 graduate or professional student; (iii) is married; (iv) is a ward of the court or was a ward of the court until age 18; (v) has no adoptive or
13 legal guardian when both parents are deceased; (vi) has legal dependents other than a spouse; or (vii) is able to present clear and
14 convincing evidence that he is financially self-sufficient.

15 **"Domicile"** means the present, fixed home of an individual to which he returns following temporary absences and at which he intends to
16 stay indefinitely. No individual may have more than one domicile at a time. Domicile, once established, shall not be affected by mere
17 transient or temporary physical presence in another jurisdiction.

18 **"Domiciliary intent"** means present lawful intent to remain indefinitely.

19 **"Emancipated minor"** means a student under the age of 18 on the date of the alleged entitlement whose parents or guardians have
20 surrendered the right to his care, custody and earnings, and who no longer claim him as a dependent for tax purposes.

21 **"FTE"** means a full-time equivalent student. FTE is a statistic derived from the student-credit hour productivity of an institution.

22 **"Full-time employment"** means employment resulting in at least an annual earned income reported for tax purposes equivalent to 50
23 work weeks of 40 hours at the federal minimum wage (50 X 40 X current minimum wage). The person may have earned this money in less
24 than 50 weeks, but the time period in which the money is earned (up to one year) is irrelevant. The individual must also report these wages
25 for income tax purposes.

26 **"Independent student"** means one whose parents have surrendered the right to his care, custody and earnings, do not claim him as a
27 dependent on federal or state income tax returns, and have ceased to provide him substantial financial support. (See also, "Dependent
28 student," above.)

29 **"Legal guardian"** means a legal status created by court order which vests in a custodian the right to have physical custody of the child, to
30 determine and redetermine where and with whom he shall live, the right and duty to protect, train and discipline him and to provide him with
31 food, shelter, education and ordinary medical care, all subject to any residual parental rights and responsibilities.

1 **"Parent"** applies to the biological parents of the student except in cases of adoption, where it applies to the adoptive parent or parents.

Comment [L2]: retain definition of "parent" to not include non-adoptive step-parent. Current rules are sufficient and an inclusion would create other problems.

2 **"Presumption"** means that a student is presumed, or assumed, to have a certain status, unless the student can show the contrary by
3 clear and convincing evidence. The student should be given the chance to rebut the presumed fact by clear and convincing evidence.

4 **"Special arrangement contract"** means a written contract between a Virginia employer or the authorities controlling a federal installation
5 or agency located in Virginia and a public institution of higher education for reduced tuition charges.

6 **"Substantial financial support"** means the amount of support which equals or exceeds the amount necessary to qualify the individual to
7 be listed as a dependent on federal and state income tax returns. The person claiming the student as a dependent must provide more than
8 half of the student's total support. Total support includes amounts spent to provide food, lodging, clothing, education expenses, medical
9 and dental care, recreation, and transportation. It also includes welfare, food stamps, and housing provided by the state in addition to all
10 taxable and nontaxable income. Expenses, such as the cost of food for a household, must be divided among all members of the
11 household and the lodging expense is the fair rental value of the lodging.

12 **"Surcharge"** means an amount calculated to equal 100 percent of the average cost of education at the relevant institution less tuition and
13 mandatory educational and general fee charges assessed to a student meeting Virginia domiciliary status who has not exceeded the 125
14 percent credit hour threshold. SCHEV calculates the average cost through the base adequacy guidelines adopted, and periodically
15 amended, by the Joint Subcommittee Studying Higher Education Funding Policies. The average cost is published in the SCHEV full cost
16 report annually.

Comment [L3]: in support of 2006 SB542

17 **"Unemancipated minor"** means a student under the age of 18 on the date of the alleged entitlement who is under the legal control of and
18 is financially supported by either of his parents, legal guardian, or other person having legal custody.

19 **"Virginia employer"** means entities, including corporations, partnerships, or sole proprietorships, organized under the laws of Virginia, or
20 having income from Virginia sources. Also included are public or nonprofit organizations authorized to operate in Virginia.

21 **Part 2 - Article 1 - Domicile Requirement**

22 **8 VAC 40-120-20. Determining eligibility for in-state tuition.**

23 A. The student bears the burden of establishing, by clear and convincing evidence, that the student (i) is a National or an Eligible Alien and
24 (ii) has, for at least a one-year period prior to the claimed entitlement, established and maintained his domicile in the Commonwealth of
25 Virginia.

26 The institution shall first determine from the information furnished by the applicant whether the applicant is a National or an Alien. If the
27 applicant is a National, the institution shall continue the domicile analysis. If the applicant is an Alien, the institution will determine whether

1 the applicant is an Eligible alien or an Ineligible alien. If the applicant is an Eligible alien, then the institutions shall continue the domicile
2 analysis. Notwithstanding anything contained in these Guidelines to the contrary, if the applicant is neither a National nor an Eligible alien,
3 the applicant is not eligible for further domicile consideration under these Guidelines.

4 1. Addendum A lists the common types of nonimmigrant status and a determination of whether the status indicates an Eligible alien or an
5 Ineligible alien.

6 2. It is the applicant's responsibility to provide clear and convincing evidence of their current legal status. Failure to provide such evidence
7 results in classification as an out-of-state student.

8 B. If the applicant has the legal ability to establish domicile, then the institution determines whether the applicant is a dependent or
9 independent student, emancipated or unemancipated minor.

10 CB. The institution shall then determine, on the basis of the information furnished by the applicant, whether ~~the student domicile~~ has been
11 clearly and convincingly established in Virginia ~~domicile~~ for the requisite one-year period. If the date of the alleged entitlement is, for
12 example, September 1, 20048, then ~~the student domicile~~ must have been established in Virginia ~~domicile~~ no later than September 1,
13 20007, and continued ~~it~~ for the entire year.

14 1. An independent student or emancipated minor must establish by clear and convincing evidence that for a period of at least one year
15 immediately prior to the date of alleged entitlement, the student was domiciled in Virginia and had abandoned any previous domicile.

16 2. A dependent student or unemancipated minor must establish by clear and convincing evidence that for a period of least one year
17 immediately prior to the date of alleged entitlement, the parent or legal guardian through whom the student claims eligibility was domiciled
18 in Virginia and had abandoned any previous domicile.

19 3. A dependent student is presumed to have the domicile of the parent or legal guardian listing the student as an exemption for tax
20 purposes or providing substantial financial support. A dependent student aged 18 or over may seek to ~~show~~ demonstrate a domicile
21 independent of such parent or legal guardian regardless of financial dependency; however, the student is presumed to have the same
22 domicile as his parents or legal guardian unless he can show to the contrary by clear and convincing evidence.

23 4. The one-year of domicile period applies to all classifications of students except for: (i) active-duty military personnel residing in the
24 Commonwealth who voluntarily elect to establish Virginia as their permanent residence for domiciliary purposes, (ii) retired military
25 personnel residing in the Commonwealth at the time of their retirement, and and (iii) the dependent spouses or children of persons
26 described under (i) or (ii) of this subsection. ~~claiming eligibility through an active-duty military member residing in Virginia who voluntarily~~
27 ~~elects to establish Virginia as his permanent residence for domiciliary purposes.~~

28 **8 VAC 40-120-30. Domicile: residence requirement.**

29 A. Domicile is defined in the law as "the present fixed home of an individual to which he returns following temporary absences and at which
30 he intends to stay indefinitely." No person may have more than one domicile.

1 1. Domicile cannot be initially established in Virginia unless one actually resides, in the sense of being physically present, in Virginia with
2 domiciliary intent.

3 2. Domiciliary intent means present intent to remain indefinitely, that is, the individual has no plans or expectation to move from Virginia.
4 Residence in Virginia for a temporary purpose or stay, even if that stay is lengthy, with present intent to return to a former state or country
5 upon completion of such purpose does not constitute domicile.

6 ~~3. The physical presence requirement means that a person who has never resided in Virginia, or who was not residing here at the time he
7 formed the intent to make Virginia his home, cannot be domiciled here until actually moving to Virginia and taking the appropriate steps to
8 establish domicile. Additionally, the physical presence cannot be temporary in nature, such as a visit or vacation.~~

Comment [L4]: Not a new section.
Moved from 8 VAC 40-120-30 C
below.

9 B. Once a person has established domicile in Virginia, actual residence here is no longer necessarily required.

10 1. Temporary absence from the state does not negate a claim of Virginia domicile unless the person does something incompatible with
11 ~~having Virginia~~ domiciliary intent, ~~such as, but not limited to, registering to vote in the new state, or otherwise~~ indicating an intent to
12 establish domicile in another state.

13 2. A person who has established Virginia domicile but resides in another state may be required by laws of the host state to fulfill certain
14 obligations of the host state. Performing acts in the host state required by law of all residents, irrespective of domicile, does not
15 automatically constitute an abandonment of Virginia domicile; ~~h~~However, such acts will need to be examined to determine if they were
16 voluntary.

17 3. The question is whether an individual's acts, especially voluntary acts, show the establishment of a new domicile in the host state and
18 abandonment of Virginia domicile.

19 ~~C. The physical presence requirement means that a person who has never resided in Virginia, or who was not residing here at the time he
20 formed the intent to make Virginia his home, cannot be domiciled here until actually moving to Virginia and taking the appropriate steps to
21 establish domicile. Additionally, the physical presence cannot be temporary in nature, such as a visit or vacation.~~

22 **8 VAC 40-120-40. Domicile: intent requirement.**

23 A. Where a person resides is relatively easy to determine. It can be difficult to ascertain whether a person has resided in Virginia with
24 domiciliary intent. A person may have more than one residence but only one domicile.

25 1. Domiciliary intent is normally determined from the affirmative declaration and objective conduct of the person. Intent is necessarily a
26 subjective element; however, a person demonstrates his intent through objective conduct. When evidence is conflicting, the opposing facts
27 must be balanced against each other.

28 2. The burden is upon the applicant to demonstrate by clear and convincing evidence that his domicile is Virginia and that he has
29 abandoned any prior domicile.

1 3. The law also requires that a person claiming eligibility for in-state tuition through Virginia domicile (or the person through whom eligibility
2 is being claimed) shall have demonstrated Virginia domicile for at least one year immediately prior to the date of the alleged entitlement.

3 4. Mere residence due to incarceration in Virginia does not necessarily mean that Virginia domicile has been established. Domicile, by
4 definition, is based upon voluntary actions. For purposes of determining the status of incarcerated minors, the Commonwealth is not
5 considered to be their legal guardian.

6 B. Prior determination of a student's domiciliary status by one institution is not conclusive or binding when subsequently considered by
7 another institution; however, assuming no change of facts, the prior judgment should be considered.

8 C. Each case presents a unique combination of factors, and the institution must determine from among them those core factors which
9 clearly and convincingly demonstrate the person's domiciliary intent.

10 1. Having isolated the core factors in a given case, the institution must look at the date on which the last of these essential acts was
11 performed. It is at that point that domiciliary intent is established, and the clock starts running for purposes of the one-year domicile
12 requirement.

13 2. In complex cases, it might be helpful to chart on a timeline the steps taken to establish domicile. After establishing domicile, an individual
14 must continue to meet the factors demonstrating domiciliary intent throughout the one-year period prior to the date of alleged entitlement.

15 D. It is important to reiterate the reference to clear and convincing evidence. A student who claims Virginia ~~residency-domicile~~ must support
16 that claim by clear and convincing evidence. Clear and convincing evidence is not as stringent a standard as proof beyond a reasonable
17 doubt, as required in the criminal context, but is a degree of proof higher than a mere preponderance of the evidence. Clear and convincing
18 evidence is that degree of proof that will produce a firm conviction or a firm belief as to the facts sought to be established. The evidence
19 must justify the claim both clearly and convincingly. Failure to provide "clear and convincing" evidence fails the required standard and will
20 result in the student being classified as out-of-state.

21 E. Section [23-7.4](#) of the Code of Virginia includes a list of objective conduct that must be considered, if applicable, in evaluating a claim of
22 domiciliary intent. Necessarily, each of the objective criteria will not carry the same weight or importance in an individual case. No one
23 factor is necessarily determinative but should be considered as part of the totality of evidence presented. The objective criteria that may be
24 relevant include the following:

25 1. Continuous residence for at least one year immediately prior to the date of alleged entitlement. Continuous residence may be evidence
26 supporting that the person intends to make Virginia his home indefinitely. As noted previously, once a person has affirmatively established
27 Virginia domicile, actual residence in Virginia is not required in order to retain it. However, residence in another state or country is still
28 relevant because it may be that the person has established a new domicile in the foreign jurisdiction, or never intended to remain
29 indefinitely in Virginia.

30 2. State to which income taxes are filed or paid.

1 a. Failure to file a Virginia tax return ~~in Virginia~~ is evidence that one is not a Virginia ~~domicile~~domiciliary. Domiciliaries, who have taxable
2 income, are required to file returns regardless of the fact that they may reside elsewhere.

3 (1) The general rule is that Virginia domiciliaries residing temporarily outside the Commonwealth must file Virginia resident income tax
4 returns if they wish to maintain their Virginia domicile.

5 (2) Persons claiming that they are exempt from this requirement, such as those who reside overseas and are employed by certain non-
6 U.S. companies, have the burden of clearly identifying the exemption and demonstrating their entitlement to it.

7 ~~b. Considering payment or nonpayment of income tax as a factor assumes that the individual had taxable income. Moreover, under~~
8 Virginia tax law, a Virginia domiciliary is not required to file a Virginia return if the person's Virginia adjusted gross income was less than
9 minimum levels. Thus, failure to file a return by someone who had no income in Virginia or who was not otherwise required to file a state
10 income tax form, is not determinative of domiciliary status.

11 c. A member of the armed forces who does not claim Virginia as his tax situs for military income cannot qualify as a Virginia domiciliary.

12 d. The filing of an income tax return in Virginia or the paying of income taxes to Virginia is supporting evidence, but not conclusive
13 evidence, that a person is domiciled in Virginia. For example, a student with a part-time job may be required to pay income tax to Virginia
14 on wages earned in the state, even though he is a temporary resident or residing outside of Virginia.

15 e. Paying income taxes to another state or country is also not automatically determinative of domiciliary status; a Virginia domiciliary may
16 be required by another state to pay income taxes on income earned in that state irrespective of ties to the state. However, such payment
17 may be considered, along with all of the other evidence, in evaluating a claim of Virginia domicile.

18 3. Driver's license.

19 a. Possession of a Virginia driver's license may be evidence of intent to establish domicile in Virginia.

20 b. Possession of a driver's license from another state may be evidence of intent to retain domicile in that state.

21 4. Motor vehicle registration.

22 a. Registration of a motor vehicle in Virginia may be evidence of intent to establish domicile in Virginia.

23 b. Registration of a motor vehicle in another state may be evidence of intent to be domiciled in that state.

24 c. Virginia law permits, but does not require, registration by a nonresident student. Thus, a student-owner who does register in Virginia,
25 when not required to by law, has shown some evidence of Virginia domicile. ~~H~~owever, vehicle registration alone is not determinative.

26 5. Voter registration.

27 a. Actual voting.

28 (1) Voting in person or by absentee ballot in another state or country during the year immediately prior to the date of the alleged entitlement
29 is strong evidence that the individual has not established domicile in Virginia.

30 (2) Voting in Virginia in local or state elections is evidence of domicile, but it is not determinative.

31 (3) Failing to vote in state or local elections is also evidence that the person is not a domiciliary; however, it is not determinative in all cases
32 since the individual may forget to vote, choose not to, or in the case of certain aliens, may not be entitled to vote.

- 1 b. Actual registration.
2 (1) Registering to vote in Virginia within the past year is evidence of domiciliary intent, but it is not determinative. The institution is not
3 bound by the voter registrar's determination; however, it should be considered.
4 (2) The fact that a person is still registered in another state, but has not voted there in the past year, does not conclusively mean that the
5 person is not domiciled in Virginia; however, it should be considered.
6 (3) Failure to register to vote by a person who, on principle, has never registered to vote anywhere should not be taken as conclusive
7 evidence that the person lacks domiciliary intent.
- 8 6. Employment.
- 9 a. If a person has otherwise shown residence in the state with domiciliary intent, unemployment does not preclude a finding that the person
10 is a Virginia domiciliary.
- 11 b. Fulfillment and documentation of state licensing requirements in order to be certified to practice a profession in Virginia (e.g., attorney,
12 clinical psychologist, nursing), is evidence of domiciliary intent; however, it is not determinative. Enrollment in but non-completion of an
13 educational program designed specifically for employment in Virginia is not sufficient evidence that domicile has been established.
- 14 c. Summer employment.
15 (1) Employment in Virginia during the summer may be one indicator of domiciliary intent, but not conclusive evidence.
16 (2) A student returning for extended periods each summer to his parents' domicile outside Virginia may be evidence of retaining that
17 domicile.
- 18 d. Employment that is part of an educational program, such as a cooperative education program, shall not confer domiciliary status.
- 19 7. Ownership of real property.
- 20 a. Ownership of real property (e.g., land, house, cottage, etc.) in Virginia may be evidence of domiciliary intent.
21 b. Payment of real property taxes to Virginia in the absence of other supportive evidence is insufficient to establish that a person is
22 domiciled in Virginia. Owners of real property in Virginia are required to pay real estate taxes irrespective of their domicile.
23 c. A person who may have purchased real property in Virginia while domiciled here, but who subsequently left to take up residence in
24 another state, cannot demonstrate continued domicile solely by presenting evidence of continued ownership of Virginia property. Even
25 though the person still has taxable real property in Virginia, the individual's actions may show that Virginia domicile has been abandoned.
- 26 8. Sources of financial support.
- 27 a. Acceptance of financial assistance from public agencies or private institutions located in another state likely precludes establishing
28 Virginia domicile when such financial assistance is offered only to domiciliaries of the other state.
29 b. Acceptance of such assistance would not prohibit a student, at a later time, from showing a change of intent or that the student did not
30 know that he was representing domicile of another state. Such claims are suspect and must be proven by clear and convincing evidence.
31 c. Institutions shall also consider financial support obtained from parents or other relatives. Substantial financial support from a parent or
32 relative in another state could be evidence of continuing ties to that state.

1 9. Military records.

2 a. In order to establish domicile, a military member must pay Virginia taxes on all military income.

3 b. A student should submit copies of military documents such as the DD2058 "State of Legal Residence Certificate" that is part of the
4 student's official military records ~~and or~~ the Leave and Earnings Statement as evidence of Virginia domicile.

5 10. Employment in Virginia post-graduation.

6 a. Accepting a formal offer of permanent employment with a Virginia employer following graduation from the institution is strong evidence
7 of domiciliary intent. Evidence of employment in Virginia following graduation without other indications of domiciliary intent is not
8 determinative.

9 b. The burden is on the student to demonstrate that such employment exists, for example, through a written commitment between the
10 student and the prospective employer.

11 c. Students nearing graduation and seeking reclassification provide strong evidence of domiciliary intent with proof of likely employment in
12 Virginia following graduation. Such students not providing for employment, or actively soliciting employment, in Virginia following
13 graduation is evidence disfavoring reclassification.

14 11. Social and economic relationships.

15 a. The fact that a person has immediate family ties to Virginia may be offered to support a claim of domiciliary intent.

16 b. Other social and economic ties to Virginia that may be presented include membership in religious organizations, community
17 organizations, social clubs, bank accounts, and business ties.

18 **8 VAC 40-120-50. Residence for educational purposes.**

19 A. Mere physical presence or residence primarily for educational purposes will not confer domiciliary status. For example, a student who
20 moves to Virginia for the primary purposes of becoming a full-time student is not a Virginia domiciliary, even if the student has been in
21 Virginia for the required one-year period.

22 B. A person shall not ordinarily be able to establish domicile by performing acts which are auxiliary to fulfilling educational objectives or
23 which are required or routinely performed by temporary residents of the Commonwealth.

24 C. The issue is whether the individual ~~has moved to~~resides in Virginia ~~with the~~ primarily for educational purposes ~~of becoming a full-time~~
25 ~~student~~ or with the primary purpose of establishing indefinitely his home in Virginia. In questionable cases, the institution should closely
26 scrutinize acts, aside from those that are auxiliary to fulfilling the student's educational objective, performed by the individual which indicate

- 1 an intent to become a Virginian. In some cases, it may be useful to compare the timing of a job application with the timing of an application
2 for admission.
- 3 D. Students often attempt to reclassify as a Virginia domiciliary after completing a few semesters at the institution. Institutions should
4 examine the number of credits taken by the student in past semesters ~~in~~when determining if the student resides in~~name to~~ Virginia with the
5 primary purpose of attending school.
- 6 E. If the initial and continuing purpose of moving to Virginia was for educational purposes for one spouse, this may be evidence that neither
7 spouse has domiciliary intent.
- 8 F. Employment as part of a cooperative education program does not confer domiciliary status. Some institutions consider students
9 participating in cooperative education programs to be enrolled full time at the college or university during periods of cooperative education
10 employment. Institutions should examine the student's enrollment history, and other factors, in determining if the student's primary purpose
11 for living in Virginia is for educational purposes.

12 **Article 2 - Special Rules for Determining Domiciliary Residence**

13 **8 VAC 40-120-55. Extended Eligibility for in-state tuition rates.**

14 If the person through whom the dependent student or unemancipated minor established such domicile and eligibility for in-state tuition
15 abandons his Virginia domicile, the dependent student or unemancipated minor shall be entitled to such in-state tuition for one year from
16 the date of such abandonment. To qualify:

- 17 A. The parent, legal guardian, or spouse must have been domiciled in Virginia for at least one full year prior to abandoning his Virginia
18 domicile.
- 19 B. The student must have been eligible for in-state tuition rates vis-à-vis the above mentioned person at the time of abandonment.

20 **8 VAC 40-120-60. Unemancipated minors.**

- 21 A. An unemancipated minor automatically takes the domicile of his parents or legal guardian.
- 22 B. If the unemancipated minor is in the care of a legal guardian, the minor takes the domicile of the legal guardian unless there are
23 circumstances indicating that the guardianship was created primarily for the purpose of conferring a Virginia domicile on the minor. With
24 parents surviving, the guardianship must have been created by law, such as through a court order. A copy of the court decree should
25 routinely be required as proof of legal guardianship.

1 C. When the domicile and residence of the student's parents differ, the domicile of the unemancipated minor may be either:

2 1. The domicile of the parent with whom he resides for purposes other than a vacation or visit;

3 2. The domicile of the parent who claims the minor as a dependent for federal and Virginia income tax purposes, currently and for the tax
4 year prior to the date of alleged entitlement; or

5 3. The domicile of the parent who provides substantial financial support.

6 For example, if a minor lives with the mother, but the father, who is a Virginia domiciliary, claims the minor as a dependent on his federal
7 and Virginia income tax returns, the minor may claim Virginia domicile through the father.

8 **8 VAC 40-120-70. Dependent children.**

9 A. A dependent child is a student who is listed as a dependent on the federal or state income tax return of his parents or legal guardian or
10 who receives substantial financial support from his parents or legal guardian.

11 1. A dependent child is not ~~required necessarily living to live~~ with a parent or legal guardian. 2. A dependent child does not have to be a full-
12 time student.

13 B. When the domicile and residence of the student's parents differ, the domicile of the ~~unemancipated minor dependent child~~ may be
14 either:

15 1. The domicile of the parent with whom he resides for purposes other than a vacation or visit;

16 2. The domicile of the parent who claims the ~~minor-child~~ as a dependent for federal and Virginia income tax purposes currently and for the
17 tax year prior to the date of alleged substantial financial support; or

18 3. The domicile of the parent who provides substantial financial support.

19 The presumption is that the student has the domicile of the parent described in either 8 VAC 40-120-~~670~~ ~~CB~~ 2 or 3. For example, if a
20 ~~minor-child~~ lives with his mother, but the father, who is a Virginia domiciliary, claims the ~~minor-child~~ as a dependent on his federal and
21 Virginia income tax returns, the ~~minor-child~~ is rebuttably presumed to have Virginia domicile through his father.

22 C. Presumption of dependency for students under 24.

23 1. A student under age 24 on the date of the alleged entitlement shall be rebuttably presumed to receive substantial financial support from
24 his parents or legal guardian and therefore is presumed to be a dependent child, unless the student:

1 a. Is a veteran or an active duty member of the U.S. Armed Forces; b. Is a graduate school or professional school student; c. Is married; d.
2 Is a ward of the court or was a ward of the court until age 18; e. Has no adoptive or legal guardian when both parents are deceased; f. Has
3 legal dependents other than a spouse; or g. Is able to present clear and convincing evidence of financial self-sufficiency.

4 2. Institutions should examine the student's application carefully to determine if the student meets one of exceptions (a) through (f). The
5 burden is on the student to provide clear and convincing evidence of financial self-sufficiency under exception (g).

6 3. The presumption of dependency closely follows the federal financial aid definition of dependent student.

7 4. If the student is 24 or older, there is no presumption of dependency on parents nor is there a presumption of independence. The student
8 may be classified as an independent student unless the student presents evidence of financial dependency on his parents, legal guardian,
9 or spouse, that is, the student receives substantial financial support from parents, legal guardian, or spouse or is listed on a parent's or
10 legal guardian's federal or state income tax returns as a dependent.

11 D. Tax dependency and substantial financial support. A student 24 years old or older may still be a dependent student if the ~~amount of~~
12 ~~support he receives from a parent or legal guardian would qualify him to be claimed as a tax dependent and the student is listed as a~~
13 ~~dependent on the federal or state income tax returns of his parents or legal guardian~~ meet the definition of a dependent student.

14 1. Normally, a student will be classified as a dependent of the parent or legal guardian who provides more than one half of the student's
15 expenses for food, shelter, clothing, medical and dental expenses, transportation, and education. 2. Only financial support provided by the
16 parent or legal guardian is considered. Earned income of the student paid by parent or legal guardian for bona fide employment is not
17 counted as part of the parental or guardian support; however, gifts of money, or other things of value, from the parent or legal guardian to
18 the student are counted toward the parental legal or guardian support to the extent that the student relies upon it for support.

19 E. A student who is financially dependent upon one or both parents may rebut the presumption that the student's domicile is the same as
20 the parent claiming him as an exemption on federal or state income tax returns currently and for the tax year preceding the date of alleged
21 entitlement or who provides him with substantial financial support.

22 1. When domiciles of the parents are different, and the parent claiming the student as a dependent for income tax purposes is domiciled in
23 another state, the student may rebut this presumption by showing residence with the other parent, who is a Virginia domiciliary. 2. A
24 dependent student 18 years of age or older may ~~also~~ rebut the presumption that the student has the domicile of the parent claiming the
25 student as a dependent for income tax purposes by showing that Virginia domicile was established independent of the parents. The burden
26 is on the student to show by clear and convincing evidence that he has established a Virginia domicile independent of the out-of-state
27 parents despite the fact that the parents are claiming the student as a dependent for income tax purposes or providing substantial financial
28 support. 3. Finally, a student may rebut the presumption that the student has the same domicile as an out-of-state parent by offering clear
29 and convincing evidence that the parent misrepresented the student as a dependent for tax purposes.

30 F. Military dependent children.

1 1. When determining the domiciliary status of a student whose parent is a member of the military, the institution should always first
2 determine if the military parent or the nonmilitary parent is a Virginia domiciliary. A military parent may reside in Virginia but choose not to
3 claim Virginia as his domicile and has the right to choose another state as his home state for taxation of military income purposes.

4 a. Paying taxes to Virginia on all military income is evidence that the military parent is a Virginia domiciliary resident and should be
5 evaluated with all of the applicable factors to determine domiciliary intent. To pay taxes to Virginia on military income, the military member
6 must change the Leave and Earnings Statement to authorize the withholding of Virginia income tax. b. Active-duty military members do not
7 have to satisfy the one-year requirement for the existence of the factors showing domiciliary intent, nor do dependent children claiming
8 Virginia domicile through them. A dependent child of a military member claiming domicile through the military member becomes eligible for
9 in-state tuition as of the term that begins immediately after the military member has taken actions to establish domicile in Virginia. c. If the
10 military parent claims another state as his income tax situs while stationed in Virginia, the parent is not a Virginia domiciliary.

11 2. If the student's nonmilitary parent is a Virginia domiciliary and the requisite one-year period is met, the dependent child may claim
12 domicile through the nonmilitary parent and receive in-state rates if the student is claimed as a dependent of the nonmilitary parent.

13 a. As with anyone else, the strength of the nonmilitary parent's ties to Virginia should withstand scrutiny. b. In addition to the factors listed
14 in 8 VAC 40-110-40 E, the institution should consider the duration of residence in Virginia and the nonmilitary parent's domiciliary history.
15 Evidence that the nonmilitary parent has accompanied the military parent on each tour of duty outside Virginia and taken steps to establish
16 domicile in other states may show that the nonmilitary parent has not established a Virginia domicile independent of the military parent.

17 3. a. If one of the parents is a Virginia domiciliary, the student may claim eligibility through that parent, provided that the student is a
18 dependent of that parent (see subsection A and B of this section). b. The institution should consider the requirements of the military
19 exception provision (see Part III) only if the student is not eligible under this section as a dependent of a parent (military or nonmilitary) who
20 is a domiciliary of Virginia.

21 4. If the military family member is unable to demonstrate eligibility via domicile, they may be considered under special military provisions
22 found in Part III.

23 **8 VAC 40-120-80. Independent students.**

24 A. An independent student is one whose parents have surrendered the right to his care (such as providing insurance and transportation),
25 custody and earnings, do not claim him as a dependent on federal or state income tax returns, and have ceased to provide him substantial
26 financial support.

27 B. Students under age 24 are presumed to be financially supported by their parents or legal guardians unless the student rebuts the
28 presumption through one of the seven factors mentioned under 8 VAC 40-120-70 C 1.

29 C. Unless the student rebuts the presumption of dependency through one of the seven factors mentioned in 8 VAC 40-120-70 C 1, or is an
30 emancipated minor then, due to the one-year requirement, the earliest an independent student could become eligible for in-state rates by
31 virtue of having established an independent domicile in Virginia would be on the student's 19th birthday.

1 **8 VAC 40-120-90. Emancipated minors.**

2 A. By virtue of having been emancipated prior to reaching age 18, an emancipated minor becomes eligible to establish a domicile
3 independent of his parents. The earliest an emancipated minor could become eligible for in-state tuition is one year after the date of
4 emancipation. A student who establishes Virginia domicile through his parents or legal guardians prior to emancipation is eligible for in-
5 state tuition upon emancipation. B. Emancipation requires that the parents or legal guardian surrender the right to the child's care, custody,
6 and earnings and no longer claim him as a dependent for income tax purposes; that is, the child is not financially supported by his parents
7 or legal guardian or other person and is not under or subject to the control or direction of his parents, legal guardian, or other custodian.

8 1. A minor's declaration of emancipation is not conclusive. For example, a minor who runs away from home is not necessarily
9 emancipated, even though the minor may not desire any further contacts with the parents or legal guardian. 2. The parents or legal
10 guardian must no longer support the minor, and they must recognize the minor's right to retain earned wages and to live independently of
11 them beyond their direction or control. 3. If the parents or legal guardian list the minor as a dependent on income tax returns, he is not
12 emancipated. A student who claims emancipation from his parents or legal guardian must provide evidence of emancipation, either that the
13 parents or legal guardian consider the student emancipated and do not claim the student as a tax dependent. The institution may require a
14 copy of the tax returns and court order if needed to substantiate the claimed emancipation.

15 **8 VAC 40-120-100. Married persons.**

16 A. The domicile of a married person may be determined in the same manner as the domicile of an unmarried person. A person's domicile
17 is not automatically altered by marriage. Institutions should never presume that an individual is financially dependent on a spouse.

18 B. Marriage may be a factor in determining whether or not an individual under age 18 is emancipated from the parents, but it is not
19 conclusive. A person under age 24 who is married is presumed to be independent of his parents.

20 C. Dependent spouses.

21 1. An ~~employed~~ spouse may choose to claim dependency on and, therefore, domicile through a spouse if the individual receives
22 substantial financial support from the spouse. 2. Substantial financial support is at least one-half of the total financial support required for
23 that person. 3. The dependent spouse "stands in the shoes" of the person providing the support. Therefore, the dependent spouse's
24 actions in establishing or not establishing domicile in Virginia are irrelevant. The institution should only consider whether the person
25 through whom the applicant is claiming dependency has met the requirements for establishing domicile.

26 D. Military dependent spouses.

27 ~~3.1.~~ A dependent spouse may claim Virginia domicile through a military member after the military member has taken actions to establish
28 domicile in Virginia, including paying Virginia state income taxes.

Comment [L5]: To be reordered
when in final form

29 ~~2.~~ Since the dependent spouse is standing in the shoes of the military member, there is no one-year domicile requirement.

1 | ~~13.~~ An institution should only apply the requirements of the military ~~exception provision~~ (see Part III) if the spouse has not established
2 | eligibility as a Virginia domiciliary for the required one-year period prior to the date of alleged entitlement.

3 | ~~24.~~ Spouses of military members do not have to be employed to establish domicile in Virginia. All individual ties to Virginia should be
4 | considered. ~~a. As with anyone else, the strength of the nonmilitary spouse's ties to Virginia should withstand scrutiny. b. In addition to the~~
5 | ~~factors listed in 8 VAC 40-120-40 E, the institution should consider the duration of residence in Virginia and the nonmilitary spouse's~~
6 | ~~domiciliary history. Evidence that the nonmilitary spouse has accompanied the military spouse on each tour of duty outside Virginia and~~
7 | ~~taken steps to establish domicile in other states may show that the nonmilitary spouse has not established a Virginia domicile independent~~
8 | ~~of the military spouse.~~

9 | ~~4. If the military family member is unable to demonstrate eligibility via domicile, they may be considered under special military provisions~~
10 | ~~found in Part III.~~

11 | ~~E. The domicile of a dependent spouse is generally considered to be that of the supporting spouse. However, the dependent spouse~~
12 | ~~retains the right to provide evidence demonstrating his own unique ties to Virginia thus establishing a separate domicile.~~

Comment [L6]: The below presumption found in deleted subsection E is not valid. The presumption is the adult has his/her own domicile.

13 | **8 VAC 40-120-110. Aliens.**

14 | A. The mere fact that a person is a citizen of another country does not automatically disqualify the person from establishing domicile in
15 | Virginia. When an ~~alien foreign national~~ claims Virginia domicile, the ~~alien bears the burden of presenting clear and convincing evidence to~~
16 | ~~the institution establishing that the alien is either an Eligible Alien or an Ineligible Alien. If the alien is unable to present such evidence, the~~
17 | ~~alien shall be presumed to be an Ineligible Alien. must initially examine the federal immigration documents controlling the alien's purpose~~
18 | ~~and length of stay in the United States. (For immigrants, this is usually Form I-551, "the Green Card"; for nonimmigrants, it is Form I-94,~~
19 | ~~"the Arrival/Departure Card".)~~

20 | ~~1. The purpose of examining immigration documents is to determine whether the alien is required to maintain a foreign domicile, as well as~~
21 | ~~the terms and conditions governing the alien's presence in the United States relevant to evaluating the claim of Virginia domicile for the~~
22 | ~~requisite one-year period.~~

23 | ~~2. If the immigration documents indicate that a person cannot establish domicile then the student is not eligible for in-state tuition rates.~~

24 | ~~3. Federal immigration laws are complex and ever-evolving. Treaties may also be controlling. The burden is upon the student claiming~~
25 | ~~Virginia domicile to bring pertinent information to the attention of the institution.~~

26 | B. ~~If an alien applicant establishes that he is an Eligible Alien, the institution shall then review all relevant factors to determine if the alien~~
27 | ~~applicant did in fact establish domicile for the requisite one-year period. An institution should preliminarily determine under which alien~~
28 | ~~category the student falls and then proceed with the evaluation of domicile in accordance with this chapter.~~

29 | ~~1. Immigrants are admitted for permanent residence.~~

1 ~~2. Nonimmigrants are admitted for specific time periods and for particular purposes (e.g., tourism, study, or temporary employment).²~~

2 ~~3. The remainder may be persons who are on a paroled status or granted asylum.~~

3 C. In reviewing the domiciliary intent factors, the institution should keep in mind that there may be factors, ~~such as voter registration~~, which
4 are inapplicable to ~~foreign nationals~~ aliens by operation of law. Examples include the following:

5 1. Aliens cannot register to vote.

6 2. Salaries paid to some non-U.S. citizens are exempt from federal and state taxation.

7 ~~3.~~ In such instances, a record of nonvoting or nonpayment of taxes is immaterial to the domicile consideration. Unless the institution is
8 aware of the inapplicability of any evidentiary factor, the responsibility and burden is always on the student to bring such information to the
9 attention of the institution.

10 D. An Eligible Aalien may claim eligibility for in-state tuition through the Virginia domicile of the student's parent, like any other student. An
11 Eligible Aalien may claim eligibility for in-state tuition through the Virginia domicile of the student's spouse if the student demonstrates
12 dependency on that spouse.

13 ~~E. Aliens holding Form I-551 (green cards) are lawfully admitted as immigrants for permanent residence in the United States.³ Such~~
14 ~~individuals are not prohibited from forming domicile in this country. Thus, immigrants may claim, and seek to show, eligibility for in-state~~
15 ~~tuition rates as Virginia domiciles as any citizen of the United States. The burden is on the student to establish, clearly and convincingly,~~
16 ~~domicile in Virginia for the requisite one-year period.~~

17 ~~F. Conditional permanent resident aliens.~~

18 ~~1. A person, and that person's children, may acquire permanent resident status through marriage to a United States citizen or lawful~~
19 ~~permanent resident. In order to discourage fraudulent applications based on sham marriages, the Immigration and Naturalization Service,~~
20 ~~pursuant to the Immigration and Nationality Act, is now issuing two-year "conditional" Alien Registration Receipt Cards (Form I-551) to such~~
21 ~~persons. These differ from the regular Form I-551 only insofar as there is an expiration date on the back. During the last 90 days of the~~
22 ~~two-year period, the couple must appear before the INS and file a petition to remove the condition, swearing under oath that the marriage~~
23 ~~was and is valid, and that it was not entered into for the purpose of procuring an alien's entry as an immigrant.~~

24 ~~2. In these cases, the institution should assume that the conditional basis will be removed and analyze the alien as a lawful permanent~~
25 ~~resident; however, the institution should verify at the appropriate time that the conditional basis of the alien's permanent resident status has~~
26 ~~in fact been removed. If permanent residence status is terminated by Immigration (which will occur if the Immigration and Naturalization~~
27 ~~Service (INS) finds that the marriage was fraudulent, among other reasons), the institution may, in accordance with the policies concerning~~
28 ~~falsification of information (see 8 VAC 40-120-130), reconsider the student's application for in-state status to determine whether it was~~
29 ~~fraudulent. If so, the institution may change the student's status retroactive to the term for which the fraudulent application was made.~~

1 ~~G. Legalization (amnesty) program.~~

2 ~~1. The Immigration Reform and Control Act provides for the legalization of aliens who establish that they were in the United States illegally~~
3 ~~as of January 1, 1982, and maintained continuous residence thereafter.~~

4 ~~2. Holders of Form I-688A or I-688 are eligible to receive in-state tuition rates upon the requisite showing of Virginia domicile for the one-~~
5 ~~year period.~~

6 ~~3. The standards for adjustment to permanent resident status for a special group of agricultural workers (SAWs) who worked in seasonal~~
7 ~~agricultural services between May 1, 1985, and May 1, 1986, are even more liberal than for the main legalization program. Applications for~~
8 ~~in-state status from SAWs who have been issued Form I-688 should be analyzed in the same manner as legalized immigrants.~~

9 ~~H. Political refugees/asylees and parolees.~~

10 ~~1. Political refugees/asylees are generally admitted into the United States for an indefinite period of time without domiciliary restriction.~~
11 ~~They usually carry Form I-94 endorsed to show either refugee or asylee status. Although some of the I-94s may have an expiration date,~~
12 ~~e.g., one year, they are usually renewed indefinitely until the person adjusts to permanent resident status. Like immigrants, such political~~
13 ~~refugees and asylees are eligible for in-state tuition rates upon clear and convincing evidence that for the period of at least one year prior~~
14 ~~to the date of alleged entitlement, they were domiciled in Virginia and abandoned any previous domicile.~~

15 ~~2. A parolee is an alien, appearing to be inadmissible to the inspecting officer, allowed into the United States for urgent humanitarian~~
16 ~~reasons or when that alien's entry is determined to be for significant public benefit. Parole does not constitute a formal admission to the~~
17 ~~United States. It confers temporary status only and requires parolees to leave when the conditions supporting their parole cease to exist.~~
18 ~~Types of parolees include deferred inspection, advance parole, port-of-entry parole, humanitarian parole, public interest parole, and~~
19 ~~overseas parole. Due to the temporary nature of the admission in the United States, parolees are not eligible to establish Virginia domicile.~~

20 ~~I. Undocumented and illegal aliens. Students unable to present valid, current INS documentation of their alien status are not eligible for in-~~
21 ~~state tuition.~~

22 ~~J. Nonimmigrants.~~

23 ~~1. Unlike immigrants, nonimmigrants are authorized entry into the United States temporarily for specific purposes.~~

24 ~~2.~~

25 ~~aE. Documentation~~

26 ~~1. The document showing their admission status is the Arrival-Departure Record (Form I-94), which is usually stapled into the passport.~~
27 ~~This form normally contains the nonimmigrant visa category under which the alien is admitted and an expiration date.~~

1 ~~b2.~~ The nonimmigrant visa is a stamp placed on one of the pages of the alien's passport. It is useful to distinguish between the
2 nonimmigrant visa and Form I-94. A visa does not guarantee entry, it merely allows a person to board a plane whose destination is the
3 United States and to apply for admission at the border. Form I-94 determines whether the alien will be admitted and how long he will be
4 permitted to stay. When the expiration dates of the visa and the I-94 are different, the I-94 controls.

5 ~~Fc. Institutions should also examine a nonimmigrant's Employment Authorization Document for evidence of permission to work in the~~
6 ~~United States.~~

7 ~~3. Eligibility to establish domicile.~~

8 ~~a. Several of the categories listed below indicate that holders of these visas are eligible to establish domicile in Virginia. This does not~~
9 ~~mean that the individual should be conferred domiciliary status, but merely that the student be allowed to present evidence of domiciliary~~
10 ~~intent as would be presented by a U.S. citizen attempting to establish domicile. A visa holder must present clear and convincing evidence~~
11 ~~of domiciliary intent and satisfy the one-year durational requirement to receive in-state tuition. As with anyone else, the person through~~
12 ~~whom eligibility is claimed must have been a Virginia domiciliary for the requisite one year.~~

13 ~~b. Aliens who enter the United States under those categories indicated as ineligible are prohibited by federal and state law to form domicile~~
14 ~~in the United States. As a condition of entry, such aliens have pledged, and are required, to retain their foreign residence while living~~
15 ~~temporarily in this country.~~

16 ~~c. Minor children or dependent children of aliens who enter the United States under any of the ineligible visa categories are similarly~~
17 ~~ineligible to establish Virginia domicile.~~

18 ~~4. The present nonimmigrant visa categories are described below. The function of the institution is not to judge the appropriateness of the~~
19 ~~alien's classification but to analyze the claim of domicile, taking into account the terms and conditions of the classification and the~~
20 ~~expiration date as it appears on the I-94.~~

21 ~~a.~~
22 ~~(1) A-1: Ambassador, public minister, career diplomat, or consular officer accredited by a foreign government and recognized by the~~
23 ~~Secretary of State, and immediate family.~~

24 ~~(2) A-2: Other foreign government official or employee accepted by Secretary of State, and immediate family.~~

25 ~~(3) A-3: Attendant, servant, or personal employee of A-1 or A-2, and immediate family.~~

26 ~~(4) A-1, A-2, and A-3 visa holders are eligible to establish domicile.~~

27 ~~b.~~

28 ~~(1) B-1: Temporary visitor for business having residence in a foreign country which he has no intention of abandoning.~~

29 ~~(2) B-2: Temporary visitor for pleasure having residence in a foreign country which he has no intention of abandoning.~~

30 ~~(3) B-1/B-2: Temporary visitor for pleasure and business having residence in a foreign country which he has no intention of abandoning.~~

- 1 ~~(4) B-1, B-2, and B-1/B-2 visa holders are ineligible to establish domicile.~~
2 ~~e.~~
3 ~~(1) C-1: Alien in immediate and continuous transit through the United States.~~
4 ~~(2) C-2: Alien in transit to United Nations headquarters.~~
5 ~~(3) C-3: Foreign government official, members of immediate family, attendant, or servant, who is in transit through the United States.~~
6 ~~(4) C-1, C-2, and C-3 visa holders are ineligible to establish domicile.~~
7 ~~d. D: Alien crewman serving on board a vessel or aircraft, who intends to land temporarily and solely in pursuit of his duties and to depart~~
8 ~~with the vessel on which he arrived or on another vessel. D visa holders are ineligible to establish domicile.~~
9 ~~e.~~
10 ~~(1) E-1: Alien and immediate family permitted to enter the United States under treaty to engage in substantial trade. Allowed to remain in~~
11 ~~the United States as long as business requires.~~
12 ~~(2) E-2: Alien and immediate family permitted to enter United States under treaty for investment purposes. Allowed to remain in the United~~
13 ~~States as long as investment purposes require.~~
14 ~~(3) E-1 and E-2 visa holders are eligible to establish domicile.~~
15 ~~f.~~
16 ~~(1) F-1: Bona fide student permitted entry solely for purpose of pursuing a full course of study, having a residence in a foreign country~~
17 ~~which he has no intention of abandoning.~~
18 ~~(2) F-2: Spouse or child of F-1, having a residence in a foreign country which he has no intention of abandoning.~~
19 ~~(3) F-1 and F-2 visa holders are ineligible to establish domicile.~~
20 ~~g.~~
21 ~~(1) G-1: Principal resident representative of recognized foreign member government to international organization, staff, and members of~~
22 ~~immediate family.~~
23 ~~(2) G-2: Other representative of recognized foreign member government to international organization and immediate family.~~
24 ~~(3) G-3: Representative of nonrecognized or nonmember foreign government to international organization and members of immediate~~
25 ~~family.~~
26 ~~(4) G-4: Officer or employee of an international organization and members of immediate family.~~
27 ~~(5) G-5: Attendant, servant, or personal employee of G-1, G-2, G-3, and G-4 classes and members of immediate family.~~
28 ~~(6) G-1, G-2, G-3, G-4, and G-5 visa holders are eligible to establish domicile.~~
29 ~~h.~~
30 ~~(1)(a) H-1A: Alien coming to the United States to perform services as a registered nurse.~~

- 1 ~~(1)(b) H-1B: Specialty occupation workers.~~
- 2 ~~(2)(a) H-2A: Alien temporarily in the United States to perform agricultural labor or services and who has residence in a foreign country~~
3 ~~which he has no intention of abandoning.~~
- 4 ~~(2)(b) H-2B: Alien temporarily in United States to perform nonagricultural labor or services and who has a residence in a foreign country~~
5 ~~which he has no intention of abandoning.~~
- 6 ~~(3) H-3: Trainee having a residence in a foreign country which he has no intention of abandoning.~~
- 7 ~~(4) H-4: Spouse or child of alien classified as H-1, H-2, or H-3; if spouse or parent holds a H-2 or H-3, has a residence in a foreign country~~
8 ~~which he has no intention of abandoning.~~
- 9 ~~(5) H-1 and H-4 accompanying H-1 visa holders are eligible to establish domicile; H-2, H-3, and H-4 accompanying H-2 or H-3 visa holders~~
10 ~~are ineligible to establish domicile.~~
- 11 ~~i. I: Representative of foreign information media, spouse, and children. I visa holders are eligible to establish domicile.~~
- 12 ~~j.~~
- 13 ~~(1) J-1: Exchange visitor under educational program designated by Secretary of State and having a residence in a foreign country which he~~
14 ~~has no intention of abandoning.~~
- 15 ~~(2) J-2: Spouse or child of exchange visitor and having a residence in a foreign country which he has no intention of abandoning.~~
- 16 ~~(3) J-1 and J-2 visa holders are ineligible to establish domicile.~~
- 17 ~~k.~~
- 18 ~~(1) K-1: Fiance or fiancée of United States citizen who seeks to enter the United States solely to conclude a valid marriage in 90 days.~~
- 19 ~~(2) K-2: Minor child of K-1 visa holder.~~
- 20 ~~(3) K-1 and K-2 visa holders are eligible to establish domicile.~~
- 21 ~~l.~~
- 22 ~~(1) L-1: Intra-company transferee (executive, managerial, specialized personnel) continuing employment with international firm or~~
23 ~~corporation.~~
- 24 ~~(2) L-2: Spouse or minor child of alien classified as L-1.~~
- 25 ~~(3) L-1 and L-2 visa holders are eligible to establish domicile.~~
- 26 ~~m.~~
- 27 ~~(1) M-1: Vocational or other recognized nonacademic student having residence in a foreign country which he has no intention of~~
28 ~~abandoning.~~
- 29 ~~(2) M-2: Spouse or minor child of M-1, having residence in a foreign country which he has no intention of abandoning.~~
- 30 ~~(3) M-1 and M-2 visa holders are ineligible to establish domicile.~~

- 1 n-
- 2 ~~(1) N-8: The parent of an alien who has been accorded the status of special immigrant, but only if and while the alien is a child; or the child~~
3 ~~of such a parent accorded the status of special immigrant.~~
- 4 ~~(2) N-9: Minor child of N-8.~~
- 5 ~~(3) N-8: and N-9: Visa holders are eligible to establish domicile.~~
- 6 e-
- 7 ~~(1) O-1: An alien with extraordinary ability in the sciences, arts, education, business, or athletics who is in the United States to continue~~
8 ~~work in this area, and immediate family, having a foreign residence which he does not intend to abandon.~~
- 9 ~~(2) O-2: An alien entering the United States solely to assist in the artistic or athletic performance by an alien who is admitted under an O-1~~
10 ~~visa, and immediate family, having a foreign residence which he does not intend to abandon.~~
- 11 ~~(3) O-3: Minor child of O-1 or O-2.~~
- 12 ~~(4) O-1, O-2, and O-3 visa holders are ineligible to establish domicile.~~
- 13 p-
- 14 ~~(1) P-1: An alien who is an athlete or entertainer of international reputation and is in the United States temporarily and solely for the~~
15 ~~purpose of performing, or the spouse or child of such an alien, who has a foreign residence which he does not intend to abandon. P visa~~
16 ~~holders are ineligible.~~
- 17 ~~(2) P-2: Artist or entertainer in reciprocal exchange program.~~
- 18 ~~(3) P-3: Artist or entertainer in a culturally unique program.~~
- 19 ~~(4) P-4: Spouse or child of P-1, P-2, or P-3.~~
- 20 ~~(5) P visa holders are ineligible to establish domicile.~~
- 21 q- Q: ~~An alien having a foreign residence that he has no intention of abandoning who is in the United States for a period not to exceed 15~~
22 ~~months as a participant in an international cultural exchange program designated by the U.S. Attorney General. Q visa holders are~~
23 ~~ineligible to establish domicile.~~
- 24 r-
- 25 ~~(1) R-1: An alien, who for the two years immediately preceding the time of application for admission to the country has been a member of a~~
26 ~~religious denomination having a bona fide, nonprofit religious organization in the United States, coming into the U.S. to carry on activities of~~
27 ~~a religious worker.~~
- 28 ~~(2) R-2: Spouse or child of R-1.~~
- 29 ~~(3) R-1 visas have a maximum duration of five years. R-1 visa holders, and their dependents are, therefore, ineligible for in-state tuition~~
30 ~~benefits.~~
- 31 s-

- 1 ~~(1) S-5: An alien witness or informant who the Immigration and Naturalization Service (INS) determines is in possession of information~~
2 ~~concerning a criminal organization or enterprise and whose presence in the U.S. is essential to the success of an authorized criminal~~
3 ~~investigation.~~
- 4 ~~(2) S-6: An alien witness or informant who the Secretary of State and INS jointly determine is in possession of critical reliable information~~
5 ~~concerning a terrorist organization, enterprise, or operation.~~
- 6 ~~(3) S-7: Spouse, children, and parents following to join an S-5 or S-6 visa holder.~~
- 7 ~~(4) S-5, S-6, and S-7 visa holders are ineligible to establish domicile.~~
- 8 ~~t.~~
- 9 ~~(1) TN: NAFTA professional. A Canadian or Mexican citizen admitted temporarily to perform specific professional functions as outlined in~~
10 ~~the North American Free Trade Agreement.~~
- 11 ~~(2) TD: Spouse or child of NAFTA professional.~~
- 12 ~~(3) TN and TD visa holders are ineligible to establish domicile.~~
- 13 ~~u.~~
- 14 ~~(1) NATO-1: Principal permanent representative of member of state to NATO, and resident staff and immediate family.~~
- 15 ~~(2) NATO-2: Other representative to NATO, including dependents of member of force entering U.S. in accordance with the NATO Status of~~
16 ~~Forces Agreement.~~
- 17 ~~(3) NATO-3: Official clerical staff and immediate family accompanying NATO-1 or NATO-2 holder.~~
- 18 ~~(4) NATO-4: Official of NATO (other than NATO-1) and immediate family.~~
- 19 ~~(5) NATO-5: Expert, other than NATO officials classifiable under NATO-4, employed on mission on behalf of NATO and dependents.~~
- 20 ~~(6) NATO-6: Member of civilian component accompanying a force entering U.S. in accordance with the NATO Status of Forces Agreement;~~
21 ~~member of civilian components employed by Allied Headquarters; and dependents.~~
- 22 ~~(7) NATO-7: Attendant or servant of NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, and NATO-6.~~
- 23 ~~(8) Aliens admitted into the United States, pursuant to the NATO Status of Forces Agreement, who are members of the armed forces, are~~
24 ~~not eligible under terms of this agreement to establish domicile in the United States.⁴ Since the domicile prohibition of the NATO agreement~~
25 ~~does not apply to civilians accompanying members of the armed forces, these individuals may be able to establish domicile as any other~~
26 ~~person. The alien must demonstrate the inapplicability of the treaty agreement and provide clear and convincing evidence that he is eligible~~
27 ~~to establish domicile.~~
- 28 5. Alien Students with a pending status changes.
- 29 An Ineligible Alien may become an Eligible Alien if (i) a petition or application to change status to Eligible Alien status has been approved
30 or (ii) an application for adjustment of status for permanent residence status has been filed. Domicile cannot be established any earlier
31 than the date of the respective USCIS official notice used for verification of (i) or (ii).

1 a. If an Ineligible Alien has filed or has become a beneficiary of a petition to change from one nonimmigrant status to another such that the
2 student will, if and when approved, become an Eligible Alien, the student will continue to be ineligible, despite the pending petition or
3 application. Subsequent to the petition or application being approved, the student may seek reclassification for in-state tuition by
4 presenting clear and convincing evidence that he is, at that time, an Eligible Alien and has established Virginia domicile for at least one full
5 year.

6 b. An Ineligible Alien who has filed an adjustment of status application for permanent residence, may seek reclassification for in-state
7 tuition by presenting a receipt notice for his pending adjustment of status application and demonstrating that Virginia domicile has been
8 established for at least one full year.

9 ~~a. If a student is in a visa category that is ineligible to establish domicile and the student petitions the federal government to reclassify his~~
10 ~~restricted status to immigrant status, or some other eligible nonimmigrant status, the student will continue to be ineligible despite the~~
11 ~~petition for reclassification.~~

12 ~~b. When such petition is acted favorably upon by the federal government, the student may seek to prove Virginia domicile as anyone else~~
13 ~~and may, in the interest of fairness, claim that such domicile existed back to the date of the filing of the petition, not necessarily from the~~
14 ~~date of reclassification by the federal government. An institution may require evidence of the date that the reclassification was approved or~~
15 ~~petition filed, or both.~~

16 ~~For example, an alien here under a restricted visa may be permitted by the U.S. Attorney General to remain indefinitely, and not be~~
17 ~~deported, because of racial, religious, or political persecution in the home country. The student should be prepared to submit evidence of~~
18 ~~the U.S. Attorney General's decision.~~

19 ~~c. In addition, an alien in the United States in an ineligible visa category (O or R, for example) may become the beneficiary of an approved~~
20 ~~I-140 or I-130 immigrant petition. If so, the alien may be eligible for in-state tuition benefits, even while the alien's adjustment application is~~
21 ~~pending, upon providing clear and convincing evidence of domicile.~~
22

23 **Article 3 - Reclassification and Falsification of Information**

24 **8 VAC 40-120-120. Reclassification.**

25 A. Changes from out-of-state to in-state classification.

26 1. If a student is classified initially as out-of-state, it is the responsibility of the student thereafter to petition the responsible official for
27 reclassification to in-state status if the student believes that subsequent changes in facts justify such a reclassification. The institution will
28 not assume responsibility for initiating such an inquiry independently.

1 2. It is presumed that a matriculating student who enters an institution classified as an out-of-state student remains in the Commonwealth
2 for the purpose of attending school and not as a bona fide domiciliary. The student seeking status reclassification is required to rebut this
3 presumption by clear and convincing evidence.

4 3. The change in classification, if deemed to be warranted, shall be effective for the next academic semester or term following the date of
5 the application for reclassification. No change to in-state status may be obtained by a student for an academic term that has begun before
6 the date of the application for reclassification.

7 B. Changes from in-state to out-of-state classification.

8 1. If a student is classified initially as in-state, either the student or the institution thereafter may initiate a reclassification inquiry. It is the
9 duty of the student to notify the institution of any changes of address or domiciliary status.

10 2. The institution may initiate the reclassification inquiry independently at any time after the occurrence of events or changes in facts which
11 give rise to a reasonable doubt about the validity of the existing domiciliary classification.

12 3. A student who is eligible for in-state tuition as of the date of entitlement is eligible for in-state rates throughout that term. Therefore, a
13 student whose classification changes from in-state to out-of-state during a ~~semester-term~~ has a grace period that lasts until the end of that
14 ~~semester~~term.

15 C. Changes due to administrative errors.

16 1. Administrative errors may include letters announcing an incorrect domicile, actual misclassification, or incorrect tuition billing notices.

17 2. In the absence of fraud or knowingly providing false information, where a student receives an erroneous notice announcing the student
18 to be, or treating the student as, eligible for in-state tuition, the student shall not be responsible for paying the out-of-state tuition differential
19 for any enrolled semester or term commencing before the classifying institution gives to the student written notice of the administrative
20 error.

21 **8 VAC 40-120-130. Falsification of information.**

22 A. Where an institution has erroneously classified a student as a Virginia domicile for tuition purposes resulting from the student's
23 knowingly providing erroneous information in an attempt to evade payment of out-of-state fees, the application of the student is fraudulent.

24 B. An institution shall re-examine an application suspected as being fraudulent and redetermine domicile status. If warranted, the institution
25 may change the student's status retroactively to the beginning of the term for which a fraudulent application was filed. Such a retroactive
26 change will make the student responsible for the out-of-state tuition differential for the enrolled term or terms intervening between the
27 fraudulent application and its discovery.

1 C. The student may also be subject to dismissal from the institution or such other action as the institution deems proper. Due process
2 procedures, as provided in 8 VAC 40-120-270 and 8 VAC 40-120-280, must be followed to dismiss the student and, if the student chooses,
3 to appeal such action.

4 **8 VAC 40-120-140. Student responsibility to register under proper classification; responsibility for supplying information.**

5 A. It is the student's responsibility to ~~register~~ make application under the proper domicile classification or other in-state tuition provision.

6 B. ~~If the student questions the right to classification as a Virginia domiciliary~~ it is the student's obligation, prior to or at the time of
7 registration, to raise the question with the proper administrative officials of the institution and have such classification officially verified.

8 C. An applicant or enrolled student subject to either a classification or reclassification inquiry is responsible for supplying all pertinent
9 information requested by the institution in connection with the classification process by the institution's deadline. Failure to comply with
10 such requests may result in one of the following consequences for the term in question and until eligibility is confirmed:

11 1. Where the initial classification inquiry affects a prospective enrollee, the student shall be classified out-of-state for tuition purposes;

12 2. Where the reclassification petition is initiated by the student to acquire a change from out-of-state to in-state status, the student shall
13 continue to be classified as out-of-state for tuition purposes; or

14 3. Where the reclassification inquiry anticipates a change from in-state to out-of-state status for tuition purposes, the student may be
15 subjected to retroactive reclassification.

16 D. Each institution should provide in their student catalogues, handbooks, etc., the standards of conduct and the procedures it follows
17 when dismissing a student or cancelling enrollment.

18 **8 VAC 40-120-145. Limitation of in-state tuition benefit.**

19 A. After August 1, 2006, for first-time freshman students who enroll at a public, baccalaureate degree-granting, institution of higher
20 education in Virginia and who have established Virginia domicile, the entitlement to in-state tuition shall be modified to require the
21 assessment of a surcharge for semesters exceeding 125 percent of degree requirements for a baccalaureate program.

22 1. For degree seeking students, all courses taken for credit are included in the calculation, whether they specifically satisfy degree
23 requirements or not, subject to the following conditions.

24 a. When determining which credit hours to include in the calculation, the institution shall implement the principles used to
25 evaluate Satisfactory Academic Progress quantitative standards in compliance with Section 668 of the Federal Compilation
26 of Student Financial Aid Regulations;

27 b. Excluded credits. In calculating the 125 percent credit hour threshold, the following courses and credit hours shall be
28 excluded:

29 1) Remedial courses;

30 2) Transfer credits from another Virginia public college or university that do not meet degree requirements for general
31 education courses or the student's chosen program of study;

32 3) Transfer credits from other than a Virginia public college or university;

33 4) Advanced placement or international baccalaureate credits that were obtained while in high school or another secondary
34 school program; and

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- 5) Dual enrollment, college-level credits obtained by the student prior to receiving a high school diploma.
- 2. The surcharge shall be assessed for each term that the student continues to be enrolled after such student has completed 125 percent of the credit hours needed to satisfy the degree requirements for a specified undergraduate program.
 - a. The surcharge is applicable for all enrolled courses beginning with the term after the credit hour threshold has been reached.
 - b. If the student is in a 120-hour program and has completed 145 credit hours, there remains just five hours before meeting the credit hour threshold of 150 credit hours. However, if the student enrolls in more than five credit hours, the entire term is still charged at the standard in-state tuition rate because the student had not met the threshold prior to that term.
- B. Notice to students.
 - 1. The institution shall notify students of the 125 percent restriction on in-state tuition no later than the initial enrollment into a degree program. Notification may be in the college catalog, institution website, or within the in-state tuition notification letter and shall include a general description of the restriction.
 - 2. In addition, the institution shall provide direct notification to all students during their senior year. Notification must be made directly to the student and may include electronic mail or regular mail and must include a description of the restriction, credits that are excluded, and the appeals process.
- C. Waiver of the surcharge. Waivers involving circumstances not otherwise outlined in these guidelines shall be reviewed by SCHEV staff. The institution may waive the surcharge assessment for students who exceed the 125 percent credit hour threshold due to extenuating circumstances. The institution shall review all requests for waivers on a term-by-term basis. Waiver criteria that may be approved by the institution include:
 - 1. Circumstances affecting student performance or completion of a term.
 - a. Long-term illness or disability occurring after initial matriculation,
 - b. Death or long-term disability of an immediate family member, person providing financial support, or dependent,
 - c. Involuntary loss of student employment resulting in withdrawal from a term,
 - d. Active or reserve service in the armed forces of the United States or other state or national military mobilization,
 - e. Other state or national emergency, and
 - f. Service in AmeriCorps or Peace Corps.
 - 2. Academic program decisions requiring additional courses.
 - a. Double-majors. The credit hour threshold is calculated based on the minimum hours required in order to complete a declared double-major as recognized by the institution. The double-major must have been declared by no later than the academic year prior to the term in which the student exceeds the credit hour threshold.
 - b. Change of majors. Except in cases where the institution requires the change of major, this provision for a waiver is only applicable for a student's initial change of major - multiple changes by the student are not grounds for a waiver – and the change of major must have been declared by no later than the academic year prior to the term in which the student exceeds the credit hour threshold.
 - c. Second degree. The credit hour threshold is calculated based on the number of credit hours required to complete the second degree program. Credit hours from the first degree program that do not apply to degree requirements or electives of the second degree are excluded from the calculation.

1 **Part III - In-State Tuition Rates for ~~Spouses and Dependent children of Active Duty Military~~ Family Members**

2 **8 VAC 40-120-150. ~~General~~ Spouses and Dependents of Military Member**

3 A. ~~Section 23-7.4:2(A) of the Code of Virginia deals with spouses and dependent children of military personnel who do not otherwise~~
4 ~~qualify for in-state tuition privileges, i.e.~~Dependents of certain military members may be deemed as domiciled for purposes of eligibility for
5 educational benefits reserved for Virginia domiciled residents if, they are otherwise unable to show by clear and convincing evidence that
6 Virginia is their domicile.

7 B. Institutions should apply the provisions of this section only if a military member, spouse, or dependent child is unable to present
8 sufficient evidence of establishing domicile. Military personnel, their spouse, and dependent children are entitled to ~~show~~ demonstrate
9 eligibility for in-state tuition rates in the same manner as nonmilitary personnel, except that the one year durational domicile period shall be
10 waived for active duty military personnel (and their dependent spouse or children) who voluntarily elect Virginia as their permanent
11 residence for domiciliary purposes.

12 C. This provision is not a determination of domicile and as such the normal domicile documents may not apply. Normally, a copy of military
13 orders verifying the status and assignment of the military member and a copy of military dependent card verifying dependent status, and a
14 document verifying Virginia residence is sufficient, but the institution may obtain whatever documentation are necessary in order to verify
15 eligibility for this provision.

16 ~~D~~8 VAC 40-120-160. ~~Children of military members.~~

17 ~~Students who are the children of military members are also eligible for in-state tuition rates when all of the following conditions are met:~~

18 ~~1. The student is not a member of the armed forces;~~

19 ~~2. One of the student's parents is a member of the armed forces residing in Virginia pursuant to military orders; and~~

20 ~~3. For the year immediately prior to the date of the alleged entitlement, the student's nonmilitary parent has:~~

21 ~~i. Resided in Virginia;~~

22 ~~ii. Been employed full-time;~~

23 ~~iii. Paid personal income tax to Virginia; and~~

24 ~~iv. Claimed the student as a dependent for Virginia and federal income tax purposes. Filing a joint federal return claiming the student as a~~
25 ~~dependent is sufficient as long as the nonmilitary parent claims the student as a dependent for Virginia tax purposes.~~

26 ~~8~~VAC 40-120-170. ~~Spouses of military members.~~

27 ~~Students who are spouses of military members are also eligible for in-state tuition rates when all of the following conditions are met:~~

28 ~~1. The student is not a member of the armed forces;~~

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- 1 ~~2. The student is the spouse of a member of the armed forces residing in Virginia pursuant to military orders; and~~
2 ~~3. For the year immediately prior to the date of alleged entitlement, the spouse of the military person has:~~
3 ~~a. Resided in Virginia;~~
4 ~~b. Been employed full-time; and~~
5 ~~c. Paid personal income tax to Virginia.~~

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6 ~~. For purposes of this section, dependents of military members shall mean any civilian qualifying as a military dependent under 37 U.S.C.~~
7 ~~401 currently or as otherwise amended.~~

8 ~~E. The qualifying military member shall:~~

- 9 ~~1. Be active duty personnel, or activated or temporarily mobilized reservists or temporarily mobilized guard members.~~
10 ~~2. Be assigned permanent duty station to a workplace geographically located in the Commonwealth of Virginia or the District of Columbia,~~
11 ~~or a state contiguous to Virginia. Such assignments include temporary assignment to a location outside these locations, such as on a ship~~
12 ~~or to an area of conflict, as long as the military member remains assigned to a unit considered to have its home port/base located in~~
13 ~~Virginia, the District of Columbia, or a state contiguous to Virginia. Temporary assignments within these locations and permanent~~
14 ~~assignments otherwise outside of these locations do not qualify.~~
15 ~~3. Reside within the territorial borders of the Commonwealth of Virginia. In addition to permanent housing, such residence may include~~
16 ~~base, rental, or other temporary housing. Military assigned and voluntary housing located outside of Virginia do not qualify. Temporary~~
17 ~~deployment of the military member does not disqualify the family members as long as a permanent residence is maintained in Virginia.~~

18 ~~F. Application of military provision.~~

19 ~~1. For purposes of this subsection the following definitions apply:~~

20 ~~a. "Date of alleged entitlement" means the date of admission or acceptance for dependents currently residing in Virginia or the final~~
21 ~~add/drop date for dependents of members newly transferred to Virginia.~~

22 ~~It is the intention that students who meet the eligibility criteria as of the date of admission or acceptance by the institution remain eligible for~~
23 ~~the benefit regardless of whether their military parent is subsequently reassigned prior to the first day of the term. Further, students whose~~
24 ~~families transfer into Virginia after the first day of the term but prior to the end of drop/add are also eligible if they otherwise meet all~~
25 ~~eligibility criteria. If the student meets the eligibility criteria during any one day of this defined period of time, the student is eligible for the~~
26 ~~benefit.~~

27 ~~b. "Temporarily mobilized" means activated service for six months or more.~~

28 ~~2. Dependents of qualifying military members shall be deemed as domiciled for resident educational benefits, including the in-state tuition~~
29 ~~rate, financial assistance, and any other educational benefit reserved for eligible Virginia residents enrolled in an undergraduate or~~
30 ~~graduate program, see Domicile Addendum B for details on definition of "military dependent."~~

31 ~~3. Continued eligibility for resident educational benefits is based solely on continuous enrollment and is not affected by any change of duty~~
32 ~~station or residence of the military service member.~~

- 1 a. Eligibility is not lost if the student does not enroll into a summer term.
- 2 b. Transfer students do not lose eligibility as long as they remain degree-seeking in consecutive terms at an accredited Virginia public or
- 3 private institution.
- 4 c. Eligibility is maintained if the student is enrolled continuously from an undergraduate degree program to a graduate or professional
- 5 degree program.
- 6 d. Continuous enrollment shall be recognized as at least one course for credit in consecutive terms, including dual enrollment but excluding
- 7 summer.
- 8 G. Regaining Eligibility – If a student breaks continuous enrollment by missing a fall or spring term, the student must meet all initial
- 9 eligibility requirements upon re-enrollment in order to regain eligibility under this provision.

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11 **~~8-VAC 40-120-180. Application of military provision.~~**

12 ~~A. Sections 8-VAC 40-120-160 and 8-VAC 40-120-170 of this chapter apply only as long as the military member is residing in Virginia~~

13 ~~pursuant to military orders and the nonmilitary parent or the spouse continues to reside in Virginia, work full-time, and pay taxes to Virginia.~~

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14 ~~B. Eligibility for in-state tuition rates must be re-evaluated annually by the institution.~~

15 ~~C. All students receiving in-state tuition under the military exception will be counted as out-of-state students for admissions, financial aid,~~

16 ~~enrollment, and tuition and fee revenue policy purposes. **8-VAC 40-120-190. Grace period tuition.**~~

17 ~~(Note: § 23-7.4:2(A)(iii) of the Code of Virginia which grants one year of in-state tuition to the spouse and children of military personnel has~~

18 ~~been suspended since the 1994-1996 biennium by § 4-2.01(b)(4) of the appropriation act. Military members are not able to receive any~~

19 ~~benefit outlined in this section until the suspension period ends.)~~

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20 ~~A. The spouse and dependent children of active duty military personnel who reside in Virginia pursuant to military orders may be eligible for~~

21 ~~in-state tuition rates for a one-year period anytime during the period that the military parent or spouse is residing in Virginia.~~

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22 ~~1. The dependent child or spouse may take advantage of the entitlement at any time during the period that the military person is residing in~~

23 ~~Virginia.~~

24 ~~2. Section 23-7.4:2(A)(iii) of the Code of Virginia refers to the spouse and dependent children of military personnel and not the military~~

25 ~~personnel themselves.~~

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26 ~~B. Requirements for one year of in-state tuition.~~

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27 ~~1. The military parent or spouse must reside in Virginia.~~

28 ~~2. A student must be eligible to take advantage of this benefit on the first official day of class.~~

29 ~~3. The burden is on the student to provide copies of military documents establishing his entitlement.~~

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30 ~~C. Institutions of higher education must identify and report to the Council of Higher Education the number of students who are eligible for~~

31 ~~in-state rates under this provision. A report form will be distributed with the annual reports calendar.~~

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~~D. Military personnel should be advised not only of the temporary nature of the grace period, but also of the inherent limitations of § 23-7.4:2(A)(iii) of the Code of Virginia: the privileges are forfeited when the military member is assigned to a new duty station away from Virginia.~~

8 VAC 40-120-200. Military members and domiciliary status.

A. Eligibility for in-state tuition rates can be ~~preserved by the military member's adoption~~ obtained by establishment of Virginia domicile while residing in Virginia as explained in Part II of this chapter.

1. To begin to establish domicile, a military member should file a State of Legal Residence Certificate claiming Virginia domicile and changing the Leave and Earning Statement to authorize the withholding of Virginia income tax.

2. Other objective indicators of domicile include, but are not limited to, obtaining a driver's license, registering a motor vehicle, registering to vote, and showing that he has not established domicile in another state or country.

3. Once established, Virginia domicile is not lost when the military member leaves the Commonwealth pursuant to military orders, provided that the member retains Virginia as state of legal residence and does nothing inconsistent with the claim of Virginia domicile.

~~B4.~~ In determining the domiciliary intent of active-duty military personnel residing in Virginia who voluntarily elect to establish Virginia as their permanent residence for domiciliary purposes, the requirement of one year shall be waived if all other conditions for establishing domicile are satisfied.

~~C. Dependent children and dependent spouses of military members may become eligible for in-state tuition by claiming dependency on a military member who has satisfied the conditions for establishing domicile. The requirement of one-year domicile shall be waived for children and spouses claiming domicile through a Virginia domiciled military member.~~

~~B.~~ Military in-state tuition rates for certain military members not domiciled in Virginia.

1. Certain military personnel are eligible for the in-state tuition rate despite not being domiciled in Virginia. To be eligible, the personnel must be:

a. active duty military members, or

b. activated guard or reservist members, or

c. guard or reservist members mobilized or on temporary active orders for six months or more, and

d. either stationed or assigned by their military service to a work location in Virginia (including the Pentagon) Temporary deployment away from Virginia does not disqualify the student as long as the member remains attached to a unit whose home base is located in Virginia, and

e. residing in Virginia. Such residence may include base, rental, or other temporary housing. Temporary deployment away from Virginia does not disqualify the member as long as a residence is maintained in Virginia.

2. Eligible students are eligible for the in-state tuition rate.

3. Eligibility under this provision ceases at such time as any the conditions in subsection B.1. above are no longer met.

4. Service members determined to be domiciled in Virginia are not subject to the restrictions of this provision.

1 **Part IV - In-State Tuition Rates for Non-Virginia Residents Employed in Virginia.**

2 **8 VAC 40-120-210. Eligibility for in-state rates for nonresidents employed in Virginia.**

3 A. A nondomiciliary student who physically lives outside Virginia but who works full time in the Commonwealth may be eligible for in-state
4 tuition provided that the student:

5 1. Lives outside Virginia; meaning, the student commutes from a residence outside Virginia to a work-site in Virginia; 2. Has been
6 employed full time in Virginia for at least one year immediately prior to the date of enrollment for which reduced tuition is sought; and 3.
7 Has paid Virginia income taxes on all taxable income earned in the Commonwealth of Virginia for the tax year prior to the date of alleged
8 entitlement.

9 B. Students claimed as dependents for federal and Virginia income tax purposes who live outside of Virginia will be eligible under this
10 exception if the nonresident parent claiming him as a dependent:

11 1. Lives outside Virginia; meaning, the parent commutes from a residence outside Virginia to a work-site in Virginia; 2. Has been employed
12 full-time in Virginia for at least one year immediately prior to the date of alleged entitlement; and 3. Has paid Virginia income taxes on all
13 taxable income earned in Virginia for the tax year prior to the date of the alleged entitlement.

14 (Note: Students may claim eligibility for in-state tuition under this section only through dependency on parents. A nonresident dependent
15 spouse is not eligible for in-state tuition under this section through the individual's spouse.)

16 C. Such dependent students shall continue to be eligible for in-state tuition charges so long as they or their qualifying parent are employed
17 full time in Virginia, paying Virginia income taxes on all taxable income earned in this Commonwealth, and claiming the student as a
18 dependent for Virginia and federal income tax purposes. It is incumbent upon the student to provide to the institution current information
19 concerning classification under this category.

20 **8 VAC 40-120-220. Application of provision.**

21 This part does not apply to individuals who reside in a state with which Virginia has income tax reciprocity.⁵ Students who reside in
22 reciprocity states cannot qualify under this section for in-state tuition rates; ~~however, keep in mind that such students have the right to~~
23 ~~claim in-state rates as Virginia domiciles or under the military spouse or dependent provisions.~~

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1 **Part V - Reduced or In-State Tuition Rates Under Special Arrangement Contracts**

2 **8 VAC 40-120-230. Reduced tuition under Special Arrangement Contracts.**

3 A. Nondomiciliaries employed by a Virginia employer, including federal agencies located in Virginia, may qualify for reduced tuition rates if
4 the employer assumes the total liability of paying the tuition of these employees to the legal limit allowable through a Special Arrangement
5 Contract with the institution.

6 B. Instruction may be provided in groups or on an individual basis on or off campus. (Group instruction is a collection of individuals enrolled
7 for a given course.)

8 C. This chapter applies to all instruction which is reported to the [State](#) Council of Higher Education [for Virginia](#) for FTE purposes.

9 **8 VAC 40-120-240. Application of provision.**

10 A. The public institution that the nondomiciliary wishes to attend must have in force a valid Special Arrangement Contract with the
11 employer in order for the student to qualify for reduced tuition charges.

12 1. The employer must be assuming the liability for the total tuition charges of its employee unless limited by federal law in which case the
13 employee is responsible for the remaining portion.

14 2. The tuition charged to the employer shall be at least equal to in-state tuition fees, but the public institution of higher education may
15 specify tuition charges in the Special Arrangement Contract that are greater than in-state tuition charges but less than out-of-state charges.

16 3. The reduced tuition charges are available only to the employee and not to his spouse or dependent children.

17 B. The public institution of higher education wishing to enter into a Special Arrangement Contract shall:

18 1. Negotiate with the employer or federal authority a Special Arrangement Contract which would specify the term of the contract (not to
19 exceed two years) and the amount of tuition to be charged to the employer.

20 2. Forward the proposed Special Arrangement Contract to the Office of the Attorney General for approval as to legal sufficiency prior to
21 signing.

22 3. Annually report all special arrangement activities to the [State](#) Council of Higher Education [for Virginia](#).

- 1 4. Specify for any Special Arrangement Contracts with federal authorities for instruction the number of FTE students to be enrolled at the
2 contract rate.
- 3 C. Virginia employers and federal agencies or installations located in Virginia, including all branches of the U.S. military, may enter Special
4 Arrangement Contracts and may receive in-state tuition for their employees if the employee:
- 5 1. Has a primary work-site in Virginia; meaning, the employee works on a day-to-day basis at a location physically in the state of Virginia,
6 or
- 7 2. Is ordered to a station, military base, or office located in the state of Virginia, even if the individual's primary work-site is located outside
8 Virginia.
- 9 D. Independent of a Special Arrangement Contract, the employee must have his domicile determined by the public institution of higher
10 education. Employees covered by Special Arrangement Contracts must also be included in all enrollment reports according to domicile, as
11 is any other student. The institution shall report those students who meet the domicile requirements as in-state students and those
12 students who do not meet the domicile requirements but are eligible for in-state tuition under this section as out-of-state students.

13 **Part VI Reduced or In-State Tuition Rates for Other Non-Residents**

14 **8 VAC 40-120-250. In-state tuition eligibility.**

15 | A. The Code of Virginia provides in § [23-7.4:2\(DC\)](#) that the governing boards of any state institution may charge in-state tuition to (i)
16 persons enrolled in programs designated by the State Council of Higher Education for Virginia who are from states which are a party to the
17 Southern Regional Education Compact [\(as administered by the Southern Regional Education Board, including the Academic Common](#)
18 [Market\)](#) and provide reciprocity to Virginians; (ii) foreign nationals in foreign exchange programs approved by the state institution during the
19 same period that an exchange student from the same state institution, who is entitled to in-state tuition pursuant to § 23-7.4 of the Code of
20 Virginia, is attending the foreign institution; and (iii) high school or magnet school students under a dual enrollment agreement with a
21 community college where early college credit may be earned. In such circumstances, governing board policy should be consulted and the
22 provisions of the cited statute reviewed.

23 | B. Pursuant to § [23-7.4:2\(ED\)](#) of the Code of Virginia, the governing board of the Virginia Community College System ~~may~~ **shall** charge
24 ~~reduced-in-state~~ tuition to any person who lives within a 30-mile radius of a Virginia institution and is enrolled in one of the system's
25 institutions who is domiciled in, and is entitled to in-state charges in, the institutions of higher learning in any state which is contiguous to
26 Virginia and which has similar reciprocal provisions for persons domiciled in Virginia. [Such students shall be counted as in-state students](#)
27 [for all reporting purposes and for purposes of determining college admissions, enrollment, and tuition and fee revenue policies.](#)

1 | C. Pursuant to § [23-7.4:2](#)(~~FE~~) of the Code of Virginia, the advisory board of the University of Virginia's College at Wise and the Board of
2 | Visitors of the University of Virginia may charge reduced tuition to any person enrolled in the University of Virginia's College at Wise who
3 | lives within a 50-mile radius of the college, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in
4 | Kentucky or Tennessee, if Kentucky or Tennessee has similar provisions for persons domiciled in Virginia.

5 | **8 VAC 40-120-260. Reduced tuition rates, waiver of tuition and fees, and other benefits.**

6 | The Code of Virginia authorizes institutions to provide certain benefits to several categories of students, including, but not limited to:
7 | children of persons killed or disabled due to war service or who are prisoners of war or missing in action (§23-7.4:1 (A) of the Code of
8 | Virginia); children and spouses of certain law-enforcement officers, correctional and jail personnel, sheriffs, members of the Virginia
9 | National Guard, fire fighters, and members of rescue squads (§23-7.4:1 (B) of the Code of Virginia); certain foreign exchange students
10 | (§23-7.4:1 (~~DC~~) of the Code of Virginia), certain National Guard members (§23-7.4:2 ~~EB~~ of the Code of Virginia); cooperating teachers
11 | (§23-8.2:1 of the Code of Virginia); students receiving Unfunded Scholarships (§23-31 of the Code of Virginia), and senior citizens under
12 | the Senior Citizen's Higher Education Act (§23-38.56 of the Code of Virginia).

13 | It is the student's responsibility to timely notify the institution of his eligibility under one of these provisions and to provide supporting
14 | evidence. Institutions should refer to the relevant provisions of the Code of Virginia.

15 | **Part VII - Appeals Process**

16 | **8 VAC 40-120-270. Institutional appeals process.**

17 | A. Public institutions of higher education in Virginia are required to establish an appeals process for applicants denied in-state tuition. Each
18 | institution is required to have in place such an appeals process which includes the following:

19 | 1. An intermediate review of the initial determination; and 2. A final administrative review including a decision in writing, clearly stated with
20 | explanation, and reached in accordance with the statute and this chapter. The letter should also clearly explain that the decision is final
21 | unless the student appeals it to the circuit court within 30 days after receiving the decision. The institution shall provide a copy of the
22 | decision to the student and obtain a legal signature confirming receipt of the decision.

23 | B. A student seeking reclassification based on activities that have taken place since the last domicile determination must begin at the initial
24 | level with the right to a subsequent intermediate and final review.

25 | C. Either the intermediate review or the final administrative review shall be conducted by an appeals committee consisting of an odd
26 | number of members.

1 D. No person who serves on a committee at one level of the appeals process shall be eligible to serve on a committee at any other level of
2 this review.

3 E. In order to provide for the orderly and timely resolution of all disputes, the appellate procedure of the institution must be in writing and
4 must state time limitations in which decisions will be made.

5 **8 VAC 40-120-280. Appeal to circuit court.**

6 A. An applicant who is denied in-state tuition privileges by a final administrative decision may have the decision reviewed by the circuit
7 court for the jurisdiction where the public institution is located. The student must file the petition for review of the final administrative
8 decision within 30 days of receipt of the final decision. Each institution should record the date of actual receipt by certified mailing (return
9 receipt).

10 B. Upon the filing of a petition for review with the court, and being noticed thereof, the institution shall:

11 1. Immediately advise legal counsel for the institution that a petition for review has been filed with the circuit court; and 2. Coordinate with
12 legal counsel to file with the court a copy of this chapter, the application forms, all other documentary information considered by, or made
13 available to, the institution, and the written decisions of the institution.

14 C. As provided by law, the court's function shall be only to determine whether the decision reached by the institution could reasonably be
15 said, on the basis of the record, not to be arbitrary, capricious or otherwise contrary to law.

16 **FOOTNOTES**

17 ¹ Referencing 8 VAC 40-120-10, nothing herein is intended, nor shall be construed, to repeal or modify any provision of law.

18 ² Referencing 8 VAC 40-120-110 B.2., 8 USC 1101 (a) 15; 8 CFR 214 et seq.; 22 CFR 40-42.

19 ³ Referencing 8 VAC 40-120-110 E., the front side of the card contains the photograph and fingerprints of the alien and an eight-digit
20 number preceded by the letter "A". The reverse side of the card states that "the person identified by this card is entitled to reside
21 permanently and work in the United States."

22 ⁴ Referencing 8 VAC 40-120-110 J.4.u.(8), NATO Statute of Forces Agreement, June 19, 1951, 4 U.S.T., 1793, T.I.A.S. 2846. Article III
23 thereof provides that the NATO force "shall not be considered as acquiring any right to permanent residence or domicile in the territories of
24 the receiving State." It has also been held that a member of the Royal Air Force of the United Kingdom stationed to a U.S. Naval aircraft
25 base in Virginia Beach, pursuant to a NATO visa, cannot be a Virginia domicile for purposes of initiating a divorce suit in Virginia's state
26 courts. See official opinion of the Attorney General to delegate Howard E. Copeland, dated May 16, 1983.

1 ⁵ Referencing 8 VAC-120-220, as of July 2007, the states and localities having income tax reciprocity with Virginia are: the District of
2 Columbia, Kentucky, Maryland, Pennsylvania, and West Virginia.

State Council of Higher Education for Virginia

ADDENDUM A

Descriptions and Domicile Eligibility Status for Various Categories of Aliens

Referenced in the Guidelines for Determining Domicile and Eligible for In-State Tuition Rates (8 VAC 40-120)

The following tables list the various types of legal status or documentation that an “Alien” – or a person who is not a United States citizen or national – might possess. If the student claims the document was lost, they can provide an I-797 Receipt Notice indicating that a replacement document has been requested.

A status of “Eligible” means the document holder is eligible to establish domicile. A status of “Ineligible” means the document holder does not possess the legal ability to establish domicile in Virginia.

Eligibility Status	Description	Government Information
Adjustment Applicants		
Eligible	I-797 Receipt Notice	An alien who has, individually, filed an application for Adjustment of Status, as evidenced by an I-797 Receipt Notice, and the application remains pending with USCIS.
Asylees		
Eligible	See text	Asylees are generally granted asylee status in the United States for an indefinite period of time without domiciliary restrictions. The person is provided a legal determination of asylee status issued by an immigration judge.
Legalization (Amnesty) program		
Eligible	I-688 or I-688A	<ul style="list-style-type: none"> • The Immigration Reform and Control Act provides for the legalization of aliens who establish that they were in the United States illegally as of January 1, 1982, and maintained continuous residence thereafter. • Holders of Form I-688A or I-688 are eligible to receive in-state tuition rates upon the requisite showing of Virginia domicile for the one-year period. • The standards for adjustment to permanent resident status for a special group of agricultural workers (SAWs) who worked in seasonal agricultural services between May 1, 1985, and May 1, 1986, are even more liberal than for the main legalization program. Applications for in-state status from SAWs who have been issued Form I-688 should be analyzed in the same manner as legalized immigrants.

Parolees		
Ineligible	Not applicable	A parolee is an alien, appearing to be inadmissible to the inspecting officer, allowed into the United States for urgent humanitarian reasons or when that alien's entry is determined to be for significant public benefit. Parole does not constitute a formal admission to the United States. It confers temporary status only and requires parolees to leave when the conditions supporting their parole cease to exist. Types of parolees include deferred inspection, advance parole, port-of-entry parole, humanitarian parole, and public interest parole.
Permanent Resident		
Eligible	I-551 Card or I-551 Stamp in Passport	<ul style="list-style-type: none"> • A "permanent resident" has been granted the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws. • Even if the card has expired, the status does not; however, the student should have either an I-797 Receipt Notice for I-90 (Application to Replace Permanent Resident Card) or a stamp in the passport.
Conditional Permanent Resident		
Eligible	I-551 Card or I-551 Stamp in Passport or I-797 Receipt Notice if applicable	<ul style="list-style-type: none"> • A "conditional resident" has been granted the privilege or residing "conditionally" in the United States as an immigrant in accordance with immigration laws. • A person, and that person's children, may acquire permanent resident status through marriage to a United States citizen or lawful permanent resident. In order to discourage fraudulent applications based on sham marriages, the Immigration and Naturalization Service, pursuant to the Immigration and Nationality Act, is now issuing two-year "conditional" Alien Registration Receipt Cards (Form I-551) to such persons. These differ from the regular Form I-551 only insofar as there is an expiration date on the back. During the last 90 days of the two-year period, the couple must appear before the USCIS and file a petition to remove the condition, swearing under oath that the marriage was and is valid, and that it was not entered into for the purpose of procuring an alien's entry as an immigrant. • In these cases, the institution should assume that the conditional basis will be removed and analyze the alien as a lawful permanent resident; however, the institution should verify at the appropriate time that the conditional basis of the alien's permanent resident status has in fact been removed. If permanent residence status is terminated by Immigration (which will occur if the United States Citizenship and Immigration Service (USCIS)) finds that the marriage was fraudulent), the institution may reconsider the student's application for in-state status to determine whether it was fraudulent. • If expiration date has passed, then student should present a receipt notice showing that they have petitioned to have the conditions lifted. I-797 Receipt Form for form I-751 (application for removal of conditions).

Refugees		
Eligible	Passport or I-94 with refugee designation	Refugees are generally admitted into the United States for an indefinite period of time without domiciliary restriction. A refugee carries a passport or I-94 endorsed to show refugee status. Although some of the I-94s may have an expiration date, e.g. one year, they are usually renewed indefinitely until the person adjusts to permanent resident status.
Temporary Protected Status		
Eligible	See text	<ul style="list-style-type: none"> • An alien who is a national of a foreign state designated for Temporary Protected Status (TPS) by the United States government. • While in TPS, the United States shall not remove the alien from the United States during the period in which such status is in effect. The person is provided official government documentation indicating TPS approval.
		INA Section 244 8 CFR 244
Undocumented		
Ineligible	Absence of valid current legal status	<ul style="list-style-type: none"> • An "undocumented alien" is one who (i) entered the United States without inspection; (ii) is the subject of exclusion or deportation proceedings; or (iii) was admitted as a nonimmigrant and has failed to maintain the nonimmigrant status in which the alien was admitted or to which it was changed under or to comply with the conditions of any status. • Though each carries its own nuance, the following phrases are considered equivalent for purposes of determining eligibility to establish domicile: "illegal alien," "alien without legal status," "alien unlawfully present," and "alien out of status."

Nonimmigrant Classifications and Visas

All nonimmigrant visas below must be verified via Visa Stamp in the applicant's Passport or on an I-94 Card.

The document showing their admission status is the Arrival-Departure Record (Form I-94), which is usually stapled into the passport. This form normally contains the nonimmigrant visa category under which the alien is admitted and an expiration date.

The nonimmigrant visa is a stamp placed on one of the pages of the alien's passport. It is useful to distinguish between the nonimmigrant visa and Form I-94. A visa does not guarantee entry; it merely allows a person to board a plane whose destination is the United States and to apply for admission at the border. Form I-94 determines whether the alien will be admitted and how long he will be permitted to stay. When the expiration dates of the visa and the I-94 are different, the I-94 controls.

Though each of the following classifications is technically nonimmigrant and usually carries an expiration date, Congress does allow some to form "dual intent." This allows some classifications to legally have the intent to remain in the United States indefinitely and, therefore, establish domicile. A status of "Eligible" means the visa holder is eligible to establish domicile. A status of "Ineligible" means the visa holder does not possess the legal ability to establish domicile in Virginia.

Visa	Eligibility Status	Description	Government Information
Foreign Government Officials			
A-1	Ineligible	Ambassador, public minister, career, diplomatic or consular officer who has been accredited by a foreign government recognized de jure by the United States and who is accepted by the President or by the Secretary of State, and the members of the alien's immediate family.	INA Section 101(a)(15)(A)(i) 8 CFR 214.2(a)
A-2	Ineligible	Other foreign government officials or employees who have been accredited by a foreign government recognized de jure by the United States, who are accepted by the Secretary of State, and members of their immediate family.	INA Section 101(a)(15)(A)(ii) 8 CFR 214.2(a)
A-3	Ineligible	Attendants, servants, or personal employees of A-1 and A-2, and members of their immediate family.	INA Section 101(a)(15)(A)(iii) 8 CFR 214.2(a)
Visitors			
B-1 B-2	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning and who is visiting the United States temporarily for business or temporarily for pleasure.	INA Section 101(a)(15)(B) 8 CFR 214.2(b)

Aliens in Transit			
C-1 C-1D C-2 C-3 C-4	Ineligible	An alien in immediate and continuous transit through the United States, or an alien who qualifies as a person entitled to pass in transit to and from the United Nations Headquarters District and foreign countries.	INA Section 101(a)(15)(C) 212(d)(8) 8 CFR 214.2(c)
Crewmen			
D-1 D-2	Ineligible	An alien crewman serving in good faith as such in a capacity required for normal operation and service on board a vessel, or aircraft, who intends to enter temporarily and solely in pursuit of his calling as a crewman and to depart from the United States with the vessel or aircraft on which he arrived or some other vessel or aircraft.	INA section 101(a)(15)(D) 8 CFR 214.2(d)
Treaty Traders and Treaty Investors			
E-1 E-2	Eligible	An alien entitled to enter the United States under and in pursuance of the provisions of a treaty of commerce and navigation between the United States and the foreign state of which he is a national, and the spouse and children of any such alien if accompanying or following him.	INA Section 101(a)(15)(E)(i) 101(a)(15)(E)(ii) 8 CFR 214.2(e)(1) 8 CFR 214.2(e)(2)
E-3	Eligible	An alien entitled to enter the United States solely to perform services in a specialty occupation in the United States if the alien is a national of the Commonwealth of Australia.	INA Section 101(a)(15)(E)(iii) 8 CFR 214.2(e)(3)
Academic Students			
F-1	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States.	INA Section 101(a)(15)(F)(i) 8 CFR 214.2(f)
F-2	Ineligible	The alien spouse and minor children of any F-1 alien.	INA Section 101(a)(15)(F)(ii) 8 CFR 214.2(f)
Foreign Government Officials to International Organizations			
G-1	Eligible	A designated principal resident representative of a foreign government recognized de jure by the United States, which foreign government is a member of an international organization under the International organizations Immunities Act (59 Stat. 669) 22 U.S.C. 288, note, accredited resident members of the staff of such representatives, and members of his or their immediate family.	INA Section 101(a)(15)(G)(i) 8 CFR 214.2(g)
G-2	Eligible	Other accredited representatives of such a foreign government to such international organizations, and the members of their immediate family.	INA Section 101(a)(15)(G)(ii) 8 CFR 214.2(e)(1)
G-3	Eligible	An alien able to qualify under G-1 or G-2 above except for the fact that the government of which such alien is an accredited representative is not recognized de jure by the	INA Section 101(a)(15)(G)(iii) 8 CFR 214.2(g)

		United States, or that the government of which he is an accredited representative is not a member of such international organization, and the members of his immediate family.	
G-4	Eligible	Officers, or employees of such international organizations, and the members of their immediate family.	INA Section 101(a)(15)(G)(iv) 8 CFR 214.2(g)
G-5	Eligible	Attendants, servants, and personal employees of any such representative, officer, or employee, and the members of the immediate families of such attendants, servants, and personal employees.	INA Section 101(a)(15)(G)(v) 8 CFR 214.2(g)
Temporary Workers			
H-1B	Eligible	An alien who is coming temporarily to the United States to perform services in a specialty occupation or other qualifying occupation.	INA Section 101(a)(15)(H)(i)(b) 8 CFR 214.2(h)(4)
H-1C	Ineligible	Nurses going to work for up to three years in health professional shortage areas.	INA Section 101(a)(15)(H)(i)(c) 8 CFR 214.2(h)(3)
H-2A	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform agricultural labor or services.	INA Section 101(a)(15)(H)(ii)(a) 8 CFR 214.2(h)(5)
H-2B	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform other temporary service or labor.	INA Section 101(a)(15)(H)(ii)(b) 8 CFR 214.2(h)(6)
H-3	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States as a trainee.	INA Section 101(a)(15)(H)(iii) 8 CFR 214.2(h)(7)
H-4	Eligible	The alien spouse or minor child of an H-1B visa holder.	INA Section 101(a)(15)(H)(iv) 8 CFR 214.2(h)(9)(iv)
H-4	Ineligible	Spouse or child of H-2A, H-2B, or H-3 alien.	INA Section 101(a)(15)(H)(iv) 8 CFR 214.2(h)(9)(iv)
Foreign Media Representatives			
I	Eligible	An alien who is a bona fide representative of foreign press, radio, film, or other foreign information media, who seeks to enter the United States solely to engage in such vocation. The spouse and children of such a representative if accompanying or following to join him.	INA Section 101(a)(15)(I) 8 CFR 214.2(i) Dept. of State: Revalidation of "I" Journalist Visas
Exchange Visitors			
J-1	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning who is a bona fide student, scholar, trainee, teacher, professor, research assistant, specialist, or leader in a field of specialized knowledge or skill, or other person of similar description, who is coming	INA Section 101(a)(15)(J)(i) 8 CFR 214.2(j)

		temporarily to the United States as a participant in an approved program for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training.	
J-2	Ineligible	The spouse or minor child of any such alien if accompanying him or following to join him.	INA Section 101(a)(15)(J)(i) 8 CFR 214.2(j)
Fiance(e) or Spouse of US Citizen			
K-1	Eligible	The fiancée or fiancé of a citizen of the United States and who seeks to enter the United States solely to conclude a valid marriage with the petitioner within ninety (90) days after admission.	INA Section 101(a)(15)(K) 8 CFR 214.2(k)
K-2	Eligible	An alien spouse of a citizen who is the beneficiary of a petition to accord immigrant status and seeks to enter the United States to await the approval of such petition.	INA Section 101(a)(15)(K) 8 CFR 214.2(k)
K-3	Eligible	The minor child of a K-1 or K-2 visa holder who is accompanying, or following to join, the alien.	INA Section 101(a)(15)(K)(ii) 8 CFR 214.2(k)
Intracompany Transferee			
L-1A L-1B	Eligible	Subject to section 214(c)(2), an alien who, within 3 years preceding the time of his application for admission into the United States, has been employed continuously for one year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and who seeks to enter the United States temporarily in order to continue to render his services to the same employer or a subsidiary or affiliate thereof in a capacity that is managerial, executive, or involves specialized knowledge.	INA Section 101(a)(15)(L) 8 CFR 214.2(l)
L-2	Eligible	The alien spouse and minor children of L-1A or L-1B if accompanying him or following to join him.	INA Section 101(a)(15)(L) 8 CFR 214.2(l)
Vocational and Language Students			
M-1	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning who seeks to enter the United States temporarily and solely for the purpose of pursuing a full course of study at an established vocational or other recognized nonacademic institution.	INA Section 101(a)(15)(M)(i) 8 CFR 2: 14.2(m)
M-2	Ineligible	An alien spouse or minor child of an M-1 visa holder accompanying or following to join him.	INA Section 101(a)(15)(M)(ii) 8 CFR 214.2(m)
M-3	Ineligible	An alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in M-1 above except that the alien's course of study may be full- or part-time, and who commutes to the United States institution or place of study from Canada or Mexico.	INA Section 101(a)(15)(M)(iii) 8 CFR 214.2(m)

Certain Parents and Children of Special Immigrants			
N-1	Ineligible	An alien parent of an alien accorded the status of special immigrant.	
N-2	Ineligible	An alien child of such parent or of an alien accorded the status of a special immigrant.	
N-8	Eligible	Parent of alien classified SK-3 "Special Immigrant"	INA Section 101(a)(15)(N)(i)
N-9	Eligible	Child of N-8, SK-1, SK-2, or SK-4 "Special Immigrant"	INA Section 101(a)(15)(N)(ii) through (iv)
North American Free Trade Agreement			
NAFTA		See TN, below	
North Atlantic Treaty Organization			
NATO 1	Ineligible	Principal Permanent Representative of Member State to NATO and resident members of official staff or immediate family	Not included in the INA Article 12, 5 US Treaties 1094 Article 20, 5 US Treaties 1098 8 CFR 214.2(s)
NATO 2	Ineligible	Other representatives of member State; Dependents of Member of a Force entering in accordance with the provisions of NATO Status-of-Forces agreement; Members of such a Force if issued visas	Article 13, 5 US Treaties 1094 Article 1, 4 US Treaties 1794 Article 3, 4 US Treaties 1796 8 CFR 214.2(s)
NATO 3	Ineligible	Official clerical staff accompanying Representative of Member State to NATO or immediate family	Article 14, 5 US Treaties 1096 8 CFR 214.2(s)
NATO 4	Ineligible	Official of NATO other than those qualified as NATO-1 and immediate family	Article 18, 5 US Treaties 1096 8 CFR 214.2(s)
NATO 5	Ineligible	Expert other than NATO officials qualified under NATO-4, employed on behalf of NATO and immediate family	Article 21, 5 US Treaties 1100 8 CFR 214.2(s)
NATO 6	Eligible	Member of civilian component who is either accompanying a Force entering in accordance with the provisions of the NATO Status-of-Forces agreement or attached to an Allied headquarters under the protocol of the Status of International Military headquarters set up pursuant to the North Atlantic Treaty; and their dependents. These persons are eligible for special immigrant status that allows them to adjust to permanent resident. This implied dual intent provides eligibility for domicile review.	Article 1, 4 US Treaties 1794 Article 3, 5 US Treaties 877 8 CFR 214.2(s)
NATO 7	Ineligible	Servant or personal employee of NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, NATO-6, or immediate family	Articles 12-20, 5 US Treaties 1094 – 1098 8 CFR 214.2(s) 8 CFR 42.32(d)(5)

Workers with Extraordinary Abilities			
O-1	Eligible	An alien with extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim who seeks to enter the United States to continue work in the area of extraordinary ability.	INA Section 101(a)(15)(O)(i) 8 CFR 214.2(o)(1), 8 CFR 214.2(o)(2), 8 CFR 214.2(o)(3)
O-2	Ineligible	An alien who seeks to enter the United States temporarily and solely for the purpose of accompanying and assisting in the artistic or athletic performances by an O-1 visa holder.	INA Section 101(a)(15)(O)(ii) 8 CFR 214.2(o)(4)
O-3	Eligible	The alien spouse or child of an O-1 visa holder accompanying or following to join him.	INA Section 101(a)(15)(O)(iii) 8 CFR 214.2(o)(5)
O-3	Ineligible	The alien spouse or child of an O-2 visa holder accompanying or following to join him.	INA Section 101(a)(15)(O)(iii) 8 CFR 214.2(o)(5)
Athletes and Entertainers			
P-1	Eligible	An alien who seeks to enter the United States to perform as an artist or entertainer, individually or as part of a group, or is an integral part of the performance of such a group.	INA Section 101(a)(15)(P)(i) 8 CFR 214.2(p)(4)
P-2	Eligible	An alien who seeks to enter the United States temporarily and solely for the purpose of performing as such an artist or entertainer or with such a group under a reciprocal exchange program.	INA Section 101(a)(15)(P)(ii) 8 CFR 214.2(p)(5)
P-3	Eligible	An alien who seeks to enter the United States temporarily and solely to perform, teach, or coach as such as artist or entertainer or with such a group under a commercial program that is culturally unique.	INA Section 101(a)(15)(P)(iii) 8 CFR 214.2(p)(6)
P-4	Eligible	The alien spouse or child of a P-1, P-2, or P-3 visa holder who is accompanying or following to join the alien.	INA Section 101(a)(15)(P)(iv) 8 CFR 214.2(p)(8)(iii)(D)
International Cultural Exchange Visitors			
Q-1	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning who is coming temporarily (for a period not to exceed 15 months) to the United States as a participant in an international cultural exchange program approved by the Secretary of Homeland Security for the purpose of providing practical training, employment, and the sharing of the history, culture, and traditions of the country of the alien's nationality and who will be employed under the same wages and working conditions as domestic workers.	INA Section 101(a)(15)(Q)(i) 8 CFR 214.2(q)
Q-2	Ineligible	An alien having a residence in a foreign country which he has no intention of abandoning who is an alien citizen of the United Kingdom or the Republic of Ireland, 21 to 35 years of age, unemployed for not less than 12 months, and having a residence for not less than 18 months in Northern Ireland, or the counties of Louth, Monaghan, Cavan, Leitrim, Sligo, and Donegal within the Republic of Ireland, which the alien has no intention of abandoning who is coming temporarily (for a period not to exceed 24 months) to the United States as a participant in a cultural and	Walsh Visa Program INA Section 101(a)(15)(Q)(ii)(I) 8 CFR 214.2(q)(15)

		training program approved by the Secretary of State and the Secretary of Homeland Security under section 2(a) of the Irish Peace Process Cultural and Training Program Act of 1998 for the purpose of providing practical training, employment, and the experience of coexistence and conflict resolution in a diverse society.	
Q-3	Ineligible	The alien spouse or minor child of a Q-1 or Q-2 visa holder who is accompanying or following to join him.	INA Section 101(a)(15)(Q)(ii)(II) 8 CFR 214.2(q)(15)
Religious Workers			
R-1	Ineligible	An alien who for the two years immediately preceding the time of application for admission, has been a member of a religious denomination having a bona fide nonprofit, religious organization in the United States.	INA Section 101(a)(15)(R) 8 CFR 214.2(r)
R-2	Ineligible	The alien spouse or child of the R-2 alien if accompanying or following to join the alien	INA Section 101(a)(15)(R) 8 CFR 214.2(r)
Witness or Informant			
S-1	Ineligible	Person in possession of critical reliable information concerning a criminal organization or enterprise who is willing to supply or has supplied such information to federal or state law enforcement authorities or court and whose presence in the United States the Attorney General determines is essential to the success of an authorized criminal investigation or prosecution.	
S-2	Ineligible	Persons who both the Secretary of State and the Attorney General jointly determine: a. is in possession of critical reliable information concerning a terrorist organization, enterprise or operation; b. is willing or has supplied such information to federal law enforcement authorities or federal court; c. will be or has been placed in danger as a result of providing such information; and d. is eligible to receive an award under 22 U.S.C. §2708(a).	
S-5	Ineligible	Informant of criminal organization information	INA Section 101(a)(15)(S)(i)
S-6	Ineligible	Informant of terrorism information	INA Section 101(a)(15)(S)(ii)
Victims of a Severe Form of Trafficking in Persons			
			Victims of Trafficking & Violence Protection Act of 2000
T-1	Eligible	An alien who is or has been a victim of a severe form of trafficking in persons	INA Section 101(a)(15)(T)(i) 8 CFR 214.11
T-2	Eligible	An alien spouse, child, unmarried sibling under 18 years of age or parent of a T-1 visa holder.	INA Section 101(a)(15)(T)(ii) 8 CFR 214.11(o)

North American Free Trade Agreement (NAFTA)			
TN-1	Ineligible	A Canadian or Mexican alien who seeks to enter the United States to work in a TN-designated occupation.	INA Section 214(e)(2) 8 CFR 214.6 Canadians: 8 CFR 214.6(d) Mexicans: 8 CFR 214.6(e)
TD	Ineligible	The alien spouse or minor child of a TN visa holder who seeks to enter to accompany or follow to join the alien.	INA Section 214(e)(2) 8 CFR 214.6(j)
Transit Without Visa			
TWOV	Ineligible	Passenger of ship, airplane, or other vessel entering US port.	INA Sections 212(d)(3) and 212(d)(5) 8 CFR 212.1(f)
TWOV	Ineligible	Crew of ship, airplane, or other vessel entering US port.	INA Sections 212(d)(3) and 212(d)(5) 8 CFR 212.1(f)
Victims of Certain Crimes			
U-1	Eligible	An alien who has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity; or possess information about criminal activity, or has been/could be helpful to law enforcement officials.	INA Section 101(a)(15)(U)
U-2	Eligible	The alien spouse, child, unmarried sibling under 18 yrs of age or parent of the U-1 visa holder accompanying or following to join him.	INA Section 101(a)(15)(U)
Visa Waiver Program			
VWP	Ineligible	Due to reciprocity agreements, the United States allows citizens from some countries to enter the country for business or pleasure without a visa. (e.g. Canada, Sweden, and others)	Visa Waiver Program (Immigration.gov) Visa Waiver Program (Dept. of State)
Certain Second Preference <u>Beneficiaries</u> (Dept. of State: The New K and V Visas)			
V-1	Eligible	Spouse of a Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (Form I-130) which was filed prior to December 21, 2000, and has been pending for at least three years.	INA Section 101(a)(15)(V) 8 CFR 214.15
V-2	Eligible	Child of an LPR who is the principal beneficiary of a family-based visa petition (Form I-130) that was filed prior to December 21, 2000, and has been pending for at least three years.	INA Section 101(a)(15)(V) 8 CFR 214.15
V-3	Eligible	The derivative child of a V-1 or V-2.	INA Section 101(a)(15)(V) 8 CFR 214.15

NOTE: It is not possible to include every nuance of the immigration process in this Addendum. For the domicile eligibility status of any other Alien classification, visa, or documentation not covered by this Addendum, contact SCHEV or immigration counsel for guidance.

State Council of Higher Education for Virginia

ADDENDUM B

Common Forms & Definitions

In Support of the Guidelines for Determining Domicile and Eligibility for In-State Tuition Rates (8 VAC 40-120)

The following tables provide definitions and explanations for various terms, documents, and agencies associated with immigration services. The list and explanations are non-exhaustive.

Terms	
National	The term "national of the United States" means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.
US Citizen	US citizenship is acquired through birth or naturalization (the name of the process for applying for citizenship in the US).
U. S. Territories & Commonwealths (excluding those uninhabited)	<ul style="list-style-type: none">a. American Samoa (Territory)b. U.S. Virgin Islands (Territory)c. Guam (Territory, in Micronesia)d. Puerto Rico (Commonwealth)e. Northern Mariana Islands (Commonwealth, in Micronesia) <u>Minor Outlying Islands:</u> <ul style="list-style-type: none">f. Midway Islands (no indigenous inhabitants)g. Wake Atoll (Territory, consisting of Wake, Wilkes & Peale Islands; in Micronesia; no indigenous inhabitants; claimed by Marshall Islands)h. Palmyra Atolli. Bajo Nuevo Bank (disputed with Colombia)
Documents	

Green Card /Permanent Resident
Once a person receives a “green card”, he/she is a permanent resident. The person is permitted to reside in the US indefinitely even though he/she is not a US citizen.
I-94 Card
A document that non-immigrant foreign nationals receive when they enter the US. This card is marked with the person’s date of entry into the US, the immigration classification, and the person’s permitted length of stay in the US.
Immigrant Visa
Those holding an immigrant visa are permanent residents, and may remain in the United States without any time limitation.
Nonimmigrant Visa
“Nonimmigrant” means that the visa classification has a temporary duration only; the person holding a nonimmigrant visa cannot remain in the US indefinitely.
Passport
A travel document issued by a national government that identifies the holder as a national of the issuing state. The passport holder presents the passport to enter and pass through foreign countries.
Visa
A document giving an individual permission to request entrance to a country. A person usually applies for the visa at the consulate of the country for which they are seeking entry before departure.
AGENCIES:
<i>United States Citizenship and Immigration Services</i>
The United States Citizenship and Immigration Services (“USCIS”) is the bureau of the United States Department of Homeland Security (“DHS”) which performs many of the functions that were carried out by the Immigration and Naturalization Service (“INS”) prior to 2003. USCIS is responsible for the administration of immigration services and benefits. This responsibility includes adjudicating asylum claims, issuing employment authorization documents, adjudicating visa petitions for nonimmigrant temporary workers, granting lawful permanent resident status (“green card” applications) and granting citizenship.
<i>Department of State</i>
The Department of State (“DOS”) is responsible for issuing or denying visas to noncitizens who wish to enter the US temporarily or as permanent citizens. Once USCIS approves a visa petition, the approval is forwarded to the State Department’s National Visa Center (“NVC”). The NVC checks the petition for accuracy and completeness, creates a file, and sends the file to the appropriate US consulate overseas. The DOS also oversees the operation of consular offices at US embassies and consulates around the world, where nonimmigrant visa applications are processed.

Once USCIS approves a visa *petition*, the beneficiary will need to file a visa *application* with the appropriate US consulate abroad. In some nonimmigrant category cases, a personal interview at the consulate office will be required of the beneficiary. The beneficiary will need to persuade the consulate that he or she fits the definition of the applicable visa-status and is not subject to any of the grounds for inadmissibility into the US. Both immigrant and nonimmigrant visa applicants are required to have their visas stamped by their respective consular office before entry into the US.

Department of Labor

The Department of Labor (“DOL”) oversees the labor certification process for employment-based immigration. Prior to filing petitions for some employment-based green card classifications, an employer must obtain labor certification in order to show that there are no US workers able, willing, qualified, and available for the position for which a labor certification is being sought, and that the employment of the foreign national will not have an adverse effect on the wages and working conditions of US workers. Once the requisite recruitment steps are completed, a labor certification application should be submitted to the DOL processing center that serves the state in which the job is being offered.

In addition to processing labor certifications for some employment-based immigration categories, the DOL is also responsible for processing Labor Condition Applications (“LCA”) for temporary workers in the H-1B category. Before an employer can petition the USCIS to employ H-1B workers, it must first obtain an LCA, which must be submitted with the H-1B petition sent to the USCIS. The LCA should attest that the employer will pay the required wage rate to the H-1B workers, that employment of the H-1B workers will not adversely affect the working conditions of similarly employed US workers, that there are no labor disputes regarding the occupational positions at the places where the H-1B workers are to be employed and that notice of the LCA filing is provided to the requisite parties. The DOL also enforces wage and hour issues relating to foreign nationals (and other workers as well).

State Workforce Agency

The State Workforce Agency (“SWA”), formerly called the State Employment Security Agency (“SESA”), assists with the labor certification process. SWA refers to the state agency that regulates labor and employment at the state level. Before submitting an application for labor certification with the DOL, the applying employer must place a job order for the job in which it hopes to place a foreign national. Additionally, the employer must seek a prevailing wage determination for that job from the SWA. The prevailing wage information is required for the labor certification application. The job order placed through the SWA is also required as part of the recruitment process that should precede a labor certification application.

Other Definitions:

Military Definition of Dependent

In support of 8 VAC 40-120-150

Taken from: http://www.law.cornell.edu/uscode/37/uscode_sec_37_00000401----000-.html

(a) Dependent Defined.— In this section, the term “dependent”, with respect to a member of a uniformed service, means the following persons:

(1) The spouse of the member.

(2) An unmarried child of the member who—

(A) is under 21 years of age;

(B) is incapable of self-support because of mental or physical incapacity and is in fact dependent on the member for more than one-half of the child's support; or

(C) is under 23 years of age, is enrolled in a full-time course of study in an institution of higher education approved by the Secretary concerned for purposes of this subparagraph, and is in fact dependent on the member for more than one-half of the child's support.

(3) A parent of the member if—

(A) the parent is in fact dependent on the member for more than one-half of the parent's support;

(B) the parent has been so dependent for a period prescribed by the Secretary concerned or became so dependent due to a change of circumstances arising after the member entered on active duty; and

(C) the dependency of the parent on the member is determined on the basis of an affidavit submitted by the parent and any other evidence required under regulations prescribed by the Secretary concerned.

(4) An unmarried person who—

(A) is placed in the legal custody of the member as a result of an order of a court of competent jurisdiction in the United States (or Puerto Rico or a possession of the United States) for a period of at least 12 consecutive months;

(B) either—

(i) has not attained the age of 21;

(ii) has not attained the age of 23 years and is enrolled in a full time course of study at an institution of higher learning approved by the Secretary concerned; or

(iii) is incapable of self support because of a mental or physical incapacity that occurred while the person was considered a dependent of the member or former member under this paragraph pursuant to clause (i) or (ii);

(C) is dependent on the member for over one-half of the person's support;

(D) resides with the member unless separated by the necessity of military service or to receive institutional care as a result of disability or incapacitation or under such other circumstances as the Secretary concerned may by regulation prescribe; and

(E) is not a dependent of a member under any other paragraph.

(b) Other Definitions.— For purposes of subsection (a):

(1) The term "child" includes—

(A) a stepchild of the member (except that such term does not include a stepchild after the divorce of the member from the stepchild's parent by blood);

(B) an adopted child of the member, including a child placed in the home of the member by a placement agency (recognized by the Secretary of Defense) in anticipation of the legal adoption of the child by the member; and

(C) an illegitimate child of the member if the member's parentage of the child is established in accordance with criteria prescribed in regulations by the Secretary concerned.

(2) The term "parent" means—

(A) a natural parent of the member;

(B) a stepparent of the member;

(C) a parent of the member by adoption;

(D) a parent, stepparent, or adopted parent of the spouse of the member; and

(E) any other person, including a former stepparent, who has stood in loco parentis to the member at any time for a continuous period of at least five years before the member became 21 years of age.

State Council of Higher Education for Virginia Agenda Item

Item: #6.d – 2008 Annual Report on Private and Out-of-State Postsecondary Education (POPE)

Date of Meeting: January 6, 2009

Presenter: Linda H. Woodley
Director, Private and Out-of-State Postsecondary Education
804-371-2938, lindawoodley@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: January 9, 2008

Action: no action required

Background Information/Summary of Major Elements:

A report and presentation of the activities of the Private and Out-of-State Postsecondary Education (POPE) unit of Academic Affairs has been prepared. The report includes statistical data on the activities of the office and on private and out-of-state postsecondary educational institutions certified to operate in the Commonwealth of Virginia:

- Number of private and out-of-state institutions operating in Virginia
- Enrollment, completion and placement data
- Audit activity summary
- Constituent inquiries summary

Materials Provided:

- 2008 Annual Report on Private and Out-of-State Postsecondary Education (POPE)

Financial Impact: N/A

Timetable for Further Review/Action: The next annual report on the POPE unit of SCHEV will be presented at the January 2010 Council meeting.

**State Council of Higher Education for Virginia
Private and Out-of-State Postsecondary Education
2008 Annual Report**

A. Institutional Statistics

Total Institutions (Main, Branches & Sites)	2007	2008
Out-of-state, Public	27	26
Out-of-state, Non-Profit	73	76
Out-of-state, For-Profit	54	53
Out-of-state, Vocational	15	16
In-state, Non-Profit	19	18
In-state, For-Profit	32	33
In-state, Vocational	120	118
Totals	340	340

Accredited Institutions	217
Non-accredited Institutions	123
Religious Exempt Institutions	146
Out-of-State Agent Permits	215

Status Changes in 2008

Newly Certified Institutions	9
Colleges Withdrawn/Closed	8
Achieved 10-Year Exemption	2 (<i>Applies to in-state, degree-granting institutions only</i>)
Institute for the Psychological Sciences – Arlington, VA	
University of Management and Technology – Arlington, VA	

B. Institutional Enrollment/Graduation/Placement Data

All certified schools submit enrollment and graduation data with their annual recertification application. Degree-granting schools use the most recent fall headcount to record the total number of enrolled students claiming Virginia residence. Non-degree granting schools report their enrollment from the end of the most recent full academic/calendar year.

Comparisons to 2007 data are reported where available.

Total Enrollment by Degree Type

Degree Type	2007	2008
Diploma/Certificate	14,659	17,927
Associate Degree	8,210	9,422
Baccalaureate Degree	16,949	17,709
Undergraduate Certificate	139	219
Graduate	8,771	11,989
Graduate Certificate	207	176
First Professional	871	393
Totals	49,806	57,835

Enrollment by Ethnicity

American Indian/Alaskan Native	268
Asian	3,059
Black/African American	18,930
Hispanic of any race	3,699
Native Hawaiian/Pacific Islander	172
Non-Resident Alien	2,011
White	20,146
Race/Ethnicity Unknown	8,479
2 or More Races	246

Enrollment by Age

Traditional Students (18 – 24)	14,009
Non-Traditional Students (25+)	42,922

Enrollment by School Type

In-State, For-Profit	7,544
In-State, Non-Profit	2,140
In-State, Vocational	7,378
Out-of-State, For-Profit	27,708
Out-of-State, Non-Profit	9,430
Out-of-State, Vocational	1,114
Out-of-State, Public	1,617

Total Graduate/Completes by School Type

In-State, For-Profit	3,227
In-State, Non-Profit	502
In-State, Vocational	6,316
Out-of-State, For-Profit	5,167
Out-of-State, Non-Profit	3,129
Out-of-State, Vocational	958
Out-of-State, Public	514

Programs with Most Graduates by School Type

School Type	Top 5 Programs	Number of Graduates
Out-of-State, Public	Business Administration & Management	149
	Public Administration	75
	Human Resources Mgmt/Personnel Administration	71
	General Studies	41
	Trade and Industrial Teacher Education	39
Out-of-State, For-Profit	Business Administration & Management	1,096
	Information Technology	656
	Medical Office Management/Administration	586
	English as a Second Language	438
	Massage Therapy/Therapeutic Massage	381

Out-of-State, Non-Profit	Liberal Arts & Sciences/Liberal Studies	429
	Business Administration & Management	388
	Computer Engineering/Technology/Management Information Systems	354
	Education	171
	Aeronautical/Aerospace Engineering Technology	141
Out-of-State, Vocational	Building/Construction/Electrical/Heavy Equipment	287
	Computer Programming/Systems Administration	211
	Medical Office Management/Administration	209
	Dental Assisting/Assistant	131
	Culinary Art/Chef Training	70
In-State, For- Profit	Medical Office Management/Administration	826
	Computer Science/Systems Analysis	409
	Licensed Practical/Vocational Nurse Training	352
	Massage Therapy/Therapeutic Massage	196
	Business Administration & Management	192
In-State, Non- Profit	English Language & Literature	145
	Business Administration & Management	84
	Communications Disorders	67
	Political Science and Government	40
	Liberal Arts and Sciences/Liberal Studies	29
In-State, Vocational	Bartending	907
	Taxation	888
	Computer Programming/Systems Administration	796
	Massage Therapy/Therapeutic Massage	348
	Nurse/Nursing Assistant/Aide and Patient Care Assistant	346

Placement Statistics

All non-accredited institutions and vocational schools must report placement data with their recertification application. These data are collected from surveys administered to students in 6- and 12-month intervals following program completion.

Total Placement Reported w/in 6 months of completion 4,443
 Total Placement Reported w/in 6-12 months of completion 1,416

C. Institutional Audit Summary

Between January 1, 2008 and December 31, 2008, the POPE compliance staff visited 49 locations representing 41 different schools, an increase of 44% from the number of schools visited in 2007. This represents 22% of POPE schools and 14% of POPE locations. The increased number of audits completed in 2008 results from a newly developed schedule that calls for each institution to be audited at least once every three years. The compliance unit is now fully staffed with a manager, an investigator and an analyst.

Types of visits

- 49 audits

Breakdown of audited schools

- Accredited – 22
- Non-accredited – 27

Types of Schools

- Out of state, private, for profit – 4
- Out of State, private, non-profit – 6
- Out of state private vocational – 4
- In state private for profit – 10
- In state private nonprofit – 2
- In state private vocational – 23

Reason for audit

- Random – 20
- POPE Concern (e.g., media article, late recertifying, low composite score, etc.) – 14
- Complaints – 1
- Within 2 years of opening – 14

Audit Findings

Eighteen of 49 (37%) schools audited this year had no findings of non-compliance. Twelve schools (24%) had two or fewer findings. Nine schools (18%) had up to four findings of non-compliance and seven (14%) had five or more items of non-compliance. Due to administrative issues, staff was unable to complete the audits for three of the schools.

In total, SCHEV staff identified 111 items of non-compliance during the school visits. The most frequent violations are listed below.

- Advertising – 13 violations
- Faculty Credentials – 19 violations
- Student policy (including grievance process) missing or incomplete – 20 violations
- Improperly maintaining student admissions or financial records – 25 violations
- Incorrect refund policy or incorrect processing of refunds – 18 violations

D. Constituent Inquiries

As of 12/1/08, 75 people have contacted SCHEV staff with issues concerning Virginia institutions. Thirty-six individuals followed up with written complaints, which SCHEV staff have investigated and resolved. The 36 complaints involved 24 different schools, three of which were not POPE schools, though staff responded to them nevertheless.

Number of complaints, by category, is listed below:

- Academic (grading policies) – 12
- Administrative (staffing issues) – 7
- Financial (money owed school) – 8
- Federal Financial Aid – 6
- Other (issues outside of SCHEV purview) – 3

E. POPE 2008 Initiatives

- Implemented new database to store POPE institutional information
- Implemented on-line recertification process
- Instituted new school orientation session for new school applicants

- Instituted site visit as part of initial certification approval
- Developed an audit plan that ensures each school is audited at least once every three years
- Instituted student satisfaction survey as part of audit
- Invited POPE schools to submit campus pictures for display in SCHEV offices
- Assisted with development of POPE page on SCHEV website
- Supervised closure of The Braxton School, securing teach-out arrangements for enrolled students
- Represented SCHEV and POPE at several college/community fairs, highlighting POPE institutions
- Developed language for the diploma mill legislation passed by the General Assembly with the assistance institutional (private and public) representatives

F. POPE Goals for 2009

- Review and revise the POPE regulations
- Develop internal POPE policy/procedure manual
- Incorporate POPE schools into the SCHEV on-line degree inventory
- Provide information on diploma and accreditation mills for SCHEV website
- Institute a Student Advisory Panel for POPE institutions
- Continue participating in college/community fairs highlighting POPE institutions

State Council of Higher Education for Virginia Agenda Item

Item: #7.a – Action on Recommendations from the Ad Hoc Affordability Committee

Date of Meeting: January 6, 2009

Presenter: Whittington Clement
Chair, Council and Ad Hoc Affordability Committee

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: October 21, 2008

Action: Review of First Draft

Background Information/Summary of Major Elements:

The Council's Ad Hoc Committee on Affordability was formed in Spring 2008 to consider further, and offer recommendations regarding, the issues raised in the January 2008 policy-discussion session on higher education affordability.

Throughout last year, the committee reviewed state-, regional-, and local-level programs and activities in Virginia and other states that have shown success in addressing affordability issues via funding strategies (for students and institutions) as well as advising/assistive/information strategies (for students and families).

A draft report summarizing the work of the ad hoc committee was discussed by the Council at its October 2008 meeting. The consensus of the Council was that the document should be revised to expand and explicate a set of policy-oriented recommendations for addressing affordability issues in the Commonwealth.

Materials Provided:

- "Toward Affordability: Report of the Ad Hoc Affordability Committee"

Financial Impact: N/A

Timetable for Further Review/Action: N/A

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the recommendations contained in the “Toward Affordability” report of its Ad Hoc Committee on Affordability and directs staff to advocate for and facilitate the implementation of those recommendations.

January 2009

*Toward Affordability:
Report of the Ad Hoc Affordability Committee
of the State Council of Higher Education
for Virginia*



State Council of Higher Education for Virginia

Advancing Virginia through Higher Education

**TOWARD AFFORDABILITY:
REPORT OF THE AD HOC AFFORDABILITY COMMITTEE
OF THE STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA**

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INTRODUCTION AND RECOMMENDATIONS

In its 2007-13 strategic plan, Advancing Virginia: Access, Alignment, Investment, the State Council highlighted 12 strategic higher education initiatives that it believed were necessary to ensure Virginia's future. Key among these goals was improvement of the affordability of a college education in the Commonwealth.

Recent events have reinforced the importance of affordability in higher education. The economic downturn the nation is currently experiencing is forcing Virginia to make unwanted cuts in higher education funds already appropriated, while at the same time parents and students are finding it harder to afford the rising tuition that reduced state funding engenders.

In the recent Measuring Up 2008 report from the National Center for Public Policy and Higher Education, Virginia was one of 49 states graded "F" for affordability. The report noted that poor and working-class families in the Commonwealth must devote 31% of their income, even after receiving aid, to pay the costs of a two-year public college.

At a time when the economic success of a citizen, a state, or a nation is more and more directly tied to educational attainment, the U.S. – despite its high rates of participation in higher education – has the worst degree-completion rate among developed nations. While about 55% of young people in other developed countries have earned at least an associate's degree, the U.S. attainment percentage is only 42%.

Moreover, information recently presented to the Council on Virginia's Future indicates that, in order to be competitive with the best-performing nations by 2025, the Commonwealth's higher education system will need to increase its annual degree production by 28%, with the public sector needing to increase degrees by 34% annually. Given that students cannot achieve what they cannot afford, improving (or at least maintaining) the affordability of higher education is central not only to achieving economic competitiveness, but also simply maintaining economic viability.

Therefore, in order to advance public understanding of the need to improve affordability in higher education, the Council created an ad hoc committee in early 2008 to explore the subject. This document reflects the Council's perceptions of the various factors that impact affordability – both those within its control and influence as well as those outside – and outlines strategies and recommendations that the Council believes it and/or others should consider in addressing the various factors.

Recommendations

- 1. While recognizing that tuition increases at Virginia' public colleges and universities may be necessary to offset general fund budget reductions, the State Council recommends that public institutions be required to dedicate between 5% and 30% of tuition increases (depending on each institution's circumstances) to need-based financial aid for in-state students.**

- 2. The State Council recommends that public institutions be financially rewarded for improving student retention, timely completion, and graduation rates.**
- 3. The State Council recommends that a financial plan be developed to address the growing imbalance in the higher education cost-sharing policy between the Commonwealth and in-state students and parents.**
- 4. The State Council recommends that the Virginia Guaranteed Assistance Program (VGAP) be “retooled” as an early-commitment program such that secondary-school students who pledge to, and then achieve, certain academic standards are assured of financial assistance for public higher education.**
- 5. The State Council recommends that locally- or regionally-focused pilot “access” programs be created in currently-underserved urban and/or rural areas via public-private partnerships.**

TOWARD AFFORDABILITY

For students and their families, higher-education **affordability** is a function of: (a) the actual cost of education; (b) availability of grants, scholarships, and loans to subsidize the costs; (c) their perceptions of the costs and benefits of a college education; and (d) their ability to pay the net costs. (A fuller discussion of the components and complexities of affordability appears in Appendix A, pps. 8-11.)

The State Council has concluded that, by focusing the various cost components of higher education and the public's perceptions of costs, the Commonwealth can positively impact Virginians' ability to pay for higher education.

Many factors impact the **cost** of higher education. For public higher education, the amount of state (general fund) support is key. Of the numerous other drivers of cost, some – such as federal aid and loan programs – are factors over which the State Council has no influence. For various other factors, the Council has limited or indirect impact. At the institutional level, such factors include: the amount of tuition and fees; the quantity and quality of academic programs, extracurricular programs, and campus amenities; the efficiency of operations; the size and pay-out rate of endowments and other gift support; and the availability of institutional aid, grant, and loan programs.

Institutional Costs

The State Council encourages the boards of visitors of Virginia's public colleges and universities to seriously address the cost factors that individually and cumulatively impact the total cost of a student's education and to consider the overall affordability of their institutions as they take action on matters related to these factors. In early 2008, the Council approved a performance measure and reporting guidelines for institutions' efforts to meet the affordability goal of the Restructuring Act. The State Council looks forward to working with the institutions and their boards to achieve this new affordability target.

In late 2008, the Council adopted a budget resolution that called for a state policy, similar to a number of other states, requiring public institutions to dedicate a proportion of tuition increases to need-based financial aid for in-state students. (While the new Tuition Moderation Incentive Fund contains stipulations requiring such linkages in certain cases, institutional participation in the Fund is voluntary).

Recommendation 1: While recognizing that tuition increases at Virginia' public colleges and universities may be necessary to offset general fund budget reductions, the State Council recommends that public institutions be required to dedicate between 5% and 30% of tuition increases (depending on each institution's circumstances) to need-based financial aid for in-state students.

Institutional Productivity (Student Success)

Given the declining educational-attainment rates in the U.S. and the potential impact on our global competitiveness, the Council also believes that incentives should be provided to encourage institutional productivity as it relates to student retention and graduation

rates. While the Restructuring Act is a start, more can be done to financially reward public institutions to: (a) retain admitted students (especially those who are from low-income and/or underrepresented populations); (b) facilitate students' timely completion; and (c) graduate larger numbers/percentages of students. Some states (e.g., Ohio) reward institutions with additional funds distributed according to institutions' proportional share of students retained, graduated on-time, and/or graduated in larger numbers (improved graduation rates). Other states, Kentucky among them, are considering such programs. The Council recommends that Virginia do so as well.

Recommendation 2: The State Council recommends that public institutions be financially rewarded for improving student retention, timely completion, and graduation rates.

Institutional Support

Another factor that the State Council finds to be a key to preserving, if not improving, higher education affordability is the level of state support from the General Assembly, specifically the funding of base adequacy and student financial aid. While the amount of public dollars going to higher education continues to increase, expenditures for higher education continue to decline as a percentage of state expenditures and are far below the Council's biennial recommendations for what is needed and/or warranted by the state's own formulas.

As a result, institutions must cover their costs by increasing tuition and fees, which directly impacts families' ability to pay. The state should work to reconcile the fact that, while it ranks comparatively high nationally in per capita income, it ranks comparatively low nationally – and has for some time – in state support per student.

The State Council understands that the Governor and the legislature have finite dollars in the state budget for seemingly infinite expectations, and that the per capita income and expenditure rankings are mitigated by the state's tax rate; nonetheless, the Council pledges to continue to advocate for strong financial support for higher education and to continue to work with the executive and legislative branches to ensure that the state meets its own targets for adequate institutional and student support. Efforts such as Maryland's new Higher Education Investment Fund may represent innovative funding models worth considering by Virginia and other states.

Recommendation 3: The State Council recommends that a financial plan be developed to address the growing imbalance in the higher education cost-sharing policy between the Commonwealth and in-state students and parents.

Financial Aid

Student financial aid is a key factor in affordability. Aspects of student aid, such as federal programs and loans, institutional programs and loans, and endowments, are beyond SCHEV's control. Those aspects within the purview of the State Council include the types, amounts, and proportions of state aid that go to needy students and the

mechanisms that the state employs to: (a) ensure that increases in institutional aid keep pace with increases in tuition; and (b) encourage K-12 students and their families to prepare academically and financially for college.

The State Council has investigated additional ways to encourage needy students to consider and pursue higher education. The Council has been impressed by the guarantees made to students and their families by states with early-commitment programs such as Wisconsin Covenant, Indiana 21st Century Scholars, and Oklahoma Promise. (For more information on these programs, see Appendix B-1, p. 12).

To reap these programs' benefits, high school students must formally "commit" (e.g., sign pledges) to meeting and maintaining the programs' academic and social (student conduct) criteria, expectations, and standards. In Wisconsin, the benefit is guaranteed admission to certain institutions; in Indiana and Oklahoma, guaranteed financial assistance, up to full tuition and fees at designated institutions. As a result, these "early commitment" programs compel secondary-school students and their families to think about and plan – academically, socially, and financially – for higher education.

The Virginia Guaranteed Assistance Program (VGAP) has much in common with the programs above, but with one telling difference; namely, no "commitment" requirements exist in VGAP. Because Virginia residents' eligibility is automatically reviewed by public institutions, few students are aware of the program and most make no effort to meet its criteria. Thus, students who perform well are unaware of the assistance they are due, and students who might apply themselves more are not encouraged to do so. The Council urges remaking VGAP into an early commitment program with assurances of postsecondary financial rewards for meeting established secondary-education criteria. (SCHEV's suggested revisions in VGAP, and necessary steps thereto, are discussed in Appendix B-2, pps. 13-14.)

Recommendation 4: The State Council recommends that the Virginia Guaranteed Assistance Program (VGAP) be "retooled" as an early-commitment program such that secondary-school students who pledge to, and then achieve, certain academic standards are assured of financial assistance for public higher education.

Access and Affordability

While affordability is an important "end" in-and-of itself, the State Council is also interested in affordability as a "means" to promote and ensure access. In fact, the enhancement of access and affordability are two of the main themes and goals of the Council's statewide strategic plan. Because the State Council and its staff are statutorily barred from involvement in public institutions' admission standards and processes, the Council promotes the enhancement of access through working with partners and stakeholders to: (a) provide information, awareness, and encouragement to Virginians about higher education and its benefits; and (b) better prepare Virginia's K-12 students for higher education.

Toward the goal of more and better information and encouragement to citizens about higher education and its benefits, Governor Kaine designated SCHEV as the lead agency in seeking a federal College Access Challenge Grant. Virginia's application was successful, and as a result, SCHEV and its partners, over the next two years, will use the \$1.1 million received to demystify postsecondary education for underrepresented groups, especially students and families living below the poverty line. Specifically, the grant will assist SCHEV in providing information on: the importance of education beyond high school; career planning and choices; and how to apply for, finance, enroll, and succeed in a postsecondary setting.

To better prepare K-12 students, the State Council has sought to be a partner on various secondary-education-based ways of enhancing access. For example, the State Council applauds the Virginia P-16 Council's efforts to enhance student preparation by better aligning high school standards with the expectations of colleges and employers. The Council encourages the P-16 Council to continue to explore means of improving linkages between high school graduation requirements and college admissions requirements, and between high school end-of-course/exit exams and college entrance/placement exams.

The State Council also applauds the efforts of the Board of Education and the Virginia Department of Education (VDOE) to fulfill Governor Kaine's December 2007 request that middle and high school students develop personal learning plans to guide their academic and career preparation. The State Council has encouraged the P-16 Council to support these efforts, as well as any future legislation regarding formalization of requirements for these personal learning plans. The State Council requests that the P-16 Council and the Board of Education consider additional strategies that would encourage Virginia youths' eventual participation in higher education, as well as their awareness of its possibilities for their lives and their futures.

Finally, the State Council believes that additional strategies are needed to create more targeted impacts on Virginians' awareness of higher education's costs and benefits, on their perceptions of their ability to meet these costs and achieve these benefits, and on their academic and financial preparations for furthering their education and/or training beyond high school. Toward this end, the State Council has reviewed regional programs such as the ACCESS College Foundation (South Hampton Roads), the Patrick County Educational Foundation, the Greater Richmond Area Scholarship Program (GRASP), the Appalachian Inter-Mountain Scholars Program (AIMS), and Project Discovery (various communities across Virginia), as well as statewide programs such as the UVA College Guides and the VCCS Career Coaches. (Additional information on these direct-intervention efforts and their impacts appears in Appendix C-1, p. 15.)

Each of these projects can serve as models for additional efforts in underserved areas and offer important lessons for those interested in establishing similar programs (see Appendix C-2, p.16.)

Recommendation 5: The State Council recommends that locally- or regionally-focused pilot "access" programs be created in currently-underserved urban and/or rural areas via public-private partnerships.

Conclusion

The U.S. currently faces greater financial uncertainty and economic insecurity than at any time since the Great Depression. As a result, **over one-third (34%) of parents** surveyed recently by Fidelity Investments indicated that, within the past year, they have either **“decreased the amount they are saving or have stopped saving completely for their children's future college education.”** In these difficult times, it is the duty of the State Council and state leaders to ensure that higher education in the Commonwealth remains a viable, affordable, and accessible option for Virginia citizens. To do otherwise, the Council firmly believes, would be to further jeopardize our collective futures.

APPENDIX A: UNDERSTANDING AFFORDABILITY

The Enigma of Affordability

The affordability of higher education has been a popular topic of study for over a decade. Much of this research has looked at affordability in a *comparative* sense, measuring a student demographic, an institution, or a state against another of the same kind; or a demographic, institution, or state compared to itself over time; or a state's effort against federal effort; or a similar comparison.

These studies have been useful in identifying possible shortcomings in the higher education system, but none has arrived at a conclusive definition of affordability nor has any made a definitive statement of whether or not education is affordable. Just because one institution or state is more affordable than another does not necessarily mean that the higher ranked entity has achieved affordability or that the lower ranked institution or state is unaffordable. Put another way, other than trying to stay ahead of the competition or its own history, no state or institution seems to have a firm affordability destination in mind, and research studies have offered no alternative way of thinking.

A universally accepted definition of affordability is elusive. Some have claimed that it is in the "eye of the beholder," with a different meaning or context for every individual. Similar to the concept of beauty, it may be difficult to explain or describe, but many claim to recognize it when they see it.

Affordability is not as simple as determining whether or not a person has the resources available to purchase an item. Different items have differing utilities, expected life spans, and overall values; therefore, the price one is willing to pay may also be dramatically different. Thus, affordability is not simply a matter of "ability to pay;" it is more a matter of whether the value one places on an item is deemed to be worth its cost. Also, recent studies have reported that a person with a bachelor's degree will earn about \$1 million more in his or her lifetime than a person with a high school diploma. If true, then any cost of higher education that is something below \$1 million could be defined as "affordable;" however, one does not obtain higher education simply for the sake of being able to pay for it.

What might be affordable for one person might be deemed unaffordable by another, even if both people are in the same economic cohort. Therein lies part of the problem. Higher education is intangible and so it has differing meanings and values for different people. Some see it as an ends, while most see it as a means. Some see it as a necessity, much like a lifesaving medical procedure in that the cost may be high, but the alternative is unthinkable. Others view higher education as one option among many equals, including military service, taking over a family business, accepting a simpler lifestyle, etc. Some even view higher education negatively. Noting that most who went to college from their impoverished community never returned, a respondent to a recent survey concluded that higher education was a threat to the delicate and disintegrating fabric of their community and/or a disrespectful rejection of their parent's or hometown's traditional lifestyle.

Understanding Affordability: Different Perceptions, Different Realities

Whether and to what extent something is perceived as affordable varies by individual depending upon the perceived benefit of an item as compared to the cost of attainment. This holds true even for a government’s definition of affordability.

The costs and benefits extend beyond purely objective financial terms into subjective measures, such as the benefits of improved social conscience, personal satisfaction, costs of time/effort to prepare for college, and separation from family or familiar surroundings. While affordability is typically discussed in pure financial terms, these other measures also have a significant impact in affordability decisions because they are intrinsic in the process of assigning value or worth.

Benefits	
<u>Societal</u>	<u>Individual</u>
Economic Potential <ul style="list-style-type: none"> • Increase tax revenues • Greater productivity • Increased consumption • Increased workforce flexibility • Decreased reliance on government financial support • Decreased unemployment 	Economic Potential <ul style="list-style-type: none"> • Increased expected earnings level • Employment • Higher savings levels • Improved working conditions • Personal/professional mobility
Social Correlations <ul style="list-style-type: none"> • Reduced crime • Increased charitable giving / community service • Increased quality of civic life • Social cohesion / appreciation of diversity • Improved ability to adapt to and use technology 	Social Correlations <ul style="list-style-type: none"> • Improved health / life expectancy • Improved quality of life for offspring • Better consumer decision making • Increased personal status • More hobbies leisure activities • Improved self-esteem • Improved fulfillment
Costs	
<u>Societal</u>	<u>Individual</u>
Economic Potential <ul style="list-style-type: none"> • Capital outlay • Student subsidy • Opportunity costs 	Economic Potential <ul style="list-style-type: none"> • Past savings • Current out-of-pocket • Future earnings (if using loans) • Opportunity costs • Indirect costs of education (room & board, travel, etc.) • Giving up current social subsidies
Social Correlations <ul style="list-style-type: none"> • Higher social expectations <ul style="list-style-type: none"> ○ Arts ○ Libraries ○ Museums ○ Protection / health ○ K-12 quality 	Social Correlations <ul style="list-style-type: none"> • Time and effort • Risk of trying / failing • Risk of negative family and peer pressure • Academic preparation • Time / distance away from family and familiar environment

Gathered in part from The Institute for Higher Education Policy, “*The Investment Payoff: A 50-State Analysis of the Public and Private Benefits of Higher Education*,” 2005. <http://www.ihep.org/Publications/publications-detail.cfm?id=43>

State-government Challenges in Addressing Affordability

Cost and Resources. Affordability is not simply a matter of resources available to the student and family; rather, affordability is determined after resources are subtracted from cost. Therefore decisions affecting the cost of education impact affordability in much the same way as decisions regarding student subsidies and assistance. Too often, these issues are dealt with as discrete questions rather than reflecting the interrelated nature of both higher education cost and student subsidy policies. A holistic approach to systemic and individual affordability must address the impact of cost policies as well as resources available to the student.

Shared Responsibility. Affordability is measured differently for the student, the institution, the state, and the public. A further complication is that affordability is primarily a conceptual construct subject to personal perceptions rather than a defined, measured one. As such, what may be deemed as affordable and reasonable for one stakeholder may be viewed as unaffordable by another in a similar economic situation. In this environment, the state cannot rely on individual definitions, but must develop a reasonable standardized cost model in which every stakeholder has a defined and shared ownership and accountability in maintaining an affordable system of higher education.

Decentralized System. Affordability is more easily achieved and maintained under uniform guidelines and central control that consistently support systemic policies and goals; however, Virginia's decentralized system has many advantages and is unlikely to change. The state's affordability goals must be balanced against and support an appropriate level of autonomy in a decentralized system that provides institutional ownership of its product while still achieving overall systemic and institutional goals for affordability.

Competing Priorities. Affordability cannot be the state's primary goal for higher education. Rather, it is considered during the process by which the state achieves its overall goals for quality, accessibility, accountability, and productivity. Appropriate systemic educational goals in these areas must be balanced by the state to ensure that progress is achieved in an efficient and responsible manner that also makes a quality competitive education available to as many people as possible.

Global Environment. Affordability is a national issue that is changing quickly as competition between colleges and universities becomes global in nature. In this "arms race" environment, institutions continue to compete for the best faculty and students by pouring increasingly greater dollars into educational facilities and non-educational amenities. This competition results in upward pressure on operational, administrative, and educational costs. Institutions that do not keep up with rising student expectations run the risk of losing position and prestige. Therefore, the state's ability to impact individual student affordability may be limited and must be measured against potential competitive consequences.

Individual Affordability

Individual affordability is achieved when the costs of entering, pursuing, and attaining higher education fall within an acceptable level for the individual student or family. Under this definition, affordability is defined uniquely by each individual student; however, in order for a state to have a meaningful measure of individual affordability, it would need a uniform standard.

In an effort to define affordability, a number of different measures have been used for various research studies. These measures include, but are not limited to:

- Student debt levels
- “Net price” paid by students as a percent of a measure of income
- Participation rates for designated sub-groups of students as compared to the institutions’ general population
- Graduation rates for designated sub-groups of students as compared to the institutions’ general population

Each of these measures isolates a portion of the educational process, but none provides a final statement on a state’s success in providing an affordable college education to all families. Participation rates provide some measure of *access* to higher education, while graduation rates make a statement about *attainment*, but only for those who enter into college. Since affordability decisions vary by individual, measures that track student behavior / activity represent the best means of assessing the decisions the families have made; however, many non-financial factors are also involved. The other two measures provide information about the impact on students as they move through the educational process but little is known about the thresholds at which these measures make a definitive statement concerning affordability being lost or gained.

For Virginia to identify whether affordability has been achieved, the state should first determine the goal of the state’s higher education system in terms of the *public needs* that the system is intended to meet. By setting clear, identifiable goals for participation and attainment, it can then measure the success of the system and whether or not public funds are being utilized efficiently.

For individual student affordability, the state has established a combination of measures that track student participation, loan debt, net price, and graduation rates within the Restructuring Act. Tracking over time, systemic and institutional goals could be set for each of these measures. Progress towards meeting these goals or negative movement away from the goals, individually or in combination, would signal the need for more attention and resources, as well as help guide policy and discussion.

APPENDIX B-1: EARLY COMMITMENT PROGRAMS

The State Council reviewed various state-level student assistance programs, including Wisconsin Covenant, Oklahoma Promise, and Indiana's 21st Century Scholars. These programs use financial aid and/or guaranteed admission in unique ways to reach students early in high school and secure a proactive commitment from them to plan for higher education. In return, the state provides a guaranteed placement or financial assurance for students planning to attend college. These programs have become known as Early Commitment Programs.

The Oklahoma Promise and Indiana 21st Century Scholars programs make guaranties that each student will receive a combination of grants that cover tuition and fees at designated institutions. In exchange, the student promises to take appropriate college-prep courses, maintain a minimum high school grade point average, avoid inappropriate behavior, and otherwise make proactive plans to attend college. While the Wisconsin Covenant does not provide a financial guaranty, the program does promise admission into a designated college or university.

While the student eligibility criteria and the program benefits may differ among such programs, the magic of an Early Commitment Program is in its name. Securing an intentional commitment from a ninth-grader to proactively plan for college by meeting certain basic steps effectively changes the family conversation from thinking that college "might" be possible to an "expectation" that the student will go to college. Having the state make a commitment – financial or academic – provides a sense of security years in advance and encourages postsecondary planning at the family level.

Virginia developed a similar program – the Virginia Guaranteed Assistance Program (VGAP) - in the early 1990s. This program is intended to encourage students to do well in high school in exchange for additional financial aid, but it falls short of its potential and the impact realized by an Early Commitment Program. The lack of a marketing presence, visibility, direct student contact early in high school, and a specific state guaranty render VGAP no different than most standard need-based programs. In many cases, recipients of VGAP are not even aware the program exists until after receiving their award letter from the institution listing the federal, state, and institutional grants awarded.

APPENDIX B-2: RETOOLING VGAP AS AN EARLY-COMMITMENT PROGRAM

The State Council recommends that the Virginia Guaranteed Assistance Program (VGAP) be “retooled” as an early-commitment program such that secondary-school students are proactively encouraged to pursue higher education and the program’s impacts/effectiveness are maximized. The following principles should be incorporated:

- (1) Reach students by no later than 9th grade.
- (2) Provide a proactive means (promise, covenant, formal decision) for students to make an early commitment to pursue college by “opting in” to the VGAP.
- (3) Encourage students to prepare academically for college by creating minimum academic standards for high school curricula, grades, and/or college prep/exam scores.
- (4) Create a “marketing buzz” for the program and for higher education (e.g., promote statewide recognition, perhaps via a unique moniker for students opting in, such as Commonwealth Scholar or Virginia Promise Scholar).
- (5) Provide financial assurance by guaranteeing that some combination of need-based funds will pay for tuition/fees.

Reworking the Virginia Guaranteed Assistance Program to receive the benefits of an early-commitment program would require multiple steps; a non-exhaustive list follows:

1. Identify the potential state agencies that would be involved or interested in an Early Commitment Program.
 - A. Since the program is intended to make initial student contact while in high school, the VDOE would have a role in identifying the best means and mode to contact students and recommend specific activities to be completed by the student that will assist in high school graduation.
 - B. SCHEV and institutions of higher education would have a role in identifying what criteria best prepares a student to enter and succeed in higher education.
 - C. The VCCS may have a unique role in helping students regain eligibility if a “second-chance” option for the program is desired.
 - D. Identify other agencies that would have an active role.
2. Develop the administrative structure for the program.
 - A. Other states dedicate from four to seven staff FTE to administer the program. Staff FTE required to market, contact students, secure commitments, track students through high school, and verify eligibility as of entering college would need to be determined for a Virginia program.
 - B. Determination of whether or not the above processes can be incorporated into existing or planned structures, such as the VDOE student web portal.
 - C. If any new administrative structures are required, determination of when they would be needed and be available for administering the program.
3. Analyze data to “cost out” the program. One of the problems in planning for higher education is that families do not always know in advance if they are eligible for programs based on student need or EFC. This diminishes the ability to confidently expect that the student will go to college.

- A. Determine if eligible students should be restricted to specific income groups rather than need or EFC.
 - B. To be effective, the program would have to be treated similar to an entitlement. To keep cost under control and the state commitment honored how the program's financial commitment to the student is best structured while still providing a meaningful award is to be determined.
4. Consider "second chance" criteria. High school students face a number of obstacles, some self-inflicted, while others are beyond their control. For whatever reason, students may fail to meet eligibility criteria for the program. These students might be able to demonstrate their preparation for a four-year degree by first enrolling in a two-year college.
 - A. Determine whether students falling short of meeting eligibility requirements would be able to regain eligibility after enrolling in a two-year college.
 - B. If desired, develop appropriate criteria.
5. Address higher education persistence and degree completion. A financial commitment can be used as a tool to increase higher education persistence and degree completion rates.
 - A. Determine the higher education renewal criteria that ensure the student is on track towards persistence and degree completion.
 - B. Decide if second chance criteria should be developed to allow students to regain eligibility.
6. Develop marketing plan. To be effective, the program should be well known throughout the Commonwealth. A marketing plan that takes advantage of the Commonwealth's resources and reaches across agencies – VCSP, DMV, VDOE, etc. – is vital to success
 - A. Create a marketing plan to ensure program visibility and success.
 - B. Students need to be attracted to and take pride in being associated with the program. A catchy name for participants in the program should be developed.
7. Determine what additional programmatic features will encourage broad participation and involvement in student access and take advantage of federal funding opportunities.
 - A. Access programs have demonstrated the ability to enhance and supplement services provided by the school system. Determine whether eligible students should be required to participate in an access program, if available.
 - B. Community and private support have been successful in some communities. Identify means to incentivize private foundations to provide matching funds for eligible students.
 - C. The newly-signed Higher Education Reauthorization Act creates a new program entitled Grants for Access and Persistence (GAP) that can provide new federal dollars for grants to students who participate in access programs. The federal GAP is also designed to encourage states to seek partnerships with private foundations. By incorporating both of these features, VGAP could be designed to secure these federal funds and create a unique program supported by federal, state, and private funds.

APPENDIX C-1: DIRECT-INTERVENTION PROGRAMS

A number of programs are currently operating in Virginia to provide postsecondary-related guidance and assistance to K-12 students. The recently received federal College Access Challenge Grant will facilitate the first statewide inventory of such efforts. Among the programs that were reviewed by the State Council during 2008 were the ACCESS College Foundation, the Patrick County Education Foundation, the Greater Richmond Area Scholarship Program/GRASP, Project Discovery, the UVA College Guide Program, and the VCCS Career Coach Program.

The common element of these efforts is the provision of information about higher education to Virginia's K-12 students. The Patrick County Education Foundation (PCEF), Project Discovery, and the Career Coach Program also provide information on employment. The ACCESS College Foundation (ACF), the PCEF, and GRASP not only provide information on financial aid, but also leverage it directly for served students.

These programs vary according to their foci and targets.

- Targets:
 - While most of the reviewed programs serve only high school students, the PCEF and Project Discovery serve students in high school and below.
- Foci:
 - The PCEF works with one high school;
 - GRASP, with students in the Richmond area;
 - The ACF, with all 29 public high schools in South Hampton Roads;
 - The other programs have statewide foci, but are not in every high school.
 - The UVA College Guide program places university graduates in about two dozen public high schools (similar to the AmeriCorps program).
 - With assistance from SCHEV's GEAR UP Program, the VCCS Career Coach Program currently has coaches/mentors in over 130 high schools.
 - Project Discovery is offered through 19 local partner agencies and three pilot programs across the state and, uniquely, is targeted primarily at economically disadvantaged youths who would be first-generation college students.

The efforts operated by the PCEF, UVA, and VCCS are comparably new and small-scale, but the early results are positive in terms of more and better one-on-one advising of potential undergraduates about academic and financial preparation for college. Project Discovery, GRASP, and the ACF are each over 20 years old and have served tens of thousands of students. Over time, the ACF has leveraged over \$175 million in public and private financial aid sources. The PCEF and GRASP also provide direct "last dollar" scholarships to needy students, and the PCEF has agreements with nine private institutions whereby Patrick County students are eligible for additional institutional aid. The PCEF also offers a student-agreement program similar to the early commitment programs discussed previously.

APPENDIX C-2: GUIDANCE FOR CREATING PILOT PROJECTS

The State Council believes that additional localities could benefit from the creation of access-promotion programs supported by public-private partnerships. Toward that end, an inventory of the Commonwealth's existing efforts will be developed through the aforementioned College Access Challenge Grant, with the goal of identifying areas that lack access-promotion programs.

Nonetheless, the Council does not believe that interested localities, public and private entities, or the state should wait for conclusion of this inventory to start considering new direct-intervention programs in underserved areas. Based on its review of select successful programs, the Council concludes that the following points of "best practice" and "lessons learned" guidance would facilitate any locality's considerations and strategies toward the creation and implementation of such a program.

Start with the Problem, Not the Solution

One theme that emerged from the State Council's discussions both with national experts and Virginia program leaders was that efforts to address access and affordability issues should be tailored to those specific issues rather than borrowed or transplanted from other efforts. That which works in one place and on one set of issues/problems should not be expected to work in another place and/or on another set of issues/problems.

1. Investigate the access and affordability issues faced by students and their families in the area/region. The issues faced by rural areas will likely be different from those of urban areas, and some issues will be unique to the area/region.
2. Articulate the identified access and affordability issues to business, civic, education, and government leaders in the community.
3. In consultation with community leaders, develop a set of informed, locally tailored strategies for addressing the area's access and affordability issues. These strategies may include information/awareness campaigns, academic and/or financial counseling, mentoring, assistance in completing admission, financial aid, and scholarship forms, and direct provision of aid/scholarships. A combination of these strategies appears to achieve optimal results.
4. Allow the strategies that have been developed (and the area/number of students to be served) to dictate the form, function, focus, and process(es) of the program / organization / entity that is developed.
5. Once the nature, scope, and intended activities of the program/organization have been determined, begin to build on the set of community leaders above to create a cadre of public (local, state, and federal government agencies) and private (community, corporate, and philanthropic entities) partners to provide the financial funding and in-kind services necessary to start and maintain the entity.

Don't Reinvent the Wheel

Another theme that emerged from the State Council's considerations was that efforts should complement, enhance, and/or build on – but not tread on – already existing efforts and networks. Much can be gained from working with the leaders of ongoing activities. School and school-district personnel can be especially valuable resources in helping to understand what has been tried, what has worked/is working, and what has failed. They also have the best perspective on the locale's overall educational environment, opportunities, and challenges. Educational personnel at the secondary and postsecondary levels can also be key allies in developing and carrying out the initiative(s). New efforts should not conflict or compete with existing efforts; an environment of cooperation and shared purpose should permeate the program and its activities. Co-locating, co-sponsoring, and/or co-funding activities and even personnel can build effective bridges to schools and other entities.

State Council of Higher Education for Virginia Agenda Item

Item: #7.b – Action on Institutional Performance Standards Targets

Date of Meeting: January 6, 2009

Presenter: Jim Alessio, Director of Higher Education Restructuring
jamesalessio@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: November 13, 2006

Action: Approved targets for 2006-07 through 2011-12

Background Information/Summary of Major Elements:

The General Provisions of the 2008 Appropriation Act, § 4-9.02, outlines the education-related measures that “shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance.” In addition, “institutions are expected to achieve their agreed upon targets and standards on all performance measures in order to be certified by SCHEV. However, the State Council, in working with each institution, shall establish a prescribed range of permitted variance from annual targets for each education-related measure, as appropriate.”

The Council reviewed and approved the first set of targets in November 2006. Those targets covered the six-year period 2006-07 through 2011-12. This will be the second time institutions have developed targets for the education-related measures. The current targets are for the years 2008-09 through 2013-14.

Institutions prepared their targets and thresholds along with a narrative justification this past summer. SCHEV staff met with representatives of each institution to review their submissions. Institutions submitted revised targets and narratives at the end of August. A Council subcommittee – Alan Wurtzel and Gilbert Bland – reviewed the institution submissions in September and suggested changes to the institutions. Institutions adjusted their targets, where appropriate, and re-submitted. The subcommittee met a second and final time in November for a final review of the targets and thresholds.

There is a general uneasiness among the institutions in setting targets and thresholds this time around. Unlike the first set of targets, the institutions have now seen the implications on certification on not achieving their targets/thresholds. This

created a more cautious approach to target/threshold development. Rather than an over commitment on a measure, institutions took a more realistic approach to developing their targets/thresholds.

The full impact of the changing economic climate took hold late in the review process. This resulted in even greater concern on the effect of a worsening economy on funding, enrollments, costs, and so on. Institutions were more unwilling to set targets/thresholds that they felt might not be reachable. The resulting targets/thresholds are more conservative than those presented and approved in 2006.

Targets/thresholds are presented for the following Institutional Performance Standards:

1. Institution meets 95% of its in-state enrollment
2. Enrollment of under-represented populations
3. Institution meets 95% of its projected degree awards
- 5.1. Average need-based borrowing
- 5.2. Percentage of need-based borrowing
7. Degrees conferred in high-need areas
10. Degrees conferred per FTE faculty
11. Average progression and retention rates
12. Undergraduate degree awards per FTE students
14. Degree-qualified transfers
15. Dual enrollment of high school students
17. Research expenditures
18. Patents and licenses

Materials Provided:

- Review of Institutional Performance Standards
- Tables of targets and thresholds by measure and institution including historical data.

Financial Impact: None

Timetable for Further Review/Action:

Institutions will be evaluated on these targets beginning with 2010 certification process.

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the institutional targets and thresholds for 2008-09 through 2013-14.

Review of Institutional Performance Standards 2008-09 through 2013-14

Measure 1: Institution meets its State Council-approved biennial projection of total in-state student enrollment within the prescribed range of permitted variance.

The targets and thresholds reflect the enrollment projections approved by the Council in July 2007. Since the VCCS submitted its first set of enrollment projections in July 2007, targets are not included under this measure until its second submission in 2009.

Measure 2: Institution increases the percentage of in-state undergraduate enrollment from under-represented populations. (Such populations should include low income, first-generation college status, geographic origin within Virginia, race, and ethnicity, or other populations as may be identified by the State Council.)

Although most institutions are showing an increase in the number of under-represented students, they are also indicating a decline in the percentage of these students. This decline is not a sign that the institutions are lessening their commitment to enrolling students from under-represented populations. Rather, it represents an uncertainty in the identification of some of these students. In particular, there are concerns about properly identifying students by their race/ethnicity. A growing number of students – as many as one out three at some institutions – are refusing to provide their race/ethnicity on admission and registration forms. Also, the race/ethnicity categories used to classify students are in the process of changing. The new classification will now allow a student the option of identifying as “two or more races.” It is not clear the full impact of increasing numbers of students recorded as “race and ethnicity unknown” and the addition of a mixed-race category will have on identifying students as under-represented for purposes of this measure. SCHEV staff is monitoring the situation and will develop new trend data for the next IPS review.

Measure 3: Institution annually meets at least 95 percent of its State Council-approved estimates of degrees awarded.

The targets and thresholds reflect the degree projections approved by the Council in July 2007. Since the VCCS submitted its first set of degree projections in July 2007, targets are not included under this measure until its second submission in 2009.

Measure 5: Institution establishes mutually acceptable annual targets for need-based borrowing that reflect institutional commitment to limit (5.1) the average borrowing of in-state students with established financial need, and (5.2) the percentage of those students who borrow, to a level that maintains or increases access while not compromising affordability.

Nearly all institutions are showing increases in the average student loan amount and the percentage of need-based students who borrow. The growth in these measures

is the result of uneasiness with the current economic environment. The current economic crisis could have dramatic effect on the indebtedness of students:

- Costs to students, including tuition and fees, are expected to rise as a result of possible reductions in general fund support from the state.
- The economic downturn may result in a larger number of families qualifying for need-based aid as parents and students lose their jobs.
- Parents and students who would normally seek funding for education through private loan sources, such as home equity, may not be able to do so. These individuals may now apply for federal loans at a much higher rate than in the past. Private loan amounts are not known to the institution. The result may not be an absolute increase in the borrowing of parents and students, but a shift from an unknown amount to a known amount.
- The federal government has raised the loan limits for students. Many students borrow the maximum available whether or not they need this amount to pay direct educational expenses – tuition and fees, room and board, books and supplies. These students may borrow the higher amount, thus increasing the average loan amounts.
- Institutions have tried to find ways to help subsidize changes in tuition and fees to needy students.
 - One method is to use endowment funds to assist these students. Institutions have seen significant declines in their endowments during 2008. According to published news reports, some Virginia public institutions had losses of more than 10% between July and the end of September. And there are indications that some institutions saw an additional 10% loss in October alone. It is too early to tell what this will mean for student aid, but it could limit additional funds directed to needy students.
 - Institutions have also used a portion of tuition and fee increases for additional institutional financial aid. There are concerns about the size of tuition and fee increases necessary to adequately address the needs of the need-based students.

Measure 7: Institution maintains acceptable progress towards an agreed upon target for the total number and percentage of graduates in high-need areas, as identified by the State Council of Higher Education.

For purposes of this measure, high-need areas include: engineering, medicine, nursing, and teaching. Most institutions are showing modest gains in increasing the number of graduates in these areas. Institutions have some reservations about dramatically increasing these numbers over the next few years:

- Some programs have size limitations that restrict enrollments. Engineering and nursing programs can be limited by the amount of lab and clinic space available. Most of these programs are operating at capacity, given the

constraints. Budget reductions may further limit an institution's ability to expand on these programs.

- Some institutions showed dramatic growth over the past several years as programs came online - for example, Virginia Commonwealth University's engineering programs and the University of Mary Washington's Stafford Campus for education programs. Now that these programs are fully operational, we anticipate growth at a more modest rate.

Measure 10: Institution maintains or increases the ratio of degrees conferred per full-time equivalent instructional faculty member, within the prescribed range of permitted variance.

This measure depends on measure 3 as its numerator and an estimate of the number of full-time equivalent for the instructional component of all faculty (instruction, research, and public service) as its denominator. Most institutions have been conservative in setting their targets for the next several years. This measure is influenced by the fact that degrees awarded lag behind the addition of faculty. The number of faculty depends on student enrollment, which takes several years to work through to graduation. Enrollment increases can result in immediate increases in faculty to teach these additional students, but it will be several years before these additional students appear in degrees awarded. This is apparent in the year-to-year changes in actual values at most institutions.

Measure 11: Institution maintains or improves the average annual retention and progression rates of degree-seeking undergraduate students.

Most institutions are showing a modest increase in retention rates over the next several years, with a few holding at current levels. The institutions have been cautious in developing their targets for two reasons:

- A commitment to enrolling under-represented students – measure 2 – may result in maintaining or slower growth in retention. These students are at a higher risk of stopping out because of academic preparation, financial need, and so on.
- The economic pressures students might feel because of the economic downturn could force some students to put off continuing their studies. Rising costs, lack of financial aid, increased emphasis on loans, and need to work to support themselves, could necessitate more students discontinuing enrollment for one or more terms.

Measure 12: Within the prescribed range of permitted variance, the institution increases the ratio of total undergraduate degree awards to the number of annual full-time equivalent, degree-seeking undergraduate students except in those years when the institution is pursuing planned enrollment growth as demonstrated by their SCHEV-approved enrollment projections.

Similar to other measures that involve enrollment and degrees conferred, most institutions are indicating modest growth in their targets. Enrollment growth can have significant impact on this measure. Increases in enrollment raise the denominator without an immediate increase in degree awards. It takes several

years for the additional enrollment to show up as degree awards. This is seen in the actual year-to-year fluctuations for many of the institutions.

Measure 14: Institution increases the total number of associate degree graduates enrolled as transfer students from Virginia's public two-year colleges with the expectation that the general education credits from those institutions apply toward general education baccalaureate degree requirements, as a percent of all undergraduate students enrolled, within the prescribed range of permitted variance.

The six research institutions are expecting to increase the number of associate degree transfers by 287 students or 23% over the next six years. The overall growth expected at the comprehensive institutions is under 2% during the same time. This target growth is less than what was projected in 2006. Although the four-year institutions have streamlined the transition from two-year schools, the number of students completing their associate degree before transferring did not meet expectations. Another factor that has contributed to low numbers for this measure has been the lack of follow up by the four-year institutions in the admission process. Since earning a degree is not necessarily a prerequisite for admission to a four-year program unlike a high school diploma for first-time admission, four-year institutions have not routinely required a final transcript indicating receipt of a degree from the two-year institution. The result is that four-year institutions tend to underestimate the number of associate degree transfers. The four-year institutions are revising their transfer process so that they more accurately reflect the true number of graduates holding an associate degree.

Please note that Virginia Military Institute is exempt from this measure.

Measure 15: Institution increases the number of students involved in dual enrollment programs consistent with a target agreed upon by the institution, the Department of Education and the State Council of Higher Education for Virginia.

This measure applies to Richard Bland College and the Virginia Community College System. Richard Bland College has established relationships with the Petersburg high schools and is projecting that the number of dual enrollments should remain constant over the next several years. The Virginia Community College System through its 23 colleges has increased the number of dual enrolled students by 70% over the last six years. It is expected that this number should have a modest growth over the next three years and could possibly decline as the growth in the number of high school students levels off.

Measure 17: Institution maintains or increases the total expenditures in grants and contracts for research, within the prescribed range of permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.

Externally funded research is expected to grow over the next six years, but at a lesser rate than the last six years. Institutions are anticipating a continuation of federal research funding that they have experienced over the last few years. This has been especially the case for the University of Virginia and Virginia

Commonwealth University which have seen significant declines in NIH (National Institutes of Health) funding over the last two to three years.

Measure 18: Institution maintains or increases the annual number of new patent awards and licenses, within the prescribed range of permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.

The research institutions have reassessed the number of patents and licenses since they set their targets two years ago. Although the targets are increasing, the institutions are seeing delays in receiving patents and a corresponding delay in funding.

State Council for Higher Education in Virginia
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 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
Measure 1: Institution meets 95% of its in-state enrollment targets																
CWM	4,664	4,686	4,881	4,686	4,826	4,907	4,944	4,955	4,969	4,980	4,983	4,990	5.2%	0.9%	4.7%	0.5%
							4,697	4,707	4,721	4,731	4,734	4,741				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
GMU	21,462	22,902	23,995	24,415	24,876	24,902	25,238	25,457	25,758	26,161	26,627	27,105	16.0%	7.4%	2.0%	2.1%
							23,976	24,184	24,470	24,853	25,296	25,750				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
ODU	19,627	20,105	20,802	20,595	21,274	21,625	23,211	24,303	25,626	27,054	28,486	29,845	10.2%	28.6%	5.0%	10.4%
							22,050	23,088	24,345	25,701	27,062	28,353				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
UVA	15,105	15,472	15,230	15,287	15,826	15,360	15,635	15,767	15,896	16,035	16,141	16,257	1.7%	4.0%	0.5%	1.7%
							14,853	14,979	15,101	15,233	15,334	15,444				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
VT	19,812	19,338	18,970	18,839	19,246	19,817	20,561	20,719	20,873	21,109	21,255	21,275	0.0%	3.5%	5.2%	1.5%
							19,532	19,683	19,829	20,053	20,192	20,211				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
VCU	22,558	23,412	23,973	25,454	25,699	26,446	27,480	27,856	28,154	28,388	28,586	28,713	17.2%	4.5%	3.9%	2.5%
							26,106	26,463	26,746	26,969	27,157	27,277				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
Total Research Institutions	103,228	105,915	107,851	109,276	111,747	113,057	117,069	119,057	121,276	123,727	126,078	128,185	9.5%	9.5%	3.5%	3.6%
							111,214	113,104	115,212	117,540	119,775	121,776				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
CNU	5,160	5,231	4,708	4,565	4,573	4,626	4,904	4,874	4,866	4,793	4,784	4,784	-10.3%	-2.4%	1.3%	-0.8%
							4,659	4,630	4,623	4,553	4,545	4,545				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
JMU	11,030	11,371	11,460	11,501	12,019	12,317	13,376	13,929	14,404	14,763	15,319	15,664	11.7%	17.1%	7.1%	7.7%
							12,707	13,233	13,684	14,025	14,553	14,881				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
LU	3,934	4,001	4,089	4,100	4,123	4,228	4,270	4,248	4,227	4,206	4,185	4,164	7.5%	-2.5%	3.1%	-1.0%
							4,057	4,036	4,016	3,996	3,976	3,956				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
NSU	4,798	4,897	5,023	4,516	4,533	4,806	5,084	5,251	5,412	5,578	5,750	5,931	0.2%	16.7%	6.4%	6.5%
							4,829	4,988	5,141	5,299	5,463	5,634				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
RU	8,039	8,236	8,267	8,467	8,739	8,500	8,431	8,435	8,541	8,369	8,447	8,752	5.7%	3.8%	0.4%	1.3%
							8,009	8,013	8,114	7,951	8,025	8,314				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
UMW	3,321	3,533	3,612	3,611	3,651	3,819	4,040	4,140	4,247	4,362	4,480	4,594	15.0%	13.7%	5.8%	5.1%
							3,838	3,933	4,035	4,144	4,256	4,364				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				

State Council for Higher Education in Virginia
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Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
UVAW	1,392	1,553	1,626	1,760	1,852	1,818	1,791	1,823	1,903	1,928	1,950	1,974	30.6%	10.2%	3.3%	6.3%
							1,701	1,732	1,808	1,832	1,853	1,875				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
VMI	664	653	685	720	744	760	806	810	824	817	821	827	14.5%	2.6%	5.6%	2.2%
							766	770	783	776	780	786				
							Δ%	-5.0%	-4.9%	-5.0%	-5.0%	-5.0%				
VSU	3,173	3,402	3,472	3,390	3,572	3,343	3,582	3,727	3,877	4,032	4,191	4,354	5.4%	21.6%	-1.4%	8.2%
							3,402	3,541	3,683	3,830	3,981	4,136				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
Total Comprehensive Institutions	41,511	42,877	42,942	42,630	43,806	44,217	46,284	47,237	48,301	48,848	49,927	51,044	6.5%	10.3%	3.7%	4.4%
							43,968	44,876	45,887	46,406	47,432	48,491				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
RBC	1,274	1,281	1,320	1,389	1,419	1,350	1,533	1,565	1,596	1,603	1,611	1,866	6.0%	21.7%	-2.8%	4.1%
							1,600	1,600	1,605	1,600	1,600	1,890				
							Δ%	4.4%	2.2%	0.6%	-0.2%	-0.7%				
Total All Institutions	146,013	150,073	152,113	153,295	156,972	158,624	164,886	167,859	171,173	174,178	177,616	181,095	8.6%	9.8%	3.5%	3.8%
							156,782	159,580	162,704	165,546	168,807	172,157				
							Δ%	-4.9%	-4.9%	-4.9%	-5.0%	-5.0%				

Measure 2: Enrollment of under-represented populations

CWM	1,065	1,105	1,098	1,140	1,149	1,231	1,235	1,250	1,280	1,310	1,340	1,370	15.6%	10.9%	8.0%	3.6%	
							1,173	1,188	1,216	1,244	1,273	1,301					
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%					
	29.4%	30.1%	29.3%	30.8%	30.9%	32.3%	32.0%	32.3%	33.0%	33.7%	34.5%	35.2%					
GMU	6,234	6,648	6,794	6,557	6,908	6,965	6,970	7,010	7,050	7,090	7,130	7,170	11.7%	2.9%	6.2%	1.1%	
							6,482	6,519	6,557	6,594	6,631	6,668					
							Δ%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%					
	43.7%	44.1%	44.6%	42.6%	43.3%	43.4%	42.8%	42.7%	42.4%	41.9%	41.2%	40.6%					
ODU	6,412	6,666	6,941	7,075	7,230	7,221	7,325	7,400	7,425	7,450	7,500	7,525	12.6%	2.7%	2.1%	1.4%	
							6,825	6,900	7,015	7,040	7,090	7,115					
							Δ%	-6.8%	-6.8%	-5.5%	-5.5%	-5.4%					
	56.1%	55.9%	55.1%	54.7%	52.8%	51.7%	49.3%	47.4%	44.8%	42.2%	40.1%	38.2%					
UVA	3,350	3,365	3,361	3,377	3,448	3,500	3,549	3,606	3,651	3,701	3,750	3,800	4.5%	7.1%	3.6%	2.9%	
							3,426	3,468	3,498	3,533	3,566	3,610					
							Δ%	-3.5%	-3.8%	-4.2%	-4.5%	-4.9%					-5.0%
	35.3%	35.0%	35.2%	34.8%	34.5%	35.7%	35.8%	36.0%	36.1%	36.2%	36.4%	36.5%					
						34.6%	34.6%	34.6%	34.5%	34.6%	34.7%						

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Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
VCU	6,897	7,150	7,489	7,951	8,296	8,545	8,300	8,400	8,500	8,500	8,500	8,500	23.9%	2.4%	7.5%	2.4%
							7,470	7,560	7,225	7,225	7,225	7,225				
	43.0%	42.4%	44.1%	44.9%	44.3%	44.2%	Δ%	-10.0%	-10.0%	-15.0%	-15.0%	-15.0%	-15.0%			
							41.4%	41.4%	41.4%	41.0%	40.7%	40.4%				
							37.3%	37.2%	35.2%	34.8%	34.6%	34.4%				
VT	4,963	4,973	5,073	4,970	4,783	5,038	5,171	5,206	5,283	5,364	5,434	5,439	1.5%	5.2%	1.4%	2.2%
							4,915	4,950	5,025	5,050	5,075	5,080				
	32.1%	32.8%	33.3%	32.6%	30.7%	31.1%	Δ%	-5.0%	-4.9%	-4.9%	-5.9%	-6.6%	-6.6%			
							30.8%	30.9%	31.1%	31.2%	31.3%	31.3%				
							29.3%	29.3%	29.6%	29.3%	29.3%	29.3%				
Total Research Institutions	28,921	29,907	30,756	31,070	31,814	32,500	32,550	32,872	33,189	33,415	33,654	33,804	12.4%	3.9%	4.6%	2.0%
							30,291	30,585	30,536	30,686	30,860	30,999				
	41.1%	41.4%	41.9%	41.6%	41.0%	41.1%	Δ%	-6.9%	-7.0%	-8.0%	-8.2%	-8.3%	-8.3%			
							39.8%	39.6%	39.2%	38.6%	38.0%	37.5%				
							37.1%	36.8%	36.0%	35.4%	34.9%	34.4%				
CNU	1,690	1,595	1,321	1,203	1,054	1,039	1,040	1,040	1,040	1,040	1,040	1,040	-38.5%	0.0%	-13.6%	0.0%
							967	967	967	967	967	967				
	34.0%	31.6%	28.8%	27.2%	23.9%	23.3%	Δ%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%			
							22.2%	22.2%	22.4%	22.5%	22.8%	22.8%				
							20.6%	20.7%	20.8%	20.9%	21.2%	21.2%				
JMU	2,784	2,844	2,816	2,830	2,949	3,075	3,350	3,375	3,425	3,550	3,550	3,550	10.5%	6.0%	8.7%	2.2%
							3,183	3,206	3,254	3,373	3,373	3,373				
	27.0%	27.1%	26.8%	26.6%	26.9%	27.3%	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%			
							27.7%	26.9%	26.5%	26.9%	26.2%	25.7%				
							26.3%	25.5%	25.2%	25.6%	24.9%	24.4%				
LU	1,102	1,097	1,132	1,068	1,096	1,053	1,077	1,077	1,077	1,077	1,077	1,077	-4.4%	0.0%	-1.4%	0.0%
							1,002	1,002	1,002	1,002	1,002	1,002				
	32.4%	31.6%	32.1%	30.0%	30.9%	29.4%	Δ%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%			
							27.7%	26.6%	25.5%	24.5%	23.5%	22.7%				
							25.7%	24.7%	23.7%	22.8%	21.9%	21.1%				
NSU	2,505	2,226	2,222	2,418	2,649	2,407	2,506	2,507	2,508	2,509	2,510	2,511	-3.9%	0.2%	-0.5%	0.1%
							2,381	2,382	2,382	2,384	2,385	2,385				
	60.8%	53.8%	50.9%	61.9%	67.1%	57.3%	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%			
							56.4%	54.7%	53.1%	51.5%	50.0%	48.5%				
							53.6%	51.9%	50.4%	48.9%	47.5%	46.1%				
RU	2,765	2,811	2,704	2,758	2,663	2,506	2,506	2,507	2,508	2,509	2,510	2,511	-9.4%	0.2%	-9.1%	0.1%
							2,381	2,382	2,382	2,384	2,385	2,385				
	39.0%	38.4%	36.8%	36.1%	34.2%	33.2%	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%			
							33.6%	33.8%	33.4%	34.3%	34.0%	33.0%				
							32.0%	32.1%	31.7%	32.6%	32.3%	31.4%				
UMW	735	813	805	786	751	679	760	765	770	775	780	785	-7.6%	3.3%	-13.6%	1.3%
							714	719	724	728	733	738				
	24.4%	26.4%	26.4%	25.9%	24.9%	21.5%	Δ%	-6.1%	-6.0%	-6.0%	-6.1%	-6.0%	-6.0%			
							23.7%	23.8%	23.9%	23.9%	24.0%	24.1%				
							22.3%	22.4%	22.4%	22.5%	22.6%	22.7%				

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 Institutional Performance Standards
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Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
UVAW	788	846	887	947	882	841	841	843	845	847	849	851	0.0%	1.2%	0.0%	0.5%
							782	784	786	788	790	791				
	56.6%	54.5%	54.6%	53.8%	47.6%	46.3%	Δ% -7.0%	-7.0%	-7.0%	-7.0%	-6.9%	-7.1%				
						47.0%	46.2%	44.4%	43.9%	43.5%	43.1%					
						43.7%	43.0%	41.3%	40.9%	40.5%	40.1%					
VMI	179	174	181	200	196	211	202	203	206	204	205	207	17.9%	2.5%	5.5%	2.0%
							188	189	192	190	191	193				
	27.0%	26.6%	26.4%	27.8%	26.3%	27.8%	Δ% -6.9%	-6.9%	-6.8%	-6.8%	-6.8%	-6.8%				
						25.1%	25.1%	25.0%	25.0%	25.0%	25.0%					
						23.3%	23.3%	23.3%	23.3%	23.3%	23.3%					
VSU	1314	1401	1470	1567	1609	1614	1,684	1,752	1,822	1,895	1,970	2,046	22.8%	21.6%	3.0%	8.2%
							1,599	1,664	1,731	1,800	1,871	1,944				
	53.9%	53.3%	55.8%	56.9%	54.9%	56.9%	Δ% -5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
						55.9%	56.6%	57.3%	58.0%	58.7%	59.3%					
						53.1%	53.8%	54.4%	55.1%	55.7%	56.4%					
Total Comprehensive Institutions	13,862	13,807	13,538	13,777	13,849	13,425	13,966	14,069	14,201	14,406	14,491	14,578	-3.2%	4.4%	-2.6%	1.7%
							13,197	13,295	13,420	13,616	13,697	13,778				
	37.1%	36.0%	35.3%	35.9%	35.3%	33.9%	Δ% -5.5%	-5.5%	-5.5%	-5.5%	-5.5%	-5.5%				
						33.7%	33.3%	32.9%	33.0%	32.6%	32.1%					
						31.9%	31.5%	31.1%	31.2%	30.8%	30.3%					
RBC	376	342	336	327	346	371	486	488	491	493	496	661	-1.3%	36.0%	13.5%	1.0%
							486	400	400	400	400	550				
	29.5%	26.7%	25.5%	23.5%	24.4%	27.5%	Δ% 0.0%	-18.0%	-18.5%	-18.9%	-19.4%	-16.8%				
						31.7%	31.2%	30.8%	30.8%	30.8%	35.4%					
						31.7%	25.6%	25.1%	25.0%	24.8%	29.5%					
VCCS	69,585	71,019	71,683	71,956	72,648	72,523	76,105	76,846	77,160	79,090	79,692	82,083	4.2%	7.9%	0.8%	1.4%
							70,777	71,485	71,777	73,572	74,132	76,356				
	51.1%	50.2%	49.6%	49.1%	48.8%	48.2%	Δ% -7.0%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%				
						47.5%	46.6%	45.4%	45.2%	44.3%	44.3%					
						44.2%	43.3%	42.3%	42.0%	41.2%	41.3%					
Total All Institutions	112,744	115,075	116,313	117,130	118,657	118,819	123,107	124,275	125,041	127,404	128,333	131,126	5.4%	6.5%	1.4%	1.6%
							114,751	115,765	116,133	118,274	119,089	121,683				
	46.0%	45.4%	45.2%	44.9%	44.4%	43.9%	Δ% -6.8%	-6.8%	-7.1%	-7.2%	-7.2%	-7.2%				
						43.2%	42.6%	41.8%	41.5%	40.8%	40.7%					
						40.3%	39.7%	38.8%	38.5%	37.9%	37.7%					

Measure 3: Institution meets 95% of its projected degree awards

CWM	1,979	2,000	2,130	2,167	2,095	2,104	2,105	2,120	2,138	2,146	2,155	2,159	6.3%	2.6%	-2.9%	1.6%
							2,000	2,014	2,031	2,039	2,047	2,051				
							Δ% -5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
GMU	5,183	5,539	5,898	6,357	6,852	6,971	7,666	7,802	7,908	8,109	8,227	8,350	34.5%	8.9%	9.7%	3.2%
							7,283	7,412	7,513	7,704	7,816	7,933				
							Δ% -5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				

State Council for Higher Education in Virginia
 Institutional Performance Standards
 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
ODU	3,453	3,735	3,778	3,760	4,025	4,169	4,227	4,402	4,614	4,840	5,094	5,358	20.7%	26.8%	10.9%	9.2%
							4,016	4,182	4,383	4,598	4,839	5,090				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
UVA	5,554	5,618	5,806	5,877	6,035	5,898	6,182	6,212	6,306	6,350	6,436	6,470	6.2%	4.7%	0.4%	2.0%
							5,873	5,901	5,991	6,033	6,114	6,147				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
VCU	4,159	4,168	4,414	4,766	5,326	5,600	5,821	5,969	6,379	6,496	6,604	6,684	34.6%	14.8%	17.5%	9.6%
							5,530	5,671	6,060	6,171	6,274	6,350				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
VT	6,450	6,662	6,753	6,781	6,895	6,758	7,104	7,110	7,123	7,199	7,264	7,284	4.8%	2.5%	-0.3%	0.3%
							6,748	6,754	6,766	6,839	6,900	6,919				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
VCU	4,159	4,168	4,414	4,766	5,326	5,600	5,821	5,969	6,379	6,496	6,604	6,684	34.6%	14.8%	17.5%	9.6%
							5,530	5,671	6,060	6,171	6,274	6,350				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
Total Research Institutions	30,937	31,890	33,193	34,474	36,554	37,100	38,926	39,584	40,847	41,636	42,384	42,989	19.9%	10.4%	7.6%	4.9%
							36,980	37,605	38,804	39,555	40,264	40,840				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
CNU	795	786	910	863	852	959	935	950	975	995	1,005	1,005	20.6%	7.5%	11.1%	4.3%
							888	903	926	945	955	955				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
JMU	3,435	3,474	3,685	3,778	4,027	4,034	4,399	4,443	4,598	4,773	4,986	5,127	17.4%	16.5%	6.8%	4.5%
							4,179	4,221	4,368	4,534	4,737	4,937				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-3.7%				
LU	765	811	862	930	880	770	905	895	912	916	858	854	0.7%	-5.6%	-17.2%	0.8%
							860	850	866	870	815	811				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
NSU	928	1,068	1,008	1,009	983	1,003	1,096	1,135	1,175	1,215	1,258	1,300	8.1%	18.6%	-0.6%	7.2%
							1,041	1,078	1,116	1,154	1,195	1,235				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
RU	1,975	1,982	1,911	2,087	2,192	2,288	2,231	2,181	2,216	2,246	2,304	2,274	15.8%	1.9%	9.6%	-0.7%
							2,119	2,072	2,105	2,134	2,189	2,255				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-0.8%				
UMW	871	1,020	1,089	1,110	1,127	1,168	1,231	1,280	1,327	1,374	1,424	1,468	34.1%	19.3%	5.2%	7.8%
							1,169	1,216	1,261	1,305	1,353	1,395				
	Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%				
UVAW	225	246	267	275	271	274	276	280	297	310	328	339	34.1%	22.8%	5.2%	7.6%
							262	266	282	295	312	322				
	Δ%	-5.1%	-5.0%	-5.1%	-4.8%	-4.9%	-5.0%	-5.0%	-5.1%	-4.8%	-4.9%	-5.0%				

State Council for Higher Education in Virginia
Institutional Performance Standards
2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
VMI	273	286	278	299	277	325	280	298	319	316	316	343	19.0%	22.5%	8.7%	13.9%
							266	283	303	301	301	326				
							Δ%	-5.0%	-5.0%	-5.0%	-4.7%	-4.7%	-5.0%			
VSU	643	762	661	883	827	862	748	773	800	827	854	881	34.1%	17.8%	-2.4%	7.0%
							711	734	760	786	811	837				
							Δ%	-4.9%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%			
Total Comprehensive Institutions	9,910	10,435	10,671	11,234	11,436	11,683	12,101	12,235	12,619	12,972	13,333	13,591	17.9%	12.3%	4.0%	4.3%
							11,495	11,623	11,987	12,324	12,668	13,073				
							Δ%	-5.0%	-5.0%	-5.0%	-5.0%	-5.0%	-3.8%			
RBC	231	205	198	214	209	210	210	215	285	300	300	300	-9.1%	42.9%	-1.9%	35.7%
							195	200	240	240	240	240				
							Δ%	-7.1%	-7.0%	-15.8%	-20.0%	-20.0%	-20.0%			
Total All Institutions	41,078	42,530	44,062	45,922	48,199	48,993	51,237	52,034	53,751	54,908	56,017	56,880	19.3%	11.0%	6.7%	4.9%
							48,670	49,428	51,031	52,119	53,172	54,153				
							Δ%	-5.0%	-5.0%	-5.1%	-5.1%	-5.1%	-4.8%			

Measure 5.1: Average need-based borrowing

CWM	\$2,848	\$3,012	\$3,030	\$1,981	\$1,814	\$2,007	\$3,280	\$3,320	\$3,350	\$3,380	\$3,410	\$3,440	-29.5%	4.9%	1.3%	2.1%
							\$3,829	\$3,869	\$4,264	\$4,297	\$4,330	\$4,363				
							Δ%	16.7%	16.5%	27.3%	27.1%	27.0%	26.8%			
GMU	\$2,393	\$2,109	\$2,699	\$2,738	\$2,809	\$2,805	\$4,500	\$4,750	\$5,000	\$5,250	\$5,500	\$5,750	17.2%	27.8%	2.4%	11.1%
							\$4,975	\$5,225	\$5,475	\$5,725	\$5,975	\$6,225				
							Δ%	10.6%	10.0%	9.5%	9.0%	8.6%	8.3%			
ODU	\$2,759	\$2,906	\$2,839	\$2,366	\$2,292	\$2,265	\$3,200	\$3,300	\$3,400	\$3,500	\$3,600	\$3,700	-17.9%	15.6%	-4.3%	6.3%
							\$3,494	\$3,594	\$3,694	\$3,794	\$3,894	\$3,994				
							Δ%	9.2%	8.9%	8.6%	8.4%	8.2%	7.9%			
UVA	\$2,017	\$1,998	\$2,538	\$2,648	\$2,678	\$2,356	\$2,550	\$2,600	\$2,650	\$2,700	\$2,750	\$2,800	16.8%	9.8%	-11.0%	3.9%
							\$2,750	\$2,800	\$2,850	\$2,900	\$2,950	\$3,000				
							Δ%	7.8%	7.7%	7.5%	7.4%	7.3%	7.1%			
VCU	\$2,944	\$3,156	\$3,198	\$3,250	\$3,188	\$3,045	\$3,800	\$3,800	\$3,900	\$3,900	\$4,100	\$4,100	3.4%	7.9%	-6.3%	2.6%
							\$4,750	\$4,750	\$5,070	\$5,070	\$5,740	\$5,740				
							Δ%	25.0%	25.0%	30.0%	30.0%	40.0%	40.0%			
VT	\$2,694	\$2,630	\$2,734	\$2,723	\$2,835	\$2,806	\$2,969	\$3,060	\$3,103	\$3,154	\$3,213	\$3,279	4.2%	10.4%	3.0%	4.5%
							\$3,400	\$3,491	\$3,534	\$3,585	\$3,644	\$3,710				
							Δ%	14.5%	14.1%	13.9%	13.7%	13.4%	13.1%			
CNU	\$2,344	\$2,336	\$2,588	\$2,470	\$2,519	\$2,678	\$3,150	\$3,150	\$3,100	\$3,100	\$3,050	\$3,050	14.2%	-3.2%	8.4%	-1.6%
							\$3,650	\$3,900	\$4,100	\$4,100	\$4,500	\$4,500				
							Δ%	15.9%	23.8%	32.3%	32.3%	47.5%	47.5%			
JMU	\$3,308	\$3,349	\$3,522	\$3,626	\$3,595	\$3,687	\$4,751	\$5,036	\$5,338	\$5,658	\$5,997	\$6,357	11.5%	33.8%	1.7%	12.4%
							\$4,991	\$5,276	\$5,578	\$5,898	\$6,237	\$6,597				
							Δ%	5.1%	4.8%	4.5%	4.2%	4.0%	3.8%			

State Council for Higher Education in Virginia
 Institutional Performance Standards
 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
LU	\$2,361	\$2,325	\$2,554	\$2,573	\$2,441	\$2,534	\$2,948	\$2,941	\$2,930	\$2,921	\$2,911	\$2,902	7.3%	-1.6%	-1.5%	-0.6%
							\$3,272	\$3,294	\$3,311	\$3,330	\$3,348	\$3,366				
	Δ%						11.0%	12.0%	13.0%	14.0%	15.0%	16.0%				
NSU	\$2,705	\$2,672	\$2,658	\$2,446	\$2,740	\$2,812	\$2,995	\$3,100	\$3,210	\$3,325	\$3,445	\$3,570	4.0%	19.2%	15.0%	7.2%
							\$2,800	\$2,900	\$3,100	\$3,125	\$3,235	\$3,370				
	Δ%						-6.5%	-6.5%	-3.4%	-6.0%	-6.1%	-5.6%				
RU	\$2,552	\$2,578	\$2,661	\$2,335	\$2,725	\$3,046	\$3,445	\$3,617	\$3,798	\$3,987	\$4,186	\$4,396	19.4%	27.6%	30.4%	10.2%
							\$3,712	\$4,017	\$4,332	\$4,655	\$4,990	\$5,331				
	Δ%						7.8%	11.1%	14.1%	16.8%	19.2%	21.3%				
UMW	\$2,814	\$2,847	\$2,791	\$2,841	\$2,695	\$2,858	\$3,025	\$3,075	\$3,125	\$3,175	\$3,225	\$3,275	1.6%	8.3%	0.6%	3.3%
							\$3,139	\$3,189	\$3,239	\$3,289	\$3,339	\$3,389				
	Δ%						3.8%	3.7%	3.6%	3.6%	3.5%	3.5%				
UVAW	\$1,193	\$1,445	\$1,596	\$1,718	\$1,780	\$1,860	\$2,229	\$2,385	\$2,552	\$2,731	\$2,922	\$3,126	55.9%	40.2%	8.3%	14.5%
							\$2,973	\$3,129	\$3,296	\$3,474	\$3,666	\$3,870				
	Δ%						33.4%	31.2%	29.2%	27.2%	25.5%	23.8%				
VMI	\$835	\$911	\$999	\$1,154	\$1,135	\$1,263	\$2,750	\$3,000	\$3,250	\$3,500	\$3,500	\$3,500	51.3%	27.3%	9.4%	18.2%
							\$3,500	\$3,750	\$4,000	\$4,250	\$4,500	\$4,500				
	Δ%						27.3%	25.0%	23.1%	21.4%	28.6%	28.6%				
VSU	\$2,555	\$2,646	\$2,794	\$2,901	\$2,859	\$3,040	\$3,850	\$3,955	\$4,060	\$4,165	\$4,270	\$4,375	19.0%	13.6%	4.8%	5.5%
							\$3,975	\$4,100	\$4,225	\$4,350	\$4,475	\$4,600				
	Δ%						3.2%	3.7%	4.1%	4.4%	4.8%	5.1%				
VCCS	\$165	\$166	\$229	\$302	\$345	\$390	\$712	\$870	\$1,028	\$1,186	\$1,344	\$1,502	136.4%	111.0%	29.1%	44.4%
							\$900	\$1,100	\$1,700	\$1,900	\$2,100	\$2,500				
	Δ%						26.4%	26.4%	65.4%	60.2%	56.3%	66.4%				

Measure 5.2: Percentage of need-based borrowing

CWM	67.6%	65.4%	66.1%	62.7%	53.6%	58.6%	61.0%	59.0%	59.0%	59.0%	59.0%	59.0%	-0.090	-0.020	-0.041	-0.020
							66.5%	64.5%	64.5%	64.5%	64.5%	64.5%				
	Δ						0.055	0.055	0.055	0.055	0.055	0.055				
GMU	70.3%	59.4%	74.0%	71.8%	71.8%	71.9%	81.7%	83.4%	85.2%	86.9%	88.6%	90.4%	0.015	0.087	0.000	0.035
							91.3%	89.8%	91.5%	93.3%	95.0%	96.7%				
	Δ						0.096	0.064	0.064	0.064	0.064	0.064				
ODU	76.1%	77.0%	75.1%	63.9%	61.7%	60.7%	65.5%	66.0%	66.5%	67.0%	67.5%	68.0%	-0.154	0.025	-0.032	0.010
							72.1%	72.6%	73.1%	73.6%	74.1%	74.6%				
	Δ						0.066	0.066	0.066	0.066	0.066	0.066				
UVA	62.5%	58.1%	65.5%	63.7%	62.3%	55.6%	61.5%	62.0%	62.5%	63.0%	63.5%	64.0%	-0.069	0.025	-0.081	0.010
							64.0%	64.5%	65.0%	65.5%	66.0%	66.5%				
	Δ						0.025	0.025	0.025	0.025	0.025	0.025				

State Council for Higher Education in Virginia
 Institutional Performance Standards
 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
VCU	83.3%	83.9%	84.0%	84.9%	84.2%	80.7%	84.0%	84.0%	84.0%	84.0%	84.0%	84.0%	-0.026	0.000	-0.042	0.000
							89.0%	90.0%	91.0%	91.0%	91.0%	91.0%				
	Δ						0.050	0.060	0.070	0.070	0.070	0.070				
VT	81.6%	73.7%	75.4%	76.5%	78.5%	77.2%	79.5%	80.7%	82.0%	83.2%	84.5%	85.8%	-0.044	0.063	0.007	0.025
							84.5%	85.8%	87.0%	88.3%	89.6%	90.9%				
	Δ						0.050	0.051	0.050	0.051	0.051	0.051				
CNU	75.0%	75.1%	82.1%	81.3%	81.7%	82.5%	82.0%	81.9%	81.8%	81.7%	81.6%	81.5%	0.075	-0.005	0.012	-0.002
							90.0%	90.0%	90.0%	90.0%	90.0%	90.0%				
	Δ						0.080	0.081	0.082	0.083	0.084	0.085				
JMU	72.6%	72.8%	74.6%	72.9%	74.1%	70.5%	80.0%	80.0%	80.0%	80.0%	80.0%	80.0%	-0.021	0.000	-0.024	0.000
							82.0%	82.0%	82.0%	82.0%	82.0%	82.0%				
	Δ						0.020	0.020	0.020	0.020	0.020	0.020				
LU	76.9%	76.3%	76.9%	74.5%	74.5%	73.9%	71.0%	71.0%	71.0%	71.0%	71.0%	71.0%	-0.031	0.000	-0.007	0.000
							78.8%	79.5%	80.2%	80.9%	81.6%	82.3%				
	Δ						0.078	0.085	0.092	0.099	0.106	0.114				
NSU	83.9%	79.2%	84.5%	75.5%	84.2%	85.0%	86.0%	86.0%	86.0%	86.0%	86.0%	86.0%	0.011	0.000	0.095	0.000
							89.0%	89.0%	89.0%	89.0%	89.0%	89.0%				
	Δ						0.030	0.030	0.030	0.030	0.030	0.030				
RU	80.5%	78.5%	80.4%	68.5%	82.5%	83.1%	83.7%	84.2%	84.6%	85.0%	85.4%	85.9%	0.026	0.022	0.146	0.009
							89.7%	93.2%	93.6%	94.0%	94.4%	94.9%				
	Δ						0.060	0.090	0.090	0.090	0.090	0.090				
UMW	79.2%	81.1%	78.5%	81.9%	74.7%	78.7%	79.2%	79.7%	80.2%	80.7%	81.2%	81.7%	-0.005	0.025	-0.032	0.010
							82.3%	82.8%	83.3%	83.8%	84.3%	84.8%				
	Δ						0.031	0.031	0.031	0.031	0.031	0.031				
UVAW	49.8%	55.8%	56.9%	57.9%	59.5%	59.8%	74.0%	78.5%	83.0%	87.5%	92.0%	96.5%	0.100	0.225	0.019	0.090
							85.6%	90.1%	94.6%	99.1%	100.0%	100.0%				
	Δ						0.116	0.116	0.116	0.116	0.080	0.035				
VMI	40.7%	41.2%	44.1%	48.8%	48.0%	51.5%	55.0%	57.5%	60.0%	62.5%	65.0%	65.0%	0.108	0.100	0.027	0.050
							64.0%	66.5%	69.0%	71.5%	74.0%	74.0%				
	Δ						0.090	0.090	0.090	0.090	0.090	0.090				
VSU	86.9%	88.3%	90.1%	89.2%	88.6%	88.1%	90.0%	91.0%	92.0%	92.0%	92.0%	92.0%	0.012	0.020	-0.011	0.020
							92.0%	93.0%	94.0%	94.0%	94.0%	94.0%				
	Δ						0.020	0.020	0.020	0.020	0.020	0.020				
VCCS	8.8%	9.4%	11.7%	14.5%	16.2%	18.1%	28.0%	28.0%	30.0%	30.0%	32.0%	32.0%	0.093	0.040	0.036	0.020
							32.0%	32.0%	35.0%	35.0%	38.0%	38.0%				
	Δ						0.040	0.040	0.050	0.050	0.060	0.060				
Measure 7: Degrees conferred in high-need areas																
CWM	185	176	150	179	188	192	180	186	192	198	204	210	3.8%	16.7%	7.3%	6.7%
							168	173	179	185	190	196				
	Δ%							-6.7%	-7.0%	-6.8%	-6.6%	-6.9%				

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Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
GMU	1,194	1,269	1,303	1,568	1,856	1,807	1,810	1,820	1,830	1,840	1,850	1,860	51.3%	2.8%	15.2%	1.1%
							1,683	1,693	1,702	1,711	1,721	1,730				
							Δ%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%				
ODU	1,358	1,384	1,431	1,520	1,651	1,701	1,700	1,720	1,740	1,760	1,780	1,800	25.3%	5.9%	11.9%	2.4%
							1,583	1,603	1,623	1,643	1,663	1,683				
							Δ%	-6.9%	-6.8%	-6.7%	-6.6%	-6.5%				
UVA	1,418	1,440	1,445	1,516	1,522	1,475	1,558	1,572	1,602	1,619	1,648	1,663	4.0%	6.7%	-2.7%	2.8%
							1,449	1,463	1,490	1,506	1,533	1,547				
							Δ%	-7.0%	-6.9%	-7.0%	-7.0%	-7.0%				
VCU	951	960	964	1,102	1,247	1,252	1,200	1,225	1,250	1,250	1,275	1,275	31.7%	6.3%	13.6%	4.2%
							1,080	1,103	1,063	1,063	1,084	1,084				
							Δ%	-10.0%	-10.0%	-15.0%	-15.0%	-15.0%				
VT	1,851	1,996	1,878	1,920	2,034	1,851	1,728	1,804	1,867	1,900	1,910	1,920	0.0%	11.1%	-3.6%	8.0%
							1,626	1,702	1,757	1,800	1,805	1,805				
							Δ%	-5.9%	-5.7%	-5.9%	-5.3%	-5.5%				
Total Research Institutions	6,957	7,225	7,171	7,805	8,498	8,278	8,176	8,327	8,481	8,567	8,667	8,728	19.0%	6.8%	6.1%	3.7%
							7,589	7,737	7,814	7,908	7,996	8,045				
							Δ%	-7.2%	-7.1%	-7.9%	-7.7%	-7.7%				
CNU	24	29	35	26	50	66	67	67	67	67	70	70	175.0%	4.5%	153.8%	0.0%
							62	62	62	62	65	65				
							Δ%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%				
JMU	440	441	480	562	639	672	769	737	747	782	797	818	52.7%	6.4%	19.6%	-2.9%
							715	685	695	727	741	761				
							Δ%	-7.0%	-7.1%	-7.0%	-7.0%	-7.0%				
LU	182	247	252	299	293	231	242	239	244	245	229	228	26.9%	-5.8%	-22.7%	0.8%
							225	222	227	228	213	212				
							Δ%	-7.0%	-7.1%	-7.0%	-6.9%	-7.0%				
NSU	276	288	252	283	291	285	287	290	293	298	300	305	3.3%	6.3%	0.7%	2.1%
							260	260	265	265	270	270				
							Δ%	-9.4%	-10.3%	-9.6%	-11.1%	-10.0%				
RU	491	419	385	460	513	537	540	545	560	552	565	595	9.4%	10.2%	16.7%	3.7%
							513	518	532	525	537	565				
							Δ%	-5.0%	-5.0%	-5.0%	-4.9%	-5.0%				
UMW	47	44	140	163	243	244	234	236	238	240	242	244	419.1%	4.3%	49.7%	1.7%
							218	220	222	224	226	227				
							Δ%	-6.8%	-6.8%	-6.7%	-6.7%	-6.6%				
UVAW	31	38	47	48	57	55	58	58	58	58	61	63	0.0%	8.6%	0.0%	0.0%
							54	54	54	54	57	59				
							Δ%	-6.9%	-6.9%	-6.9%	-6.9%	-6.6%				

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Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
VMI	62	59	73	60	69	69	70	76	79	82	82	82	11.3%	17.1%	15.0%	12.9%
							62	68	71	74	74	74				
	Δ%	-11.4%	-10.5%	-10.1%	-9.8%	-9.8%	-9.8%									
VSU	53	39	28	78	18	61	40	45	53	60	68	77	15.1%	92.5%	-21.8%	32.5%
							38	43	51	57	65	74				
	Δ%	-5.0%	-4.4%	-3.8%	-5.0%	-4.4%	-3.9%									
Total Comprehensive Institutions	1,606	1,604	1,692	1,979	2,173	2,220	2,307	2,293	2,339	2,384	2,414	2,482	38.2%	7.6%	12.2%	1.4%
							2,147	2,132	2,179	2,216	2,248	2,307				
	Δ%	-6.9%	-7.0%	-6.8%	-7.0%	-6.9%	-7.0%									
VCCS	1,384	1,434	1,922	1,945	2,348	2,212	2,400	2,450	2,500	2,600	2,700	2,750	59.8%	14.6%	13.7%	4.2%
							2,232	2,279	2,325	2,418	2,511	2,558				
	Δ%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%									
Total All Institutions	9,947	10,263	10,785	11,729	13,019	12,710	12,883	13,070	13,320	13,551	13,781	13,960	27.8%	8.4%	8.4%	3.4%
							11,968	12,148	12,318	12,542	12,755	12,910				
	Δ%	-7.1%	-7.1%	-7.5%	-7.4%	-7.4%	-7.5%									

Measure 10: Degrees conferred per FTE faculty

CWM	2.94	2.98	3.20	3.20	2.99	3.02	3.04	3.05	3.10	3.20	3.20	3.30	0.08	0.26	-0.18	0.06
							2.83	2.84	2.89	2.99	2.99	3.09				
	Δ	-0.21	-0.21	-0.21	-0.21	-0.21	-0.21									
GMU	5.60	5.00	4.80	5.20	5.40	5.30	5.20	5.20	5.20	5.20	5.20	5.20	-0.30	0.00	0.10	0.00
							5.00	5.00	5.00	5.00	5.00	5.00				
	Δ	-0.20	-0.20	-0.20	-0.20	-0.20	-0.20									
ODU	4.20	4.90	4.90	4.70	5.00	4.80	4.70	4.70	4.60	4.60	4.50	4.50	0.60	-0.20	0.10	-0.10
							4.30	4.30	4.20	4.20	4.10	4.10				
	Δ	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40									
UVA	4.78	4.87	5.25	5.25	5.35	5.16	5.12	5.08	5.04	5.00	4.96	4.92	0.38	-0.20	-0.09	-0.08
							4.93	4.89	4.85	4.81	4.77	4.73				
	Δ	-0.19	-0.19	-0.19	-0.19	-0.19	-0.19									
VCU	2.99	3.06	3.17	3.18	3.43	3.57	3.40	3.50	3.70	3.70	3.80	3.80	0.58	0.40	0.39	0.30
							3.00	3.00	3.10	3.10	3.10	3.10				
	Δ	-0.40	-0.50	-0.60	-0.60	-0.70	-0.70									
VT	5.40	5.90	6.10	5.90	5.70	5.40	5.40	5.40	5.40	5.40	5.40	5.50	0.00	0.10	-0.50	0.00
							5.00	5.00	5.00	5.00	5.00	5.10				
	Δ	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40									
CNU	3.30	3.40	4.30	3.60	3.80	3.70	3.40	3.40	3.40	3.40	3.40	3.40	0.40	0.00	0.10	0.00
							2.90	2.90	2.90	2.90	2.90	2.90				
	Δ	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50									
JMU	3.80	3.80	3.90	3.80	3.90	3.70	3.79	3.70	3.71	3.76	3.83	3.87	-0.10	0.08	-0.10	-0.08
							3.62	3.53	3.55	3.59	3.66	3.71				
	Δ	-0.17	-0.17	-0.16	-0.17	-0.17	-0.16									

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Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years	
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14					
LU	4.07	4.31	4.38	4.45	4.02	3.50	3.83	3.74	3.77	3.73	3.45	3.39	-0.57	-0.44	-0.95	-0.06	
							3.51	3.42	3.45	3.41	3.13	3.07					
							Δ	-0.32	-0.32	-0.32	-0.32	-0.32	-0.32				
NSU	2.60	2.97	2.89	3.04	3.12	3.19	3.19	3.19	3.23	3.34	3.49	3.59	0.59	0.40	0.15	0.04	
							3.10	3.10	3.12	3.19	3.20	3.20					
							Δ	-0.09	-0.09	-0.11	-0.15	-0.29	-0.39				
RU	4.85	4.61	4.73	4.93	5.07	5.20	5.20	5.25	5.47	5.35	5.40	5.56	0.35	0.36	0.27	0.27	
							4.94	4.99	5.21	5.08	5.13	5.29					
							Δ	-0.26	-0.26	-0.26	-0.27	-0.27	-0.27				
UMW	3.74	4.29	4.54	4.56	4.49	4.58	4.65	4.65	4.65	4.65	4.65	4.65	0.84	0.00	0.02	0.00	
							4.57	4.57	4.57	4.57	4.57	4.57					
							Δ	-0.08	-0.08	-0.08	-0.08	-0.08	-0.08				
UVAW	3.00	3.10	3.10	3.30	3.10	3.00	3.00	3.00	3.00	3.00	3.00	3.00	0.84	0.00	0.02	0.00	
							2.70	2.70	2.70	2.70	2.70	2.70					
							Δ	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30				
VMI	2.25	2.32	2.32	2.39	2.16	2.44	2.16	2.21	2.29	2.26	2.23	2.38	0.19	0.22	0.05	0.13	
							1.88	1.93	2.01	1.98	1.95	2.10					
							Δ	-0.28	-0.28	-0.28	-0.28	-0.28	-0.28				
VSU	2.70	3.00	2.60	3.70	3.00	3.70	2.50	2.50	2.70	3.00	3.50	3.50	1.00	1.00	0.00	0.20	
							2.10	2.10	2.30	2.60	3.00	3.00					
							Δ	-0.40	-0.40	-0.40	-0.40	-0.50	-0.50				
RBC	6.00	5.40	4.90	5.20	5.10	5.10	5.20	5.30	7.10	7.40	7.40	7.40	-0.90	2.20	-0.10	1.90	
							5.00	5.00	6.00	6.00	6.00	6.00					
							Δ	-0.20	-0.30	-1.10	-1.40	-1.40	-1.40				

Measure 11: Average progression and retention rates

CWM	91.9%	90.2%	90.0%	89.8%	93.6%	93.3%	92.0%	92.0%	92.0%	92.0%	92.0%	92.0%	0.014	0.000	0.035	0.000	
							89.6%	89.6%	89.6%	89.6%	89.6%	89.6%					
							Δ	-0.024	-0.024	-0.024	-0.024	-0.024	-0.024				
GMU	78.2%	78.9%	77.5%	81.2%	81.2%	82.0%	81.2%	81.2%	81.2%	81.2%	81.2%	81.2%	0.038	0.000	0.008	0.000	
							80.4%	80.4%	80.4%	80.4%	80.4%	80.4%					
							Δ	-0.008	-0.008	-0.008	-0.008	-0.008	-0.008				
ODU	76.7%	76.5%	76.9%	77.2%	76.4%	75.0%	75.0%	75.5%	76.0%	76.5%	77.0%	77.5%	-0.017	0.025	-0.022	0.010	
							73.1%	73.6%	74.1%	74.6%	75.1%	75.6%					
							Δ	-0.019	-0.019	-0.019	-0.019	-0.019	-0.019				
UVA	91.8%	92.8%	92.7%	92.5%	92.7%	93.4%	92.0%	92.0%	92.0%	92.0%	92.0%	92.0%	0.016	0.000	0.009	0.000	
							90.0%	90.0%	90.0%	90.0%	90.0%	90.0%					
							Δ	-0.020	-0.020	-0.020	-0.020	-0.020	-0.020				

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Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
VCU	77.5%	77.1%	78.8%	80.1%	81.5%	81.2%	81.4%	81.5%	81.5%	81.6%	81.6%	81.6%	0.037	0.002	0.011	0.001
							73.3%	73.4%	73.4%	73.4%	73.4%	73.4%				
							Δ -0.081	-0.081	-0.081	-0.082	-0.082	-0.082				
VT	87.2%	87.1%	87.2%	88.8%	88.4%	91.1%	87.5%	87.8%	87.8%	87.8%	88.0%	88.0%	0.039	0.005	0.023	0.003
							85.1%	85.4%	85.4%	85.4%	85.4%	85.7%				
							Δ -0.024	-0.024	-0.024	-0.024	-0.026	-0.023				
CNU	79.3%	70.5%	78.4%	79.9%	83.0%	83.5%	83.5%	83.5%	83.8%	83.8%	84.0%	84.0%	0.042	0.005	0.036	0.003
							80.4%	80.4%	80.7%	80.7%	80.9%	80.9%				
							Δ -0.031	-0.031	-0.031	-0.031	-0.031	-0.031				
JMU	88.9%	88.5%	88.3%	88.6%	89.3%	89.1%	88.3%	88.3%	88.3%	88.3%	88.3%	88.3%	0.002	0.000	0.005	0.000
							87.7%	87.8%	87.9%	88.0%	88.1%	88.2%				
							Δ -0.006	-0.005	-0.004	-0.003	-0.002	-0.001				
LU	72.7%	74.3%	72.6%	71.7%	72.1%	73.1%	72.1%	72.2%	72.3%	72.4%	72.5%	72.6%	0.004	0.005	0.014	0.002
							70.7%	70.8%	70.9%	71.0%	71.1%	71.2%				
							Δ -0.014	-0.014	-0.014	-0.014	-0.014	-0.014				
NSU	73.0%	72.0%	67.0%	73.0%	74.0%	74.0%	74.0%	75.0%	75.0%	76.0%	76.0%	76.0%	0.010	0.020	0.010	0.010
							70.0%	71.0%	71.0%	71.0%	72.0%	72.0%				
							Δ -0.040	-0.040	-0.040	-0.050	-0.040	-0.040				
RU	79.0%	79.4%	79.1%	81.4%	78.3%	81.1%	81.2%	81.3%	81.4%	82.0%	83.0%	84.0%	0.021	0.028	-0.003	0.002
							78.2%	78.3%	78.4%	78.9%	79.9%	80.9%				
							Δ -0.030	-0.030	-0.030	-0.031	-0.031	-0.031				
UMW	85.4%	85.5%	85.7%	84.8%	84.5%	84.3%	84.4%	84.5%	84.6%	84.7%	84.8%	84.9%	-0.011	0.005	-0.005	0.002
							83.9%	84.0%	84.1%	84.2%	84.3%	84.4%				
							Δ -0.005	-0.005	-0.005	-0.005	-0.005	-0.005				
UVAW	74.1%	73.4%	76.8%	74.3%	73.6%	74.8%	73.0%	73.2%	73.4%	73.6%	73.8%	74.0%	-0.011	0.010	-0.005	0.004
							67.9%	68.1%	68.3%	68.4%	68.6%	68.8%				
							Δ -0.051	-0.051	-0.051	-0.052	-0.052	-0.052				
VMI	84.8%	86.3%	87.7%	86.9%	86.9%	86.4%	86.5%	86.6%	86.7%	86.8%	86.9%	87.0%	0.016	0.005	-0.005	0.002
							85.0%	85.1%	85.2%	85.3%	85.4%	85.5%				
							Δ -0.015	-0.015	-0.015	-0.015	-0.015	-0.015				
VSU	67.0%	75.0%	76.0%	76.0%	70.0%	67.0%	67.0%	67.5%	68.0%	68.0%	70.0%	70.0%	0.000	0.030	-0.090	0.010
							60.0%	60.0%	60.0%	62.0%	64.0%	64.0%				
							Δ -0.070	-0.075	-0.080	-0.060	-0.060	-0.060				
RBC	61.0%	64.0%	64.0%	59.0%	61.0%	61.0%	61.0%	63.0%	65.0%	65.0%	65.0%	65.0%	0.000	0.040	0.020	0.040
							61.0%	61.0%	61.0%	61.0%	61.0%	61.0%				
							Δ 0.000	-0.020	-0.040	-0.040	-0.040	-0.040				
VCCS	49.1%	49.6%	50.2%	49.6%	51.1%	49.50%	49.70%	49.90%	50.00%	50.00%	50.00%	-0.491	0.005	-0.496	0.004	
						47.5%	47.70%	47.90%	48.00%	48.00%	48.00%					
						Δ -0.020	-0.020	-0.020	-0.020	-0.020	-0.020					

State Council for Higher Education in Virginia
 Institutional Performance Standards
 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
Measure 12: Undergraduate degree awards per FTE students																
CWM	0.233	0.236	0.248	0.260	0.246	0.239	0.240	0.243	0.244	0.244	0.244	0.244	0.006	0.004	-0.021	0.004
							0.226	0.229	0.230	0.230	0.230	0.230				
							Δ	-0.014	-0.014	-0.014	-0.014	-0.014				
GMU	0.216	0.221	0.219	0.220	0.227	0.227	0.227	0.227	0.227	0.227	0.227	0.227	0.011	0.000	0.008	0.000
							0.200	0.200	0.200	0.200	0.200	0.200				
							Δ	-0.027	-0.027	-0.027	-0.027	-0.027				
ODU	0.210	0.220	0.218	0.200	0.208	0.220	0.200	0.200	0.215	0.217	0.220	0.223	0.010	0.023	0.020	0.015
							0.190	0.190	0.205	0.207	0.210	0.213				
							Δ	-0.010	-0.010	-0.010	-0.010	-0.010				
UVA	0.250	0.252	0.243	0.247	0.251	0.246	0.245	0.245	0.245	0.245	0.245	0.245	-0.004	0.000	-0.002	0.000
							0.240	0.240	0.240	0.240	0.240	0.240				
							Δ	-0.005	-0.005	-0.005	-0.005	-0.005				
VCU	0.166	0.162	0.163	0.166	0.181	0.182	0.183	0.183	0.183	0.183	0.183	0.183	0.016	0.000	0.016	0.000
							0.163	0.163	0.163	0.163	0.163	0.163				
							Δ	-0.020	-0.020	-0.020	-0.020	-0.020				
VT	0.210	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.210	0.220	0.220	0.220	0.010	0.000	0.000	-0.010
							0.195	0.195	0.190	0.195	0.200	0.200				
							Δ	-0.025	-0.025	-0.020	-0.025	-0.020				
CNU	0.179	0.173	0.208	0.204	0.186	0.205	0.190	0.193	0.195	0.198	0.200	0.200	0.026	0.010	0.001	0.005
							0.170	0.173	0.175	0.178	0.180	0.180				
							Δ	-0.020	-0.020	-0.020	-0.020	-0.020				
JMU	0.219	0.217	0.227	0.223	0.226	0.219	0.225	0.218	0.219	0.221	0.224	0.227	0.000	0.002	-0.004	-0.006
							0.218	0.211	0.212	0.214	0.217	0.220				
							Δ	-0.007	-0.007	-0.007	-0.007	-0.007				
LU	0.191	0.192	0.202	0.215	0.196	0.177	0.194	0.195	0.196	0.197	0.198	0.199	-0.014	0.005	-0.038	0.002
							0.175	0.176	0.176	0.177	0.178	0.179				
							Δ	-0.019	-0.019	-0.020	-0.020	-0.020				
NSU	0.145	0.168	0.149	0.162	0.154	0.157	0.157	0.157	0.157	0.157	0.157	0.160	0.012	0.004	-0.005	0.000
							0.147	0.149	0.150	0.150	0.150	0.150				
							Δ	-0.010	-0.008	-0.007	-0.007	-0.007				
RU	0.203	0.207	0.196	0.211	0.214	0.238	0.228	0.229	0.229	0.246	0.257	0.263	0.035	0.035	0.027	0.001
							0.201	0.202	0.202	0.219	0.230	0.236				
							Δ	-0.027	-0.027	-0.027	-0.027	-0.027				
UMW	0.233	0.247	0.250	0.245	0.241	0.237	0.237	0.237	0.237	0.237	0.237	0.237	0.004	0.000	-0.009	0.000
							0.228	0.228	0.228	0.228	0.228	0.228				
							Δ	-0.009	-0.009	-0.009	-0.009	-0.009				
UVAW	0.179	0.178	0.187	0.183	0.179	0.175	0.175	0.175	0.175	0.175	0.175	0.175	0.004	0.000	-0.009	0.000
							0.167	0.167	0.167	0.167	0.167	0.167				
							Δ	-0.008	-0.008	-0.008	-0.008	-0.008				

State Council for Higher Education in Virginia
 Institutional Performance Standards
 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
VMI	0.180	0.192	0.181	0.195	0.182	0.210	0.180	0.182	0.188	0.191	0.181	0.200	0.030	0.020	0.015	0.008
							0.154	0.156	0.162	0.165	0.155	0.174				
							Δ -0.026	-0.026	-0.026	-0.026	-0.026	-0.026				
VSU	0.140	0.160	0.140	0.170	0.160	0.170	0.170	0.170	0.180	0.180	0.190	0.200	0.030	0.030	0.000	0.010
							0.160	0.160	0.170	0.170	0.180	0.190				
							Δ -0.010	-0.010	-0.010	-0.010	-0.010	-0.010				
RBC	0.063	0.058	0.054	0.055	0.057	0.059	0.048	0.049	0.065	0.069	0.069	0.056	-0.004	0.008	0.004	0.017
							0.046	0.047	0.060	0.060	0.062	0.062				
							Δ -0.002	-0.002	-0.005	-0.009	-0.007	0.006				
Measure 14: Degree-qualified transfers																
CWM	19	44	42	36	41	51	52	53	54	55	56	57	32	5	15	2
							42	43	44	45	46	47				
							Δ -10	-10	-10	-10	-10	-10				
GMU	226	248	300	311	318	351	360	370	390	410	430	450	125	90	40	30
							316	326	346	366	386	406				
							Δ -44	-44	-44	-44	-44	-44				
ODU	364	363	394	342	378	417	425	440	465	480	495	510	53	85	75	40
							387	402	427	442	457	472				
							Δ -38	-38	-38	-38	-38	-38				
UVA	71	58	56	66	84	89	107	116	126	136	147	159	18	52	23	19
							86	95	104	113	124	136				
							Δ -21	-21	-22	-23	-23	-23				
VCU	127	136	195	186	176	207	195	200	205	210	220	230	80	35	21	10
							175	175	170	170	165	165				
							Δ -20	-25	-35	-40	-55	-65				
VT	76	69	82	100	112	117	118	124	128	133	138	138	41	20	17	10
							91	97	101	104	111	111				
							Δ -27	-27	-27	-29	-27	-27				
Total Research Institutions	883	918	1,069	1,041	1,109	1,232	1,257	1,303	1,368	1,424	1,486	1,544	349	287	191	111
							1,097	1,138	1,192	1,240	1,289	1,337				
							Δ -160	-165	-176	-184	-197	-207				
CNU	42	37	14	11	15	12	15	15	16	16	16	16	-30	1	1	1
							11	11	12	12	12	12				
							Δ -4	-4	-4	-4	-4	-4				
JMU	183	194	212	245	282	254	251	252	253	254	255	256	71	5	9	2
							236	237	238	239	240	241				
							Δ -15	-15	-15	-15	-15	-15				

State Council for Higher Education in Virginia
 Institutional Performance Standards
 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
LU	49	46	49	36	49	43	44	44	44	44	44	44	-6	0	7	0
							31	31	31	31	31	31				
							Δ	-13	-13	-13	-13	-13				
NSU							5	10	18	22	25	30	0	25	0	13
							3	8	15	18	22	25				
							Δ	-2	-2	-3	-4	-3				
RU	265	277	249	233	241	234	234	234	235	234	234	235	-31	1	1	1
							226	226	227	226	226	227				
							Δ	-8	-8	-8	-8	-8				
UMW	37	63	49	46	55	82	83	83	84	84	85	85	45	2	36	1
							47	47	48	48	49	49				
							Δ	-36	-36	-36	-36	-36				
UVAW	57	58	54	39	34	54	42	42	42	42	42	42	45	0	36	0
							22	22	22	22	22	22				
							Δ	-20	-20	-20	-20	-20				
VSU	6	9	9	11	7	6	9	9	9	11	11	11	0	2	-5	0
							6	6	6	8	8	8				
							Δ	-3	-3	-3	-3	-3				
Total Comprehensive Institutions	639	684	636	621	683	685	678	679	683	685	687	689	46	11	64	5
							579	580	584	586	588	590				
							Δ	-99	-99	-99	-99	-99				
Total Four-Year Institutions	1,522	1,602	1,705	1,662	1,792	1,917	1,935	1,982	2,051	2,109	2,173	2,233	395	298	255	116
							1,676	1,718	1,776	1,826	1,877	1,927				
							Δ	-259	-264	-275	-283	-296				

Measure 15: Dual enrollment of high school students

RBC		218	220	301	277		230	230	230	230	230	230		0	57	0
							230	230	230	230	230	230				
							Δ	0	0	0	0	0				
VCCS	17,123	18,083	19,771	22,001	25,018	29,086	30,000	30,500	31,000	30,000	29,000	28,000	69.9%	-6.7%	32.2%	3.3%
							27,900	28,365	28,830	27,900	26,970	26,040				
							Δ%	-7.0%	-7.0%	-7.0%	-7.0%	-7.0%				

Measure 17: Research expenditures (three-year moving average - in millions)

CWM	\$36.14	\$36.14	\$39.17	\$43.58	\$46.48	\$48.83	\$49.74	\$51.48	\$53.29	\$55.15	\$57.08	\$59.08	35.1%	18.8%	12.1%	7.1%
							\$38.22	\$39.96	\$41.76	\$43.62	\$45.55	\$47.55				
							Δ%	-23.2%	-22.4%	-21.6%	-20.9%	-20.2%				
GMU	\$31.53	\$37.40	\$41.59	\$44.55	\$44.68	\$45.52	\$48.80	\$51.47	\$54.04	\$56.75	\$59.58	\$62.56	44.4%	28.2%	2.2%	10.8%
							\$43.67	\$46.34	\$48.92	\$51.62	\$54.46	\$57.44				
							Δ%	-10.5%	-10.0%	-9.5%	-9.0%	-8.6%				

State Council for Higher Education in Virginia
 Institutional Performance Standards
 2008-09 through 2013-14 Targets

Institution	Actual						Targets/Thresholds						Δ Actual Last 6 Years	Δ Next 6 Years	Δ Actual Last 3 Years	Δ Next 3 Years
	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14				
ODU	\$29.77	\$32.13	\$35.67	\$40.20	\$44.80	\$48.50	\$48.80	\$51.20	\$53.50	\$55.60	\$57.80	\$59.80	62.9%	22.5%	20.6%	9.6%
							\$39.90	\$42.30	\$44.60	\$46.80	\$48.90	\$51.00				
							Δ%	-18.2%	-17.4%	-16.6%	-15.8%	-15.4%	-14.7%			
UVA	\$157.40	\$179.33	\$205.67	\$223.27	\$234.13	\$236.37	\$235.00	\$235.00	\$239.70	\$244.50	\$249.40	\$254.40	50.2%	8.3%	5.9%	2.0%
							\$206.80	\$206.80	\$210.90	\$215.20	\$219.50	\$223.80				
							Δ%	-12.0%	-12.0%	-12.0%	-12.0%	-12.0%	-12.0%			
VCU	\$78.73	\$86.19	\$93.77	\$104.75	\$113.27	\$115.69	\$115.79	\$116.81	\$121.67	\$123.67	\$124.33	\$125.67	46.9%	8.5%	10.4%	5.1%
							\$98.42	\$99.29	\$103.42	\$105.12	\$105.68	\$106.82				
							Δ%	-15.0%	-15.0%	-15.0%	-15.0%	-15.0%	-15.0%			
VT	\$123.26	\$134.61	\$144.35	\$196.06	\$254.76	\$326.23	\$383.94	\$404.32	\$428.58	\$454.29	\$481.55	\$510.44	164.7%	32.9%	66.4%	11.6%
							\$304.94	\$325.32	\$349.58	\$365.50	\$381.50	\$396.00				
							Δ%	-20.6%	-19.5%	-18.4%	-19.5%	-20.8%	-22.4%			
Total Research Institutions	\$456.83	\$505.80	\$560.23	\$652.41	\$738.12	\$821.13	\$882.06	\$910.28	\$950.77	\$989.95	\$1,029.7	\$1,071.9	79.7%	21.5%	25.9%	7.8%
							\$731.94	\$760.01	\$799.17	\$827.86	\$855.59	\$882.60				
							Δ%	-17.0%	-16.5%	-15.9%	-16.4%	-16.9%	-17.7%			

Measure 18: Patents and licenses (three-year moving average)

CWM			1.0	1.3	1.7	2.3	3.0	3.0	3.0	3.0	3.0	3.0			0	1	0
							1.0	1.0	1.0	1.0	1.0	1.0					
							Δ	-2	-2	-2	-2	-2	-2				
GMU	1.7	3.3	6.3	8.0	9.7	10.3	10.5	11.0	12.0	14.0	16.0	18.0	9	8	2	2	
							7.5	8.0	9.0	11.0	13.0	15.0					
							Δ	-3	-3	-3	-3	-3	-3				
ODU	3.7	4.3	4.7	4.3	3.3	3.3	3.4	3.6	3.7	4.1	4.4	4.6	0	1	-1	0	
							1.0	1.0	2.0	2.0	2.0	2.0					
							Δ	-2	-3	-2	-2	-2	-3				
UVA			54.3	53.3	55.3	55.7	56.0	56.0	57.0	57.0	58.0	58.0			2	2	1
							50.0	50.0	51.0	51.0	52.0	52.0					
							Δ	-6	-6	-6	-6	-6	-6				
VCU	38.0	37.0	33.0	31.0	33.0	32.0	30.0	21.0	17.0	17.0	18.0	18.0	-6	-12	1	-13	
							25.0	18.0	14.0	14.0	15.0	15.0					
							Δ	-5	-3	-3	-3	-3	-3				
VT	27.0	24.0	27.0	27.0	21.0	20.0	22.0	25.0	28.0	32.0	34.0	36.0	-7	14	-7	6	
							10.0	13.0	16.0	20.0	22.0	24.0					
							Δ	-12	-12	-12	-12	-12	-12				
Total Research Institutions	70.4	68.6	126.3	124.9	124.0	123.6	124.9	119.6	120.7	127.1	133.4	137.6	53	13	-1	-4	
							94.5	91.0	93.0	99.0	105.0	109.0					
							Δ	-30	-29	-28	-28	-28	-29				

State Council of Higher Education for Virginia Agenda Item

Item: #7.c – Action on Programs at Public Institutions

Date of Meeting: January 6, 2009

Presenter: Dr. Joseph G DeFilippo
Director of Academic Affairs and Planning
JoeDeFilippo@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements:

Five public four-year institutions (George Mason University, Longwood University, James Madison University, Radford University, and Virginia Commonwealth University) are requesting Council action on a total of six proposals for new degree programs. The programs would be implemented fall 2009. Only Longwood University's program would require new state resources, and therefore the proposed resolution confers approval conditioned on the institution's ability to secure necessary funds from the General Assembly or another source. Staff's review of these proposals finds that each meets the criteria established by Council for program approval.

Materials Provided:

- George Mason University
 - Doctor of Philosophy in Linguistics Page 49
- Longwood University
 - Bachelor of Science in Nursing Page 52
- James Madison University
 - Doctor of Philosophy in Strategic Leadership Studies Page 55
- Radford University
 - Doctor of Nursing Practice Page 59
- Virginia Commonwealth University
 - Doctor of Philosophy in Social and Behavioral Health Page 63
 - Doctor of Philosophy in Systems Modeling and Analysis Page 66

Financial Impact: The proposed program at Longwood University would require new state resources; the remaining proposed programs would be funded by existing and/or reallocated resources.

Timetable for Further Review/Action: N/A

Resolutions:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Doctor of Philosophy (Ph.D.) degree program in Linguistics (CIP: 16.0102), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants conditional approval to Longwood University to initiate a Bachelor of Science (B.S.) degree program in Nursing (CIP: 51.1601), effective fall 2009. This approval is conditioned on the University receiving funds necessary to initiate and sustain the program from the 2009 session of the General Assembly. If such funding is not secured, Longwood must submit a plan to SCHEV documenting how requisite funds will be obtained from other sources, in time for the Council to consider final unconditional approval of the program at its May 2009 meeting.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to James Madison University to initiate a Doctor of Philosophy (Ph.D.) degree program in Strategic Leadership (CIP: 30.9999), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Radford University to initiate a Doctor of Nursing Practice (DNP) degree program (CIP: 51.1699), effective fall 2010.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Doctor of Philosophy (Ph.D.) degree program in Social and Behavioral Health (CIP: 51.2207), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Doctor of Philosophy (Ph.D.) degree in Systems Modeling and Mathematical Analysis (CIP: 27.9999), effective fall 2009.

George Mason University
Doctor of Philosophy (Ph.D.) in Linguistics (CIP: 16.0102)

Program Description

George Mason University (GMU) proposes the creation of a Doctor of Philosophy (PhD) degree program in Linguistics to be initiated fall 2009. The proposed program combines theoretical and empirical coursework in linguistics, with an emphasis on second language acquisition. Designed to advance the field of linguistics, the program would offer both depth and breadth in the scholarship of two substantive fields: 1) applied Linguistics and 2) theoretically informed (second) language acquisition. Students would be exposed to education in phonology, syntax, semantics, and language acquisition. Prepared to serve as research scientists in academia, private industry, and government agencies, graduates of the proposed program will possess the knowledge and skills to: 1) conduct research in the universal and language-specific rules of language; 2) analyze and solve issues and problems in the science of language and language acquisition; and 3) serve as linguists in the area of machine language understanding and computational linguistics.

The program would require 72 credit hours: 33 credit hours in core and language acquisition courses; three credit hours in research methodology; six credit hours of seminar coursework; 15 credit hours of elective coursework; six credit hours of coursework in qualifying research; and a minimum of 12 credit hours of dissertation.

Justification for the Proposed Program

An acute need for well-educated linguists in public and private sectors exists. In 2006, the Washington Post published the American Community Survey of 2005 in which it was estimated that 33% of Fairfax County households speak a primary language other than English (November 2, 2006). GMU contends that as the percentage of non-native speakers continues to grow and that linguists (ESL and ESOL instructors) are needed to administer language-learning programs and teach residents in the region.

As the Intelligence community and high-tech industry address defense and security issues, linguists who possess knowledge and skills in areal, forensic, and/or computational linguistics are needed. Private and public agencies must hire personnel who understand “language groups” in specific geographical areas; agencies seek employees who can “read between the lines” of written and spoken communication to determine critical information. Moreover, trained personnel are needed for work in speaker and speech recognition, speech synthesis, grammar checking, and meaning analysis. GMU contends that the proposed program would address the demand for trained linguists in the Washington Metropolitan area and nationally.

The external reviewer’s report notes, “There is a shortage of applied linguists who can draw upon a solid foundation of formal linguistics training...the proposed GMU

doctoral program is especially promising in regard to filling this gap.” Academic programs such as the proposed program will meet the demand for linguistics instructors who are qualified in both the theory and practical application of linguistics. With emphasis on applied linguistics and second language acquisition and, with “interdisciplinary ties to other departments (namely, computer science, foreign languages, psychology, and education), this program would have no problem meeting accrediting standards.”

Student Demand

In July 2007, GMU conducted an online survey of graduate students enrolled in Linguistics courses. Of the 58 respondents, 48 (approximately 83%) indicated that they were interested in enrolling in the proposed program. One student noted that the proposed program would afford more job opportunities. Another student stated, “This is an excellent idea which would meet a growing need; a part-time, affordable Ph.D. program for working professionals.”

In May 2008, GMU conducted a survey of graduate students enrolled in Linguistics courses. Of the 71 respondents, 55 (approximately 77%) indicated that they were interested in enrolling in the proposed program. A student wrote, “I graduate in May 2009 and I would be proud to apply for and to be a part of the first Linguistics Ph.D. at GMU. This degree could really help me meet my personal and professional goals.”

The summary of projected enrollments for the proposed program shows a headcount (HDCT) of 7 in the program’s first year, rising to a HDCT of 20 by the target year. Enrollment projections show a full-time equated student enrollment (FTES) of 4.0 in the program’s first year (2009-10). The projections continue as follows: FTES 2010-11, 7.0; 2011-12, 9.0; and 2012-13, 10.0. GMU anticipates five graduates per year beginning in 2013-14. If projections are met, then this program will meet Council’s productivity/viability standards within five years, as required.

Market/Employer Demand

In 2007, data from the LinguistList website showed 56 jobs at the assistant professor level were available, nationally. Fifteen openings were available for linguistic scientist, researcher, and language analyst; 38 positions were available for postdoctoral appointments (<http://www.linguistlist.org/>). Employment announcements indicate demand for doctoral-level trained personnel in academia and government industry, nationally and abroad. Employment opportunities for teachers of English as a Second Language (ESL) and teachers of English to Speakers of Other Languages (ESOL) are increasing. The Bureau of Labor Statistics (BLS) noted that ESOL teachers should have courses or training in second-language acquisition theory and linguistics. The Bureau of Labor Statistics and the Virginia Employment Commission (VEC) do not show data for linguists. However, the BLS projects that between 2006 and 2016, employment of adult literacy and remedial education teachers (a group that includes ESL and ESOL teachers) is expected to grow faster than average for all occupations or 14% (<http://www.bls.gov/oco/ocos289.htm>). Employment of

postsecondary teachers is expected to grow much faster than the average for all occupations or 23% (<http://www.bls.gov/oco/ocos066.htm>). The Virginia Employment Commission (VEC) includes linguistics faculty within the category of English Language and Literature Teachers, Postsecondary. The VEC projects that between 2006 and 2016, employment of postsecondary instructors in English is expected to increase 33.1% or 2.9% annually. Employment of Adult Literacy, Remedial Education, and GED teachers is expected to increase 20.8% or 1.9% annually (Available at: www.vawc.virginia.gov/analyzer).

Issues of Duplication

GMU would be the first institution in the Commonwealth to offer a doctoral program in Linguistics. In the Northern Virginia area, two institutions (Georgetown and the University of Maryland) offer a similar program. GMU's proposed program would provide a more affordable alternative for Virginia residents.

Resource Needs

No additional state resources would be required to initiate and sustain this program. GMU would fund the proposed program through departmental and institutional reallocations.

Board Approval

GMU Board of Visitors approved the proposed program on October 4, 2006.

Staff Recommendation

Based on a thorough review of the application, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Doctor of Philosophy (Ph.D.) degree program in Linguistics (CIP: 16.0102), effective fall 2009.

Longwood University
Bachelor of Science (B.S.) in Nursing (CIP: 51.1601)

Program Description

Longwood University (Longwood) is proposing the creation of a Bachelor of Science (BS) in Nursing degree program to be initiated fall 2009. The proposed program is designed to prepare students for entry level generalist practice in professional nursing. Coursework in liberal arts, natural sciences, and humanities coupled with clinical courses, clinical laboratories, and nursing seminar courses will provide a forum for students to examine and analyze general health care and patient-centered health care. Students would gain practical experience by completing required clinical internships. Students will be prepared and eligible to take the National Council Licensing Examination to obtain a license to practice professional nursing. Graduates would possess the knowledge and skills to incorporate professional values and standards into compassionate nursing practice, deliver high quality, proficient care, participate in point of care quality and safety initiatives, and communicate effectively and professionally on health care teams.

The BS in Nursing would require 121 credit hours for graduation: 62 credit hours of major coursework; 41 credit hours of general education coursework; 12 credit hours of coursework in natural science; and 7 credit hours of additional coursework required for a BS degree at Longwood. One credit hour of practicum will be counted twice to fulfill general education and major requirements. However, students will receive only one credit for the practicum.

Justification for the Proposed Program

A nursing shortage exists in America and globally. The shortage is noted as one of the most important problems affecting hospitals and other healthcare organizations. Effects on the health care system include increased risk of adverse outcomes, medical errors, and increased patient mortality (Buerhaus, Nursing Economics, 2006). Projections show that the shortage of nurses could reach 500,000 by 2025 (Buerhaus, The future of the nursing workforce in the United States, 2009). Virginia is experiencing a nursing shortage in clinicians and faculty. In 2004, in a report released by the State Council of Higher Education for Virginia (SCHEV) it was estimated that Virginia would need to license approximately 3,800 registered nurses, annually. Recommendations of the report included: expanding institutions' capacity to prepare students in basic nursing programs by 15% more students within two years and an additional 35% within 12 years; and, increasing the number of graduates from basic and advanced degree nursing programs by 15% within five years

(<http://www.schev.edu/Reportstats/StrategicPlanEnsuringAdequateSupplyNursesVA2004.pdf>).

In 2007, the American Association of Colleges of Nursing (AACN) reported that nursing schools had not effectively increased their student capacity. It was noted that since 2003, the rate at which nursing schools had been able to increase student

capacity had declined sharply (AACN, Enrollment growth slows at US nursing college and universities, 2007). Further, AACN estimated that over 30,000 qualified applicants were denied admission to bachelor-level nursing programs. Longwood believes the proposed program would enrich the pool of bachelor-level prepared nurses, contribute to the health and well-being of residents in the Commonwealth particularly in the Southern Virginia region, and assist in addressing demand for a well-educated nursing workforce.

Student Demand

In fall 2008, Longwood surveyed freshmen who had not declared a major and students enrolled in Biology courses. Of the 397 respondents, 50 (approximately 13%) indicated they were considering nursing as a career. Forty-seven students indicated interest in pursuing a nursing degree at Longwood.

Data from institutions that offer a bachelor-level program in Nursing demonstrate student demand. Between fall 2007 and fall 2008, Virginia Commonwealth University (VCU) received over 400 applications and admitted 40 students each year. The University of Virginia (UVA) in 2007 and 2008 received 370 and 404 applications, respectively. Fifty seven students were admitted each year.

Enrollment projections for the proposed program show a full-time equated student enrollment (FTES) of 35.0 in the program's first year (2009-10). The projections continue as follows: FTES 2010-11, 65.0; 2011-12, 95.0; and 2012-13, 120.0. Longwood anticipates having 26 graduates each year beginning in 2013-14. If these projections are met, this program will meet Council's productivity/viability standards within five years, as required.

Market/Employer Demand

The proposed program responds to important needs nationally and in the Commonwealth. Employment advertisements from website postings, newspapers, and professional journals indicate demand for registered nurses. A letter of support from a regional health facility indicated graduates of the proposed program would be welcome in the applicant pool. The Bureau of Labor Statistics (BLS) projects that between 2006 and 2016 demand for registered nurses is expected to increase 23% (<http://www.bls.gov/oco/ocos083.htm>). Data from the Virginia Employment Commission (VEC) show that between 2006 and 2016, employment of nurses is expected to grow 24.4% or 2.2%, annually (available at: www.vawc.virginia.gov/analyzer).

Issues of Duplication

Eight public institutions (JMU, NSU, GMU, VCU, UVA, ODU, Radford, and UVA at Wise) currently offer a bachelor-level program in Nursing. All programs require the same core courses to fulfill requirements of the Virginia Board of Nursing and the Commission on Collegiate Nursing Education (CCNE). Longwood's program would differ from the other programs in that emphasis will be placed on community based

experiences and health care provided in rural settings. Moreover, a practicum/internship will be required in the final semester. Longwood noted that the proposed program would be the only other state sponsored bachelor-level program in the Central region.

Resource Needs

To initiate and sustain the proposed program, Longwood will require additional state resources. Funding for annual operating costs is needed to initiate and sustain the program between 2009-10 and 2011-12. The university expects to seek from the state approximately \$406,998 for personnel and library costs. Longwood will seek a one-time budget addition of \$4,000,000 for equipment and renovation of instructional space. For the projected enrollment of 121 students per year by 2012-13, the university would establish a “sophisticated clinical simulation center” which would include high fidelity simulation mannequins, furnishings, hardware and software to run the facility, and equipment utilized in hospital rooms, examination rooms, and homecare settings. Longwood intends to pursue other funding sources including philanthropic support.

Board Approval

The Longwood Board of Visitors approved the proposed program on September 12, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants conditional approval to Longwood University to initiate a Bachelor of Science (B.S.) degree program in Nursing (CIP: 51.1601), effective fall 2009. This approval is conditioned on the University receiving funds necessary to initiate and sustain the program from the 2009 session of the General Assembly. If such funding is not secured, Longwood must submit a plan to SCHEV documenting how requisite funds will be obtained from other sources, in time for the Council to take up final unconditional approval of the program at its May 2009 meeting.

James Madison University
Doctor of Philosophy (Ph.D.) in Strategic Leadership
(CIP 30.9999)

Program Description

James Madison University (JMU) is proposing the creation of a Doctor of Philosophy (PhD) degree program in Strategic Leadership to be initiated fall 2009. Designed to cultivate practitioner-scholars capable of translating research into innovative policy and practice, the proposed interdisciplinary program would examine critical aspects of administration in education (K-12) and administration of nonprofit organizations. The curriculum would offer advanced study of leadership theory and applications, management and business principles, strategic planning (with assessment measures), systematic use of performance and assessment data, and strategic and effective communication strategies. Students would understand how to apply research and business principles to the management of schools and nonprofit organizations. The program will take advantage of the resources currently available at and to the university including: (1) course offerings in the College of Business and the College of Education; and (2) established partnerships in the community. JMU anticipates that graduates will be prepared to analyze and evaluate organizational issues, serve as change agents in schools and nonprofit agencies, and lead organizations utilizing strategic and visionary perspectives.

The program would offer two concentrations (Educational Leadership and Nonprofit and Community Leadership) and would require a minimum of 66 graduate credit hours: 12 credit hours in research methodology and evaluation; 18 credit hours of coursework in business and organizational foundations; 12 credit hours of coursework in leadership; 12 content-area credit hours in one of the concentrations; three credit hours in strategic management; and, 12 credit hours of dissertation-related coursework.

Justification for the Proposed Program

The proposed program introduces an innovative, cutting-edge education model for administrators in the education (primarily, K-12) and nonprofit industry. JMU and the External Reviewers concur that the program meets a largely unmet educational need for emerging and current leaders in two distinct fields. Administrators of schools, school systems, and nonprofit organizations are increasingly responsible and accountable for managing multimillion-dollar systems and leading system reform and change. School boards, foundations, donors, and the public require administrators, managers, and leaders to address multiple issues and utilize data-based information in decision-making. JMU contends that education and nonprofit leaders are in need of greater competence in business administration and strategic managerial strategies.

The Institute for Educational Leadership's "Task Force on the Principalsip" stressed the need to develop more qualified candidates and recommended improving preparation and raising entry and exit standards of college preparation programs

(<http://www.iel.org/programs/21st/reports/principal.pdf>). In 2002, it was noted that 15% of America's Gross Domestic Product flows through charities. However, only two schools offered a Ph.D. in nonprofit management. Doctoral-level education programs to train scholars to do research in the field and to train people to run successful organizations are needed (<http://www.charitynavigator.org/index.cfm?bay=content.articles>). Noted by the external reviewer "There are few relevant doctoral programs that emphasize nonprofit management [but] none that combine business courses with nonprofit leadership courses...the proposed program meets a need that exists in the field of nonprofit leadership education."

The summation of the SCHEV-required external reviewers' report concludes that the proposed program "benefits greatly from the collaborative effort among schools, faculty, and administrators at JMU. The program brings expertise and content from fields not normally associated with educating members of the education and nonprofit populations. The program incorporates the latest in learning design via hybrid learning approaches. Additionally, students will take the Certified Managers exam offered by the Institute of Certified Professional Management. This academic program is indeed the right program at the right time and in the right place."

Student Demand

In 2007, JMU surveyed graduates who had completed its Masters of Education degree program. Of the 63 respondents, 15 (approximately 24%) indicated they would apply to the proposed program. In summer 2007, JMU surveyed managers/leaders who attended a Nonprofit Institute. Of the 19 respondents, three (approximately 16%) indicated they would be interested in pursuing a doctoral degree in the proposed program and five (approximately 26%) indicated that they "may be" interested in the proposed program.

Emails indicate student interest in the proposed program. Most inquirers were very interested in learning more about the program and the required courses. One noted, "I'm very much looking forward to this program" and one wrote, "I would very much like to discuss the program... and [have] thoughts of entering the program in its first offering."

The summary of projected enrollments for the proposed program shows a headcount (HDCT) of 8 in the program's first year, rising to a HDCT of 42 by the target year. Enrollment projections show a full-time equated student enrollment (FTES) of 6 in the program's first year (2009-10). The projections continue as follows: FTES 2010-11, 12.0; 2011-12, 20.0; and 2012-13, 30.0. JMU anticipates eight graduates per year beginning in 2013-14. If these projections are met, this program will meet Council's viability/productivity standards within five years, as required.

Market/Employer Demand

For PhD graduates of the proposed program, potential employment opportunities exist within education, particularly K-12 and private industry sectors. Qualified educational leaders (superintendents and principals) who are curriculum experts and are able to work effectively with the community, school board, parents, and teachers are needed. A recent article in the Richmond Times Dispatch noted that due to the number of openings nationally, competition is “stiff” in the search for school superintendents (November 9, 2008). The nonprofit sector has experienced rapid growth and expansion since the 1990s. Data show that between 2002 and 2004, employment in nonprofit organizations increased by 5% (<http://www.jobbankusa.com>) and now the industry employs more than 11 million people (<http://www.humanics.org>). Educationally trained leaders are needed to manage and direct the complex business needs of charities and nonprofit organizations. A small sampling of employment announcements indicates a need for directors and education administrators. The U.S. Bureau of Labor Statistics (BLS) projects employment of education administrators is expected to “grow as fast as average” (increase 12%) for all occupations through 2016 (<http://www.bls.gov/oco/ocos007.htm>). The Virginia Employment Commission (VEC) projects that between 2006 and 2016, employment of education administrators, elementary and secondary school will grow 1.5%, annually (Available at: <http://www.vawc.virginia.gov/analyzer>). Data specific to future employment demand of managers in the nonprofit sector were not available. However, the BLS projects that between 2006 and 2016, employment of wage and salary personnel in advocacy, grant making, and civic organizations is expected to grow 13% (<http://www.bls.gov/oco/cg/cgs054.htm#outlook>). The Virginia Employment Commission (VEC) projects that between 2006 and 2016, employment of social and community service managers will increase 2.4% annually, faster than the 1.5% growth rate for all occupations in Virginia (Available at: <http://www.vawc.virignia.gov/analyzer>).

Issues of Duplication

James Madison University (JMU) would be the first public institution in Virginia to offer a PhD degree program in Strategic Leadership. Four institutions (W&M, VSU, VA Tech, and UVA) offer doctoral programs in educational leadership. However, JMU’s program requires additional courses in business and quantitative methods and the required business courses are taught by faculty in the College of Business. JMU believes that emphasis on business and additional coursework in quantitative methods will address the rising importance of data-based decision making. Moreover, the program will address the business-related managerial competencies needed by administrators in the education and non-profit arenas.

Resource Needs

No additional state resources would be required to initiate and sustain this program. JMU will fund the proposed program primarily through institutional reallocations.

Board Approval

The JMU Board of Visitors approved the proposed program on May 2, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to James Madison University to initiate a Doctor of Philosophy (Ph.D.) degree program in Strategic Leadership (CIP: 30.9999), effective fall 2009.

Radford University
Doctor of Nursing Practice (DNP)
(CIP 51.1699)

Program Description

Radford University (RU) proposes to establish a Doctor of Nursing Practice (DNP) program to be initiated in fall 2010. Administered by the Waldron College of Health and Human Services and housed in the School of Nursing, the program is designed to prepare graduate advanced practice nurses with the knowledge and skills needed to assume leadership positions in the critically underserved profession, especially in the rural areas of the Commonwealth. The program would be available in a distance education format with web-based, online courses, providing students with options for specialization: Family Nurse Practitioner, Certified Nurse Specialist (Adult or Geriatric Nursing), or Certified Nurse Midwifery. Sub-specialties in nursing education, geriatric nursing and specialty cognates are included.

Graduates of the program would be prepared to meet the new recommendation by the American Association of Colleges of Nursing (AACN) that by the year 2015, all advanced practice degrees shall be offered at the DNP level. The DNP graduate will also be eligible for employment in nursing education, playing a central role in efforts to alleviate the nursing faculty shortage, as supported in a position statement by AACN on nursing faculty preparation.

The proposed program is designed to meet the needs of both the post-baccalaureate (BSN) and post-master (MSN) student, supporting the AACN (2004) recommendation that a period of transition be allowed for individuals who are presently prepared at the Master's level of education with credit provided for their previous graduate work and practice experience. The Post-BSN DNP program will require 79 credit hours (clinical nurse specialist options), 84 credit hours (family nurse practitioner option), and 86 credits (certified nurse midwife). Full time study would require eight semesters, including two summer semesters (or 3 years). Part time study of the Post-BSN is 12 semesters (or 5 years). The Post-MSN program requires a minimum of 39 credit hours, with full time study requiring five semesters, including two summer sessions; part time study can be spread out one course at a time if necessary.

The proposed DNP would combine selected on-site campus meetings and online distance computer-based instruction. All courses will be online, with onsite campus visits limited to the first orientation period. The clinical portions of the program can be accomplished in the home area of the student, based on preceptor agreements and working with health care professionals in the student's specialty areas. Students graduating from the Post-BSN program would receive both the MSN and DNP degree at graduation.

Justification for the Proposed Program

RU and the External Reviewers affirm that the proposed program aligns with national trends and needs for improved health care, a student and employer

justification for need, and the ability of the School of Nursing to deliver the program. The U.S. Department of Labor (Bureau of Labor Statistics), the Virginia Employment Commission, the American Association of Colleges of Nursing, and the State Council of Higher Education for Virginia (SCHEV), as well as private and public health care services have identified a critical health shortage of nurses and advanced practice nurses to deliver essential health care. The 2004 SCHEV report, *Condition of Nursing and Nursing Education in the Commonwealth* delineated three major areas of concern: 1) the demand for nursing services in the Commonwealth are expanding through general population growth, an increase in the aging population, and trends in healthcare services utilization; 2) the supply of Registered Nurses (RNs) will become inadequate as demand continues, with additional nurses needed to meet the demand and replace the high level of retirement age nurses; and 3) despite the numerous nursing education programs in Virginia, there are serious limitations in the number of student applicants that can be accepted into these programs due to a nursing faculty shortage and clinical placement sites. According to projections from the *National Center for Health Workforce Analysis Nursing Demand Model* that was adapted for Virginia, the demand for FTE RNs is expected to increase by roughly 43 percent between 2000 and 2020, with the expected supply/demand to result in a shortfall of 32.6 percent, mirroring the U.S. national shortage.

The shortage of nurses is compounded by the increase in both population growth and rapid increase in the elderly population in Virginia. The U.S. Census data reflects a fourteen percent increase in Virginia's population between 1990 and 2000, with an expected growth of 12 percent through 2010. By 2020, the age composition of Virginians is anticipated to change significantly, with the largest percentage among the elderly (age 65 and greater), and the near elderly (ages 45-64). This population group utilizes the greatest number of hospital dollars.

Student Demand

RU and the External Reviewers affirm that the proposed program has a strong student need, as evidenced by meetings with students and community members, an Alumni Survey, Undergraduate Survey, Graduate Survey, Regional Advanced Practice Nursing Survey, and National NP/CNS Surveys. Radford University surveys were completed in January 2008, documenting significant interest in the DNP program at RU. Alumni of both the baccalaureate and masters programs reported significant interest in the DNP program, with 231 respondents. Fifty-nine percent of the graduates responded they were interested in obtaining a DNP degree, and 96% of those preferred a distance education modality of instruction (a mixed model of online and onsite education). The graduates were an even mix of students who would need the post-BSN DNP (51%) and post-MSN DNP (45%), with the remaining already holding a terminal degree (DNP or PhD). An overwhelming 75% (N=93) of those interested in the DNP desired enrollment in the next 1-5 years, and 15% (N=18) were interested in a 6-10 year time frame. Of those graduates interested in pursuing a DNP, 51% indicated an interest in potential careers in nursing education. The RU Undergraduate Survey was conducted with 247 respondents, with 92% interested in pursuing a DNP degree, 61% hoping to pursue

the nurse practitioner option, and 23% the clinical nurse specialist option. About half (50.3%) voiced an interest in nursing education as a future career interest. The RU Graduate Student Survey had 21 respondents, with 81% reporting interest in pursuing a DNP degree. Approximately half (47%) indicated they wanted to enroll in a DNP program within the next 5 years, 23% were interested in 6-10 years. Most (71%) of the students preferred a distance education model, with only 28% wanting onsite, traditional classes. About half (47%) were interested in a future nursing education career. These students would all be in the Post-MSN option.

The summary of projected enrollments for the proposed program shows a headcount (HDCT) of 25 in the program's first year, rising to a HDCT of 85 by the target year. Enrollment projections show a full-time equated student enrollment (FTES) of 20 in the program's first year (2010-11). The projections continue as follows: FTES 2011-12, 35; 2012-13, 55; and 2013-14, 67. RU anticipates 25 graduates per year beginning in 2014-15. If these projections are met, this program will meet Council's viability/productivity standards within five years, as required.

Market/Employment Demand

The need for Advanced Practice Nurses and Nurse Educators has been well documented at both a national and state level (SCHEV 2004 report; Health Care Commission 2006 report). Nurse Practitioners and Clinical Nurse Specialists provide significant care to patients in primary health care and acute care settings across the Commonwealth and Nation. Until the year 2015, employers will have the option to hire Advanced Practice Nurses at either the MSN or the DNP level; however, after 2015 the DNP will be required for appropriate degree for licensure, national certification and state-to-state reciprocity. Employers will want to hire Nurse Practitioners and Clinical Nurse Specialists with the skills and expertise to best guide healthcare.

The DNP is intended to meet the market demands for highly skilled professional nurses in local, state, regional, and national markets. It is especially important to offer the DNP program to ensure adequate numbers of advanced practice nurses for the future as the profession transitions to the DNP degree by 2015. Many different types of employment opportunities exist for graduates of DNP programs. Nationally there are over 57 existing practice doctoral programs; however, a recent survey conducted in 2008 by AACN revealed that over 200 institutions are developing DNP programs. Graduates of DNP programs are assuming positions with the following job titles: Nurse Practitioner, Clinical Nurse Specialist, Nurse Educator/Faculty, Vice President for Nursing and Clinical Services, Program Director, Vice President for Patient Care, Chief Executive Officer, Health Officer, Commissioner of Health, Quality Improvement Director, Clinical Information Technology Specialist, and Direct Care Clinician. Graduates will continue to meet the health care needs in primary care, acute care, long term care, public and community health care.

Issues of Duplication:

According to *Strategic Plan and Recommendations to Ensure an Adequate Supply of Nurses in Virginia* (SCHEV, 2004), one of the recommendations for ensuring and adequate supply of nurses is to support the expansion and/or creation of nursing education certificate programs and doctoral degree programs. The proposed DNP program would help address the critical health care shortage of nurses through both direct patient care and the preparation of future faculty in nursing. RU's DNP program would offer the only Post-BSN program in the Commonwealth, as well as the multiple clinical options (Family, Gerontology, Adult and Midwifery specialties), with additional cognate requirements to prepare nursing educators and nurse gerontology specialist. The online, web-based format of the program would allow students to remain in their local communities. The other two DNP's at public institutions (University of Virginia and Old Dominion University) are both Post-Masters programs and do not share the RU program's focus on rural health, midwifery, care of geriatric populations and preparation of nursing educators.

Resources

No additional state resources would be required. RU will fund the proposed program primarily through institutional reallocation.

Board Approval

The RU Board of Visitors unanimously approved the proposed program on April 24, 2008.

Staff Recommendation

Based on a thorough review of the proposal, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Radford University to initiate a Doctor of Nursing Practice (DNP) degree program (CIP: 51.1699), effective fall 2010.

Virginia Commonwealth University
Doctor of Philosophy (Ph.D.) in Social and Behavioral Health (CIP: 51.2207)

Program Description

Virginia Commonwealth University (VCU) proposes the creation of a Doctor of Philosophy (PhD) degree program in Social and Behavioral Health to be initiated fall 2009. Located in the School of Medicine, Social and Behavioral Health Department, the proposed interdisciplinary program would complement existing PhD programs in Psychology, Epidemiology, and Biostatistics. The curriculum integrates concepts and methods from psychology, sociology, anthropology, and communication. Students would examine the social, behavioral, cultural, structural, and biological factors that cause public health issues and become well-versed in various approaches to understanding and enhancing the health of the public. VCU anticipates that graduates will design state-of-the-art interventions and provide leadership in directing research in labs, non-profit agencies, policy settings, private industry, and governmental and educational institutions.

The program would require a minimum of 45 graduate credit hours beyond the Master's level; nine credit hours of core coursework in social and behavioral health; 12 credit hours of research methods; six credit hours of elective coursework; nine credit hours of coursework in applied research; and nine credit hours in dissertation coursework.

Justification for the Proposed Program

VCU and the external reviewers concur that there is "unmet need throughout the country" for doctoral programs that focus on public health research and practice. There is demand for scholars to train people entering the public health workforce, researchers to investigate strategies that address prevention of epidemics and spread of disease, and health policy analysts to develop policies and plans that will assist individuals and communities. The External Reviewers noted that the proposed program would provide "doctoral-educated professionals needed to provide leadership in public health agencies and programs."

VCU and the External Reviewers noted that VCU possesses the infrastructure and resources to offer a quality program. As a major research university and health sciences center, VCU has several nationally renowned research centers. Well qualified faculty and programs of research would contribute to students' academic and training experience. Further, collaborations with existing schools (Social Work, Mass Communications, and Nursing) and departments (Psychology and Sociology) would add depth and breadth to the proposed program. The external reviewer's report noted, "The state of Virginia does not have an accredited school of public health. In order to have a CEPH-accredited school, VCU must offer three doctoral programs. The proposed program is essential to the success of VCU's and Virginia's only School of Public Health."

Student Demand

In fall 2007, VCU conducted a survey of participants attending the annual American Public Health Association conference. Of the 53 participants, 40 (approximately 75%) indicated they would “seriously consider applying” to the proposed program.

Data from other institutions that offer a doctoral program in Social and Behavioral Health demonstrate student demand. Two institutions noted receiving 75 to 80 applications a year; one institution admits five students and one institution admits 8 to 10 students. One program receives approximately 20 applications each year and admits two to three students every other year.

The summary of projected enrollments for the proposed program shows a headcount (HDCT) of 6 in the program’s first year, rising to a HDCT of 15 by the target year. Enrollment projections show a full-time equated student enrollment (FTES) of 6.0 in the program’s first year (2009-10). The projections continue as follows: FTES 2010-11, 9.0; 2011-12, 11.0; and 2012-13, 12.0. VCU anticipates three graduates per year beginning in 2012-13. If projections are met, then this program will meet Council’s productivity/viability standards within five years, as required.

Market/Employer Demand

VCU and the External Reviewers affirm that the proposed PhD program in Social and Behavioral Health Psychology responds to important needs nationally and in the Commonwealth. Social and Behavioral scientists employed in health agencies and governmental institutions serve vital roles in identifying, quantifying, and understanding the causes of potential emergency health threats. Demand exists for highly trained individuals who can develop effective public health strategies and public health policy to address such issues as obesity, heart disease, diabetes, and racial and ethnic disparities in healthcare access. The Center for Disease Control (CDC) has increased the number of personnel employed as social and behavioral scientists from approximately 24 during the 1980s to approximately 550 in 2007 (available at: <http://www.cdc.gov/about/opportunities/careers/socialBehavioral.htm>). Employment advertisements for government agencies, public health agencies, and institutions of higher education indicate demand for doctoral-level trained personnel. The Bureau of Labor Statistics (BLS) projects that between 2006 and 2016 demand for health educators is expected to increase 26%, with the addition of 16,118 jobs. The demand for social scientists and related workers is projected to increase 16% (Available at: <http://www.bls.gov/emp/empcols.htm>). Data from the Virginia Employment Commission (VEC) show that between 2006 and 2016 employment of social scientists is expected to grow 1.7% annually; employment of social science postsecondary teachers is expected to grow 2.8% annually (available at: www.vawc.virginia.gov/analyzer).

Issues of Duplication

Currently in Virginia, no public institution offers a doctoral program in Social and Behavioral Health. Although no identical program exists in Virginia, one institution

(VSU) offers a related program. However, VSU's program is more clinically focused. VCU's program would concentrate on socio-behavioral research and interventions and macrosystem topics such as community program planning.

Resource Needs

No additional state resources are required to initiate and sustain this program. VCU would fund the proposed program primarily through departmental reallocations, with additional resources from anticipated research grant funds.

Board Approval

The VCU Board of Visitors approved the proposed program on May 16, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Doctor of Philosophy (Ph.D.) degree program in Social and Behavioral Health (CIP: 51.2207), effective fall 2009.

**Virginia Commonwealth University
Doctor of Philosophy (Ph.D.) in
Systems Modeling and Analysis (CIP 27.9999)**

Program Description

Virginia Commonwealth University (VCU) is proposing the creation of a Doctor of Philosophy (PhD) degree program in Systems Modeling and Analysis to be initiated fall 2009. The proposed program would be located in the Department of Mathematics and Applied Mathematics, and the Department of Statistical Sciences and Operations Research. Designed to cultivate scholars capable of advancing the theory and application of mathematical models in the analysis of systems, the program would focus on the development of mathematical and computational techniques used to model and analyze real world systems. The curriculum would offer advanced study of Applied Mathematics, Operations Research, and Statistics with an emphasis on research and the development of new approaches that integrate concepts and skills emphasized in each area. Students would analyze systems in science, medicine, business, and engineering. Graduates will be prepared to conduct research and oversee the application of theory, to build mathematical models of systems, and to systematically evaluate the accuracy of models in predicting outcomes.

The program would target potential students who possess a bachelor's degree and have completed a minimum of 18 graduate credit hours of mathematical and statistical coursework. At a minimum, VCU's proposed program would require 57 graduate credit hours: 12 credit hours in core courses; three credit hours in seminar courses; six credits in Systems Research; 18 credit hours of electives; a minimum of 18 credits of dissertation research.

Justification for the Proposed Program

The program proposal was reviewed by two experts external to VCU, who, along with a SCHEV staff member, met with faculty and administrators during a site visit. The external reviewers commented that the proposed program is unique in "its cross-department interdisciplinary status" and stated that "very few explicitly interdisciplinary doctoral programs in Mathematics combine Applied Mathematics, Operations Research, and Statistics." Moreover, individuals with "such training are likely to be in high demand." VCU's emphasis on the integration of mathematics, operations research, and statistics would contribute to growth in the field.

The proposal is appropriate in that there is a growing demand for mathematical modeling of systems. In 2001, the National Research Council (NRC) reported that "mathematical modeling can be a powerful tool for gaining insights into the dynamics of infectious disease epidemics, integrating information from laboratory and field studies, and making predictions about future disease risk." In 2005, the NRC affirmed that "the main push in biology during the coming decades will be toward an increasingly quantitative understanding of biological function...and the success of the transformation will depend in part on the creation and nurturing of a robust

interface between biology and mathematics.” In the same year, the NRC addressed Defense Modeling and Simulation and noted that “the diversity of challenges requires a diversity of mathematical and modeling approaches.” Businesses that utilize mathematical models to operate possess competitive advantages and make better decisions. Scholars with strong backgrounds in applied mathematics, operations research, and statistics are needed to address issues in medicine, health, science, and business.

Student Demand

In November 2007, VCU surveyed 50 current and former graduate students enrolled in mathematics, operations research, and statistics programs. Of the 22 respondents, 19 (approximately 85%) indicated interest in pursuing a Ph.D. in the area of the proposed program. Moreover, students noted areas of interest included at least two of the three mathematical sciences in the proposed program. Of the 19 respondents, four students indicated interest in studying applied mathematics, operations research, and statistics; four students noted operations research and statistics; three students indicated applied mathematics and operations research; and three students noted applied mathematics and statistics.

Letters and emails indicate student demand exists. One prospective student noted, “It has been a goal of mine to attain my PhD in a statistics related field, but until this program was brought to my attention, there has not been an opportunity close to Richmond ... There is a need for this program in the Richmond area.” Another student stated that his job requires “a more formal approach, discipline, and theoretical knowledge of system modeling ... If this PhD proposal is approved, I will have a unique opportunity to have both my job and my education support each other.”

The summary of projected enrollments for the proposed program shows a headcount (HDCT) of 6 in the program’s first year, rising to a HDCT of 22 by the target year. Enrollment projections show a full-time equated student enrollment (FTES) of 5 in the program’s first year (2009-10). The projections continue as follows: FTES 2010-11, 8.0; 2011-12, 11.0; and 2012-13, 14.0. VCU anticipates four graduates per year beginning in 2013-14. If these projections are met, this program will meet Council’s viability/productivity standards within five years, as required.

Market/Employer Demand

For PhD graduates of the proposed program, potential employment opportunities exist within two sectors of the job market: academia and industry. Employment advertisements for faculty positions, nationally and in Virginia indicate need for graduates of doctoral-level Mathematics, Operations Research, or Statistics programs. Moreover, post-doctoral positions are available for PhDs with knowledge and skills in mathematical modeling. The Bureau of Labor Statistics (BLS) projects between 2006 and 2016 employment of postsecondary teachers will increase 23%; employment of mathematical scientists will increase 21.3%; and, employment of operations research analysts will increase 10.6% (Available at: <http://www.bls.gov>).

The Virginia Employment Commission (VEC) has predicted that, between 2006 and 2016, employment of postsecondary mathematical scientists will increase 33.2%; employment of mathematical scientists will increase 18.9%; and, employment of operations research analysts will increase 20.1% (Available at: <http://www.vawc.virginia.gov/analyzer>).

Within the private-industry and government sectors, demand appears to be increasing for administrators, supervisors, analysts, and engineers. Letters of support from Wyeth Pharmaceuticals, Comcast, and Qimondo indicate a need for “Associates with advanced skills and knowledge” who can perform independent research and create mathematical models that are of “great value” to the industry.

Issues of Duplication

Four public institutions in Virginia (GMU, ODU, UVA, and VA Tech) offer related programs. All offer doctoral-level education in one or more of the fields of Mathematics or Applied Mathematics, Statistics or Statistical Science, or Industrial or Systems Engineering. VA Tech’s program is the only program similar to the proposed program. VA Tech’s program requires some of the same coursework and electives are drawn from mathematics, statistics, and operations research. VCU contends that the proposed program differs in that the research would not focus on one discipline but utilize a combination of three disciplines - mathematics, statistics, and operations research. Further, VCU is located in the central region of the Commonwealth and in close proximity to industry that need personnel with a broad background of all mathematical modeling techniques.

Resource Needs

No additional state resources would be required to initiate and sustain this program. VCU will fund the proposed program primarily through reallocations within the College of Humanities and Sciences.

Board Approval

The VCU Board of Visitors approved the proposed program on February 14, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Doctor of Philosophy (Ph.D.) degree program in Systems Modeling and Analysis (CIP: 27.9999), effective fall 2009.

State Council of Higher Education for Virginia Agenda Item

Item: #7.d – Action on Provisional Certification of South University

Date of Meeting: January 6, 2009

Presenter: Dr. Joseph G. DeFilippo
Director of Academic Affairs & Planning
JoeDeFilippo@schev.edu

Linda H. Woodley
Director, Private and Out-of-State Postsecondary Education
LindaWoodley@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements:

South University (SU) is a private for-profit institution accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) and based in Savannah, GA. SU is seeking certification to operate in Virginia and plans to build a new facility in Glen Allen, VA at a cost of approximately \$10,000,000 with completion anticipated by August 2009. SCHEV's standard certification procedure requires the successful completion of a site visit prior to approval of a school's certificate to operate in Virginia. As SU is building a new facility, the site visit cannot be accomplished until the facility is complete. In accordance with the regulations governing the certification of private and out-of-state postsecondary institution, SU may not engage in any postsecondary education activities—including advertising, recruitment, and enrollment of students—until it has obtained certification.

SU has requested that it be granted a provisional certification that would allow the school to market and solicit for enrollment during the period of facility construction, so as to minimize the period of time between the school's final construction and the beginning of instruction. This consideration would facilitate the school's ability to begin recouping its investment in the West End of Richmond.

Staff from SCHEV and the Office of the Attorney General met with SU representatives to develop parameters of an agreement that, with Council approval,

would allow the school to engage in ancillary activities short of instruction during the period of construction. In addition, POPE staff have conferred with counterparts in other states and been informed that SU has a demonstrated record of operating successful programs at its other locations.

Staff recommends that South University be granted provisional certification to operate in Virginia for one (1) calendar year. The terms of this provisional certification, which are spelled out in the resolution, would allow the school to be introduced to the community, while protecting potential students in the event circumstances prevent the school from opening. Upon satisfaction of SCHEV's site visit review of the completed facility, the school would be immediately eligible for full certification and thereafter able to engage in instruction. The proposed resolution delegates to the Executive Director authority to confer full certification in this instance.

Materials Provided:

- South University application summary

Financial Impact:

South University has submitted the required certification fee to operate a postsecondary institution in Virginia.

Timetable for Further Review/Action:

South University must successfully complete a site visit by January 5, 2010 in order to achieve full certification to operate in Virginia.

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia provisionally certifies South University to operate a postsecondary institution in the Commonwealth of Virginia, effective immediately and for a period of one (1) year, in accordance with the conditions enumerated below:

- 1. that, during the period of provisional certification, South University shall be allowed to advertise and receive student applications, but not actually enroll or instruct students.**
- 2. that, during the period of provisional certification, South University may not collect tuition from prospective students, though it may collect initial non-refundable fees of no more than \$100, as per 8 VAC 40-31-160 (N) (2) of the *Virginia Administrative Code*.**
- 3. that, during the period of provisional certification, all publicity, advertisement, and promotional material must include a statement that the school is provisionally certified to operate in Virginia by SCHEV.**

4. that, prior to the expiration of the period of provisional certification (January 5, 2010), South University shall satisfy a site visit conducted by SCHEV staff demonstrating that the facility conforms to all federal, state and local building codes and that it is equipped with classrooms, instructional and resource facilities, and laboratories adequate for the size of the faculty and student body and adequate to support the educational programs to be offered by the school.
5. that South University's provisional certification shall lapse if the school does not satisfy condition #4 by January 5, 2010. In the event of such lapse, the school may reapply for certification.

BE IT FURTHER RESOLVED that Council delegates to the Executive Director authority to confer full certification on South University upon the school's successful completion of the site visit.

South University **Application Summary**

School Overview

South University is a nonsectarian, co-educational, for-profit institution of higher education owned by Education Management Corporation. South University has campuses in Savannah, GA., Columbia, S.C., Montgomery, AL., Tampa, FL., and West Palm Beach, FL. South University is accredited by The Commission on Colleges, Southern Association of Colleges and Schools (SACS) to award associate, bachelor, master's, and doctoral degrees.

School Officer

Chancellor – Dr. John T. South, III

School Mission Statement

The school's mission statement is as follows:

South University is a private academic institution dedicated to providing educational opportunities for the intellectual, social, and professional development of a diverse student population.

To achieve this purpose, the institution offers focused and balanced curricula at the associate, bachelors, masters and doctoral levels.

A broad-based core curriculum is offered, promoting critical thinking, effective verbal and written communication, and skills for life-long learning. Additionally, the University focuses on developing the requisites to pursue and appreciate knowledge. South University's approach to higher education and the resulting varied academic experiences provide students with the intellectual acumen and pragmatic approach necessary to create the foundation for personal and professional fulfillment. South University attempts to provide a comprehensive education that instills within its students a philosophy that values not only learning and professionalism but also contribution and commitment to the advancement of community.

Believing that qualified individuals should have the privilege of formal academic training, South University welcomes those who seek educational challenges. To this end, the University provides a learning environment, both on-campus and online, that helps students identify goals and the means to achieve them. With this philosophy in mind, students learn by interacting with a community of faculty, staff and administration dedicated to South University's academic purpose.

Proposed Educational Programs and Credentials Conferred

Associate of Science in Business Administration
Bachelor of Business Administration
Bachelor of Science in Criminal Justice
Bachelor of Science in Healthcare Management
Bachelor of Arts in Psychology
Bachelor of Science in Health Sciences
Bachelor of Science in Nursing Completion (RN to BSN)
Master of Arts in Professional Counseling
Master of Business Administration

Proposed Location

South University plans to operate from the following address:

2159 Old Brick Road
Glen Allen, VA 23060-5819

Financial Stability Indicator

South University completed the Projected Accounting Budget developed by SCHEV staff. Using the information provided by the school, SCHEV staff calculated the school's financial composite score as 3.0 out of a possible 3.0, which indicates that the institution demonstrates overall financial health, as defined by the U.S. Department of Education.

Guaranty Instrument

South University submitted a \$194,400.00 surety instrument, which is adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given enrollment period in the event of the school closure, pursuant to 8 VAC 40-31-160 (I).

Evidence of Compliance

South University provided the appropriate evidence to demonstrate compliance—or a satisfactory plan for compliance pending construction of the school facility—with each of the following requirements of the *Virginia Administrative Code*.

<u>Virginia Administrative Code Citation</u>	<u>Area of Compliance</u>
8 VAC 40-31-30	Advertising/Publications
8 VAC 40-31-160 (E) (5)	Maintenance of Student Records
8 VAC 40-31-140 and 150	Faculty Qualifications
8 VAC 40-31-160	Student Services
8 VAC 40-31-160 (M)	Library Resources and Services
8 VAC 40-31-160 (E)	Student Admissions Standards

Staff Recommendation:

South University has demonstrated a satisfactory plan for compliance with § 23-276.3 (B) of the *Code of Virginia*, pending construction of the school facility, which will allow for a full site review in accord with standard SCHEV practice. As such, staff recommends that Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia provisionally certifies South University to operate a postsecondary institution in the Commonwealth of Virginia, effective immediately for a period of one (1) year, in accordance with the conditions enumerated below:

- 1. that, during the period of provisional certification, South University shall be allowed to advertise and receive student applications, but not actually enroll or instruct students.**

2. that, during the period of provisional certification, South University may not collect tuition from prospective students, though it may collect initial non-refundable fees of no more than \$100, as per 8 VAC 40-31-160 (N) (2) of the *Virginia Administrative Code*.
3. that, during the period of provisional certification, all publicity, advertisement, and promotional material must include a statement that the school is provisionally certified to operate in Virginia by SCHEV.
4. that, prior to the expiration of the period of provisional certification (January 5, 2010), South University shall satisfy a site visit conducted by SCHEV staff demonstrating that the facility conforms to all federal, state and local building codes and that it is equipped with classrooms, instructional and resource facilities, and laboratories adequate for the size of the faculty and student body and adequate to support the educational programs to be offered by the school.
5. that South University's provisional certification shall lapse if the school does not satisfy condition #4 by January 5, 2010. In the event of such lapse, the school may reapply for certification.

BE IT FURTHER RESOLVED that Council delegates to the Executive Director authority to confer full certification on South University upon the school's successful completion of the site visit.

State Council of Higher Education for Virginia Agenda Item

Item: # 7.e – Action on Organizational Change: Extension of Preliminary Approval of George Mason University Loudoun Site

Date of Meeting: January 6, 2009

Presenter: Dr. Joseph G DeFilippo
Director of Academic Affairs and Planning
JoeDeFilippo@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: January 8, 2008

Action: Granting of preliminary approval extension to George Mason University for its Loudoun County instructional site.

Background Information/Summary of Major Elements:

In January 2006, George Mason University (GMU) requested and received from Council a preliminary approval to continue its in-development plans for a campus in Loudoun County. Council's resolution stipulated that the preliminary approval was granted "for a period of up to one year; no later than January 31, 2007, the university [GMU] must request from Council either a legislatively-mandated conditional (final) approval or an extension of this preliminary approval."

Since the original January 2006 resolution, Council has granted GMU two successive one-year extensions of the preliminary approval of the Loudoun County instructional site, the first effective through January 2008, the second through January 2009. GMU is requesting a third one-year extension, to be in effect through January 31, 2010. GMU reports that enrollments at the Loudoun site have met expectations, but that a study to determine the precise location of the permanent site will not be completed in time to apply for conditional (final) approval before the current extension expires at the end of January 2010.

Materials Provided: N/A

Financial Impact: N/A

Timetable for Further Review/Action: According to the proposed resolution, GMU must notify SCHEV of its intention to apply for conditional (final) approval no later than May 1, 2009; the application itself must be submitted in time for consideration at the Council's January 2010 meeting.

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants to George Mason University (GMU) a third one-year extension of its preliminary approval to operate an instructional site in Loudoun County. GMU shall notify SCHEV of its intention to apply for conditional (final) approval by May 1, 2009.

State Council of Higher Education for Virginia Agenda Item

Item: #8.a – Action on Programs at Public Institutions (**Consent Agenda**)

Date of Meeting: January 6, 2009

Presenter: Dr. Joseph G DeFilippo
Director of Academic Affairs and Planning
JoeDeFilippo@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements:

Two public four-year institutions (George Mason University and Virginia Commonwealth University) are requesting Council action on a total of five proposals for new degree programs. The programs would be implemented fall 2009. Staff's review of the proposals finds that each meets the criteria established by Council for program approval.

Materials Provided:

- George Mason University
 - Master of Science in Computer Forensics Page 79
 - Master of Public Health Page 82
 - Master of Science in Real Estate Development Page 85

- Virginia Commonwealth University
 - Master of Science in Mechanical and
 - Nuclear Engineering Page 88

Financial Impact: The proposed programs would be funded by existing and/or reallocated resources.

Timetable for Further Review/Action: N/A

Resolutions:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Science (M.S.) degree program in Computer Forensics (CIP: 11.9999), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Public Health (M.P.H.) degree program (CIP: 51.2201), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Science (M.S.) degree program in Real Estate Development (CIP: 52.1501), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Master of Science (M.S.) degree program in Mechanical and Nuclear Engineering (CIP: 14.9999), effective fall 2009.

George Mason University
Master of Science (M.S.) in Computer Forensics
(CIP: 11.9999)

Program Description

George Mason University (GMU) is proposing the creation of a Master of Science (MS) degree program in Computer Forensics to be initiated fall 2009. Through the integration of computer science, law, computer engineering, information technology, and telecommunications, the proposed interdisciplinary program is designed to prepare students to collect, deconstruct and process, and analyze digital information. Students would be exposed to a range of computer forensics methods, applications, and tools for use in industry, government, and academia. The program is designed to offer students the opportunity to conduct experiential forensic searches and demonstrate develop skills in collecting evidence from a crime scene. Graduates would understand the operation of digital components, possess the knowledge to decipher network traffic and report information, and possess the skills to present digital evidence and forensic results in a court of law.

The program would require a minimum of 30 credit hours of graduate coursework: 15 credit hours of core coursework; 12 credit hours of elective coursework; and a three credit hour capstone seminar.

Justification for the Proposed Program

GMU asserts that the field of computer forensics is growing rapidly. A computer forensics show in Washington DC showcased the capabilities of more than 50 companies. Federal agencies, private industry, and state and local police agencies have developed computer forensics programs and have computer forensics requirements that involve internal and external programs of instruction and training. Demand is increasing for experts in computer forensics to investigate, process, and analyze digital information that ranges from SIM cards of cell telephones to complex networks. Further, usage of computers and other technology sources in crimes is increasing as people use and need technology to conduct public and private business. GMU contends that the proposed program would address demand for education programs.

Student Demand

In fall 2007, GMU conducted an on-line survey to determine student demand. Of the 149 respondents, 136 (approximately 91%) were “interested” in enrolling in the proposed program; 122 respondents were currently enrolled at GMU.

Student enrollment in two programs indicates student demand. Between 2006 and 2008, approximately 30 part-time students enrolled each year in the Telecommunications, Forensics, and Security graduate certificate program; nine students graduated in 2006 and in 2007, and 14 students in 2008. Between 2005 and 2006, the number of bachelor-level students enrolled in the BS in Information Technology, Information Security Networking concentration increased from 377 to 419.

Enrollment projections for the proposed program show a full-time equated student enrollment (FTES) of 17.0 in the program's first year (2009-10). The projections continue as follows: FTES 2010-11, 34.0; 2011-12, 49.0; and 2012-13, 48.0. GMU anticipates producing 50 graduates each year beginning in 2013-14. If these projections are met, this program will meet Council's productivity/viability standards within five years, as required.

Market/Employer Demand

Graduates of the proposed program would be qualified to work in private industry and government laboratories and bureaus. Letters of support from employers cite the need for academically-trained graduates who are prepared for roles in government, industry, and academic sectors. Noted in one letter is the need for "training and education at an advanced level" to develop qualified "computer forensic examiners who can provide expert testimony in court." GMU asserts that graduates of the proposed program would be qualified for employment in areas such as accounting, private investigation, management, scientific and technical consulting services, and the federal government. Employment announcements primarily from government agencies indicate demand for personnel with advanced degrees. The Bureau of Labor Statistics (BLS) notes that forensic accounting is becoming an important subfield of accounting as "increased focus on and numbers of financial crimes will increase demand for forensic accountants." The BLS projects that between 2006 and 2016 employment of accountants and auditors is expected to grow 18% (www.bls.gov/oco/ocos001.htm). The Virginia Employment Commission (VEC) projects that between 2006 and 2016 employment of accountants and auditors is expected to increase 27.5% or 2.5% annually (available at: <http://www/vawc/virginia.gov/>). The BLS notes that the proliferation of criminal activity on the Internet will increase the demand for private investigators; employment of private detectives and investigators is expected to grow 18% (www.bls.gov/oco/ocos157.htm). The Virginia Employment Commission (VEC) projects that between 2006 and 2016 employment of private detectives and investigators is expected to increase 25.8% or 2.3% annually (available at: <http://www/vawc/virginia.gov/>).

Issues of Duplication

GMU would be the first public institution in the Commonwealth to offer a Master of Science degree program in Computer Forensics. Although no identical program exists in Virginia, one institution (VCU) offers a closely related program. However, VCU's program focuses on lab forensics and chemical analysis.

Resource Needs

No additional state resources are required to initiate and sustain the program. A reallocation of existing internal resources would support the program.

Board Approval

The GMU Board of Visitors approved the proposed program on August 15, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Science (M.S.) degree program in Computer Forensics (CIP: 11.9999), effective fall 2009.

George Mason University
Master of Public Health (M.P.H.) (CIP: 51.2201)

Program Description

George Mason University (GMU) is proposing the creation of a Master of Public Health (MPH) degree program to be initiated fall 2009. Designed to prepare graduate-level professionals to address expanding public health-related needs, the proposed program would require students to master coursework in epidemiology, health administration and policy, environmental health, and social and behavioral sciences. The program would provide students with a comprehensive understanding of sociocultural influences on health and health behavior and train students in communication and management strategies. Graduates will demonstrate cultural competency and leadership and possess knowledge and skills to: a) conduct research within the field; b) analyze public health issues and develop appropriate interventions; and c) plan, manage, and evaluate programs and projects for agencies, businesses, and organizations.

Students would be required to complete 42 credit hours of coursework: 15 credit hours in core coursework; six credit hours of coursework in professional development; 12 content-area credit hours in one of the concentrations; three credit hours of elective coursework; and six credit hours for a practicum or thesis research.

Justification for the Proposed Program

The proposed program is the university's response to a strong and growing demand to address a shortage of skilled professionals who can respond to natural disasters, conduct community health research, and develop and implement intervention programs. The Virginia Department of Health identifies four areas as key community health priorities: 1) health promotion, prevention, and disease control; 2) infant, child, adolescent, and maternal health services; 3) regulation and management of health care facilities; and 4) community health research (<http://www.vdh.state.va.us/Administration/StrategicPlan/>). In Virginia and nationally, public health initiatives address preventable and manageable health problems, tracking and control of epidemics, and implementation of health-related policies. Public health programs that address issues such as disease in particular populations, services for special populations, and chronic diseases are critical. In a recent Research Brief for the Center for Studying Health System Change, it was noted that without enough skilled workers, public health agencies will continue to struggle to meet key responsibilities, including: 1) preventing the spread of disease; 2) protecting against environmental hazards; 3) reducing injuries; 4) promoting healthy behaviors; and 5) responding to disasters and assisting communities in recovery (<http://hschange.com/CONTENT/979>). Professionals with knowledge and skills in public health education and who understand and can provide culturally appropriate health care are needed locally, regionally, and nationally.

Student Demand

Data for students applying to public health programs (nationally) indicate student demand. Data from the Schools of Public Health Annual Data Report show that

between 1995 and 2005, applications to MPH programs increased 53% from 17,611 to 26,995 and enrollment increased 29.9% from 14,973 to 19,443 (Ramiah, Silver, and Sow, 2005).

In December 2007, GMU surveyed graduate students enrolled in health science courses. Of the 55 students, 41 (approximately 75%) indicated they would like to pursue a MPH degree. Approximately 82% (45 students) indicated interest in fulfilling the requirements for admission to a doctoral program in public health. All of the students indicated that “it is important for an MPH program to be offered in Northern Virginia.”

GMU enrollment projections show a full-time equated student enrollment (FTES) of 12.0 in the program’s first year (2009-10). The projections continue as follows: FTES 2010-11, 22.0; 2011-12, 26.0; and 2012-13, 31.0. GMU anticipates 20 graduates per year beginning in 2011-14. If these projections are met, this program will meet Council’s viability/productivity standards within five years, as required.

Market/Employer Demand

In 2005, the Health Resources and Services Administration reported that state and local public health professionals were experiencing difficulty in recruiting health educators, nutritionists, and epidemiologists (Association of State and Territorial Health Officials, 2006). The National Association of City and County Health Organizations reported that “significant need” existed for educated professionals in the public health field, particularly for public health nurses, epidemiologists, and environmental health specialists (http://www.naccho.org/topics/workforce/upload/LHD_WorkforceFinal.pdf). In 2006, the Association of State and Territorial Health Officials noted that the “paucity of competent candidates to fill public health jobs” was reaching a “critical state” (ASTHO, 2006). Letters of support from local health agencies note a “great need” exists for “prepared public health professionals.” The proposed program would “play a critical role in meeting the educational needs of employees” and the “growing demand in Northern Virginia for a skilled workforce.” Employment announcements indicate need for qualified personnel in the Washington DC metropolitan area. Data specific to future employment demand was not available as the Bureau of Labor Statistics (BLS) and the Virginia Employment Commission (VEC) do not have a job category for public health. However, data from the BLS for related fields such as: 1) health educators and 2) medical and health services managers indicate strong demand is anticipated for professional occupations. The BLS projected that between 2006 and 2016 employment of health educators is expected “to grow much faster than the average” (an increase of 26% or more) and employment of medical and health services managers is expected to “grow faster than average” (an increase of 16%) (<http://www.bls.gov/oco/ocos063.htm> and <http://www.bls.gov/oco/ocos014.htm>). The Virginia Employment Commission (VEC) projected that between 2006 and 2016 employment of health educators would increase by 35.8% or 3.1% annually; medical and health services managers would increase by 21.5% or 2% annually (Available at: <http://www.vaworkconnect.com/>).

Issues of Duplication

Three public institutions (VCU, ODU/EVMS, and UVA) currently offer a graduate program in Public Health. All of the programs require the same core courses to fulfill a requirement of the Council on Education for Public Health. Each program offers different concentrations: ODU's program focuses on community health; UVA's program focuses on policy, epidemiology, and biostatistics; and VCU's program focuses on community health and epidemiology. GMU's program would offer concentrations in epidemiology, community health, global health, nutrition, and public health administration. The proposed program would also respond to demand in the Northern Virginia and DC metropolitan region.

Resource Needs

No additional state resources are required to initiate and sustain the program. GMU will fund the proposed program primarily through reallocations within the College of Health and Human Services.

Board Approval

The GMU Board of Visitors approved the proposed program on January 30, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Public Health (M.P.H.) degree program (CIP: 51.2201), effective fall 2009.

George Mason University
Master of Science (M.S.) in Real Estate Development (CIP: 52.1501)

Program Description

George Mason University (GMU) is proposing the creation of a Master of Science (MS) degree program in Real Estate Development to be initiated fall 2009. The proposed program is designed to prepare graduate-level professionals to: (a) apply real estate financial metrics and financial models for valuing real estate development opportunities; (b) describe the essential components of construction design and management; and (c) apply environmental, sustainability, and policy issues to urban and economic development. The program would provide academic and experiential education and training. Students will be exposed to content-specific coursework and classroom theory to ensure they possess skills and knowledge needed to address emerging trends in the real estate development continuum.

The program would offer three tracks (Real Estate Development; Real Estate Finance; and Environment and Sustainability) and would require 36 credit hours of coursework: 15 credit hours of core coursework; nine content-area credit hours in one of the concentrations; nine credit hours of elective coursework; and a three credit hour capstone project.

Justification for the Proposed Program

GMU contends that real estate has become one of the largest and most influential industries in the Northern Virginia region. The industry has created employment opportunities and opportunities for wealth. GMU believes that the proposed program responds to a critical need for personnel who possess an understanding of the “broader industry” – the increasing breadth of the real estate industry, complex issues in the financing markets, evolving urban policy initiatives, and environmental considerations impacting development. The real estate community needs qualified agents who understand project management, are capable of oversight of the development process, and are able to address environmental concerns and new growth initiatives and challenges. Graduates of the proposed program would address the needs of the industry.

Student Demand

In spring 2008, GMU’s Center for Real Estate Entrepreneurship surveyed 100 GMU students and area professionals. Of the 80 respondents, 45 (approximately 56%) indicated interest in enrolling in the proposed program.

Emails from students indicate interest in courses or the program. One prospective student wrote, “[the proposed program] seems like an excellent program and I would definitely like to be considered for this.” Another student indicated interest in “having real estate as a variable in [her] dissertation’s research design” and expressed interest in taking the real estate courses that would be offered in the proposed program.

GMU enrollment projections show a full-time equated student enrollment (FTES) of 13.0 in the program's first year (2009-10). The projections continue as follows: FTES 2010-11, 23.0; 2011-12, 45.0; and 2012-13, 65.0. GMU anticipates 20 graduates per year beginning in 2013-14. If these projections are met, this program will meet Council's viability/productivity standards within five years, as required.

Market/Employer Demand

Letters from local and national law firms, management companies, and real estate development companies strongly support the proposed program and indicate the need for personnel with advanced degrees in real estate. Noted was that the proposed program and "its commitment to excellence" would be a "good source" of education and training for current employees. Of the 11 letters received from potential employers, seven indicated that they would recruit graduates of the proposed program. Employment advertisements indicate that master-level graduates are preferred and needed as executive directors, managers, market analysts, and real estate specialists. Data from the Bureau of Labor Statistics (BLS) show that between 2006 and 2016 employment of property, real estate, and community association managers is projected to increase 15% (<http://www.bls.gov/oco/ocos022.htm>). The Virginia Employment Commission (VEC) projects that between 2006 and 2016, employment of property, real estate, and community association managers will grow 1.3% annually, slightly below the average 1.6% growth rate for all occupations (<http://vawc.virginia.gov/analyzer>).

Issues of Duplication

GMU would be the first public institution in the Commonwealth to offer a Master of Science degree program in Real Estate Development. Although no identical program exists in Virginia, VCU and UVA offer a concentration in Real Estate Valuation and courses in architecture, respectively. GMU states that the proposed program offers "the full spectrum of real estate activities" and nationally, a "relatively small number" of universities offer the proposed program.

Resource Needs

No additional state resources are required to initiate and sustain this program. GMU will fund the proposed program primarily through institutional and departmental reallocations, with additional resources from commercial real estate companies in Northern Virginia and several members of the Northern Virginia Chapter of the National Association of Industrial and Office Properties.

Board Approval

The GMU Board of Visitors approved the proposed program on August 15, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that the Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Master of Science (M.S.) degree program in Real Estate Development (CIP: 52.1501), effective fall 2009.

Virginia Commonwealth University
Master of Science (M.S.) in Mechanical and Nuclear Engineering
(CIP: 14.9999)

Program Description

Virginia Commonwealth University (VCU) is proposing the creation of a Master of Science (MS) degree program in Mechanical and Nuclear Engineering to be initiated fall 2009. The proposed program will prepare graduate-level professionals to apply principles of mechanical and nuclear engineering to public and private business enterprises. Through advanced research and development projects, students would master coursework in fluid mechanics, convective heat transfer, computational methods, nuclear engineering, and engineering mathematics. Coursework in mechanical and nuclear engineering, science, mathematics, and other disciplines in engineering will be emphasized. Students would engage in interdisciplinary research and collaboration and be exposed to techniques in identifying and assessing issues and critical components of energy, nuclear, manufacturing, and industrial systems. Graduates will possess technical, business, analytical, and research skills needed to: 1) apply advanced engineering principles in practice; 2) perform integrated design; 3) develop new technology; 4) manage and supervise engineers and technicians; and 5) invent new approaches to technological problems.

The program would require a minimum of 30 credit hours of coursework. A thesis and a non-thesis option would be offered. To complete the thesis option, students will be required to complete: 15 credit hours of coursework in core courses, nine credit hours of technical elective coursework, and six credit hours of directed research. To complete the non-thesis option, students will be required to complete: 15 credit hours of coursework in core courses and 15 credit hours of technical elective coursework.

Justification for the Proposed Program

The advancement of research and technology in the field of engineering is critical to America's education base, economic growth, and global competitiveness. The need for nuclear and mechanical engineers to provide expertise in areas such as energy, manufacturing, industrial, nuclear, and mechanical systems is increasing. With renewed interest in nuclear power generation and technology, private and government industry seek to join with institutions of higher education to collaborate and expand research and development operations. There is a need for mechanical and nuclear engineering programs that prepare a skilled workforce to deliver innovative and quality research and provide effective solutions to address issues. VCU contends that the proposed program will address industry needs.

The proposed program is a direct response to Virginia's energy initiative and the needs expressed by private industry in Virginia. VCU is addressing the charge to provide academic programs that enhance the level of research and development at Virginia's institutions of higher education. The proposed program would increase the number of graduate programs that promote and participate in research and development of new technologies in the fields of Nuclear and Mechanical Engineering.

Student Demand

In fall 2007, VCU surveyed employees of a Richmond-based energy company. Of the 59 respondents, 13 (approximately 22%) were interested in enrolling in the proposed program. In fall 2008, VCU surveyed students enrolled in the MS degree program in Engineering. Of the 104 respondents, 11 (approximately 11%) indicated they would likely pursue the proposed program fulltime and 25 (approximately 24%) indicated they would likely pursue the proposed program part-time.

Student enrollment in the MS degree program in Engineering indicates student demand. Between 2006 and 2008, the number of students enrolled increased from 11 to 28. In 2007, 14 students were enrolled in the mechanical engineering track and 19 students were enrolled in a newly created nuclear engineering track; in 2008, 10 students were enrolled in the mechanical engineering track and 18 students were enrolled in the nuclear engineering track.

Enrollment projections for the proposed program show a full-time equated student enrollment (FTES) of 24.0 in the program's first year (2009-10). The projections continue as follows: FTES 2010-11, 25.0; 2011-12, 26.0; and 2012-13, 28.0. VCU anticipates producing 15 graduates each year beginning in 2013-14. If these projections are met, this program will meet Council's productivity/viability standards within five years, as required.

Market/Employer Demand

Reports from the National Science Foundation (May 2005) and the National Academy of Engineering (February 2008) indicate a need to increase the number of graduate-level professionals who earn engineering degrees (http://www.nsf.gov/attachments/104206/public/Final_Workforce.doc and <http://www.nae.edu/nae/naepcms.nsf/weblinks/MKEZ-7GYNLP?OpenDocument>, respectively). VCU contends that three of Virginia's leading employers of nuclear engineers have projected that they will hire several engineers per year over the next 10 years to replenish their workforce and meet expansion needs. Moreover, there are a number of engineering industries within close proximity to Virginia including national companies based in Washington, DC, Maryland, Delaware, and North Carolina. Employment announcements indicate employment demand throughout the Commonwealth. The Bureau of Labor Statistics (BLS) projects that between 2006 and 2016 employment of mechanical engineers is expected to grow 4%; however, "additional opportunities outside of mechanical engineering will exist because the skills acquired through earning a degree in mechanical engineering often can be applied in other engineering specialties." Employment of nuclear engineers is expected to grow 7%; "most job growth will be in research and development and engineering services" (<http://www.bls.gov/oco/ocos027.htm>). The Virginia Employment Commission (VEC) projects that between 2006 and 2016 employment of mechanical engineers is expected to increase 10.8% or 1%, annually; employment of nuclear engineers is expected to increase 13% or 1.2%, annually (Available at: www.vawc.virginia.gov/analyzer).

Issues of Duplication

VCU would be the first institution in the Commonwealth to offer a Master of Science degree program in Mechanical and Nuclear Engineering. Although no identical program exists in Virginia, three institutions (VA Tech, UVA, and ODU) offer related programs. However, none of the programs offer the content and focus of the proposed program. VCU notes that through informal collaborations of the Commonwealth Graduate Engineering Program (CGEP), nuclear engineering courses will be available via digital video conferencing and on-line instruction to students at other universities.

Resource Needs

No additional state resources would be required to initiate and sustain the program. A reallocation of existing internal resources would support the program.

Board Approval

The VCU Board of Visitors approved the proposed program on May 16, 2008.

Staff Recommendation

Based on a thorough review of the application, staff recommends that Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Commonwealth University to initiate a Master of Science (M.S.) degree program in Mechanical and Nuclear Engineering (CIP: 14.9999), effective fall 2009.

State Council of Higher Education for Virginia Agenda Item

Item: #8.b – Action on Private and Out-of-State Postsecondary (POPE) Institutions
(Consent Agenda)

Date of Meeting: January 6, 2009

Presenter: Dr. Joseph G. DeFilippo
Director of Academic Affairs & Planning
JoeDeFilippo@schev.edu

Linda H. Woodley
Director, Private and Out-of-State Postsecondary Education
LindaWoodley@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements:

Three private postsecondary institutions, Make-Up Artist Studio, Simply Ballroom Dance Teachers Academy, and Today's Dentist Assisting School, are seeking certification to operate in Virginia.

Materials Provided:

- Make-Up Artist Studio application summary Page 93
- Simply Ballroom Dance Teachers Academy application Summary Page 95
- Today's Dentist Assisting School application summary Page 97

Financial Impact:

Each institution has submitted the required \$2,500 certification fee to operate career/technical institutions in Virginia.

Timetable for Further Review/Action: n/a

Resolutions:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies **Make-Up Artist Studio** to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies **Simply Ballroom Dance Teachers Academy** to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies **Today's Dentist Assisting School** to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

Make-Up Artist Studio **Application Summary**

School Overview

Make-Up Artist Studio, incorporated by the State Corporation Commission, is a private corporation whose educational objective is to prepare students for work through a recognized certification program as professional makeup artists in the fields of: bridal, event, television, theatre, print, film production or retail cosmetics sales while preparing them to manage a successful makeup artist business.

School Officer

Owner/President – Michelle Torres Medellin

School Mission Statement

The school's mission statement is as follows:

Makeup Artist Studio Inc. focuses on the individual and has directed all its efforts toward providing the training, services, and assistance needed to prepare students for jobs that are rewarding and which provide the basis for a successful career in makeup artistry.

Proposed Educational Programs and Credentials Conferred

Certificate – Makeup Artistry
Certificate – Pro Makeup
Certificate – Advance Pro Makeup

Proposed Location

Make-Up Artist Studio operates from the following address:

0 E 4th Street, Studio 41
Richmond, VA 23224

Financial Stability Indicator

Make-Up Artist Studio completed the Projected Accounting Budget developed by SCHEV staff. Using the information provided by the school, SCHEV staff calculated the school's financial composite score as 3.0 out of a possible 3.0, which indicates that the institution demonstrates overall financial health, as defined by the U.S. Department of Education.

Guaranty Instrument

Make-Up Artist Studio submitted an \$8,000 surety instrument, which is adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given enrollment period in the event of the school closure, pursuant to 8 VAC 40-31-160 (I).

Evidence of Compliance

Make-Up Artist Studio provided the appropriate evidence to demonstrate compliance with each of the following requirements of the *Virginia Administrative Code*.

<u>Virginia Administrative Code Citation</u>	<u>Area of Compliance</u>
8 VAC 40-31-30	Advertising/Publications
8 VAC 40-31-160 (E) (5)	Maintenance of Student Records
8 VAC 40-31-140 and 150	Faculty Qualifications
8 VAC 40-31-160	Student Services
8 VAC 40-31-160 (M)	Library Resources and Services
8 VAC 40-31-160 (E)	Student Admissions Standards

Staff Recommendations

Make-Up Artist Studio has demonstrated compliance with § 23-276.3 (B) of the *Code of Virginia*, which outlines the minimal standards for operating a postsecondary institution in the Commonwealth of Virginia. As such, staff recommends that Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies Make-Up Artist Studio to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

Simply Ballroom Dance Teachers Academy **Application Summary**

School Overview

Simply Ballroom Dance Teachers Academy is a formal vocational program that supports dance teachers at all stages of their careers. It offers professional dance instruction programs for all levels of instructors, from social dancers who are exploring a new career in ballroom dance, to seasoned professionals. Program completion will prepare students for the professional certification exam and provide instruction on maximizing one's career in the ballroom dance world.

School Officer

Owner/Vice-President – Veronica Braun

School Mission Statement

The school's mission statement is as follows:

The mission of the Simply Ballroom Dance Teachers Academy is threefold: (1) To offer high-quality, in-depth dance training in a structured and affordable program; (2) To provide opportunities for many people to make ballroom dancing a career; (3) To raise the standards of professional excellence in the ballroom dance industry.

Proposed Educational Programs and Credentials Conferred

Certificate – Ballroom Dance Instructor

Proposed Location

Simply Ballroom Dance Teachers Academy will operate from the following address:

3549 Courthouse Road
Richmond, VA 23236

Financial Stability Indicator

Simply Ballroom Dance Teachers Academy completed the Projected Accounting Budget developed by SCHEV staff. Using the information provided by the school, SCHEV staff calculated the school's financial composite score as 2.5 out of a possible 3.0, which indicates that the institution demonstrates overall financial health, as defined by the U.S. Department of Education.

Guaranty Instrument

Simply Ballroom Dance Teachers Academy submitted an \$5,000 surety instrument, which is adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given enrollment period in the event of the school closure, pursuant to 8 VAC 40-31-160 (I).

Evidence of Compliance

Simply Ballroom Dance Teachers Academy provided the appropriate evidence to demonstrate compliance with each of the following requirements of the *Virginia Administrative Code*.

<u>Virginia Administrative Code Citation</u>	<u>Area of Compliance</u>
8 VAC 40-31-30	Advertising/Publications
8 VAC 40-31-160 (E) (5)	Maintenance of Student Records
8 VAC 40-31-140 and 150	Faculty Qualifications
8 VAC 40-31-160	Student Services
8 VAC 40-31-160 (M)	Library Resources and Services
8 VAC 40-31-160 (E)	Student Admissions Standards

Staff Recommendations

Simply Ballroom Dance Teachers Academy has demonstrated compliance with § 23-276.3 (B) of the *Code of Virginia*, which outlines the minimal standards for operating a postsecondary institution in the Commonwealth of Virginia. As such, staff recommends that Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies Simply Ballroom Dance Teachers Academy to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

Today's Dentist Assisting School **Application Summary**

School Overview

Today's Dentist Assisting School is a newly formed LLC that will train students to become dental assistants. The program will be offered at the Norge Dental Center, a 10,000 square foot, state-of-the-art, full service, family dental practice and taught by an adjunct professor at VCU School of Dentistry with 16 years of experience.

School Officer

CEO – Timothy K. Johnston, DDS

School Mission Statement

The school's mission statement is as follows:

To educate students didactically and clinically in all aspects of dental assisting, preparing them to work competently in a private practice or institutional setting.

Proposed Educational Programs and Credentials Conferred

Certificate – Dental Assisting

Proposed Location

Today's Dental Assisting School will operate from the following address:

7452 Richmond Road
Williamsburg, VA 23188

Financial Stability Indicator

Today's Dental Assisting School completed the Projected Accounting Budget developed by SCHEV staff. Using the information provided by the school, SCHEV staff calculated the school's financial composite score as 2.4 out of a possible 3.0, which indicates that the institution demonstrates overall financial health, as defined by the U.S. Department of Education.

Guaranty Instrument

Today's Dental Assisting School submitted a \$100,000 surety instrument, which is adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given enrollment period in the event of the school closure, pursuant to 8 VAC 40-31-160 (I).

Evidence of Compliance

Today's Dental Assisting School provided the appropriate evidence to demonstrate compliance with each of the following requirements of the *Virginia Administrative Code*.

<u>Virginia Administrative Code Citation</u>	<u>Area of Compliance</u>
8 VAC 40-31-30	Advertising/Publications
8 VAC 40-31-160 (E) (5)	Maintenance of Student Records
8 VAC 40-31-140 and 150	Faculty Qualifications
8 VAC 40-31-160	Student Services
8 VAC 40-31-160 (M)	Library Resources and Services
8 VAC 40-31-160 (E)	Student Admissions Standards

Staff Recommendations

Today's Dentist Assisting School has demonstrated compliance with § 23-276.3 (B) of the *Code of Virginia*, which outlines the minimal standards for operating a postsecondary institution in the Commonwealth of Virginia. As such, staff recommends that Council adopt the following resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies Today's Dentist Assisting School to operate a postsecondary institution in the Commonwealth of Virginia, effective January 6, 2009.

State Council of Higher Education for Virginia Agenda Item

Item: Item #9 – Items Delegated to Staff

Date of Meeting: January 6, 2009

Presenter: Daniel LaVista, Executive Director
DaniellaVista@schev.edu

Most Recent Review/Action:

No previous Council review/action

Previous review/action

Date: March 20, 2002, July, 2002, September 2006

Action: The Council approved delegation of certain items to staff

Background Information/Summary of Major Elements:

Council delegated certain items to staff for approval and reporting to the Council on a regular basis.

Materials Provided:

- Program Approvals:
 - The College of William and Mary
 - Old Dominion University
 - University of Virginia
 - Tidewater Community College
- Discontinuation of Program – Longwood University
- Organizational Changes / Off-campus Instructional Sites
October – December 2008
- Approval of Institution State License Plate Scholarship Plan:
 - Roanoke College
 - GWU – VA campus
 - Hampton University

Financial Impact: N/A

Timetable for Further Review/Action: N/A

Resolution: N/A

Items Delegated to Director/Staff

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council's "Policies and Procedures for Program Approval and Changes," the following items were approved as delegated to staff:

Program Actions

Institution	Degree/Program/CIP	Effective Date
The College of William and Mary	Change the CIP Code of the Bachelor of Arts degree program in Chinese Language and Culture from 30.9999 to 05.0123.	Fall 2008
Old Dominion University	Change the CIP Code of the Doctor of Philosophy degree program in Biomedical Sciences from 26.9999 to 26.0102.	Fall 2008
University of Virginia	Change the Title and CIP code from the B.S. Ed and M.Ed. degree programs in Health and Physical Education (13.1314) to Kinesiology (31.0505).	Fall 2008
Tidewater Community College	Approve the Associate of Applied Science degree program in Human Services (CIP Code: 51.1599).	November 13, 2008

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council's "Policies and Procedures for Program Approval and Changes," the following items were reported to staff:

Institution	Degree/Program/CIP	Effective Date
Longwood University	Discontinue the Master of Science degree program in Environmental Science (CIP Code: 03.0103).	August 1, 2005

Pursuant to the Code of Virginia, Section 23-9:6:1 and Council’s “Policies and Procedures for Internal and Off-Campus Organizational Changes,” the following items were approved as delegated to staff:

**Organizational Changes / Off-campus Instructional Sites
October – December 2008**

Institution	Change / Site	Effective Date
George Mason University	Reorganize the Krasnow Institute for Advanced Study to create a new academic unit to align existing programs and facilitate faculty collaboration. Two departments have been created (the Department of Molecular Neuroscience and the Department of Computational Social Science) to manage degree programs in Neuroscience and Computational Social Science, respectively. The departments will be located in the Krasnow Institute for Advanced Study.	August 25, 2008

Approval of Institution State License Plate Scholarship Plan

As authorized by the Code of Virginia, § 46.2-749, state license plates may bear the seal, symbol, emblem, or logotype of an institution. Proceeds from sales of these license plates are then used by the institution for scholarships under a plan approved by SCHEV. The License Plate Scholarship Plans for the following institutions have been reviewed and found to be in compliance with state requirements:

- Roanoke College
- GWU – VA campus
- Hampton University