

AGENDA BOOK

May 11-12, 2009

Location:

George Mason University
(Mason Hall – Edwin Meese III
Conference Room – Rm. D 23)
Fairfax, VA



State Council of
Higher Education for Virginia

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
Discussion and Meeting Agendas**

George Mason University
Mason Hall
Edwin Meese III Conference Room - Room D23
Fairfax, Virginia
May 11, 2009

AGENDA

Briefing Agenda

3:30 p.m.

Remarks from President Alan Merten
"Community Driver – Community Driven"

Remarks from SCHEV Executive Director Dan LaVista
Report on results of public colleges and universities'
responses to international education survey

Remarks from President Merten and Provost Peter Stearns
"The Global Mason"
Overview of Mason's globalization initiatives

5:00 p.m.

Council bus tour of campus facilities

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

George Mason University
Mason Hall
Edwin Meese III Conference Room - Room D23
Fairfax, Virginia
May 12, 2009
8:30 a.m.

Executive Committee

- | | | | |
|----|---|-----------|-------------------------|
| 1. | Update on SCHEV Budget | 8:30 a.m. | Page E1 |
| 2. | Report on the Results of External Reviews
of SCHEV's Administrative and
Financial Performance | 8:40 a.m. | Page E2 |
| 3. | Discussion of Council Self-Evaluation | 8:45 a.m. | |
| 4. | Discussion of Council Meeting Schedule
For 2010 Calendar Year | 8:50 a.m. | Page E3 |

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
Discussion and Meeting Agendas

George Mason University
Mason Hall
Edwin Meese III Conference Room - Room D23
Fairfax, Virginia
May 12, 2009
9:00 a.m.

Meeting Agenda

Or upon adjournment of the May 11, 2009, meeting

- | | | |
|--|------------|--|
| Call to Order and Announcements | 9:00 a.m. | |
| 1. Public Comment Period | | |
| 2. Approval of Minutes:
(March 10, 2009 Council minutes)
(March 9, 2009 briefing session notes - information only) | | Page 1
Page 11 |
| 3. Executive Director's Report | 9:05 a.m. | |
| 4. Briefings and Discussion:
a. Update on Two-Year College Transfer
Grant Program | 9:10 a.m. | Page 15 |
| 5. Action Items:
a. Action on Certification of Institutions
Under Restructuring
b. Action on Proposed Measures for Institutions
Seeking Level II
c. Action on Program Viability Process
d. Action on George Mason University Mission
Statement Change
e. Action on Revised POPE Regulations
f. Action on 2009-10 Commonwealth Graduate
Engineering (CGEP) Operating Plan
g. Action on 2009-10 Virginia Tuition Assistance
Grant (TAG) Program
h. Recognition of Departing Council Member
i. Selection of Nominating Committee for Council
Elections | 9:15 a.m. | Page 35
Page 82
Page 106
Page 111
Page 114
Page 119
Page 121
Page 124 |
| 6. Remarks by President Merten | 10:30 a.m. | |
| 7. Items Delegated to Staff | 10:55 a.m. | Page 126 |
| 8. Adjournment | 11:00 a.m. | |

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

NOTE:

Note that this will be an electronic communication meeting. Ms. Hardy will participate in this meeting from the SCHEV offices, 101 N. 14th St., Richmond, VA 23219. Please call 804-652-7744 if there is an interruption in the connection from this location.

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 Agenda Item

Item: Executive Committee Item #1 – Update on SCHEV Budget

Date of Meeting: May 12, 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 and the status of Comptroller's Directive 1-08 ARMICS (Agency Risk Management and Internal Control Standards) for FY 2009 will be presented.

Materials Provided:

- "FY2009 Appropriation and Actual Expenditures" through 03/31/09 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 Agenda Item

Item: Executive Committee Item #2 – Report on the Results of External Review of SCHEV's Administrative and Financial Performance

Date of Meeting: May 12, 2009

Presenter: Ellie Boyd, Budget and Finance Director
EllieBoyd@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements: Discuss results of the most recent Auditor of Public Accounts review conducted at SCHEV.

Materials Provided:

- Provided under separate cover

Financial Impact:

Timetable for Further Review/Action: Review only.

Resolution: N/A

State Council of Higher Education for Virginia Agenda Item

Item: Executive Committee Item #4 – Discussion of Council Meeting Schedule for Calendar Year 2010

Date of Meeting: May 12, 2009

Committee:

Academic Affairs Planning Resources Outreach Executive Committee Full Council

Committee Liaison: Dan LaVista

Telephone: 804-225-2611 **E-mail:** DanielLaVista@schev.edu

Presenter: Dan LaVista

Origin:

- No Action – Information Only
 Council review required by:
 State or federal law or regulation
 SCHEV regulation/guideline
 Other:
 Action requested at this meeting
 Action requested at future meeting, **Date:** July 14, 2009

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information: If Council decides to follow current practice, the Council would formally meet as a whole in January, March, May, July, September, and October. Ad hoc Committee meetings and/or retreats may be held at the call of the Chairman of the Council.

Staff is requesting that Council review the list of meeting locations from 1999 to present in order to determine which institutions should be contacted about hosting meetings in 2010.

Materials Provided:

- Meeting dates and locations of meetings from 1999 to present will be distributed at the meeting.

Summary of Major Elements: N/A

Financial Impact:

Timetable for Further Review/Action: N/A

Staff Recommendation:

Resolution: N/A

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA
COUNCIL MEETING
MARCH 10, 2009
MINUTES NO. 531**

Mr. Clement called the Council meeting to order at 9:10 a.m. in the L. Douglas Wilder-Cooperative Extension Building, Virginia State University, Petersburg, Virginia. Council members present: Bob Ashby, Gilbert Bland, Whittington Clement, Mimi Elrod, Mary Haddad, Eva Hardy, Margaret Lewis, Susan Magill, Christine Milliken, and Alan Wurtzel. Staff members present: Lee Andes, Joe DeFilippo, Darlene Derricott, Alan Edwards, Dan Hix, Daniel LaVista, Kirsten Nelson, Lee Ann Rung, Linda Woodley, and Yan Zheng.

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 Ms. Magill and seconded by Dr. Ashby, the minutes from the January 6 Executive Committee and the January 6 Council meeting were unanimously approved as submitted.

REMARKS BY PRESIDENT MOORE

President Moore provided some background on the university and thanked the Council for the role it has played in assisting VSU with its mission. In 1999 the Council was instrumental in getting full state funding for the university through the Office of Civil Rights (OCR) Accord.

Mr. Moore reported that he has been president for 16 years and plans to retire in 2010. He provided statistics on student enrollment, which exceeds 5,000. Last fall the university welcomed 1300 new students from 24 different states. Ninety-five percent of students receive financial aid.

President Moore attributed the university's popularity to the national attention it has received from U.S. News and World Report, where the university was ranked 63rd in the region; fifth best public HBCU overall; and 14th best HBCU among public and private institutions in America. For the second year in row, VSU was ranked top public HBCU of all Master's degree-granting institutions in the country.

The university is fully accredited by SACS and its engineering program earned accreditation from the Accreditation Board for Engineering and Technology (ABET) for all of its programs, retroactive to 2006. NSU's nursing program exceeded an 80% pass rate and received the first step (state accreditation) for the nursing school and is moving forward to national accreditation this fall. VSU has received an unqualified opinion on its state audits for the last 15 years.

The U.S. Army ranked VSU's ROTC program first in the nation among HBCUs.

Mr. Moore informed the Council that the VSU Board of Visitors (BOV) was expanded from eleven to fifteen members during the 2008 General Assembly session, making the current BOV the largest and most diverse in the university's history.

Mr. Moore reported on the university's plans for expansion as well as its 2020 Vision Plan. The academic campus will more than double in size as the university plans to acquire 120 neighboring properties. This is only the second expansion in 127 years. He also announced a new tool that is being used to reduce the amount of paper while still maintaining good communication to the VSU community. Entitled "Moore Minutes," the streaming video highlights topics related to academics and capital improvement projects.

Mr. Moore answered questions from members and agreed to provide additional information related to earning levels for each year of higher education.

EXECUTIVE DIRECTOR'S REPORT

Dr. LaVista reviewed the action plan for affordability recommendations. He said he was proud of the work done by Council last year in developing policy discussions. These discussions led to a greater awareness of policy issues, best practices, and/or policy recommendations.

The presenters from the March 9 briefing session were thanked: Uliana Gabara, Nancy Agee, Hugh Keogh, and Tom Hennessey. The briefing session generated thinking on whether the Council's focus should be on global awareness or global competitiveness. Dr. LaVista stressed the importance of regrouping on the recommendations from the affordability task force and asked for feedback on the direction in which this initiative is headed. He summarized the current recommendations, noted the progress that has been made since its approval by the Council, the plan going forward, and the expected timeline.

There was some discussion by the Council regarding Recommendation #2 and the expected timeline that was presented by staff. On motion by Ms. Milliken and seconded by Dr. Ashby, the following resolution was unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia requests its Chairman to work with the Governor's Office to prepare and mail a letter to the congressional delegation expressing support for the proposed Access and Completion Incentive Fund to foster an innovative approach to help low-income students succeed and complete their college education.

BRIEFINGS AND DISCUSSION

Update on General Assembly Budget Actions

Mr. Hix distributed a table comparing the Governor's introduced budget amendments and the conference report for the 2008-10 biennium and briefly reviewed each item. Ms. Magill requested that in future reports, staff include actions taken by the institutions to reach the 60th percentile for faculty salaries, given the fact that there has been no funding over the last two years for staff increases.

Mr. Wurtzel congratulated Dr. LaVista and his staff for their success with both legislation and the budget bill at the 2009 General Assembly during this difficult economic period.

Update on 2009 Legislation

Ms. Nelson distributed a report that summarized the bills that passed and failed during the 2009 General Assembly session. She briefly reviewed the three SCHEV bills that were passed and highlighted bills with which SCHEV was actively involved. Mr. Wurtzel requested additional information from staff on the Eastern Virginia Medical School (EVMS) legislation relating to its board appointees.

Ms. Hardy stressed the importance of the institutions' role in dealing with the legislature over proposed legislation dealing with in-state/out-of-state tuition, saying that bills of this nature will likely return in future legislative sessions. Mr. Clement stressed the importance of Council's involvement in communicating with staff and legislators over important issues during the session, and Dr. LaVista thanked the Council members for their consultation during the session.

ACTION ITEMS

Action on Domicile Guidelines

Mr. Andes reviewed the information that was presented to the Council in January and reminded the Council that most of the changes involved bringing the Domicile Guidelines into compliance with existing law. He reviewed the timeline and summary of the recommendations. On motion by Ms. Magill and seconded by Dr. Ashby the following resolution was unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the recommendations of the Domicile Guideline Review Committee to amend the Virginia Domicile Guidelines, 8 VAC 40-120, subject to non-substantive recommendations that may arise during the promulgation process.

Action on Program Productivity/Viability Process

Dr. DeFilippo provided background information about the process and indicated that a website for institutions to submit their program information was developed by Mr. Massa. He reviewed the information on Table 1 and explained the process.

Ms. Darlene Derricott was acknowledged for handling all communication with the institutions during this process. Dr. DeFilippo answered questions from members.

There was some discussion about the large number of program closures and the fact that the starting dates and characteristics of the programs were not listed. Ms. Lewis felt that this information may reveal an opportunity to increase the viability of the program. Staff was asked to build this information into the process. In answer to a question raised by Ms. Milliken about the number of Technical Studies programs at the community colleges targeted for closure, Mr. Hightower from the Virginia Community College System (VCCS) reported that many of the programs were implemented as a “rapid fire response” to offer programs targeted to certain employer needs in a particular area. These programs were set up as employer-specific individualized plans of study meant to last 2-4 years. If any of the programs are to continue after four years, each must go through the full program application process. Mr. Wurtzel recommended that the program viability process be revised to include an annual review of programs that have reached the five-year mark, since new programs are exempted from the process for their first five years of existence.

On motion by Mr. Wurtzel and seconded by Ms. Haddad, the Council unanimously recommended that staff develop a specific proposal for conducting the program viability process on an annual basis as well as every five years. It was requested that the proposal be submitted to the Council for approval in May.

On motion by Dr. Elrod and seconded by Ms. Lewis the following resolution was unanimously approved by the Council:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the following degree program actions:

A. Continue without stipulation:

Norfolk State University

Master of Arts in Teaching (MAT) - CIP Code: 13.0101

Master of Music in Music (MMUS) - CIP Code: 50.0903

University of Virginia

Doctor of Business Administration (DBA) and Doctor of Philosophy (PhD) in Business Administration - CIP Code: 52.0201

Virginia Polytechnic Institute and State University

Master of Science (MS) in Hospitality and Tourism Management - CIP Code: 52.0901

Virginia State University

Master of Arts in English (MA) – CIP Code: 23.0101

Master of Science (MS) and Master of Education (ME) in Mathematics – CIP Code: 27.0101

- B. Continue with stipulation that an institutional action plan be submitted to SCHEV by March 2010 addressing (but not necessarily limited to) the program’s enrollment, graduates, fiscal resources and marketing:**

Norfolk State University

Master of Arts (MA) and Master of Fine Arts (MFA) in Visual Studies – CIP Code: 50.0101

- C. Close the following program:**

Virginia State University

Master of Science in Physics (MS) – CIP Code: 40.0801

CONSENT AGENDA

Action on Programs at Public Institutions and 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. Magill and seconded by Ms. Lewis, the following items were unanimously approved by consent:

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to George Mason University to initiate a Bachelor of Fine Arts

(B.F.A.) degree program in Computer Game Design (CIP: 10.0304), 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 Arts (M.A.) degree program in Global Affairs (CIP: 30.2001), 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 Organization Development and Knowledge Management (CIP: 52.1003), 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 Senior Housing Administration (CIP: 51.0799), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to Virginia Polytechnic Institute and State University to initiate a Master of Information Security Assurance (M.I.S.A.) degree program (CIP: 11.1003), effective fall 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies National School of Nursing and Allied Health to operate a postsecondary institution in the Commonwealth of Virginia, effective March 10, 2009.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies University of North America to operate a postsecondary institution in the Commonwealth of Virginia, effective March 10, 2009.

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:

- Approval of Institution State License Plate Scholarship Plan:
 - Mary Baldwin College
 - Marymount University
- Spin-off Program - George Mason University
- Discontinuation of Programs:
 - George Mason University (7)
 - James Madison University (2)
 - Longwood University (1)
 - Norfolk State University (2)
 - Old Dominion University (1)

- University of Virginia (2)
- Renaming of Department – Virginia Tech

NEW BUSINESS

There being no new business, Mr. Clement announced that the next meeting will be held on May 11-12 at George Mason University.

The meeting was adjourned at 11:10 p.m.

Whittington Clement
Chairman

Lee Ann Rung
Council Secretary

Items Delegated to Director/Staff

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:

- Mary Baldwin College
- Marymount University

Program Actions

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:

Institution	Degree/Program/CIP	Effective Date
George Mason University	Spin-off the Executive Master's degree program in Public Policy (CIP Code: 44.0599) from the Master of Public Policy (CIP Code: 44.0501)	Fall 2009

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:

Institution	Degree/Program/CIP	Effective Date
George Mason University	Discontinue the Bachelor of Arts degree program in Area Studies (CIP Code: 05.0199).	May 2015
George Mason University	Discontinue the Master of Music degree program in Pedagogy and Performance (CIP Code: 50.0903).	May 2009
George Mason University	Discontinue the Master of Science degree program in Bioscience Management (CIP Code: 52.9999).	May 2015

George Mason University	Discontinue the Master of Science degree program in Electronic Commerce (CIP Code: 30.1501).	May 2015
George Mason University	Discontinue the Master of Science degree program in Operations Research and Engineering (CIP Code: 14.9999).	May 2009
George Mason University	Discontinue the Master of Music degree program in Conducting (CIP Code: 50.0906).	May 2009
George Mason University	Discontinue the Master of Science degree program in Urban Systems Engineering (CIP Code: 14.2798).	May 2009
James Madison University	Discontinue the Bachelor of Science degree program in Business and Marketing Education (CIP Code: 13.1303).	Fall 2008
James Madison University	Discontinue the Master of Education degree program in Hearing Disorders (CIP Code: 51.0202).	Fall 2008
Longwood University	Discontinue the Master of Science degree program in Environmental Science (CIP Code: 03.0103).	Fall 2008
Norfolk State University	Discontinue the Bachelor of Science degree program in Vocational/Industrial Education (CIP Code: 13.1320).	Spring 2013
Norfolk State University	Discontinue the Bachelor of Science degree program in Design Technology (CIP Code: 15.0899).	Spring 2013
Old Dominion University	Discontinue the Master of Arts/Master of Fine Arts degree program in Visual Studies with Norfolk State University (CIP Code: 50.0101)	Spring 2013
University of Virginia	Discontinue the Master of Science degree program in Applied Mechanics (CIP Code: 14.1101).	May 2004

University of Virginia	Discontinue the Master of Science degree program in Surgery (CIP Code: 51.1401).	May 2009
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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
January – March 2009**

Institution	Change / Site	Effective Date
Virginia Polytechnic Institute and State University	Rename the Department of Art and Art History to the School of Visual Arts . Reorganize the School of Arts to create two schools - the School of Performing Arts and Cinema and the School of Visual Arts .	February 2, 2009

**Council Briefing
Global Competitiveness**

March 9, 2009

3:00 p.m.

L. Douglas Wilder Cooperative Extension Building
Virginia State University

PRESENT: Bob Ashby, Gilbert Bland, Whittington Clement, Mimi Elrod, Mary Haddad, Eva Hardy, Susan Magill, Christine Milliken, Alan Wurtzel. Staff members present: Joe DeFilippo, Alan Edwards, Dan Hix, Dan LaVista, Kirsten Nelson, and Lee Ann Rung.

Mr. Clement read a letter from the Governor expressing his gratitude for the work that was done by SCHEV on the Affordability study.

Mr. Clement prefaced the panel discussion by saying that international competitiveness has grown out of a series of national studies and involvement of higher education think tank organizations, which have called attention to how competitive American colleges and universities are on the world stage. He asked that the meeting discussions focus on how the Council could use the information from the panelists to determine what next steps should be taken with regard to this topic.

Dr. LaVista provided key perspectives on the importance of the issue as it relates to Virginia students and institutions in the Commonwealth and he introduced the speakers.

Dr. Uliana Gabara

Dean of International Education, University of Richmond and Past President, Association of International Education Administrators

Dr. Gabara reported that study abroad is an important part of a student's college experience, and 66-71% students at the University of Richmond graduated with some study abroad. When studying abroad, students learn about their own individuality as well how the U.S. is perceived in other countries. Study abroad is also about experiential education.

While the U.S. focus is on study abroad for U.S. students, international universities focus on increasing international students.

Dr. Gabara reported that Australians are concerned about the quality of international students, while the movement by the U.S. is to set up campuses abroad. In the U.S., the presence of international students on our campuses is also viewed as an educational resource. Benefits of international education include the creation of a

workforce that can be mobile. In looking forward, Dr. Gabara reported that there will be new issues that will require a paradigm shift when looking at what is required to have more educational opportunities for students abroad.

Tom Hennessy
Chief of Staff
George Mason University

Mr. Hennessy was participating in place of Dr. Merten. A copy of Dr. Merten's article entitled, "Building a Global University" was distributed to members. The article preceded a book written by Dr. Peter Stearns and was cited by Mr. Hennessy as a good reference for the issues. Entitled "Educating the Global Citizens and Economies," the article provides examples of how George Mason University (GMU) has attempted to "ride the wave of global education," as was mentioned in Dr. Merten's article. Mr. Hennessy said that GMU is being driven by the diverse communities it serves in the Northern Virginia area.

He felt it is imperative that faculty have a stake in international education. The lesson learned by GMU from its campus in the United Arab Emirates (UAE) was discussed. Mr. Hennessy said that the university did not have sufficient faculty to make the partnership work quickly enough for the UAE.

There are currently multiple models for international education and he felt it would be difficult to classify them into something meaningful for all institutions. No single program or initiative will be 100% successful. There will be stumbling blocks, and what the overseas institution may want or need may not be what the U.S. institution can offer.

Nancy Agee
COO and Executive VP, Carilion Clinic
and Member, Board of Visitors, Radford University

Ms. Agee prefaced her comments by referring to Radford University's (RU) strategic plan, "RU7-17: Forging A Bold New Future." The plan considers what makes RU unique and includes ways in which the university can branch out in the future. One of the plan's strategic directives is "investing in society: globally and locally [to] create a community that is effectively connected with world, the nation, the Commonwealth and the surrounding region."

Starting in fall 2009, RU will offer courses on global perspectives that all students will be required to take. Faculty members are also being required to add a global aspect to their core curriculum.

Ms. Agee also spoke about the importance of globalization in healthcare, with a common theme of caring across the world's tapestry of human life. Regulatory, ethical and financial issues must provide future providers the ability to function in a

smaller world. Cultural competencies are required for all disciplines and can be imbedded in the curriculum.

Hugh Keogh

President and CEO, Virginia Chamber of Commerce

Mr. Keogh spoke about the impact of a global economy on economic development. There are more than 800 foreign subsidiaries operating in Virginia (over half are manufacturing) that have invested more than \$8 billion in the Commonwealth over the last 35 years. These companies employ about 72,000 workers. He provided examples of recent developments from foreign sources in Virginia, including Ikea in Danville. The Institute for Advanced Learning and Research (IALR) proved to be an attraction to Ikea because access to technology was important to the company. Rolls Royce chose Prince George County, Virginia after a worldwide search for its headquarters. Both Virginia Tech and the University of Virginia assisted this effort by assuring the company that research was available in the area, which enticed Rolls Royce to move to Virginia. Volkswagen also welcomed the proximity to sophisticated training and education that is available in Fairfax County before deciding to move its operations.

Mr. Keogh stressed that the relationship between foreign business and the state is extremely important in forging a successful outcome for the economic viability of the state. University relationships play an important role in providing a sense of comfort to the foreign companies as they consider making an investment in locating to Virginia. Flexibility and adaptability are key to a successful relationship, and he urged institutions to continue their efforts in this regard.

Summary

Dr. LaVista provided a few highlights from the panel discussions:

- It is important for faculty to be supported when conceptualizing and investing in international competition.
- Resource allocations must be considered by institutional boards to support international education.
- Institutional cooperation is extremely important and the education/business community can make a strong contribution to the state's economic development.

Ms. Hardy asked if there should be an entity at the state level (similar to the workforce council) as a coordinating unit or focal point for private and public universities and community colleges to deal with questions about international education. It was mentioned that a great deal of cooperation already exists between institutions. Mr. Hennessy said there might be a concern from faculty if there was a state-level coordinating unit. He said successful outcomes are achieved when issues are worked through the faculty and if another layer is added to this process, it could thwart the faculty's ability to work across the institutions. Dr. Gabara said it is

useful to have small organizations like the Virginia Council for International Education working as volunteers. With over 50 agreements, some faculty might be interested in faculty exchanges but don't have knowledge in certain areas such as law or human resource issues. They need to get together to share ideas such as exploring dual degrees and how to deal with general education requirements. Certification and the role of the Southern Association of Colleges and School (SACS) also needs to be considered. Mr. Keogh said each 4-year institution was tasked a few years ago to have an economic developer on its staff.

Ms. Milliken asked about dual degrees and said if there is a space problem at the institutions, perhaps there are ways to rotate students through the programs. Mr. Hennessy said on-campus housing is needed for international students, which competes with housing for domestic students. Mr. Clement asked how many foreign students are needed to achieve a desired symbiotic relationship and a critical mass.

Mr. Wurtzel said that while global awareness (making students more aware of the rest of the world) is very good, he would rather see more emphasis on making Virginia globally competitive, especially when low graduation rates and math scores are being experienced in the U.S. He feels this is what hinders students from competing globally. Dr. Gabara said global competitiveness grows out of a need to imbue in all students an awareness of the outside world. She also stated that many in higher education are involved in remedial work. Dr. LaVista indicated that these issues are not mutually exclusive.

Ms. Milliken asked about the global perspective outcome that should be achieved on campus. Should there be a Commonwealth goal of attaining a certain percentage of graduates with an international perspective? She asked if institutions collect information on the number of foreign students and international students abroad. Dr. LaVista mentioned that SCHEV conducted a survey of institutions which is still incomplete, but could be used as a starting point. He suggested that this survey be completed by staff and the results reported to the Council.

Dr. Gabara suggested that appointing a chief/senior administrative officer position would be helpful. This person could have oversight of international education and keep all of the information in one place about faculty exchanges, study abroad, and international students. The position could collect the information for SCHEV and lead the effort for a strategic plan for international education.

The meeting was adjourned at 5:05 p.m.

State Council of Higher Education for Virginia Agenda Item

Item: #4.a. – Update on the Two Year College Transfer Grant Program

Date of Meeting: May 12, 2009

Presenter: Lee Andes, Assistant Director for Financial Aid
LeeAndes@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: May 13, 2008

Review: Review of Recommendations from the Office of Attorney General

Background Information/Summary of Major Elements:

- In the 2007 session, HB1681 passed into law to officially form the Two Year College Transfer Grant Program (CTG).
- The CTG is unique in several aspects as it combines student need, merit components, and enrollment requirements. The program begins with first-time students entering into their freshman year at a Virginia two-year college as of fall 2007.
- These financially needy students who earn their Associate's degree and meet GPA requirements can then be considered for a \$1,000 CTG award at a Virginia participating four-year college or university. To maintain eligibility for up to three years, students must maintain need and GPA requirements. Students enrolled into certain degree programs (including the areas of science, teaching, engineering, mathematics, and nursing) can qualify for an additional \$1,000 award per year.
- The first year of awards occurred in 2008-09 with 73 students identified as meeting the two-year requirements and enrolled into an eligible four-year college or university. Of these, 26 were found eligible to receive an award for a total of \$37,000.
- The Virginia Community College System and Richard Bland College are reporting that approximately 1,400 students could be eligible in 2009-10 pending verification of eligibility criteria.

- In October 2007, SCHEV approved the draft CTG regulations. Promulgation of these regulations was delayed by staff pending the results of bills proposed by the General Assembly during the 2008 and 2009 sessions. None of these bills passed into law.
- During this time, the regulations were reviewed by the Office of the Attorney General (OAG) and the Governor's office. Recommendations by these offices have resulted in a more student-friendly program. Council was notified of recommendations by the OAG in a previous meeting. This update now provides the recommendations submitted by the Governor's office.
- The Governor's office recommended that student renewal criteria be reviewed on an annual basis rather than by semester. This change is consistent with the statute and reflects a net benefit for students and reduces administrative burden for institutions.
- Additionally, the Governor's office recommended a change to the way that the CTG affects state need-based aid (VSFAP). Previously, it was interpreted that state need-based aid was reduced dollar-for-dollar by the CTG award. The new interpretation has the CTG award reducing the student's "eligibility" for state need-based aid.

Normal VSFAP Calculation

Cost of Attendance
 - EFC (federally calculated)
 - Gift Aid
 Need used to calculate VSFAP award

The CTG "buys down" the tuition thus reducing need:

VSFAP Calculation for CTG Recipient

COA (with adjusted Tuition: Tuition less CTG)
 - EFC
 - Gift Aid
 Need used to calculate VSFAP award

Since most VSFAP awards are based upon a percentage of "need", the new calculation will result in students losing only a percentage of their CTG award rather than dollar-for-dollar under previous interpretation of the Act.

Materials Provided:

A copy of the Code of Virginia and Act of the Appropriation language; and the draft regulations.

Financial Impact:

Promulgation of these regulations does not create a fiscal impact to the program as the General Assembly has already set aside \$1.8 million to fund student awards.

Timetable for Further Review/Action:

Council has already approved these draft regulations pending review by other state offices. Unless otherwise directed, staff will begin the promulgation process following this update.

CODE OF VIRGINIA LANGUAGE

CHAPTER 4.02. TWO-YEAR COLLEGE TRANSFER GRANT PROGRAM.

§ 23-38.10:8. *Definitions.*

As used in this chapter:

"Accredited institution" means any institution approved to confer degrees pursuant to Chapter 21.1 (§ 23-276.1 et seq.) of this title.

"Council" means the State Council of Higher Education for Virginia.

"Grant" means the amount of financial assistance awarded under this chapter whether disbursed by warrant directly to an institution of higher education or directly to a student.

"Institution of higher education" means a four-year public or private nonprofit educational institution within the Commonwealth whose primary purpose is to provide undergraduate collegiate education and not to provide religious training or theological education.

"Student" means an undergraduate student who is entitled to in-state tuition charges pursuant to the provisions of § 23-7.4.

§ 23-38.10:9. *Two-Year College Transfer Grant Program created; State Council of Higher Education for Virginia to promulgate regulations.*

There is hereby created the Two-Year College Transfer Grant Program to provide financial assistance to eligible students, beginning with the first-time entering freshman class of the fall 2007 academic year, for the costs of attending a public or private institution of higher education in Virginia. Funds may be paid to any institutions of higher education on behalf of students who have been awarded financial assistance pursuant to § 23-38.10:10. The Council shall promulgate regulations for the implementation of the provisions of this chapter and the disbursement of funds consistent therewith and appropriate to the administration of the program.

§ 23-38.10:10. *Eligibility criteria.*

A. Under this program, grants shall be made to or on behalf of eligible Virginia domiciles who (i) have received an associate degree at a Virginia two-year public institution of higher education, (ii) have enrolled in a Virginia four-year public or private institution of higher education by the fall following the award of the associate degree, (iii) have applied for financial aid, and (iv) have financial need, defined by an Expected Family Contribution (EFC) of no more than \$8,000 as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA) form. Only students who maintained a cumulative grade point average of at least 3.0 on a

scale of 4.0 or its equivalent while enrolled in an associate degree program at a Virginia two-year public institution of higher education shall be eligible to receive a grant under this chapter.

B. Eligibility for a higher education grant under this program shall be limited to three academic years or 70 credit hours and shall be used only for undergraduate collegiate work in educational programs other than those providing religious training or theological education. To remain eligible for a grant under this program, a student must continue to demonstrate financial need, as defined in this section, maintain a 3.0 on a scale of 4.0 or its equivalent, and make satisfactory academic progress towards a degree.

C. Individuals who have failed to meet the federal requirement to register for the Selective Service shall not be eligible to receive grants pursuant to this chapter. However, a person who has failed to register for the Selective Service shall not be denied a right, privilege, or benefit under this section if (i) the requirement to so register has terminated or become inapplicable to the person and (ii) the person shows by a preponderance of the evidence that the failure to register was not a knowing and willful failure to register.

§ [23-38.10:11](#). Amount of award.

The amount of the grant for an eligible student shall be provided in accordance with the appropriation act and shall be fixed at \$1,000 per year. An additional \$1,000 per year shall be provided to those students pursuing undergraduate collegiate work in engineering, mathematics, nursing, teaching, or science.

§ [23-38.10:12](#). Determination of domicile.

For the purposes of determining the eligibility of a student for a two-year college transfer grant, domicile shall be determined by the enrolling institution, as provided in § [23-7.4](#), and the State Council of Higher Education's guidelines for domiciliary status determinations.

§ [23-38.10:13](#). State financial aid eligibility.

The institutions of higher education shall reduce state financial aid eligibility by the amount of the grant awarded pursuant to this chapter. Tuition assistance received by a student under this program shall not be reduced by the receipt of other financial aid from any source by such student. However, a student shall not receive a grant pursuant to this chapter that, when added to other financial aid received by that student, would enable the student to receive total assistance in excess of the estimated cost to the student of attending the institution in which he is enrolled.

VIRGINIA ACTS OF ASSEMBLY LANGUAGE

The 2009 Appropriation Act, Chapter 780, states the following:

475.	Two Year College Transfer Grant (11500)	300,000	1,800,000 /
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Fund Sources:	General	300,000	1,800,000
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A. Out of the appropriation for this item, the Director, Department of Planning and Budget shall transfer \$300,000 the first year and \$1,800,000 the second year to the State Council of Higher Education for Virginia for the Two-Year College Transfer Grant Program.

B. Once such funds are transferred, the State Council of Higher Education for Virginia shall disburse these funds for full-time students consistent with the provisions of Chapter 850 and Chapter 899, 2007 Acts of Assembly.

VIRGINIA TWO YEAR COLLEGE TRANSFER GRANT PROGRAM ~ REGULATIONS ~

8 VAC 40-150-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Academic year" means the enrollment period which normally extends from late August to May or early June and which is normally comprised of two semesters (fall and spring) or three quarters (fall, winter, and spring).

"Accredited institution" means any institution approved to confer degrees pursuant to Chapter 21.1 (§23-276.1 et seq.) of Title 23 of the Code of Virginia.

"Approved course of study" means a curriculum of courses at the undergraduate level leading to a first bachelor's degree. Programs in the 39.xxxx series, as classified in the National Center for Education Statistics' Classification of Instructional Programs (CIP), provide religious training or theological education and are not approved courses of study.

"Award" means a grant from state funds appropriated for the Virginia Two Year College Transfer Grant Program (CTG).

"Award year" means the 12-month enrollment period during which a college or university holds classes, normally comprised of (i) one fall semester, one spring semester, and a summer session or (ii) one fall quarter, one winter quarter, one spring quarter, and a summer session. For purposes of awarding funds for this program, the summer will be treated as a trailing term.

"Cost of attendance" means the sum of tuition, required fees, room, board, books and supplies, and other education related expenses, as determined by an institution for purposes of awarding federal Title IV student financial assistance.

"Council" means the State Council of Higher Education for Virginia or its designated staff.

"Domiciliary resident of Virginia" means a student who is determined by a participating institution to meet the eligibility requirements specified by § 23-7.4 of the Code of Virginia.

"Expected family contribution" or "EFC" means the amount a student and the student's family is expected to contribute toward the cost of college attendance. The EFC is calculated using information provided on the Free Application for Federal Student Aid. The institution may exercise professional judgment to adjust the student's EFC, as permitted under federal law, based on factors which affect the family's ability to pay.

"Financial need" means a maximum expected family contribution of 8,000 based on a standard nine-month academic year.

“First-time entering freshman” means a student attending any institution for the first time at the undergraduate level. Includes students enrolled in the fall term who attended college for the first time in the immediate prior summer term. Also includes students who entered with advanced standing (college credits earned before high school graduation).

“Free Application for Federal Student Aid” or “FAFSA” means the needs analysis form provided by the United States Department of Education, which is completed annually by students applying for federal Title IV student financial assistance and need-based financial aid programs sponsored by the Commonwealth of Virginia and which results in the calculation of the expected family contribution.

"Full-time study" means enrollment for at least 12 credit hours per semester or its equivalent in quarter hours at the undergraduate level. The total hours counted will not include courses taken for audit, but may include required developmental or remedial courses and other elective courses which normally are not counted toward a degree at the participating institution.

"Participating institution of higher education" or “participating institution” means a four-year public or private nonprofit accredited institution within the Commonwealth of Virginia whose primary purpose is to provide undergraduate collegiate education and not to provide religious training or theological education.

"Program" means the Virginia Two Year College Transfer Grant.

“Quarter” means a division of an academic year approximately 10 to 11 weeks in length from the first day of classes through the last day of exams for the fall, winter, and spring enrollment periods.

"Satisfactory academic progress" means acceptable progress towards completion of an approved course of study, as defined by the institution for the purposes of eligibility under Section 668 of the Federal Compilation of Student Financial Aid Regulations.

“Semester” means a division of an academic year approximately 15 to 16 weeks in length from the first day of classes through the last day of exams for the fall and spring enrollment periods.

“Student” means an undergraduate student who is entitled to in-state tuition charges pursuant to the Code of Virginia §23-7.4.

“Summer session” means a division of an award year consisting of one or more summer sessions normally extending from late May to August, exclusive of the participating institution’s fall, winter, and spring terms.

“Term” means the fall semester or quarter, winter quarter, spring semester or quarter, or summer session.

8 VAC 40-150-20. Institutional application to participate.

In order to participate in the program, institutions not previously approved by the Council to participate must file formal application with the Council no later than January 31 of the calendar year preceding the calendar year in which fall semester or quarter awards would

first be available to students. Virginia public four-year institutions and accredited private institutions participating in the Virginia Tuition Assistance Grant Program need not apply.

Applications shall be addressed to the Council and shall include:

1. Estimates of the number of students who would be eligible to receive awards under the program in the first and second year of participation;
2. A copy of the Fiscal Operations Report and Application to Participate in Federal Student Financial Aid Programs (FISAP); and
3. Certifications from the institution's chief executive officer that the institution:
 - a. Meets eligibility requirements for participation,
 - b. Will furnish whatever data the Council may request in order to verify its institutional eligibility claims,
 - c. Will promptly notify the Council within 30 days following any change in governance or mission that may affect the institution's status as an eligible institution; and
 - d. By its governing body, has authorized its adherence to the requirements of this chapter, as the same are now constituted or hereafter amended, until such time as the institution may withdraw from participation in the program.

Applications must be approved and all documents must be on file before any funds are disbursed.

8 VAC 40-150-30. Eligibility criteria for an initial award.

In order to receive an award, the student must:

1. Be a domiciliary resident of Virginia;
2. Be a first-time entering freshman - as defined within these regulations - by fall 2007;
3. Have received an associate's degree at a Virginia two-year public institution of higher education;
4. Have a cumulative grade point average of at least 3.0 on a 4.0 scale upon completion of the associate's degree program;
5. Have enrolled into a participating institution by the fall term following completion of the associate's degree;
6. Be enrolled for full-time study in an approved course of study;
7. Have applied for financial aid by completing the FAFSA by the institution's published deadline;
8. Demonstrate financial need; and

9. Have complied with federal selective service registration requirements, unless the following apply:
 - a. The requirement to register has terminated or become inapplicable; and
 - b. The student shows by preponderance of the evidence that failure to register was not a knowing and willful failure to register and that the student complies with federal selective service registration requirements prior to disbursement of funds.

8 VAC 40-150-40. Amount of awards.

Awards are subject to the following limitations:

1. Standard awards are set at a maximum of \$1,000 per award year which is allocated at \$500 per term for up to two terms per award year. For institutions not on a semester-based calendar, SCHEV staff will determine an equivalent award per term.
2. An additional \$1,000 per year is available to students enrolled into an eligible science, teaching, engineering, mathematics, or nursing (STEM-N) degree program which is allocated at \$500 per term for up to two terms per award year. For institutions not on a semester-based calendar, SCHEV staff will determine an equivalent award per term.
3. If the general appropriation is insufficient to provide a full award to all eligible students, then the awards for all students shall be reduced proportionately.
4. Degree programs eligible for the additional amount will be identified in the Council's guidance document: ~~CTG Addendum~~ – Eligible STEM-N Degree Programs.
5. Eligibility for the additional STEM-N award must be checked prior to each disbursement of funds.
6. An award received by a student under the program is applied to the student's tuition and fees and cannot be prorated or reduced by the institution except in cases when the award, when combined with all other financial assistance (exclusive of the student's EFC), exceeds the student's cost of attendance; ~~however, the institution shall reduce state need-based financial aid eligibility by the amount of this award.~~
7. CTG recipients must have their state need-based financial aid eligibility reduced by the amount of the CTG award. For purposes of re-calculating eligibility for the Commonwealth Award or Virginia Guaranteed Assistance Program (VGAP) grant, the student's Tuition and Fees are reduced by the amount of the CTG award. These Adjusted Tuition and Fees are then used to recalculate the CTG recipient's Cost of Attendance figure used to determine the student's eligibility for the Commonwealth Award or VGAP. In no case should a student's CTG and Commonwealth combine to exceed tuition and fees or the CTG and VGAP combine to exceed tuition, fees, and a book allowance.

8 VAC 40-150-50. Refund of awards.

A student who receives an award and who, during a term, withdraws from the institution which made the award must surrender the balance of the award. The tuition refund policy in effect at the institution will determine the amount that must be reclaimed by the institution.

8 VAC 40-150-60. Summer session awards.

Institutions may elect to award during trailing summer sessions as long as the student does not exceed the maximum annual award amount specified in 8 VAC 40-150-40.

8 VAC 40-150-70. Renewability of awards.

Awards may be renewed for a maximum of two award years. Students shall be limited to a total period of no more than three award years or 70 attempted credit hours. Awards may be renewed provided that the student continues to be enrolled full-time in an approved course of study, maintains domicile in Virginia per §23-7.4 of the Code of Virginia and annually:

- ~~1. Continues to be enrolled for full-time study in an approved course of study;~~
- ~~2. Maintains domiciliary residency in Virginia;~~
1. Has Applies for financial aid by completing the FAFSA by the institution's published deadline;
2. Demonstrates continued financial need;
3. Maintains a grade point average of at least 3.0 on a 4.0 scale ~~for each term enrolled;~~ and
4. Maintains satisfactory academic progress.

Students transferring from one participating institution to another shall be considered renewal students if they received an award during the prior year provided they met renewal criteria.

Students who do not initially receive an award may be considered for renewal awards provided that they meet initial eligibility criteria and continue to meet renewal criteria.

Once a student loses his classification as CTG-eligible, the student cannot reestablish such eligibility.

8 VAC 40-150-80. Use of Funds.

A student may receive funds through one institution only. If a student is enrolled concurrently at two participating institutions and there is a formal consortium agreement in place, the student may receive funding based on the combined enrollment.

8 VAC 40-150-90. Responsibility of the Council.

The Council shall collect such student-specific information as is necessary for the operation of the program and other information deemed necessary by the Council.

8 VAC 40-150-100. Responsibility of participating institutions.

A. Virginia public two-year colleges shall verify that the student meets the program's academic portion of the initial eligibility criteria, which includes:

1. Initial enrollment as a first-time entering freshman as defined in these regulations,
2. Receipt of an associate's degree, and
3. Cumulative grade point average of at least a 3.0 on a 4.0 scale upon completion of an associate's degree program.

B. Participating institutions shall:

1. Verify students meeting initial and renewal eligibility criteria not otherwise verified by the two-year college;
2. Provide reports by term to the Council indicating the number of eligible students enrolled;
3. Provide annual reports to the Council which will include, but not be limited to, information describing the students served, the awards received, and the number and value of awards;
4. Upon request by a student transferring to another participating institution, forward information about the student's CTG eligibility;
5. Establish and maintain financial records that accurately reflect all program transactions as they occur. The institution shall establish and maintain general ledger control accounts and related subsidiary accounts that identify each program transaction and separate those transactions from all other institutional financial activity; and
6. Ensure that all unused funds are returned to the Council no later than the end of the fiscal year or 20 working days after receiving written request from the Council, whichever is sooner.

Two-Year College Transfer Grant Program
CTG-Eligible STEM-N Degree Programs
Majors Eligible for Additional \$1,000 Award

Students enrolled in science, teaching, engineering, mathematics, and nursing (STEM-N) programs are eligible for an additional \$1,000 under the Two-Year College Transfer Grant Program. Listed below are the eligible majors. Note that classification under the 2-digit CIP code alone does not qualify a major to be a CTG-eligible major. A major must be classified by the institution with a 6-digit CIP code from the following list of approved 6-digit CIP codes.

Teaching

NA Students enrolled in approved teacher preparation programs

01. AGRICULTURE, AGRICULTURE OPERATIONS, AND RELATED SCIENCES

01.09 Animal Sciences

- 01.0901 Animal Sciences, General
- 01.0902 Agricultural Animal Breeding
- 01.0903 Animal Health
- 01.0904 Animal Nutrition
- 01.0905 Dairy Science
- 01.0906 Livestock Management
- 01.0907 Poultry Science
- 01.0999 Animal Sciences, Other

01.10 Food Science and Technology

- 1.1001 Food Science.

01.11 Plant Sciences

- 01.1101 Plant Sciences, General
- 01.1102 Agronomy and Crop Science
- 01.1103 Horticultural Science
- 01.1104 Agricultural and Horticultural Plant Breeding
- 01.1105 Plant Protection and Integrated Pest Management
- 01.1106 Range Science and Management
- 01.1199 Plant Sciences, Other

01.12 Soil Sciences

- 01.1201 Soil Science and Agronomy, General
- 01.1202 Soil Chemistry and Physics
- 01.1203 Soil Microbiology
- 01.1299 Soil Sciences, Other

03. NATURAL RESOURCES AND CONSERVATION

03.01 Natural Resources Conservation and Research.

- 3.0104 Environmental Science.

03.03 Fishing and Fisheries Sciences and Management.

- 3.0301 Fishing and Fisheries Sciences and Management.

03.05 Forestry.

- 3.0502 Forest Sciences and Biology.
- 3.0509 Wood Science and Wood Products/Pulp and Paper Technology

03.06 Wildlife and Wildlands Science and Management.

- 3.0601 Wildlife and Wildlands Science and Management.

11. COMPUTER AND INFORMATION SCIENCES AND SUPPORT SERVICES

11.01 Computer and Information Sciences, General

- 11.0101 Computer and Information Sciences, General
- 11.0102 Artificial Intelligence and Robotics
- 11.0103 Information Technology
- 11.0199 Computer and Information Sciences, Other

11.02 Computer Programming

- 11.0201 Computer Programming/Programmer, General
- 11.0202 Computer Programming, Specific Applications
- 11.0203 Computer Programming, Vendor/Product Certification
- 11.0299 Computer Programming, Other

11.03 Data Processing

11.0301	Data Processing and Data Processing Technology/Technician
11.04 Information Science/Studies	
11.0401	Information Science/Studies
11.05 Computer Systems Analysis	
11.0501	Computer Systems Analysis/Analyst
11.07 Computer Science	
11.0701	Computer Science
11.08 Computer Software and Media Applications	
11.0801	Web Page, Digital/Multimedia and Information Resources Design
11.0802	Data Modeling/Warehousing and Database Administration
11.0803	Computer Graphics
11.0899	Computer Software and Media Applications, Other
11.09 Computer Systems Networking and Telecommunications	
11.0901	Computer Systems Networking and Telecommunications
11.10 Computer/Information Technology Administration and Management	
11.1001	System Administration/Administrator
11.1002	System, Networking, and LAN/WAN Management/Manager
11.1003	Computer and Information Systems Security
11.1004	Web/Multimedia Management and Webmaster
11.1099	Computer/Information Technology Services Administration and Management, Other
11.99 Computer and Information Sciences and Support Services, Other.	
11.9999	Computer and Information Sciences and Support Services, Other
13. EDUCATION	
13.10 Special Education and Teaching	
13.1001	Special Education and Teaching, General
13.1003	Education/Teaching of Individuals with Hearing Impairments, Including Deafness
13.1004	Education/Teaching of the Gifted and Talented
13.1005	Education/Teaching of Individuals with Emotional Disturbances
13.1006	Education/Teaching of Individuals with Mental Retardation
13.1007	Education/Teaching of Individuals with Multiple Disabilities
13.1008	Education/Teaching of Individuals with Orthopedic and Other Physical Health Impairments
13.1009	Education/Teaching of Individuals with Vision Impairments, Including Blindness
13.1011	Education/Teaching of Individuals with Specific Learning Disabilities
13.1012	Education/Teaching of Individuals with Speech or Language Impairments
13.1013.	Education/Teaching of Individuals with Autism
13.1014	Education/Teaching of Individuals Who are Developmentally Delayed
13.1015	Education/Teaching of Individuals in Early Childhood Special Education Programs
13.1016	Education/Teaching of Individuals with Traumatic Brain Injuries
13.1099	Special Education and Teaching, Other
13.12 Teacher Education and Professional Development, Specific Levels and Methods	
13.1201	Adult and Continuing Education and Teaching
13.1202	Elementary Education and Teaching
13.1203	Junior High/Intermediate/Middle School Education and Teaching
13.1205	Secondary Education and Teaching
13.1206	Teacher Education, Multiple Levels
13.1207	Montessori Teacher Education
13.1208	Waldorf/Steiner Teacher Education
13.1209	Kindergarten/PreSchool Education and Teaching
13.1210	Early Childhood Education and Teaching
13.1299	Teacher Education and Professional Development, Specific Levels and Methods, Other
13.13 Teacher Education and Professional Development, Specific Subject Areas	
13.1301	Agricultural Teacher Education
13.1302	Art Teacher Education
13.1303	Business Teacher Education
13.1304	Driver and Safety Teacher Education
13.1305	English/Language Arts Teacher Education
13.1306	Foreign Language Teacher Education
13.1307	Health Teacher Education
13.1308	Family and Consumer Sciences/Home Economics Teacher Education
13.1309	Technology Teacher Education/Industrial Arts Teacher Education
13.1310	Sales and Marketing Operations/Marketing and Distribution Teacher Education
13.1311	Mathematics Teacher Education

13.1312	Music Teacher Education
13.1314	Physical Education Teaching and Coaching
13.1315	Reading Teacher Education
13.1316	Science Teacher Education/General Science Teacher Education
13.1317	Social Science Teacher Education
13.1318	Social Studies Teacher Education
13.1319	Technical Teacher Education
13.1320	Trade and Industrial Teacher Education
13.1321	Computer Teacher Education
13.1322	Biology Teacher Education
13.1323	Chemistry Teacher Education
13.1324	Drama and Dance Teacher Education
13.1325	French Language Teacher Education
13.1326	German Language Teacher Education
13.1327	Health Occupations Teacher Education
13.1328	History Teacher Education
13.1329	Physics Teacher Education
13.1330	Spanish Language Teacher Education
13.1331	Speech Teacher Education
13.1332	Geography Teacher Education
13.1333	Latin Teacher Education
13.1334	School Librarian/School Library Media Specialist
13.1335	Psychology Teacher Education
13.1399	Teacher Education and Professional Development, Specific Subject Areas, Other
13.14	Teaching English or French as a Second or Foreign Language.
13.1401	Teaching English as a Second or Foreign Language/ESL Language Instructor
13.1402	Teaching French as a Second or Foreign Language
13.1499	Teaching English or French as a Second or Foreign Language, Other
14. ENGINEERING	
14.01	Engineering, General
14.0101	Engineering, General
14.02	Aerospace, Aeronautical and Astronautical Engineering
14.0201	Aerospace, Aeronautical and Astronautical Engineering
14.03	Agricultural/Biological Engineering and Bioengineering
14.0301	Agricultural/Biological Engineering and Bioengineering
14.04	Architectural Engineering
14.0401	Architectural Engineering
14.05	Biomedical/Medical Engineering
14.0501	Biomedical/Medical Engineering
14.06	Ceramic Sciences and Engineering
14.0601	Ceramic Sciences and Engineering
14.07	Chemical Engineering
14.0701	Chemical Engineering
14.08	Civil Engineering
14.0801	Civil Engineering, General
14.0802	Geotechnical Engineering
14.0803	Structural Engineering
14.0804	Transportation and Highway Engineering
14.0805	Water Resources Engineering
14.0899	Civil Engineering, Other
14.09	Computer Engineering, General
14.0901	Computer Engineering, General
14.0902	Computer Hardware Engineering
14.0903	Computer Software Engineering
14.0999	Computer Engineering, Other
14.10	Electrical, Electronics and Communications Engineering
14.1001	Electrical, Electronics and Communications Engineering
14.11	Engineering Mechanics
14.1101	Engineering Mechanics
14.12	Engineering Physics
14.1201	Engineering Physics
14.13	Engineering Science

14.1301	Engineering Science
14.14	Environmental/Environmental Health Engineering
14.1401	Environmental/Environmental Health Engineering
14.18	Materials Engineering
14.1801	Materials Engineering
14.19	Mechanical Engineering
14.1901	Mechanical Engineering
14.20	Metallurgical Engineering
14.2001	Metallurgical Engineering
14.21	Mining and Mineral Engineering
14.2101	Mining and Mineral Engineering
14.22	Naval Architecture and Marine Engineering
14.2201	Naval Architecture and Marine Engineering
14.23	Nuclear Engineering
14.2301	Nuclear Engineering
14.24	Ocean Engineering
14.2401	Ocean Engineering
14.25	Petroleum Engineering
14.2501	Petroleum Engineering
14.27	Systems Engineering
14.2701	Systems Engineering
14.28	Textile Sciences and Engineering
14.2801	Textile Sciences and Engineering
14.31	Materials Science
14.3101	Materials Science
14.32	Polymer/Plastics Engineering
14.3201	Polymer/Plastics Engineering
14.33	Construction Engineering
14.3301	Construction Engineering
14.34	Forest Engineering
14.3401	Forest Engineering
14.35	Industrial Engineering
14.3501	Industrial Engineering
14.36	Manufacturing Engineering
14.3601	Manufacturing Engineering
14.37	Operations Research
14.3701	Operations Research
14.38	Surveying Engineering
14.3801	Surveying Engineering
14.39	Geological/Geophysical Engineering
14.3901	Geological/Geophysical Engineering
14.99	Engineering, Other
14.9999	Engineering, Other
19. FAMILY AND CONSUMER SCIENCES/HUMAN SCIENCES	
19.05	Foods, Nutrition, and Related Services
19.0501	Foods, Nutrition, and Wellness Studies, General
19.0502	Foods, and Nutrition Science
19.0503	Dietetics / Human Nutritional Services
19.0504	Human Nutrition
19.0599	Foods, Nutrition, and Related Services, Other
26. BIOLOGICAL AND BIOMEDICAL SCIENCES	
26.01	Biology, General
26.0101	Biology/Biological Sciences, General
26.0102	Biomedical Sciences, General
26.02	Biochemistry, Biophysics and Molecular Biology
26.0202	Biochemistry
26.0203	Biophysics
26.0204	Molecular Biology
26.0205	Molecular Biochemistry
26.0206	Molecular Biophysics
26.0207	Structural Biology
26.0208	Photobiology

26.0209	Radiation Biology/Radiobiology
26.0210	Biochemistry/Biophysics and Molecular Biology
26.0299	Biochemistry, Biophysics and Molecular Biology, Other
26.03 Botany/Plant Biology	
26.0301	Botany/Plant Biology
26.0305	Plant Pathology/Phytopathology
26.0307	Plant Physiology
26.0308	Plant Molecular Biology
26.0399	Botany/Plant Biology, Other
26.04 Cell/Cellular Biology and Anatomical Sciences	
26.0401	Cell/Cellular Biology and Histology
26.0403	Anatomy
26.0404	Developmental Biology and Embryology
26.0405	Neuroanatomy
26.0406	Cell/Cellular and Molecular Biology
26.0407	Cell Biology and Anatomy
26.0499	Cell/Cellular Biology and Anatomical Sciences, Other
26.05 Microbiological Sciences and Immunology	
26.0502	Microbiology, General
26.0503	Medical Microbiology and Bacteriology
26.0504	Virology
26.0505	Parasitology
26.0506	Mycology
26.0507	Immunology
26.0599	Microbiological Sciences and Immunology, Other
26.07 Zoology/Animal Biology	
26.0701	Zoology/Animal Biology
26.0702	Entomology
26.0707	Animal Physiology
26.0708	Animal Behavior and Ethology
26.0709	Wildlife Biology
26.0799	Zoology/Animal Biology, Other
26.08 Genetics	
26.0801	Genetics, General
26.0802	Molecular Genetics
26.0803	Microbial and Eukaryotic Genetics
26.0804	Animal Genetics
26.0805	Plant Genetics
26.0806	Human/Medical Genetics
26.0899	Genetics, Other
26.09 Physiology, Pathology and Related Sciences	
26.0901	Physiology, General
26.0902	Molecular Physiology
26.0903	Cell Physiology
26.0904	Endocrinology
26.0905	Reproductive Biology
26.0906	Neurobiology and Neurophysiology
26.0907	Cardiovascular Science
26.0908	Exercise Physiology
26.0909	Vision Science/Physiological Optics
26.0910	Pathology/Experimental Pathology
26.0911	Oncology and Cancer Biology
26.0999	Physiology, Pathology, and Related Sciences, Other
26.10 Pharmacology and Toxicology	
26.1001	Pharmacology
26.1002	Molecular Pharmacology
26.1003	Neuropharmacology
26.1004	Toxicology
26.1005	Molecular Toxicology
26.1006	Environmental Toxicology
26.1007	Pharmacology and Toxicology
26.1099	Pharmacology and Toxicology, Other

26.11 Biomathematics and Bioinformatics	
26.1101	Biometry/Biometrics
26.1102	Biostatistics
26.1103	Bioinformatics
26.1199	Biomathematics and Bioinformatics, Other
26.12 Biotechnology	
26.1201	Biotechnology
26.13 Ecology, Evolution, Systematics and Population Biology	
26.1301	Ecology
26.1302	Marine Biology and Biological Oceanography
26.1303	Evolutionary Biology
26.1304	Aquatic Biology/Limnology
26.1305	Environmental Biology
26.1306	Population Biology
26.1307	Conservation Biology
26.1308	Systematic Biology/Biological Systematics
26.1309	Epidemiology
26.1399	Ecology, Evolution, Systematics and Population Biology, Other
26.99 Biological and Biomedical Sciences, Other	
26.9999	Biological and Biomedical Sciences, Other
27. MATHEMATICS AND STATISTICS	
27.01 Mathematics	
27.0101	Mathematics, General
27.0102	Algebra and Number Theory
27.0103	Analysis and Functional Analysis
27.0104	Geometry/Geometric Analysis
27.0105	Topology and Foundations
27.0199	Mathematics, Other
27.03 Applied Mathematics	
27.0301	Applied Mathematics
27.0303	Computational Mathematics
27.0399	Applied Mathematics, Other
27.05 Statistics	
27.0501	Statistics, General
27.0502	Mathematical Statistics and Probability
27.0599	Statistics, Other
27.99 Mathematics and Statistics, Other	
27.9999	Mathematics and Statistics, Other
30. MULTI/INTERDISCIPLINARY STUDIES	
30.01 Biological and Physical Sciences	
30.0101	Biological and Physical Sciences
30.06 Systems Science and Theory	
30.0601	Systems Science and Theory
30.08 Mathematics and Computer Science	
30.0801	Mathematics and Computer Science
30.10 Biopsychology	
30.1001	Biopsychology
30.15 Science, Technology and Society.	
30.1501	Science, Technology and Society
30.16 Accounting and Computer Science	
30.1601	Accounting and Computer Science
30.18 Natural Sciences	
30.1801	Natural Sciences
30.19 Nutrition Sciences	
30.1901	Nutrition Sciences
30.24 Neuroscience	
30.2401	Neuroscience
30.25 Cognitive Science	
30.2501	Cognitive Science
40. PHYSICAL SCIENCES	
40.01 Physical Sciences	
40.0101	Physical Sciences

40.02 Astronomy and Astrophysics	
40.0201	Astronomy
40.0202	Astrophysics
40.0203	Planetary Astronomy and Science
40.0299	Astronomy and Astrophysics, Other
40.04 Atmospheric Sciences and Meteorology	
40.0401	Atmospheric Sciences and Meteorology, General
40.0402	Atmospheric Chemistry and Climatology
40.0403	Atmospheric Physics and Dynamics
40.0404	Meteorology
40.0499	Atmospheric Sciences and Meteorology, Other
40.05 Chemistry	
40.0501	Chemistry, General
40.0502	Analytical Chemistry
40.0503	Inorganic Chemistry
40.0504	Organic Chemistry
40.0506	Physical and Theoretical Chemistry
40.0507	Polymer Chemistry
40.0508	Chemical Physics
40.0599	Chemistry, Other
40.06 Geological and Earth Sciences/Geosciences	
40.0601	Geology/Earth Science, General
40.0602	Geochemistry
40.0603	Geophysics and Seismology
40.0604	Paleontology
40.0605	Hydrology and Water Resources Science
40.0606	Geochemistry and Petrology
40.0607	Oceanography, Chemical and Physical
40.0699	Geological and Earth Sciences/Geosciences, Other
40.08 Physics	
40.0801	Physics, General
40.0802	Atomic/Molecular Physics
40.0804	Elementary Particle Physics
40.0805	Plasma and High-Temperature Physics
40.0806	Nuclear Physics
40.0807	Optics/Optical Sciences
40.0808	Solid State and Low-Temperature Physics
40.0809	Acoustics
40.0810	Theoretical and Mathematical Physics
40.0899	Physics, Other
40.99 Physical Sciences, Other	
40.9999	Physical Sciences, Other
41. SCIENCE TECHNOLOGIES/TECHNICIANS	
41.01 Biology Technician/Biotechnology Laboratory Technician	
41.0101	Biology Technician/Biotechnology Laboratory Technician
41.02 Nuclear and Industrial Radiologic Technologies/Technicians	
41.0204	Industrial Radiologic Technology/Technician
41.0205	Nuclear/Nuclear Power Technology/Technician
41.0299	Nuclear and Industrial Radiologic Technologies/Technicians, Other
41.03 Physical Science Technologies/Technicians	
41.0301	Chemical Technology/Technician
41.0399	Physical Science Technologies/Technicians, Other
41.99 Science Technologies/Technicians, Other	
41.9999	Science Technologies/Technicians, Other
42. PSYCHOLOGY	
42.11 Physiological Psychology/Psychobiology.	
42.1101	Physiological Psychology/Psychobiology.
43. SECURITY AND PROTECTIVE SERVICES	
43.01 Criminal Justice and Corrections	
43.0106	Forensic Science
51. HEALTH PROFESSIONS AND RELATED CLINICAL SCIENCES	
51.16 Nursing	

51.1601	Nursing/Registered Nurse (RN, ASN, BSN, MSN)
51.1603	Adult Health Nurse/Nursing
51.1604	Nurse Anesthetist
51.1605	Family Practice Nurse/Nurse Practitioner
51.1606	Maternal/Child Health and Neonatal Nurse/Nursing
51.1607	Nurse Midwife/Nursing Midwifery
51.1609	Pediatric Nurse/Nursing
51.1610	Psychiatric/Mental Health Nurse/Nursing
51.1611	Public Health/Community Nurse/Nursing
51.1612	Perioperative/Operating Room and Surgical Nurse/Nursing
51.1613	Licensed Practical/Vocational Nurse Training (LPN, LVN, Cert
51.1616	Clinical Nurse Specialist
51.1617	Critical Care Nursing
51.1618	Occupational and Environmental Health Nursing
51.1699	Nursing, Other

State Council of Higher Education for Virginia Agenda Item

Item: #5.a. - Action on Certification of Institutions Under Restructuring

Date of Meeting: May 12, 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: May 13, 2008

Action: Certified institutions for 2008-09

Background Information/Summary of Major Elements:

The 2005 Higher Education Restructuring Act outlines educational, financial, and administrative goals for Virginia's public colleges and universities. The Act further directs the Council to develop performance standards and annually determine the extent to which each institution meets these standards.

§23-9.6:1.01. Assessments of institutional performance.

C. The State Council shall annually assess the degree to which each individual public institution of higher education has met the financial and administrative management and educational-related performance benchmarks set forth in the Appropriation Act in effect. Such annual assessment shall be based upon the objective measures and institutional performance benchmarks included in the annual Appropriation Act in effect. The State Council shall request assistance from the Secretaries of Finance and Administration, who shall provide such assistance, for purposes of assessing whether or not public institutions of higher education have met the financial and administrative management performance benchmarks.

Institutions that meet the performance benchmarks are certified by the Council. Certified institutions are entitled to the following financial benefits:

§2.2-5005. Incentive performance benefits to certain public institutions of higher education.

Beginning with the fiscal year that immediately follows the fiscal year of implementation and for all fiscal years thereafter, each public institution of higher education that (i) has been certified during the fiscal year by the State Council of Higher Education of Virginia pursuant to §23-9.6:1.01 as having met the institutional performance benchmarks for public institutions of higher education and (ii) meets the conditions prescribed in subsection B of §23-38.88, shall receive the following financial benefits:

1. Interest on the tuition and fees and other nongeneral fund Educational and General Revenues deposited into the State Treasury by the public institution of higher education, as provided in the appropriation act;
2. Any unexpended appropriations of the public institution of higher education at the close of the fiscal year, which shall be reappropriated and allotted for expenditure by the institution in the immediately following fiscal year; and
3. A pro rata amount of the rebate due to the Commonwealth on credit card purchases of \$5,000 or less made during the fiscal year.
4. A rebate of any transaction fees for the prior fiscal year paid for sole source procurements made by the institution in accordance with subsection E of §2.2-4303, for using a vendor who is not registered with the Department of General Service's web-based electronic procurement program commonly known as "eVA", as provided in the appropriation act.

The 2008 Appropriation Act outlines the Council's authority in certifying institutions:

§4-9.02 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

Consistent with §23-9.6:1.01., Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than June 1 of each year. Institutional performance on measures set forth in paragraph K of this section shall be evaluated year-to-date by the Secretaries of Finance, Administration, and Technology as appropriate, and communicated to the State Council of Higher Education before June 1 of each year. Financial benefits provided to each institution in accordance with §2.2-5005 will be evaluated in light of that institution's performance.

In general, 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.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures where they have already achieved high levels of performance in order that they may focus resources toward achieving similar levels of performance on other measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's overall performance.

In November 2006, the Council approved performance measures for each goal. These measures included individual institutional targets to be used in determining whether an institution meets a specific goal. The Institutional Performance Standards were based on an institution's past performance and a set of negotiated targets. Targets were developed for a six year period beginning with the 2006-07 academic year through the 2011-12 academic year. In addition to establishing targets for each measure, the Appropriation Act permits a variance from the target, known as a 'Threshold,' for measuring acceptable institutional performance.

The attached tables summarize institutional performance in meeting the standards. It should be noted that several of the measures did not have performance standards for 2007-08, the year under review. Also, the performance standards were modified effective July 1, 2009 after a thorough review by the Restructuring Task Force formed after last year's certification review. Some of the measures that are part of this year's review change beginning next year. For example, measure 5.2 – Percent of Need-based Borrowers with Loans – becomes part of an institution's six-year plan.

Besides the educational-related performance standards, the Secretaries of Finance, Administration, and Technology evaluate the standards for the financial and administrative goals. The Secretaries have documented that "each institution met the financial and administrative measures in the aggregate." (Letter from the Secretary of Finance is attached.)

To provide a fuller context to the 2009 certification, it might be helpful to revisit the Council's May 2008 certification in which four institutions failed one or more measures, but were certified by the Council. The Council noted at the time:

WHEREAS the Higher Education Restructuring Act is acknowledged to be in the forefront of higher education reform and,
WHEREAS it establishes new relationships between the state, institutions of higher learning, and the public, and

WHEREAS this is the first certification process which utilizes targets and thresholds for each measure, and hence it is not unexpected that technical issues would arise that require deliberation beyond this immediate cycle of consideration; therefore

BE IT RESOLVED that the State Council of Higher Education for Virginia will apply a more liberal standard in this first year to the application of certification than it expects to apply in future years.

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies for 2008-09 that the following public institutions have substantially met the performance standards of the Higher Education Restructuring Act and the 2007 Appropriation Act:

Longwood University
University of Virginia's College at Wise
Virginia Commonwealth University
Virginia State University

This year a Council workgroup, consisting of Council members Alan Wurtzel and Gilbert Bland, reviewed each institution's progress in meeting its targets and thresholds. Based on this review, the following institutions have met their target or threshold on all measures:

Christopher Newport University
College of William and Mary
George Mason University
James Madison University
Longwood University
Norfolk State University
Old Dominion University
Radford University
University of Mary Washington
University of Virginia
Virginia Community College System
Virginia Military Institute
Virginia Tech

The workgroup recommends that the Council certify these institutions as meeting the standards outlined in the Higher Education Restructuring Act and the Appropriation Act.

The following four institutions failed to meet one or more of their performance measures:

Richard Bland College
University of Virginia's College at Wise
Virginia Commonwealth University

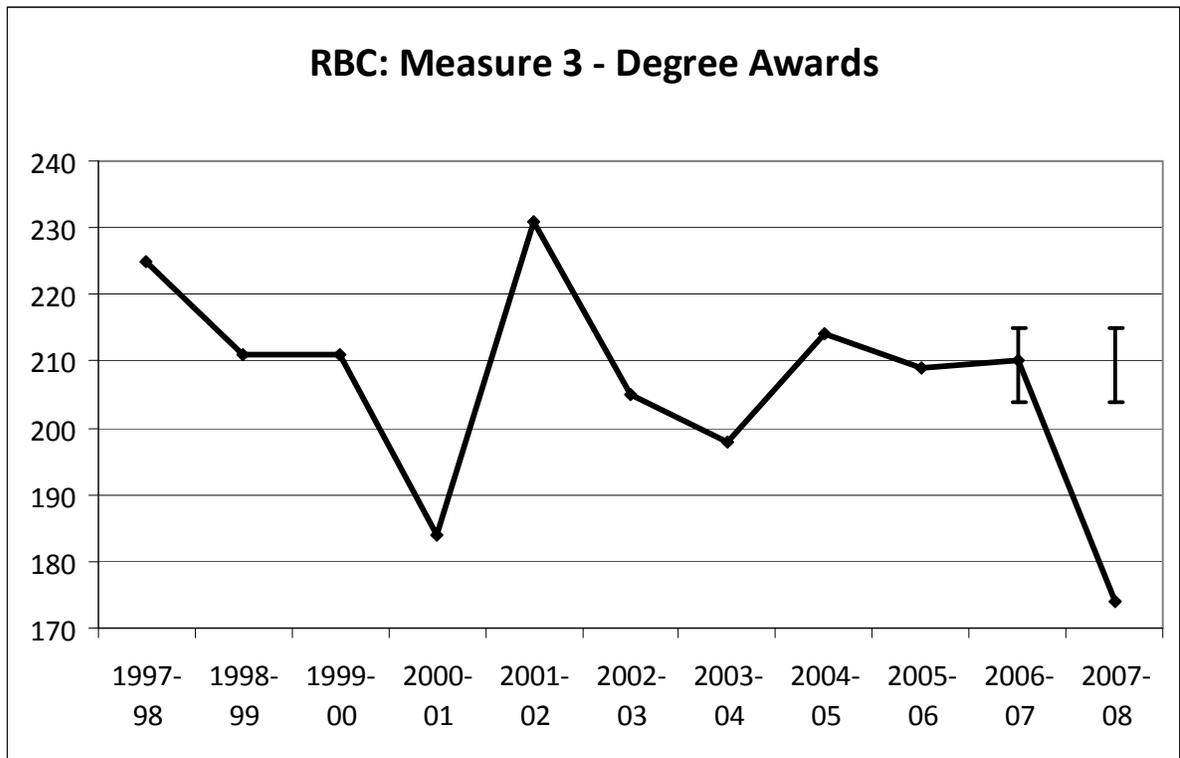
INSTITUTION DETAIL

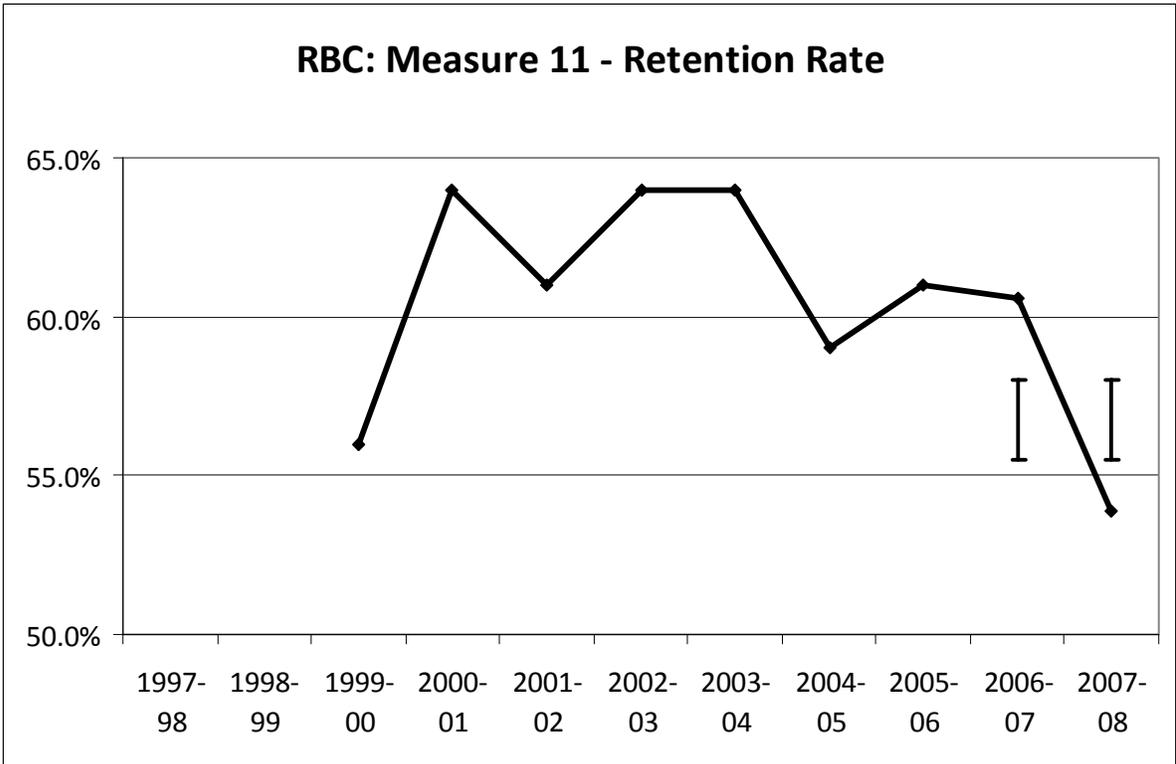
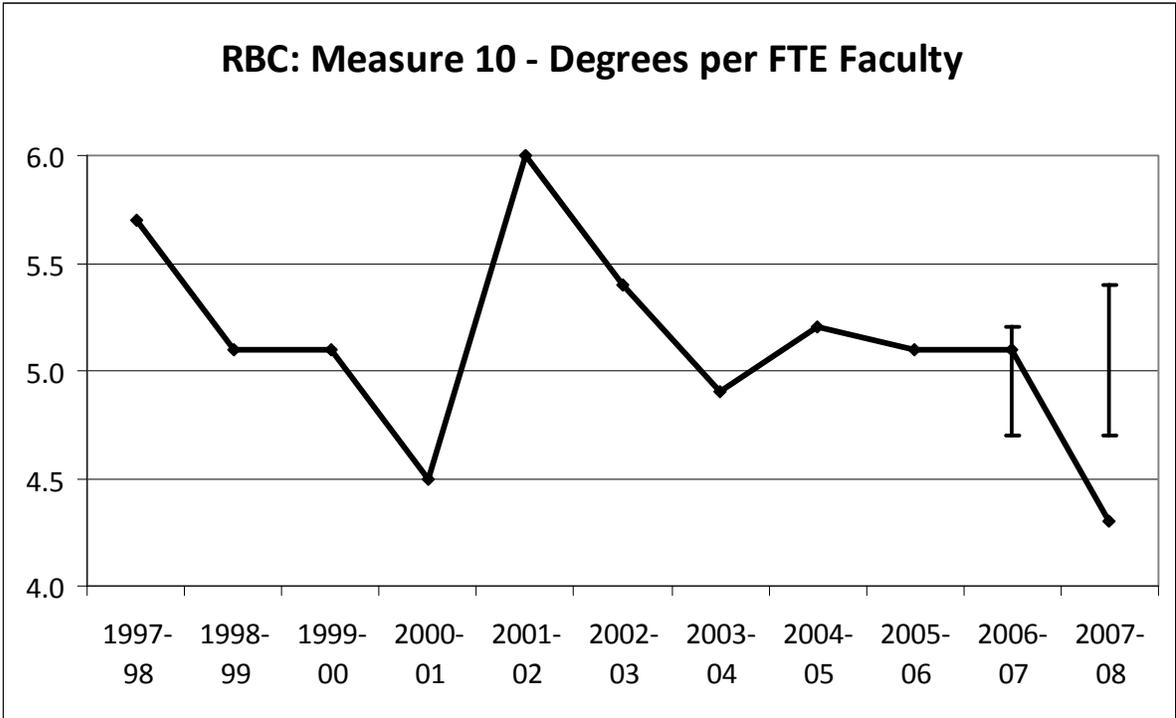
(Chart note: The line represents the actual value for the measure for the years 1997-98 through 2007-08. The two vertical bars represent the target/threshold range for 2006-07 and 2007-08.)

Richard Bland College

The college failed three measures for the 2007-08 academic year:

- 3. Institution annually meets at least 95 percent of its State Council-approved estimates of degrees awarded.
- 10. Institution maintains acceptable progress towards a mutually agreed upon target that maintains or increases the ratio of degrees conferred per FTE faculty member.
- 11. Institution maintains or improves the average annual retention and progression rates of degree-seeking undergraduate students.





The workgroup reviewed RBC's historical trends for each of the failed measures. Each measure has indicated an overall downward trend for the past several years: 2001-02 through 2007-08 for Measures 3 and 10, 2003-04 through 2007-08 for Measure 11. It should be noted that the changes in Measure 10 mirror those of Measure 3 since the numerator of Measure 10 is equal to Measure 3 for RBC. The

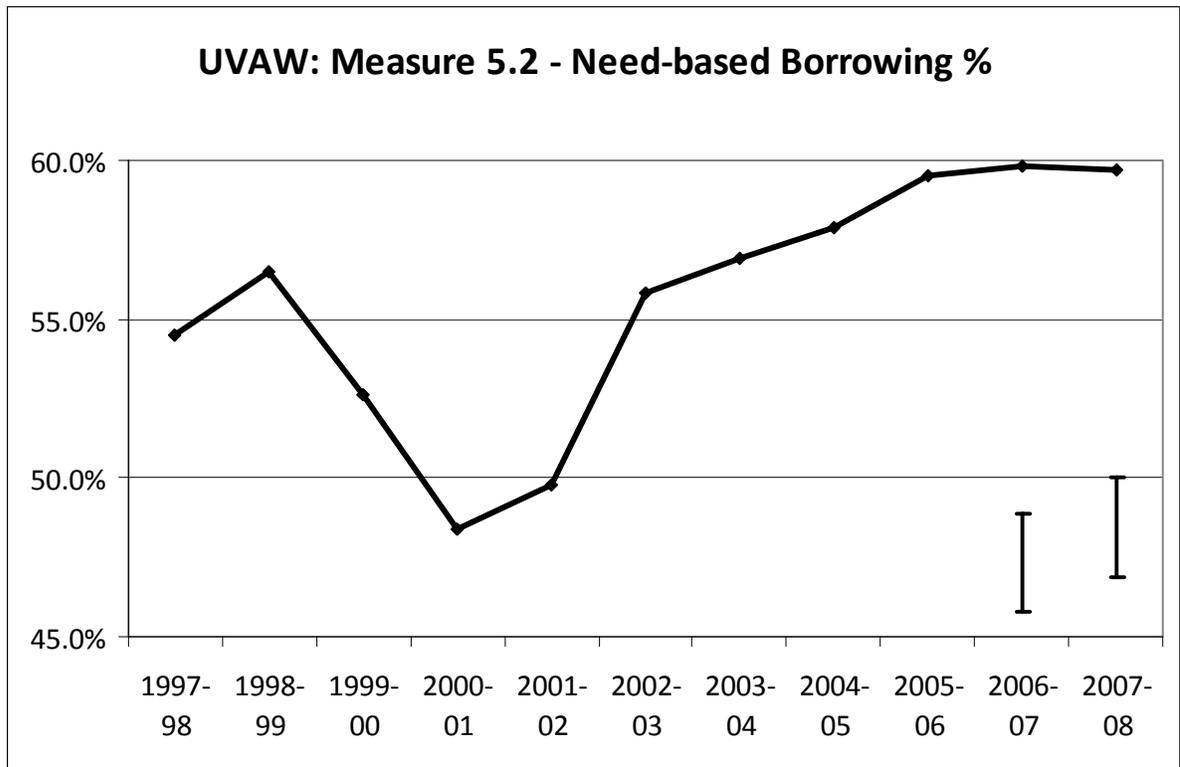
workgroup recommends that the College should focus efforts to retain and graduate more of their students.

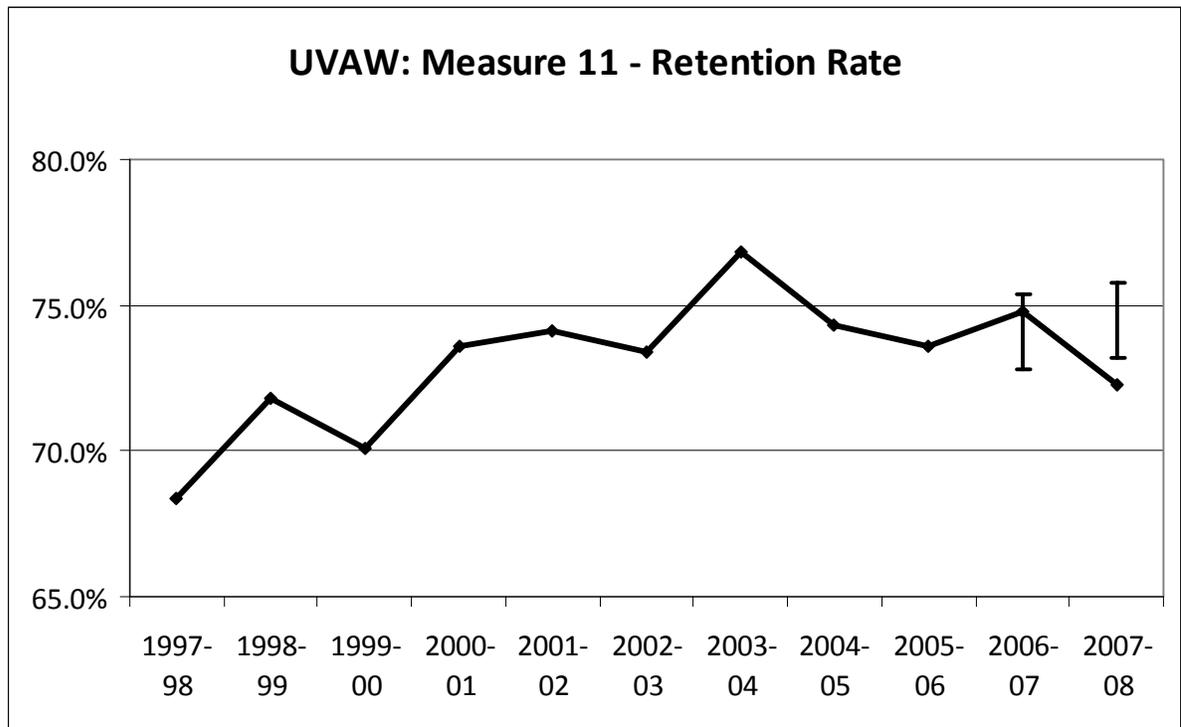
The workgroup recommends that Richard Bland College not be granted certification for the 2009-10 year.

University of Virginia's College at Wise

The college failed two measures for the 2007-08 academic year:

- 5.2. Institution maintains acceptable progress towards an agreed upon target that decreases the percent of in-state undergraduate student borrowers.
- 11. Institution maintains or improves the average annual retention and progression rates of degree-seeking undergraduate students.





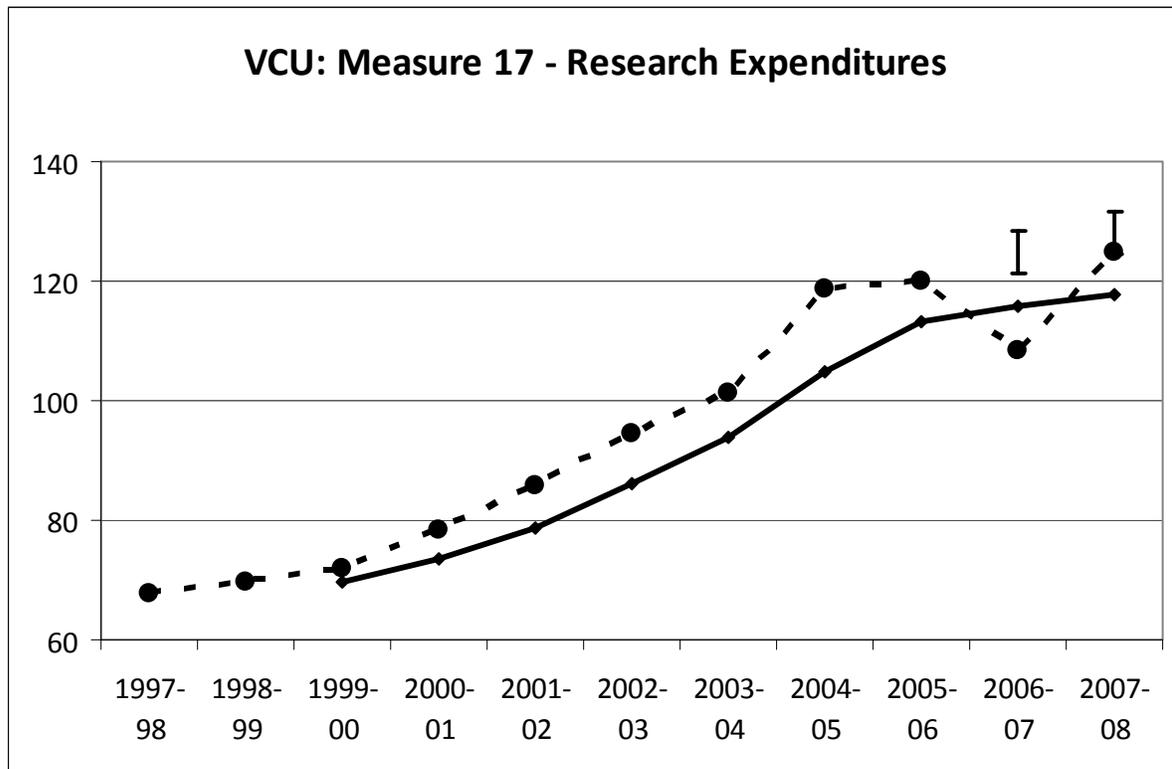
The workgroup reviewed the historical trend for each failed measure. The college's retention rate has shown a downward trend from 2003-04 through 2007-08 after a seven-year increase. The workgroup was concerned about the overall direction of this measure and recommends that the institution take immediate steps to improve its retention rate.

The workgroup recommends that University of Virginia's College at Wise not be granted certification for the 2009-10 year.

Virginia Commonwealth University

The university failed one measure for the 2007-08 academic year:

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.



VCU failed this measure last year and it was noted at the time that it was likely to fail again this year since this measure is a three-year moving average. The above graph shows a consistent growth in VCU's three-year moving average (solid line). The rate of growth was less in 2006-07 and 2007-08 because of the decline in 2006-07 expenditures (dashed line). As the university noted last year, the cutback in NIH funding and the larger than normal expenditures occurring in late 2007 contributed to the decline in 2006-07.

	FY2005	FY2006	FY2007	FY2008
Awards	948	1,246	1,397	1,622
Value (millions)	\$205.4	\$211.1	\$227.1	\$223.8

Virginia Commonwealth University's sponsored program awards have shown healthy growth over the past decade. And, while the dollar value of awards for fiscal year 2007-08 was slightly below that of the prior fiscal year, the number of awards increased from 1,397 to 1,622. VCU is on track for another growth year in the current year as well, with the dollar value of awards from all sponsors 5.9 percent above the same period last year (as of March 16, 2009). More importantly, NIH awards were \$50.4 million as of March 16, 2009. This figure is 14.7 percent above the \$43.9 million in awards at the same time last year.

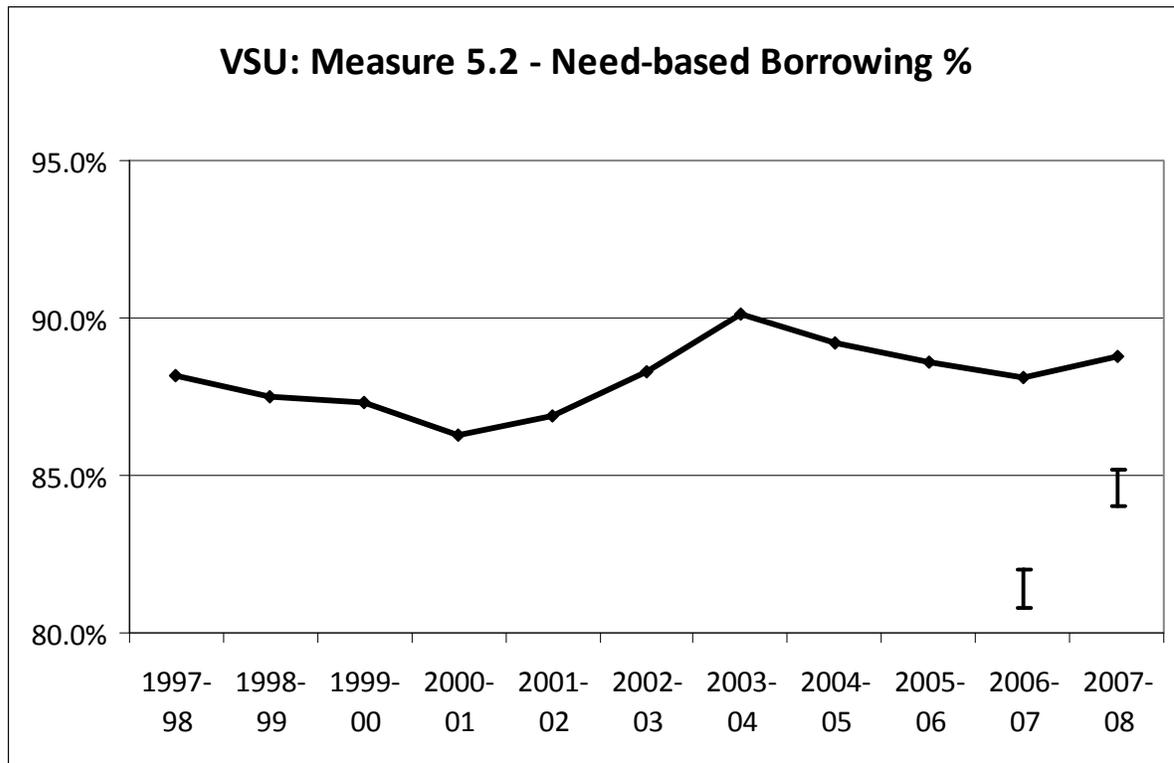
Total expenditures for 2007-08 appear to have rebounded from the 2006-07 drop. The university has shown that it has achieved a high level of performance in expanding its research commitment.

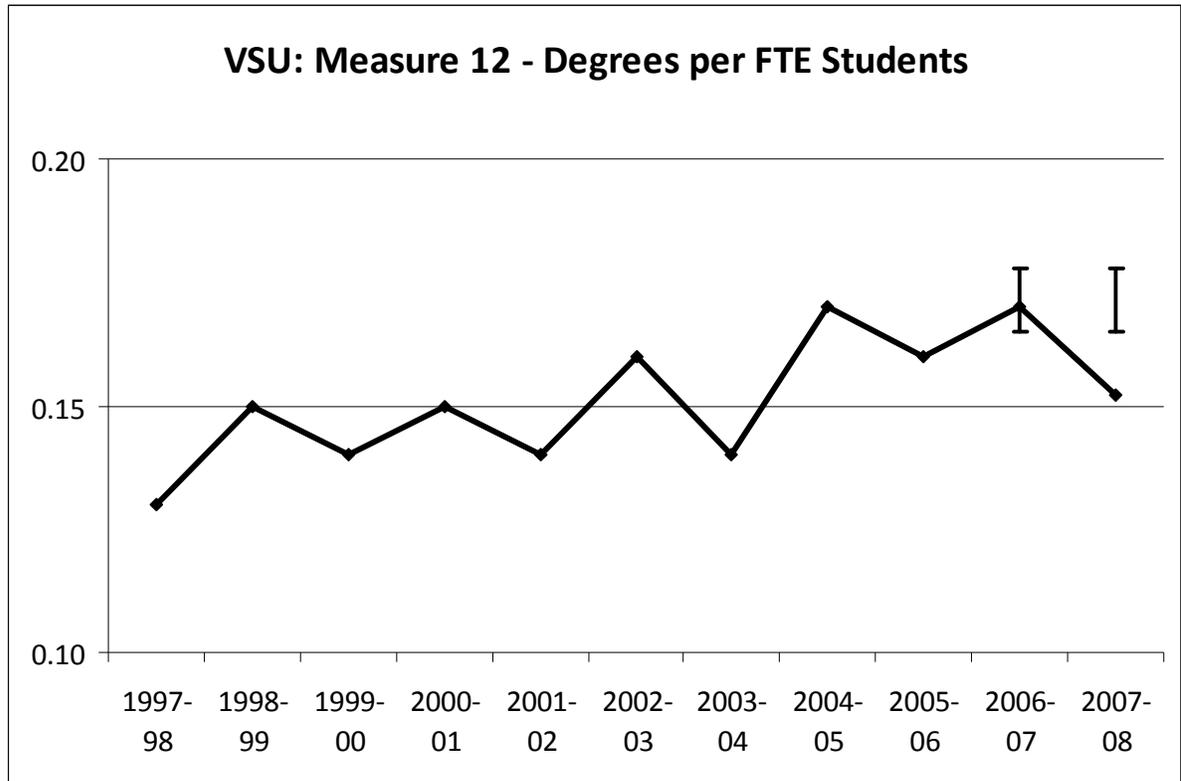
The workgroup recommends that Virginia Commonwealth University be granted certification for the 2009-10 year.

Virginia State University

The university failed two measures for the 2007-08 academic year:

- 5.2. Institution maintains acceptable progress towards an agreed upon target that decreases the percent of in-state undergraduate student borrowers.
- 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.





The workgroup reviewed the historical trend for Measure 12 and noted that since 2004-05 the degrees per FTE students have remained flat or declined when 2007-08 is included. In addition, it should be noted that the university saw a decline in both the numerator – undergraduate degrees awarded – and the denominator – undergraduate FTE students. The workgroup views these declines as troubling and recommends that the institution take immediate action to be sure that these do not become long-term trends.

The workgroup recommends that Virginia State University not be granted certification for the 2009-10 year.

Materials Provided:

- Letter from the Secretary of Finance to SCHEV's Executive Director documenting that institutions have met financial and administrative standards.
- List of Goals and Institutional Performance Standards – Measures
- Table of FY2008 financial benefits of certification
- Tables detailing institutional status in meeting each performance standard

Financial Impact:

Certified institutions are eligible for the financial benefits provided in §2.2-5005.

Timetable for Further Review/Action:

Institutional certification based on 2009-10 academic year performance will be completed in May 2010.

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia certifies for 2009-10 that the following public institutions have satisfactorily met the performance standards of the Higher Education Restructuring Act and Appropriation Act:

**Christopher Newport University
College of William and Mary
George Mason University
James Madison University
Longwood University
Norfolk State University
Old Dominion University
Radford University
University of Mary Washington
University of Virginia
Virginia Commonwealth University
Virginia Community College System
Virginia Military Institute
Virginia Tech**

BE IT RESOLVED that the State Council of Higher Education for Virginia does not certify for 2009-10 the following public institutions as having satisfactorily met the performance standards of the Higher Education Restructuring Act and Appropriation Act:

**Richard Bland College
University of Virginia's College at Wise
Virginia State University**



COMMONWEALTH of VIRGINIA

Office of the Governor

Richard D. Brown
Secretary of Finance

April 21, 2009

P.O. Box 1475
Richmond, Virginia 23218

Dr. Daniel J. LaVista, Executive Director
State Council of Higher Education for Virginia
101 N. 14th Street
James Monroe Building
Richmond, Virginia 23219

Dear Dr. LaVista:

As you know, the current Appropriation Act (Chapter 879, *2008 Acts of Assembly*) includes a requirement in the General Provisions related to the annual assessment of institutional performance. § 4-9.02 requires, in part, that:

Consistent with §23-9.6:1.01., Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than June 1 of each year. Institutional performance on measures set forth in paragraph K of this section shall be evaluated year-to-date by the Secretaries of Finance, Administration, and Technology as appropriate, and communicated to the State Council of Higher Education before June 1 of each year. Financial benefits provided to each institution in accordance with §2.2-5005 will be evaluated in light of that institution's performance.

The purpose of this letter is to inform you that we have completed our required evaluation of the financial and administrative management measures set forth in paragraph K of that section. Secretary Baskerville, Secretary Chopra and I have evaluated the colleges and universities on the standards in paragraph K. Consistent with § 4-9.02 K.24f of the Appropriation Act, we evaluated the University of Virginia, Virginia Tech, Virginia Commonwealth University and the College of William and Mary on the measures contained in their respective management agreements and the measure listed in § 4-9.02 K.24b.

I am pleased to announce that each of the institutions met these standards in aggregate.

Phone: (804) 786-1148 • Fax: (804) 692-0676 • TTY: (800) 828-1120

Dr. Daniel J. LaVista
April 21, 2009
Page 2

The attached document details the performance of each institution compared to individual measures.

The analysis of these measures was a challenge and I would like to thank the staff of the colleges and universities, the Auditor of Public Accounts, the Department of Accounts, the Department of General Services, the Department of Minority Business Enterprise and the Department of Human Resource Management for submitting the information needed to evaluate these requirements.

If you have any questions or need additional information, please call me or my Deputy, Craig Burns at (804) 786-1148.

Sincerely,



Richard D. Brown

RDB/JKR/ccb

Attachment

cc: The Honorable Viola O. Baskerville
Secretary of Administration

The Honorable Aneesh P. Chopra
Secretary of Technology

The Honorable Dr. Thomas R. Morris
Secretary of Education

Assessment of Institutional Performance

Summary of the Finance and Administrative Measures 2008-09 for each Institution

Christopher Newport University

Christopher Newport met the financial and administrative standards for higher education institutions. CNU complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy and met the measure of complying with a classified turnover rate below the state average for institutions. While CNU did not meet its overall SWAM goal, it did exceed its goal of using minority vendors. CNU met the goal of 75 percent of purchases using the eVA system by purchasing 96 percent of its purchases from vendors in eVA. CNU did not have any major IT projects completed in 2008. The university completed two capital projects over budget in 2008 but within the revised budget. No justification was provided for the cost overrun on one project and increased construction costs, contingency, and A/E fees were the reasons provided for the cost overrun of the other.

College of William and Mary

The College of William and Mary met the financial and administrative standards for level three higher education institutions. W&M complied with all the human resource measures.

However, William and Mary did not meet all of the procurement and surplus measures. The university achieved 85 percent of the agency's goal in their overall SWAM plan but needs to improve in purchasing from underutilized categories. Their SWAM performance declined from 2008 for all SWAM benchmarks except those Actual to Plan. Although their use of electronic procurement as measured by dollar value decreased, they purchased 92 percent of purchases from vendors in eVA.

The university met all of the Information Technology, Finance and Accounting, and all Capital Outlay, Leases, and Real Estate measures.

George Mason University

George Mason University met the financial and administrative standards for higher education institutions. GMU complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its board. GMU failed to meet the measure of complying with a classified turnover rate below the state average for institutions. The university saw significant improvement on their SWAM procurement goals by achieving all of their SWAM agency goals this year. GMU also met the goal of 75 percent of purchases by purchasing 96 percent of its purchases from vendors in eVA. GMU did not have any major IT projects completed in 2008. GMU completed two capital projects over budget in 2008 and did not justify the reasons for the cost overruns. One of the projects was completed within the revised budget.

James Madison University

James Madison University met the financial and administrative standards for higher education institutions. JMU complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its board. JMU met the measure of complying with a classified turnover rate below the goal set by the university. The university met the overall goal in its SWAM plan but did not meet its goal for purchases from Minority Business. The university met the goal of 75 percent of purchases by purchasing 92 percent of its purchases from vendors in eVA. JMU did not have any IT projects completed in 2008. The university completed three capital projects in 2008 over the original budget although all were completed within their revised budget. Two of the three projects justified the reasons so these projects complied with the measure despite their cost overruns.

Longwood University

Longwood University met the financial and administrative standards for higher education institutions. The university complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its Board. Longwood University met the measure of complying with a classified turnover rate below the state average for institutions. The university achieved 85 percent of the agency's goal in their overall SWAM plan but needs to improve in purchasing from underutilized categories. The university met the goal of 75 percent of purchases by purchasing 95 percent of its purchases from vendors in eVA. Longwood did not have any IT or capital projects completed in 2008.

Norfolk State University

Norfolk State University met the financial and administrative standards for higher education institutions. NSU complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its board. NSU met the measure of complying with a classified turnover rate below the state average for institutions. The university achieved 85 percent of the agency's goal in their overall SWAM plan but needs to improve in purchasing from underutilized categories. NSU met the goal of 75 percent of purchases by purchasing 97 percent of its purchases from vendors in eVA. NSU did not have any IT or capital projects completed in 2008.

Old Dominion University

Old Dominion University met the financial and administrative standards for higher education institutions. The university complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its board. ODU met the measure of complying with a classified turnover rate below the state average for institutions. The university achieved 85 percent of the agency's goal in their overall SWAM plan but needs to improve in purchasing from underutilized categories. The university met the goal of 75 percent of purchases by purchasing 93 percent of its purchases from vendors in eVA. ODU did not have any IT projects completed in 2008. ODU completed one capital project in 2008 which was over the original budget but within the revised budget. Cost savings were identified in the Design/Build process, and the project complied with the measure.

Radford University

Radford University met the financial and administrative standards for higher education institutions. RU complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its board. RU failed to meet the measure of complying with a classified turnover rate below the state average for institutions. The University did not meet the overall goal in its SWAM plan. RU met the goal of 75 percent of purchases by purchasing 92 percent of its purchases from vendors in eVA. Radford had one IT project in 2008 and completed that project under budget. Radford did not complete any capital projects in 2008.

Richard Bland College

Richard Bland College met the financial and administrative standards for higher education institutions. RBC complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The college complied with the debt management policy established by its board. RBC did not meet the measure of complying with a classified turnover rate below the state average for institutions. The college did not meet the overall goal in its SWAM plan or any of its goals in underutilized categories. RBC met the goal of 75 percent of purchases using the eVA system by purchasing 97 percent of its purchases from vendors in eVA. Richard Bland did not have an IT project or capital project completed in 2008.

University of Mary Washington

The University of Mary Washington met the financial and administrative standards for higher education institutions. The university complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its board. The university did not meet the measure of complying with a classified turnover rate goal set by the university. The university achieved 85 percent of the agency's goal in their overall SWAM plan but needs to improve in purchasing from underutilized categories. The university met the goal of 75 percent of purchases by purchasing 98 percent of its purchases from vendors in eVA. UMW did not have an IT project completed in 2008. The university completed one capital project in 2008 over the original budget but within the revised budget. UMW did not provide justification for the cost overruns. The project did not comply with the capital measure.

University of Virginia

The University of Virginia met the financial and administrative standards for level three higher education institutions. UVA complied with three out of the five human resource measures. At 8.7 percent, their average percentage rate of turnover was only slightly below the CUPA-HR benchmark of 9 to 11 percent. The average number of days to classify new positions or reclassify a staff position as a measure of effectiveness of the classification process was 21 days which failed to meet the benchmark of no more than 7 to 16 days.

The University of Virginia met most of the procurement and surplus measures with the exception of the decline from previous performance with the SWAM goal Actual and Actual to Plan. UVA achieved 85 percent of the agency's goal in their overall SWAM plan although they failed to meet their goals in the category of purchasing from minority business. Their use of electronic procurement as measured by dollar value increased from 2007 to 2008, and they purchased 90 percent of purchases from vendors in eVA.

The University met all of the Information Technology measures. According to VITA, they had one major information technology project in 2008, and the project was reported as being within the budget and on schedule as reported by the University Board of Visitors.

UVA met all of the Finance and Accounting measures except the annualized investment returns earned on operating cash balances invested by the institution over a rolling three year period. Their annualized yield was 3.85 percent while the 91-day Treasury Bill Index over a rolling three year period was 4.27 percent.

The university met all of the Capital Outlay, Leases, and Real Estate measures.

University of Virginia's College at Wise

The University of Virginia's College at Wise met the financial and administrative standards for higher education institutions. UVA-Wise complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. UVA-Wise complied with the debt management policy established by its board. Based on UVA's performance, UVA-Wise met the measure of complying with a classified turnover rate below the state average for institutions. UVA-Wise achieved 85 percent of the agency's goal in their overall SWAM plan although they failed to meet their goals in the category of purchasing from minority business. The college met the goal of 75 percent of purchases in eVA with UVA purchasing 90 percent of purchases from vendors in eVA. The college did not have an IT project or capital project completed in 2008.

Virginia Commonwealth University

Virginia Commonwealth University met the financial and administrative standards for level three higher education institutions. VCU complied with three out of the six human resource measures. Their rates of turnover, internal employee's transfers and promotions, and employees terminated during probation failed to meet the benchmark. By achieving 67.86 percent through the first seven months of FY09, the university met the procurement measure to process through eVA no less than 60 percent of all non-exempt orders. VCU met all of their SWAM agency goals this year. They purchased 93 percent of purchases from vendors in eVA. According to VITA, they had no major information technology projects in 2008. VCU met all of the Finance and Accounting, Leases and Real Property, and Capital Outlay measures.

Virginia Community College System

The Virginia Community College System met the financial and administrative standards for higher education institutions. The VCCS complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The VCCS complied with the debt management policy established by its board. The VCCS met the measure of complying with a classified turnover rate below the state average for institutions. Fourteen of the twenty-three community colleges met the overall goal in their SWAM plan in 2008. The VCCS met the goal of 75 percent of purchases by purchasing 92 percent of its purchases from vendors in eVA. The VCCS had one IT project in 2008, and the budget was re-baselined and on track to complete within the authorized variance of the baseline. Eleven of the twenty-three community colleges completed a total of fifteen capital projects in 2008. The VCCS completed four of these projects under budget, but only one of the fifteen projects complied with the capital measure. None of the projects provided justification for the cost overruns.

Virginia Military Institute

Virginia Military Institute met the financial and administrative standards for higher education institutions. VMI complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. VMI complied with the debt management policy established by its board. VMI met the measure of complying with a classified turnover rate below the state average for institutions. VMI met the overall goal in its SWAM plan but failed to meet some goals in purchasing in underutilized categories. VMI met the goal of 75 percent of purchases by purchasing 96 percent of its purchases from vendors in eVA. VMI did not have an IT project completed in 2008. VMI had two capital projects completed in 2008 – one was over budget but VMI provided a valid justification for the cost overruns. Both projects complied with the capital measure.

Virginia State University

Virginia State University met the financial and administrative standards for higher education institutions. VSU complied with the important financial requirements such as an unqualified audit opinion, no significant audit deficiency, and complying with Commonwealth standards for accounts payable and receivable. The university complied with the debt management policy established by its board. VSU met the measure of complying with a classified turnover rate below the state average for institutions. The University met the overall goal in its SWAM plan but failed to meet some goals in purchasing from woman-owned businesses. VSU met the goal of 75 percent of purchases by purchasing 96 percent of its purchases from vendors in eVA. VSU did not have an IT or capital project completed in 2008.

Virginia Tech

Virginia Tech met the financial and administrative standards for level three higher education institutions. VPI complied with three of the five human resource measures. They did not meet the turnover rate benchmark because their turnover rate was 6.8 percent which was lower than the CUPA-HR benchmark of 9 to 11 percent. They also failed to meet the measure related to the number of days to hire staff. Their number of days to hire staff increased from 2006 to 2007 and then again from 2007 to 2008. Virginia Tech met all of the procurement and surplus measures. VPI met the overall goal in its SWAM plan but failed to meet some goals in purchasing in underutilized categories. The university met all of the Information Technology, Finance and Accounting, and Capital Outlay, Leases, and Real Estate measures.

Assessment of Institutional Performance

Financial and Administrative Standards for Higher Education Institutions

Last Edited: April 13, 2009

Institution	Unqualified Opinion from APA	No Significant Audit Deficiencies	Substantial Compliance with Financial Reporting	Accounts Receivable Standards	Accounts Payable Standards	Complies with Debt Mgmt Policy	Within 15% of Turnover Rate Goal	Within 15% of SWAM Plan Goal	No less than 75% of Purchases from vendors in eVA	Complete IT projects under original budget	Complete Capital projects under original budget	Pass/Fail
Christopher Newport University	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	Yes	Partial	Pass (95.91%)	Yes	Fail (0/2 projects)	Pass
Richard Bland College	Yes (1)	Yes (1)	Yes	Yes	Yes	Yes	No	No	Pass (97.1%)	Yes	No projects	Pass
George Mason University	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	No	Yes	Pass (95.68%)	Yes	Fail (0/2 projects)	Pass
James Madison University	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	Yes	Yes	Pass (92.02%)	Yes	Fail (1/3 projects)	Pass
Longwood University	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	Yes	Yes	Pass (95.34%)	Yes	No projects	Pass
Norfolk State University	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	Yes	Yes	Pass (97.06%)	Yes	No projects	Pass
Old Dominion University	Yes (1)	Yes (1)	Yes	Yes	Yes	Yes	Yes	Yes	Pass (92.88%)	Yes	Pass (1 project)	Pass
Radford University	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	No	No	Pass (92.14%)	Yes	No projects	Pass
University of Mary Washington	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	No	Yes	Pass (98.14%)	Yes	No projects	Pass
University of Virginia's College at Wise	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Pass (89.57%)	Yes	No projects	Pass
Virginia Community College System	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	Yes	Yes	Pass (92.36%)	Yes	Fail (1/15 projects)	Pass
Virginia Military Institute	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	Yes	Yes	Pass (95.96%)	Yes	Pass (2 projects)	Pass
Virginia State University	Yes (2)	Yes (2)	Yes	Yes	Yes	Yes	Yes	Yes	Pass (95.96%)	Yes	No projects	Pass

APA Standards notes:

Yes Meets Management Standards based on June 30, 2008 report.

Yes (1) Meets Management Standards based on June 30, 2008 fieldwork; report still to be released.

Yes (2) Meets Management Standards based on June 30, 2007 audit report, with no anticipated changes for June 30, 2008.

* Revised debt management policy during this fiscal year.

Educational Goals of the Restructuring Act

Code of Virginia

§ 23-38.88. Eligibility for restructured financial and administrative operational authority.

B. The Board of Visitors of a public institution of higher education shall commit to the Governor and the General Assembly by August 1, 2005, through formal resolution adopted according to its own bylaws, to meeting the state goals specified below, and shall be responsible for ensuring that such goals are met, in addition to such other responsibilities as may be prescribed by law. Each such institution shall commit to the Governor and the General Assembly to:

1. Consistent with its institutional mission, provide access to higher education for all citizens throughout the Commonwealth, including underrepresented populations, and, consistent with subdivision 4 of § 23-9.6:1 and in accordance with anticipated demand analysis, meet enrollment projections and degree estimates as agreed upon with the State Council of Higher Education for Virginia. Each such institution shall bear a measure of responsibility for ensuring that the statewide demand for enrollment is met;

2. Consistent with § 23-9.2:3.03, ensure that higher education remains affordable, regardless of individual or family income, and through a periodic assessment, determine the impact of tuition and fee levels net of financial aid on applications, enrollment, and student indebtedness incurred for the payment of tuition and fees;

3. Offer a broad range of undergraduate and, where appropriate, graduate programs consistent with its mission and assess regularly the extent to which the institution's curricula and degree programs address the Commonwealth's need for sufficient graduates in particular shortage areas, including specific academic disciplines, professions, and geographic regions;

4. Ensure that the institution's academic programs and course offerings maintain high academic standards, by undertaking a continuous review and improvement of academic programs, course availability, faculty productivity, and other relevant factors;

5. Improve student retention such that students progress from initial enrollment to a timely graduation, and that the number of degrees conferred increases as enrollment increases;

6. Consistent with its institutional mission, develop articulation agreements that have uniform application to all Virginia community colleges and meet appropriate general education and program requirements at the four-year institution, provide additional opportunities for associate degree graduates to be admitted and enrolled, and offer dual enrollment programs in cooperation with high schools;

7. Actively contribute to efforts to stimulate the economic development of the Commonwealth and the area in which the institution is located, and for those

institutions subject to a management agreement set forth in Subchapter 3 (§ 23-38.91 et seq.) of this chapter, in areas that lag the Commonwealth in terms of income, employment, and other factors;

8. Consistent with its institutional mission, increase the level of externally funded research conducted at the institution and facilitate the transfer of technology from university research centers to private sector companies;

9. Work actively and cooperatively with elementary and secondary school administrators, teachers, and students in public schools and school divisions to improve student achievement, upgrade the knowledge and skills of teachers, and strengthen leadership skills of school administrators;

10. Prepare a six-year financial plan consistent with § 23-9.2:3.03;

11. Conduct the institution's business affairs in a manner that maximizes operational efficiencies and economies for the institution, contributes to maximum efficiencies and economies of state government as a whole, and meets the financial and administrative management standards as specified by the Governor pursuant to § 2.2-5004 and included in the appropriation act that is in effect, which shall include best practices for electronic procurement and leveraged purchasing, information technology, real estate portfolio management, and diversity of suppliers through fair and reasonable consideration of small, women-, and minority-owned business enterprises; and

12. Seek to ensure the safety and security of the Commonwealth's students on college and university campuses.

Institutional Performance Measures

(Numbers in bold parenthesis are the SCHEV Measure Numbers)

§4 9.02 Assessment of Institutional Performance

Consistent with §23-9.6:1.01., Code of Virginia, the following education related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than June 1 of each year. Institutional performance on measures set forth in paragraph K of this section shall be evaluated year to date by the Secretaries of Finance, Administration, and Technology as appropriate, and communicated to the State Council of Higher Education before June 1 of each year. Financial benefits provided to each institution in accordance with §2.2-5005 will be evaluated in light of that institution's performance.

In general, 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.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education related measures where they have already achieved high levels of performance in order that they may focus resources toward achieving similar levels of performance on other measures. The State Council shall likewise have the authority to exempt institutions from certification on education related measures that the State Council deems unrelated to an institution's overall performance.

The State Council shall develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

A. Access

1. **(1)** Institution meets its State Council approved biennial projection of total in state student enrollment within the prescribed range of permitted variance.
2. **(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.)
3. **(3)** Institution annually meets at least 95 percent of its State Council approved estimates of degrees awarded.

B. Affordability

1. **(4)** With the intent of developing a clearly understandable measure of affordability no later than July 1, 2008, SCHEV shall report annually an institution's in state undergraduate tuition and fees, both gross and net of need based gift aid, as a percentage of the institution's median student family income. By October 1, 2008, each institution shall identify a "maintenance of effort" target for ensuring that the institution's financial commitment to need based student aid shall increase commensurately with planned increases in in state, undergraduate tuition and fees. The financial plan for these goals should be incorporated into the institution's 2009-2014 six year plan as required under § 23-9.2:3.02., Code of Virginia.

2. **(5.1 and 5.2)** Institution establishes mutually acceptable annual targets for need-based borrowing that reflect institutional commitment to limit the average borrowing of in state students with established financial need, and the percentage of those students who borrow, to a level that maintains or increases access while not compromising affordability.

3. **(6)** Institution conducts a biennial assessment of the impact of tuition and fee levels net of financial aid on applications, enrollment, and student indebtedness incurred for the payment of tuition and fees and provides the State Council with a copy of this study upon its completion and makes appropriate reference to its use within the required six-year plans. The institution shall also make a parent and student friendly version of this assessment widely available on the institution's website.

C. Breadth of Academics

(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.

D. Academic Standards

(8) Institution reports on total programs reviewed under Southern Association of Colleges and Schools assessment of student learning outcomes criteria within the institution's established assessment cycle in which continuous improvement plans addressing recommended policy and program changes were implemented.

E. Student Retention and Timely Graduation

1. **(9)** Institution demonstrates a commitment to ensuring that lower division undergraduates have access to required courses at the 100 and 200 level sufficient to ensure timely graduation by reporting annually to the State Council of Higher Education on the number of students denied enrollment in such courses for each fall and spring semesters. No later than July 1, 2008, to the extent the institution does not currently track student access and registration attempts at the course level, the institution shall, in consultation with the State Council of Higher Education, establish an appropriate quantitative method to identify the extent to which limited access to 100 and 200 level courses reduce progression, retention,

and graduation rates. After July 1, 2008, each institution shall include in its annual report to the State Council its plan of action to increase such access and remediate the identified problems.

2. **(10)** Institution maintains or increases the ratio of degrees conferred per full time equivalent instructional faculty member, within the prescribed range of permitted variance.

3. **(11)** Institution maintains or improves the average annual retention and progression rates of degree seeking undergraduate students.

4. **(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.

F. Articulation Agreements and Dual Enrollment

1. **(13)** Institution increases the number of undergraduate programs or schools for which it has established a uniform articulation agreement by program or school for associate degree graduates transferring from all colleges of the Virginia Community College System and Richard Bland College consistent with a target agreed to by the institution, the Virginia Community College System, and the State Council of Higher Education for Virginia.

2. **(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.

3. **(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.

G. Economic Development

(16) In cooperation with the State Council, institution develops a specific set of actions to help address local and/or regional economic development needs consisting of specific partners, activities, fiscal support, and desired outcomes. Institution will receive positive feedback on an annual standardized survey developed by the State Council, in consultation with the institutions, of local and regional leaders, and the economic development partners identified in its plans, regarding the success of its local and regional economic development plans.

H. Research, Patents, and Licenses

1. **(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.

2. **(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.

I. Elementary and Secondary Education

(19) In cooperation with the State Council, institution develops a specific set of actions with schools or school district administrations with specific goals to improve student achievement, upgrade the knowledge and skills of teachers, or strengthen the leadership skills of school administrators. Institution will receive positive feedback on an annual standardized survey developed by the State Council, in consultation with the institutions, of the superintendents, principals, and appropriate other parties.

The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

**General Fund
Financial Benefits of Restructuring Certification, FY2008**

Institution	Interest Earnings	Credit Card	eVA Sole Source Fee	Carry Forward	Total
CNU	\$315,885	\$67,094	\$196	\$0	\$383,174
CWM	\$0	\$44,716	\$0	\$0	\$44,716
GMU	\$2,240,467	\$101,105	\$80	\$0	\$2,341,652
JMU	\$1,492,427	\$111,968	\$306	\$7,196	\$1,611,897
LU	\$446,379	\$44,609	\$654	\$2,008	\$493,649
NSU	\$0	\$0	\$616	\$511,166	\$511,782
ODU	\$1,754,106	\$39,248	\$12,490	\$470,095	\$2,275,939
RU	\$552,994	\$23,851	\$130	\$917,144	\$1,494,120
UMW	\$104,548	\$53,669	\$114	\$9,016	\$167,348
UVA	\$0	\$112,882	\$103,969	\$7,306,891	\$7,523,742
UVAW	\$0	\$2,199	\$0	\$69,709	\$71,908
VCU	\$1,414,622	\$110,519	\$3,159	\$49,713	\$1,578,013
VMI	\$125,394	\$40,007	\$1,352	\$0	\$166,752
VSU	\$230,480	\$0	\$0	\$219,380	\$449,860
VT	\$0	\$98,674	\$56,890	\$0	\$155,564
RBC	\$42,887	\$9,546	\$189	\$101,997	\$154,619
VCCS	\$3,320,769	\$365,308	\$7,424	\$15,240,997	\$18,934,498
Total	\$12,040,957	\$1,225,395	\$187,569	\$24,905,312	\$38,359,233
VPI-E	\$0	\$11	\$0	\$0	\$11
VIMS	\$0	\$14,281	\$0	\$45	\$14,326
Total	\$0	\$14,293	\$0	\$45	\$14,338
Grand Total	\$12,040,957	\$1,239,688	\$187,569	\$24,905,357	\$38,373,571

Financial Benefits of Certification						
Institution	FY2007			FY2008		
	Total Benefit	% GF	% (GF+NGF)	Total Benefit	% GF	% (GF+NGF)
CNU	\$299,453	1.13%	0.61%	\$383,174	1.42%	0.79%
CWM	\$2,736,768	5.90%	2.26%	\$44,716	0.10%	0.04%
GMU	\$2,031,846	1.57%	0.66%	\$2,341,652	1.77%	0.70%
JMU	\$2,063,239	2.85%	1.10%	\$1,611,897	2.18%	0.80%
LU	\$322,257	1.24%	0.67%	\$493,649	1.86%	0.98%
NSU	\$16,183	0.04%	0.02%	\$511,782	1.15%	0.63%
ODU	\$1,618,016	1.52%	0.84%	\$2,275,939	2.15%	1.12%
RU	\$1,039,429	2.19%	1.16%	\$1,494,120	3.04%	1.61%
UMW	\$148,820	0.69%	0.28%	\$167,348	0.76%	0.30%
UVA	\$11,418,220	8.06%	2.67%	\$7,523,742	5.33%	1.65%
UVAW	\$456,604	3.20%	2.16%	\$71,908	0.50%	0.33%
VCU	\$2,257,103	1.22%	0.55%	\$1,578,013	0.84%	0.36%
VMI	\$122,784	1.19%	0.44%	\$166,752	1.61%	0.58%
VSU	\$265,836	0.84%	0.47%	\$449,860	1.39%	0.76%
VT	\$11,101,255	6.64%	2.60%	\$155,564	0.09%	0.03%
RBC	\$192,583	3.39%	2.24%	\$154,619	2.69%	1.75%
VCCS	\$23,156,839	6.07%	3.53%	\$18,934,498	5.01%	2.81%
Total	\$59,247,236	4.06%	1.87%	\$38,359,233	2.62%	1.16%

Christopher Newport University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	4,647	4,859	4,616	 Passed
2	Under-represented Enrollment	1,088	1,065	896	 Achieved
3	Degree Awards	904	900	855	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$2,965	\$3,125	\$3,395	 Achieved
5.2	Need-based borrowing %	81.2%	81.7%	87.0%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	66	60	48	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	3.4	3.8	3.4	 Passed
11	Retention Rate	83.8%	84.5%	80.4%	 Passed
12	Degrees per FTE Students	18.5%	18.8%	17.3%	 Passed
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	34	35	15	 Passed
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to CNU.</i>			
18	Patents & Licenses	<i>Does not apply to CNU.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

College of William and Mary

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	5,073	4,938	4,691	 Achieved
2	Under-represented Enrollment	1,353	1,210	1,152	 Achieved
3	Degree Awards	2,176	2,130	2,024	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$2,295	\$3,250	\$3,424	 Achieved
5.2	Need-based borrowing %	57.4%	63.0%	68.5%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	178	203	155	 Passed
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	3.2	3.2	3.1	 Passed
11	Retention Rate	93.2%	94.0%	92.0%	 Passed
12	Degrees per FTE Students	25.4%	23.8%	22.6%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	82	58	50	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	\$50,217,523	\$50,728,000	\$45,046,000	 Passed
18	Patents & Licenses	3	4	3	 Passed
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

George Mason University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	25,006	25,083	23,829	 Passed
2	Under-represented Enrollment	7,727	7,314	6,929	 Achieved
3	Degree Awards	7,124	7,281	6,917	 Passed
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$3,030	\$4,128	\$4,278	 Achieved
5.2	Need-based borrowing %	71.9%	75.9%	78.5%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	1,963	1,513	1,393	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	5.2	4.8	4.7	 Achieved
11	Retention Rate	82.6%	78.6%	77.6%	 Achieved
12	Degrees per FTE Students	23.4%	22.3%	22.0%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	1,063	332	0	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	\$46,361,561	\$45,856,340	\$45,847,303	 Achieved
18	Patents & Licenses	13	8	0	 Achieved
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

James Madison University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	12,678	12,913	12,267	 Passed
2	Under-represented Enrollment	3,239	3,367	3,160	 Passed
3	Degree Awards	4,143	3,894	3,699	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$2,814	\$4,319	\$4,455	 Achieved
5.2	Need-based borrowing %	70.5%	74.0%	76.0%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	730	680	565	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	3.7	3.9	3.7	 Passed
11	Retention Rate	89.5%	87.8%	87.2%	 Achieved
12	Degrees per FTE Students	21.5%	20.8%	19.0%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	307	180	165	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to JMU.</i>			
18	Patents & Licenses	<i>Does not apply to JMU.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Longwood University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	4,453	4,502	4,277	 Passed
2	Under-represented Enrollment	1,135	995	946	 Achieved
3	Degree Awards	906	904	859	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$2,739	\$3,525	\$3,702	 Achieved
5.2	Need-based borrowing %	73.7%	74.3%	78.3%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	328	295	224	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	4.1	4.0	3.7	 Achieved
11	Retention Rate	83.3%	77.0%	73.0%	 Achieved
12	Degrees per FTE Students	19.8%	20.0%	18.8%	 Passed
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	110	83	72	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to LU.</i>			
18	Patents & Licenses	<i>Does not apply to LU.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Norfolk State University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	4,844	4,940	4,693	 Passed
2	Under-represented Enrollment	4,088	4,280	3,981	 Passed
3	Degree Awards	1,019	1,053	1,000	 Passed
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$3,294	\$3,726	\$3,838	 Achieved
5.2	Need-based borrowing %	87.0%	87.0%	89.0%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	339	260	216	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	3.3	2.6	2.5	 Achieved
11	Retention Rate	76.7%	72.0%	70.0%	 Achieved
12	Degrees per FTE Students	17.7%	16.8%	15.5%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	66	76	0	 Passed
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to NSU.</i>			
18	Patents & Licenses	<i>Does not apply to NSU.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Old Dominion University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	19,045	19,088	18,134	 Passed
2	Under-represented Enrollment	7,467	7,395	6,816	 Achieved
3	Degree Awards	4,255	4,085	3,881	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$3,333	\$3,700	\$3,851	 Achieved
5.2	Need-based borrowing %	62.8%	63.5%	71.2%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	1,660	1,614	1,557	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	4.6	4.6	4.3	 Achieved
11	Retention Rate	79.3%	77.6%	75.1%	 Achieved
12	Degrees per FTE Students	21.4%	20.3%	19.3%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	1,101	772	228	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	\$56,041,918	\$52,300,000	\$43,600,000	 Achieved
18	Patents & Licenses	19	17	16	 Achieved
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Radford University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	8,386	8,386	7,967	 Achieved
2	Under-represented Enrollment	3,836	2,805	2,578	 Achieved
3	Degree Awards	2,263	2,255	2,142	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$3,058	\$3,653	\$3,742	 Achieved
5.2	Need-based borrowing %	81.4%	84.3%	89.3%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	620	521	433	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	5.1	5.1	5.1	 Achieved
11	Retention Rate	81.5%	78.0%	76.5%	 Achieved
12	Degrees per FTE Students	23.0%	21.0%	19.3%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	253	110	91	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to RU.</i>			
18	Patents & Licenses	<i>Does not apply to RU.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Richard Bland College

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	1,358	1,356	1,288	 Achieved
2	Under-represented Enrollment	480	382	349	 Achieved
3	Degree Awards	174	215	204	 FAILED
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	<i>Richard Bland College does not participate in student lending programs.</i>			
5.2	Need-based borrowing %	<i>Richard Bland College does not participate in student lending programs.</i>			
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	<i>Does not apply to RBC.</i>			
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	4.3	5.4	4.7	 FAILED
11	Retention Rate	53.9%	58.0%	55.5%	 FAILED
12	Degrees per FTE Students	20.6%	16.5%	7.5%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	<i>Does not apply to two-year institutions.</i>			
15	Dual Enrollments	317	300	197	 Achieved
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to RBC.</i>			
18	Patents & Licenses	<i>Does not apply to RBC.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

University of Mary Washington

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	4,038	3,947	3,750	 Achieved
2	Under-represented Enrollment	960	797	741	 Achieved
3	Degree Awards	1,238	1,199	1,139	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$3,166	\$3,460	\$3,542	 Achieved
5.2	Need-based borrowing %	79.6%	80.7%	85.0%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	233	247	216	 Passed
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	4.9	4.4	4.0	 Achieved
11	Retention Rate	83.9%	85.2%	83.1%	 Passed
12	Degrees per FTE Students	25.5%	24.5%	23.5%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	142	88	76	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to UMW.</i>			
18	Patents & Licenses	<i>Does not apply to UMW.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

University of Virginia

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	15,322	15,547	14,770	 Passed
2	Under-represented Enrollment	3,719	3,509	3,358	 Achieved
3	Degree Awards	6,339	6,143	5,836	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$2,307	\$3,167	\$3,424	 Achieved
5.2	Need-based borrowing %	54.4%	63.4%	67.4%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	1,618	1,579	1,470	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	5.5	5.2	5.0	 Achieved
11	Retention Rate	93.1%	92.0%	90.0%	 Achieved
12	Degrees per FTE Students	25.0%	24.5%	23.8%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	144	117	97	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	\$242,195,333	\$278,700,000	\$215,300,000	 Passed
18	Patents & Licenses	60	55	53	 Achieved
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

University of Virginia's College at Wise

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	1,695	1,758	1,670	 Passed
2	Under-represented Enrollment	979	997	876	 Passed
3	Degree Awards	308	272	258	 Achieved
4	Affordability	No data at this time.			
5.1	Need-based borrowing \$	\$2,007	\$4,159	\$3,810	 Achieved
5.2	Need-based borrowing %	59.7%	50.0%	46.9%	 FAILED
6	Tuition Assessment	No data at this time.			
7	High-need Degrees	56	46	42	 Achieved
8	SACS Program Review	Institution has provided a statement on current SACS program reviews.			 Achieved
9	100-200 Courses	No data at this time.			
10	Degrees per FTE Faculty	3.7	4.1	3.7	 Passed
11	Retention Rate	72.3%	75.8%	73.2%	 FAILED
12	Degrees per FTE Students	19.8%	19.3%	17.5%	 Achieved
13	Transfer Agreements	Institution has provided evidence of increasing numbers of transfer agreements.			 Achieved
14	Degree Transfers	59	65	52	 Passed
15	Dual Enrollments	Does not apply to four-year institutions.			
16	Economic Development	Institution received overall satisfactory scores from survey respondents.			 Achieved
17	Research Expenditures	Does not apply to UVA-W.			
18	Patents & Licenses	Does not apply to UVA-W.			
19	K-12 Partnerships	Institution received overall satisfactory scores from survey respondents.			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Virginia Commonwealth University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	27,662	27,150	25,793	 Achieved
2	Under-represented Enrollment	8,919	8,200	7,936	 Achieved
3	Degree Awards	6,059	5,658	5,375	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$3,657	\$3,806	\$4,500	 Achieved
5.2	Need-based borrowing %	88.4%	84.0%	89.0%	 Passed
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	1,321	1,200	1,171	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	3.5	2.4	2.4	 Achieved
11	Retention Rate	82.6%	81.4%	80.9%	 Achieved
12	Degrees per FTE Students	18.7%	17.5%	16.8%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	515	190	140	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	\$117,782,377	\$131,600,000	\$124,600,000	 FAILED
18	Patents & Licenses	36	33	23	 Achieved
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Virginia Community College System

Measure	Description	Actual 0708	Target 0708	Threshold	Result
2	Under-represented Enrollment	77,431	74,613	73,889	 Achieved
3	Degree Awards	16,986	15,580	14,801	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$518	\$2,680	\$2,730	 Achieved
5.2	Need-based borrowing %	19.6%	19.0%	20.0%	 Passed
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	2,310	2,024	1,984	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	3.7	3.6	3.5	 Achieved
1	In-State Enrollment	157,140	155,500	147,725	 Achieved
12	Degrees per FTE Students	17.0%	0.0%	0.0%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	<i>Does not apply to two-year institutions.</i>			
15	Dual Enrollments	30,139	23,341	22,665	 Achieved
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	<i>Does not apply to VCCS.</i>			
18	Patents & Licenses	<i>Does not apply to VCCS.</i>			
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Virginia Military Institute

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	811	803	763	 Achieved
2	Under-represented Enrollment	234	181	148	 Achieved
3	Degree Awards	280	280	266	 Achieved
4	Affordability	No data at this time.			
5.1	Need-based borrowing \$	\$1,159	\$2,400	\$2,600	 Achieved
5.2	Need-based borrowing %	42.8%	50.0%	59.0%	 Achieved
6	Tuition Assessment	No data at this time.			
7	High-need Degrees	75	70	59	 Achieved
8	SACS Program Review	Institution has provided a statement on current SACS program reviews.			 Achieved
9	100-200 Courses	No data at this time.			
10	Degrees per FTE Faculty	2.2	2.3	2.2	 Passed
11	Retention Rate	89.4%	83.5%	82.0%	 Achieved
12	Degrees per FTE Students	18.1%	18.5%	17.3%	 Passed
13	Transfer Agreements	Institution has provided evidence of increasing numbers of transfer agreements.			 Achieved
14	Degree Transfers	Does not apply to two-year institutions.			
15	Dual Enrollments	Does not apply to four-year institutions.			
16	Economic Development	Institution received overall satisfactory scores from survey respondents.			 Achieved
17	Research Expenditures	Does not apply to VMI.			
18	Patents & Licenses	Does not apply to VMI.			
19	K-12 Partnerships	Institution received overall satisfactory scores from survey respondents.			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Virginia State University

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	3,363	3,473	3,299	 Passed
2	Under-represented Enrollment	2,778	2,780	2,504	 Passed
3	Degree Awards	721	736	699	 Passed
4	Affordability	No data at this time.			
5.1	Need-based borrowing \$	\$3,381	\$4,608	\$4,458	 Achieved
5.2	Need-based borrowing %	88.8%	84.0%	85.2%	 FAILED
6	Tuition Assessment	No data at this time.			
7	High-need Degrees	172	43	19	 Achieved
8	SACS Program Review	Institution has provided a statement on current SACS program reviews.			 Achieved
9	100-200 Courses	No data at this time.			
10	Degrees per FTE Faculty	2.7	1.6	1.3	 Achieved
11	Retention Rate	75.1%	76.1%	74.9%	 Passed
12	Degrees per FTE Students	15.2%	17.8%	16.5%	 FAILED
13	Transfer Agreements	Institution has provided evidence of increasing numbers of transfer agreements.			 Achieved
14	Degree Transfers	31	55	0	 Passed
15	Dual Enrollments	Does not apply to four-year institutions.			
16	Economic Development	Institution received overall satisfactory scores from survey respondents.			 Achieved
17	Research Expenditures	Does not apply to VSU.			
18	Patents & Licenses	Does not apply to VSU.			
19	K-12 Partnerships	Institution received overall satisfactory scores from survey respondents.			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

Virginia Tech

Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	20,917	20,153	19,145	 Achieved
2	Under-represented Enrollment	5,645	5,135	5,039	 Achieved
3	Degree Awards	7,061	6,868	6,525	 Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$2,904	\$3,618	\$3,762	 Achieved
5.2	Need-based borrowing %	75.6%	80.9%	83.8%	 Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	1,892	1,786	1,704	 Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			 Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	5.5	5.3	5.0	 Achieved
11	Retention Rate	89.3%	87.5%	85.5%	 Achieved
12	Degrees per FTE Students	21.6%	21.5%	20.0%	 Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			 Achieved
14	Degree Transfers	244	107	94	 Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
17	Research Expenditures	\$353,987,667	\$315,328,108	\$278,317,887	 Achieved
18	Patents & Licenses	18	26	15	 Passed
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			 Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					 Achieved

State Council of Higher Education for Virginia Agenda Item

Item: #5.b. - Action on Proposed Measures for Institution Seeking Level II

Date of Meeting: May 12, 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:

Action:

Background Information/Summary of Major Elements:

The 2008 General Assembly enacted legislation outlining the requirement for institutions seeking Level II authority under the Higher Education Restructuring Act.

§ 23-38.90. Memoranda of understanding.

Effective July 1, 2008, any public institution of higher education may enter into a memorandum of understanding with the appropriate Cabinet Secretary or Secretaries, as designated by the Governor, for additional operational authority in any operational area or areas adopted by the General Assembly in accordance with law provided that the authority granted in the memorandum of understanding is consistent with that institution's ability to manage its operations in the particular area or areas and provided that the following general criteria are met:

1. The institution has received and maintained Council certification pursuant to § 23-9.6:1.01 for the most recent year that the Council has completed certification;
2. An absolute two-thirds or more of the institution's governing body shall have voted in the affirmative for a resolution expressing the sense of the body that the institution is qualified to be, and should be, governed by memoranda of understanding as provided in this chapter; and

3. The institution must adopt at least one new education-related measure for each area of operational authority for which a memorandum of understanding is requested. Each education-related measure and its respective target shall be developed in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the Council. Each education-related measure and its respective target must be approved by the Council and shall become part of the certification required by § 23-9.6:1.01.

Five institutions have submitted applications for Level II authority. The VCCS has not, as of April 29, 2009, submitted a formal application, but has expressed their intent to submit an application in the next few months.

Institution	Requested Area of Operational Authority	
George Mason University	Information Technology	Procurement
James Madison University	Information Technology	Procurement
Old Dominion University	Information Technology	Procurement
Radford University	Information Technology	Procurement
Virginia Military Institute	Information Technology	Procurement
Virginia Community College System	Information Technology	Capital Outlay

A Council workgroup, consisting of Council members Alan Wurtzel and Gilbert Bland, along with the Secretaries of Education, Finance, Technology, and Administration, reviewed the proposed measures and targets/thresholds. These measures are in addition to the measures outlined in the Appropriation Act.

The Council workgroup and the Secretaries (or their representative) met and reviewed each measure. The group recommended to the institutions that they include measures that addressed graduation rates or course redesign. Several of the institutions changed their initial proposals to include one or both of these measures. Some institutions developed measures that were unique to their institutional mission. The institutions' final measures:

- George Mason University
 - Increase the six-year graduation rates of students who enter as in-state, full-time freshmen.
 - Increase the number of graduates in high-need graduate programs.
- James Madison University
 - Increase the number of graduates in STEM programs.
 - Redesign courses in which students receive a high percentage of D, F, and W grades.
- Old Dominion University
 - Redesign courses in which students receive a high percentage of D, F, and W grades.

- Radford University
 - Increase the six-year graduation rates of students who enter as in-state, full-time freshmen.
 - Redesign courses in which students receive a high percentage of D, F, and W grades.

- Virginia Military Institute
 - Increase number of cadets accepting commissions.
 - Minimize loans for first-time in-state freshmen.

- Virginia Community College System
 - Increase the number of students completing community college career pathways programs.
 - Of the first-time in college, program-placed entering cohort in a given Fall term who successfully complete at least 12 credits at the community college, increase the percent of these students who complete an award (associate degree, certificate, or diploma) or transfer to a four-year institution within five years.

The Council workgroup and the Secretaries support the measures and targets/thresholds proposed by the institutions and recommend Council approval.

Materials Provided:

- Proposed education-related measures

Financial Impact:

If the Secretaries approve the application, institutions will receive operational authority in the requested areas.

Timetable for Further Review/Action:

The proposed measures and targets/thresholds will be incorporated in the annual certification for each institution granted Level II status beginning with the May 2010 certification.

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the proposed Level II measures for:

**George Mason University
James Madison University
Old Dominion University
Radford University
Virginia Community College System
Virginia Military Institute**

George Mason University

Mason proposes two institutional performance measures as part of request for Higher Education Restructuring Level II Authority. Based on the feedback and recommendations of the review group, Mason forwards these IPS measures of educational outcomes because they reflect the mission and strategic plan of the institution and address specific goals of the Restructuring Act.

Restructuring Goal 5: Improve student retention such that students progress from initial enrollment to timely graduation, and that the number of degrees conferred increases as enrollment increases.

Review Group’s Measure 1: Institution maintains acceptable progress towards agreed upon targets for six-year graduation rates of students who enter as in-state, first-time, full-time freshmen. The targets will reflect the intent that this rate increases over the next five years.

This measure fits well within the strategic plans of the university. A strategic action item within Mason’s *Strategic Goals for 2014* calls for an “increase in student retention and graduation rates.” To achieve this outcome, it is imperative that we increase the graduation rates for our in-state students. Over the past ten years, the institution has initiated several programs and services designed to improve retention and graduation rates, and has admitted students with stronger academic preparation. As a result, the six-year graduation rate for in-state students increased during these ten years by 13.5 percentage points. Mason continues to identify ways to enhance student progression and improve graduation rates.

10-Year History

Academic Year	AY9899	AY9900	AY0001	AY0102	AY0203	AY0304	AY0405	AY0506	AY0607	AY0708
Cohort Year	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Rate	47.3%	48.0%	50.1%	48.5%	49.6%	49.2%	55.0%	53.9%	55.8%	60.8%

Standard Deviation	4.4%
Minimum	48.0%
Maximum	60.8%

Proposed Targets

Academic Year	AY0809	AY0910	AY1011	AY1112	AY1213	AY1314
Cohort Year	2002	2003	2004	2005	2006	2007
Target	62.0%	62.5%	63.0%	63.5%	64.0%	64.5%
Threshold	58.8%	59.4%	59.9%	60.3%	60.8%	61.3%

Threshold is 95% of target.

Restructuring Goal 3: Offer a broad range of undergraduate and graduate programs consistent with its mission and assess regularly the extent to which the institution's curricula and degree programs address the Commonwealth's need for sufficient graduates in particular shortage areas, including specific academic disciplines, professions, and geographic regions.

Measure 2 (the graduate component of Restructuring Goal 3, Measure 7): Institution maintains acceptable progress towards an agreed upon target for the total and percentage of graduates in high-need areas, as identified by the State Council of Higher Education.

Mason's second performance measure under its Level II authorization request is directed at addressing the need for sufficient graduates in high-need areas at the master's degree level, the graduate component of Goal 3, Measure 7. The university is committed to serving the educational needs of the Commonwealth and has demonstrated its commitment to producing graduates in high-need areas at the undergraduate level. Mason ranks fourth among the state's four-year institutions in the award of baccalaureate degrees in the SCHEV identified high-need areas.

But this is only a portion of Mason's contribution to the Commonwealth because two-thirds of the degrees awarded in high-need areas at Mason are awarded at the graduate level. Mason awards the highest number of master's degrees in the state so the impact of Mason's response to this goal through its master's degrees is significant.

In response to Mason's geographic region, as addressed in Goal 3, the university feels that an expansion of the identified high-need areas is appropriate to more adequately define the needs of Mason's geographic region. In addition to Engineering, Medicine, Nursing, and Teaching, we feel it is appropriate to broaden the measure to include all areas of the Health Sciences (CIP code family 51) and Information Technology (CIP code family 11).

While a shortage of nurses exists in our area, we also are aware that there is a shortage of master's level nurses who serve in leadership roles within the health care industry. Additionally, the need for other health care professionals to serve as administrators, educators, public health professionals, and health care policy experts is critical. The high density of technology related companies and organizations, including the federal government, that reside in our geographic region creates a high demand for degrees in both engineering and information technology, particularly with an emphasis on information security. We feel that the expansion of the high-need areas is relevant to the needs of the Commonwealth as a whole and Northern Virginia in particular.

10-Year History

1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08
916	982	987	860	1003	960	1064	1210	1219	1249
Standard Deviation			136						
Minimum			860						
Maximum			1249						

Proposed Targets

Year	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Target	1250	1267	1296	1384	1483	1564
Threshold	1162	1178	1205	1287	1379	1455

Threshold is the same as for baccalaureate, 7% variance.

James Madison University

Measure I: James Madison University proposes to focus on a university wide initiative for the implementation of various STEM programs (Science, Technology, Engineering, and Mathematics) in order to meet Measure I for the proposed measures for institutions seeking level II endorsement. These programs include biology, biotechnology, chemistry, computer information systems, computer science, earth science, engineering, geographic science, geology, information analysis, interdisciplinary liberal studies (math/technology/science), integrated science and technology, mathematics, physics, science education for elementary teachers and statistics. These programs currently constitute over 2,500 majors at the university and represent areas of key emphasis that have been identified by the Commonwealth of Virginia and SCHEV. The university proposes to increase the number of STEM graduates using as a baseline the graduation level for STEM majors in 2007-08. The following table provides specific targets for the production of STEM graduates through the 2013-14 academic year. As can be seen from the data, the university experienced a severe decline in STEM majors following the 2000 economic downturn. The university anticipates that our efforts to increase STEM majors throughout this decade will result in substantial increases in graduates as we move forward. Further, the university proposes expanding our existing engineering program at a more rapid rate than is currently proposed in our Six-Year Plan. The table below provides data through the year 2013-14 for STEM graduates, absent Engineering. An additional table is provided for engineering graduates through the year 2013-14. The STEM table indicates a five year increase of 26% in projected graduation rate. The Engineering table indicates a 51% increase over five years when compared with SCHEV approved projections.

Projected STEM Annual Graduates
Graduates

Graduates	Actual								Projected						
Major	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
STEM non-Engineering	662	715	624	613	540	539	523	503	532	555	620	670	680	700	720
Engineering	0	0	0	0	0	0	0	0	-	-	-	53	71	81	81
Totals	662	715	624	613	540	539	523	503	532	555	620	723	751	781	801
Annual Change		8%	-13%	-2%	-12%	0%	-3%	-4%	6%	4%	12%	17%	4%	4%	3%
RPV Using 95%									505	527	589	667	681	705	724

Measure II: James Madison University using instructional technology, new student support systems, as well as more sophisticated mathematics curriculum will improve the overall rate of student success in two of our key gateway mathematics courses. These courses include Math 205, Introductory Calculus I and Math 220, Elementary Statistics and serve over 3,800 students per year. The courses are a gateway requirement for a large percentage of our majors and have unusually high levels of D, F, and W grades. Typically, about of 25% of students taking these courses fail to successfully complete them and must repeat them to move forward in their curriculum. This increases faculty workload and reduces overall efficiency within the university by slowing student progress and diverting them into inappropriate majors. The table below presents grade distribution data for the 2007-2008 academic year including the fall, spring and summer semesters. The university proposes setting the SCHEV suggested minimum threshold for reducing the D, F, W rate in these courses by 10% within three years and an additional 10% within then next two years. Further, the university proposes an actual target of 15% reduction after three years and an additional 15% reduction in each of the next two years. The table below for each of the two courses shows the projected threshold or threshold reductions for 2009-10, 2010-11, 2011-12, 2012-13 and 2013-14.

Table 1: Baseline Grade Distributions

AY 2007-08 Math 205			AY 2007-08 Math 220		
Grade Count	Grade	Percent	Grade Count	Grade	Percent
334	A	23.16%	456	A	18.76%
410	B	28.43%	827	B	34.02%
315	C	21.84%	610	C	25.09%
130	D	9.02%	259	D	10.65%
96	F	6.66%	159	F	6.54%
157	W	10.89%	120	W	4.94%
1442			2431		
	D's + F's + W's =	383		D's + F's + W's =	538
		26.56%			22.31%

Table 2: Math 205, Calculus I (student N = 1,442)

	Actual D, W, F rate	Threshold D, W, F rate	Target D, W, F rate
2007-08 Baseline	26.56%	26.56 %	26.56 %
2009-10		26.56 %	26.56 %
2010-11		26.56 %	26.56 %
2011-12		24.00 %	22.57 %
2012-13		21.35 %	18.59 %
2013-14		18.70 %	14.61 %

Table 3: Math 220, Elementary Statistics (student N = 2,431)

	Actual D, W, F rate	Threshold D, W, F rate	Target D, W, F rate
2007-08 Baseline	22.13%	22.31 %	22.31 %
2009-10		22.31 %	22.31 %
2010-11		22.31 %	22.31 %
2011-12		20.07 %	18.96 %
2012-13		17.84 %	15.61 %
2013-14		15.60 %	12.25 %

Old Dominion University

Old Dominion University has chosen two academic measures which directly address several of the public policy goals for higher education outlined in the Higher Education Restructuring Act. Specifically, evidence of positive outcomes on these measures support the goals of **increasing access, affordability, timely graduation, instructional efficiency, and graduates in high demand areas.**

- 1. Goal: Institution utilizing technology, or other restructuring methods, transforms lower division courses to improve faculty productivity and reduce the percentage of student non-completers.**

Measure 1: Targets, and Thresholds: To be determined following institutional study and review. Through its Center of Learning Technologies and strong history of use of alternative delivery methods, the University will determine the most efficient methods to provide better and more effective learning settings in lower level courses to meet this goal.

The university will identify two courses enrolling large numbers of students with high proportions of non-completers (those students who do not receive a grade of 'C' or higher ['Pass' for PASS/FAIL courses]) for redesign. The goal is to reduce the percentage of non-completers without sacrificing the academic quality of the courses or students' access to them. The institution working with SCHEV staff will identify the two courses for redesign and appropriate targets/thresholds no later than August 1, 2009.

- 2. Goal: Increase capacity to offer undergraduate and graduate programs in Nursing, which are high demand programs as identified by the State Council of Higher Education in Virginia.**

- Through this effort, the University will maintain the high level of quality of nursing program graduates while providing more nurses in a high demand field. Applications for admission to our current programs far exceed the School of Nursing's ability to admit and enroll students. Licensure pass rates are extremely high, further illustrating the quality of the University's existing nursing program.
- Growth areas will potentially include bachelors programs, both pre-licensure, RN-to-BSN programs, and in the graduate programs.

Implementation: Because of the size of the existing nursing programs, capacity limits in the form of faculty, facilities, and equipment, approach the limits outlined in Commission on Collegiate Nursing Education (CCNE) accrediting standards. Adjustments to the number of faculty, expansion of facilities, provision of additional equipment, and the identification of additional clinical practice sites are required before an increase in nursing degrees conferred can be achieved.

Measure 2: Increased program degrees conferred in targeted nursing program areas.

2009 Proposed Targets: Increased Degrees Conferred in Nursing Programs

Year	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Target	194	194	194	196	202	214	233
Threshold	n/a	n/a	194	194	194	203	221

Radford University

Measure 1: Institution maintains acceptable progress towards agreed upon targets for six-year graduation rates of students who enter as in-state, first-time, full-time freshmen.

Historical Data by Entering Year

Entering Year	1998	1999	2000	2001	2002
Graduation Year	2004	2005	2006	2007	2008
Rate	57%	53%	57%	57%	60%

Proposed Targets by Entering Year

Entering Year	2003	2004	2005	2006	2007
Graduation Year	2009	2010	2011	2012	2013
Target	58%	59%	59%	62%	63%
Threshold	56%	57%	57%	60%	61%

Rationale: Improving graduation rates is a strategic priority for Radford University. Six-year graduation rates for in-state, first-time, full-time freshmen ranged from a low of 53% for the 1999 entering class to a record high of 60% for the class that entered in fall 2002. Excluding the lowest (1999) and the highest (2002) outliers for the five-year period beginning with the 1998 freshmen class and ending with the 2002 freshmen class, RU's graduation rate for in-state, first-time, full-time students averaged around 57%.

RU's proposed targets represent a 5% increase from our current graduation rate (60%) to our targeted rate of 63% for the 2007 freshmen class. While attainable, we believe that these are aggressive targets. However, with a more effective enrollment management plan spearheaded by our new Vice Provost for Enrollment Planning and Management we believe we can achieve the proposed targets. Producing well-educated graduates for the Commonwealth remains the top priority for Radford University.

Measure 2: Institution utilizing technology, or other restructuring methods, transforms lower division courses to improve faculty productivity and reduce the percentage of student non-completers.

The university will identify two courses enrolling large numbers of students with high proportions of non-completers (those students who do not receive a grade of 'C' or higher ['Pass' for PASS/FAIL courses]) for redesign. The goal is to reduce the percentage of non-completers without sacrificing the academic quality of the courses or students' access to them. The institution working with SCHEV staff will identify the two courses for redesign and appropriate targets/thresholds no later than August 1, 2009.

Virginia Military Institute

Proposed Commissioning Measure

Background

VMI's efforts to increase the numbers of cadets seeking and accepting commissions encompass a number of areas. VMI has a tradition of educating citizen-soldiers and encourages all qualified cadets to pursue commissions in the Active Duty, National Guard, and other Reserve components of the U.S. Armed Forces. The core curriculum requires that all cadets take four years of ROTC instruction, regardless of the cadet's intentions to seek an armed forces commission. In addition to providing valuable leadership training, this policy helps to ensure that all cadets are positioned to seek a commission should their plans change during their cadetship. VMI believes that exposure to military leadership training is a significant influencing factor on a cadet's decision of whether to pursue a commission. In addition, VMI's required physical fitness training and medical admissions standards also help to ensure that cadets are physically and medically qualified to seek commissions.

VMI competes with the federal military academies for highly qualified applicants. As is the case with these academies, VMI's recruitment efforts are directly and profoundly affected by the propensity of high school students toward military training or service and issues of national security. VMI is also significantly impacted by the mood of the country as it relates to the military at any given time. There is evidence to indicate that the current Global War on Terrorism has had a negative impact on the admissions situation at VMI. Recent surveys also indicate that a significant number of applicants are accepting appointments to one of the federal military academies, who have also experienced some decrease in applicants. In the past, many of these applicants would not have been offered an appointment to the federal academies.

As part of VMI's efforts to increase the numbers of cadets accepting commissions and to remain competitive with the federal military academies, VMI also encourages cadets to seek military financial assistance while enrolled at VMI. In addition to those cadets matriculating with a 4 year ROTC scholarship, VMI assists cadets with seeking 3-year and 2-year ROTC scholarships after they are enrolled at VMI. Efforts to obtain an ROTC scholarship are not mutually exclusive from other efforts to increase the numbers of cadets accepting commissions. Although increased ROTC scholarships and other military financial assistance programs are important parts of VMI's efforts to increase commissioning, ROTC scholarships are only one component of the overall effort.

The number of cadets who are commissioned at graduation is significantly influenced by the number of ROTC scholarships awarded to these cadets. Over the past five years, approximately 60% of cadets accepting commissions received an ROTC scholarship. The federal government determines the number of these awards annually based on needs of the military, availability of funding, and student merit. A number of cadets matriculate each year at VMI having already secured 4

year ROTC scholarships; however, this is not an absolute guarantee that they will remain at VMI and accept a commission. ROTC scholarships are portable, meaning cadets can leave VMI and transfer to another college while maintaining his/her ROTC scholarship or the cadet could elect to drop the scholarship during their first two years at VMI and not accept a commission. Commissioning can also be impacted by Institute and/or outside disciplinary matters, physical injuries, onset of new medical problems, and poor academic performance. VMI's policies that require 4 years of ROTC military training are designed to encourage cadets to continue on the path to commissioning, regardless of whether they receive an ROTC scholarship.

In addition to ROTC scholarships, there are other military related funding opportunities available for cadets such as service in the Reserves and National Guard while enrolled at VMI. Depending on the program, the cadet might receive funding for education in addition to their normal pay for reserve service. VMI encourages and supports cadet participation in reserve components while enrolled at VMI and makes the necessary accommodations to normal Institute requirements to allow this service. Since 2001, sixty-one cadet members of the Reserves or National Guard have been activated and deployed. Most of these cadets were deployed overseas in support of the Global War on Terrorism. To date, forty-six of these cadets have returned and graduated from VMI, are currently enrolled, or are still on active duty. Fifteen of these cadets resigned and did not return to VMI.

The VMI recruiting environment and importance of ROTC scholarships described above has been considered in the development of VMI's proposed commissioning measure described below.

Proposed Measure

VMI establishes as its commissioning measure a commitment to graduate a significant number of cadets each year who accept a military commission, including both graduates who receive ROTC scholarships and those who do not receive scholarships. VMI tracks commissioning data based on matriculating class. The proposed target for this measure will be based on a rolling average of the commissioning percentages for the previous 5 matriculating classes. The average commissioning percentage for the classes of 2003 through 2007 was 41.54%. VMI proposes as its target a commissioning percentage of 43%. VMI commits to meet at 41.5%, for each rolling five year average. Because the commissioning percentage is greatly impacted by the number of cadets receiving ROTC scholarships and other external factors noted above, VMI reserves the right to propose changes to this measure as appropriate if evidence indicates that factors beyond the control of VMI adversely affect the percentage of cadets accepting commissions. The commissioning data will be reported annually to SCHEV and will be analyzed annually to identify trends and actions that either positively or negatively impact these numbers. Included in the analysis will be a review of the number of cadets receiving ROTC scholarships compared to the number of cadets accepting commissions. Appropriate actions will be taken each year to either bolster positive actions or to reverse negative trends.

Proposed Financial Aid Measure

Background

VMI is committed to improving the affordability and accessibility of a VMI education to all qualified in-state students. As evidence of this commitment, we have generally met 100% of the demonstrated need of our in-state cadets with scholarships and grants and only a minimum amount of need-based loans. We currently have managed to keep these loans for new cadets at \$2,500 for their first year. For new in-state cadets with high need (those that have an expected family contribution of zero as defined by the Free Application for Federal Student Aid), we have been able to provide scholarships and grants to cover all costs (tuition, fees, room, and board) with the exception of books and incidentals. These very needy cadets may use loans to cover books and incidentals. Our ability to provide this funding is due largely to increases in State student financial assistance and in private support from the VMI Foundation.

The recent downturn in the economy and in the stock market has adversely impacted VMI's ability to sustain its current practice as described above. State general fund reductions directed by the Governor for FY 2009 and as anticipated for FY 2010 are expected to result in higher tuition and fees for all cadets and little or no increase in State-funded student financial assistance. The severe drop in the stock market will significantly reduce spendable income from private endowment funds and reduce cash donations to the VMI Foundation. These reductions are expected to continue for some years until the economy and the stock market return to normal levels.

The economic situation described above has been considered in the development of VMI's proposed financial aid measure indicated below.

Proposed Measure

It is VMI's goal to meet 100% of the demonstrated need of all Virginia cadets with scholarships, grants, and loans. We will also strive to meet 100% of the demonstrated need of all Virginia cadets with high need (those with an expected family contribution of zero) with scholarships, grants, and no loans.

VMI establishes this goal with the provision that high-need cadets may be required to take loans for some portion of tuition, fees, room, and board during the next few years until the economy and the stock market return to normal levels. During these difficult economic times, the Institute commits to meet at least 80% of the aggregate demonstrated need of all Virginia cadets with high need through scholarships, grants, and no loans.

This measure directly supports Restructuring Goal number 2, Affordability. VMI will report its progress on this measure to SCHEV annually.

VIRGINIA COMMUNITY COLLEGE SYSTEM

Chapter 824 of the 2008 Session of the General Assembly provided for qualifying public institutions of higher education in Virginia to be granted additional operational authority in a minimum of two, but not all three, of the following areas: information technology, procurement, and capital outlay. The Virginia Community College System (VCCS) is currently seeking approval for delegated authority in the areas of information technology and capital outlay.

One of the requirements for obtaining the additional autonomy is that the institution adopt in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of Higher Education at least one new education-related measure for each area of operational authority for which a memorandum of understanding is requested. Each education-related measure and its respective target must be approved by the Council and become part of the restructuring certification process.

Proposed Measure 1: Increase the number of students completing community college career pathways programs.

One of the education-related performance measures proposed by the VCCS pertains to workforce development efforts which highlight the unique role for the community colleges within the Virginia higher education system. The VCCS is designated in the *Code of Virginia* as the state agency with primary responsibility for coordinating workforce training at the postsecondary to the associate degree level. The community colleges are also directed to maximize noncredit course offerings made available to business and industry to meet current and projected workforce needs. In 2008, more than 234,000 people directly benefited from workforce programs at the colleges, including over 79,000 people served in programs customized for Virginia businesses - a substantial increase over the previous year.

The proposed measure relate directly to state restructuring goal number 7:

Actively contribute to efforts to stimulate the economic development of the Commonwealth and the area in which the institution is located, and for those institutions subject to a management agreement set forth in Subchapter 3 (§ 23-38.91 et seq.) of this chapter, in areas that lag the Commonwealth in terms of income, employment, and other factors;

Career pathways are educational or training programs that prepare participants for employment and progression in high demand or high wage fields. A “career pathway” is the framework that aligns the particular education and training programs necessary to enable individuals to secure employment within a specific industry or occupational sector and to advance, over time to successively higher levels of education and employment in that sector, thus supplying qualified workers for local employers. Each step on a career pathway is designed explicitly to prepare for the next level of employment and education.

Career pathways include among other programs career technical education (CTE) programs and the Career Readiness Certificate (CRC). Career and technical

programs are offered for credit as a degree, certificate, or career studies certificate and assist individuals in improving their education and employment. Examples of occupational/technical programs include Dental Hygiene/Hygienist, Cooking and Culinary Arts, CAD/CADD Drafting, General Engineering, and Automotive Mechanics Technology.

The Career Readiness Certificate (CRC) is an assessment-based credential that gives employers and career seekers a uniform measure of key workplace skills in three areas—reading, writing, and locating information. The certificate is based on Workkeys assessments developed by the American College Testing Program (ACT). Through job profiles of over 16,000 occupations, ACT identified these three skills as critical components to the majority of occupations. Employers directly connect the certification to productivity, quality, business processes and profitability. The CRC has three levels of certification: bronze, silver and gold. A bronze level CRC indicates that an individual has the necessary foundation skills for over 35 percent of the jobs profiled by ACT. A silver level is based on an individual meeting over 65 percent of the jobs profiled by ACT, and a gold level is for individuals meeting over 90 percent of the jobs profiled by ACT.

The CRC has received state and national recognition. Initiated as part of Governor Mark Warner Education for a Lifetime program, the CRC remains a high priority of Governor Tim Kaine. In addition, in 2008, the General Assembly passed legislation to recognize the CRC (§ 2.2-2674.01 *Code of Virginia*). Business and industry also support the CRC as demonstrated through endorsements by the Virginia Workforce Council, Chamber of Commerce, AFL-CIO and the Virginia Manufacturers Association. As the first state to initiate the CRC credential, many states now offer the CRC and ACT recently established a national career readiness certificate modeled after the Virginia program.

Two ways to measure career pathways programs success are completion of the career and technical education programs and receipt of a Career Readiness Certificate (CRC). The table below provides the number of individuals who have received these credentials over the past three years.

Career Pathways Programs	2006	2007	2008
Career Readiness Certificate Recipients	3,733	3,197	4,267
Career Technical Education (CTE) Completions (Perkins measure)	8,929	8,749	9,213
<i>Total Served</i>	<i>12,662</i>	<i>11,946</i>	<i>13,480</i>

To maintain their relevance, career pathway programs work closely with business. The programs give students the opportunity to increase their skills, gain credentials, and move easily from one educational level to another. This proposed measure reflects VCCS' effectiveness in providing services that help to prepare the emerging workforce, serve employers, and offer portable skills and credentials to the incumbent and displaced workforce.

The proposed targets project modest growth. However, since the Governor's Office has impact on support for these programs, conservative projects are forecast for the longer term. The table below depicts the historical performance of Virginia's community colleges on the proposed measure and proposed targets.

Targets - Career Pathways Performance Projections FY 2009 to FY 2016

	FY 2005	FY 2006	FY 2007	FY 2008
Actual				
CRC	1,526	3,733	3,197	4,267
CTE Awards	11,005	10,879	10,967	12,007
Total	12,531	14,612	14,164	16,274

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target								
CRC	4,480	4,660	4,799	4,943	5,092	5,244	5,402	5,564
CTE Awards	12,187	12,370	12,555	12,744	12,935	13,129	13,326	13,526
Total	16,667	17,029	17,355	17,687	18,027	18,373	18,728	19,090
Threshold (95%)	15,834	16,178	16,487	16,803	17,126	17,454	17,792	18,136
Projections								
Increase CRC	5.0%	4.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Increase CTE	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%
Overall Increase	2.4%	2.2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%

Proposed Measure 2: Of the first-time in college (FTIC), program-placed entering cohort in a given Fall term who successfully complete at least 12 credits at the community college, the percent of these students who complete an award (associate degree, certificate, or diploma) or transfer to a four-year institution within five years.

Historical Student Success Data

The table below depicts the historical performance of Virginia’s community colleges based upon the proposed measure:

Virginia Community College Five-Year Success Outcomes of FTIC, Program-placed Students with 12+ Credits Fall 2000-2003

Cohort Fall	Cohort No.	Associate		Certificate		Diploma		Transfer		Total Success	% Success
Fall03	12921	3505	27.13	728	5.63	48	0.37	1991	15.41	6272	48.54%
Fall02	11967	3056	25.54	780	6.52	42	0.35	1819	15.20	5697	47.61%
Fall01	11666	2964	25.41	605	5.19	42	0.36	1730	14.83	5341	45.78%
Fall00	10699	2751	25.71	570	5.33	47	0.44	1684	15.74	5052	47.22%

Student Success Initiatives

Virginia’s community colleges continue to be focused on the success of our students. There are a number of initiatives underway that are likely to have a positive impact upon our ability to improve student success rates. The following is a summary of a few of those initiatives:

- Virginia’s community colleges are currently completing the final year of a six year strategic plan- *Dateline 2009*- that places student success as a central focus. While the current data suggests that the system has not made significant progress toward meeting the goals, it is important to remember that the implementation of policy and program changes has taken time. The effects of those changes are just now being realized as is perhaps indicated by the significant increase in the success rate of the Fall 2002 and Fall 2003 cohorts indicated above.
- Virginia’s community colleges are developing the next six-year plan that places an even greater focus on student success. The new plan is set to be rolled out in November 2009 and will guide the efforts of our system through 2015. While the new plan is not a finished product, the current draft of the plan includes goal statements that still need to have metrics applied to indicate the level of progress required to meet the goals. Hence the question marks in the statement below. The current draft includes the following goal language to re-enforce the importance of student success: *“Increase the number of students graduating, transferring or completing a workforce credential by 50% above the baseline, including doubling the success of students from underserved populations.*

- Virginia has been an active member state in the Achieving the Dream initiative since 2005. The effort has had as its focus student success. As a part of the initiative Virginia's community colleges and the system as a whole have benefitted in a number of ways. Perhaps most impactful has been the state policy and data infrastructure work. On the state policy front, the initiative has led to a complete review of policy to identify and improve policies that may be a hindrance to student success. While that effort is on-going, it has led to a few key changes in policy that will have a lasting effect on student success rates. The improvements in data infrastructure are covered in the subsequent point.
- Since early 2005, the Virginia Community College System office has been working to improve our capabilities and reliability of data. That effort has included the development of a data warehouse and specific data marts. One of the data marts that is most helpful to understanding progression of our students is the student success data mart. The tool allows colleges to identify cohorts based upon a myriad of descriptors and to track the subsequent success of those students for a prescribed period of time using several factors for success descriptors. The tool has resulted in a heightened understanding of the enrollment and success patterns of our students. We have now been able to focus our efforts on key areas for improvements such as developmental education and the student success course.
- In order to realize gains in our student success efforts, Virginia's community colleges have honed in on success in developmental education as a key to improving overall student success. The Academic and Student Affairs Council of Virginia's community colleges have established a task force focused on improving success in developmental education. The task force is charged with making recommendations for policy and practice changes that will drive improvements in developmental education. Those recommendations will be made by September 2009 with implementation to follow. Initial efforts of the task force have involved an extensive review of the data for developmental education students. Perhaps the most compelling data point is this: Students who successfully complete the gatekeeper math course (defined as the freshman general education math course) succeed at a rate of 80%. This data point has caused the task force to begin reviewing ways to get more students through the developmental mathematics sequence into and through the gatekeeper math course. This data and more will be the driver behind recommendations forthcoming from the task force in early Fall 2009.
- Virginia's community colleges like most institutions of higher education require a student success course as a part of every degree program. The course is designed to prepare students to succeed in college. Reviews of the course this year suggested that the course was critically important to success of many students. However, the same data suggested that there were improvements that were needed in the course content and structure.

Therefore, the Academic and Student Affairs Council has commissioned a Student Success Course Task Force with the responsibility for making recommendations for policy and practice changes. One of the initial steps of the task force has been to review data relevant to the course. Initial results indicate that students who take the student success course are successful at a rate 10% higher than those who do not take the course. This data and more will be the driver behind recommendations forthcoming from the task force in early Fall 2009.

Environmental Issues Affecting Predictability

Given these initiatives, it is important to note a few of the variables that may have an impact on improving student success in Virginia's community colleges. First, community college enrollment in the Commonwealth is changing dramatically. Virginia's community colleges have enrolled an additional 16,000 students in the last two years alone. The new students are not simply more of the same students. The student population is changing dramatically in terms of age and ethnicity. As one data point, a review of the Fall 2004 cohort shows a significant increase (16%) in the cohort from Fall 2003 to Fall 2004. An increase of this magnitude in the cohort causes less confidence in predicting the success rate.

Second and as outlined in the current proposed award projections, community college enrollment and success rates are significantly impacted by the economy environment. The VCCS is uncertain as to the impact of the current economic environment on the continued enrollment and success rates of students. In past recessions, community college enrollment has experienced huge increases. Those huge increases in enrollment have tended to dwindle as the economy improved and jobs became more plentiful. It is expected that this same trend will occur with the current recession. The key question is when. Again, this factor causes a bit of concern in our ability to predict both enrollment and success.

Both of these factors suggest a need to be cautious in predicting success of students over the next few years. Therefore, the minimally acceptable thresholds have been set to reflect a range that accommodates shifts that may occur as a result of changing demographics and/or changes in the economic environment that may impact our ability to meet the targets.

Proposed Targets

Given this historical student success data, a sampling of student success initiatives that are underway to effect improvements in student success, and a pair of concerns about the ability to predict student success rates in this dynamic environment, the VCCS proposes the following targets and minimally acceptable thresholds for the Fall 2004 through 2009 cohorts. Therefore, the proposed targets are:

Proposed Targets for Virginia Community College Five-Year Success Outcomes of FTIC, Program-placed Students with 12+ Credits Fall 2004-2009 Cohorts

Cohort Year	Measurement Year	Target Success Rate	Minimally Acceptable Threshold
2003 Baseline	2008	48.54%	N/A
2004	2009	48.60%	45.60%
2005	2010	48.80%	45.80%
2006	2011	49.00%	46.00%
2007	2012	49.25%	46.25%
2008	2013	50.50%	47.50%
2009	2014	52.50%	49.50%

State Council of Higher Education for Virginia Agenda Item

Item: # 5.c. - Action on Program Viability Process

Date of Meeting: May 12, 2009

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

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: March 10, 2009

Action: Council approved action on programs subject to full review under the program viability process and requested follow up reporting by staff.

Background Information/Summary of Major Elements:

At its March 10, 2009 meeting, Council approved staff recommendations regarding the continuation or closure of certain programs subject to full review under the SCHEV program viability policy. At that time, staff received two charges for follow up to report on at Council's May meeting:

- 1) to review characteristics of the 26 voluntarily closed programs to determine whether changes to the SCHEV program approval policy may be warranted;
- 2) to develop a plan for reviewing the viability of new programs *annually* after they have completed their fifth year of existence.

Taking up these charges in turn:

- 1) Attached is a chart detailing the 26 voluntary closures referenced at the March meeting. Of the 26, only two have been approved by Council since the 2002 inception of the current program approval guidelines. With regard to internal characteristics of the programs, the following may be noted:

- A predominance of programs are at the Masters level. This is to be expected, since according to the Code of Virginia and SCHEV policy, undergraduate programs must be evaluated in terms of service instruction as well as numbers of majors and graduates. They are therefore less likely to be targeted in the first place.
- Nine of 26 programs are in engineering/technology disciplines, which are inherently subject to rapidly changing norms and disciplinary boundaries. It is natural that institutions would close low enrollment programs in such areas.
- Some other programs are in disciplines known to have become increasingly obsolescent (e.g., business/industrial education).

In sum, the pattern of closures—both in terms of when the programs were approved and in terms of the internal characteristics of the programs themselves—does not indicate a discernible need for alteration of the current program approval guidelines.

2) At its March 10, 2009 meeting, Council passed a resolution unanimously recommending

that staff develop a specific proposal for conducting the program viability process on an annual basis as well as every five years. It was requested that the proposal be submitted to the Council for approval in May.

In answer to this charge, staff recommends amending the SCHEV Program Viability Policy to incorporate an annual review of new programs after they have completed their fifth year of existence. This amendment would not apply to the Virginia Community College System, which operates semi-autonomously under the current policy and already reviews its programs biennially. The recommended amendment reads as follows:

Annual review of recently approved programs at four-year institutions and Richard Bland College

SCHEV shall annually review recently approved programs when they have completed their fifth year of existence (except for years when the regular quinquennial review occurs). For any such program not achieving SCHEV viability standards by the fifth year, the institution shall elect either to close the program or to submit a plan for bringing it up to standard within a specified time frame. Council will receive a report on and approve the results of this annual review as it does for the regular quinquennial review.

Materials Provided:

- Table showing detail on voluntary program closures from the 2008-09 program viability process as of March 10, 2009.

Financial Impact: N/A

Timetable for Further Review/Action: N/A

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia accepts the following amendment to the SCHEV Program Productivity/Viability Policy:

Annual review of recently approved programs at four-year institutions and Richard Bland College

SCHEV shall annually review recently approved programs when they have completed their fifth year of existence (except for years when the regular quinquennial review occurs). For any such program not achieving SCHEV viability standards by the fifth year, the institution shall elect either to close the program or to submit a plan for bringing it up to standard within a specified time frame. Council will receive a report on and approve the results of this annual review as it does for the regular quinquennial review.

Detail on program closures reported at the March 10, 2009 meeting.

Institution	Program Title	CIP	Degree Level	Award	Degree Approved (Year)	Termination Year
George Mason University	Area Studies	050199	Baccalaureate	B.A.	1979	2015
	Bioscience Management	529999	Masters	M.S.	2002	2015
	Conducting	500906	Masters	M.M.	XXXX*	2009
	Electronic Commerce	301501	Masters	M.S.	2001	2015
	Music	500999	Masters	M.A.	2002	2008
	Operations Research and Engineering	149999	Masters	M.S.	BCHE*	2009
	Pedagogy and Performance	500903	Masters	M.M.	XXXX*	2009
	Urban Systems Engineering	142798	Masters	M.S.	1994	2009
	Total	8				
James Madison University	Business and Marketing Education	131303	Baccalaureate	B.S.	1997	2007
	Hearing Disorders	510202	Masters	M.Ed.	1974	2005
	Total	2				
Longwood University	Environmental Science	030103	Masters	M.S.	1996	2005
	Total	1				
Norfolk State University	Design Technology	150899	Baccalaureate	B.S.	BCHE*	2013
	Vocational/Industrial Education	131320	Baccalaureate	B.S.	BCHE*	2013
	Total	2				
Old Dominion University	E-Commerce	529999	Baccalaureate	B.S.	2000	2009
	E-Commerce	529999	Masters	M.S.	2000	2010
	Environmental Engineering	141401	Baccalaureate	B.S.	1997	2012
	Taxation	521601	Masters	M.TX.	1997	2006
	Urban Studies	451201	Masters	M.U.S.	BCHE*	2013
	Visual Studies (Joint w/NSU)	500101	Masters	M.F.A./M.A.	1980	2013
	Total	6				
University of Virginia	Applied Mechanics	141101	Masters	M.A.M./M.S.	BCHE*	2004
	Bioethics	301501	Masters	M.A.	1995	Pending
	Educational Policy Studies	130701	Masters	M.Ed.	1997	Pending
	Surgery	511401	Masters	M.S.	BCHE*	2004
	Total	4				

Institution	Program Title	CIP	Degree Level	Award	Degree Approved (Year)	Termination Year
Virginia Polytechnic Institute and State University	Apparel, Housing and Resource Management	190201	Masters	M.S.	2004	Pending
	Apparel, Housing and Resource Management	190201	Doctoral	Ph.D.	2005	Pending
	Information Systems	110401	Masters	M.I.S.	1980	Pending
	Total	3				
Overall Total		26				

**Before Council of Higher Education (BCHE)*

**XXXX - No date available*

State Council of Higher Education for Virginia Agenda Item

Item: #5.d - Action on George Mason University Mission Statement Change

Date of Meeting: May 12, 2009

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

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements:

- The Code of Virginia (§23-9.6:1.2) assigns to the State Council of Higher Education the duty and authority to “review and approve or disapprove any proposed change in the statement of mission of any presently existing public institution of higher education.”
- The Board of Visitors of George Mason University undertook a review of the mission statement pursuant to recent discussions about its future, updating its strategic plan, and identifying new “spires of excellence.” The university is also preparing for the 2011 reaffirmation of its accreditation, which requires periodic review and update of the mission statement. As a result of this review, the Board endorsed Mason’s basic mission, which is to foster learning at the undergraduate, graduate and professional levels, and engage in research and service. Much of the text of the new mission statement remains the same, with the order of certain paragraphs or phrases being changed. The primary substantive changes are:
 - A new bulleted paragraph emphasizing the university’s global outlook through the education of leaders for the 21st century who are capable of shaping a global community with vision, justice, and clarity.

- A new bulleted paragraph reinforcing a commitment to freedom of thought, speech, and inquiry.
- The revised mission statement was ratified by the Mason Board of Visitors on February 4, 2009.

Materials Provided:

- Mason Mission Statement as adopted in 1991.
- Revised Mason Mission Statement as adopted in 2009.

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 statement of mission of George Mason University as revised by the institution's Board of Visitors on February 4, 2009. Pursuant to the Code of Virginia, the Council will report this new mission statement to the Governor and the General Assembly; thereby, this action will be effective thirty days after the adjournment of the next General Assembly session.

University Mission Statement (as adopted by the Board of Visitors in 1991)

George Mason University will be an institution of international academic reputation providing superior education for students to develop critical, analytical, and imaginative thinking and to make well founded ethical decisions. It will respond to the call for interdisciplinary research and teaching, not simply by adding programs but by rethinking the traditional structure of the academy.

The university will prepare students to address the complex issues facing them in society and to discover meaning in their own lives. It will encourage diversity in its student body and will meet the needs of students by providing them with interdisciplinary and innovative undergraduate, graduate, and professional courses.

The university will energetically seek ways to interact with and serve the needs of the student body.

The university will nurture and support a faculty that is diverse, innovative, excellent in teaching, active in pure and applied research, and responsive to the needs of students and the community. The faculty will embody the university's interactive approach to change both in the academy and in the world.

The university will be a resource of the Commonwealth of Virginia, serving both private and public sectors. It will be an intellectual and cultural nexus between Northern Virginia, the nation, and the world.

University Mission Statement (as revised by the Board of Visitors in 2009)

George Mason University is innovative and entrepreneurial in spirit and utilizes its multi-campus organization and location near our nation's capital to attract outstanding faculty, staff and students. George Mason will:

- Educate the new generation of leaders for the 21st century men and women capable of shaping a global community with vision, justice, and clarity.
- Encourage freedom of thought, speech, and inquiry in a tolerant, respectful academic setting that values diversity.
- Provide innovative and interdisciplinary undergraduate, graduate, and professional courses of study that enable students to exercise analytical and imaginative thinking and make well-founded ethical decisions.
- Nurture and support a highly qualified and entrepreneurial faculty that is excellent at teaching, active in pure and applied research, capable of providing a broad range of intellectual and cultural insights, and is responsive to the needs of students and their communities.
- Maintain an international reputation for superior education and public service that affirms its role as the intellectual and cultural nexus among Northern Virginia, the nation, and the world.

State Council of Higher Education for Virginia Agenda Item

Item: #5.e. – Action on Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas, and Certificates

Date of Meeting: May 12, 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: 5/9/06

Action: Council approved the final regulations 8 VAC 40-31 et seq. Governing the Certification of Certain Institutions to Confer Degrees, Diplomas, and Certificates.

Background Information/Summary of Major Elements:

Pursuant to Executive Order 36 (2006) each existing regulation in the state shall be reviewed at least once every four years by the promulgating agency unless specifically exempted from periodic review by the Governor. This review shall ensure that each regulation complies with the principles set out in the Executive Order. In addition, each periodic review shall include an examination by the Office of the Attorney General to ensure statutory authority for the regulation and that the regulation does not exceed the authority to regulate granted in the enabling legislation.

The current regulations governing the certification of private and out-of-state postsecondary institutions became effective August 2006. In the course of reviewing certification applications and conducting audits of existing schools since that time, staff have identified several areas of consumer protection that are either not included or are not sufficiently clear in the regulations. Also, with the increasing use of telecommunications technology in higher education, staff determined that the current regulations failed to provide sufficient guidance to the regulated schools using that modality. In order to address these gaps, and to make a number of necessary

technical corrections, the process of developing revised regulations was begun in January 2009.

The revised regulations under consideration have been developed as the result of a two-stage review. The first stage was conducted by SCHEV staff with the assistance of the Office of the Attorney General; input from the latter was particularly important to ensure that the scope of the revised regulations remains within Council's authority under the Code of Virginia. Following this initial internal review, an advisory committee of representatives from regulated schools was formed to provide feedback on the staff-developed revisions. This feedback has been incorporated, as appropriate, into the revised regulations presented here.

Materials Provided:

- Summary of Recommended Changes to 8 VAC 30-31 et seq.
- Draft of Revised Regulations, 8 VAC 30-31 et seq

Financial Impact:

The fees generated from the certification process constitute the entire funding for all expenses entailed by SCHEV's administration of the program, including both overhead and direct costs associated with (but not necessarily limited to): processing new and renewal applications, auditing institutions and vocational schools, fielding and investigating complaints, housing and retrieving student records, managing the Student Tuition Guaranty Fund, developing regulatory guidelines, advising Council on all related matters, and supervision of program staff. The fee structure included in the proposed regulations will enable SCHEV to administer the program going forward as a self-supporting venture, as required by the Code of Virginia.

Timetable for Further Review/Action:

Following approval by the Council, enactment of the proposed revised regulations will follow promulgatory procedures mandated by the Administrative Process Act:

1. SCHEV submits Notice of Intended Regulatory Action (NOIRA).
 - a. Executive Branch Review (DPB, Secretary of Education, Governor)
 - b. Publication of the NOIRA in the Virginia Register of Regulations
 - c. Public Comment Period (30 days)
2. SCHEV revises and submits *proposed regulations*.
 - a. Executive Branch Review (DPB, Secretary of Education, Governor)
 - b. Publication of the *proposed regulations* in the Virginia Register of Regulations
 - c. Public Comment Period (60 days)
3. SCHEV revises and submits *final regulations*.
 - a. Executive Branch Review (DPB, Secretary of Education, Governor)
 - b. Publication of the *final regulations* in the Virginia Register of Regulations

- c. Regulations become effective after a 30-day period, unless the Governor elects to suspend their adoption

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the revised regulations pertaining to the certification of private and out-of-state postsecondary institutions (8 VAC 40-31 et. seq.) and delegates to the Executive Director the authority

- (1) to implement SCHEV's compliance with all applicable provisions of the Administrative Process Act regarding promulgation of the revised regulations; and**
- (2) to make further revisions, as appropriate and according to his best judgment, based on feedback received during the promulgatory process.**

Summary of Recommended Changes to 8 VAC 30-31 et seq.,
Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas, and
Certificates.

<u>Section</u>	<u>Recommendations</u>
8 VAC 40-31-10 Definitions	<ul style="list-style-type: none"> • Clarify definition of “administrative capability”. • Provide definitions that distinguish a “certificate” from a “diploma”. • Define “conditional certification”. • Define “provisional certification”. • Clarify definition of a “vocational” school.
8 VAC 40-31-30 Advertisement, announcements, and other promotional materials	<ul style="list-style-type: none"> • Delete requirement that out-of-state schools must have permission from their state approving agency to offer courses or degree programs outside the home state.
8 VAC 40-31-50 Religious institutions	<ul style="list-style-type: none"> • Clarify that schools seeking religious exemption from certification may not award degrees with secular titles.
8 VAC 40-31-60 Schools, programs, degrees, diplomas, and certificates exempt from Council action	<ul style="list-style-type: none"> • Allow exemption for programs conducted on a not-for-profit basis by an organization for training of their employees, provided employees are not charged tuition and advertising for open enrollment is not used. • Clarify that when a school offers exempt and non-exempt programs, the school as a whole is subject to the provisions of certification.
8 VAC 40-31-110 Certain existing approvals and exemptions continued	<ul style="list-style-type: none"> • Clarify that if a previously exempt school’s authorization to grant or confer degrees is revoked, the school’s exemption will end and the school will be subject to the provisions of certification in place at the time of the revocation.
8 VAC 40-31-130 Application of certification criteria	<ul style="list-style-type: none"> • Require institutions to comply with all local, state, and federal statutes, laws, and codes. • Clarify that a site visit is part of the initial certification process. • Introduce provisions for a provisional certification.
8 VAC 40-31-140 Certification criteria for institutions of higher education	<ul style="list-style-type: none"> • Clarify that all instructors must hold degrees from accredited colleges or universities in the discipline being taught.
8 VAC 40-31-150 Certification criteria for career- technical schools	<ul style="list-style-type: none"> • Clarify that all instructors must hold degrees from accredited colleges or universities in the discipline being taught.
8 VAC 40-31-160 Certification criteria for all postsecondary schools	<ul style="list-style-type: none"> • Remove requirement that schools must obtain a records maintenance agreement with another school or organization. • Require that all financial statement adhere to GAAP. • Provide standards for telecommunication programs and courses. • Modify refund policy. • Introduce provisions for leaves of absence. <p>Introduce provisions for school programs that require internships, externships or production work.</p>
8 VAC 40-31-165 Equipment and facilities	<ul style="list-style-type: none"> • Provide building and equipment standards.
8 VAC 40-31-170 Initial certification	<ul style="list-style-type: none"> • Distinguish when a school can use “college” or “university” in its name. • Require that a school that allows its certificate to operate to expire must reapply for certification as a new institution. • Define what constitutes a change of ownership.
8 VAC 40-31-180	<ul style="list-style-type: none"> • Require out-of-state institutions seeking certification to

<u>Section</u>	<u>Recommendations</u>
Application Requirements	<p>operate in Virginia to attest that have received no determination of limitation, suspension, revocation or termination by the U.S. Department of Education, an accrediting body or a state regulatory body within the past five years.</p> <ul style="list-style-type: none"> Require submission of a three-year projected budget that demonstrates schools' ability to maintain operational continuity for up to three years.
8 VAC 40-31-195 Suspension or revocation of certificate to operate	<ul style="list-style-type: none"> Introduce specific actions that may result in Council suspending or revoking a school's certificate to operate.
8 VAC 40-31-200 Audit requirements	<ul style="list-style-type: none"> Allow Council to change a school's status to "conditional" or to initiate suspension or revocation of the certificate to operate as a result of a school audit.
8 VAC 40-31-220 Procedural rules for the conduct of fact-finding conferences and hearings (§§ 2.2-4019 through 2.2-4030 of the Code of Virginia)	<ul style="list-style-type: none"> Clarify action of Council and schools in regards to an informal fact-finding conference or a formal hearing. Allow for a consent agreement to settle the matter without further administrative action.
8 VAC 40-31-260 Fees	<ul style="list-style-type: none"> Introduce new fees for services rendered by Council staff. Introduce revised recertification fees. Eliminate noncompliance administrative fee. Clarify that Council can revise fees annually to ensure adequate resources to implement the provisions of this chapter.
8 VAC 40-31-280 Closure of a postsecondary school	<ul style="list-style-type: none"> Provide provisions for a teach-out plan. Clarify required actions if school closes and provide instruction concerning the documents that must be forwarded to SCHEV for storage.
8 VAC 40-31-300 Freedom of Information Act to apply	<ul style="list-style-type: none"> Eliminate this section, as all documents retained by SCHEV are subject to the provisions of the Freedom of Information Act.

Commonwealth of Virginia



**REGULATIONS GOVERNING CERTIFICATION
OF CERTAIN INSTITUTIONS TO CONFER
DEGREES, DIPLOMAS, AND CERTIFICATES**

**STATE COUNCIL OF HIGHER EDUCATION
FOR VIRGINIA**

Title of Regulations: 8 VAC 40-31 et seq.

**Statutory Authority: § 23-276.1 – 23-276.12
of the *Code of Virginia***

DRAFT of PROPOSED REGULATIONS

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Summary:

The regulation administers the certification of private and out-of-state postsecondary schools, which includes institutions of higher education and noncollege degree schools. Noncollege degree schools may be academic-career-technical or career-technical schools. It combines the previous regulations used by SCHEV regulating institutions of higher education (8 VAC 40-30) and the regulations used by the Board of Education to regulate the career-technical schools (8 VAC 20-350) and replaces the emergency regulation (8 VAC 40-31) effective since November 2004 [the final regulations (8 VAC 40-31) which became effective August 24, 2006] .

CHAPTER 31. REGULATIONS GOVERNING CERTIFICATION OF CERTAIN INSTITUTIONS TO CONFER DEGREES, DIPLOMAS AND CERTIFICATES.

PART I. DEFINITIONS; PROHIBITIONS; ADVERTISING.

8 VAC 40-31-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Academic credit" means the measure of the total time commitment an average student is expected to devote to learning per week of study. Generally, one unit of credit represents a total of three hours per week of in-class and out-of-class work (Carnegie Unit of Credit). In this context, an hour is defined as 50 minutes. Emerging delivery methodologies may necessitate determining a unit of undergraduate or graduate credit with nontime-based methods. These courses shall use demonstration of competency, demonstration of proficiency, or fulfillment of learning outcomes to ensure these courses are equivalent to traditionally delivered courses.

"Academic-vocational" refers to a noncollege degree school that offers degree and nondegree credit courses.

"Accreditation" means a process of external quality review used by higher education to scrutinize colleges, universities and educational programs for quality assurance and quality improvement. This term applies to those accrediting organizations recognized by the United States Department of Education.

"Adjunct faculty" means professional staff members of businesses, industries and other agencies and organizations who are appointed by institutions and schools on a part-time basis to carry out instructional, research or public service functions.

"Administrative capability" means a branch (i) maintains or has access to all records and accounts; (ii) ~~designates a named site director~~ [has an administrator] ; (iii) ~~maintains a local mailing address; and~~ (iv) [(iii)] offers courses that consist of a large number of unit subjects that comprise a program of education or a set curriculum large enough to allow pursuit on a continuing basis [, and (iv) provides student services, such as financial aid, admissions, career placement assistance, or registration.]

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"Agent" means a person who is employed by any institution of higher education or noncollege degree school, whether such institution or school is located within or outside this Commonwealth, to act as an agent, solicitor, procurer, broker or independent contractor to procure students or enrollees for any such institution or school by solicitation in any form at any place in this Commonwealth other than the office or principal location of such institution or school.

"Avocational" means instructional programs that are not intended to prepare students for employment but are intended solely for recreation, enjoyment, personal interest, or as a hobby.

"Branch" means an additional location, operated by a school with an approved existing site. A branch campus must have administrative capability exclusive of the main campus and adequate resources to ensure that the objectives of its programs can be met.

"Career-technical school" means a school that does not offer courses for degree credit; same as academic-vocational school.

~~"Certificate" or "diploma" means an award that represents a level of educational attainment at or below the associate degree level and that is given for successful completion of a curriculum comprised of two or more courses.~~ [means the credential awarded by a school upon the successful completion of a program that consists of one or more technical courses, usually completed in less than twenty-six weeks, normally with a single skill objective.]

"Certification" means the process of securing authorization to operate a private or out-of-state postsecondary school or institution of higher education and/or degree, certificate, or diploma program in the Commonwealth of Virginia.

"Change of ownership" means the change in power within a school. Change of ownership may include, but is not limited to, the following situations: (i) sale of the school; (ii) merger of two or more schools if one of the schools is nonexempt; or (iii) change from profit to nonprofit or collective.

"CIP code" means the six-digit number assigned to each discipline specialty in the Classification of Instructional Programs (CIP) taxonomy maintained by the National Center for Education Statistics.

"Clock (or contact) hour" means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks.

"College" means any institution of higher education that offers degree programs.

["Conditional certification" means a status that may be granted by Council to a school certified to operate in Virginia to allow time for the correction of major deficiencies or weaknesses identified in the school's administration that are of such magnitude that, if not corrected, may result in the suspension or revocation of the school's certificate to operate. During a period of conditional certification, a school may not enroll new students or confer any degrees, diplomas, or certificates.]

"Council" means the State Council of Higher Education for Virginia.

"Course for degree credit" means a single course whose credits are applicable to the requirements for earning a degree, diploma, or certificate.

"Course registration materials" means any official documents provided to students for the purpose of formal enrollment into the school, a specific program, or a certain course.

"Credit" means (i) the quantitative measurement assigned to a course generally stated in semester hours, quarter hours, or clock hours or (ii) the recognition awarded upon successful completion of coursework.

"Credit hour" means a unit by which a school may measure its coursework. The number of credit hours assigned to a traditionally delivered course is usually defined by a combination of the number of hours per week in class, the number of hours per week in a laboratory, and/or the number of hours devoted to externship multiplied by the number of hours in the term. One unit of credit is usually equivalent to, at a minimum, one hour of classroom study and outside preparation, two hours of laboratory experience, or three hours of internship or practicum, or a combination of the three multiplied by the number of weeks in the term. Emerging delivery methodologies may necessitate determining a unit of undergraduate or graduate credit with nontime-based methods. These courses shall use demonstration of competency, demonstration of proficiency, or fulfillment of learning outcomes to ensure these courses are equivalent to traditionally delivered courses.

"Degree" means any earned award at the associate, baccalaureate, master's, first professional, or doctoral level that represents satisfactory completion of the requirements of a program or course of study or instruction beyond the secondary school level and includes certificates and specialist degrees when such awards represent a level of educational attainment above that of the associate degree level.

"Degree program" means a curriculum or course of study that leads to a degree in a discipline or interdisciplinary specialty and normally is identified by a six-digit CIP code number

~~"Diploma" or "certificate" means an award that represents a level of educational attainment at or below the associate degree level and that is given for successful completion of a curriculum comprised of two or more courses.~~ [means an award that represents a level of educational attainment at or below the associate degree level and that normally consists of up to fifteen hundred clock hours; or up to ninety quarter hours; or up to sixty semester hours.]

"Existing institution" or "existing postsecondary school" means any postsecondary school that either (i) has been in operation in Virginia for two or more calendar years as of July 1, 2004, and has been certified to operate continuously during that period or (ii) has been approved to operate as a postsecondary school in another state, is accredited by an accrediting agency recognized by the United States Department of Education, and is certified to operate in Virginia.

"Full-time faculty" means a person whose: (i) employment is based upon an official contract, appointment, or agreement with a school; (ii) principal employment is with that school; and (iii) major assignments are in teaching and research. A full-time administrator who teaches classes incidental to administrative duties is not a full-time faculty member.

"Gross tuition collected" means all fees collected or received on either a cash or accrual accounting method basis for all instructional programs or courses, except for nonrefundable registration and application fees and charges for materials, supplies, and books that have been purchased by, and are the property of, the student.

"In-state institution" means an institution of higher education that is formed, chartered or established within Virginia. An out-of-state institution shall be deemed an in-state institution for the purposes of certification as a degree-granting institution if (i) the institution has no instructional campus in the jurisdiction in which it was formed, chartered, established, or incorporated and (ii) the institution produces clear and convincing evidence that its main or principal campus is located in Virginia.

"Institution of higher education" or "institution" means any person, firm, corporation, association, agency, institute, trust, or other entity of any nature whatsoever offering education beyond the secondary school level that has received certification from the council and either: (i) offers courses or programs of study or instruction that lead to, or that may reasonably be understood to be applicable to, a degree; (ii) operates a facility as a college or university or other entity of whatever

kind that offers degrees or other indicia of level of educational attainment beyond the secondary school level; or (iii) uses the term "college" or "university," or words of like meaning, in its name or in any manner in connection with its academic affairs or business [;or (iv) offers approved courses of degree credit or programs of study leading to a degree or offers degrees either at a site in Virginia or via telecommunications equipment located within Virginia.]

"Instructional faculty" means a person employed by a school who is engaged in instructional, research, or related activities.

"Multistate compact" means any agreement involving two or more states to offer jointly postsecondary educational opportunities, pursuant to policies and procedures set forth by such agreement and approved by council.

"New institution" or "new postsecondary school" means any postsecondary school that seeks certification and has been in operation in Virginia for less than two calendar years as of July 1, 2004, and has neither operated in another state as a postsecondary institution nor has been approved to operate in another state as a postsecondary institution.

"Noncollege degree school" means any postsecondary school that offers courses or programs of study that do not lead to an associate or higher level degree. Such schools may be academic-career-technical or career-technical.

"Out-of-state institution" means an institution of higher education that is formed, chartered, established or incorporated outside Virginia.

"Part-time faculty" means a person whose: (i) annual employment is based upon an official contract, appointment, or agreement with a school and (ii) course load of teaching assignments is of lesser quantity than that expected of a full-time faculty member and/or is of lesser quantity than the school's definition of a full load of courses.

"Postsecondary education" means the provision of formal instructional programs with a curriculum designed primarily for students who have completed the requirements for a high school diploma or equivalent. It includes programs of an academic, career-technical, and continuing professional education purpose, and excludes avocational and adult basic education programs.

"Postsecondary education activities" means researching, funding, designing, and/or conducting instructional programs, classes, or research opportunities, designed primarily for students who have completed the requirements for a high school diploma or its equivalent.

"Postsecondary school" or "school" means any entity offering formal instructional programs with a curriculum designed primarily for students who have completed the requirements for a high school diploma or its equivalent. Such schools include programs of academic, career-technical, and continuing professional education, and exclude avocational and adult basic education programs. For the purposes of this chapter, a "postsecondary school" shall be classified as either an institution of higher education as defined in this section or a noncollege degree school, as defined in this section.

"Program" means a curriculum or course of study in a discipline or interdisciplinary area that leads to a degree, certificate, or diploma.

"Program area" means a general group of disciplines in which one or more degree programs, certificates, or diplomas may be offered.

"Program of study" means a curriculum of two or more courses that is intended or understood to lead to a degree, diploma, or certificate. It may include all or some of the courses required for completion of a degree program.

"Proprietary school" means a privately owned and managed, profit-making institution of higher education or noncollege degree school.

["Provisional certification" means a preliminary approval status granted by Council to a new school applicant that has demonstrated substantial compliance with the provisions of this chapter pursuant to § 23-276 of the Code of Virginia. Such a status may include any conditions imposed by the Council to ensure compliance with the provisions of this chapter. The provisionally certified school must demonstrate compliance with all conditions within one calendar year of the initial grant of provisional certification.]

"Site" means a location in Virginia where a postsecondary school (i) offers one or more courses on an established schedule and (ii) ~~enrolls two or more persons who are not members of the same household. A site may or may not be a branch, and may or may not have~~ [lacks] administrative capability.

"Surety instrument" means a surety bond or a clean irrevocable letter of credit issued by a surety company or banking institution authorized to transact business in Virginia adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given semester, quarter or term and to cover the administrative cost associated with filing a claim against the instrument.

"Teach-out agreement" means the process whereby a closed or closing school undertakes to fulfill its educational and contractual obligations to currently enrolled students.

"Telecommunications activity" means any course offered by a postsecondary school or consortium of postsecondary schools where the primary mode of delivery to a site is television, videocassette or disc, film, radio, computer, or other telecommunications devices.

"Unearned tuition" means the portion of tuition charges billed to the student but not yet earned by the institution; the unearned tuition represents future educational services to be rendered to presently enrolled students.

"University" means any institution offering programs leading to degrees or degree credit beyond the baccalaureate level.

"Vocational" refers to a noncollege degree school that offers only noncollege credit courses. [Such schools have programs of instruction offering a sequence of courses that are directly related to the preparation of individuals for paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree.]

8 VAC 40-31-20. Prohibited acts.

A. Except as in accordance with this chapter, no person or other entity shall sell, barter, or exchange for any consideration, or attempt to sell, barter, or exchange for any consideration, any degree, degree credit, diploma, or certificate.

B. No person or other entity shall use or attempt to use in connection with any business, trade, profession, or occupation any degree or certification of degree or degree credit, including but not limited to a transcript of coursework that has knowingly been fraudulently issued, obtained, forged, or materially altered.

C. Unless exempted from the provisions of this chapter pursuant to § 23-276.2 of the Code of Virginia, no person, firm, or school may represent that credits earned at or granted by that person, firm, or school are applicable for credit toward a degree, except under such conditions and in a manner specified and approved by the council in accordance with this chapter.

D. Without prior certification, no person or other entity subject to the provisions of this chapter shall use in any manner within the Commonwealth of Virginia the term "college" or "university" or abbreviations or words of similar meaning in its name or in any manner in connection with its academic affairs or business or in any literature, catalog, pamphlet, or descriptive materials.

1. This subsection shall not apply to any person or other entity that (i) used the term "college" or "university" openly and conspicuously in its title within the Commonwealth prior to July 1, 1970; (ii) was granted authority to operate in Virginia by the council between July 1, 1970, and July 1, 2002, and maintains valid authority to so operate in Virginia after July 1, 2002; (iii) was exempted from the provisions of Chapter 21 (§ 23-265 et seq.) of Title 23 of the Code of Virginia as such law was in effect prior to July 1, 2002; or (iv) was authorized by the council to use a name prior to a request for certification.

2. For only as long as the provisions of Item 158 D of Chapter 912 of the 1996 Acts of Assembly shall be in effect, this subsection shall not apply to an individual proprietorship, association, co-partnership or corporation that uses the words "college" or "university" in its training programs solely for its employees or customers, that does not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it is clear that such entity is not an educational school.

E. The council may refuse to certify school names and terms that have the potential to mislead the general public about the school's affiliation or association with any state-supported institution of higher education in Virginia. Terms such as, but not limited to, "public university," "public college," or "community college" may be protected from use by private institutions of higher education.

8 VAC 40-31-30. Advertisements, announcements, and other promotional materials.

A. A school certified to operate by the council in accordance with this chapter shall include in any print and electronic catalogs ~~and course registration materials~~ (i) a clear statement that the council has certified the school to operate in Virginia and (ii) a complete address of the main campus and all branch locations within Virginia.

B. A school certified to operate by council in accordance with this chapter shall include in all publicity, advertisement and promotional materials [distributed to current or prospective students] (i) a clear statement that the council has certified the school to operate in Virginia, (ii) the school's complete name as indicated on the Certificate to Operate, and (iii) the address of at least one branch campus located in Virginia.

C. A school with its main campus not located in Virginia that has a physical presence in Virginia shall state in its ~~course registration materials~~ [print and electronic catalog] distributed in Virginia that:

1. Each course or degree, diploma, or certificate program offered in Virginia is approved by the governing body of the school; and
2. The appropriate state agency, if any, in the state where the main campus of the school is located has granted whatever approval may be necessary for the school to:
 - a. Offer courses or degree, diploma, or certificate programs at the level for which credit is being awarded for those courses or programs in Virginia;
 - b. ~~Offer courses or degree programs outside its state;~~
 - c. ~~Offer each course or degree, diploma, or certificate program being offered in Virginia; and~~

d [b] . Ensure that any credit earned for coursework offered by the school in Virginia may be transferred to [another of] the school's principal location[s] outside Virginia as part of an existing degree, diploma, or certificate program offered by the school.

D. No advertisement, announcement, or any other material produced by or on behalf of a postsecondary school shall in any way indicate that the school is supervised, recommended, endorsed, or accredited by the Commonwealth of Virginia, by the State Council of Higher Education, or by any other state agency in Virginia.

PART II. **EXEMPTIONS.**

8 VAC 40-31-40. State-supported institutions.

This chapter shall not apply to the institutions named in §§ 23-9.5 and 23-14 of the Code of Virginia, including their branches, divisions, or colleges, or to any state-supported institution of higher education that may be established by the Commonwealth of Virginia in the future.

8 VAC 40-31-50. Religious institutions.

A. The council shall exempt from the provisions of Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia any school whose primary purpose is to provide religious training or theological education, provided that the school:

1. Awards only degrees, diplomas, or certificates that (i) carry titles that indicate the school's primary purpose plainly upon their face and (ii) state that the school is excluded from the requirement of state certification; and
2. States plainly in its catalogs and other publications that (i) the school's primary purpose is to provide religious training or theological education; (ii) the school's degrees, diplomas, or certificates are so titled and worded; and (iii) the school is exempt from the requirement of state certification.

B. The title of each degree, diploma, or certificate awarded by a school that claims an exemption under the provisions of this section must reflect that the school's primary purpose is religious education.

1. The titles of religious degrees that may be awarded include, but are not limited to, (i) Bachelor of Education in a specific religion, (ii) Master of Divinity, and (iii) Doctor of Sacred Theology.
2. ~~The titles of secular~~ [Secular] degrees that may not be awarded in any discipline, including religion, religious education, and biblical studies. [Titles of secular degrees that may not be awarded], include, but are not limited to, (i) Associate of Arts, (ii) Associate of Science, (iii) Associate of Applied Science, (iv) Associate of Occupational Science, (v) Bachelor of Arts, (vi) Bachelor of Science, (vii) Master of Arts, (viii) Master of Science, (ix) Doctor of Philosophy, and (x) Doctor of Education.

C. Exemptions granted after July 1, 2002, will be for a maximum of five years. A school wishing to maintain an exempt status must reapply to council at least six months prior to the expiration of the exemption period. An exempt school shall not make claims of "approval," "endorsement," or other such terms by the council in any of its promotional materials. An exempt school shall clearly state in its catalogs and promotional materials that it is exempt from the requirements of state regulation and oversight.

D. A school that awards secular degrees in addition to religious degrees, certificates or diplomas, as defined in subsections A and B of this section, must comply with the provisions for certification for all nonreligious degree programs.

E. Each school requesting ~~full or partial~~ [religious] exemption must apply on forms provided by and in a manner prescribed by the council.

F. The council, on its own motion, may initiate formal or informal inquiries to confirm that this chapter is not applicable to a religious school if the council has reason to believe that the school may be in violation of the provisions of this section.

1. Any school that claims an exemption under subsections A and B of this section on the basis that its primary purpose is to provide religious training or theological education shall be entitled to a rebuttable presumption of the truth of that claim.

2. It shall be the council's responsibility to show that a school is not exempt under subsections A and B of this section.

3. The council assumes no jurisdiction or right to regulate religious beliefs under this chapter.

G. A school whose claim for exemption under subsections A and B of this section is denied by the council shall have the opportunity to appeal the council's action in accordance with 8 VAC 40-31-70.

8 VAC 40-31-60. Schools, programs, degrees, diplomas, and certificates exempt from council action.

A. The following activities or programs offered by schools and not leading to a degree, diploma or certificate otherwise subject to this chapter shall be exempt from its provisions:

1. Any school subject to the provisions of Chapter 16 (§ 22.1-319 et seq.) of Title 22.1 of the Code of Virginia.

2. Any honorary degree conferred or awarded by a school, as long as the degree (i) does not represent the satisfactory completion of all or any part of the requirements of a program or course of study and (ii) is normally regarded as one that is intended to be commemorative in nature in recognition of an individual's contributions to society. Such degree must state on its face that it is honorary in nature.

3. Any nursing education program offered by a school to the extent that the program is regulated by the Virginia Board of Nursing.

- a. The Virginia Board of Nursing is the state agency authorized to license registered nurses and to approve nursing programs with regard to the adequacy of the curricula and resources for preparing students to take the licensing examination.

- b. In order to offer a degree in nursing, a school must obtain council certification prior to seeking approval from the Virginia Board of Nursing.

4. Any professional program for professional or occupational training offered by a school to the extent that the program is (i) subject to approval by a regulatory board pursuant to Title 54.1 of the Code of Virginia; or (ii) subject to approval by any other state or federal agency; and (iii) offered by a school that is not seeking degree-granting status such that it would be required to obtain prior council certification.

5. Any course or program of study given by or approved by any professional body, fraternal organization, civic club, or benevolent order principally for continuing or professional education or similar purpose and for which no certificate, degree, or degree credit is awarded.

[6. Any course or program of study conducted on a not-for-profit basis by firms or organizations for the training of their own employees only, provided that such instruction is offered at no charge to such employees and for which no advertising has been made for open enrollment.]

6[7]. Courses or programs offered through approved multistate compacts, including but not limited to the Southern Regional Education Board's Electronic Campus.

7[8]. Those courses offered and delivered by a postsecondary school that is accredited by an entity recognized by the U.S. Department of Education (USDOE) for accrediting purposes, if such courses are provided solely on a contractual basis for which no individual is charged tuition and for which no advertising has been made for open enrollment.

8[9]. Any school, institute or course of instruction offered by any trade association or any nonprofit affiliate of a trade association on subjects related to the trade, business or profession represented by such association.

9[10]. Any public or private high school accredited or recognized by the Virginia Board of Education that has offered or may offer one or more courses cited in this chapter if any tuition, fees and charges made by the school are collected as may be permitted by Title 22.1 of the Code of Virginia, in the case of a public school, or pursuant to regulations prescribed by the relevant governing body of such private school.

10[11]. Tutorial instruction delivered and designed to supplement regular classes for students enrolled in any public or private school or to prepare an individual for an examination for professional practice or higher education.

11[12]. Schools of fine arts or other avocational courses that are conducted solely to further artistic appreciation, talent, or for personal development or information.

[B. Notwithstanding the provisions of this section, if a school offers any non-exempt programs, the school as a whole, including all of its programs, is subject to the provisions of certification.]

B [C] . Notwithstanding the exemptions provided in this section, a school may seek certification for an otherwise exempt activity or program.

8 VAC 40-31-70. Denial of exemption; appeal of action.

If the council denies a request for exemption the executive director shall ensure that the school is afforded an opportunity to be heard. The procedures set forth in 8 VAC 40-31-220 shall apply.

PART III.

ROLE OF THE COUNCIL AND STAFF.

8 VAC 40-31-80. Role of the council.

A. Pursuant to § 23-276.9 of the Code of Virginia, the council may establish fees for services and the methods for collecting such fees.

B. Pursuant to § 23-276.3 E of the Code of Virginia and unless otherwise indicated, the council delegates authority for administering the requirements of Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia and this chapter to the executive director.

C. Pursuant to § 23-276.3 of the Code of Virginia, the council shall adopt certification criteria for the operation of postsecondary schools in Virginia.

D. Only the council may refuse to grant certification, or revoke or suspend certification. In these instances, the council will be responsible for ensuring due process and compliance with the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

8 VAC 40-31-90. Role of the executive director.

A. In addition to other administrative responsibilities vested in the executive director of the council, the executive director shall carry out the following administrative responsibilities relative to this chapter:

1. Authorize certification to operate for postsecondary schools that meet the certification criteria.
2. Authorize the use of the term "college" or "university" in a school's name.
3. Authorize religious exemptions.
4. Authorize emergency action pursuant to § 23-276.7 of the Code of Virginia, in the event a school has received an adverse action by the USDOE or by its accrediting agency that threatens a disruption of the operation of the school and exposes students to a loss of course or degree credit or financial loss. All emergency actions shall be reported to council at its next meeting to either ratify or take such actions as it may deem necessary. The authority of the executive director in these instances includes the authority to:
 - a. Suspend new enrollment in specified programs, degree levels or in all programs and degree levels.
 - b. Require the school to provide a guaranty instrument or increase the penal amount or a current guaranty.
 - c. Take other actions as may be necessary to protect the rights of currently enrolled or future students.
5. Assess administrative fees.
6. Authorize the release of a surety instrument requirement.

B. The executive director may delegate certain administrative responsibilities to the council staff.

8 VAC 40-31-100. Role of the council staff.

A. The council staff shall:

1. Provide oversight and administration for purposes of compliance with Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia.
2. Review initial and annual certification requirements for all schools.
3. Perform random and periodic site visits to review, inspect and investigate school compliance.
4. Investigate as necessary all noncertified postsecondary school activities operating in the Commonwealth of Virginia.
5. Monitor the accreditation activities of all nonaccredited postsecondary schools operating in the Commonwealth of Virginia.
6. Investigate all written and signed complaints or adverse publicity or any situation that may adversely affect students or consumers.

7. Share with state or federal agencies and appropriate accrediting bodies information regarding the operation or closure of postsecondary schools operating in Virginia.
- B. The executive director may delegate other responsibilities as deemed appropriate.

**PART IV.
SCHOOLS FOR WHICH CERTIFICATION IS REQUIRED.**

8 VAC 40-31-110. Certain existing approvals and exemptions continued.

A. An institution of higher education that was approved or authorized to confer degrees at a particular level or to offer one or more degree programs or program areas may continue to confer those degrees and to offer those programs until and unless the school's approval or authorization is revoked by the council in accordance with ~~8 VAC 40-31-200~~. [§ 23-276.4 C of the Code of Virginia]

~~B. A Virginia institution that is approved or authorized to confer degrees by the council, the Virginia Board of Education, or act of the General Assembly of Virginia and is subject to the conditions of § 23-276.4 C of the Code of Virginia shall be subject to whatever conditions or stipulations may have been imposed at the time the approval or authorization was granted. [If authorization to grant or confer academic or professional degrees is revoked for an institution otherwise exempt from the requirements of certification, pursuant to § 23-276.4 C of the Code of Virginia, the institution will be subject to the provisions of certification in place at the time of revocation.]~~

8 VAC 40-31-120. Certification required for new and existing postsecondary schools.

A. Unless otherwise exempted from these regulations, all instructional offerings of a new or existing postsecondary school in Virginia are subject to this chapter, even when the credit awarded for those offerings may be transferred to a location outside Virginia.

B. A new postsecondary school must become certified to operate prior to engaging in activities related to postsecondary education via telecommunications activity, mail correspondence courses, or at a site within the Commonwealth.

1. The determination for certification of telecommunications activities or mail correspondence courses may be based upon, but not limited to, physical presence.

2. With the exception of degree programs, academic credit and other courses offered exclusively from outside the Commonwealth of Virginia through individual and private interstate communication, all telecommunications activities and mail correspondence courses are subject to the certification criteria required for all postsecondary schools.

C. Existing postsecondary schools must recertify compliance with certification criteria on an annual basis in order to continue offering postsecondary courses and programs.

D. Postsecondary schools operating branches [in Virginia] must certify each separately.

E. Noncertified postsecondary schools that seek to establish a postsecondary education consortium, agreement, partnership, or other similar arrangement with an existing postsecondary school must meet all requirements for certification as set forth in these regulations and must become certified to operate prior to engaging in postsecondary education activities within the Commonwealth of Virginia.

**PART V.
CERTIFICATION CRITERIA.**

8 VAC 40-31-130. Application of certification criteria.

A. The certification criteria shall include, but not be limited to (i) procedures by which a postsecondary school may apply for certification and (ii) criteria designed to ensure that all postsecondary schools that are subject to this chapter meet minimal academic or career-technical standards.

B. Postsecondary schools, by notarized signature of the chief executive officer, will be responsible for certifying total compliance with certification criteria on an initial and annual basis.

[C. Postsecondary schools must be in compliance with all local, state and federal statutes, laws and codes.

D. Initial Site Visit – Council staff shall conduct an initial site visit prior to certification. Schools shall demonstrate that the facilities conform 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 education programs offered by the school.

E. Provisional Certification – An initial certification applicant may be granted provisional certification for a period not to exceed one year during which time the institution shall meet all conditions established by council for provisional certification. During the period of provisional certification, the school:

1. may advertise, provided that all advertisements and promotional materials state that the school is Provisionally Certified to Operate by the State Council of Higher Education;
2. may recruit and register students, however may not collect more than an initial non-refundable fee of \$100 from each student;
3. may recruit and hire faculty and staff;
4. may not offer postsecondary instruction, or confer certificates, diplomas or degrees.

F. If the institution has not complied with all necessary standards and conditions within the period specified by the provisional certification, a new application for certification must be submitted.]

8 VAC 40-31-140. Certification criteria for institutions of higher education.

A. This section shall apply to each institution [of higher education] for which certification is required.

B. The course, program, curriculum and instruction must be of quality, content and length to adequately achieve the stated objective. Administrators and faculty must be qualified and appropriately credentialed as follows:

1. For terminal occupational/technical programs leading to the Associate of Occupational Science (A.O.S.) degree, general education courses must compose at least 15% of the total credit hours required for the degree.
2. For terminal occupational/technical programs leading to the Associate of Applied Science (A.A.S.) degree, general education courses shall compose at least 25% of the total credit hours required for the degree.

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3. All instructional faculty teaching in a terminal occupational/technical program leading to the Associate of Applied Science (A.A.S.) or Associate of Occupational Science (A.O.S.) degree shall:

- a. If teaching general education courses, hold a baccalaureate degree from an accredited college or university, plus at least 18 graduate credit hours in the discipline being taught.
- b. If teaching occupational/technical courses, hold either (i) an associate degree [from an accredited college or university in the discipline being taught] or (ii) qualify for a faculty appointment by virtue of scholarly or professional achievements.

4. For all university parallel associate degree programs, general education courses shall compose at least 25% of the total credit hours required for the degree, and required courses in the major field of study shall compose no more than 50% of the total credit hours required for the degree in a specific discipline.

5. All instructional faculty teaching in a college-transfer program at the associate level shall:

- a. If teaching general education courses or in programs in the liberal arts and sciences, hold a baccalaureate degree from an accredited college or university, plus at least 18 graduate credit hours in the discipline being taught.
- b. If teaching occupational/technical courses, hold a baccalaureate degree [from an accredited college or university] in the discipline being taught or qualify by virtue of professional or scholarly achievement.

6. All instructional faculty members who teach in programs at the baccalaureate level shall:

- a. Hold a master's degree in the discipline being taught or hold a master's degree in an area other than that being taught with at least 18 graduate semester hours in the teaching discipline from an accredited college or university.
- b. Exception to academic preparation requirements for instructional faculty may be made in instances where substantial documentation of professional and scholarly achievements and/or demonstrated competences in the discipline can be shown. The institution must document and justify any such exception.

7. All instructional faculty teaching in a program at the master's level or higher shall hold a doctoral or other terminal degree from an accredited college or university. Exception to academic preparation requirements for instructional faculty may be made in instances where substantial documentation of professional and scholarly achievements and/or demonstrated competences in the discipline can be shown. The institution must document and justify any such exception.

C. In addition to the instructor qualifications in subsection B of this section, the institution must certify that:

1. All instructional courses for degree credit require a minimum of 15 contact hours for each semester credit hour or a minimum of 10 contact hours for each quarter credit hour, or the equivalent, and an expectation for additional assignments beyond scheduled instructional activities.
2. The elective and required courses for each program are offered on a schedule and in a sequence that enables both full-time and part-time students to complete the program in a reasonable period of time.

3. The institution's instructional faculty at each site holds either full-time, part-time, or adjunct appointments.
4. The institution's academic programs shall ensure that: (i) a properly credentialed and course qualified instructor teaches each course; (ii) a credentialed and course qualified academic advisor is available to meet the concerns of the student, and that a student contact by any method will elicit a response from the advisor within a reasonable timeline; (iii) continual curriculum development and oversight for each major and concentration/track is maintained; and (iv) a program director is named and designated to oversee each program area.
5. A plan is in place that ensures interaction between student and faculty, and among students.

8 VAC 40-31-150. Certification criteria for career-technical schools.

A. The criteria in this section shall apply to each career-technical school for which certification is required.

B. The course, program, curriculum and instruction must be of quality, content and length to adequately achieve the stated objective. Administrators and faculty, if teaching technical courses for career-technical programs not leading to a degree and not offered as degree credit, must either (i) hold an associate degree ~~related to the area of instruction~~ [from an accredited college or university in the discipline being taught] or (ii) possess a minimum of two years of technical/occupational experience in the area of teaching responsibility or a related area.

C. In addition to the instructor qualifications in subsection B of this section, the career-technical school must certify that:

1. Courses of study conform to state, federal, trade, or manufacturing standards of training for the occupational fields in which such standards have been established or conform to recognized training practices in those fields.
2. A plan is in place that ensures interaction between student and faculty, and among students.

8 VAC 40-31-160. Certification criteria for all postsecondary schools.

A. The criteria in this section shall apply to all postsecondary schools for which certification is required.

B. The postsecondary school shall have a clear, accurate, and comprehensive written statement, which shall be available to the public upon request. The statement minimally shall include the following items:

1. The history and development of the postsecondary school;
2. An identification of any persons, entities, or institutions that have a controlling ownership or interest in the postsecondary school;
3. The purpose of the postsecondary school, including a statement of the relative degree of emphasis on instruction, research, and public service as well as a statement demonstrating that the school's proposed offerings are consistent with its stated purpose;
4. A description of the postsecondary school's activities including telecommunications activities away from its principal location, and a list of all program areas in which courses are offered away from the principal location;

5. A list of all locations in Virginia at which the postsecondary school offers courses and a list of the degree programs currently offered or planned to be offered in Virginia;

6. For each Virginia location, and for the most recent academic year, the total number of students who were enrolled as well as the total number and percentage of students ~~claiming Virginia residence~~ who were enrolled in each program offered;

7. For each Virginia location, the total number of students that completed/graduated from the school as of the end of the last academic year and the total number and percentage of students ~~claiming Virginia residence~~ who completed/graduated from each program offered by the school as of the end of the last academic year;

8. For unaccredited institutions of higher education and career-technical schools only, the total number of students ~~claiming Virginia residence~~ who report employment in their field of study within (i) six months of graduation/completion and (ii) one year of graduation /completion.

C. The postsecondary school or branch shall have a current, written document available to students and the general public upon request that accurately states the powers, duties, and responsibilities of:

1. The governing board or owners of the school;
2. The chief operating officer, president, or director at that site in Virginia;
3. The principal administrators and their credentials at that site in Virginia; and
4. The students, if students participate in school governance.

D. The postsecondary school shall have, maintain, and provide to all applicants a policy document accurately defining the minimum requirements for eligibility for admission to the school and for acceptance at the specific degree level or into all specific degree programs offered by the postsecondary school that are relevant to the school's admissions standards. In addition, the document shall explain:

1. The standards for academic credit or course completion given for experience;
2. The criteria for transfer credit where applicable;
3. The criteria for refunds of tuition and fees;
4. Students' rights, privileges, and responsibilities; and
5. The established grievance process of the school, which shall indicate that students should follow this process and may contact council staff to file a complaint about the school as a last resort.

E. The postsecondary school shall maintain records on all enrolled students. At a minimum, these records shall include:

1. Each student's application for admission and admissions records containing information regarding the educational qualifications of each regular student admitted that are relevant to the postsecondary school's admissions standards. Each student record must reflect the requirements and justification for admission of the student to the postsecondary school. Admissions records must be maintained [by the school, its successors, or assigns] for a minimum of three years after the student's last date of attendance.
2. A transcript of the student's academic or course work at the school, which shall be retained permanently in either hard copy forms or in an electronic database with backup [by the school, its successors, or assigns] .

3. A record of student academic or course progress at the school including programs of study, dates of enrollment, courses taken and completed, grades, and indication of the student's status (graduated, probation, etc) [must be retained permanently. Any changes or alterations to student records must be accurately documented and signed by an appropriate school official].

4. A record of all financial transactions between each individual student and the school including payments from the student, payments from other sources on the student's behalf, and refunds. Fiscal records must be maintained for a minimum of three years after the student's last date of attendance. [Where tuition and/or fees are paid by the student in installments, a clear disclosure of truth-in-lending statement must be provided to the student.]

~~5. A written, binding agreement transacted with another school or records maintenance organization with which the school is not corporately connected for the preservation of students' transcripts by another institution or agency, as well as for access to the transcripts, in the event of school closure or revocation of certification in Virginia. State-supported, public schools originating in a state other than Virginia and operating a campus within Virginia may choose to enter into a written, binding agreement regarding student records with the university system of which they are a part. [Upon request, by a student in good financial standing, the school shall make the above referenced documents available to the student] .~~

F. Each school shall provide or make available to students, prospective students, and other interested persons a catalog, bulletin, brochure, or electronic media containing, at a minimum, the following information:

1. The number of students ~~claiming Virginia residency~~ enrolled in each program offered.
2. For each Virginia location, the total number of students that completed/graduated from the school as of the end of the last academic year and the total number and percentage of students ~~claiming Virginia residence~~ who completed/graduated from each program offered by the school as of the end of the last academic year.
3. A description of any financial aid offered by the school including repayment obligations, standards of academic progress required for continued participation in the program, sources of loans or scholarships, the percentage of students receiving federal financial aid (if applicable) and the average student indebtedness at graduation.
4. A broad description, including academic and/or career-technical objectives of each program offered, the number of hours of instruction in each subject and total number of hours required for course completion, course descriptions, and a statement of the type of credential awarded.
5. A statement of tuition and fees and other charges related to enrollment, such as deposits, fees, books and supplies, tools and equipment, and any other charges for which a student may be responsible.
6. The school's refund policy for tuition and fees pursuant to subsection N of this section and the school's procedures for handling complaints, including procedures to ensure that a student will not be subject to unfair actions as a result of his initiation of a complaint proceeding.
7. The name and address of the school's accrediting body, if applicable.
8. The minimum requirements for satisfactory completion of each degree level and degree program, or nondegree certificates /diplomas.
9. A statement that ~~all school officials~~ accurately represent [describes] the transferability of any courses or programs and that indicates whether any of the associate degrees offered by the school are considered terminal degrees.

10. A statement that ~~ensures that all school officials~~ accurately represent [s] the transferability of any diplomas or [,] certificates [, or degrees] offered by the school.

11. If the institution offers programs leading to the Associate of Applied Science or Associate of Occupational Science degree, a statement that these programs are terminal occupational/technical programs and that credits generally earned in these programs are not applicable to other degrees.

12. The academic or course work schedule for the period covered by the publication.

13. A statement that accurately details the type and amount of career advising and placement services offered by the school.

14. The name, location, and address of the main campus, branch or site operating in Virginia.

G. The school must have a clearly defined process by which the curriculum is established, reviewed and evaluated. Evaluation of school effectiveness must be completed on a regular basis and must include, but not be limited to:

1. An explanation of how each program is consistent with the mission of the school.
2. An explanation of the written process for evaluating each degree level and program, or career-technical program, once initiated and an explanation of the procedures for assessing the extent to which the educational goals are being achieved.
3. Documented use of the results of these evaluations to improve the degree and career-technical programs offered by the school.

H. Pursuant to § 23-276.3 B of the Code of Virginia, the school must maintain records that demonstrate it is financially sound; exercises proper management, financial controls and business practices; and can fulfill its commitments for education or training. The school's financial resources should be characterized by stability, which indicates the school is capable of maintaining operational continuity for an extended period of time. The stability indicator that will be used is the USDOE Financial Ratio (composite score).

1. Institutions of higher education shall provide the results of an annual audited, reviewed, or compiled financial statement. Career-technical schools shall provide the results of an annual audited, reviewed or compiled financial statement or the school may elect to provide financial information on forms provided by council staff. [The financial report shall be prepared in accordance with Generally Accepted Accounting Principles (GAAP) currently in effect. The financial report shall cover the most recent annual accounting period completed. The balance sheet information must clearly show all assets, liabilities, and net worth, while the income statement must clearly show the profit and/or loss for the fiscal or calendar year. The financial statement must show total instructional income and expenses for the school operating in Virginia for the preceding fiscal or calendar year and clearly identify annual gross tuition income from which certification fee assessment will be computed.]

2. The USDOE composite score range is -1.0 to 3.0. Schools with a score of 1.5 to 3.0 meet fully the stability requirement in subsection I of this section; scores between 1.0 and 1.4 meet the minimum expectations; and scores less than 1.0 do not meet the requirement and shall be immediately considered for audit.

I. Pursuant to § 23-276.3 B of the Code of Virginia, the school shall have and maintain a surety instrument issued by a surety company or banking institution authorized to transact business in Virginia that is adequate to provide refunds to students for the unearned non-Title IV portion of tuition and fees for any given semester, quarter or term and to cover the administrative cost

associated with the instrument claim. The instrument shall be based on the non-Title IV funds that have been received from students or agencies for which the education has not yet been delivered. This figure shall be indicated in [an] audited ~~or reviewed~~ financial statements as a Current (non-Title IV) Tuition Liability. A school certified under this regulation shall be exempt from the surety instrument requirement if it can demonstrate a USDOE composite financial responsibility score of 1.5 or greater on its current financial statement; or if it can demonstrate a composite score between 1.0 and 1.4 on its current financial statement and has scored at least 1.5 on a financial statement in either of the prior two years. [The school's eligibility for the surety waiver shall be determined annually, at the time of recertification, and does not extend from one year to the next.]

1. Public postsecondary schools originating in a state other than Virginia that are operating a branch campus or site in the Commonwealth of Virginia are exempt from the surety bond requirement.
2. New schools and unaccredited existing schools must complete at least ~~two~~ [five] calendar years of academic instruction [and/or certification] to qualify for the surety waiver exemption.

[3. Existing schools seeking a waiver of the surety waiver must submit an audited financial statement for the most recent fiscal year end, which reflects the appropriate composite score as indicated above.]

J. The school shall have a current written policy on faculty accessibility that shall be distributed to all students. The school shall ensure that instructional faculty are accessible to students for academic or course advising at stated times outside a course's regularly scheduled class hours at each site and throughout the period during which the course is offered.

K. All recruitment personnel must provide prospective students with current and accurate information on the school through the use of written and electronic materials and in oral admissions interviews:

1. The school shall be responsible and liable for the acts of its admissions personnel.
2. No school, agent, or admissions personnel shall knowingly make any statement or representation that is false, inaccurate or misleading regarding the school.

L. All programs offered via telecommunications must be comparable in content, faculty, and resources to those offered in residence, and must include regular student-faculty interaction by computer, telephone, mail, or face-to-face meetings. [Telecommunication programs and courses shall adhere to the following minimum standards:

1. The educational objectives for each program or course shall be clearly defined, simply stated, and of such a nature that they can be achieved through telecommunications.
2. Telecommunication courses and programs shall be comprehensive, rigorous, up-to-date, and educationally sound. Instructional materials and technology methods must be appropriate to meet the stated objectives of the program or course. Technology considerations include, but are not limited to, basic online navigation of any course or program, information exchange privacy and safety issues, notice of minimum technology specification for students and faculty, proper system monitoring and technology infrastructure capabilities.
3. The school shall provide faculty and student training, and support services specifically related to telecommunication activities.
4. The school shall provide for methods for timely interaction between students and faculty.

5. The school shall develop standards which ensure that accepted students have sufficient background, knowledge, and technical skills to successfully undertake a telecommunications program.]

M. The school shall maintain and ensure that students have access to a library with a collection, staff, services, equipment and facilities that are adequate and appropriate for the purpose and enrollment of the school. Library resources shall be current, well distributed among fields in which the institution offers instructions, cataloged, logically organized, and readily located. The school shall maintain a continuous plan for library resource development and support, including objectives and selections of materials. Current and formal written agreements with other libraries or with other entities may be used. Institutions offering graduate work shall provide access to library resources that include basic reference and bibliographic works and major journals in each discipline in which the graduate program is offered. Career-technical schools shall provide adequate and appropriate resources for completion of course work.

N. In accordance with § 23-276.3 B of the Code of Virginia, the school shall establish a tuition refund policy and communicate it to students. [Each school must establish, disclose, and utilize a system of tuition and fee charges for each program of instruction. These charges shall be applied uniformly to all similarly-circumstanced students. This requirement does not apply to group tuition rates to business firms, industry, or governmental agencies that are documented by written agreements between the school and the respective organization.] Accredited institutions shall adhere to the tuition refund requirements of their accrediting body, if required, and if those requirements describe specific refund terms. Otherwise, accredited institutions, as well as all other schools, shall adhere to the following tuition refund requirements:

1. The school shall adopt a minimum refund policy relative to the refund of tuition, fees, and other charges. All fees and payments, with the exception of the nonrefundable fee described in subdivision 2 of this subsection, remitted to the school by a prospective student shall be refunded if the student is not admitted, does not enroll in the school, does not begin the program or course, withdraws prior to the start of the program, or is dismissed prior to the start of the program.

2. A school may require the payment of a reasonable nonrefundable initial fee, not to exceed \$100, to cover expenses in connection with processing a student's enrollment, provided it retains a signed statement in which the parties acknowledge their understanding that the fee is nonrefundable. No other nonrefundable fees shall be allowed prior to enrollment.

3. The school shall provide a period of at least three business days, excluding weekends and holidays, during which a student applicant may cancel his enrollment without financial obligation other than the nonrefundable fee described in subdivision 2 of this subsection.

4. Following the period described in subdivision 3 of this subsection, a student applicant (one who has applied for admission to a school) may cancel, by written notice, his enrollment at any time prior to the first class day of the session for which application was made. When cancellation is requested under these circumstances, the school is required to refund all tuition paid by the student, less a maximum tuition fee of 15% of the stated costs of the course or program or \$100, whichever is less. A student applicant will be considered a student as of the first day of classes.

5. An individual's status as a student shall be terminated by the school not later than seven consecutive instructional days after the last day on which the student actually attended the school. Termination may be effected earlier by written notice. In the event that a written notice is submitted, the effective date of termination shall be the date ~~the student last attended classes~~ [of the written notice] . The school may require that written notice be transmitted via registered

or certified mail, provided that such a stipulation is contained in the written enrollment contract. The school may require that the parents or guardians of students under 18 years of age submit notices of termination on behalf of their children or wards. The school is required to submit refunds to individuals who have terminated their status as students within 45 days after receipt of a written request or the date the student last attended classes whichever is sooner. An institution that provides the majority of its program offerings through distance learning shall have a plan for student termination, which shall be provided to council staff for review with its annual or recertification application.

[6. In the case of a prolonged illness or accident, death in the family, or other special circumstances that make attendance impossible or impractical, a leave of absence may be granted to the student if requested in writing by the student or designee. No monetary charges or accumulated absences may be assessed to the student during a leave of absence. A school does not have to treat a leave of absence as a withdrawal if it is an approved leave of absence. A leave of absence is an approved leave of absence if:

- a. The school has a formal, published policy regarding leaves of absence;
- b. The student followed the institution's policy in requesting the leave of absence and submits a signed, dated request with the reasons for the leave of absence;
- c. The school determines that there is a reasonable expectation that the student will return to the school;
- d. The school approved the student's request in accordance with the published policy;
- e. The school does not impose additional charges to the student as a result of the leave of absence;
- f. The leave of absence does not exceed 180 days in any 12-month period;
- g. Upon the student's return from the leave of absence, the student is permitted to complete the coursework he or she began prior to the leave of absence;

7. If a student does not resume attendance at the institution on or before the end of an approved leave of absence, the institution must treat the student as a withdrawal and the date that the leave of absence was approved should be considered the last date of attendance for refund purposes.]

8. The minimum refund policy for a school that financially obligates the student for a quarter, semester, trimester or other period not exceeding 4-1/2 calendar months shall be as follows:

[a. For schools that utilize an add/drop period, a student that withdraws during the add/drop period shall be entitled to 100% refund for the period. After the conclusion of the add/drop period, no refund is required.

b. For schools that do not utilize an add/drop period,]

a [(1)] . A student who enters school but withdraws during the first 1/4 (25%) of the period is entitled to receive as a refund a minimum of 50% of the stated cost of the course or program for the period.

b [(2)] . A student who enters a school but withdraws after completing 1/4 (25%), but less than 1/2 (50%) of the period is entitled to receive as a refund a minimum of 25% of the stated cost of the course or program for the period.

c [(3)] . A student who withdraws after completing 1/2 (50%), or more than 1/2 (50%), of the period is not entitled to a refund.

9. The minimum refund policy for a school that financially obligates the student for the entire amount of tuition and fees for the entirety of a program or course shall be as follows:

- a. A student who enters the school but withdraws or is terminated during the first quartile (25%) of the program shall be entitled to a minimum refund amounting to 75% of the cost of the program.
- b. A student who withdraws or is terminated during the second quartile (more than 25% but less than 50%) of the program shall be entitled to a minimum refund amounting to 50% of the cost of the program.
- c. A student who withdraws or is terminated during the third quartile (more than 50% but less than 75%) of the program shall be entitled to a minimum refund amounting to 25% of the cost of the program.
- d. A student who withdraws after completing more than three quartiles (75%) of the program shall not be entitled to a refund.

10. The minimum refund policy for a school that offers its programs completely via telecommunications shall be as follows:

- a. For a student canceling after the 5th calendar day following the date of enrollment but prior to receipt by the school of the first completed lesson assignment, all moneys paid to the school shall be refunded, except the nonrefundable fee described in subdivision 2 of this subsection.
- b. If a student enrolls and withdraws or is discontinued after submission of the first completed lesson assignment, but prior to the completion of the program, minimum refunds shall be calculated as follows:
 - (1) A student who starts the program but withdraws up to and including completion of the first quartile (25%) of the program is entitled to receive as a refund a minimum of 75% of the stated cost of the course or program for the period.
 - (2) A student who starts the program but withdraws after completing up to the second quartile (more than 25%, but less than 50%) of the program is entitled to receive as a refund a minimum of 50% of the stated cost of the course or program for the period.
 - (3) A student who starts the program but withdraws after completing up to the third quartile (more than 50%, but less than 75%) of the program is entitled to receive as a refund a minimum of 25% of the stated cost of the course or program for the period.
 - (4) A student who withdraws after completing the third quartile (75%) or more of the program is not entitled to a refund.
- c. The percentage of the program completed shall be determined by comparing the number of completed lesson assignments received by the school to the total number of lesson assignments required in the program.

11. Fractions of credit for courses completed shall be determined by dividing the total amount of time required to complete the period or the program by the amount of time the student actually spent in the program or the period, or by the number of correspondence course lessons completed, as described in the contract.

12. Expenses incurred by students for instructional supplies, tools, activities, library, rentals, service charges, deposits, and all other charges are not required to be considered in tuition refund computations when these expenses have been represented separately to the student in

the enrollment contract and catalogue, or other documents, prior to enrollment in the course or program. The school shall adopt and adhere to reasonable policies regarding the handling of these expenses when calculating the refund. ~~and shall submit the policies to council staff for approval.~~

13. For programs longer than one year, the policy outlined in subdivisions 7 ~~and 8~~ [9 through 11] of this subsection shall apply separately for each academic year or portion thereof.

14. Schools shall comply with the cancellation and settlement policy outlined in this section, including promissory notes or contracts for tuition or fees sold to third parties.

15. When notes, contracts or enrollment agreements are sold to third parties, the school shall continue to have the responsibility to provide the training specified regardless of the source of any tuition, fees, or other charges that have been remitted to the school by the student or on behalf of the student.

O. The school shall keep ~~official~~ [relevant academic] transcripts for all teaching faculty to document that each has the appropriate educational credentials or other relevant documentation to support reported experience in the area of teaching responsibility or documentation of professional competencies and/or scholarly achievements.

[P. If an internship, externship or production work is necessary as a part of the school's education program, every effort shall be made to avoid the exploitation of the students.

1. When programs contain internships or externships, in any form, the professional training must:

a. Be identified as part of the approved curriculum of the school and be specified in terms of expected learning outcomes in a written training plan.

b. Be performed under the direct supervision of a designated instructor with appropriate qualifications at all times.

c. Not be used to provide labor or replacement for a permanent employee;

d. Be performed according to a specified schedule of time required for training including an expected completion date;

e. If the internship, externship, or production work is part of the course requirement, student may not be considered as a graduate or issued a graduation credential until the internship, externship or production work has been satisfactorily completed.

2. When receiving compensation for services provided by students as part of their education program, the school must clearly inform customers that services are performed by students by (i) posting a notice in plain view of the public; or (ii) requiring students to wear nametags that identify them as students while performing services related to their training.]

[Q. An institution shall notify council staff of the following occurrences no later than 30 days following said occurrence.

1. Naming of new school president

2. Naming of new campus or branch director

3. Naming of person responsible for regulatory oversight at the institution

4. Adding of new programs or modifications to existing program. Program names must adhere to the CIP taxonomy maintained by the National Center for Education Statistics.

5. Notification must be submitted in writing on institutional letterhead]

8 VAC 40-31-165. Equipment and facilities.

A. All buildings where courses of instruction are being conducted must comply with all municipal, county, state, and federal regulations as to fire, safety, health, and sanitation codes or regulations.

B. Lighting, heating, and ventilation must meet institutional needs. The equipment and facilities must be suitable to meet the training specified in the course content for the maximum student enrollment. Where applicable, all equipment, premises, and facilities must be maintained in conformity with state and federal rules and regulations.

C. Equipment shall be maintained in good working order and shall be updated as required and shall adhere to current occupational trends and employment market demands for the course of study in which the students are enrolled.]

PART VI. CERTIFICATION REQUIREMENTS.

8 VAC 40-31-170. Initial certification.

A. An institution shall not use the term "college" or "university" or words of similar meaning until it has received acknowledgment from council staff that the name is not in violation of 8 VAC 40-31-20.

[1. A school may not use the term "college" in its name unless the school has been approved or seeks to offer programs at the associate degree or above.]

[2. A school may not use the term "university" in its name unless the school has been approved or seeks to offer programs at the master's degree or above.]

[3. Council may refuse to approve a name change, when, in the council's judgment, the proposed name is likely to mislead the public about the school's identity or the nature of its programs.]

~~4~~[4]. A. school seeking certification must notify council staff of its proposed name prior to filing such name with the State Corporation Commission.

~~2~~[5]. Prior to receiving certification to operate, a copy of the school's certificate from the Virginia State Corporation Commission authorizing it to transact business in the Commonwealth under the acknowledged name must be submitted to council staff.

B. A school shall not operate in the Commonwealth of Virginia without first receiving certification to operate from the council. Certified schools shall not enter into any agreement to deliver or develop courses or programs of study in Virginia with noncertified postsecondary schools.

C. An out-of-state postsecondary school seeking certification to operate in the Commonwealth of Virginia must secure written documentation from the higher education coordinating and/or approving agency in the state or country in which the school is formed, chartered, established, or incorporated indicating that the school is operating in good standing. If the school formerly operated in another state or country but is not operating there at the time of its application to operate in Virginia, the school must secure from the higher education coordinating and/or approving agency documentation that it closed in good standing and would be allowed to re-establish a postsecondary school in that state or country. These written documentations must be provided to council staff.

D. A school submitting its initial application for certification will have 180 days to complete the application process, after which time its application will be withdrawn by the council and it will receive a refund of the application fee minus the nonrefundable handling charge of \$300.

E. All certifications shall expire on the certificate expiration date. Applications for recertification must be submitted to council staff at least 60 days prior to the expiration date of the current certification. [If a school allows its certification to operate to expire, the school shall not be eligible for recertification and must submit an application for initial certification including the appropriate application fee.]

F. Certification is not transferable. In the event of a change of ownership of a certified school, the new owner or governing body must secure certification. The school must apply for certification within 45 business days following a change of ownership. During the 45-day period and the time required for the council staff to process the new application, up to and not exceeding 90 days, the old certification shall remain in effect provided that no changes have been made in the academic programs, policies, or financial considerations such that the change would constitute or create a violation of council's policies.

[1. The following constitutes a change of ownership:

a. Purchase of the entire school or assets of school.

b. Transfer, sale, or purchase of stock, membership, or other direct or beneficial ownership interest by a single entity or by multiple entities in a single transaction or a series of transactions that results in at least fifty-one percent change in control.

2. The acquisition of an interest in a certified school by bequest, descent, survivorship or operation of law does not constitute a change of ownership. However, the person acquiring the ownership interest shall send written notice to the Council of such acquisition within 30 days of its closing or validation. Council may determine on a case-by-case basis that other similar transfers may not constitute a change of ownership.

3. New school owners are responsible for maintaining and servicing all student records that were the responsibility of the prior owners of the school

4. New school owners are responsible for resolving all student complaints that were the responsibility of the prior owners of the school or that were filed with Council prior to the final approval of the change of ownership.

5. New school owners are responsible for honoring the terms of current student enrollment agreements, institutional scholarships, or institutional grants for all students who were enrolled or taking classes at the time the change of ownership took place.]

G. Council staff will process all applications [,conduct the site visit,] and provide notice to applicants within 45 business days of receipt of a completed application package. [Approval of the certificate to operate by council is subject to scheduling of council meetings and other factors affecting the agenda's of council meetings.]

H. Valid-through dates of Certificates to Operate and due dates of recertification applications are as follows:

1. Out-of-state private degree-granting and career-technical school certificates are valid for one year beginning on September 1 of the calendar year and ending on August 31 of the following calendar year. Applications are due not later than July 2.

2. Out-of-state public institution certificates are valid for one year beginning on September 15 of the calendar year and ending on September 14 of the following calendar year. Applications are due not later than July 16.
3. In-state private nonprofit institution certificates are valid for one year beginning on October 1 of the calendar year and ending on September 30 of the following calendar year. Applications are due not later than August 2.
4. In-state proprietary degree-granting and career-technical school certificates are valid for one year beginning on October 15 of the calendar year and ending on October 14 of the following calendar year. Applications are due not later than August 16.
5. In-state proprietary career-technical school certificates (letters A-D) are valid for one year beginning on November 1 of the calendar year and ending on October 31 of the following calendar year. Applications are due not later than September 2.
6. In-state proprietary career-technical school certificates (letters E-P) are valid for one year beginning on November 15 of the calendar year and ending on November 14 of the following calendar year. Applications are due not later than September 16.
7. In-state proprietary career-technical school certificates (letters Q-Z and others) are valid for one year beginning on December 1 of the calendar year and ending on November 30 of the following calendar year. Applications are due not later than October 2.

8 VAC 40-31-180. Application requirements.

- A. Each certification to operate attests that the school is in compliance with Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia and with this chapter.
- B. To apply for certification, the following information must be submitted:
 1. A completed certification application form provided by council staff.
 2. A statement regarding the school's accreditation status, if applicable.
 - a. Career-technical schools must provide a statement that the courses of study offered conform to state, federal, trade, or manufacturing standards of training for the occupational fields in which such standards have been established or that courses conform to recognized training practices in those fields.
 - b. Out-of-state institutions and career-technical schools requesting initial certification must be accredited by an accrediting organization recognized by the USDOE [and must provide evidence that there has been no determination of limitation, suspension, revocation or termination by the U.S. Department of Education, an accrediting body, or a state regulatory body against them within the past five years].
 - c. Unaccredited institutions that offer courses for degree credit and existing unaccredited out-of-state career-technical schools must submit a plan of action for securing accreditation from an organization recognized by the USDOE, including the name of the accrediting organization and timeframe. In order to remain eligible for certification, the postsecondary school must secure, at a minimum, candidacy status or equivalent within three years of its initial date of certification, and initial accreditation no later than six years after initial certification. Changes to the plan of action timeframe for accreditation will be granted only at the discretion of the council.

d. Unaccredited institutions that undergo a change of ownership during the time period covered by the plan of action for securing accreditation, and that wish to remain eligible for certification under new ownership, will remain on the plan of action timeframe established by the former ownership. This plan of action timeframe begins from the initial date of certification under the former ownership and encompasses the accreditation dates established in the plan of action put into place by the former ownership. No additional time will be granted for obtaining the minimum level of accreditation required of the plan of action due to the change in ownership. Changes to the plan of action timeframe for accreditation will not be granted except at the discretion of the council.

3. A transacted surety instrument form, with the State Council of Higher Education for Virginia named as the obligee.

[4. A three year projected budget that indicates that the school is capable of maintaining operational continuity for up to three years. The budget should demonstrate:

a. that the individual, partnership, or corporation that owns the school is solvent and has the financial capacity to support the operation;

b. a positive net worth, accompanied by a reasonable debt to equity ratio;

c. that the school is appropriately capitalized.]

4 [5]. A completed checklist, signed and dated, acknowledging full compliance with certification criteria, along with a notarized attestation statement signed by the chief executive officer or equivalent.

5 [6]. A company check in the correct, nonrefundable amount made payable to the Treasurer of Virginia.

6 [7]. A copy of the school's certificate, if incorporated, from the State Corporation Commission providing authorization to transact business within the Commonwealth.

7 [8]. For schools whose main campus is not in Virginia, a copy of the school's authorization to operate from the state agency in which its main campus is domiciled.

8 [9]. A complete listing of all sites, along with their addresses, phone numbers (if applicable), and programs offered at the site.

9 [10]. For new postsecondary school applicants, a signed and notarized statement provided by the president or CEO, that attests to any previous involvement in the operation of a postsecondary school or any previous involvement by any administrator, owner, controlling shareholder, or member of the school's governing board in the operation of a postsecondary school. At a minimum, this statement shall include the name(s) of previous schools, the dates of the involvement, the positions held within the school, the location, the status (open/closed, and accredited/nonaccredited) of the school, any known violation of federal or state financial aid rules by the school, any known violations of the policies of an accreditor of the school, any bankruptcy filings by the school, and conviction or civil penalty levied by any legal entity in connection with this or any other educational entity in which he was employed or invested.

10 [11]. A complete list of all diploma, certificate, or degree program offerings during the valid period of the certification. This list shall consist of the number of hours required for completion of each program, the Classification of Instructional Programs (CIP) Code where applicable, and the type of program and degree.

a. New and unaccredited schools must also include their estimated annual enrollment projections and number of students per program; and

b. Schools that are renewing certificates to operate shall include from the previous year the following information:

(1) The number of degrees, certificates, or diplomas conferred for each program offered by a ~~the~~ school [at its Virginia facility] .

(2) The number of students graduating and the number enrolled [at its Virginia facility] .

c. Unaccredited institutions of higher education and career-technical schools shall include, from follow-up surveys of graduates, the number of students reporting placement in jobs relating to their field of study within six months; and one year of graduation.

C. An existing post-secondary school licensed by any other state agency empowered by the Code of Virginia to license the school, its teachers or curriculum, or both, must become certified prior to enrolling any student into a course for degree credit or program of study. The school must submit an application for certification to operate that shall contain all of the requirements outlined in 8 VAC 40-31-160 B and C.

D. When a branch campus ~~or site~~ of a school is under different ownership or different school name than the main campus of the school, the branch campus ~~or site~~ must submit an application for certification to operate and must pay a separate certification fee than the main campus of the school.

E. All proprietary postsecondary schools must provide evidence of a valid business license from the locality within which it seeks to operate. If and when council receives confirmation that a school is operating without the required business license, council shall take action as required by § 23-276.15 of the Code of Virginia.

8 VAC 40-31-190. Withdrawal of application by a postsecondary school.

A. A school that has submitted an application to the council may withdraw that application without prejudice at any time.

B. Withdrawal of an application by a school shall result in revocation by the council of all authorizations associated with that application that previously had been granted to the school.

C. A school that has withdrawn an application may submit, at any time and without prejudice, a new application to the council in accordance with Part V (8 VAC 40-31-130 et seq.) of this chapter.

D. A school that withdraws an application prior to receiving notification of certification will receive a refund of the filing fee minus a ~~handling charge~~ [an administrative processing fee] .

8 VAC 40-31-195. Suspension or revocation of certificate to operate

A. Council may suspend, revoke, or refuse to issue or renew a certificate to operate or modify the certificate to operate to conditional, or may impose a penalty pursuant to §23-276.12 of the Code of Virginia for any one or combination of the following:

1. Violation of any provision of this chapter pursuant to §23-276 of the Code of Virginia, the council's minimum standards, or any rule made by the council;
2. Furnishing of false, misleading, deceptive, altered, or incomplete information or documents to the council;
3. Violation of any attestations made in an application for a certificate to operate;

4. Presenting to prospective students, either at the time of solicitation or enrollment, or through advertising, mail circulars, or telephone solicitation, misleading, deceptive, false, or fraudulent information relating to any program, employment opportunity, or opportunities for enrollment in accredited institutions of higher education after entering or completing programs offered by the holder of a certificate to operate;
5. Failure to provide or maintain premises or equipment for offering programs in a safe and sanitary condition as required by law or by state regulations or local ordinances;
6. Refusal by an agent while performing duties common to agents to display his/her agent's permit upon demand of a prospective student or council staff member or other interested persons;
7. Failure to maintain financial resources adequate to conduct satisfactorily the courses of instruction offered or to retain an adequate, qualified instructional staff;
8. Offering training or programs other than those acknowledged by the council;
9. Discrimination in the acceptance of students upon the basis of race, color, religion, sex, age, or national origin;
10. Failure to provide the council or council staff any information, records, or files pertaining to the operation of the school or recruitment and enrollment of students or in response to an audit.
11. Employment of enrolled students in any commercial activity from which the school derives revenue without reasonable remuneration to the students, unless the students are engaging in activities that are an integral component of their educational program.
12. Engaging in or authorizing other conduct that constitutes fraudulent or criminal activity.

B. A school is entitled to exercise its rights under the Administrative Process Act prior to the denial, suspension, or revocation of its certificate to operate, pursuant to 8 VAC 40-31-220.]

8 VAC 40-31-200. Audit requirements.

A. All certified postsecondary schools shall be subject to random periodic audits. The purpose of such audit shall be to verify compliance with certification criteria.

B. At the discretion of council staff, an audit review committee shall consist of the executive director or designee and may:

1. Include individuals with the experience in the disciplines in which the school provides instruction; and/or
2. Consist of council staff.

C. Audits shall be random or triggered by, but not limited to, the following events:

1. Council staff concerns based on questionable information in the initial or recertification application.
2. Greater than average volume and frequency of negative student complaints or adverse publicity.
3. Difficulty securing accreditation within the specified time period.
4. Adverse action by the USDOE or the school's accrediting agency.
5. A USDOE composite financial responsibility score of less than 1.0.

D. Following an audit of the school, council staff shall prepare a report with recommendations for review by the council. If a school is found noncompliant, the council may:

1. Determine no action is necessary and have the report filed;
2. Change the status to ~~probationary~~ [conditional] certification and require remedial action(s) within a specified timeframe;
3. ~~Revoke or suspend certification~~ [Initiate suspension or revocation of the school's certificate to operate.]

8 VAC 40-31-210. Duplication of and need for instruction for degree credit is irrelevant.

In considering a school's application, the council shall not take into account either duplication of effort by public and private schools in Virginia or need within the Commonwealth for the course for degree credit, program of study, or degree program for which certification is sought.

PART VII.

PROCEDURES FOR CONDUCTING FACT-FINDING CONFERENCES AND HEARINGS.

8 VAC 40-31-220. Procedural rules for the conduct of fact-finding conferences and hearings (§§ 2.2-4019 through 2.2-4030 of the Code of Virginia).

A. Fact-finding conference; notification, appearance, conduct.

1. Unless emergency circumstances exist that require immediate action, ~~no certification application shall be denied, suspended or revoked~~ [no order shall be issued to refuse to grant a certification, to revoke or suspend a prior certification, or to add conditions to any certification] except upon [written] notice stating the ~~proposed~~ basis for such action and the ~~time and place for a~~ [right of the affected parties to appear at an informal] fact-finding conference.

2. ~~If a basis exists for a refusal to certify or a suspension or a revocation of a certificate to operate~~ [If council determines that grounds exist to refuse to grant a certification, to revoke or suspend a prior certification, or to add conditions to any certification] , the council shall ~~notify, by certified mail or by hand delivery,~~ [provide written notice of its intention to take the proposed action to] the interested parties at the address of record ~~maintained by the council.~~ [The notice shall be sent by certified mail, return receipt requested, and shall state the reasons for the proposed action.]

3. Notification shall ~~include the basis for the proposed action and afford~~ [provide information about informal fact-finding conference procedures, including the rights of] interested parties the ~~opportunity to present written and oral information to the council that may have a bearing on the proposed action at a fact-finding conference~~ [to (i) reasonable notice thereof, (ii) appear in person or by counsel or other qualified representative before the agency or its subordinates, or before a hearing office for the informal presentation of factual data, argument, or proof, (iii) have notification of any contrary fact basis or information in the possession of the agency that can be relied upon in making an adverse decision, (iv) receive a prompt decision, and (v) be informed briefly and generally in writing, of the factual or procedural basis for an adverse decision] . If no withdrawal occurs, a [an informal] fact-finding conference shall be scheduled at the earliest mutually agreeable date, but no later than 60 days from the date of the notification. A ~~school~~ [party] wishing to waive its right to a conference [and proceed directly to formal hearing] shall notify the council at least 14 days before the scheduled conference.

4. If after consideration of information presented during an informal fact-finding conference, [council determines that] a basis for action still exists, the interested parties shall be notified in writing within 60 days of the [informal] fact-finding conference, via certified or hand-delivered mail, of the decision [, the factual or procedural basis for the decision,] and the right [to appeal the decision by requesting] a formal hearing. Parties to the conference may agree to extend the report deadline if more time is needed to consider relevant information.

[5. Parties may enter into a consent agreement to settle the issues at any time prior to a formal hearing. If one party desires to enter into a consent agreement prior to the informal fact-finding conference or the formal hearing, as the case may be, then it shall give reasonable notice to the other party prior to the conference or hearing. A party's delay may result in denial of the proposed consent agreement.

6. Following execution of the consent agreement, council staff may make frequent attempts to determine whether the terms of the consent agreement are being implemented and whether its intended results are being achieved.]

B. Hearing; notification, appearance, conduct.

1. If, after [council renders a decision following] a [an informal] fact-finding conference, a sufficient basis still exists to deny, suspend or revoke a certification, interested parties shall be notified by certified mail or hand delivery of the proposed action and of the opportunity for a hearing on the proposed action. If an organization [interested party] desires to request [appeal the decision by requesting] a [formal] hearing, it shall notify the council within 14 days of receipt of a report on the conference- [the date of the certified letter] . Parties may enter into a consent agreement to settle the issues at any time prior to, or subsequent to, an informal fact-finding conference.

[2. Parties to formal hearing shall be given reasonable notice of the (i) time, place, and nature thereof, (ii) basic law under which the council contemplates its possible exercise of authority, and (iii) matters of fact and law asserted or questioned by the council.]

2[3]. If an interested party or representative fails to appear at a [formal] hearing, the hearing officer may proceed in the party's/representative's absence and make a recommendation.

3[4]. Oral and written arguments may be submitted to and limited by the hearing officer. Oral arguments shall be recorded in an appropriate manner. [The formal hearing shall be presided over by a hearing officer selected from a list prepared by the Executive Secretary of the Supreme Court and maintained in the office of the Executive Secretary of the Supreme Court.

5. In the formal hearing, the parties shall be entitled to be accompanied and represented by counsel, to submit oral and documentary evidence and rebuttal proofs, and to conduct cross-examination. The presiding officer at the formal hearing may (i) administer oaths and affirmations, (ii) receive probative evidence, exclude irrelevant, immaterial, insubstantial, privileged or repetitive proofs, rebuttal, or cross-examination, rule upon offers of proof, and oversee a verbatim recording of the evidence, (iii) hold conferences for the settlement or simplification of issued by consent, (iv) dispose of procedural requests, and (v) regulate and expedite the course of the hearing.]

C. Hearing location. Formal hearings before a hearing officer shall be held, insofar as practical, in the county or city in which the school is located. Hearing officers may conduct formal hearings at locations convenient to the greatest number of persons or by telephone conference, videoconference or similar technology in order to expedite the hearing process.

D. Hearing decisions.

1. Recommendations of the hearing officer shall be a part of the record and shall include a written statement of the hearing officer's findings of fact and recommendations as well as the reasons or basis for the recommendations. Recommendations shall be based upon all the material issues of fact, law, or discretion presented on the record.

[2. Prior to the recommendation of the hearing officer, the parties concerned shall be given opportunity, on request, to submit in writing for the record (i) proposed findings and conclusions, and (ii) a statement of reasons therefore. On request, opportunity shall be afforded for oral arguments to the hearing officer, or to council as it may permit in its discretion. The council shall receive and act on exceptions to the recommendation of the hearing officer prior to rendering a decision.]

2[3]. The council shall review the recommendation of the hearing officer and render a decision on the recommendation within 30 days of receipt. The decision shall ~~cite the appropriate rule, relief or denial thereof as to each issue~~ [be served on the parties concerned, become a part of the record, and briefly state the findings, conclusions, reasons, or basis therefore upon the evidence presented by the record and relevant to the basic law under which the council is operating, together with the appropriate order, certificate to operate, or denial thereof.]

E. Agency representation. The executive director's designee may represent the council in an informal conference or at a hearing.

PART VIII. CRIMINAL PROSECUTION FOR VIOLATION; CIVIL ENFORCEMENT.

8 VAC 40-31-230. Criminal prosecution for violation.

A. Any violation of any provision of § 23-276.12 of the Code of Virginia that is found by council to have been committed by any person, firm, association, postsecondary school, trust, or other entity that offers or confers degrees, diplomas, certificates, programs, or courses of study shall be punishable as a class 1 misdemeanor.

B. Each degree, diploma, certificate, program, or course of study offered or conferred in violation of this chapter or each violation of the provisions of § 23-276.12 of the Code of Virginia shall constitute a separate offense.

C. The council shall take any action required by the Code of Virginia to deter illegal or improper acts that may violate the requirement for school certification. Pursuant to § 23-276.15 of the Code of Virginia, upon confirmation of any notification or discovery of any postsecondary school operating without its certification or approval, the council shall notify, in writing, the relevant local commissioner of the revenue or other official serving such equivalent functions of the postsecondary school's violation of such certification or approval requirements, and shall recommend revocation of the school's business license.

8 VAC 40-31-240. Civil enforcement.

Upon the determination of the council that any school, or its agents or representatives, is in violation of this chapter, the council may institute a proceeding in equity to enjoin the violation.

**PART IX.
ADDITIONAL REGULATIONS.**

8 VAC 40-31-250. Virginia law to apply to agreements.

The laws of Virginia shall govern any agreement, contract, or instrument of indebtedness executed between a postsecondary school and any person enrolling in any course or program offered or to be offered by a postsecondary school in Virginia and also between that postsecondary school and any person employed or offered employment by that postsecondary school in Virginia.

8 VAC 40-31-260. Fees.

A. All fees collected by council staff will be deposited in the State Treasury.

B. All fees are nonrefundable with the exception of withdrawal of an application in which case all fees will be refunded minus a reasonable handling charge of \$300.

C. Fees must be paid with a company check and made payable to the Treasurer of Virginia.

D. [The annual fee is based on the annual gross tuition received by each administrative branch of institutions certified to operate in Virginia. For out-of-state institutions certified to operate in Virginia, annual gross tuition means income generated from students enrolled in Virginia.] The ~~flat~~ fee schedule is as follows:

New school orientation session =	\$150 per person
Initial fee for all new institutions of higher education =	\$6,000
Initial fee for all new career-technical schools =	\$2,500
Annual fee for all unaccredited institutions of higher education =	\$6,000
Annual fee for all unaccredited out-of-state career-technical schools =	\$2,500
Renewal fee for all postsecondary schools with [annual] gross tuition collected less than or equal to \$50,000, as recorded on most recent financial statement =	\$500 [250]
Renewal fee for all postsecondary schools with [annual] gross tuition collected greater than [or equal to] \$50,000 but less than or equal to \$100,000, as recorded on most recent financial statement =	\$1,000
Renewal fee for all postsecondary schools with [annual] gross tuition collected greater than [or equal to] \$100,000 but less than or equal to \$150,000 [500,000], as recorded on most recent financial statement =	\$1,500 [2,500]
Renewal fee for all postsecondary schools with [annual] gross tuition collected greater than \$150,000 [or equal to \$500,000 but less than \$1,000,000], as recorded on most recent financial statement =	\$2,500 [4,000]
[Renewal fee for all postsecondary schools with annual gross tuition collected greater than or equal to \$1,000,000, as recorded on most recent financial statement =]	[\$5,000]
Returned check fee =	\$35

Proposed Regulations

Noncompliance administrative fees =	\$1,000 for each occurrence of noncompliance found as a result of audit
Initial or renewed exemption application/request for name acknowledgement/agent registration =	\$300
Nonrefundable handling charge (withdrawal of application) =	\$300
[Request duplicate Certificate to Operate due to school name or address change =]	[\$50]
[Request duplicate agent permit, to replace lost permit =]	[\$50]
[Application fee for each additional branch and/or site =]	[\$300]
[Application fee for each additional site =]	[\$100]
[Application fee for each additional program or modification to an existing program =]	[\$100]
[Fee for audit services =]	[\$300 per branch; \$50 per site]

F. A school that submits a payment that is returned for any reason must resubmit the required payment, any applicable late fee, and the assessed returned check fee of \$35 via a money order or certified bank check only.

[G. The council may approve modifications to the fee schedule on an annual basis, to ensure adequate resources for the council to implement this chapter effectively. The council shall annually publish a schedule of the current fees to be charged pursuant to this section.]

8 VAC 40-31-270. Receipt of applications, correspondence, and other materials.

A. All applications, forms, letters, or other materials relating to, or required by this chapter should be sent to:

**State Council of Higher Education for Virginia
ATTN: Private and Out-of-State Postsecondary School Certification
James Monroe Building, 9th Floor
101 North Fourteenth Street
Richmond, Virginia 23219**

B. The mail of items specified in subsection A of this section shall not constitute receipt of them by the council unless sent by registered or certified mail, return receipt requested.

8 VAC 40-31-280. Closure of a postsecondary school.

A. The council, on its own motion, may authorize a postsecondary school whose application for certification to operate is denied in accordance with 8 VAC 40-31-200 to continue to offer instruction for degree credit to all currently enrolled students until the end of the semester, quarter, or other academic term during which certification is denied.

B. The council, on its own motion, may authorize a school whose certification is revoked in accordance with 8 VAC 40-31-200 to offer the coursework necessary for all currently enrolled

Proposed Regulations

students to complete their programs and to award degrees to those students, provided that the school:

1. Offers degree coursework only to those students who were enrolled at the time the school's certification was revoked; and
2. Offers all necessary coursework on a schedule that permits all currently enrolled students to complete their programs in a reasonable period of time.

C. When a school decides to voluntarily cease operations, it must immediately inform the council of the following:

1. The planned date for the termination of operations.
2. The planned date and location for the transfer of student records.
3. The name and address of the organization to receive and manage the student records and the name of the official who is designated to manage transcript requests. The organization designated for the preservation of the student records may not be corporately connected to the closing school.
4. Arrangements for the continued education of currently enrolled students via teach-out agreement or other practical solution. **[The teach-out plan will consist of but is not limited to the following:**
 - a. Identification of the school's official date of closure; and
 - b. A listing by program of students enrolled at the time of the school's closure including addresses, telephone numbers, and estimated graduation dates for each student; and
 - c. The status of all current refunds due and balances owed; and
 - d. A listing of those students who had prepaid for any portion of their training and a calculations of the total amount which was prepaid by each student; and
 - e. Signed agreement with one or more local educational institutions able to provide adequate education to all students in all programs; and
 - f. Procedures for awarding graduates their certificates, diplomas, or degrees.]

5. ~~A roster showing the name, address, and current academic status of all enrolled students.~~ **[A listing of all former students, including full name, last known mailing address, program of study, dates of enrollment, date of completion, and credential awarded, if applicable.]**

D. In the event of school closure or revocation of certification, ~~the council may facilitate the transfer of student records to the designated repository.~~ **[the school shall make provisions for transferring all official records of students to the council office, or to a secure location that will maintain the records in perpetuity, and notify students of this location and how they may obtain official copies. The records transferred to the council office shall include, at a minimum, the academic records of each former student, which should include:**

1. academic transcripts showing the basis for admissions, transfer credits, courses, credits, grades, graduation authorization, and student name changes for each student;
2. transcripts of financial aid for each student; (if maintained)
3. foreign student forms for foreign students;
4. Veterans Administration records for veterans;

5. copies of degrees, diplomas, and certificates awarded (if maintained);
6. one set of course descriptions for all courses offered by the school, and;
7. evidence of accreditation, if any, during the years covered by transcripts.]

E. ~~The council shall be responsible for securing and preserving student records until the designated repository accepts the records.~~ [The school shall notify all enrolled students of the pending closure immediately, describing their financial obligations as well as their rights to a refund or adjustment, and provisions made for assistance toward completion of their academic program, whether in the institution that is closing, or by teach-out.]

F. The council shall seek the advice of the Career College Advisory Board on matters relating to closures of its member schools.

8 VAC 40-31-290. Waiver by council.

The council may waive or modify the certification requirements for an accredited school if the council finds that such waiver or modification will not conflict with the intent of the regulations and that in light of the school's mission, literal application of such requirement(s) creates an unreasonable hardship on the school.

8 VAC 40-31-300. Freedom of Information Act to apply.

~~All materials submitted by a school in its application for approval or in response to a request by the council for pertinent information shall be subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia) and shall be available for public inspection in accordance with the provisions of § 2.2-3704 of the Code of Virginia.~~

8 VAC 40-31-310. Student Tuition Guaranty Fund.

A. The executive director shall appoint in writing a Director of the Student Tuition Guaranty Fund.

B. The purpose of the fund is to reimburse tuition and fees due students at schools previously approved under § 22.1-321 of the Code of Virginia when the school ceases to operate.

C. Schools seeking initial certification after July 1, 2004, shall not be required to pay into the fund. All other schools that were certified to operate prior to July 1, 2004, under the provisions of § 22.1-321 of the Code of Virginia, shall be subject to the provisions valid at the time of its recertification.

D. A claim shall be made against the fund only if it arises out of the cessation of operation by a school at which the student was enrolled or was on an approved leave of absence at the time of the closure and the closure prevented the student from completing the program of study for which he enrolled on or after July 1, 2004. If the school holds a surety bond or other guaranty instrument, filing a claim against the guaranty instrument shall be the initial response. Claims shall be filed with the director of the fund on forms prescribed by the council within three years after cessation of operation by the school. Claims filed after that period shall not be considered. Within a reasonable time after receipt of a claim, the director shall give the school or its owners, or both, notice of the claim and an opportunity to show cause, within 30 days, why the claim should not be reimbursed in whole or part. The director may cause to be made other investigation of the claim as he deems

appropriate or may base his determination, without further investigation, upon information contained in the records of the council.

E. The director's determination shall be in writing and shall be mailed to the claimant and the school or its owners, or both, and shall become final 30 days after the receipt of the determination unless either the claimant or the school, or its owners, within the 30-day period, files with the director a written request for a hearing. Upon request, a hearing shall be held and, subject to the authority of the director to exclude irrelevant or other inappropriate evidence, the claimant and the school or its owners may present such information as these parties deem pertinent.

F. The executive director shall administer the fund upon the following basis:

1. The assets of the fund may not be expended for any purpose other than to pay bona fide claims made against the fund;
2. All payments into the fund shall be maintained by the state comptroller who shall deposit and invest the assets of the fund in any savings accounts or funds that are federally or state insured, and all interests or other return on the fund shall be credited to the fund;
3. Payment into the fund shall be made in the form of a company or cashier's check or money order made payable to the "Student Tuition Guaranty Fund."

G. When a claim is allowed by the director, the executive director, as agent for the fund, shall be subrogated in writing to the amount of the claim and the executive director shall thereby be authorized to take all steps necessary to perfect the subrogation rights before payment of the claim. Refunds will be made, first, to the lender issuing student financial aid or the guarantor of the loan, and second, to the student. In the event no financial aid was involved, then refunds will be made to the student.

8 VAC 40-31-320. Agent registration.

A. Agents representing one or more noncertified accredited postsecondary schools must:

1. Register with the council prior to soliciting in Virginia; and
2. Pay an annual fee of \$300 per school represented.

B. Agents representing noncertified unaccredited postsecondary schools shall not conduct business in Virginia.

C. Agents operating sites in Virginia must seek council certification.

D. Agent permits expire on December 31 of each calendar year. An application for an agent permit renewal must be submitted to council staff at least 60 days prior to the expiration date.

State Council of Higher Education for Virginia Agenda Item

Item: #5.f. – Action on 2009-10 Commonwealth Graduate Engineering Program (CGEP) Operating Plan

Date of Meeting: May 12, 2009

Presenters: Diane Vermaaten, Associate for Finance Policy
Sharon Caraballo, CGEP State Chair

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: May 13, 2008

Action: Approved the 2008-09 CGEP operating plans and recommended to Governor that the appropriated funds be released to operate the program.

Background Information/Summary of Major Elements:

The Commonwealth Graduate Engineering Program (CGEP) is a consortium of Virginia universities established in 1983 to deliver graduate engineering courses via distance education. CGEP is the longest running distance education cooperative in the Commonwealth. The participating institutions are Virginia Tech, the University of Virginia, Virginia Commonwealth University, Old Dominion University, and George Mason University. Longwood University and the University of Mary Washington serve as receiver sites and marketing partners. The program is designed to provide engineers, and other qualified individuals with strong backgrounds in the sciences, an opportunity to conveniently pursue up to 50% of their engineering Master's degree program coursework. Degrees are not conferred by CGEP, but rather are awarded by the five principal institutions (VT, UVA, VCU, ODU, and GMU), each of which is responsible for reporting candidates for purposes of full-time equivalent student enrollment and viability benchmarks.

Materials Provided:

The individual operating plans are contained in the attached document entitled "Commonwealth Graduate Engineering Program, Annual Report Academic Year 2008-09, Operating Plan Academic Year 2009-10." Dr. Sharon Caraballo, CGEP State Chair, compiled the document with the help of the other CGEP Directors.

Financial Impact:

The information included in this item relates to the planned expenditures totaling \$6.2 million for 2009-10. A summary of these planned expenditures, as well as appropriations, is provided in Table 1 of the report. Further details of both actual and planned expenditures are provided in Tables 2 and 3.

Planned expenditures that are greater than an institution's total appropriations must be funded through tuition increases, tuition from additional students, or reallocations from other institutional sources. For fiscal year 2008-09, CGEP institutions contributed \$2 million to the program, representing an additional investment of approximately 47% over the total amount appropriated.

Highlights:

Although Dr. Sharon Caraballo of George Mason University began her tenure as CGEP State Chair less than a year ago, she has already overseen two major accomplishments. The first accomplishment is the revision of the CGEP Policies and Procedures manual as well as the transfer of the manual to electronic form. The second accomplishment is the organization of an online course development workshop for faculty and instructional designers to provide them with the skills needed to create asynchronous engineering courses. The workshop will take place in June.

CGEP continues to seek innovative methods for addressing course accessibility and delivery challenges. The course development workshop is the next step for the CGEP Directors as they continue their exploration into the potential of on-line course platforms that maintain the integrity of CGEP's mission while providing greater course access and convenience to working engineers. CGEP's internet based enrollment increased from 18% of total enrollment in 2007-08 to 24% in 2008-09.

Timetable for Further Review/Action:

The 2010-11 CGEP operating plan will be considered for approval at the May 2010 Resources Committee/Council meeting.

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia approves the 2009-10 Commonwealth Graduate Engineering program operating plan and recommends to the Governor that the appropriated funds be released to operate the program.

Commonwealth Graduate Engineering Program



**Annual Report
Academic Year 2008-2009**

**Operating Plan
Academic Year 2009-2010**

Presented to
State Council of Higher Education for Virginia
May 12, 2009

Presented by
Sharon A. Caraballo, CGEP State Chair and GMU Director
James F. Groves, UVA CGEP Director
Linda Vahala, ODU CGEP Director
Rosalyn Hobson, VCU CGEP Director
Glenda R. Scales, VT CGEP Director

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Message from the State Director
Sharon A. Caraballo



The focus this year in CGEP has been the need to begin to move our courses and programs online. Online course delivery will allow us to overcome our reliance on video teleconferencing facilities, increasing access to our programs by allowing us to reach working professional engineers who do not have a convenient receive site or who frequently travel away from their home locations. It will also eliminate difficulties caused by scheduling conflicts in these facilities, allowing greater participation in our programs and perhaps expanded course offerings. Our Advisory Board and other stakeholders have stressed the importance of online delivery methods.

Just after last year's report was submitted, CGEP received a gift of \$50,000 from the Micron Corporation to support online course development. We are using this generous gift for two initiatives. One is the upcoming development and delivery of a pilot asynchronous online engineering statistics course by Dr. Larry Richards of UVA, to be reported on next year. The other is an online course development workshop, scheduled for June of this year at VCU. Faculty and instructional designers from all of our institutions are invited to take part in this workshop. Experts in online graduate engineering education from within our own institutions and from other institutions around the country will give presentations, and the day will also include hands-on demonstrations. One of the speakers will be Dr. Richards, discussing his pilot project. Beyond the pilot and the workshop, online course development will continue to be an ongoing focus of CGEP's efforts in future years.

Another ongoing project has been our nanotechnology course sharing initiative. The fall 2008 semester included the last of the support from the National Science Foundation grant, and as of January 2009, the nanotechnology support is coming only from the state. The annual budget for nanotechnology has been reduced from its initial \$600,000 by the \$300,000 per year of NSF support and by additional state budget cuts to \$273,600. As anticipated last year, with the budget reductions, the number of shared courses has been reduced by half. Beginning with the Spring 2009 semester, each of the six participating institutions (the five CGEP institutions and the College of William and Mary) will each offer one course per year rather than one per semester, for a total of six courses per year rather than twelve.

We have also completed some significant administrative projects this year. Our Policies and Procedures manual has been completely rewritten, in its first major revision since 1992, and now exists in electronic form on the statewide CGEP web site, <http://cgep.virginia.gov>. Having the manual in this form will allow it to be continually revised as needed, so that it will remain up-to-date.

As I come to the end of my first year as CGEP state chair, I am happy to report that the transition of state chairs has gone very smoothly. All of the CGEP Directors and site coordinators have been very supportive as I have moved into my new role and my assistant, Marilyn Clark, has taken on the statewide administrative support for CGEP. I would like to extend special thanks to James Groves and Rita Kostoff of UVA for their help and guidance.

Expenditures

A comparison of appropriations to expenditures is found in Table 1. The detailed expenditure reports are found in Tables 2 and 3.

Commonwealth Graduate Engineering Program Comparison of Appropriations to Expenditures

Table 1

CGEP Institutions	2008-09					2009-10									
	Appropriations (1)			Institution Contribution	Total Expenditures	Appropriations (1)				Institution Contribution	% Incr	Total Planned Expenditures	% Change From FY09 Exp.		
	General Fund	Nongeneral Fund	Total			General Fund	%	Nongeneral Fund	%					Total	%
George Mason University	\$289,814	\$124,120	\$413,734	\$288,972	\$702,706	\$289,814	0%	\$124,120	0%	\$413,734	0%	\$313,968	9%	\$727,700	3.8%
Old Dominion University	\$431,013	\$198,244	\$629,257	\$133,538	\$762,795	\$431,013	0%	\$198,244	0%	\$629,257	0%	\$133,538	0%	\$762,795	0.0%
University of Virginia	\$766,197	\$469,850	\$1,228,047	\$688,489	\$1,914,536	\$761,997	-1%	\$455,650	-1%	\$1,217,647	-1%	\$809,608	-11%	\$1,827,255	-4.6%
VA Commonwealth University	\$388,468	\$168,533	\$557,001	\$36,180	\$593,181	\$388,468	0%	\$168,533	0%	\$557,001	0%	\$36,180	0%	\$593,181	0.0%
Virginia Tech	\$869,882	\$436,357	\$1,306,239	\$829,081	\$2,135,320	\$869,882	0%	\$436,357	0%	\$1,306,239	0%	\$829,081	0%	\$2,135,320	0.0%
Southern Virginia Higher Education Center	\$29,050	\$0	\$29,050	\$0	\$29,050	\$29,050	0%	\$0	0%	\$29,050	0%	\$0	0%	\$29,050	0.0%
University of Mary Washington	\$90,483	\$36,130	\$116,613	\$11,985	\$128,598	\$90,483	0%	\$36,130	0%	\$116,613	0%	\$14,152	18%	\$130,765	1.7%
Total	\$2,854,707	\$1,423,234	\$4,277,941	\$1,988,246	\$6,266,186	\$2,860,507	0%	\$1,419,034	0%	\$4,269,541	0%	\$1,936,525	-3%	\$6,206,066	-1.0%

NOTES:

1. Based on information item amounts included in Chapter 879.

2. UVA's appropriations include \$136,800 in general funds and \$136,800 in nongeneral funds which are designated for the Nanotechnology Initiative and subsequently distributed to the participating institutions. The appropriation for the Nanotechnology Initiative was initially set at \$150,000 for general fund and \$150,000 in nongeneral fund. This appropriation was subsequently reduced by \$9,000 in both general and nongeneral fund for FY09 and \$13,200 in both general and nongeneral fund for FY10.

3. The National Science Foundation award for the Nanotechnology Initiative was \$600,000. The grant ran from February 1, 2006 – January 31, 2009.

4. From CGEP funds, the University of Virginia passes through to the Center for Advanced Engineering and Research (CAER) in Lynchburg \$125,418 annually for CGEP operations in that community.

**Commonwealth Graduate Engineering Program
Expenditures 2008-2009**

Table 2

CGEP Expenditures 2008 - 2009

	GMU		ODU		UVA		VCU		VT		SVHEC		UMW	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Personnel Services														
1121 Admin Faculty Salaries	0.5	\$56,300	2.0	\$156,669	7.4	\$644,711	1.3	\$155,423	0.5	\$72,964			0.1	\$10,769
1123 Classified Salaries	0.6	\$23,230	4.0	\$233,147	6.3	\$296,644	1.3	\$66,584	5.0	\$198,275	1.0	\$24,500	0.6	\$29,798
1126 Teaching and Research faculty	3.3	\$404,476				\$99,328	1.0	\$72,003	9.0	\$840,693				
1142 GTA Wages	1.5	\$60,000	2.0	\$60,133	2.0	\$80,742	6.0	\$75,000	2.0	\$49,353				
Other Personnel Services		\$0	3.0	\$61,962		\$30,457		\$0		\$42,141				\$1,786
Fringe Benefits		\$147,525		\$134,348		\$297,576		\$93,946		\$361,077				\$3,390
Total Personnel Services	5.9	\$691,531	11.0	\$646,259	15.7	\$1,449,458	9.6	\$462,956	16.5	\$1,564,503	1.0	\$24,500	0.7	\$45,743
Non Personnel Services														
1200 Contractual Services		\$875		\$4,738		\$419,970		\$28,890		\$447,129		\$2,500		\$66,575
1300 Supplies and Materials		\$300		\$76,895		\$3,411		\$4,013		\$6,500				\$600
1400 Transfer payments		\$0				\$1,296		\$90,648		\$58,888		\$2,050		\$15,680
2200 Equipment		\$10,000		\$34,903		\$40,401		\$6,673		\$58,300				
Total Non Personnel Services		\$11,175		\$116,536		\$465,078		\$130,224		\$570,817		\$4,550		\$82,855
TOTAL		\$702,706		\$762,795		\$1,914,536		\$593,180		\$2,135,320		\$29,050		\$128,598

**Commonwealth Graduate Engineering Program
Expenditure Plan 2009-2010**

Table 3

CGEP Expenditure Plan 2009 - 2010

	GMU		ODU		UVA		VCU		VT		SVHEC		UMW	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Personnel Services														
1121 Admin Faculty Salaries	0.5	\$55,000	2.0	\$156,669	7.4	\$644,711	1.3	\$155,423	0.5	\$72,964			0.2	\$21,538
1123 Classified Salaries	0.6	\$25,000	4.0	\$233,147	6.3	\$296,644	1.3	\$66,584	5.0	\$198,275	1.0	\$24,500	0.6	\$29,798
1126 Teaching and Research faculty	3.3	\$400,000				\$56,130	1.0	\$72,003	9.0	\$840,693				
1142 GTA Wages	1.5	\$60,000	2.0	\$60,133	2.0	\$108,538	6.0	\$75,000	2.0	\$49,353				
Other Personnel Services		\$0	3.0	\$61,962		\$38,795	0.0	\$0		\$42,141				\$3,868
Fringe Benefits		\$146,500		\$134,348		\$297,576		\$93,946		\$361,077				\$1,786
Total Personnel Services	5.9	\$686,500	11.0	\$646,259	15.7	\$1,442,394	9.6	\$462,956	16.5	\$1,564,503	1.0	\$24,500	0.8	\$56,990
Non Personnel Services														
1200 Contractual Services		\$1,200		\$4,738		\$363,875		\$28,890		\$447,129		\$2,500		\$72,575
1300 Supplies and Materials		\$30,000		\$76,895		\$20,986		\$4,013		\$6,500				\$1,200
1400 Transfer payments		\$0						\$90,648		\$58,888		\$2,050		
2200 Equipment		\$10,000		\$34,903				\$6,673		\$58,300				
Total Non Personnel Services		\$41,200		\$116,536		\$384,861		\$130,224		\$570,817		\$4,550		\$73,775
TOTAL		\$727,700		\$762,795		\$1,827,255		\$593,180		\$2,135,320		\$29,050		\$130,765

Enrollments

Enrollment trends for the past five years are depicted in Table 4 below. CGEP Universities are using a variety of delivery methods to meet the needs of our distance learners. CGEP has seen general stability in its course enrollments, with a decrease this year in overall student enrollment numbers caused primarily by a cohort transition at Old Dominion University, described further in the ODU section of this report, and additionally by a reduction in course offerings from UVA. Total enrollment in Internet courses, however, increased from 1,229 in 2007-08 to 1,419 in 2008-09.

The primary marketing efforts for CGEP continue to be carried out through our receive site coordinators and human resource directors of corporate and government entities, along with the individual university directors and administrative and technical staff. This is accomplished through open houses, industry college day presentations, videoconference open houses, and the state-wide web site: <http://cgep.virginia.gov>.

Enrollment Trends – Five Years

Table 4

	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>	<u>2008-09</u>
GMU	411	600	545	461	681
ODU	2,508	2,366	2,580	2,765	1,990
UVA	631	554	585	566	520
VT	2,105	2,190	2,387	2,776	2,630
VCU	<u>126</u>	<u>106</u>	<u>127</u>	<u>94</u>	<u>92</u>
TOTALS	5,781	5,816	6,224	6,662	5,913

2008-2009 Enrollments by Delivery Method

Table 5

	<u>IVC</u>	<u>CD- Rom</u>	<u>Internet- Based</u>	<u>Total Enrollments</u>
George Mason University	226	0	455	681
Old Dominion University	1,204	705	81	1,990
University of Virginia	520	0	0	520
Virginia Tech	1,747	0	883	2,630
Virginia Commonwealth University	<u>92</u>	<u>0</u>	<u>0</u>	<u>92</u>
TOTALS	3,789	705	1,419	5,913

University Reports

Each director provided a summary annual report and operating plan for their respective institution based upon the mission of each university. These reports will provide a detailed description of CGEP activities at the respective institution.



George Mason University

Sharon Caraballo - Director

Review of Academic Year 2008-2009

George Mason University (Mason) serves as a host institution for the Virginia Commonwealth Graduate Engineering Program (CGEP) at our Fairfax and Prince William campuses. In addition, Mason's Volgenau School of Information Technology and Engineering offers Masters degree programs in the following disciplines: Civil and Infrastructure Engineering, Computer Engineering, Computer Science, E-Commerce, Electrical Engineering, Information Security and Assurance, Information Systems, Operations Research, Software Engineering, Statistical Science, Systems Engineering, Telecommunications, and, new for 2008-09, Applied Information Technology. Mason also offers Ph.D. degrees in Computer Science, Electrical and Computer Engineering, Information Technology, and Statistical Science, as well as a post-Masters Engineer degree in Information Technology. Engineering courses broadcast by the University of Virginia (UVA), Virginia Tech (VT), and Old Dominion University (ODU), along with support courses broadcast by Virginia Commonwealth University (VCU), provide courses and degree programs not otherwise available in the region, and complement the existing programs at Mason. These offerings provide students a choice among several dozen graduate engineering degree programs. Students have the option of selecting a degree program from Mason, ODU, UVA, or VT, and may enroll in any of the graduate courses offered by these four universities.

CGEP Offerings

In 2008-09, the Volgenau School has made a commitment to significantly increase the number of courses and programs offered via distance learning, and most new courses are developed for Internet delivery. We continued to offer engineering courses in a distance-learning format. There are three separate activities: web-based distribution of courses from our M.S. program in Computer Science (the courses fulfill the requirements for a graduate certificate in Computer Networking, as well as the requirements for a M.S. degree in Computer Science); VTEL-based distribution of contract courses from various M.S. programs, significantly expanded from previous years; and one course per semester offered by our Electrical and Computer Engineering department as part of the CGEP-wide nanotechnology initiative.

Through this year, the nanotechnology courses have been broadcast via VTEL, but future nanotechnology offerings will be offered via the Internet. VTEL delivery has posed serious scheduling challenges. The VTEL equipment at other institutions is generally in use during normal evening class times, so the nanotechnology courses have been offered in daytime slots. This has made participation difficult for the working professional students targeted by CGEP as well as Mason's own on-campus students, who also are primarily working professional engineers, and enrollments have been consistently low. Web-based delivery will allow Mason to offer our courses during the evening hours which are convenient for Mason

students and CGEP students at other institutions as well.

In 2008-09, twelve Computer Science courses, three Software Engineering courses, eighteen Systems Engineering courses, three Civil and Infrastructure Engineering courses, three Electrical and Computer Engineering courses, and one Electrical and Computer Engineering/Nanotechnology course were broadcast.

Enrollments

There are two categories of students taking the web-based courses. One group is enrolled in a "net" section of the courses; these students use distance learning as their primary access. A second group only attends the class face-to-face, but may use the distance learning resources for studying and review (this is a popular choice). The enrollment figures in Tables 4 and 5 include the students in both groups. The figures also include students who enrolled in a computer science course in an asynchronous format during a semester the course was not being offered synchronously, using Web-based recordings of an earlier semester's lectures. Similarly, students enrolled in the nanotechnology courses are included in the enrollment figures regardless of delivery method. This year's distance learning enrollments are a record high for Mason, up nearly 50% from the previous year, reflecting our increased offerings.

Continuous Process Improvement Projects

The Volgenau School has now formed a school-wide distance education committee to coordinate distance learning efforts and ensure consistent high quality. As our distance learning efforts increase, it has become necessary to invest in a commercial platform for Internet broadcast of courses, as will be discussed further in the following section. After a successful pilot in the fall semester, the school has selected the Elluminate Live! platform. This software integrates with our Blackboard Campus Edition course management system and can be easily configured by faculty for use in any class.

Facilities and Support Structure

As reported previously, many of the courses from our M.S. programs are transmitted using existing facilities from the CGEP program. The technology is based on the VTEL system, the standard system currently used by the CGEP program. Most courses from our M.S. program in Computer Science were transmitted using a specially established distance-learning classroom. Funds from the CGEP program were used to purchase, install, and test equipment and software for this project.

As reported, technical support continues to be provided by Mason's central Electronic Classrooms office. The University's VTEL equipment has been reliable, and student satisfaction with the equipment is good.

The newly acquired Elluminate Live! system provides a new option for Internet course delivery. The system is externally hosted and supported by Elluminate. This allows us to provide technical support for all faculty and students 24 hours per day, 7 days per week. It also overcomes scalability issues with the system developed in-house. The external hosting means bandwidth is not a problem, and specially-equipped classrooms are not needed, eliminating room scheduling conflicts. The school has purchased additional tablet PCs and audio equipment to be used by faculty teaching with Elluminate.

CGEP Perspectives for AY 2008-09

During this year, Mason's Volgenau School of Information Technology and Engineering, under the leadership of Dean Lloyd Griffiths, has made a new commitment to expanding our distance learning offerings. Despite overall budget cuts, the school is strategically investing in distance learning, including course development efforts and supporting technologies. We anticipate adding several new web-based distance learning programs over the next few years, greatly increasing access to our programs for working professional engineers.



Old Dominion University

Linda Vahala – Director

Review of Academic Year 2008 - 2009

In the Hampton Roads eastern Virginia region, Old Dominion University (ODU) is the host institution for the Commonwealth Graduate Engineering Program (CGEP). CGEP regional offices and program staff are located in the Frank Batten College of Engineering and Technology at Old Dominion University. Doctoral and masters degrees are offered in Aerospace Engineering, Civil & Environmental Engineering, Electrical & Computer Engineering, Mechanical Engineering, System Engineering, Engineering Management and Modeling & Simulation. Engineering courses televised by the University of Virginia (UVA), Virginia Tech (VT), George Mason University (GMU) and Virginia Commonwealth University (VCU) either complement existing programs offered by ODU or provide additional masters programs in Chemical Engineering, Industrial Engineering/Operations Research, and Materials Science. Students have the option of selecting a degree program from one of the CGEP Universities while enrolling in any graduate course offered by CGEP.

Using a variety of technologies [including interactive standard and high definition video conferencing (H.320, H.321, & H.323), digital satellite and Internet video streaming (MPEG-4/H.264), desktop web/video conferencing, and podcasting], Old Dominion University distributes Masters level courses in Engineering Management, Modeling & Simulation, Civil Engineering and a number of other undergraduate and graduate distance learning programs (TELETECHNET). While many archived classes are available via video streaming, DVD, and podcasting, it is planned to have all courses available as online archive video streaming. Students taking synchronous video streaming courses use a newly designed interface that features chat capability between students, on-screen note taking that the student can then be e-mailed, and the capability of

sending questions/comments to the instructor during class-time.

In 1984, the Old Dominion University CGEP program began receiving and broadcasting telecourses statewide. ODU currently receives courses on campus, The Tri-cities Center in Portsmouth, and at the ODU Peninsula Higher Education Center as part of the TELETECHNET program distributed to University sites across the country. ODU offers a Masters of Engineering Program with an emphasis in Manufacturing & Design and a Master of Engineering with an emphasis in Experimental Methods. Both programs have grown and increased the offerings of Old Dominion University's Commonwealth Graduate Engineering Program.

Using CD ROMs, Old Dominion University, under contract with the U. S. Navy, provides a Master's in Engineering Management (ENMA) degree to officer graduates of the Navy's Nuclear Power School. The program has proven to be a success. Between both semesters of the current academic year ODU catered to 234 Navy officer enrollments in the program. A significant number of students living in Hampton Roads have completed their coursework by attending televised courses at local receive sites. Since 2001, the ENMA program has graduated 689 students. Projections for 2008-09 are for approximately 55 students to graduate. While Commonwealth funds were not utilized in this program, it has provided us the opportunity to broaden our enrollment as well as to provide some income for new partnerships and opportunities.

CGEP Offerings

Old Dominion University developed 3 new nanotechnology courses to be taught in the CGEP cluster. In Spring 2008, Dr. Sacharia Albin taught "Introduction to Nanomaterials: Synthesis, Properties and Applications", a

course dealing with the synthesis of various nanomaterials that have important electrical, optical and magnetic properties. Dr. A.A. Elmustafa taught a course in fall 2008 titled "Nanoscale Structural Mechanical Properties of Materials", which focused on the nanoscale structural and mechanical properties of metals, ceramics, and polymers. Also offered in fall 2008 was the course "Plasma Processing at the Nanoscale" by Dr. Hani Elsayed-Ali. The Modeling & Simulation program has developed 7 on-line courses and this year will develop 3 more on-line courses.

Degree Programs

- Broadcast: Engineering Management, Modeling and Simulation, Manufacturing and Design, Experimental Methods.
- CD ROM: Engineering Management
- Certificate Programs: Engineering Management, Project Management and Coastal Engineering.

Enrollments

From 2006 to 2008, ODU's CGEP enrollments increased due to expanded delivery methods. Typically, programs focus on a targeted cohort population. This year's change in enrollment was due to the transition from one target cohort population and beginning to focus on another target cohort population.

Facilities and Support Structure

ODU operates numerous broadcasts and receive classrooms at the main Norfolk campus. In addition, the University operates off-campus centers including the Peninsula Higher Education Center (in Hampton, Virginia), the Old Dominion University/Norfolk State University Higher Education Center (in Virginia Beach), the Norfolk State University/Old Dominion University Tri-Cities center (in Portsmouth), the Northern Virginia Higher Education Center as well as sites at Dahlgren and the Quantico Marine Base. In addition, ODU offers TELETECHNET sites in and outside of Virginia. The University of Virginia and Virginia Tech also operate a combined graduate center in Virginia Beach. Industry receive sites include NASA/Wallops Island and Fort Eustis.

CGEP Perspectives for AY 2008-2009

The Old Dominion University Commonwealth Graduate Engineering Program continues to be a vehicle for providing high quality distance learning engineering education to the Hampton Roads region and beyond. Old Dominion University will continue to emphasize Master's Degree offerings in the area of Design & Manufacturing and Experimental Methods, Engineering Management, Modeling & Simulation. All are proven areas of interest for professional engineers needing to continue their education. The ability to provide such education has been of benefit to the Eastern Virginia region as well as the Commonwealth of Virginia as a whole.



University of Virginia

James Groves - Director

Review of Academic Year 2008-2009

The University of Virginia continues to serve as a broadcast university within the CGEP network. As in recent years, UVA offered courses in its traditional CGEP disciplines: Mechanical Engineering, Materials Science & Engineering, Chemical Engineering, Civil Engineering (Structural), Systems Engineering, and Electrical Engineering. State budgeted monies for CGEP

supported the staff and infrastructure necessary to implement the various facets of the UVA program offerings. At UVA, CGEP resources are split almost equally between physical and personnel infrastructure support. Significant funds are invested in the videoconference facilities that allow UVA to bring in and to send out CGEP courses and in the staff to support those facilities. Other significant resources are

invested in the faculty and teaching assistants that represent the intellectual assets made available through CGEP. As in past years, the university continued forward with technology transitions and significant thought and “behind the scenes” effort was invested in that arena. UVA continues to be a participant in the CGEP course sharing for nanotechnology. In addition to courses broadcast by UVA, the university received a set of cross-listed courses from Virginia Tech. These courses were made available to on-grounds students, providing them a broader portfolio of course offerings. In the past, UVA has also received a statistics course from VCU as part of the CGEP course sharing. However, last year, the VCU statistics instructor retired, and that course was not available to UVA students this year. As a result of that change, UVA Professor Larry Richards is now in the process of developing his own statistics course for offering via the CGEP distance learning network. He has taught statistics regularly at UVA, and now he will make his course available more broadly through CGEP. That course will be offered to CGEP students for the first time in 2010-2011.

CGEP Offerings

This year, UVA offered a total of sixteen courses in the distance environment. That number of courses represents the core of the UVA program as offered for 25 years, and they represent several fewer offerings than in recent years. The change in the number of recent course offerings is the result of the phase-out of the Engineering Physics program as described in last year’s annual report. It is also related to the scaling back of the nanotechnology course sharing program as NSF support for course sharing came to an end in January 2009.

This year, UVA’s efforts in the nanotechnology course sharing arena were also hampered by two challenging developments. First, one of the instructors, who had previously developed a fully on-line nanotechnology course offering for CGEP, left the University of Virginia. Thus, that course was no longer available. Second, during the planning for the second offering of a team-taught nanotechnology course, certain administrative challenges associated with coordinating the instruction from the two participating schools prevented the course from being offered as originally planned during the fall of 2008. Despite these short term challenges, UVA remains committed to the nanotechnology

course sharing program. While it was not possible to offer either of these planned nanotechnology courses this year, UVA did invest significant effort and resources into figuring out how to make future nanotechnology course offerings available in a desktop-to-desktop instructional environment.

Enrollments

UVA’s CGEP activity was slight lower than last year. The enrollments reported here include both on-grounds and off-grounds students participating in UVA CGEP course offerings. The drop-off in enrollment numbers is the direct result of scaling back to the core of sixteen courses. In recent years as many as nineteen courses have been offered by UVA, and those three additional courses have previously generated additional enrollments. From the perspective of UVA, off-grounds enrollments will not increase substantially until the program successfully makes the transition to offering of courses in an on-line format. Such a format will greatly enhance course accessibility for working engineers.

Continuous Process Improvement Projects

The heart of UVA efforts for CGEP this year centered upon the need for a transition to desktop-to-desktop instruction. The program at UVA believes that this distributed learning format is the future of distance learning. To this end, the UVA CGEP Director has taken the lead in organizing an on-line instructional workshop for CGEP, now scheduled for June 4, 2009 in Richmond. That workshop will be an important next step towards realization of this new instructional format broadly within UVA’s CGEP course offerings.

Additionally, UVA’s CGEP program continued to support a part-time staff member for classroom operations. This individual made it possible for CGEP to bring in classes from other institutions, making those courses available to full-time UVA graduate students. The part-time staff member was responsible for setting up and putting away the mobile interactive video conferencing equipment purchased by UVA’s CGEP during 2007-2008. This was necessary whenever UVA brought in a distance course in both the fall and spring semesters.

Facilities and Support Structure

Using resources drawn partly from the CGEP nanotechnology course sharing program budget,

UVA's CGEP activity has begun to invest in the hardware and software infrastructure necessary to properly support course delivery from the computer desktop to the computer desktop. UVA feels that it is important to place tablet PC technology in the hands of faculty and teaching assistants so that they can teach and hold office hours in the desktop instructional environment. UVA has acquired such resources with nanotechnology dollars and is using such tools for the first time to pilot a nanotechnology course offering to corporate partner Micron. The course on solid state devices is scheduled for delivery to Micron employees during June 2009. Using resources drawn from other sources, outside of CGEP dollars, UVA is supporting this technology infrastructure investment with staff that can ensure a smooth course offering. The challenge

going forward is to put in place the sustained resources that can make this type of hardware, software, and staff solution possible across all CGEP course offerings originating at UVA.

CGEP Perspectives for AY 2008-09

UVA continues to take strides forward with its CGEP offerings. The program is now looking carefully at how to bring courses into the on-line environment. As noted in last year's report, it is anticipated that that transition will take several years. However, once complete, it could signal a significant, almost revolutionary change in the way UVA participates in CGEP. In particular, the shift to on-line course delivery will make it easier for UVA to market its CGEP offerings to students that are not located near existing CGEP receive sites.



Virginia Commonwealth University

Rosalyn Hobson – Director

Review Academic Year 2008-2009

The Virginia Commonwealth University (VCU) Commonwealth Graduate Engineering Program (CGEP) experienced a very good 2008-2009 academic year. The VCU CGEP Master of Science degree in Computer Science at the Naval Surface Warfare Center (NSWC) at Dahlgren Virginia continued as a strong distance learning program. NSWC is one of the largest employers of engineers and scientists in the Commonwealth of Virginia. The CGEP Computer Science program served 28 NSWC enrollments in 2008-09 (on-par with numbers from last year).

VCU has continued the expansion of its MS in Mechanical and Nuclear Engineering. VCU School of Engineering received State Council for Higher Education Approval for the official degree program in January 2009. It also started a second cohort of part-time students enrolled in the program. By taking one graduate course each semester the students can finish the MS in Mechanical and Nuclear Engineering degree

program in 3.5 years. Three new professors have joined the ranks to instruct these courses via digital video conferencing.

Virginia Commonwealth University received \$557,001 for FY 2008 in support of CGEP activities. The University, SoE, and NSWC Dahlgren continued an agreement whereby NSWC Dahlgren paid increased tuition for delivery of the Computer Science Program to their site at Dahlgren. This agreement, Entrepreneurial Program Tuition Agreement, (EPT) generated \$51,425 that was allocated by SoE to assist in funding the CGEP NSWC Dahlgren Computer Science Program.

State budgeted CGEP funds were utilized for both transmission and reception of CGEP courses. The transmission portion of the funds has been used in support of engineering, computer science, and nuclear engineering courses. These funds have been used to support the course instructor in the preparation and presentation of CGEP courses. In addition, CGEP funds were used to support six teaching

assistants to provide instructional support and aid with the courses, to provide course materials, and to record the courses for those enrollees who, because of circumstances beyond their control, could not attend a particular class session.

The remainder of these funds has been used in support of the received CGEP courses and to equip and/or upgrade CGEP classrooms. Classroom support included a VCU CGEP staff coordinator and graduate student assistants who monitor and supervise enrollments, room usage, and recording of courses for attendees who miss classes on various occasions. The actual disposition of funds between transmission and reception of courses may vary from year to year depending on the number of enrollees in the transmitted and received courses.

CGEP Offerings

VCU CGEP transmitted a total of ten courses in 2008-2009. This is a decrease from the number of courses transmitted the previous year by VCU CGEP. The Computer Science program continues to be the major contributor of CGEP courses at VCU, however the mechanical and nuclear program is slowly becoming a major contributor. A total of six courses were transmitted to NSWC Dahlgren during 2008-2009. These courses were transmitted via Interactive Video Conferencing (IVC). The remaining four courses were in support of the new MS in Mechanical and Nuclear Engineering.

Enrollments

The VCU NSWC Dahlgren Computer Science Program is completing its seventh full year of operation. This program continues to serve the NSWC need for graduate degree computer scientist. The program experienced decline in enrollment with 28 enrolled as compared to 2007-2008 with 54 enrolled. The decrease in enrollment is attributed to diminished demand as the number of NSWC employees completing the M.S. in Computer Science reduces the pool of potential NSWC employee applicants. Of course, staff turnover and growth will increase the applicant pool. Further, the cooperative effort of the NSWC Dahlgren staff and the Computer Science faculty to increase Dahlgren employee awareness of the program will also increase the applicant pool. VCU CGEP expects its Computer Science program and its total enrollment to increase as the VCU CGEP based thesis and non-thesis M.S. degree in

Engineering program expands into the business/industry sector.

Enrollment in VCU CGEP originated courses was 79 for 2008-2009. The total received and transmitted course enrollment was comparable to last year, 92 enrolled this year as compared to 94 enrolled last year.

VCU SoE participated in cross-listing courses with other CGEP schools. Four courses were cross-listed as VCU courses with a total VCU enrollment of ten students; three additional CGEP courses were offered for CGEP graduate students.

Continuous Process Improvement Projects

VCU CGEP continues to review its procedures, equipment, and support structure for areas that can be improved. A number of equipment upgrades have been made based on input from faculty and support staff. Feedback from students has resulted in changes to improve instruction.

VCU CGEP anticipates significant opportunities for expanded distance learning activity. First year enrollment in the nuclear engineering concentration exceeded 20 students. The second cohort has a comparable number of students. At least one-third of these students are receiving instruction via distance technology. Further, VCU SoE sees a growing need for MS level graduate coursework in the Richmond area business, industry, and government community. Typically these employers and employees prefer access to this coursework at their work site. This need can best be met through courses delivered via distance learning.

Facilities and Support Structure

Virginia Commonwealth University maintains numerous facilities in support of the Commonwealth Graduate Engineering Program for both transmission and reception of CGEP courses. A modern and complete distance learning room is available in the VCU School of Business. In addition, a distance learning room is available on the VCU Medical Campus in the Tompkins McCaw Library. A large conference room (15 students) in the SoE building is equipped with a Polycom two-way audio/two-way video multimedia system. Internet or ISDN connections are available with this system. Two much larger SoE building rooms (40 students) are also equipped with a dual-channel system. A

third room is being prepared to accommodate the mobile unit on an as needed basis.

VCU CGEP has moved most distance classes to the distance technology equipped classrooms in the SoE building. It is still necessary to utilize one of the Cabell distance classrooms at high traffic times. It is also possible to port the received and transmitted courses at the above noted sites to dozens of other VCU sites (on both the Monroe Park and Medical Campuses) via a closed circuit network. Over 50 classrooms and auditoriums have such capabilities at VCU. In addition, the Virginia Biotechnology Research Park operates a classroom, which can be outfitted for distance learning. Given our strong relationship with the Biotech Park (VCU is one of its three supporting elements); this added facility might serve the addition of biotechnology related courses to the CGEP mix in the coming years.

CGEP Perspectives for Academic Year 2008-09
The computer science courses will be offered to NSWC Dahlgren in the fall, spring, and summer semesters. The new MS in Mechanical and Nuclear Engineering shows great promise and should grow as the workforce demands in the energy sector increase. VCU is a significant participant in course cross listing within CGEP. The transmission and reception of graduate engineering courses as a member institution of CGEP is a high priority for VCU CGEP.

The VCU Engineering faculty interact with business/industry/government partners on a continual basis in collaborative research, collaborative teaching, and through professional organizations. Business/industry/government leaders provide additional input on our degree granting programs through their service on our Industrial Advisory Boards (IAB's) for each of our degree granting programs: Biomedical Engineering, Chemical and Life Science Engineering, Electrical and Computer Engineering, Mechanical and Nuclear Engineering, and Computer Science. Through our business/industry/government partners and increased marketing efforts, we see a potentially significant market for the thesis and non-thesis M.S. in Engineering degree via IVC in the Richmond and surrounding areas. The nuclear engineering program developed and offered in partnership with Dominion Virginia Power is an example. VCU plans to offer an additional 2 to 4 graduate engineering courses for the coming two years.

VCU CGEP invested \$36,180 SoE funds in support of the 2008-2009 CGEP programs this is a decrease in funding from the previous year. It is anticipated that a similar amount would be invested in 2009-2010. This is based on the assumption that the NSWC Dahlgren program and the EPT continue at or above the current level of enrollment.



Virginia Tech

Glenda Scales – Director

Review of Academic Year 2008-2009
Virginia Tech continues to provide leadership for CGEP as a host institution. Our major achievements continue to reside in the areas of increasing faculty recognition, improving our distance learning student community and upgrading our instructional technology.

Faculty Recognition & Support
Each year it is important for the college to highlight superb faculty teaching distance learning courses. Dr. Leigh McCue, an assistant

professor in the Aerospace and Ocean Engineering (AOE) department, teaches graduate distance learning courses in ship dynamics and a new undergraduate, senior level technical elective distance learning course in dynamics of high-speed marine craft, beginning spring 2009. These courses have enriched and expanded her classroom experience. She also provides distance learning opportunities at Dahlgren's Naval Surface Warfare



Center and holds on-site office hours. Dr. McCue's teaching and research interests include naval architecture, ship dynamics and advanced ship dynamics.

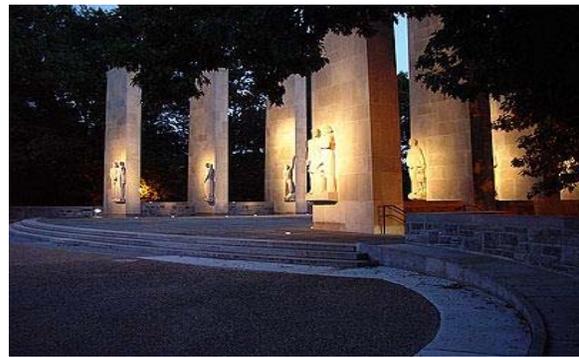
In leading both traditional in-class instruction and distance learning courses during her four years at Virginia Tech, Dr. McCue believes various instructional technologies allow her to reach beyond the classrooms on the Blacksburg campus.

Dr. McCue manages these instructional opportunities by incorporating twenty-first century technology like Centra, an online learning environment and DyKnow, a software tool that enables digital inking for incorporating interactive presenting and note taking into her teaching. She uses Centra to teach synchronous online courses. This software also allows Dr. McCue to record each class and archive the file for working professionals to access at their convenience. By incorporating tablet PC's and DyKnow combined with Centra in her distance learning classes, Dr. McCue is able to reach a broader set of students and increase their participation in the learning process.

The AOE department is currently experimenting with various distance learning course delivery methods thanks in part to Dr. McCue's efforts. Faculty members are exploring blended synchronous-asynchronous instruction using the technologies described above. Camtasia is



another tool currently used by the department to allow professors to record and archive both the audio and tablet inking created during class. In addition to Dr. McCue being a superb teacher, she is an excellent researcher who has won two highly competitive grants. She received the Early Career Development Program Award



(CAREER) as well as the Young Investigator Program Award from the Office of Naval Research. Both are among the nation's most prestigious grants awarded to creative young researchers who have the potential to become leaders in their fields.

Continuous Process Improvement

Given competing work and home demands placed upon working professionals, there is a need for transitioning the CGEP graduate degree programs to a more flexible course delivery format.

The Aerospace & Ocean Engineering (AOE) department has been one of the forerunners in creating and offering online graduate courses and continues to offer courses online, with 11 courses offered in the spring 2009 semester. The faculty and instructors are motivated to explore the various possibilities of teaching using mixed delivery formats like asynchronous teaching and live interaction through Centra. Faculties are experimenting with podcasting as well as electronic grading using the tablet PCs.

Enrollments

Virginia Tech continues to provide consistent enrollments and course offerings in support of the engineering distance learning programs.

Enrollment Review

Academic Years	Enrollment Trend
2002-2003	1497
2003-2004	2345
2004-2005	2105
2005-2006	2190
2006-2007	2387
2007-2008	2776
2008-2009	2630

Even with the slight decrease of approximately 5% in the overall number of 2008-2009 enrollments, which is potentially related to the economic slowdown, Virginia Tech still managed to provide several new distance learning course offerings.

Facilities and Support Structure

Virginia Tech continues to invest in a state-wide infrastructure to support interactive video conferencing. The Video Broadcast Services (VBS) organization at Virginia Tech provides technical leadership for this project and continues to work collaboratively with a Communication Network Services (CNS) partner department to identify and address infrastructure and Quality of Service (QoS) issues.

VBS continues to maintain and operate Virginia Tech's thirty-two Interactive Video Conference (IVC) classrooms throughout the Commonwealth and the Video Network

Operation Center in Research Building XIV located in Blacksburg, Virginia.

CGEP Perspectives for AY 2008-2009

Despite steady or declining resources, Virginia Tech has leveraged internal resources and continues to provide a quality graduate education program to students located in the Commonwealth.

Virginia Tech will continue to work closely with the partner institutions to offer nanotechnology courses as funding allows. We look forward to an exciting year as we work toward providing strategic learning opportunities for our learners.



Center for Advanced Engineering & Research

Nick Soukhanov – Program Director

The Center for Advanced Engineering (CAE), operating at Central Virginia Community College in Lynchburg since 1986, has merged with the Center for Advanced Engineering and Research (CAER) to continue offering local students graduate-level engineering and technical courses through the Commonwealth Graduate Engineering Program (CGEP) from Virginia Tech, the University of Virginia, Old Dominion University, George Mason University and Virginia Commonwealth University.

“This merger benefits the region in that it centralizes the local access to university and federal research programs,” said Bob Bailey, CAER Executive Director. “By graduating more engineering students at a local level, our existing businesses can grow their knowledge base and remain competitive into the future.”

The Center for Advanced Engineering and Research is a Region 2000 Partnership initiative to develop an industry-focused research and development center that drives innovative products and processes by providing local access to university and federal research and inventions.

- Interest in the Commonwealth Graduate Engineering Program is growing at the Lynchburg receiving site on the CVCC campus.

- Forty six (46) registrations in twenty nine (courses) for the fall 2007 and spring 2008 semesters occurred.
- Two degrees were awarded in the spring of 2007.
- One degree was awarded in the fall of 2007
- Two more degrees are expected to be awarded in the spring of 2008
- Total number of Masters Degrees awarded to Lynchburg students since the beginning of CGEP will be 128 in May 2008.
- Mechanical engineering courses from VT were expanded with two nuclear engineering stem courses.
- The Lynchburg receiving site is also serving as a transmitting site on selected occasions.
- Center for Advanced Engineering and Research in partnership with the Region 2000 Economic Development Council has launched a major initiative extending professional development opportunities to the region’s expanding diverse technical community. Levels of corporate interest and commitment to educational programs are on the increase.
- Engineering employment continues to grow at an impressive rate with heavy emphasis in nuclear power design and wireless technology development.



The Southern Virginia Higher Education Center

Hope Harris Gayles – Career Counselor & Program Coordinator

The Southern Virginia Higher Education Center (SVHEC) has been an active participant in the Commonwealth Graduate Engineering Program (CGEP) since March 1986. At that time, the Center was known as the Halifax County-South Boston Continuing Education Center. In 1989, Longwood University became the parent fiscal agency of the Center. Under Longwood's guidance the Center grew and in 2001 moved into a newly renovated facility with state-of-the-art technology and greatly expanded office and classroom space. With the move came the name change to The Southern Virginia Higher Education Center (SVHEC)—a change designed to be more inclusive of the many Virginia colleges and universities that provide programs through the Center.

The 2005 Virginia General Assembly passed legislation making the SVHEC an independent state agency. This bill was signed into law by Governor Mark Warner in April and the change went into effect July 1, 2005. The mission of the SVHEC continues to be providing high quality, accessible, affordable educational programs, of all levels, to the citizens of Southern Virginia. Were it not for the SVHEC, many doors of higher learning, especially the CGEP, would be closed to those in the region.

The SVHEC provides six classrooms for use by the CGEP. Classrooms are equipped with audio/visual equipment, wireless internet access, interactive video equipment, document cameras, and scanners. In addition to its use by the CGEP, the interactive video equipment helps support the Virginia Tech Water Quality professional development videoconferences. The Center has steady enrollment in these professional development videoconferences. Without their availability at the SVHEC, access would be severely limited to professionals in Southern Virginia.

The SVHEC continues to use a combination of telemarketing, direct mailings, industry visits, paid advertising, and open houses to promote the program. There is a general information bulletin describing all SVHEC programs that is available to business and industry. CGEP is featured in all SVHEC programs marketing. Another example of the Center's marketing techniques is the annual ad placed Halifax County Chamber of Commerce's Directory. This directory is widely distributed to business, industry, and those new to the county. The Center participates in the University of Virginia CGEP Video Open Houses, and provides targeted marketing for this event. The SVHEC's Communications Manager continue to make CGEP a priority.

The Center believes the low enrollment numbers in the CGEP program reflects the low number of bachelor degree holders in Southern Virginia. According to the 2000 U.S. Census, fewer than 10 percent of residents held a bachelor's degree. Compounding this problem is the lack of opportunities in the region for residents to complete a science, math, engineering, or technology (STEM) bachelor's degree program. The SVHEC is a proud supporter, advocate, and partner in the PRODUCED in Virginia program. The University of Virginia, the Institute for Advanced Learning and Research, and Danville Community College are working together to create engineering pathways from the associate's and bachelor's level through the master's degree program. The PRODUCED in Virginia program promises to increase the qualified pool of engineers coming from and working in Southern Virginia. On March 23rd the SVHEC held a Produced in Virginia open house to promote this initiative. A number of people were in attendance and expressed interest in the

program. Another open house is planned for this summer.

The SVHEC continues to move forward on its Innovation Center initiative. Once completed, the Innovation Center will house the Product Design and Development academic program and a Research & Development Center for Advanced Manufacturing Technology and Energy Efficiencies. This program and the R&D Center will place a heavy emphasis on engineering. We foresee the Innovation Center as an attractor of not only Product Design & Development students, but also engineering. Our

collaborations with business and industry will also drive the need for highly-skilled engineers. The CGEP program will be a strong part of this future.

The innovative educational programs at the SVHEC and, indeed, throughout the region, coupled with the economic development budding in Southern Virginia promises innumerable benefits for its citizens. The SVHEC continues to lead the charge in transforming the region through education, and in laying the foundation that will provide the region with a large, qualified pool of future CGEP students.



University of Mary Washington

Lynn Hamilton – Technology Academy Director

The Commonwealth Graduate Engineering Program (CGEP) at the University of Mary Washington, College of Graduate, and Professional Studies (CGPS) provides two distance education classrooms seating between six and twelve students. Classrooms are equipped with a color monitors and IP Based interactive video equipment.

Each semester, the University of Virginia offers a Video Open House Information Session and the CGPS Director provides admissions support for students attending this event.

Administrative support for the students during the semester is provided by the Center for Professional Development Director. This includes proctoring exams, distributing course information and collecting and returning homework, quizzes and exams. Most students view missed classes via streaming at home, work, or in a CGPS computer lab. CGPS also provides library and computer support as required.

CGEP coursework completed online is returned directly to the student via the Internet. The evening technicians also provide connection

setup and technical troubleshooting services when needed.

The number of students registering to take classes at CGPS during the AY 2008-2009 was 13. In AY 2007-2008, 8 students participated in viewing courses at CGPS. This represents a 63 percent increase in participation by Fredericksburg area residents over the past year.

<u>Academic Year</u>	<u>Students Enrolled</u>
2008-2009	13
2007-2008	8
2006-2007	19
2005-2006	16
2004-2005	30
2003-2004	19
2002-2003	9
2001-2002	20
2000-2001	21
1999-2000	31
1998-1999	34
1997-1998	96
1996-1997	88
1995-1996	131

State Council of Higher Education for Virginia Agenda Item

Item: #5.g - Action on 2009-10 Virginia Tuition Assistance Grant Program

Date of Meeting: May 12, 2009

Presenter: Lee Andes, Assistant Director for Finance Aid
LeeAndes@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date: 09/09/2008

Action: Recommended maximum annual awards of \$3,500 for FY2009 and \$3,700 for FY2010.

Background Information/Summary of Major Elements:

The Virginia Tuition Assistance Grant (VTAG) Program was established in 1973 to make private colleges in Virginia a more affordable option for Virginia residents and thus increase the level of student choice and access in higher education. As of FY2009, 31 institutions participate in the program. VTAG will provide nearly \$60 million of assistance to over 21,000 students in FY2010.

Due to recent state-wide budget difficulties, the graduate awards for VTAG received considerable attention during the 2009 session of the General Assembly. The final 2009 Appropriation Act, Chapter 780, states the following:

10. The Tuition Assistance Grant Program is reduced by \$1,300,000 from the general fund the second year to begin a phase-out of the awards for all graduate students except those in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine. Beginning July 1, 2009, no new awards shall be provided to new graduate students except in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine.

The National Center for Educational Statistics (NCES) provides the Classification of Instructional Programs (CIP) to “provide a taxonomic scheme that will support the accurate tracking, assessment, and reporting of fields of study and program completions activity.”

The 51 CIP code series is listed as “HEALTH PROFESSIONS AND RELATED CLINICAL SCIENCES.” Since this series tracks very closely with the new VTAG restrictions, defining graduate programs that will continue to be eligible for VTAG as the 51 CIP code series has been affirmed by legislative staff members and the CICV. Legislative staff also affirms that students from these programs were in mind as VTAG funding decisions were made, so no other health-related graduate programs are funded at this time. The 51 CIP code includes the following programs (though not all of the programs have VTAG-eligible students enrolled):

EVMS	MPA	Physician Assistant	51.0912
EVMS	MD	Medical Doctor	51.1201
EVMS	MPH	Public Health	51.2201
EVMS	MS	Art Therapy	51.2301
George Washington U.	MA	Art Therapy	51.2301
Hampton U.	MA/MS	Communicative Sciences & Disorders	51.0203
Hampton U.	PhD	Doctor of Philosophy in Nursing	51.1601
Hampton U.	MS	Nursing	51.1601
Hampton U.	MS	Nursing	51.1603
Hampton U.	MS	Nursing	51.1611
Hampton U.	PHARMD	Pharmacy	51.2001
Hampton U.	DPT	Doctor of Physical Therapy	51.2308
Hampton U.	MA	Physical Therapy	51.2308
Hampton U.	MS	Nutrition	51.3101
Jeff Clg Health Sc.	MS	Physician Assistant	51.0912
Jeff Clg Health Sc.	MS	Nursing	51.1608
Jeff Clg Health Sc.	MS	Occupational Therapist	51.2306
Liberty U.	MSN	Nursing	51.1601
Lynchburg C.	MED	Community Counseling	51.1504
Marymount U.	MS	Health Care Management	51.0701
Marymount U.	MSN	Nursing: RN to MSN	51.1601
Marymount U.	MSN	Nursing and Health Admin.	51.1602
Marymount U.	PBC	Family Nurse Practitioner	51.1605
Marymount U.	MSN	Family Nurse Practitioner	51.1605
Marymount U.	MSN	Nursing Education & Critical Care	51.1617
Marymount U.	MS	Health Promotion Management	51.2207
Marymount U.	DPT	Physical Therapy	51.2308
Marymount U.	MSPT	Physical Therapy	51.2308
Shenandoah U.	MS	Physician Assistant	51.0912
Shenandoah U.	MS	Athletic Training	51.0913
Shenandoah U.	MSN	Nursing	51.1699
Shenandoah U.	DNP	Nursing Practice	51.1699
Shenandoah U.	PHARMD	Pharmacy	51.2001
Shenandoah U.	MMT	Music Therapy	51.2305
Shenandoah U.	MS	Occupational Therapy	51.2306
Shenandoah U.	MPT/DPT	Physical Therapy	51.2308
Shenandoah U.	DPT	Physical Therapy	51.2308

Programs in the 51 series CIP code combine to represent 670 of the over 2,000 graduate students receiving VTAG in 2008-09. The remaining programs, representing approximately 1,400 students, are being phased-out of VTAG eligibility. These students will continue to be funded in 2009-10 and beyond as long as they continue to be annually enrolled and eligible for VTAG until such time as they complete their degree or reach the maximum number of years permitted to receive VTAG at the graduate level.

Adjusting the projected number of eligible 2009-10 students based upon updated 2008-09 data, the new requirements for graduate VTAG and using historical trends, the projected number of VTAG-eligible students for fall 2009 is revised down to 21,590. Note that the \$1.3 million reduction in funding will reduce VTAG to a total of \$58,031,933 and require a reduction to the over all maximum VTAG awards for 2009-10. Based on current funding levels, staff has calculated that there is sufficient to support for maximum undergraduate awards of \$3,000 and maximum graduate awards of \$1,300 for FY2009-10.

Materials Provided:

None

Financial Impact:

Adjustment to the Maximum VTAG Award

Timetable for Further Review/Action:

A final recommendation is needed by this meeting in order to meet appropriate deadlines.

Resolution:

BE IT RESOLVED that the State Council of Higher Education for Virginia recommends defining “health related professional programs” eligible for the Tuition Assistance Grant program as being those graduate programs falling under the 51 CIP Code series according to the National Center for Educational Statistics.

BE IT FURTHER RESOLVED that the maximum VTAG awards for 2009-10 be \$3,000 for undergraduate students and \$1,300 for graduate students.

State Council of Higher Education for Virginia
Agenda Item

Item: #5.h. – Action on Resolution Acknowledging Council Member

Date of Meeting: May 12, 2009

Committee Liaison: Daniel LaVista
DaniellaVista@schev.edu

Most Recent Review/Action:

- No previous Council review/action
 Previous review/action

Date:

Action:

Background Information/Summary of Major Elements:

Margaret Lewis' appointment expires on 6/30/09. Because this will be her last Council meeting, the Council wishes to recognize her years of service.

Materials Provided:

- Resolution thanking Margaret Lewis for her service on the Council.

Financial Impact: N/A

Timetable for Further Review/Action: Staff will frame the resolution and send it to Ms. Lewis.

Resolution: See attached.

Margaret Lewis

WHEREAS, Margaret Lewis ably served as a member of the State Council of Higher Education for Virginia from 2004 to 2009; and

WHEREAS, Ms. Lewis served as a distinguished member of the Council's Academic Affairs Committee; and

WHEREAS, Ms. Lewis' common sense leadership and medical expertise served the Council well in making public policy and budget recommendations to the Governor and General Assembly; and

WHEREAS, Ms. Lewis effectively worked to enhance an already robust and vigorous higher education system by recognizing and appreciating the distinctive missions of each public and private college and university in Virginia, while also striving to bring them together to address common systemwide challenges; and

WHEREAS, Ms. Lewis consistently displayed a thoughtful approach as well as a deep and caring concern in her advocacy for making Virginia's outstanding system of public and private colleges and universities even better; and

WHEREAS, she will continue to work to ensure that Virginia is advanced through higher education and will serve as a valued and knowledgeable advisor to the Council as it continues its important work; now therefore be it

RESOLVED, that the State Council of Higher Education for Virginia extends its sincere gratitude and appreciation to **Margaret G. Lewis** for her commitment, distinguished service, and many contributions to advancing Virginia through higher education, and extends to her best wishes for continued success in all future endeavors.

Whittington W. Clement
Chairman

Daniel J. LaVista
Executive Director

*--Approved this 12th day of May, 2009
State Council of Higher Education for Virginia*

State Council of Higher Education for Virginia
Agenda Item

Item: #7 – Items Delegated to Staff

Date of Meeting: May 12, 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:

- Change CIP Code for Program:
 - George Mason University
- Closing Off-campus Instructional Sites:
 - George Mason University
 - Old Dominion University
- Eminent Scholars Allocation for 2009-10

Financial Impact: N/A

Timetable for Further Review/Action: N/A

Resolution: N/A

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	Change the CIP Code of the Master of Science degree program in Information Security and Assurance from 11.0401 to 11.1003.	Spring 2009

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 reported to staff:

Organizational Changes / Off-campus Instructional Sites March-April 2009

Institution	Change / Site	Effective Date
George Mason University	Close the Ras Al Khaimah campus in United Arab Emirates	May 25, 2009
Old Dominion University	Close the Northern Virginia Higher Education Center, 21335 Signal Hill Plaza, Suite 309, Sterling, VA	May 29, 2009

Eminent Scholars

The General Assembly established the Eminent Scholars program in 1964. Under this program, faculty may receive special salary supplements funded from endowment income and matching general fund appropriations. The supplements are intended to be incremental to the regular annual salary of the faculty member and are not to be used in lieu of base salaries.

The Governor's 2009 budget proposal (introduced budget) would have eliminated all funding for the Eminent Scholars program; however, the Budget Conference Committee restored two-thirds of the funding. The total allocation for 2009-10 will be \$4,017,644.

**State Council of Higher Education for Virginia
Eminent Scholars Program**

Institutions	2008-09 Allocation			2009-10 Allocation		
	2008-09 Request	2008-09 Allocation	2008-09 Allocation As Percent Of Request	2009-10 Request	2009-10 Allocation	2009-10 Allocation As Percent Of Request
Christopher Newport University	\$23,215	\$3,341	14%	\$6,500	2,227	34%
College of William and Mary	\$3,205,000	\$1,271,933	40%	\$1,324,930	797,078	60%
Virginia Institute of Marine Science	N/A	N/A	N/A	\$77,302	50,877	66%
George Mason University	\$1,352,180	\$518,214	38%	\$750,000	345,476	46%
James Madison University	\$98,800	\$29,629	30%	\$44,750	19,753	44%
Longwood University	\$46,462	\$7,963	17%	\$28,020	5,309	19%
Norfolk State University	\$31,189	\$28,789	92%	\$30,229	19,193	63%
Old Dominion University	\$385,789	\$274,055	71%	\$360,598	182,703	51%
Radford University	\$44,585	\$42,782	96%	\$44,565	28,522	64%
University of Mary Washington	\$52,988	\$52,953	100%	\$53,075	35,302	67%
University of Virginia	\$23,031,106	\$2,816,247	12%	\$12,235,000	1,877,497	15%
University of Virginia at Wise	\$2,282	\$2,191	96%	\$2,191	1,460	67%
VA Commonwealth University	\$1,324,000	\$346,793	26%	\$1,593,965	231,196	15%
Virginia Military Institute	\$100,000	\$18,353	18%	\$100,000	12,236	12%
Virginia State University	\$38,030	\$30,573	80%	\$38,030	20,382	54%
Virginia Tech	\$2,247,305	\$577,780	26%	\$2,345,146	385,187	16%
VCCS	\$104,571	\$4,870	5%	\$105,818	3,246	3%
Total	\$32,087,502	\$6,026,466	19%	\$19,140,119	\$4,017,644	21%