



# Agenda Book

## January 11, 2022

Location:

J. Sargeant Reynolds Community College and Workforce  
Development Center



## January 11, 2022, Council Meetings Agendas

J. Sargeant Reynolds Community College

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<b><u>NEXT MEETING:</u></b> March 21-22 Longwood University			

\*Use of courtesy titles is based on the expressed preference of the individual

SCHEV values honesty, quality, diversity, inclusion, growth-orientation, personal well-being, equity, transparency and accountability. Through these values, we create a welcoming work environment that represents the best of who we are as an agency and as individuals.

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA  
COUNCIL EDUCATIONAL SESSION  
OCTOBER 25  
DRAFT MINUTES**

Ms. Connelly called the meeting to order at 1:30 p.m. in the Workforce Development Conference Center Gallery, J. Sargeant Reynolds Community College, Richmond, Virginia. Council members present: Ken Ampy, Alex Arriaga, Marge Connelly, John Broderick, Victoria Harker, Henry Light, Jennie O'Holleran, Alvin J. Schexnider, Jeff Smith and Katharine Webb.

Council members absent: Mirza Baig and Stephen Moret.

Staff members present: Peter Blake, Ashley Lockhart, Laura Osberger, Paula Robinson and Kristin Whelan.

Others present: Ramona Taylor from the Office of the Attorney General

**COUNCIL MEMBER DEI TRAINING WITH VELEKA GATLING, DIRECTOR OF DIVERSITY INITIATIVES, OLD DOMINION UNIVERSITY**

Ms. Connelly thanked the Council members for attending the education session and introduced Paula Robinson. Ms. Robinson introduced Veleka Gatling to lead the training.

Dr. Gatling introduced herself to the group and provided described how she began her journey with inclusion training. She led the group through a slide presentation and workshop exercises.

**MOTION TO ADJOURN**

The Chair adjourned the meeting at 2:45 p.m.

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Katharine Webb  
Council Secretary

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Kristin Whelan  
Interim Director, Executive & Board Affairs

# State Council of Higher Education for Virginia Agenda Item

**Item:** #I.C. - Education Session– Overview of Students with Disabilities in Higher Education

**Date of Meeting:** January 11, 2022

**Presenter:** Ms. Ashley Lockhart  
Associate for Academic Initiatives

Mr. Tod Massa  
Director, Policy Analytics

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:**

**Action:**

**Purpose of Agenda Item:** The purpose of this agenda item is to provide Council with an update of Staff activities regarding access to and persistence in higher education for students with disabilities in the Commonwealth of Virginia.

**Background Information/Summary of Major Elements:**

The staff presentation will review SCHEV's prior research on students with disabilities at Virginia's institutions of higher education, its current plans for data collection, and their intersection with SCHEV's current strategic priorities.

**Materials Provided:**

- A PowerPoint presentation will be provided.
- *Examination of Access to Postsecondary Education for Students with Disabilities in Virginia* (2017)

**Financial Impact:** N/A

**Timetable for Further Review:** N/A

**Relationship to Goals of The Virginia Plan for Higher Education:** The assessment related work of the Academic Affairs Committee supports the following goals of *Pathways to Opportunity: The Virginia Plan for Higher Education*:

- Cultivate affordable postsecondary education pathways for traditional, non-traditional and returning students.
- Foster program and administrative innovations that enhance quality, promote collaboration and improve efficiency.

- Improve the alignment between post-secondary academic programs and labor market outcomes.

**Resolution:** N/A

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA  
ACADEMIC AFFAIRS COMMITTEE  
October 25, 2021  
DRAFT MINUTES**

Mr. Light called the meeting to order at 3:14 p.m., at J. Sargeant Reynolds Community College and Workforce Development Center. Committee members present: Henry Light, Chair; Alexandra Arriaga, Vice Chair; Ken Ampy, Jennie O'Holleran, Alvin Schexnider, and Jeffery Smith

Committee members absent: None.

Staff members present: Joseph G. DeFilippo, Jodi Fisler, Sandra Freeman, Ashley Lockhart, Monica Osei, Beverly Rebar, and Emily Salmon.

Mr. Light introduced and invited staff to present information on the following topics:

**APPROVAL OF MINUTES FROM THE SEPTEMBER 13 ACADEMIC AFFAIRS COMMITTEE MEETING**

On motion by Mr. Ampy, seconded by Ms. Arriaga, the minutes from the September 13, 2021, Academic Affairs Committee meeting were unanimously approved.

**ACTION ON PRIVATE POSTSECONDARY PROVISIONAL INSTITUTIONAL CERTIFICATION**

Dr. DeFilippo introduced the provisional institutional certification for Clover University. He described the certification, the process, and its limitations. He explained that staff has reviewed the application and deemed it justifiable for provisional certification.

On motion by Mr. Ampy, seconded by Dr. Schexnider, the following resolution was approved unanimously to be forwarded to the full Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia provisionally certifies Clover University to operate a degree-granting postsecondary institution within the Commonwealth of Virginia, effective immediately for a period of one (1) year, in accordance with the conditions enumerated below:**

- 1. that, during the period of provisional certification, Clover University shall be allowed to advertise and receive student applications, but not actually enroll or instruct students;**
- 2. that, during the period of provisional certification, Clover University shall be allowed to recruit and hire faculty and staff;**
- 3. that, during the period of provisional certification, Clover University may not collect tuition from prospective students, though it may collect initial non-refundable fees of no more than \$100, as per 8VAC40-31-130(E) of the Virginia Administrative Code;**

4. that, during the period of provisional certification, all publicity, advertisement, and promotional material must include a statement that the school is provisionally certified to operate in Virginia by SCHEV;
5. that, prior to the expiration of the period of provisional certification, SCHEV staff shall conduct a final review of faculty and administrator credentials hired during the provisional certification period;
6. that, prior to the expiration of the period of provisional certification, SCHEV staff (or an assigned expert) shall conduct a review of Clover University's online platform and content as a condition to authorizing the school to offer distance education;
7. that, prior to the expiration of the period of provisional certification, Clover University shall satisfy a site review conducted by SCHEV staff demonstrating that the facility conforms to federal, state, and local building codes and that it is equipped with classrooms, instructional and resource facilities, and laboratories adequate for the size of the faculty and student body and adequate to support the educational programs to be offered by the school;
8. that, prior to the expiration of the period of provisional certification, Clover University shall submit a surety instrument in an amount adequate to provide refunds to students in the event of school closure during the first year of operation; and
9. that Clover University's provisional certification shall lapse if conditions 5-8 are not fulfilled prior to October 26, 2022.

**BE IT FURTHER RESOLVED** that Council delegates to the SCHEV Director authority to confer full certification on Clover University upon his determination, at a point in time prior to October 26, 2022, that Clover University has satisfied all Virginia Administrative Code requirements, including, but not limited to, conditions specifically enumerated above.

#### **DISCUSSION OF STUDENT LEARNING ASSESSMENT AND THE CIVIC LEARNING AND DEMOCRACY ENGAGEMENT (CLDE) INITIATIVE**

Mr. Light introduced Dr. Fisler to present on student learning assessment and the Civic Learning and Democracy Engagement Initiative. Dr. Fisler defined assessment and described the SCHEV policy and its history. She explained that SCHEV's approach balances the need for institutional autonomy within the assessment framework.

Dr. Fisler then introduced the Civic Learning & Democracy Engagement (CLDE) Initiative, and described how this partnership will help promote the availability of civic engagement curricula. There was some discussion about using the Spotlight Series as a central repository for institutions, as well as some conversation about the opportunity for partnerships between the community college system and high schools.

#### **DISCUSSION OF VIRTUAL LIBRARY OF VIRGINIA AND OPEN EDUCATIONAL RESOURCES**



Ms. Rebar introduced Ms. Genya O’Gara, Deputy Director, Virtual Library of Virginia (VIVA) to present on the Open and Affordable Course Content Program. Ms. O’Gara provided background on open educational resources and its implementation since 2018, citing the rising costs of class materials as the impetus for the program. She described the grant process for developing resources and open educational practices workshops for faculty, librarians, and instructional designers.

There was some discussion about institutional participation in the program and how it is funded. Ms. O’Gara estimated that at least \$18,000,000 in student cost avoidance can be realized in the next 5 years with this program, benefitting over 30,000 students in Virginia.

### **DISCUSSION OF SCHEV ACADEMIC PROGRAM EVALUATION PROCESSES**

Mr. Light introduced Dr. DeFilippo to present on SCHEV academic program evaluation Processes. Dr. DeFilippo described the program approval policy, including the requirements for program justification and other relevant policy factors. He articulated the process at the institutional, staff, and committee levels. There was some discussion about enrollment and graduation projections.

Dr. DeFilippo then discussed the program productivity review, which occurs every five years. There were some questions regarding the breakdown of the programs reviewed and trends in program closures. Dr. DeFilippo explained the impact of the COVID-19 pandemic on the process, including some innovations by staff to adjust to the changing environment.

### **RECEIPT OF REPORT FROM ACADEMIC AFFAIRS COMMITTEE STAFF LIAISON**

Dr. DeFilippo commented briefly on the work of Academic Affairs staff.

### **ADJOURNMENT**

Mr. Light adjourned the meeting at 5:09 p.m.

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Henry Light  
Chair, Academic Affairs Committee

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Ashley Lockhart  
Staff, Academic Affairs

# State Council of Higher Education for Virginia Agenda Item

**Item:** #II.C. - Academic Affairs – Action on Programs at Public Institutions

**Date of Meeting:** January 11, 2022

**Presenter:** Dr. Joseph G. DeFilippo  
Director of Academic Affairs & Planning  
[joedefilippo@schev.edu](mailto:joedefilippo@schev.edu)

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:**

**Action:**

**Purpose of the Agenda Item:** The purpose of this agenda item is to present two new proposed degree programs for approval, and one proposed degree program for consideration without a recommendation of approval, in accord with Council’s duty to “review and approve or disapprove all new undergraduate or graduate academic programs that any public institution of higher education proposes” (Code of Virginia § 23.1-203).

**Background Information/Summary of Major Elements:**

*Programs Presented for Approval*

- University of Virginia, Bachelor of Arts (B.A.) in Computer Science (CIP: 11.0701)
- James Madison University, Bachelor of Science (B.S.) in Information Technology (CIP: 11.0103)

*Program Presented for Consideration Without Recommendation of Approval*

- University of Virginia, Bachelor of Science (B.S.) in Behavioral Neuroscience (CIP: 42.2706)

**Financial Impact:** See Program Summaries Below

**Timetable for Further Review/Action:** N/A

**Relationship to Goals of the Virginia Plan for Higher Education:** Council’s consideration of this agenda item supports the following strategies outlined in *Pathways to Opportunity: The Virginia Plan for Higher Education*:

- Cultivate affordable postsecondary education pathways for traditional, non-traditional and returning students.

- Foster program and administrative innovations that enhance quality, promote collaboration and improve efficiency.
- Improve the alignment between post-secondary academic programs and labor market outcomes.

**Resolutions:**

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants approval to the University of Virginia to initiate a Bachelor of Arts (B.S.) degree program in Computer Science (CIP code: 11.0701), effective spring 2022.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants provisional approval to James Madison University (JMU) to initiate a Bachelor of Science (B.S.) degree program in Information Technology (CIP code: 11.0103), effective fall 2022.

**AND, BE IT FURTHER RESOLVED** that JMU shall report to SCHEV on the outcome of the funding request for this program from the 2022 General Assembly, including how the program will be funded if the request is not appropriated in whole or in part. The Director of SCHEV shall confer final approval upon his determination that the program is sufficiently funded.

**University of Virginia  
Bachelor of Arts (B.A.) in Computer Science  
(CIP 11.0701)**

**Program Description**

The University of Virginia seeks the creation of a Bachelor of Arts (BA) degree program in computer science to be initiated in spring 2022. The proposed program would be offered by the College and Graduate School of Arts and Sciences in collaboration with the Department of Computer Science in the School of Engineering and Applied Science.

The purpose of the proposed program is to provide students with a foundation in computer science theory and practice in order to apply that knowledge to other disciplines and fields. The proposed program is designed to impart the competency to design, implement, and evaluate digital solutions for the broad range of organizations for which computing is a significant enabling technology. UVA has documented that the program aligns with curricular requirements of the Tech Talent Investment Program (TTIP) (<https://www.governor.virginia.gov/newsroom/all-releases/2019/november/headline-849165-en.html>) for bachelor degree programs in computer science.

The proposed program would require 120 credit hours: 55 credit hours of general education coursework; 7 prerequisite credits; 20 credit hours of core coursework (26 for honors students); 9 credits of restricted electives in computer science; 12 credits of integration electives; and 11-17 credits of general electives. UVA intends to seek accreditation for the program from the Accreditation Board for Engineering and Technology (ABET).

**Justification for the Proposed Program**

UVA attests that the proposed program responds to current needs in Virginia and nationally for professionals with the competency to develop and apply solutions for a wide range of employers. The curriculum of the program has been designed specifically to develop the same competencies as existing degree programs with the 11.0701 CIP code and to support UVA's production of bachelor degree graduates for TTIP. As Governor Northam said in his announcement of TTIP in November 2019, "Virginia's tech sector will continue booming only if we can train the workforce those jobs require. With today's announcement, we are educating a workforce that will fill jobs at hundreds of tech companies around the Commonwealth, including at Amazon, helping boost our economy and quality of life in every corner of Virginia" (<https://www.governor.virginia.gov/newsroom/all-releases/2019/november/headline-849165-en.html>).

UVA attests that there is a specific demand in the workforce for computing professionals with a substantial liberal arts background. According to Professor Jodi Tims of Baldwin Wallace University, who co-wrote a 2015 report on computer science departments, "You have to build the idea that students that come from liberal arts institutions are broader thinkers. Tech skills get you in the door. Your ability to communicate, to see

the bigger picture and work together with others really help people develop more quickly in the career space” (<https://www.insidehighered.com/news/2016/02/23/liberal-arts-colleges-explore-interdisciplinary-pathways-computer-science>).

### **Student Demand**

Evidence of student demand for the proposed program comes from enrollment growth in the existing computer science major within UVA’s Bachelor of Arts in Interdisciplinary degree program over the past five years. Enrolled majors in that program have increased 168% from 2015 to 2020.

The summary of projected enrollments for the proposed program shows a headcount (HDCT) of 70 in the program’s first year, rising to a HDCT of 180 by the target year. Enrollment projections show a full-time equated student enrollment (FTES) of 70 in the program’s first year (2022-23). The projections continue as follows: FTES 2023-24, 140.0; 2024-25, 160.0; and 2025-26, 180. UVA anticipates 85 graduates per year beginning in 2025-26. If projections are met, then this program will meet Council’s productivity/viability standards within five years, as required.

### **Market/Employer Demand**

UVA cites employment projections from the Bureau of Labor Statistics (BLS) Occupational Outlook Handbook to document employment opportunities for graduates of the proposed program. BLS does not have a specific job category for entry-level “computer scientists.” Occupations for which data are available include “software developers,” “computer systems analysts,” and “database administrators, each of which is projected to grow faster (22%, 7%, and 10%, respectively) than the average for all occupations from 2019 to 2029 (<https://www.bls.gov/ooh/computer-and-information-technology/software-developers.htm>; <https://www.bls.gov/ooh/computer-and-information-technology/computer-systems-analysts.htm>; <https://www.bls.gov/ooh/computer-and-information-technology/database-administrators.htm>). The Virginia Employment Commission’s most recent 10-year projections (2018-28) reflect similar strength: software developers, 30.9%; computer systems analysts, 15.4%; database administrators, 15.1% (<https://virginiaworks.com/Occupational-Projections>). Employment advertisements included with the proposal indicate demand for graduates with a bachelor degree in computer science for which the bachelor degree is a minimum requirement. UVA also provided placement outcomes for graduates of the major in the BA of Interdisciplinary program that demonstrate graduates’ success in securing software developer/engineer and related positions.

### **Issues of Duplication**

All four-year public institutions in Virginia offer at least one baccalaureate degree in computer science. Two public institutions—Longwood University and the College of William & Mary—are authorized to offer a BA in computer science. The proposed program has a particular focus on applying computing to solve problems in other fields and disciplines, such as the liberal arts, business, healthcare, government, and the applied sciences. No comments were received in response to the announcement of the

proposed program. As indicated by TTIP, the commonwealth has placed a premium on producing computer science bachelor graduates.

### **Resource Needs**

The Cost and Funding Sources to Initiate and Operate the proposed degree program was reviewed by SCHEV finance staff. The institution will have adequate faculty resources to support projected student enrollment in the degree program. Projected revenue from tuition and, educational and general fees (E&G) will support the proposed program. UVA affirms the institution will not seek additional state resources to initiate and sustain the degree program.

### **Board Approval**

The UVA Board of Visitors approved the proposed program on March 5, 2021.

### **Staff Recommendation**

Based on a review of the application, staff presents the **Bachelor of Arts (B.A.) degree program in Computer Science (CIP: 11.0701)** to the Academic Affairs Committee for approval.

The Committee may vote to approve, disapprove, approve with condition, or table for future action. If approved, adopt the following resolution and transmit it to Council:

**BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to the University of Virginia to initiate a Bachelor of Arts (B.A.) degree program in Computer Science (CIP code: 11.0701), effective spring 2022.**

**James Madison University  
Bachelor of Science (B.S.) in Information Technology  
(CIP 11.0103)**

**Program Description**

James Madison University (JMU) is seeking the creation of a Bachelor of Science (BS) degree program in Information Technology (CIP: 11.0103) to be initiated in fall 2022. The proposed program would be located in the Department of Computer Science in the College of Integrated Science and Engineering.

The purpose of the proposed program is to prepare graduates with the knowledge and skills to design and implement secure computer solutions that meet customer needs in private and public sector organizations. The program will focus on system and web applications, security, privacy, networks, and databases while providing an understanding of professional, ethical, legal, and social issues in the computing field.

The proposed program would require 120 credit hours: 41 credit hours of general education coursework; 52 hours of core coursework; 12 credits of major electives; 9 credits of university electives; and 6 credits of BS degree requirements. JMU intends to seek accreditation for the program from the Accreditation Board for Engineering and Technology (ABET).

**Justification for the Proposed Program**

JMU contends that the proposed program will respond to current needs by preparing graduates who can satisfy national and state demand for employees with information technology (IT) competencies throughout the talent pipeline. JMU notes that the demand for workers with IT skills has been increasing across various roles needed by American employers. According to the CompTIA Cyberstates 2021 report: “Job growth this year is expected to be led by companies hiring core IT workers in a variety of roles... Demand for workers with experience and skills in emerging infrastructure and hardware, artificial intelligence, data, next-gen cybersecurity and other areas of emerging tech will continue to grow as employers across industries pursue digital transformation strategies. Over the past five years, job postings for these types of positions have surged 190%” (“Hiring Momentum Propels Tech Workforce in Virginia Toward 460,000, CompTIA State of the Market Analysis Finds.” [https://www.cyberstates.org/pdf/press\\_releases/CompTIA\\_Cyberstates\\_2021\\_Virginia\\_PR.pdf](https://www.cyberstates.org/pdf/press_releases/CompTIA_Cyberstates_2021_Virginia_PR.pdf).)

JMU cites several sources expressing industry leaders’ concern about shortages of bachelor level qualified workers in IT. According to one CEO quoted by CIO Dive, a news clearinghouse for the information science profession notes that, “even in entry-level IT support positions, it’s hard to find qualified talent who are willing to commit and be exceptional workers” (<https://www.ciodive.com/news/information-technology-degree-collegeworkforce/594159/>). A recent article in *Money* notes that Amazon’s “Career Choice” employee tuition assistance program includes information technology on its approved list of high-demand bachelor programs (“Amazon will pay over \$5,000

a year for workers to earn college bachelor's degrees," <https://money.com/amazon-free-college-bachelor-degrees/>.) A 2021 article in ZDNet supports the specific connection between a bachelor degree in IT and aligned occupations, "A fully online or in person bachelor's degree in information science and technology is one of the best ways to prepare for entry- and mid-level IT careers. Most popular IT careers, including security analysis, network architect, and web developer usually require a Bachelor's degree in IT" (<https://www.zdnet.com/education/computers-tech/what-is-it-a-beginners-guide-to-information-technology/>).

### **Student Demand**

JMU documented student demand for the proposed program from a sampling of student emails received in spring 2021 and a series of exit interviews with students who withdrew from the computer science degree program in academic year 2019-20. Of 120 students who withdrew from the computer science program 95 (79%) expressed interest in a proposed BS in IT.

The summary of projected enrollments for the proposed program shows a headcount (HDCT) of 42 in the program's first year, rising to a HDCT of 160 by the target year. Enrollment projections show a full-time equated student enrollment (FTES) of 42 in the program's first year (2022-23). The projections continue as follows: FTES 2023-24, 78.0; 2024-25, 116.0; and 2025-26, 143. JMU anticipates 30 graduates per year beginning in 2025-26. If projections are met, then this program will meet Council's productivity/viability standards within five years, as required.

### **Market/Employer Demand**

JMU indicates that graduates of the proposed BS in IT will be qualified to fill "computer support specialist" positions broadly construed. This label comprehends several potential job titles, including computer support specialist, information technology consultant, computer forensic analyst, information technology business analyst, and computer network architect. According to the US Bureau of Labor Statistics (BLS), "Employment of computer support specialists is projected to grow faster than the average for all occupations. More support services will be needed as organizations upgrade their computer equipment and software" (<https://www.bls.gov/ooh/computer-and-information-technology/computer-support-specialists.htm>).

According to the most recent VEC data (2018-28), associated occupations are projected to grow faster than the average of all occupations: database administrators, 15.1%; Network administrators, 12.8%; computer systems analysts, 15.4% (<https://viriniaworks.com/occupational-projections#accordion1-collapse1>).

JMU provided letters attesting to employment demand from three Virginia-based corporations as well as employment advertisements documenting the call for graduates with the bachelor degree in IT with a minimum bachelor's level educational requirement.



### **Issues of Duplication**

BS in IT programs with CIP code 11.0103 are offered by George Mason University (GMU) and Norfolk State University (NSU). No comments were received in response to the announcement of the proposed program.

The GMU program is ABET accredited and requires 21 credits of IT foundation courses, 33 credit hours of core courses, and 7 credit hours of capstone courses. JMU contends that the two programs are “similar in many ways,” and that the GMU program “has more of a business focus and less emphasis on information technology applications.”

The NSU program requires 53 credits of major requirements, and 27 credit hours of electives. JMU contends that the NSU program “includes much less emphasis on information technology applications,” and “more emphasis on programming and software engineering, than [JMU’s] proposed program.”

### **Resource Needs**

The Cost and Funding Sources to Initiate and Operate the proposed degree program was reviewed by SCHEV Finance staff. According to that analysis, the program should generate sufficient revenue from tuition and, educational and general fees (E&G) to support itself. However, JMU does not plan to reallocate resources permanently to the proposed program and has therefore submitted a budget request—\$694,907 for 2022-2023 and \$1,055,449 for 2023-2024—to support growth of the proposed degree program to its mature production of 30 graduates per year.

### **Board Approval**

The JMU Board of Visitors approved the proposed program on April 26, 2019.

### **Staff Recommendation**

Based on a review of the application, staff presents the **Bachelor of Science (B.S.) degree program in Information Technology (CIP: 11.0103)** to the Academic Affairs Committee for approval.

The Committee may vote to approve, disapprove, approve with condition, or table for future action. If approved, adopt the following resolution and transmit it to Council:

**BE IT RESOLVED** that the State Council of Higher Education for Virginia grants provisional approval to James Madison University (JMU) to initiate a Bachelor of Science (B.S.) degree program in Information Technology (CIP code: 11.0103), effective fall 2022.

**AND, BE IT FURTHER RESOLVED** that JMU shall report to SCHEV on the outcome of the funding request for this program from the 2022 General Assembly, including how the program will be funded if the request is not appropriated in whole or in part. The Director of SCHEV shall confer final approval upon his determination that the program is sufficiently funded.

**University of Virginia  
Bachelor of Science (B.S.) in Behavioral Neuroscience  
(CIP: 42.2706)**

**Program Description**

The University of Virginia (UVA) is seeking the creation of a Bachelor of Science (BS) degree program in Behavioral Neuroscience (CIP: 42.2706) to be initiated in fall 2022. The proposed program would be located in the Department of Psychology in the College and Graduate School of Arts and Sciences. The purpose of the proposed program is to prepare students to conduct, evaluate, and apply research on the nexus between the brain and behavior. The program would provide students with a foundation in brain and nervous system function and development, the relationship between brain activity and behavior, and their application to the treatment of neurological disease and disorders. Students would gain the knowledge and skills to perform basic brain and behavioral research, including specialized brain imaging methods. Graduates of the proposed degree would be prepared for entry-level positions as preclinical R&D laboratory scientists, technicians, research coordinators and assistants in the brain and behavioral sciences. Graduates would also be prepared for graduate study in neuroscience, psychology, and related disciplines.

The proposed program would require 56 credit hours of coursework: 32 credit hours of prerequisite and core coursework; 3 credits of psychological foundations; 6 credits of science foundations, 9 credits of advanced coursework; and 6 credits of restricted electives.

**Justification and Staff Analysis**

- Specific Demand

The development of neuroscience and psychology as disciplines has been such that one of the major ways of studying neuroscience is through degree programs in psychology. This focus is often referred to by the label “psychobiology,” as well as the titling of the proposed program, “behavioral neuroscience.” Documentation in the proposal makes the case for the maturation of psychobiology/behavioral neuroscience as a discipline and the need for a pipeline of talent to pursue neuroscience at the graduate level. What is lacking is explicit evidence of a call for graduates specifically with a bachelor degree in behavioral neuroscience.
- Employment Demand
  - UVA contends in the proposal that the program responds to national and state needs, including the statement that “Virginia and the greater Washington, DC metropolitan region boast high industry presence and demand” for graduates of such a program. However, the proposal does not contain documentation to support this contention. For instance, of 12 employment advertisements included, 10 come from organizations in the higher education and research sectors, which rather suggests low *industry* demand.

- Labor Market Information relevant to the program is related to the broader category of laboratory technician rather than employment specifically related to psychobiology/behavioral neuroscience. Of 12 employment advertisements submitted, six were from Virginia and six from out of state. Of the six Virginia ads, five do not meet usual criteria for ads to justify a new degree program; five of six out of state ads do meet SCHEV criteria. No letters from Virginia employers were included.

### **Staff Recommendation**

Based on a review of the application, staff presents the **Bachelor of Science (B.S.) degree program in Behavioral Neuroscience (CIP: 42.2706)** to the Academic Affairs Committee for consideration. For reasons cited, evidence and arguments advanced in the program proposal do not satisfy SCHEV's customary standards for a staff recommendation to approve a new standalone degree program. According to Council policy, staff may elect not to recommend approval of a proposed program, but authority to render a final decision rests with Council.

The Committee may vote to approve, disapprove, approve with condition, or table for future action.

*If approved, adopt the following resolution and transmit it to Council:*

**BE IT RESOLVED that the State Council of Higher Education for Virginia grants approval to the University of Virginia to initiate a Bachelor of Science (B.S.) degree program in Behavioral Neuroscience (CIP code: 42.2706), effective fall 2022.**

*If not approved, adopt the following resolution and transmit it to Council:*

**BE IT RESOLVED that the State Council of Higher Education for Virginia does not grant approval to the University of Virginia to initiate a Bachelor of Science (B.S.) degree program in Behavioral Neuroscience (CIP code: 42.2706).**

# State Council of Higher Education for Virginia Agenda Item

**Item:** #II.D. - Academic Affairs – Action on Revocation of Certificate to Operate

**Date of Meeting:** January 11, 2022

**Presenter:** Dr. Joseph G. DeFilippo  
Director of Academic Affairs & Planning  
[joedefilippo@schev.edu](mailto:joedefilippo@schev.edu)

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:** May 19, 2020

**Action:** Council adopted a resolution authorizing staff to pursue revocation of Medical Learning Center's certification according to Administrative Process Act procedures.

**Purpose of the Agenda Item:** The purpose of this agenda item is to present a resolution to revoke Medical Learning Center's (MLC) certificate to operate in Virginia, in accord with Council's responsibility to revoke certification of a school for certain categories of non-compliance. Code of Virginia § 23.1-221 states:

*A. The Council may refuse to grant a certification, may revoke or suspend a prior approval or certification, including any approval or authorization issued prior to July 1, 1980, and may add conditions to any approval or certification on such grounds as may be provided in its regulations or if the postsecondary school:*

- 1. Submits or has submitted any false or misleading information to the Council in connection with its approval;*
- 2. Fails to meet or to maintain compliance with the Council's regulations at any of its locations;*
- 3. Publicly makes or causes to be made any false or misleading representation that it has complied with any requirement of this article or the Council's regulations;*
- 4. Violates any provision of this article or the Council's regulations; or*
- 5. Fails or refuses to furnish the Council with any requested information or records required by this article or the Council's regulations.*

Council may revoke a certification for any one of the above listed categories of non-compliance. As information presented below indicates, MLC has been in chronic non-compliance according to three of the five categories (2, 4, and 5).

The presentation of this agenda item follows Council's action in May 2020 authorizing staff to pursue revocation according to procedures required by the Administrative Process Act. Those procedures have now been fulfilled, culminating in a decision by Mr. Robert J. Hartsoe, Esq., the officer appointed by the Supreme Court of Virginia to

preside over a formal hearing to consider MLC’s case. Mr. Hartsoe’s recommendation—described below and included in full as an appendix—upholds SCHEV’s interpretation of MLC’s noncompliance and attests that sanction is warranted. The core (though not sole) issue motivating the pursuit of revocation has been MLC’s refusal to cooperate with procedures through which SCHEV fulfills its statutory duties to ensure quality and student protections. Specifically, MLC refused to allow an onsite audit by SCHEV staff in January 2020, and also refused to provide basic information about school operations and student enrollment requested in connection with the intended audit. As noted by Mr. Hartsoe’s decision, that refusal continues to the present time, i.e., SCHEV has still not received the requested information. MLC’s refusal to cooperate with SCHEV violates both Code of Virginia § 23.1-221 (quoted above) and the Virginia Administrative Code (8VAC40-31-195), which states that Council “may suspend or revoke a school’s certificate to operate” for (among other reasons):

*Failure to provide council or council staff within a reasonable timeframe any information, record, or files pertaining to the operation of the school or recruitment and enrollment of students or in response to an audit.*

Presentation of this agenda item for Council action comes as the final conclusion of the series of steps required by Virginia’s Administrative Process Act (Code of Virginia § 2.2-4000 et seq.). Council is under no obligation to engage in further administrative procedures or fact-finding with regard to the case at hand.

### **Background Information/Summary of Major Elements**

#### **MLC Status with the Virginia Board of Nursing**

MLC is a for-profit, non-degree school that offers three allied health programs, including a practical nursing program that is also overseen by the Virginia Board of Nursing (VBoN). Of the three programs, two are outside the scope of SCHEV’s certification authority. According to VBoN regulation, the practical nursing program necessitates SCHEV certification. On November 19, 2019, the VBoN withdrew MLC’s approval to offer a practical nursing program, effective September 10, 2019. MLC was cited for violating more than a dozen VBoN regulations that affect the quality of education. MLC has appealed this decision and is awaiting a formal hearing date. In the meantime, in relation to VBoN regulations, MLC can continue operating its practical nursing program.

#### **Timeline of SCHEV actions prior to May 19, 2020**

The following timeline describes main actions leading to Council’s May 2020 action authorizing staff to pursue revocation:

- In December 2019, SCHEV wrote to Ms. Gullalai Safi, proprietor of MLC, to request items of information in preparation for an audit to occur during the month of January 2020.
  - The audit was motivated by three factors, each of which would be sufficient by itself to prompt an audit:
    - On November 19, 2019, the VBoN revoked MLC’s approval to offer a practical nursing program on grounds of chronic poor performance and low quality;

- SCHEV's last audit of MLC in July 2018 identified several items of noncompliance, for which a follow-up audit was now overdue;
  - Three recent student complaints against MLC remained unresolved. Issues alleged in these complaints included: altering testing materials, disallowing students from sitting for Board exams, repeated teacher turnover, constant class cancellations, lack of student support, and inconsistent enrollment practices.
- The December 2019 letter requested the following items in preparation for the anticipated audit:
  - List of all students enrolled in the practical nursing program;
  - Start date and anticipated completion date for students currently enrolled in the practical nursing program;
  - List of start dates for the practical nursing program during January 1-March 31, 2020;
  - List of all prospective students for the practical nursing program during January 1- March 31, 2020.

The reason for requesting these specific items was to enable SCHEV to monitor the current state of the program and oversee its anticipated closing following the removal of its approval by the VBoN. MLC has never provided SCHEV with the requested information.

- SCHEV staff came to the school on January 22, 2020 to conduct the audit, and were refused admittance.

#### Timeline of SCHEV actions since May 19, 2020

Since May 19, 2020, when Council passed a resolution authorizing staff to initiate revocation procedures, MLC has exercised its rights under the Virginia Administrative Process Act (APA), and SCHEV has followed the required procedures, as follows:

- **Informal Fact-Finding Conference**

On January 14, 2021, a virtual Informal Fact-Finding Conference (IFFC) was held. SCHEV's Director of Academic Affairs and Planning, Dr. Joseph G. DeFilippo, presided over the IFFC and concluded that sufficient basis existed to proceed with revocation. Dr. DeFilippo provided notice of his decision in a letter to the school on March 11, 2021. Pursuant to 8VAC40-31-220 (A)(4), Dr. DeFilippo also advised MLC of its right to appeal by requesting a formal hearing before an officer assigned by the Supreme Court of Virginia.

- **Request for Hearing**

On March 24, 2021, MLC requested a formal hearing on the matter.

- **Formal Hearing**

The hearing was held on September 14, 2021, before Mr. Robert J. Hartsoe, Esq., an officer appointed by the Supreme Court of Virginia. SCHEV was represented by the Director of Private Postsecondary Education Ms. Sandra Freeman, Compliance Specialist Ms. Kathleen Kincheloe, and Senior Assistant Attorney General Ms. Ramona Taylor. SCHEV argued that Council's decision to

pursue revocation of MLC's certificate to operate is consistent with state law and regulation intended to protect students and ensure minimal standards of quality.

- **Hearing Officer Recommendation**

On December 13, 2021, Mr. Hartsoe shared his written recommendation, which states, in part:

*Given the regulatory mandates and applicable law, MLC should have cooperated with the audit process. Overall, MLC's failure to provide documents as well as failure to allow SCHEV to conduct the audit equate to MLC's intentional violation of the applicable Regulations requiring sanction. Other violations are consistent with such improper intent. Even if BON recertified MLC after the Hearing in the instant matter in regard to allowing it to maintain a Practical Nursing Program, MLC's improper actions require sanction. After considering the pleadings, evidence and argument of the Parties, the appeal should be dismissed with prejudice for reasons stated herein.*

**Summary and Recommendation**

In December 2019, SCHEV staff sought reasonable information related to MLC's operations to support an anticipated audit of the school in January 2020. MLC refused both to provide the requested information and to admit SCHEV staff to the school's premises to conduct the audit. Staff then sought and received Council authorization to pursue revocation in May 2020. Since then, staff has proceeded through the Informal Fact finding Conference and Formal Hearing stages. On December 13, 2021, Hearing Officer Hartsoe rendered his formal recommendation, dismissing MLC's appeal and concluding that "MLC's improper actions require sanction." Mr. Hartsoe's recommendation further verifies that SCHEV has satisfied its procedural and evidentiary burdens. In light of the totality of considerations, staff recommends that Council revoke MLC's certificate to operate. This revocation will result in MLC no longer being able to offer a practical nursing program; it will, however, be able to continue offering programs that do not require SCHEV certification.

**Materials Provided:**

- Mr. Robert J. Hartsoe's Recommendation dated December 13, 2021

**Financial Impact:** N/A

**Timetable for Further Review/Action:** N/A

**Relationship to Goals of the Virginia plan for Higher Education:** Council's consideration of this agenda item supports the following strategies outlined in *Pathways to Opportunity: The Virginia Plan for Higher Education*:

- Cultivate affordable postsecondary education pathways for traditional, non-traditional and returning students.
- Foster program and administrative innovations that enhance quality, promote collaboration and improve efficiency.

- Improve the alignment between post-secondary academic programs and labor market outcomes.

**Resolution:** Based on a full review of circumstances related to Medical Learning Center's failure to provide information to SCHEV and other instances of noncompliance, staff presents to the Academic Affairs Committee a resolution to revoke the school's certificate to operate.

The Committee may vote to approve, disapprove, approve with condition, or table for future action. If approved, adopt the following resolution, and transmit it to Council:

**THEREFORE, BE IT RESOLVED, in accordance with § 23.1-221 of the Code of Virginia, and with the regulations set forth in Part VII of 8VAC40-31 of the Virginia Administrative Code,**

**(i) that the State Council of Higher Education for Virginia (SCHEV) hereby revokes Medical Learning Center's (MLC) Certificate to Operate in the Commonwealth of Virginia, effective immediately; and**

**(ii) that the proprietors of MLC shall take appropriate steps to ensure an orderly transition including, but not limited to, teaching out currently enrolled students; and**

**(iii) that the proprietors of MLC shall make arrangements for the transfer of student records to SCHEV or another institution of postsecondary education approved by SCHEV within thirty days of the date of revocation, in accordance with subsection D of 8VAC40-31-280.**



STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

MEDICAL LEARNING CENTER, INC. )  
 )  
 Appellant, )  
 )  
 STATE COUNCIL OF HIGHER )  
 EDUCATION FOR VIRGINIA, )  
 )  
 Appellee. )

**RECOMMENDATION**

Medical Learning Center, Inc. <b>Appellant</b>	State Counsel of Higher Education for Virginia <b>Appellee</b>
Gullalai Safi, Administrator Medical Learning Center, Inc. 2812 Old Lee Highway, Suite 301 Fairfax, Virginia 22031 <b>Appellant Representative</b>	Ramona Taylor, Esquire Office of the Attorney General 202 N. 9th Street Richmond, Virginia 23219 <b>Counsel for the Appellee</b>
Director Peter Blake <b>Higher Education for Virginia</b>	Robert J. Hartsoe <b>Hearing Officer</b>

**Procedural Hearing**

By letter, dated May 14, 2020, the State Counsel of Higher Education (SCHEV) passed a resolution authorizing staff to initiate revocation against Medical Learning Center, Inc. (MLC).

By letter, dated March 11, 2021, MLC requested an appeal per 8VAC40-31-220.

By letter, dated April 2, 2021, this Hearing Officer was appointed to adjudicate the matter pursuant to 8VAC40-31-220 with a decision due on or before ninety days from the date of the formal hearing.

Based on the review of the evidence, exhibits, testimony and Party representations, all procedural matters were satisfied by the Parties by prior actions before MLC filed this appeal.

On September 14, 2021, the Parties conducted their formal hearing in accordance with the Regulations. The following participated: Gullalai Safi, Agent/Owner of MLC; Ramona L. Taylor, Senior Assistant Attorney General; Kathleen Kincheloe, Compliance Specialist in the Private Post-secondary Education section of SCHEV; and, Sandra Freeman, Director of the Private Post-secondary Education Unit at SCHEV. The Parties conducted the proceeding professionally with cooperation--a blessing.

The following procedural legal mandates are found:

- (1) The burden of proof is on SCHEV per §2.2-4020(C) of the Virginia Code. If such burden is satisfied then MLC shall have the burden of persuasion.
- (2) Per §2.2-4020(C) of the Virginia Code, this Hearing Officer is required to provide a recommendation to SCHEV which includes specific findings of fact, recommended conclusions of law and a recommended disposition.

### **Exhibits**

By agreement, each Party's exhibits were introduced into evidence without the need for foundation, a blessing. Further, the weight of any exhibit will be determined by the Hearing Officer as stated herein.

### **Witness Summation/Adjudication of Credibility**

SCHEV called three witnesses.

Sandra Freeman testified as a fact witness. She is the Director of the Private Post-secondary Education Unit at SCHEV. (Hearing Transcript (HT) at 18.) Once a school becomes certified, SCHEV conducts periodic compliance visits or audits to make sure that the school is operating within the confines of the law. (HT at 20.) She oversees the entire audit process. (*Id.*)

This function allows schools to obtain federal funding. (*Id.*) MLC was initially certified in 2001. (HT at 21.) The Board of Nursing (BON) certifies MLC regarding its teaching nursing. (HT at 22.) BON and SCHEV work separately under this dual-regulation system. (*Id.*) BON handles the nursing curriculum while SCHEV handles the entire curriculum, regarding compliance with applicable laws and regulations. (*Id.*) These entities share information. (*Id.*) Upon certification by SCHEV, a school must annually re-certify. (HT at 24.) SCHEV utilizes a standard checklist, SCHEV Exhibit 4, page 133. (HT at 24-25.) Upon completion of the checklist, the owner/agent for a school will sign the document under oath. (*Id.*) In 2018, SCHEV conducted its annual audit on MLC. (HT at 26-27.) A cause for such an audit was receipt of student complaints. (HT at 27.) SCHEV Exhibit 6, pages 149-153 contains typical notices to MLC regarding an audit. (HT at 31.) In such audits, SCHEV requests hard copies of the student catalog, a faculty handbook, a student handbook, institutional plan as well as building, fire safety, health, sanitation, and other required inspections. (*Id.*) MLC was certified for two programs in 2016. (HT at 32.) The Practical Nursing Program was certified in 2017. (*Id.*) Upon completion of an audit, SCHEV conducts an “exit interview” with the owner and discusses violations. (HT at 32-33.) The entity has sixty days to cure. (HT at 33.) Upon compliance, the entity receives an “audit closing letter.” (HT at 33.) SCHEV Exhibit 7, pages 178-183, is a copy of the audit report provided to MLC in 2018. (HT at 34.) MLC received an audit report containing violations on or about September 6, 2018. (HT at 38.) A follow-up report was sent to MLC on December 21, 2018. (*Id.*) On that date, MLC failed to remedy the violations. (HT at 39.) Although sixty days may pass, SCHEV typically works with entities to resolve the violations. (HT at 39.) SCHEV notified MLC of a second audit for a second audit by letter, dated December

9, 2019. (HT at 43; SCHEV Exhibit 3, page 102.) A basis for the audit was BON's revoking MLC's certification regarding the Practical Nursing Program. (HT at 43.) A second basis for the audit was several students complained that MLC performed "predatory practices." (HT at 44.) Documents were requested in accordance with Regulations by letter, dated December 31, 2019. (HT at 46; SCHEV Exhibit 3, page 107.) SCHEV's inspection of such documents, *e.g.*, student records, is necessary to complete the audit. (HT at 47.) The notification referenced a physical audit in January 2021. (*Id.*) MLC's failure to provide documents was, and continues to be, a violation of 8VAC40-31-195A11. (HT at 47-48.) By letter, dated March 11, 2021, SCHEV notified MLC that SCHEV passed a resolution to revoke MLC's Certificate to Operate or license. (HT at 53.) MLC has completed its certificate of compliance in 2020, but not in 2021. (HT at 54.) On January 22, 2020, SCHEV appeared at MLC's location to conduct the audit. (HT at 56.) Without justification or excuse, MLC failed to allow SCHEV to conduct its audit. (HT at 57-58.) Such failure continues to the date of the Hearing in the instant matter, September 14, 2021. (HT at 58.) On January 23, 2020, SCHEV received a communication from an attorney for MLC, objecting to the attempt to audit on January 22, 2020. (HT at 58.) As of the date of the Hearing, BON had revoked MLC's license and the matter was on appeal. (HT at 62.) In 2001, MLC was allowed to operate in the following areas: Medical Assistant, Certificate in Nursing Assistant, Pharmacy Technician, Phlebotomy and Practical Nursing. (HT at 69.) MLC lost its license to operate a program in Practical Nursing in 2014, but regained it in 2017, under the Regulations of BON. (HT at 72.) The instant matter only addresses MLC's authority to operate in this area, Practical Nursing. (HT at 72-73.) She was found to be very a credible witness whose testimony was consistent with the exhibits. Although, at times, she provided opinions or legal conclusions, such opinions were not considered.

Kathleen Kincheloe was called as a fact witness. She is a complaint specialist for SCHEV. (HT at 78.) It is responsible for investigating student complaints per 8VAC40-31-100. (SCHEV Exhibit 13, page 368.) In 2019, SCHEV referred several student complaints to her for investigation. (HT at 79.) [redacted]'s complaint, received on July 19, 2019, described unreasonable delay or number of canceled classes. ([redacted]) (HT at 79 and 81-82; SCHEV Exhibit 12, pages 309 to 350.) Further, [redacted] "showed" that MLC provided students only completed twenty percent of the hours necessary to graduate timely. (HT at 79.) Such MLC action is in violation of 8VAC40-31-150(D)(1). (SCHEV Exhibit 12, page 103.) Upon request, [redacted] was given a refund check that bounced. (HT at 80.) Judgment was obtained against MLC and, as a result, the local sheriff seized MLC property to satisfy the judgment. (HT at 80.) [redacted] was in fear of retaliation from MLC. (HT at 82.) A similar complaint was filed by (Fayyaz). (HT at 85-86; SCHEV Exhibit 12, 351-367.) Judgment was entered against MLC on May 25, 2018 which has not been satisfied. (HT at 86-87; SCHEV Exhibit 12 at page 351.) Despite this negative judgment against MLC, it turned the matter over collections. (HT at 87.) By letter, dated September 25, 2019, counsel for MLC made a demand. (SCHEV Exhibit 12 at page 358.) This action was in retaliation against [redacted] for using the complaint system and obtaining a judgment. (87-88.) On November 12, 2019, SCHEV notified MLC of the two complaints as well as requesting certain relevant documents. (*Id.*; MLC Exhibit 13, page 1.) By letter, dated November 14, by counsel, MLC responded that SCHEV's inquiry was harassing and would be, in summary, ignored for unpersuasive legal reasons. (HT at 89; MLC Exhibit 13, pages 2-4.) The response ignored the need of SCHEV to investigate the issue of retaliation as opposed to re-litigating judicial decisions or judgments. MLC has never complied with the

request contained in the letter, dated November 12, 2019 from SCHEV even up to the date of the Hearing in the Instant matter, September 14, 2021. (HT at 91.) This action of denying access to documents is a form of retaliation. (HT at 92.) MLC must have an established refund policy acknowledged by the complainants in accordance with 8VAC40-31-160(N). (HT at 92.) No such acknowledgment has been provided by MLC, despite demand thereof by SCHEV under the Regulations. (HT at 94.) Similarly, in a refund situation, Ms. [REDACTED] was charged an amount of \$50.00 over the amount allowed under 8VAC40-31-160(N)2 to cover expenses in November 2019. (HT at 96.) SCHEV duly notified MLC of this issue. (HT at 95; MLC Exhibit 14.) MLC refused to cooperate with this and all investigations implying, without justification or excuse. (HT at 95.) MLC's literature regarding the Practical Nursing Program reflects that it does, indeed, charge \$150 to cover expenses in violation of the Regulation. (SCHEV Exhibit 9 at page 260.) By letter, dated February 11, 2020, SCHEV directed that MLC refund the overcharge. (HT at page 98, 100; MLC Exhibit 20 at page 11.) As of the date of the Hearing in the instant matter, no refund has been received. (HT at 98.) Three complaints were concerning in a school with twenty-five students. (HT at 101.) She opined that these complaints were founded. (HT at 105.) Further, over the course of eighteen months, SCHEV received a total of five complaints against MLC. (HT at 102.) She was found to be a very credible witness whose testimony was consistent with the exhibits. Although, at times, she provided opinions or legal conclusions, such opinions were not considered.

MLC called one witness.

Ms. Gullalai Safi testified as a fact witness. She testified:

- MLC did not comply with SCHEV requests for cooperation and/or documents because, evidently, another governmental inquiry (perhaps a BON proceeding) was on appeal and not final. (HT at 117.)

- entered into an agreement with MLC for an outstanding balance, defaulted on the agreement and filed suit only after MLC turned the matter over to collections. Ultimately the student was awarded a judgment against MLC. (HT at 118-120.)
- was owed a refund the amount of which was disputed (100% vs. 75%). She obtained judgment. The check provided by MLC did not clear. Collections were conducted. Ultimately, was paid in full. (HT at 120-126.)
- She felt that charging \$50.00 for the entrance fee was legitimate.

While she appeared sincere, her testimony was discounted on the basis of self-interest as well as some variation between her testimony and the exhibits. Although, at times, she provided opinions or legal conclusions, such opinions were not considered.

**Finding of Relevant Facts to the Issues Raised**

1. The Board of Nursing (BON) certifies MLC regarding its teaching nursing. (HT at 22).
2. BON and SCHEV work separately under this dual-regulation system. (HT at 22.)
3. BON and SCHEV share information. (HT at 22.)
4. SCHEV Exhibit 7, page 178-183, is a copy of the audit report provided to MLC in 2018. (HT at 34.)
5. MLC received an audit report containing violations on or about September 6, 2018. (HT at 38.)
6. A follow-up report was sent to MLC on December 21, 2018. (HT at 38.)
7. On that date, MLC failed to remedy the violations. (HT at 39.)
8. SCHEV notified MLC of a second audit for a second audit by letter, dated December 9, 2019. (HT at 43; SCHEV Exhibit 3, page 102.)
9. A basis for the audit was BON’s revoking MLC’s certification regarding the Practical Nursing Program. (HT at 43.)
10. A second basis for the audit was several students complained that MLC performed “predatory practices.” (HT at 44.)

11. By letter, dated December 9, 2019, MLC was notified that an on-site audit will occur in January 2020. (SCHEV Exhibit 3, page 102.)
12. Documents were requested in accordance with Regulations by letter, dated December 31, 2019. (HT at 46; SCHEV Exhibit 3, page 107.)
13. SCHEV's inspection of such documents, *e.g.*, student records, is necessary to complete the audit. (HT at 47.)
14. MLC's failure to provide documents was, and continues to be, a violation of 8VAC40-31-195A11.
15. SCHEV duly notified MLC of the on-site audit for January 9, 2020.
16. SCHEV duly notified MLC of the need to produce certain documents on or before January 9, 2020.
17. MLC failed to attend a SCHEV on-site audit on January 9, 2020, without legal excuse or justification.
18. By letter, dated March 11, 2021, SCHEV notified MLC that SCHEV passed a resolution to revoke MLC's Certificate to Operate or license. (HT at 53.)
19. MLC has completed its certificate of compliance in 2020, but not in 2021. (HT at 54.)
20. On January 22, 2020, SCHEV appeared at MLC's location to conduct the audit. (HT at 56.)
21. Without justification or excuse, MLC failed to allow SCHEV to conduct its audit and such failure continues to the date of the Hearing in the instant matter, September 14, 2021 in violation of 8VAC40-31-200. (HT at 57-58.)
22. As of the date of the Hearing, BON had revoked MLC's license and the matter was on appeal on the date SCHEV's attempted to conduct the on-site audit on January 22, 2020. (HT at 62.)
23. MLC violated 8VAC40-31-160(N)2 by not refunding [REDACTED] \$50.00.
24. [REDACTED] filed a complaint against MLC on August 1, 2019. (HT at 85-86; SCHEV Exhibit 12, 353.)



25. 's judgment was entered against MLC on May 25, 2018, which has not been satisfied. (HT at 86-87; SCHEV Exhibit 12 at page 351.)
26. Despite the existence of the binding judgment against MLC in favor of , it turned the matter over collections. (HT at 87.)
27. By letter, dated September 25, 2019, counsel for MLC made demand for payment–collections. (SCHEV Exhibit 12 at page 358.)
28. MLC's action to use collections after a judgment was in retaliation against Fayyaz for using the complaint system and obtaining a judgment.
29. As to individually, MLC violated 8VAC40-31-150(D)(1) by delaying classes or canceling classes undermining this student's opportunity to have access to the curriculum without justification or excuse. (HT at 79 and 81-82; SCHEV Exhibit 12, pages 309 to 350.)
30. SCHEV properly notified MLC of all audits, deficiencies, *etc.*, in accordance with the Regulations.
31. No evidence was introduced that the MLC's BON appeal was successful.
32. SCHEV carried the burden of proof.
33. The documents referenced in this Recommendation were duly received by each such document's recipient on or about the date referenced in such document.
34. The factual assertions contained in the letter, dated February 5, 2020, are found to be true and accurate as well as incorporated herein by reference as if set forth in full. (SCHEV Exhibit 3 at pages 113-114.)
35. In 2001, MLC was allowed to operate in the following areas: Medical Assistant, Certificate in Nursing Assistant, Pharmacy Technician, Phlebotomy and Practical Nursing. (HT at 69.)
36. Although additional issues were raised by SCHEV in its letter, by Counsel, dated August 2, 2021, filed herein, insufficient evidence was introduced to grant relief except as stated herein.

### **Conclusions of Law**

This was a straight-forward case. The facts and law were, for the most part, undisputed.

Section 23.1-217 of the Virginia Code requires that any entity offering post-secondary education

be authorized to do so by SCHEV. After reviewing the evidence, the exhibits, pleadings and argument of the Parties, the following is decided:

Violations of 8VAC40-31-19511A & 8VAC40-31-200

- A. 8VAC40-31-19511A provides that “[failure to provide the council or council staff within a reasonable timeframe any information, records, or files pertaining to the operation of the school or recruitment and enrollment of students or in response to an audit.
- B. 8VAC40-31-200 allows SCHEV to conduct random audits and mandates MLC to effectuate such audits” [all certified post-secondary schools **shall** be subject to random periodic audits. [Emphasis added.]”
- C. By overwhelming evidence, MLC intentionally violated these legal mandates. Without excuse or justification, MLC ignored the contents and requests of SCHEV’s letters, dated December 9, 2019, and December 31, 2019. Under the shadow of a BON appeal, MLC’s actions are consistent with its design to delay. Despite proper legal notification, MLC failed to provide documents or otherwise cooperate with SCHEV’s audit on January 12, 2020, without excuse or justification. At best, MLC was attempting to delay so as to allow its BON appeal to finalize—an endeavor not allowed under applicable regulations. At worse, MLC’s actions were an attempt to hide unknown misdeeds. In any event, audits, random or otherwise, are required under the Regulations to protect students (*i.e.*, the public) from fraud, *etc.* See, *e.g.*, the facts contained in the letter, dated February 5, 2020. (SCHEV Exhibit 3 at page 113-114.)

Violation of 8VAC40-31-160(N)

A. 8VAC40-31-160(N) provides in pertinent part:

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 shall 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.

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 non-refundable 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 non-refundable 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 non-refundable. No other non-refundable fees shall be allowed prior to enrollment.

B. MLC violated 8VAC40-31-160(N) by failing to refund her \$50.00. MLC attempts to charge a non-refundable “application fee.” This attempt is flawed insofar as this Regulation treats all such expenses as governed by the \$100 limit regardless of how defined by MLC.

Violation of 8VAC40-31-150(D)(1)

A. 8VAC40-31-150(D)(1) provides that MLC must provide “[c]ourses of study [to] 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.

B. As to [redacted], individually, MLC violated 8VAC40-31-150(D)(1) by delaying classes or canceling classes undermining this student's opportunity to have access to the curriculum without justification or excuse. (HT at 79 and 81-82; SCHEV Exhibit 12, pages 309 to 350.)

C. SCHEV introduced insufficient evidence to allow that this violation was material as to the balance of students who attended MLC courses.

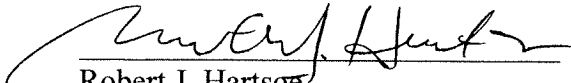
While the facts are not in dispute, the law shields MLC. filed a complaint against MLC on August 1, 2019. (HT at 85-86; SCHEV Exhibit 12, 353.) 's judgment was entered against MLC on May 25, 2018, which has not been satisfied. (HT at 86-87; SCHEV Exhibit 12 at page 351.) Despite the existence of the binding judgment against MLC in favor of , it turned the matter over collections. (HT at 87.) By letter, dated September 25, 2019, counsel for MLC made demand for payment–collections. (SCHEV Exhibit 12 at page 358.) While the actions of MLC were done in retaliation, the argument of *res judicata* shields MLC from negative consequences. On the issue of *res judicata*, the circuit courts differ regarding the failure to file a counterclaim before final judgment and allows an argument not addressed by an appellate court. See Am. Cigar Factory, LLC v. City of Norfolk, 4 Cir. CL20150 (2020). In short, MLC's actions regarding cannot be the basis for revocation.

### Conclusion

Given the regulatory mandates and applicable law, MLC should have cooperated with the audit process. Overall, MLC's failure to provide documents as well as failure to allow SCHEV to conduct the audit equate to MLC's intentional violation of the applicable Regulations requiring sanction. Other violations are consistent with such improper intent. Even if BON re-certified MLC after the Hearing in the instant matter in regard to allowing it to maintain a Practical Nursing Program, MLC's improper actions require sanction.

**Disposition Recommendation**

After considering the pleadings, evidence and argument of the Parties, the appeal should be dismissed with prejudice for reasons stated herein.

  
Robert J. Hartsoe  
Hearing Officer

December 13, 2021  
Date

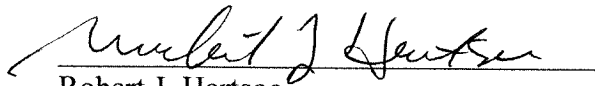
**CERTIFICATE OF SERVICE**

I certify that on this 13<sup>th</sup> day of December, 2021, a true and accurate copy of this pleading was mailed, *via* First-class, postage prepaid mail, to:

Gullalai Safi, Administrator  
Medical Learning Center, Inc.  
2720 Prosperity Avenue, Suite 400-2  
Fairfax, Virginia 22031

Ramona L. Taylor, Esquire  
Senior Assistant Attorney General  
Office of the Attorney General  
202 North Ninth Street  
Richmond, Virginia 23219  
Counsel for the State Council of Higher Education for Virginia

Peter Blake, Director  
State Counsel of Higher Education for Virginia  
101 North Fourteenth Street  
Richmond, Virginia 23219

  
Robert J. Hartsoe  
Hearing Officer

# State Council of Higher Education for Virginia Agenda Item

**Item:** #II.E. - Academic Affairs – Discussion of the Virginia Outstanding Faculty Awards Program

**Date of Meeting:** January 11, 2022

**Presenter:** Ms. Ashley Lockhart  
Associate for Academic Initiatives

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:**

**Action:**

**Purpose of Agenda Item:** The purpose of this agenda item is to provide the Academic Affairs Committee with information regarding the Outstanding Faculty Awards program. The Committee is invited to engage in discussion to inform future staff work.

**Background Information/Summary of Major Elements:** SCHEV has a responsibility to administer an “Outstanding Faculty Recognition Program [and] annually provide a grant to faculty members selected to be honored under this program from such private funds as may be designated for this purpose.” Since 1986, SCHEV has granted such awards to faculty selected from public and private institutions of higher education in Virginia, in a two-stage selection cycle that begins in April with a call for nominations, and ends in March with an awards event.

The staff presentation will review the history and structure of the Outstanding Faculty Awards and highlight recent trends and logistical updates.

**Materials Provided:**

- A PowerPoint presentation will be provided.

**Financial Impact:** N/A

**Timetable for Further Review:** N/A

**Relationship to Goals of The Virginia Plan for Higher Education:** The assessment related work of the Academic Affairs Committee supports the following goals of *Pathways to Opportunity: The Virginia Plan for Higher Education*:

- Cultivate a climate of inclusion and innovation through scholarship, research, a diverse faculty and other programming.

- Foster program and administrative innovations that enhance quality, promote collaboration and improve efficiency.

**Resolution:** N/A

# State Council of Higher Education for Virginia Agenda Item

**Item:** #II.F. - Academic Affairs – Report of the Staff Liaison to the Academic Affairs Committee

**Date of Meeting:** January 11, 2021

**Presenter:** Dr. Joseph G. DeFilippo  
Director of Academic Affairs & Planning  
[joedefilippo@schev.edu](mailto:joedefilippo@schev.edu)

**Most Recent Review/Action:**

No previous Council review/action

Previous review/action

**Date:**

**Action:**

**Purpose of Agenda Item:**

Staff activities report.

**Background Information/Summary of Major Elements:**

N/A

**Materials Provided:**

“Report of the Staff Liaison to the Academic Affairs Committee,” by Dr. Joseph G. DeFilippo.

**Financial Impact:**

N/A

**Relationship to Goals of The Virginia Plan for Higher Education:**

N/A

**Timetable for Further Review/Action:**

N/A

**Resolution:**

N/A



## Report of the Staff Liaison to the Academic Affairs Committee, October 25, 2021

Dr. Joseph G. DeFilippo  
Director of Academic Affairs & Planning

=====

### Instructional Programs Advisory Committee (IPAC)

- IPAC was convened virtually on November 5. The agenda included:
  - **Patricia Parker** (SCHEV/VCCS/Transfer Virginia) gave a presentation on the *Virginia Transfer Portal*.
  - **Jim Ellis** (VCU Survey and Evaluation Research Laboratory) provided a briefing on results from the *Virginia Educated* survey.
  - **Wendy Kang** (SCHEV) reviewed SCHEV's 2022 Budget Recommendations .

### Virginia State Authorization Reciprocity Agreement Advisory Committee

- **Joseph G. DeFilippo**, **Darlene Derricott**, and **Emily Hils** hosted a virtual meeting of the Virginia SARA Advisory Committee (V-SAC) November 4 for Virginia's 73 participating SARA institutions. This is SCHEV's seventh annual meeting since obtaining state membership in 2014. The meeting agenda included a panel composed of compliance staff from three Virginia institutions sharing best practices, challenges, next steps, and resources with attendees. Presentations from officials from the State Authorization Network and the National Council for State Authorization Reciprocity Agreements provided updates on managing compliance, current and future federal rulemaking, data reporting, SARA Board actions, and SARA policy changes. Attendees expressed an appreciation to SCHEV for the opportunity to meet yearly, for the time allotted for institutional participation, and for continued updates and the sharing of best practices regarding compliance requirements.

### Orientation Session for Schools Seeking Certification

- Private Postsecondary Education (PPE) staff virtually convened a group of prospective school owners on November 30, 2021. This orientation is the first step in the application process for entities seeking certification to operate a postsecondary school in Virginia. Staff presented participants with an overview of the laws and regulations pertaining to the operation of a private postsecondary school and a summary of the certification process. The orientation also included detailed instructions on how to complete the certification application. There were three participants from degree-granting and fourteen vocational school representatives in attendance.

### Staff Activities and Recognition

Beverly Rebar:

- Represented SCHEV at the Virginia Space Grant Consortium Board meeting on October 27.

- On November 10, presented the report on the HB 2120, regarding board transparency and public access to board meetings to the FOIA Council.
- Convened the legislative liaisons for General Assembly prep and budget briefings on November 12th and December 16th.
- Attended the Senate Finance and Appropriations Committee retreat in Roanoke on November 19th.
- Attended the Hunt Institute's Education Summit at Old Dominion University on December 3rd.
- Convened the Military Education Advisory Committee on December 10th for a presentation on the Transfer Portal and group discussion of priorities for military-related students.
- Attended the Library Advisory Committee on December 10th and provided a SCHEV briefing.
- Attended the Virginia Space Grant Consortium Advisory Council meeting on December 10th and provided a SCHEV briefing.

Academic Affairs Staff:

*Public Sector Academic Affairs*

Dr. Joseph G. DeFilippo, Director, Academic Affairs & Planning  
 Ms. Darlene Derricott, Senior Coordinator, Academic Services  
 Dr. Jodi Fisler, Senior Associate for Assessment Policy & Analysis  
 Ms. Emily Hils, Academic Programs and Services Specialist  
 Ms. Ashley Lockhart, Associate for Academic Initiatives  
 Dr. Monica Osei, Associate Director for Academic Programs & Instructional Sites  
 Ms. Beverly Rebar, Senior Associate for Academic & Legislative Affairs  
 Dr. Paul Smith, Senior Associate for Student Mobility Policy & Research

*Private Postsecondary Education*

Mr. Richard Cole, Certification Specialist  
 Ms. Sandra Freeman, Director, Private Postsecondary Education  
 Ms. Kathleen Kincheloe, Compliance Specialist  
 Ms. Monica Lewis, Fiscal Specialist  
 Ms. Jacqueline Noggins, Administrative Assistant  
 Ms. Sylvia Rosa-Casanova, Senior Associate for Private Postsecondary Education  
 Ms. Stephanie Shelton, Administrative Assistant  
 Mr. Alfonso Wells, Compliance Investigator

**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA  
RESOURCES AND PLANNING COMMITTEE  
OCTOBER 25, 2021  
MINUTES**

Ms. Harker called the meeting to order at 3:30 p.m. in the Massey Library Building, Room 138, J. Sargeant Reynolds Community College, Richmond, Virginia. Committee members present: Marge Connelly, Victoria Harker, Thaddeus Holloman and Katharine Webb.

The following Committee members were absent: Mirza Baig, John Broderick and Stephen Moret.

Staff members present: Lee Andes, Peter Blake, Wendy Kang, Laura Osberger and Kristin Whelan.

Others present: Ramona Taylor from the Office of the Attorney General

**APPROVAL OF MINUTES**

On a motion by Mr. Holloman and seconded by Ms. Webb, the minutes from the September 13, 2021, meeting were approved unanimously.

**ACTION ON INSTITUTIONAL PERFORMANCE STANDARDS CERTIFICATION FOR VIRGINIA STATE UNIVERSITY**

Dr. Huskey reviewed the details of the certification status of Virginia State University. Based on the recommendation from the Secretary of Finance, the committee will vote to determine the certification of VSU. Certification makes VSU eligible to receive financial benefits associated with IPS certification.

On a motion by Katharine Webb and seconded by Ms. Harker the following resolution was approved unanimously (4-0) to be forwarded to the full Council.

**BE IT RESOLVED that consistent with § 23.1-206, Code of Virginia, the State Council of Higher Education for Virginia certifies for 2021-2022 that Virginia State University has satisfactorily met the performance standards of the Virginia Higher Education Opportunity Act and Appropriation Act.**

**ACTION ON PROPOSED AMENDMENTS TO THE VIRGINIA TUITION ASSISTANCE GRANT PROGRAM REGULATIONS**

Lee Andes described the changes made to the TAG program and the proposed amendments to the program regulations to provide the administrative guidance to ensure institutional compliance with state law.

On a motion by Ms. Webb and seconded by Mr. Holloman the following resolution was approved unanimously (4-0) to be forwarded to the full Council.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia approves the proposed amendments to the Virginia Tuition Assistance Grant Program regulations and further authorizes staff to make non-substantive changes as directed during the remainder of the promulgation process.

**ACTION ON ENROLLMENT PROJECTIONS AND DEGREE ESTIMATES**

Tod Massa briefly discussed the enrollment projections and degree estimates from Virginia public and TAG-eligible private, non-profit institutions. Mr. Massa also provided an update to enrollment at community colleges that he first reported on at the September meeting.

On a motion by Mr. Holloman and seconded by Ms. Webb the following resolution was approved unanimously (4-0) to be forwarded to the full Council.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia approves the FY2021- FY2027 institutional enrollment projections and degree estimates for the purposes of budgetary and fiscal planning and performance measurement. Staff is directed to make the detailed enrollment targets and degree estimates available to the public via the SCHEV website, with full detail.

**BE IT FURTHER RESOLVED** that approval of these institutional enrollment targets does not constitute either implicit or explicit approval of any new program, site, higher education center, or campus determined by an institution as necessary to achieve these targets.

**ACTION ON BUDGET AND POLICY RECOMMENDATIONS: SYSTEM OPERATIONS AND FINANCIAL AID 2022-24**

Ms. Kang discussed the changes in the budget and policy recommendations since the September meeting.

One of the biggest investments in the budget recommendations is in financial aid and the needs of students on campus. The funding would reward institutions that have the highest number of students who have the highest need. Committee members asked about incremental costs of increasing the financial aid awards at these institutions with the goal of increasing the award by \$1500 to \$2000.

The recommended increase in the Tuition Assistance Grant is from the current, \$4,000 to \$4,250 the first year and an increase to \$4,500 the second year.

Committee members requested a change to the recommendation with regard to the financial aid awards. Full Council will revisit at the meeting tomorrow.

**ACTION ON BUDGET AND POLICY RECOMMENDATIONS FOR THE 2022-24 BIENNIUM: CAPITAL OUTLAY**

Dr. Huskey reviewed the recommendations related to maintenance reserve and capital requests.

On a motion by Ms. Webb and seconded by Mr. Holloman the following resolution was approved unanimously (4-0) to be forwarded to the full Council.

**BE IT RESOLVED** that the State Council of Higher Education for Virginia supports additional investment in the maintenance reserve program and recommends that institutions receive at least the amounts they had in the previous biennium until additional data are available to SCHEV through the COVA Trax/M-R-Fix system.

**BE IT FURTHER RESOLVED** that the State Council of Higher Education recommends that the factors that SCHEV staff provide be taken into consideration during the decision-making process for approving the capital outlay needs of public higher education institutions in the 2022-24 biennium.

**MOTION TO ADJOURN**

The Chair adjourned the meeting at 4:45 p.m.

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Victoria Harker  
Committee Chair

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Kristin Whelan  
Interim Director, Executive & Board Affairs

# State Council of Higher Education for Virginia Agenda Item

**Item:** #III.C. - Resources and Planning Committee – Discussion of Governor’s Introduced Budget and the General Assembly Session

**Date of Meeting:** January 11, 2022

**Presenter:** Wendy Kang  
Director of Finance Policy & Innovation  
[WendyKang@schev.edu](mailto:WendyKang@schev.edu)

Yan Zheng  
Assistant Director, Finance Policy  
[YanZheng@schev.edu](mailto:YanZheng@schev.edu)

**Most Recent Review/Action:**

- No previous Council review/action
- Previous review/action

**Date:** October 26, 2020

**Action:** The Council approved an operating and financial aid budget recommendation totaling \$700.9 million in general fund for 2022-24 biennium.

**Purpose of Agenda Item:** The purpose of this agenda item is to provide an overview of the Governor’s introduced budget, identify alignment to the SCHEV budget recommendations and discuss next steps with Council members regarding primary areas of focus for staff during the upcoming General Assembly session.

**Background Information/Summary of Major Elements:**

On December 16, 2021, Governor Northam introduced his budget for the 2022-2024 biennium.

Overall, the Governor’s budget adds a total of \$924 million, the highest amount the state has invested in higher education in a biennium. (The total includes funding for classified salary increases, which normally are considered outside of SCHEV’s recommendations.) The Governor’s biennial additional funding increases funding for higher education and general (E&G) programs – the core activities of institutions – by approximately 33% over FY 2022 levels, and increases student financial program funding by 74%.

Additional funding focuses on key priority areas identified by the Council in its budget recommendations. The largest funding is in the area of faculty and staff salaries, with a 5% annual increase (\$287 million), followed by financial aid (\$241 million).

Table 1 provides a summary of funding by institution in the areas of operations, financial aid, research and others by year. Table 2 provides a comparison of the Governor's budget to the SCHEV recommendations.

Specific items of note include the following:

- **Affordable access funding:** The one-time funding of \$40 million provided in FY 2022 was included in the base budget for institutions and doubled with additional adjustments for Historically Black Colleges and Universities (HBCU). The total funding per year is \$97 million.
- **Financial aid:** SCHEV budget recommendations were used for undergraduate and graduate aid. SCHEV included a write-up regarding undergraduate aid in a recent [Insights post](#) to explain the additional need. It also includes an increase for TAG to \$4,500 in FY 2023 and \$5,000 in FY 2024. In addition, two private HBCUs (Hampton and Virginia Union) receive \$10 million each to support an initiative to provide college to high school graduates in a certain region of the institution (25-mile radius for the privates and 40-mile radius for the publics) at no cost to the students. NSU and VSU also receive \$2.5 million each year to expand similar initiatives.
- **Institutional support:** Additional institutional support includes operations and maintenance of new buildings opening in FY 2023 (using the SCHEV budget recommendations) and institution-specific initiatives. It also included increased funding to support the Governor's G3 ("free" community college initiative for high-demand programs) and significant support to HBCUs.
- **Salary increases:** Salary increases of 5% are included for both years and include full-time faculty, administrative faculty, adjunct faculty, graduate teaching assistants and classified staff. These amounts are split-funded between the state general fund and institutional funds. The estimated cost of the salaries from the general fund is \$94 million in the first year and \$197 million in the second year. The statewide average fund split is 50%, which indicates that institutions will need to raise about the same amount likely through a combination of general fund sources, nongeneral funds (tuition and fees or other resources) or cost savings.
- **Capital:** State-supported capital primarily is funded through cash versus debt, with the exception of the higher education equipment trust fund (HEETF). The introduced budget also funded a considerable amount of capital, including many projects in the planning phase.

While this budget exceeds the recommendations provided, a few areas of note that were not included in the budget are:

- Internship support
- Set-aside funding for institutions based on the cost study
- Budget language to continue implementation of the cost study
- Support of a pilot to address mental health needs on campus and increase the workforce pipeline of mental health workers
- Support for the Southern Regional Education Board Doctoral Fellows Program

SCHEV has initiated discussions with legislators and legislative staff on these topics to determine next steps during the session.

**Materials Provided:** A preliminary summary of the Governor's introduced budget is enclosed.

**Financial Impact:** Initial estimates are included in the summary. Final estimates will be provided when the budget is passed.

**Relationship to Goals of The Virginia Plan for Higher Education:** The proposed budget addresses all goals of the Plan to be equitable, affordable and transformative.

**Timetable for Further Review/Action:** Staff will provide periodic updates to the Council between now and the end of the 2022 General Assembly session.

**Resolution:** None.



**Table 1: Governor’s Introduced budget for 2022-24 biennium by institution and type of funding**

FY 2023	Educational and General Programs					Financial Aid			Research & Others	Total
	Affordable Access	Min Wage Increase	O&M	Inst specific Initiatives	Total E&G	Undergraduate Aid	Graduate Aid	Total Financial Aid		
CNU	\$1,791,200	\$253,918	\$182,000	\$499,000	\$2,726,118	\$167,800	\$7,600	\$175,400		\$2,901,518
GMU	\$8,123,800	\$723,860	\$6,000		\$8,853,660	\$4,150,700	\$523,300	\$4,674,000		\$13,527,660
JMU	\$5,023,400	\$339,432		\$2,065,368	\$7,428,200	\$951,100	\$174,100	\$1,125,200		\$8,553,400
LU	\$1,350,600	\$2,085		\$520,000	\$1,872,685	\$277,300	\$10,400	\$287,700		\$2,160,385
NSU	\$10,000,000	\$56,574		\$4,898,975	\$14,955,549	\$3,486,500	\$212,500	\$3,699,000		\$18,654,549
ODU	\$5,615,200	\$192,046	\$182,000	\$1,506,792	\$7,496,038	\$3,212,200	\$515,100	\$3,727,300	\$250,000	\$11,473,338
RU	\$2,661,000	\$319,289			\$2,980,289	\$1,503,500	\$174,600	\$1,678,100		\$4,658,389
UMW	\$1,478,400	\$221,213		\$480,000	\$2,179,613	\$276,700	\$10,600	\$287,300	\$500,000	\$2,966,913
UVA	\$7,003,000	\$61,253	\$173,000	\$837,107	\$8,074,360	\$450,700	\$479,600	\$930,300	\$15,337,336	\$24,341,996
UVAW	\$633,400	\$131,816		\$6,558,667	\$7,323,883	\$240,200	\$200,000	\$440,200		\$7,764,083
VCU	\$9,721,000	\$89,568	\$208,000		\$10,018,568	\$1,880,300	\$650,800	\$2,531,100	\$2,610,000	\$15,159,668
VMI	\$485,200	\$4,387	\$217,000	\$2,603,951	\$3,310,538	\$42,100		\$42,100	\$395,000	\$3,747,638
VSU	\$10,000,000			\$6,870,708	\$16,870,708	\$3,130,400	\$132,200	\$3,262,600		\$20,133,308
VT	\$9,836,600	\$151,110	\$757,000		\$10,744,710	\$1,018,000	\$964,800	\$1,982,800	\$2,370,862	\$15,098,372
WM	\$2,753,000	\$79,604	\$157,000	\$2,500,000	\$5,489,604	\$119,200	\$83,400	\$202,600		\$5,692,204
RBC	\$334,600	\$656	\$55,000	\$325,000	\$715,256	\$93,300		\$93,300		\$808,556
VCCS	\$20,196,400	\$270,716	\$428,000	\$34,538,968	\$55,434,084	\$4,000,000		\$4,000,000		\$59,434,084
VIMS		\$4,146	\$617,307		\$621,453		\$61,000	\$61,000	\$1,760,172	\$2,442,625
VT-ext		\$29,026	\$666,000		\$695,026				\$1,943,000	\$2,638,026
Faculty Salary Increase					\$94,099,343					\$94,099,343
<b>Institution Total</b>	<b>\$97,006,800</b>	<b>\$2,930,699</b>	<b>\$3,648,307</b>	<b>\$64,204,536</b>	<b>\$261,889,685</b>	<b>\$25,000,000</b>	<b>\$4,200,000</b>	<b>\$29,200,000</b>	<b>\$25,166,370</b>	<b>\$316,256,055</b>
<b>SCHEV</b>										
TAG						\$5,965,017		\$5,965,017		\$5,965,017
Hampton&VUU						\$10,000,000		\$10,000,000		\$10,000,000
FAFSA Completion									\$750,000	\$750,000
VMSDEP						\$5,400,000		\$5,400,000		\$5,400,000
Tuition Equity Aid						\$8,000,000		\$8,000,000	\$103,676	\$8,103,676
SCHEV staffing									\$631,314	\$631,314
Space Grant						\$182,000		\$182,000		\$182,000
VIVA									\$1,500,000	\$1,500,000
SCHEV total						\$29,547,017		\$29,547,017	\$2,984,990	\$32,532,007
<b>Affiliates</b>										
EVMS						\$500,000		\$500,000	\$1,599,973	\$2,099,973
NCI									\$3,800,000	\$3,800,000
IALR									\$845,752	\$845,752
RHEA									\$439,719	\$439,719
SVHEC									\$839,868	\$839,868
SWHEC									\$655,268	\$655,268
Affiliates total						\$500,000		\$500,000	\$8,180,580	\$8,680,580
<b>Grand Total</b>	<b>\$97,006,800</b>	<b>\$2,930,699</b>	<b>\$3,648,307</b>	<b>\$64,204,536</b>	<b>\$261,889,685</b>	<b>\$55,047,017</b>	<b>\$4,200,000</b>	<b>\$59,247,017</b>	<b>\$36,331,940</b>	<b>\$357,468,642</b>

**Table 1: Governor’s Introduced budget for 2022-24 biennium by institution and type of funding (cont.)**

FY 2024	Educational and General Programs					Financial Aid			Research & Others	Total
	Affordable Access	Min Wage Increase	O&M	Inst specific Initiatives	Total E&G	Undergraduate Aid	Graduate Aid	Total Financial Aid		
CNU	\$1,791,200	\$253,918	\$187,000	\$632,500	\$2,864,618	\$1,090,700	\$11,400	\$1,102,100		\$3,966,718
GMU	\$8,123,800	\$723,860	\$11,000		\$8,858,660	\$26,979,700	\$784,950	\$27,764,650		\$36,623,310
JMU	\$5,023,400	\$339,432		\$2,379,706	\$7,742,538	\$6,182,400	\$261,150	\$6,443,550		\$14,186,088
LU	\$1,350,600	\$2,085		\$520,000	\$1,872,685	\$1,802,300	\$15,600	\$1,817,900		\$3,690,585
NSU	\$10,000,000	\$56,574		\$4,912,934	\$14,969,508	\$8,912,200	\$318,750	\$9,230,950		\$24,200,458
ODU	\$5,615,200	\$192,046	\$726,000	\$1,506,792	\$8,040,038	\$20,879,100	\$772,650	\$21,651,750	\$250,000	\$29,941,788
RU	\$2,661,000	\$319,289			\$2,980,289	\$9,772,900	\$261,900	\$10,034,800		\$13,015,089
UMW	\$1,478,400	\$221,213		\$480,000	\$2,179,613	\$1,798,400	\$15,900	\$1,814,300	\$500,000	\$4,493,913
UVA	\$7,003,000	\$61,253	\$173,000	\$2,264,543	\$9,501,796	\$2,929,800	\$719,400	\$3,649,200	\$15,337,336	\$28,488,332
UVAW	\$633,400	\$131,816		\$4,953,957	\$5,719,173	\$1,561,500	\$200,000	\$1,761,500		\$7,480,673
VCU	\$9,721,000	\$89,568	\$417,000		\$10,227,568	\$12,221,800	\$976,200	\$13,198,000	\$2,610,000	\$26,035,568
VMI	\$485,200	\$4,387	\$286,000	\$2,359,191	\$3,134,778	\$273,400		\$273,400		\$3,408,178
VSU	\$10,000,000			\$8,436,909	\$18,436,909	\$6,597,700	\$198,300	\$6,796,000		\$25,232,909
VT	\$9,836,600	\$151,110	\$1,206,000		\$11,193,710	\$6,616,800	\$1,447,200	\$8,064,000	\$2,741,724	\$21,999,434
WM	\$2,753,000	\$79,604	\$314,000		\$3,146,604	\$774,700	\$125,100	\$899,800		\$4,046,404
RBC	\$334,600	\$656	\$222,000	\$325,000	\$882,256	\$606,600		\$606,600		\$1,488,856
VCCS	\$20,196,400	\$270,716	\$428,000	\$23,040,966	\$43,936,082	\$26,000,000		\$26,000,000		\$69,936,082
VIMS		\$4,146	\$630,995		\$635,141		\$91,500	\$91,500	\$1,424,475	\$2,151,116
VT-ext		\$29,026	\$759,000		\$788,026				\$1,306,000	\$2,094,026
Faculty Salary Increase					\$192,903,644					\$192,903,644
<b>Institution Total</b>	<b>\$97,006,800</b>	<b>\$2,930,699</b>	<b>\$5,359,995</b>	<b>\$51,812,498</b>	<b>\$350,013,636</b>	<b>\$135,000,000</b>	<b>\$6,200,000</b>	<b>\$141,200,000</b>	<b>\$24,169,535</b>	<b>\$515,383,171</b>
<b>SCHEV</b>										
TAG						\$15,477,578		\$15,477,578		\$15,477,578
Hampton&VUU						\$10,000,000		\$10,000,000		\$10,000,000
FAFSA Completion									\$1,500,000	\$1,500,000
VMSDEP						\$5,400,000		\$5,400,000		\$5,400,000
Tuition Equity Aid						\$8,800,000		\$8,800,000	\$103,676	\$8,903,676
SCHEV staffing									\$576,314	\$576,314
Space Grant						\$182,000		\$182,000		\$182,000
VIVA									\$1,800,000	\$1,800,000
<b>SCHEV total</b>						<b>\$39,859,578</b>		<b>\$39,859,578</b>	<b>\$3,979,990</b>	<b>\$43,839,568</b>
<b>Affiliates</b>										
EVMS						\$850,000		\$850,000	\$1,599,973	\$2,449,973
NCI									\$3,000,000	\$3,000,000
IALR									\$845,752	\$845,752
RHEA									\$279,933	\$279,933
SVHEC									\$384,868	\$384,868
SWHEC									\$655,268	\$655,268
<b>Affiliates total</b>						<b>\$850,000</b>		<b>\$850,000</b>	<b>\$6,765,794</b>	<b>\$7,615,794</b>
<b>Grand Total</b>	<b>\$97,006,800</b>	<b>\$2,930,699</b>	<b>\$5,359,995</b>	<b>\$51,812,498</b>	<b>\$350,013,636</b>	<b>\$175,709,578</b>	<b>\$6,200,000</b>	<b>\$181,909,578</b>	<b>\$34,915,319</b>	<b>\$566,838,533</b>

**Table 2: Comparison of Governor’s introduced budget to SCHEV budget recommendations**

Area	SCHEV Recommendations			Governor		
	FY 2023	FY 2024	Total	FY 2023	FY 2024	Total
<b>Operations</b>						
Nonpersonal and O&M*	\$15.18	\$29.28	\$44.46	\$3.65	\$5.36	\$9.01
Enrollment growth	\$4.84	\$4.84	\$9.68			
Affordable access				\$97.00	\$97.00	\$194.00
Minimum wage increases				\$2.93	\$2.93	\$5.86
Talent Development: Recruit, retention and diversify faculty and staff	\$73.92	\$150.02	\$223.94	\$94.10	\$192.90	\$287.00
Cost and funding study: Adjustments based on recommendations institution adjustments	\$30.00	\$30.00	\$60.00			
Institution-specific operation requests: Student success, talent pathways, inclusive excellence needs*	\$35.00	\$50.00	\$85.00	\$64.20	\$51.81	\$116.01
Internship expansion: Virginia Talent + Opportunity Partnership (V-TOP):	\$5.00	\$15.00	\$20.00			
Institution-specific: Research and community outreach initiatives	\$15.00	\$15.00	\$30.00	\$34.80	\$33.10	\$67.90
Collaborative initiatives: SCHEV, Virtual Library of Virginia and other system support	\$10.00	\$10.00	\$20.00	\$1.50	\$1.80	\$3.30
<b>Total Operations</b>	<b>\$188.94</b>	<b>\$304.14</b>	<b>\$493.08</b>	<b>\$298.18</b>	<b>\$384.90</b>	<b>\$683.08</b>
<b>Financial aid</b>						
Undergraduate need-based financial aid	\$20.00	\$130.00	\$150.00	\$20.00	\$130.00	\$150.00
Tuition Assistance Grant (TAG)	\$1.30	\$7.64	\$8.94	\$5.97	\$15.48	\$21.45
Tuition equity and aid provision:						
Undergraduate Aid	\$8.00	\$8.80	\$16.80	\$8.00	\$8.80	\$16.80
Tuition equity and aid provision: TAG	\$0.40	\$0.88	\$1.28			
Graduate aid	\$4.00	\$6.00	\$10.00	\$4.20	\$6.20	\$10.40
Military Survivors Program: Stipends	\$5.40	\$5.40	\$10.80	\$5.40	\$5.40	\$10.80
Other equity and affordability initiatives	\$5.00	\$5.00	\$10.00			
VCAN (NSU & VSU)				\$5.00	\$5.00	\$10.00
Hampton & VUU				\$10.00	\$10.00	\$20.00
EVMS & Space Grant				\$0.70	\$0.70	\$1.40
<b>Total Aid</b>	<b>\$44.10</b>	<b>\$163.72</b>	<b>\$207.82</b>	<b>\$59.27</b>	<b>\$181.58</b>	<b>\$240.85</b>
<b>Total Higher Education Funding</b>	<b>\$233.04</b>	<b>\$467.86</b>	<b>\$700.90</b>	<b>\$357.45</b>	<b>\$566.48</b>	<b>\$923.93</b>

The following provides a more detailed description of the Governor’s budget, including institution-specific funding amounts.

Item	Governor
<b>Systemwide Operation and Student Financial Aid</b>	
Increase undergraduate financial aid	\$20 million in FY 2023 and \$150 million in FY 2024.
Increase graduate student aid	\$4.2 million in FY 2023 and \$6.2 million in FY 2024.
Tuition Assistance Grant (TAG)	\$6 million in FY 2023 and \$15.5 million in FY 2024 to increase the maximum undergraduate award to \$4,500 in FY 2023 and \$5,000 in FY 2024 in order to support Virginia’s degree completion goals.
Virginia Military Survivors and Dependent Education Program	\$5.4 million per year for stipends.
Financial aid for students ineligible for federal aid programs	\$8 million in FY 2023 and \$8.8 million in FY 2024 (tuition equity and aid).
G3 initiative	\$24 million in FY 2023 and \$14 million in FY 2024.
Affordable access	\$97 million per year.
Minimum wage increases	\$2.93 million per year.
O&M for new facilities	\$4.3 million in FY 2023 and \$6.1 million in FY 2024.
Salary increases	<ul style="list-style-type: none"> <li>• \$287 million in total (split funded with institutions)</li> <li>• 5% salary increase per year for full-time state employees, including adjunct faculty and graduate teaching assistants, effective July 1, 2022 and 2023.</li> </ul>
Health insurance premium rate	Increase by 2% in FY 2023 and 2.5% in FY 2024.
Virtual Library of Virginia	<ul style="list-style-type: none"> <li>• \$1 million in FY 2023 and \$1.3 million in FY 2024 for unavoidable cost increases to maintain access to online databases and journals.</li> <li>• \$500,000 per year to expedite the creation of Open Educational Resources, which will result in freer course materials.</li> </ul>
Access to postsecondary and FASFA completion	\$750,000 in FY 2023 and \$1.5 million in FY 2024 to increase FAFSA completion and college enrollment among underrepresented groups.
<b>Institution-Specific Budget</b>	
CNU	<ul style="list-style-type: none"> <li>• Support New Community Captains Program and Office of Diversity, Equity, and Inclusion. \$499,000 in FY 2023 and \$632,500 in FY 2024.</li> </ul>
JMU	<ul style="list-style-type: none"> <li>• Strengthen teacher recruitment and increase retention - Grow Your Own Initiative. \$1.9 million in FY 2023 and \$2.2 million in FY 2024</li> <li>• Establish an Innovation Center for Youth Justice. \$150,000 per year.</li> </ul>
LU	<ul style="list-style-type: none"> <li>• Support innovation in teacher preparation. \$370,000 per year.</li> </ul>

	<ul style="list-style-type: none"> <li>• Support positions at the Moton Museum and the Longwood Center for the Visual Arts. \$150,000 per year.</li> </ul>
NSU	<ul style="list-style-type: none"> <li>• Expand student access program. \$2.5 million per year</li> <li>• Enhance Student Experiential and Research Learning. \$2 million per year</li> <li>• Establish the Bridge and Beyond Program. \$1.3 million per year</li> <li>• Increase Support for Academic Excellence. \$400,000 per year</li> <li>• Enhance Focus on The Total Spartan. \$300,000 per year</li> <li>• Improve Center for Teaching and Learning. \$300,000 per year</li> <li>• Increase curriculum development. \$300,000 per year</li> <li>• Expand the Academic Advising Model. \$115,975 in FY 2023 and \$129,934 in FY 2024</li> <li>• Expand infrastructure of Institutional Effectiveness. \$108,000 per year</li> <li>• Expand Writing Center. \$75,000 per year</li> </ul>
ODU	<ul style="list-style-type: none"> <li>• Establish a Maritime Center for Mission Engineering Solutions and Workforce Training. \$1.5 million per year</li> <li>• Support Virginia Symphony Orchestra minority fellowships. \$250,000 per year</li> </ul>
UMW	<ul style="list-style-type: none"> <li>• Enhance support for the Commonwealth's museums at the University of Mary Washington. \$500,000 per year</li> <li>• Enhance support for students and employees with disabilities. \$480,000 per year</li> </ul>
UVA	<ul style="list-style-type: none"> <li>• Increase State Support for Cancer Center. \$13.3 million per year</li> <li>• Fund the University of Virginia Health Plan. \$837,107 in FY 2023 and \$2.3 million in FY 2024</li> <li>• Increase funding for Focused Ultrasound Center. \$2 million per year</li> </ul>
UVAW	<ul style="list-style-type: none"> <li>• Enhance rural economic development and expand programs. \$6.6 million in FY 2023 and \$5 million in FY 2024</li> <li>• Provide graduate financial aid to support Master of Science Nursing students. \$200,000 per year</li> </ul>
VCU	<ul style="list-style-type: none"> <li>• Increase support for cancer research. \$2.5 million per year</li> <li>• Increase support for partnership with the Virginia Repertory Theatre. \$110,000 per year</li> </ul>
VMI	<ul style="list-style-type: none"> <li>• Implement One Corps, One VMI - Equity Audit Actions, \$2.6 million in FY 2023 and \$2.4 million in FY 2024 (split funded—these are GF funds)</li> <li>• Transition faculty and staff to the new Army service uniform. \$395,000 in FY 2023.</li> </ul>
VSU	<ul style="list-style-type: none"> <li>• Establish new degree and online programs. \$2.5 million in FY 2023 and \$3.7 million in FY 2024</li> <li>• Expand student access program. \$2.5 million per year</li> <li>• Establish and expand academic success initiatives. \$1.6 million per year</li> <li>• Establish a degree completion and career enhancement initiative. \$1.2 million in FY 2023 and \$1.4 million in FY 2024</li> <li>• Establish Advanced Manufacturing Logistics Institute. \$1 million in FY 2023 and \$1.2 million in FY 2024</li> <li>• Establish Pipeline with Purpose program. \$520,500 per year</li> </ul>
VT	<ul style="list-style-type: none"> <li>• Provide funding for focused ultrasound. \$2 million per year</li> </ul>

	<ul style="list-style-type: none"> <li>• Equalize support for Unique Military Activities. \$370,862 in FY 2023 and \$741,724 in FY 2024</li> </ul>
WM	Support relocation and restoration of the Bray School structure. \$2.5 million in FY 2023
RBC	Reduce compliance concerns. \$325,000 per year
VCCS	<ul style="list-style-type: none"> <li>• Expand Network2Work. \$4 million in FY 2023 and \$4.5 million in FY 2024</li> <li>• Enhance cyber-security infrastructure. \$4 million in FY 2023 and \$1 million in FY 2024</li> <li>• Fund Hampton Roads Strong initiative. \$2.5 million per year</li> <li>• Fund occupational therapy assistant program transferred from the Radford University Carilion merger to Virginia Western Community College. \$1 million in FY 2024</li> </ul>
VIMS	<ul style="list-style-type: none"> <li>• Establish an Underrepresented Minority Postdoctoral Research Associate program. \$411,594 in FY 2023 and \$449,014 in FY 2024</li> <li>• Support the Implementation of the Virginia Coastal Resiliency Master Plan. \$424,827 in FY 2023 and \$424,833 in FY 2024</li> <li>• Support the Virginia Department of Health and Virginia Marine Resources Commission needs in shellfish aquaculture management. \$424,653 in FY 2023 and \$325,137 in FY 2024</li> <li>• Support the Commonwealth Fisheries Collection. \$209,098 in FY 2023 and \$225,491 in FY 2024</li> <li>• Provide funding for an American Shad rescue plan. \$290,000 in FY 2023</li> </ul>
VT-extension	<ul style="list-style-type: none"> <li>• Provide funding to enhance salary competitiveness of extension agents. \$653,000 in FY 2023 and \$1.3 million in FY 2024</li> <li>• Continue multi-year phase-in of research equipment. \$1.3 million in FY 2023</li> </ul>
SCHEV	<ul style="list-style-type: none"> <li>• Provide funding for scholarships and student access at Hampton University and Virginia Union University. \$10 million per year</li> <li>• Address staffing shortfalls &amp; expand agency capacity. \$631,314 in FY 2023 and \$576,314 in FY 2024, 3 FTE positions</li> <li>• Increase funding for Virginia Space Grant Consortium BLAST program. \$180,000 per year</li> <li>• Support tuition aid and equity data system and web portal. \$103,676 per year</li> </ul>
EVMS	<ul style="list-style-type: none"> <li>• Increase state funding based on SCHEV recommendations. \$1.6 million per year</li> <li>• Increase student financial assistance, \$500,000 per year</li> </ul>
NCI	Establish broadband worker training program. \$3.8 million in FY 2023 and \$3 million in FY 2024
ILAR	Increase state support. \$845,752 per year
RHEA	<ul style="list-style-type: none"> <li>• Provide funding to establish a medical imaging center. \$358,643 in FY 2023 and \$198,857 in FY 2024</li> <li>• Provide funding for safety and security coordinator position. \$81,076 per year</li> </ul>

SVHEC	<ul style="list-style-type: none"> <li>• Increase appropriation for positions and program development for Career Tech Academy. \$643,000 in FY 2023 and \$293,000 in FY 2024</li> <li>• Increase appropriation for positions and contractual support for the Center of Nursing Excellence. \$91,000 per year</li> <li>• Increase appropriation for equipment upgrades for ProductWorks. \$105,000 in FY 2023</li> <li>• Adjust appropriation for centrally funded minimum wage increases. \$868 per year</li> </ul>
SWHEC	<ul style="list-style-type: none"> <li>• Increase funding for the Virginia Rural Information Technology Apprenticeship Grant, \$500,000 per year</li> <li>• Provide additional funding for center security, \$105,000 per year</li> <li>• Increase general fund support for new administrative charges, \$50,000 per year</li> <li>• Adjust appropriation for centrally funded minimum wage increases, \$268 per year</li> </ul>
<b>Language</b>	
Affordable access	Moves language related to procurement flexibility and nongeneral fund reporting from Affordable Access item to Part 4 (moved from Item 262.80 to permanent placement in Sections 4-8.01, 4-9.01, and 4-9.02)
Indirect Cost Recoveries	Removes COVID language pertaining to exemption of indirect cost recoveries from auxiliary enterprise programs to E&G (Item 3.401 of Ch. 552, Paragraphs A.3 and A.4)
PMIS	Removes agency funding to reflect the end of the Personnel Management Information System (PMIS) internal service fund. State agencies and institutions of higher education will no longer be billed for PMIS once the new Cardinal Human Capital Management (HCM) system becomes active.
State contribution rate for VRS	Provides general fund support for the changes in employer contribution rates for state employee retirement. Funding is provided for the full contribution rates certified by the Virginia Retirement System Board of Trustees for the Judicial Retirement System, State Police Officers' Retirement System, and Virginia Law Officers' Retirement System based on the June 30, 2021, Virginia Retirement System valuation for 2023 and 2024. The Virginia Retirement System contribution rate for all other state employees is maintained at its existing level, which is a higher contribution rate than what was certified by the Board of Trustees.
UVA	<i>Enhance Telemedicine budget language</i> Expands the eligible service providers to include physicians and other providers, in addition to the nurse practitioners currently included.
UVAW	<i>Extend indirect cost recovery relief</i> Extends the institution's authority to suspend the transfer of the recovery of the full indirect cost of auxiliary enterprise programs to the educational and general program into the 2022-2024 biennium.
SCHEV	<ul style="list-style-type: none"> <li>• <i>Conduct review of student services</i> Directs SCHEV to conduct a review of the critical issues in student-support services facing higher education in the Commonwealth.</li> <li>• <i>Conduct study on nursing and nursing education</i> Directs SCHEV to conduct a study of nursing needs and barriers to nursing education to address nursing shortages in Virginia.</li> </ul>

Jefferson Lab	<p><i>Remove language allocating COF funding to Jefferson Lab for a one-time initiative</i></p> <p>Remove language under Jefferson Labs that allocated \$1.5M each year from the Commonwealth Opportunity Fund to support a potential high performance data facility project. The allocation was not intended to be an ongoing allocation.</p>
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<b>Item</b>	<b>2022-24 Budget for Capital Outlay</b>
Maintenance Reserve	\$102.4 million GF per year for higher education institutions
HEETF	Continues FY 2022 amount for each year of the biennium for a total of \$168.6 million. Funded with VCBA debt.
Tech Talent Investment Program (TTIP)	Provides \$53.6 million GF support for equipment and capital projects authorized in each institution's TTIP MOU for FY 2022 and the 2022-24 biennium.
Equipment funding pool	Provides \$29.9 million GF for projects nearing completion next biennium Includes VMI, VIMS, RU, VCU, LU and ODU.

**Maintenance Reserve Funding for Higher Education in 2022-24 Biennium**

<b>Institution</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>Total</b>
The College of William & Mary	\$ 2,524,968.00	\$ 2,524,968.00	\$ 5,049,936.00
University of Virginia	\$ 15,966,367.00	\$ 15,966,367.00	\$ 31,932,734.00
Virginia Tech	\$ 17,871,713.00	\$ 17,871,713.00	\$ 35,743,426.00
Virginia Military Institute	\$ 1,678,327.00	\$ 1,678,327.00	\$ 3,356,654.00
Virginia State University	\$ 4,602,229.00	\$ 4,602,229.00	\$ 9,204,458.00
Norfolk State University	\$ 3,932,444.00	\$ 3,932,444.00	\$ 7,864,888.00
Longwood University	\$ 1,761,755.00	\$ 1,761,755.00	\$ 3,523,510.00
University of Mary Washington	\$ 2,115,226.00	\$ 2,115,226.00	\$ 4,230,452.00
James Madison University	\$ 5,012,314.00	\$ 5,012,314.00	\$ 10,024,628.00
Radford University	\$ 2,182,707.00	\$ 2,182,707.00	\$ 4,365,414.00
Old Dominion University	\$ 4,389,108.00	\$ 4,389,108.00	\$ 8,778,216.00
Virginia Commonwealth University	\$ 12,139,379.00	\$ 12,139,379.00	\$ 24,278,758.00
Richard Bland College	\$ 504,677.00	\$ 504,677.00	\$ 1,009,354.00
Christopher Newport University	\$ 1,933,436.00	\$ 1,933,436.00	\$ 3,866,872.00
UVA-College at Wise	\$ 691,412.00	\$ 691,412.00	\$ 1,382,824.00
George Mason University	\$ 5,312,212.00	\$ 5,312,212.00	\$ 10,624,424.00
Virginia Community College System	\$ 19,003,361.00	\$ 19,003,361.00	\$ 38,006,722.00
Virginia Institute of Marine Science	\$ 778,477.00	\$ 778,477.00	\$ 1,556,954.00
<b>Total</b>	<b>\$ 102,400,112.00</b>	<b>\$ 102,400,112.00</b>	<b>\$ 204,800,224.00</b>

**Pool Projects Funded for Construction in the Central Capital Appropriations (2022-24 Biennium)**

<b>Institution</b>	<b>Project Title</b>	<b>Project Type</b>
Christopher Newport University	Integrated Science Center Phase III	New Construction
James Madison University	Renovate and Expand Carrier Library	Improvements
Longwood University	Wygal Hall Replacement	New Construction
Old Dominion University	Construct a New Biology Building	New Construction
Richard Bland College	Renovate and Expand Center for Experiential Learning and Student Success	New Construction/Improvement
Richard Bland College	Renovate Maze Hall	New Construction/Improvement
College of William and Mary	Renovate Studio for Teaching and Learning Innovation	Improvements
VCCS	Renovate AL Philpott Technical Center and MET complex building, Patrick Henry CC	New Construction/Improvements
VCCS	Renovate and Expand Rooker for Advanced Manufacturing and Credentialing Center, New River CC	New Construction/Improvements
VCCS	Renovate Learning Resource Center (LRC), Virginia Highlands CC	Improvements
VCCS	Renovate Main Academic Building, Downtown Campus, J. Sargeant Reynolds CC	Improvements
VCCS	Renovate/Retrofit Walker Building, Norfolk Campus, Tidewater CC	Improvements
VCCS	Reconstruct Templin Hall Auditorium, Hampton Campus, Virginia Peninsula CC	New Construction/Improvements
VCCS	Replace Buchanan and Tazewell Halls, Southwest Virginia CC	Improvements
Virginia Commonwealth University	New Arts and Innovation Building	New Construction
Virginia Institute of Marine Science	Construct Marine Operations Administration Complex	New Construction

**Infrastructure Projects Funded in the Central Capital Appropriations (2022-24 Biennium)**

<b>Institution</b>	<b>Project Title</b>	<b>Project Type</b>
James Madison University	Improve East Campus Utilities Infrastructure Phase 2	New Construction
Radford University	Improve Campus Utilities Infrastructure	Improvements
Radford University	Install Combined Heating and Power Cogeneration Facility	Improvements
The College of William & Mary	Improve Accessibility Infrastructure	Improvements
University of Mary Washington	Improve accessibility campus-wide	Improvements
Virginia Military Institute	Improve Cadet Safety and Security	Improvements
Virginia Military Institute	Replace Windows in Old and New Barracks	Improvements
Virginia State University	Improve Access and Accessibility	Improvements
Virginia State University	Improve Campuswide Drainage	Improvements
Virginia State University	Reroof Academic and Administrative Buildings Campuswide	Improvements
Virginia Tech	Address Life, Health, Safety, Accessibility and Code Compliance	Improvements

**Projects Authorized for Detailed Planning in the Central Capital Appropriations in 2022-24 Biennium**

<b>Institution</b>	<b>Project Title</b>	<b>Project Type</b>
Virginia State University	Construct BOLT Leadership Center for Social Responsibility	New Construction
Virginia State University	Renovate Virginia Hall	Improvements
Norfolk State University	Construct Pre-School Academy	New Construction
Norfolk State University	Construct Wellness, Health, and Physical Education Center	New Construction
University of Mary Washington	Renovate Simpson Library	Improvements
Radford University	Renovate McConnell Hall	Improvements
Old Dominion University	Construct New Data Science and Computer Engineering Building	New Construction
Virginia Tech Extension	Improve Center Woods Complex	Improvements
University of Virginia's College at Wise	Renovate Darden Hall	Improvements
Virginia Community College System	Renovate and Expand Fincastle Hall, Wytheville CC	New Construction/ Improvements
Virginia Community College System	Renovate Brown Library, Virginia Western CC	Improvements
Virginia Community College System	Renovate Franklin Campus, Paul D. Camp CC	Improvements
Virginia Community College System	Renovate Stone Hall Building, Patrick and Henry CC	Improvements
Virginia Institute of Marine Science	Construct New Fisheries Science Building	New Construction
University of Virginia	Construct Center for the Arts	New Construction
Virginia Tech	Expand Virginia Tech-Carilion School of Medicine and Fralin Biomedical Research Institute	New Construction/ Improvements
Virginia Military Institute	Construct Center for Leadership and Ethics Facility, Phase II	Planning
George Mason University	Construct Interdisciplinary Science and Engineering Building 1	New Construction
George Mason University	Construct Student Innovation Factory Building	New Construction

**Capital Project Funding In Institutions' Budget in 2022-24 Biennium**

<b>Inst.</b>	<b>Project Title</b>	<b>Type of Project</b>	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Bonds</b>	<b>Total</b>
GMU	Construct Interdisciplinary Science & Engineering Building 1	New Construction		\$7,387,000		\$7,387,000
GMU	Construct Student Innovation Factory Building	New Construction		\$2,037,000		\$2,037,000
GMU	Improve Telecommunications Infrastructure Phase 3	Improvements-Infrastructure Repairs	\$14,250,000		\$9,750,000	\$24,000,000
	<b>Institution Total</b>					<b>\$33,424,000</b>
JMU	Blanket Property Acquisition	Acquisition		\$3,000,000		\$3,000,000
JMU	Construct Village Student Housing Phase 1	Improvements		\$11,000,000	\$55,240,000	\$66,240,000
JMU	East Campus Infrastructure Phase 2	New Construction	\$30,190,000		\$12,940,000	\$43,130,000
	<b>Institution Total</b>					<b>\$112,370,000</b>
NSU	Construct New Dining Facility	New Construction	\$52,210,750			\$52,210,750
NSU	Construct Residential Housing Phase 2	New Construction	\$58,331,500			\$58,331,500
	<b>Institution Total</b>					<b>\$110,542,250</b>
ODU	Repair Rollins Hall	Maintenance Reserve	\$2,507,201			\$2,507,201
	<b>Institution Total</b>					<b>\$2,507,201</b>
RU	Improve Campus Utilities Infrastructure	Improvements	\$15,425,000			\$15,425,000
RU	Install Combined Heating and Power Cogeneration Facility	Improvements	\$11,200,000	\$4,800,000		\$16,000,000
	<b>Institution Total</b>					<b>\$31,425,000</b>
UMW	Improve accessibility campus-wide	Improvements	\$11,250,000			\$11,250,000
	<b>Institution Total</b>					<b>\$11,250,000</b>
UVA	Construct Center for the Arts	New Construction		\$11,108,000		\$11,108,000
	<b>Institution Total</b>					<b>\$11,108,000</b>
VMI	Construct Center for Leadership and Ethics Facility, Phase II, and Parking Structure	Planning		\$1,489,179		\$1,489,179
VMI	Replace Windows in Old and New Barracks	Improvements	\$32,300,000			\$32,300,000
	<b>Institution Total</b>					<b>\$33,789,179</b>
VSU	Improve Access and Accessibility	Improvements	\$26,436,783			\$26,436,783
VSU	Improve Campuswide Drainage	Improvements	\$13,899,852			\$13,899,852
VSU	Reroof Academic and Administrative Buildings Campuswide	Improvements	\$19,147,000			\$19,147,000
	<b>Institution Total</b>					<b>\$59,483,635</b>
VT	Construct Hitt Hall	New Construction		\$13,484,000	\$71,516,000	\$85,000,000
VT	Expand VT Carillion School of Medicine and Fralin Biomedical Research Institute	New Construction/Improvements		\$6,003,000		\$6,003,000
VT	Supplement funding for Health, Life, Safety, Accessibility, and Code Compliance	Improvements	\$7,300,000			\$7,300,000
	<b>Institution Total</b>					<b>\$98,303,000</b>
WM	Construct: Utility Improvements	New Construction/Improvements			\$7,850,000	\$7,850,000
WM	Improve Accessibility Infrastructure Phase II	Improvements - Handicapped Access	\$5,850,000			\$5,850,000
	<b>Institution Total</b>					<b>\$13,700,000</b>
RHEA	Replace Network Switches	Stand Alone Equipment Acquisition	\$250,000			\$250,000
RHEA	Replace Obsolete/failing HVAC fan coils	Improvements	\$3,796,200			\$3,796,200
	<b>Institution Total</b>					<b>\$4,046,200</b>
<b>Total</b>			<b>\$304,344,286</b>	<b>\$60,308,179</b>	<b>\$157,296,000</b>	<b>\$521,948,465</b>

# State Council of Higher Education for Virginia Agenda Item

**Item:** #III.D. - Resources and Planning Committee - Discussion of Interim Report on the Cost Funding Needs Study

**Date of Meeting:** January 11, 2022

**Presenter:** Tom Allison  
Senior Associate for Finance Policy and Innovation  
[tomallison@schev.edu](mailto:tomallison@schev.edu)

Wendy Kang  
Director of Finance Policy and Innovation  
[Wendykang@schev.edu](mailto:Wendykang@schev.edu)

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:** May 2021

**Action:** Council received an overview of current funding model activities, including base adequacy. Staff provided updates in the director's reports for the July and September meetings.

**Purpose of Agenda Item:** The purpose of this agenda item is to provide an update on a legislative-directed higher education cost and funding study, including highlighting topics covered in the preliminary report, reviewing stakeholder engagement and discussing next steps.

**Background Information/Summary of Major Elements:**

The 2021 General Assembly Session directed SCHEV to conduct a study on higher education costs and funding needs. As required by budget language, SCHEV transmitted the preliminary report to the chairs of the money committees and to Governor Northam on December 1. SCHEV created a web page that includes a background on the study, the four deliverables planned for the project, a copy of the workplan completed in August and a copy of the preliminary report at [www.schev.edu/coststudy](http://www.schev.edu/coststudy).

Following the workplan submission in August, the preliminary report largely covers Deliverable #1 (review of funding policies), Deliverable #2 (efficiency and effectiveness review) and Deliverable #3 (trends in costs for higher education). The

report introduces principles of the design and implementation and anticipated parameters of Deliverable #4 (recommendations for a new funding model).

SCHEV engaged the national Center on Higher Education Management Systems (NCHEMS), a national non-profit based in Boulder, Colorado, with expertise and experience in helping states design and implement higher education funding models.

**Stakeholder engagement:** SCHEV staff has held regular biweekly meetings with the OpSix workgroup, key budget and policy staff in the administration and legislature.

SCHEV also convened an institutional finance working group made up of eight members of the Finance Advisory Committee (FAC-8) and an academic affairs work made up of four members of the Institutional Programs Advisory Committee (IPAC-4). These working groups have provided feedback and guidance on specific and detailed aspects of the project.

SCHEV and NCHEMS staff have also met with Council members, members of the House of Delegates, the institutional liaisons, institution presidents, advocacy groups and other stakeholders.

Input so far has focused on the financial and enrollment analysis at the institutional level, the institutional comparison group analysis, and the application of NCHEMS' conceptual framework to Virginia's budget process.

**Next steps:** In the new year, SCHEV will continue its biweekly meetings with the OpSix workgroup and FAC-8. In addition, monthly check-in meetings are planned with the finance officers through July.

SCHEV expects to begin working on an interactive tool of the new model after the legislative session concludes in March. The final report is due July 1, 2022.

**Materials Provided:**

N/A

**Relationship to Goals of The Virginia Plan for Higher Education:**

The cost study is focused on the goals of making Virginia higher education more equitable and more affordable. The purpose is to look at whether current funding to institutions is equitable and fair based on estimated costs, alignment to state goals and other needs and how funds can support affordability for students and families.

**Financial Impact:**

NA

**Timetable for Further Review/Action:**

NA

**Resolution:** NA

## State Council of Higher Education for Virginia Agenda Item

**Item:** #III.E. - Resources and Planning Committee -- Discussion of the Virginia Alternative Student Aid (VASA) Application

**Date of Meeting:** January 11, 2022

**Presenter:** Lee Andes  
Associate Director for Financial Aid  
[leeandes@schev.edu](mailto:leeandes@schev.edu)

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:** September 2021

**Action:** Staff included a highlight of the system and additional funding needed to support an alternative student aid application in its budget recommendations.

**Purpose of Agenda Item:** The purpose of this agenda item is to provide an update on the implementation of the Virginia alternative student aid (VASA) application. This application is needed to help institutions determine state need-based aid for students who cannot complete the federal aid forms beginning in fall 2022.

**Background Information/Summary of Major Elements:**

In 2020, Virginia passed legislation providing in-state tuition to undocumented students. Virginia expanded the benefits to include access to state financial aid in the 2021 General Assembly session with an implementation date of August 1, 2022. The financial process for awarding 2022-23 state aid has already begun as students are now completing financial aid applications for the FY2023 award year.

To determine need-based aid, Virginia relies on a calculation of a family's ability to pay—or expected family contribution (EFC). This historically was accomplished using the Federal Free Application for Federal Student Aid (FAFSA), which produced an EFC figure; however, many of the students that are eligible for the newly expanded benefits, cannot complete the FAFSA because they are not a U.S. citizen or eligible non-citizen.

In July 2021, SCHEV contracted with Regent Education, Inc., to develop a parallel application for students who cannot complete a FAFSA due to their citizenship status. Regent previously worked with three other states and multiple colleges to create an alternative application for similar students.

The new application is live and can be found at [www.vasaapp.org](http://www.vasaapp.org). SCHEV is working with institutions, schools, school divisions, access organizations working with students to assist with the rollout of this application.

The Governor's introduced budget includes funding to support the system and provides additional aid to institutions that may be most impacted by an increase in newly eligible students. The total funding for the biennium is \$16.8 million and aligns with SCHEV's recommendations.

Under current plans, the initial funds will be distributed to institutions by SCHEV on an as-needed basis to better assess the needs of the program during the initial phase as it is difficult to determine how many students may apply and be eligible for need-based aid. Once a baseline is established over the next biennium, future funding could be distributed directly to institutions through adjustments to undergraduate aid.

**Materials Provided:** N/A

**Relationship to Goals of The Virginia Plan for Higher Education:**

The VASA Application supports the statewide strategic plan's goals of making college access more equitable and affordable for all Virginia students.

**Financial Impact:** N/A

**Timetable for Further Review/Action:** N/A

**Resolution:** N/A



**STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA  
COUNCIL MEETING  
OCTOBER 26, 2021  
MINUTES**

Ms. Connelly called the meeting to order at 9:00 a.m. in the Workforce Development Conference Center Gallery, J. Sargeant Reynolds Community College, Richmond, Virginia. Council members present: Ken Ampy, Alex Arriaga, Marge Connelly, Victoria Harker, Thaddeus Holloman, Henry Light, Stephen Moret, Jennie O'Holleran, Alvin J. Schexnider, Jeff Smith and Katharine Webb.

Council member absent: Mirza Baig and John Broderick.

Staff members present: Tom Allison, Lee Andes, Peter Blake, Joe DeFilippo, Alan Edwards Jodi Fisler, Wendy Kang, Tod Massa, Beverly Rebar, Emily Salmon, Paul Smith and Kristin Whelan.

**APPROVAL OF MINUTES**

On a motion by Mr. Light and seconded by Ms. Webb the minutes from the October 26, 2021, meeting were approved unanimously.

**REMARKS OF PRESIDENT PANDO**

Mr. Blake welcomed President Pando and remarked on her commitment to the community that J. Sargeant Reynolds Community College (JSRCC) serves. Dr. Pando shared that the institution is the youngest of the Virginia Community College System and offers several unique programs. She highlighted the institutions' commitment to a holistic approach to providing support systems for students. JSRCC has tripled their support personnel for students and partnered with FeedMore Virginia to provide support for hungry students.

J. Sargeant Reynolds created the Finish the Finish Fund to assist close-to-graduating students who fall short financially. The fund has directed students to over \$2 million in support services by helping them identify what social services for which they qualify.

Dr. Pando shared that institution's curriculum aims to be flexible and responsive to community workforce needs and has made a significant investment in transportation between campuses and significant investments in the Get a Skill, Get a Job, Get Ahead (G3) program. G3 removes barriers to access and the colleges need to match the effort through investments in high-demand careers. Toyota North America has been selected as a partner in their training program.

The low FASFA completion rates, especially in the city of Richmond, are a strong indicator of the struggles that our community faces. Food insecurity, housing insecurity and homelessness during the pandemic have led to the decreases in enrollment particularly for men of color. While enrollment in credit programs has dropped, enrollment in non-credit programs is skyrocketing. This could indicate students who have less time to commit to a full, for-credit program.

Dr. Pando shared a short, promotional video about J. Sargeant Reynolds. She described the additional reforms beyond the support services, these include culturally competency training for faculty and maintaining academic rigor while providing supports and encouraging inclusive excellence. She stressed that the curriculum delivery model is also important. The longer it takes to complete a credential, the less likely these students, who have busy lives, will finish.

## **RECEIPT OF REPORT FROM THE AGENCY DIRECTOR**

Mr. Blake highlighted the following items from the report.

***Boards of visitor orientation session:*** By the time of the October 26 Council meeting, the annual orientation session will be behind us. We will provide an update on the program at the meeting. Thanks for the Council members who helped plan and participated in the event.

***FAFSA (Free Application for Federal Student Aid) completion:*** Governor Northam convened a work group in March 2021 and set a long-term goal of every eligible student in Virginia completing a FAFSA each year. Virginia is currently ranked 26th nationally for FAFSA completion, with a 52.7 percent completion rate. According to a 2018 study, approximately 15,000 Virginia high school seniors that would have been eligible for Pell grants did not complete the FAFSA, amounting to more than \$58 million in federal aid that students left on the table. The work group completed and submitted its report in late September. SCHEV's assistant director of college access and PK-12 outreach Erin McGrath served on the work group. The group's full report is available [here](#). Mr. Blake asked Tom Allison to comment on the current and future updates to FAFSA. The federal government has encouraged financial aid offices to use more discretion, in light of the pandemic, when the FAFSA completion is missing information or contains mistakes.

***Virginia Department of Education (VDOE) partnership:*** Earlier this year, SCHEV and VDOE signed an agreement for the recruitment of a shared position. The purpose of the position is to improve transitions from secondary to postsecondary education. We recently completed the recruitment of the inaugural postsecondary access and success specialist. We will be able to announce the person filling that position shortly.

***GEAR UP (Gaining Early Awareness and Readiness for Undergraduate Programs) grant:*** Governor Northam announced that SCHEV had received a seven-year \$24.7 million federal grant. The grant will focus on a cohort of students in selected schools with high percentages of low-income students and low postsecondary enrollment rates. The cohort of students is eligible for scholarships to enroll in postsecondary education. The grant follows an expiring GEAR UP grant that SCHEV has administered for the past seven years. A new feature in this proposal is an increased focus on statewide postsecondary enrollment activities. Many SCHEV staff members made this possible. We are especially grateful to Erin McGrath, Melissa Benavidez, Stacey Garnett, Linda Staylor, Amy Wiggington, Tierney Jackson, Paula Robinson, Wendy Kang and former member Reshaud Rich. The grant allows SCHEV to reach 7,000 students in 15 schools, starting in the 7<sup>th</sup> grade. SCHEV was also able to secure a matching grant from Virginia 529.

**SCHEV/Virginia Mental Health Access Program (VMAP) collaboration:** SCHEV and VMAP staff convened for a conversation about student access to mental health services on campus. The introductory conversation led to the collaborative development of a survey sent to four-year public and private institutions. The survey will help SCHEV staff and VMAP gain a better understanding of student health and mental health care access issues. Collective survey responses will inform next steps to include a forthcoming post-survey discussion with VMAP. The survey is part of SCHEV's initiative "to identify critical student-support-services issues and formulate recommendations that will positively affect the student experience, persistence and completion."

**Governor's Datathon:** Four SCHEV staff members (Tom Allison, Jodi Fisler, Scott Kemp, and Emily Salmon) participated in the Governor's Datathon on October 7-8, competing with over 25 other teams. This year's theme, *Addressing Hunger with Bits and Bytes*, challenged teams to develop data-driven solutions to improve food security in Virginia and produce a [5-minute video](#) in only 36 hours. The SCHEV team brought together multiple datasets to propose a new food stipend for Virginia college students and a targeted outreach campaign to increase use of the federal Supplemental Nutrition Assistance Program. While the team did not win this year, it was an opportunity to get creative, work together, try out new tools and skills and learn about how other agencies are addressing issues of food insecurity.

**New staff:** We welcome Theresa Thompson to the SCHEV staff as a senior research associate. She will be responsible for the Workforce Credential Grant Program and the FAFSA completion project and will be the liaison with the VCCS for our data submissions. Theresa comes most recently from EAB, Inc. (an enrollment management and student success consultancy). Prior to that, she was an academic and career advisor at John Tyler Community College and taught career and technical education at Stuarts Draft High School. She has a master's degree from Virginia Tech in Career and Technical Education, and a bachelor's in Animal and Poultry Sciences, also from Virginia Tech.

**Out and about:** I participated in the following meetings: Online Virginia Network board meeting; Tech Talent Investment Program review group; Southern Virginia Higher Education Center executive committee; Virginia Community College System board dinner; Blueprint Virginia (Virginia Chamber) Advisory Group; Longwood University Baliles Environmental Education Center dedication; and Virginia21 annual luncheon. I served on a panel at the Virginia Longitudinal Data System annual research forum, along with Senator Ghazala Hashmi, Secretary of Education Atif Qarni and SCHEV staff member Tod Massa. I met with the new director of the Virginia Office of Education Economics, Heather McKay. As a staff event, we hosted Delegate Delores McQuinn to learn more about the Richmond Slave Trail.

## **DISCUSSION OF TRANSFER VIRGINIA ACHIEVEMENTS AND UNVEILING OF THE TRANSFER VIRGINIA PORTAL**

Joe DeFilippo introduced Patricia Parker, project director of Transfer Virginia and Paul Smith, associate for student mobility policy & research of SCHEV. Dr. DeFilippo provided background. The project originated from a JLARC report in 2018 on the

deficiencies of transfer in Virginia. Ms. Parker led the Transfer Virginia project and created the Transfer Portal.

Ms. Parker described the project as a legislatively ignited opportunity. The group took a comprehensive look transfer, beyond what was required by the legislation. All of the institutions believe in finding the right home for the student, no matter where that is in higher education or in the trades. Ms. Parker shared a presentation about the state of transfer. In large part, English and math are the gateway classes to transfer. If the students don't take these two classes in the first year, they are far less likely to transfer.

One of the things that Transfer VA changed is it standardized all community colleges transfer level classes to create common learning outcomes so that a transfer student will get equal credit no matter where they are transferring. The transfer Passport includes over 100 transferrable courses. Work continues on common curricula with more than 34 in development with 11 in the final stages. Ms. Parker's team is working on guaranteed admit agreements for students into their chosen major, not just college.

Transfer Virginia created a complete Virginia Community College System (VCCS) Dual Enrollment guide for high school students and their parents. The guide explains how dual enrollment impacts transfer and financial aid opportunities. A reverse transfer toolkit was created to help students earn a credential who have some or no college degree. Transfer Virginia is building a strong networking system with over 2,000 public and private partners.

Dr. Smith discussed new SCHEV policy responsibilities related to the transfer work. He described the policy for Dual enrollment transferability; policy on passport and uniform certificate of general studies program; guidelines for the development of transfer agreements; and, guidelines for the development of pathway maps.

The new Transfer Virginia portal was created to increase equitable access, awareness and quality. The portal provides student-friendly language, reduces fine print and makes the information transparent and consistent.

## **DISCUSSION OF KEY FINDINGS FROM THE ANNUAL REPORT OF THE STATEWIDE STRATEGIC PLAN, PATHWAYS TO OPPORTUNITY**

Ms. Salmon provided Council members an update on the draft annual report of the Pathways to Opportunity Plan. The report includes the following outline of emergent themes from the process:

- Emphasize the importance of equity as a specific goal and an underlying element of The Plan.
- Ensure that The Plan's vision, target, goals, strategies and measures are linked closely.
- Enable clear connections between The Plan and SCHEV's day-to-day work and organizational commitment to diversity, equity and inclusion.
- Adopt deliberate and boldly aspirational goals in light of the pandemic and social justice issues.

## **REPORT FROM THE COMMITTEES**

*Report from Academic Affairs Committee*

Mr. Light summarized the following items addressed by the Committee:

*Action on Private Postsecondary Provisional Institutional Certification*

After providing a brief overview, the Committee's recommendation was seconded by Dr. Schexnider and approved unanimously (11-0):

**BE IT RESOLVED** that the State Council of Higher Education for Virginia provisionally certifies Clover University to operate a degree-granting postsecondary institution within the Commonwealth of Virginia, effective immediately for a period of one (1) year, in accordance with the conditions enumerated below:

1. that, during the period of provisional certification, Clover University shall be allowed to advertise and receive student applications, but not actually enroll or instruct students;
2. that, during the period of provisional certification, Clover University shall be allowed to recruit and hire faculty and staff;
3. that, during the period of provisional certification, Clover University may not collect tuition from prospective students, though it may collect initial non-refundable fees of no more than \$100, as per 8VAC40-31-130(E) of the Virginia Administrative Code;
4. that, during the period of provisional certification, all publicity, advertisement, and promotional material must include a statement that the school is provisionally certified to operate in Virginia by SCHEV;
5. that, prior to the expiration of the period of provisional certification, SCHEV staff shall conduct a final review of faculty and administrator credentials hired during the provisional certification period;
6. that, prior to the expiration of the period of provisional certification, SCHEV staff (or an assigned expert) shall conduct a review of Clover University's online platform and content as a condition to authorizing the school to offer distance education;
7. that, prior to the expiration of the period of provisional certification, Clover University shall satisfy a site review conducted by SCHEV staff demonstrating that the facility conforms to federal, state, and local building codes and that it is equipped with classrooms, instructional and resource facilities, and laboratories adequate for the size of the faculty and student body and adequate to support the educational programs to be offered by the school;
8. that, prior to the expiration of the period of provisional certification, Clover University shall submit a surety instrument in an amount adequate to

provide refunds to students in the event of school closure during the first year of operation; and

9. that Clover University's provisional certification shall lapse if conditions 5-8 are not fulfilled prior to October 26, 2022.

**BE IT FURTHER RESOLVED** that Council delegates to the SCHEV Director authority to confer full certification on Clover University upon his determination, at a point in time prior to October 26, 2022, that Clover University has satisfied all Virginia Administrative Code requirements, including, but not limited to, conditions specifically enumerated above.

Mr. Light highlighted the discussion items from the committee meeting.

Jodi Fisler, SCHEV staff, discussed learning assessments and the Civic Learning and Democracy Engagement Initiative.

The committee members saw a presentation about the Virtual Library of Virginia and Open Education Resources.

Dr. DeFilippo discussed the academic evaluation process with committee members.

#### *Report from Resources and Planning Committee*

Ms. Connelly summarized the following items addressed by the Committee:

#### *Action on Institutional Performance Standards Certification for Virginia State University*

The Committee's recommendation was seconded by Dr. Smith and approved unanimously (11-0):

**BE IT RESOLVED** that consistent with § 23.1-206, Code of Virginia, the State Council of Higher Education for Virginia certifies for 2021-2022 that Virginia State University has satisfactorily met the performance standards of the Virginia Higher Education Opportunity Act and Appropriation Act.

#### *Action on Proposed Amendments to the Virginia Tuition Assistance Grant Program Regulations*

The Committee's recommendation was seconded by Ms. Connelly and approved unanimously (11-0):

**BE IT RESOLVED** that the State Council of Higher Education for Virginia approves the proposed amendments to the Virginia Tuition Assistance Grant Program regulations and further authorizes staff to make non-substantive changes as directed during the remainder of the promulgation process.

#### *Action on Enrollment Projections and Degree Estimates*

The Committee's recommendation was seconded by Ms. Webb and approved unanimously (11-0):

**WHEREAS, The Virginia Plan for Higher Education, the statewide strategic plan for the Commonwealth, focuses on placing Virginia as the best state for education by 2030**

**WHEREAS, Virginia's public higher education system ranks as one of the best in the country when considering factors such as graduation rates, average net price, low loan default rates and high return on investment, it is a status that must be preserved and nurtured,**

**WHEREAS, Virginia's higher education system is a shared responsibility of the state, institutions and students and parents to reach the highest level of performance and accountability**

**WHEREAS, budget recommendations for the 2022-24 biennium focus on addressing the needs of affordability, equity and transformation, now therefore,**

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the Budget and Policy Recommendations for system operations and financial aid for the 2022-24 biennium.**

*Action on Enrollment Projections and Degree Estimates*

The Committee's recommendation was seconded by Mr. Light and approved unanimously (11-0):

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the FY2021- FY2027 institutional enrollment projections and degree estimates for the purposes of budgetary and fiscal planning and performance measurement. Staff is directed to make the detailed enrollment targets and degree estimates available to the public via the SCHEV website, with full detail.**

**BE IT FURTHER RESOLVED that approval of these institutional enrollment targets does not constitute either implicit or explicit approval of any new program, site, higher education center, or campus determined by an institution as necessary to achieve these targets.**

*Action on Budget and Policy Recommendations for the 2022-24 Biennium: System Operations and Financial Aid.*

Based on discussion in committee, \$100 increase is added to the tag award recommendation. This increases the award to \$4600 in the second year with a cost of \$1.75 million.

The Committee's recommendation was seconded by Mr. Holloman and approved unanimously (11-0):

**WHEREAS, The Virginia Plan for Higher Education, the statewide strategic plan for the Commonwealth, focuses on placing Virginia as the best state for education by 2030**

**WHEREAS, Virginia’s public higher education system ranks as one of the best in the country when considering factors such as graduation rates, average net price, low loan default rates and high return on investment, it is a status that must be preserved and nurtured,**

**WHEREAS, Virginia’s higher education system is a shared responsibility of the state, institutions and students and parents to reach the highest level of performance and accountability**

**WHEREAS, budget recommendations for the 2022-24 biennium focus on addressing the needs of affordability, equity and transformation, now therefore,**

**BE IT RESOLVED that the State Council of Higher Education for Virginia approves the Budget and Policy Recommendations for system operations and financial aid for the 2022-24 biennium.**

*Action on Budget and Policy Recommendations for the 2022-24 Biennium: Capital Outlay Budget*

The Committee’s recommendation was seconded by Ms. Arriaga and approved unanimously (11-0):

**BE IT RESOLVED that the State Council of Higher Education for Virginia supports additional investment in the maintenance reserve program and recommends that institutions receive at least the amounts they had in the previous biennium until additional data are available to SCHEV through the COVA Trax/M-R-Fix system.**

**BE IT FURTHER RESOLVED that the State Council of Higher Education recommends that the factors that SCHEV staff provide be taken into consideration during the decision-making process for approving the capital outlay needs of public higher education institutions in the 2022-24 biennium.**

**RECEIPT OF ITEMS DELEGATED TO STAFF**

Mr. Blake informed members that the items Council delegated to staff were included in the agenda book. As required, a copy of these items is attached to the minutes.

**OLD BUSINESS**

Ms. Connelly asked Dr. Moret for an update on the Virginia Office of Education Economics (VOEE). Dr. Moret announced that Heather McKay, who previously served as the Director of Education and Employment Research Center at Rutgers University joined the VOEE as the executive director. Dr. Todd Oldman joined the VOEE as research director. The first large project for the VOEE is a state-wide employment supply and demand model.



**NEW BUSINESS**

Mr. Blake noted that the date listed on the October agenda for the next Council meeting is incorrect. The next SCHEV Council meeting will be on January 11, 2022.

**MOTION TO ADJOURN**

The meeting adjourned at 1:00 p.m.

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Katharine Webb  
Council Secretary

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Kristin Whelan  
Interim Director, Executive and Board Affairs

Items Delegated to Director/Staff

Pursuant to the Code of Virginia, § 23.1-203 and Council’s “Policies and Procedures for Program Approval and Changes,” the following items were approved/not approved as delegated to staff:

Items Delegated to Director/Staff

**Academic Program Actions**

<b>Institution</b>	<b>Degree/Program/CIP</b>	<b>Effective Date</b>
The College of William and Mary in Virginia	<b>CIP Code Change Approved:</b> Change the CIP code of the Master of Accounting degree program in Accounting from 52.0301 to 27.0305	Fall 2021
Old Dominion University	<b>Certificate Program Approved:</b> <ul style="list-style-type: none"> <li>Graduate Certificate in Cybersecurity Risk Management (11.1003)</li> </ul>	Spring 2022

Pursuant to the Code of Virginia, § 23.1-203 and Council’s “Policies and Procedures for Program Approval and Changes,” the following items were reported:

**Discontinued Programs**

<b>Institution</b>	<b>Degree/Program/CIP</b>	<b>Effective Date</b>
Old Dominion University	<b>Program Discontinuance Correction:</b> Discontinue the Master of Science degree program in Community Health (51.1504) [Termination Date: Spring 2022]	Fall 2020
Old Dominion University	<b>Program Discontinuances: Discontinue the following Graduate Certificate programs:</b> <ul style="list-style-type: none"> <li>Healthcare Executive (51.0701)</li> <li>Modeling and Simulation in Biological Sciences (26.0101)</li> <li>Modeling and Simulation for Business and Public Administration (52.9999)</li> <li>Modeling and Simulation: Computing and Informatics (11.0804)</li> <li>Modeling and Simulation: Education and Training (13.0501)</li> <li>Modeling and Simulation in Oceanography (40.0607)</li> <li>Modeling and Simulation: Mathematics/Statistics (27.0304)</li> <li>Nurse Executive (51.3802)</li> </ul>	Spring 2022

Pursuant to the Code of Virginia, § 23.1-203 and Council's "*Policies and Procedures for Internal and Off-Campus Organizational Changes*," the following item was approved as delegated to staff:

### Internal and Off-Campus Organizational Changes

Institution	Change/Site	Effective Date
Virginia Polytechnic Institute and State University	Rename the Department of Interprofessionalism to the <b>Department of Health Systems and Implementation Science</b> . The Department has been re-named to reflect the "comprehensiveness of the academic programming offered by the department." The proposed name will afford the opportunity to have a "distinctly named department among Virginia Tech's SCHEV peer institutions" and indicate the faculty's expertise and areas of research. The new name will also align the department's name with that of similar departments at medical schools nationally and ensure the department is "recognized nationally for its curricular offerings in the third pillar of medical education, Health Systems Science."	October 15, 2021

Pursuant to the Code of Virginia, § 23.1-203 and Council's "*Policies and Procedures for Internal and Off-Campus Organizational Changes*," the following item was not approved as delegated to staff:

### Internal and Off-Campus Organizational Changes

Institution	Change/Site	Effective Date
Virginia Polytechnic Institute and State University	Establish a <b>School of Environmental Security</b> at the off-campus site, Virginia Tech Research Center in Arlington, Virginia.	September 29, 2021

# State Council of Higher Education for Virginia Agenda Item

**Item:** #IV.C. – Council – Overview of Gubernatorial Transition

**Date of Meeting:** January 11, 2022

**Presenter:** Mr. Peter Blake  
Director

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:**

**Action:**

**Purpose of Agenda Item:** The purpose of this agenda item is to provide Council members an opportunity learn more about the transition from Governor Northam to Governor-elect Youngkin.

**Background Information/Summary of Major Elements:** On November 2, 2021, Virginians elected [Glenn Youngkin](#) to be Virginia's 74<sup>th</sup> Governor. Since then, the Governor-elect has announced several appointees who will be important to the Council and its work. Notably, he has made the following appointments:

Chief of Staff - [Jeffrey Goettman](#)

Secretary of Education – [Aimee Rogstad Guidera](#)

Secretary of Commerce – [Caren Merrick](#)

Secretary of Finance – [Stephen Cummings](#)

Counselor to the Governor – [Richard Cullen](#)

We welcome the new appointees and look forward to introducing them to our work.

**Materials Provided:** N/A

**Financial Impact:** N/A

**Timetable for Further Review:** N/A

**Relationship to Goals of The Virginia Plan for Higher Education:** N/A

**Resolution:** N/A



Prior to joining the Virginia Office of Education Economics, Heather A. McKay was the director of the [Education and Employment Research Center](#) at the Rutgers University School of Management and Labor Relations. In this capacity, Heather conducted research and evaluations on community college programs, state and federal workforce development systems and education and workforce policies. She lead research on two U.S. Department of Education First in the World Grants and completed evaluation of three consortium Trade Adjustment Assistance Community College and Career Training grants across five states.

Heather's research interests include state and federal workforce development systems, skills development, college completion, workplace literacy, and innovative and technology-based training programs. Heather completed her bachelor's degree at Bryn Mawr College. She has a master's degree in history as well a master's degree in global affairs from Rutgers University. In addition, she is a Ph.D. candidate in global affairs at Rutgers University.

# State Council of Higher Education for Virginia Agenda Item

**Item:** #IV.F. Council -- Discussion of SCHEV's Access Initiative and GEAR UP Program

**Date of Meeting:** January 11, 2022

**Presenter:** Erin McGrath  
Assistant Director College Access and pre-K-12 Outreach  
[erinmcgrath@schev.edu](mailto:erinmcgrath@schev.edu)

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:**

**Action:**

**Purpose of Agenda Item:**

The purpose of this agenda item is to provide a background on Virginia's postsecondary enrollment and FAFSA completion rates, the current activities across the state and SCHEV's proposed activities to improve access and completion. Council member Dr. Smith, Superintendent of Hampton City Schools, will join the discussion to provide a pre-K-12 perspective. Hampton City also is one of the school divisions participating in the federal GEAR UP grant that SCHEV received this September.

**Background Information/Summary of Major Elements:**

The Virginia Plan for Higher Education sets the goal to make Virginia the best state for education by 2030. We will not reach this goal without increasing the numbers and rates of high school graduates participating in postsecondary education and training, including workforce credentials and traditional degrees.

Virginia's current enrollment trends, inequities among disadvantaged groups, and low FAFSA completion rates are an obstacle to becoming the best state for education. The following data highlight some of the challenges related to access:

- **Approximately 30% of the population does not enroll in postsecondary:** This equates to approximately 25,000 high school graduates do not enroll in postsecondary programs within sixteen months.
- **Minority and low-income students participate in postsecondary programs at lower rates:** In 2018, 63 percent of Native American students, 60 percent of

- African American students, 59 percent of Hispanic students and 52 percent of low income students compared to the average of 70%.
- **Virginia’s completion rates of the free application for federal student aid (FAFSA) rank 23<sup>rd</sup> in the nation.** Only 59 percent of high school seniors completed the FAFSA in 2019, making Virginia 23<sup>rd</sup> in the nation. Also, Title I-eligible schools experienced a 24.1% drop in FAFSA completion in 2020—this was the largest decline for any state.

### Existing initiatives

Virginia currently engages in several initiatives to support access and FAFSA completion, including the following:

- **Provide support to specific high-need school divisions:** SCHEV has administered several federal Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP Virginia). These seven-year grants support a cohort of students from middle school through enrollment in postsecondary education in school divisions with higher rates of economically disadvantaged students and low rates of postsecondary enrollment.
- **Coordinate the 1-2-3 Go! Initiative to support high schools and students in the primary steps to go to college.** This includes: (1) College Nights in Virginia where high schools host students and parents to learn about postsecondary options; (2) Virginia College Application Week where high schools support weeklong activities to help students apply to college; (3) Super FAFSA Project where high schools encourage students to complete the FAFSA; and (Go!) Decision Day VA where high schools celebrate students accepting their college offers. SCHEV coordinates these activities with high schools each year through materials, webinars and communications to high schools to help run these events. In addition, [ECMC](#) provides Opportunity workbooks to help students prepare for college and scholarship incentives (through raffles) for students who participate in select events.
- **Support the annual conference for access practitioners:** Each year, the [Virginia College Access Network](#) (VirginiaCAN) hosts an annual conference for practitioners to provide updates on access and outreach for students. Several SCHEV staff serve on the board of VirginiaCAN and assists and presents at the conference.
- **Increase FAFSA support:** In addition to the Super FAFSA project each year, in 2021 SCHEV increased these efforts due to concerns that rates were low with students learning in a virtual environment. This included the following new activities:
  - **Virtual 1-on-1 FAFSA Assistance** – SCHEV & VirginiaCAN partnership - 50 access providers provided virtual 1-on-1 FAFSA assistance to families from March – June, 2021
  - **FAFSA Dashboard** – UVA’s Social & Decision Analytics division created a FAFSA dashboard detailing the percentage of high school senior class FAFSA completion (in aggregate) <https://dspgtools.shinyapps.io/VA-FAFSA-app/>
  - **FAFSA webinars** - VASFAA financial aid experts from 2- and 4-year institutions presented FAFSA 101 and “All Things After FAFSA” to counselors and families

### **New activities underway or in progress**

- **Increase SCHEV's partnership with VDOE:** Created a shared position with VDOE, develop a shared goal between the agencies,
- **Continue to support high need-school divisions:** Received a \$24.7 million GEAR UP Virginia grant in September 2020. The grant will continue a focus in select school divisions and adds a new statewide focus.
- **Establish(ed) a new partnership with VA529:** VA529 committed \$875k annually for three years as a match to the GEAR UP program. SCHEV plans to continue to work with VA529 to leverage their outreach efforts.
- **Develop and implement an access strategy:** In June, SCHEV procured a contract to develop an access strategy and communications plan. The contract reviewed promising practices in other states, identified gaps in Virginia and included a collaboratively designed outreach and communications plan.
- **Continue increased emphasis on FAFSA completion:** The Governor established a workgroup to review FAFSA completion challenge and opportunities in August of 2021. SCHEV will implement [these strategies](#) (many included in the above strategy) in the coming year. SCHEV submitted a funding request related to these recommendations and Governor included funding of \$750,000 in FY 2023 and \$1.5 million in FY 2024 to support these efforts. Primary activities with these funds would focus on increase college counseling services in low-income schools and position to focus on communications to students and parents statewide.

### **Materials Provided:**

### **Relationship to Goals of The Virginia Plan for Higher Education:**

This initiative aligns with the equitable goal and is an initiative approved by Council.

### **Financial Impact:**

NA

### **Timetable for Further Review/Action:**

NA

### **Resolution:**

NA



# State Council of Higher Education for Virginia Agenda Item

**Item:** #IV.F. - Council – Report of the Agency Director

**Date of Meeting:** January 11, 2021

**Presenter:** Peter Blake  
Director  
[peterblake@schev.edu](mailto:peterblake@schev.edu)

**Most Recent Review/Action:**

No previous Council review/action

Previous review/action

Date:

Action:

**Purpose of Agenda Item:**

The purpose of this agenda item is to inform Council of recent and upcoming work in which staff is involved.

**Background Information/Summary of Major Elements:** N/A

**Materials Provided:** Report of the Agency Director.

**Financial Impact:** N/A

**Timetable for Further Review/Action:** N/A

**Relationship to Goals of The Virginia Plan for Higher Education:** N/A

**Resolution:** N/A

**State Council of Higher Education  
Director's report  
January 11, 2022**

**2022 General Assembly session:** The 2022 General Assembly session begins on January 12. Money committees will report out their budget amendments on February 20. The session is scheduled to end March 12. At the Council meeting, we will give an overview of the Governor's proposed budget, relevant legislation and related topics. In the lead-up to the session, we have been meeting with legislators, Governor's office staff and members of the Governor-elect's transition team.

**Stranded credits:** In October, we received a request from a Congressional oversight committee to provide information on institutional policies on withholding academic transcripts until students pay outstanding institutional debts. This is a common practice across higher education and is part of Virginia's debt collection efforts. Since then, the issue has gained national attention and is attracting legislative interest at the federal and state levels. In Virginia, we anticipate legislation that would place limits on the practice.

**Virginia Department of Education (VDOE) partnership:** Earlier this year, SCHEV and VDOE signed an agreement for the employment of a shared position. The purpose of the position is to improve transitions from secondary to postsecondary education. We recently completed the recruitment of the inaugural postsecondary access and success specialist, Brittany Everett. Ms. Everett previously served as the director of the Future Center, a college and career planning initiative of Richmond Public Schools. She holds undergraduate degrees in English and Sociology from the University of Virginia.

**Annual Report for The Pathways to Opportunity Plan:** In December, Council members received an electronic copy of the [first annual report](#) for The Pathways to Opportunity Plan. The report provides a baseline assessment of Virginia's standing relative to The Plan's three goals and five measures. The baseline assessment identifies gaps based on data disaggregation by race/ethnicity, region, income and gender. The annual report also highlights activities SCHEV engaged in over the past 12 months that directly support The Plan's three goals and 10 strategies. In December, we submitted the plan to the Governor and the General Assembly.

**Other recent reports:** In addition to the report on The Pathways to Opportunity Plan, we released reports related to the [cost and funding need study](#), [financial aid](#), [graduate outcomes](#) and an asset map to identify occupational shortages.

**Presidential “Transfer Vision” workgroup:** SCHEV and VCCS staff have been working in collaboration with the Aspen Institute to convene a workgroup of public college and university presidents to articulate a “Transfer Vision” for Virginia. The workgroup consists of 10 two-year and four-year presidents and held its first convening on December 16. Discussions from that meeting will go towards informing a draft vision statement that will comprehend transfer-related topics essential for equitable student success. It is anticipated that the final vision statement will be presented for adoption by the presidents as a group as well as by Council and perhaps other boards as well. We see this work as a continuation and strengthening of progress made by Transfer Virginia and the numerous transfer-related policies supported by Council over the past three years, and we are grateful for the Aspen Institute’s excellent collaboration and support.

**Fund for Excellence and Innovation (FFEI) grants:** In December, staff issued a call for proposals to public institutions for a grant competition that seeks teams of institutions to investigate barriers to completion for students from populations targeted by the Pathways to Opportunity Plan, and then to design, implement and assess a pilot project to address a barrier. The effort is similar to one conducted nationally by the University Innovation Alliance. Staff will conduct an informational webinar for institutions later this month. Proposals are due March 21st; awards of up to \$75,000 for a two-year grant period are available.

**General Professional Advisory Committee (GPAC) meeting:** At the November meeting with public college and university presidents, we heard a presentation from Heather McKay, the new executive director of the Virginia Office of Education Economics; and from Virginia Tech President Tim Sands on the expansion of employment-based opportunities for students. Presidents also received a preview of the [Virginia Transfer portal](#), a new tool to help students manage their college transfer pathway. The next meeting will be a joint meeting with the Council of Presidents on January 10.

**Virginia Military Institute:** On December 14, Council Chair Marge Connelly, SCHEV’s associate director for equity and engagement, Paula Robinson, and I met with VMI Superintendent Major General Cedric Wins and his senior staff. The visit included an update on VMI’s “One Corps, One VMI” plan, which addresses many of the findings of last year’s equity audit and investigation. We also toured the post and met with students, faculty and staff.

**Virginia Education Summit:** The summit brings together members of the House and Senate education committees for an overview of current topics. The agenda included topics from early childhood education to postsecondary education. I served on a panel with the presidents of Norfolk State University and Virginia State University on the topic of postsecondary education attainment, especially for adult students. The Hunt Institute, which organized the event, produced [an issue brief](#) for the summit participants.

**Strada Recovery Incubator Grant:** In late 2020, SCHEV received a “Recovery Incubator” grant from [Strada Education Network](#). SCHEV engaged several key partners: The Virginia Community College System, the Virginia Economic Development Partnership, Virginia Secretary of Labor, Growth and Opportunity Virginia (GO Virginia) and the Virginia Employment Commission. Grant activities included planning for the Virginia Office of Education Economics); development of visual career pathways maps for three sectors (construction/infrastructure, healthcare and manufacturing) two community college service areas; and development of a playbook and asset map for identifying and addressing unmet demand for those same three industry sectors.

**Virginia Mental Health Access Program (VMAP) collaboration:** In fall 2021, SCHEV and VMAP issued a joint survey to assess student access to mental health services on campus. Over the last several years, institutions and students have indicated a growing need to better support mental health needs. The pandemic further exacerbated this need. Among the highest priority of survey respondents included: 24/7 coverage for "urgent" needs--acute distress/suicidal thoughts that do not meet criteria for emergency mental health services or hospitalization; increased number of providers/offices and proper staffing levels; and access to additional community counseling, local support partnerships and psychiatrists for more serious mental health issues and medication management. In a November 30 meeting, on-campus health care and mental health professionals expressed interest in addressing immediate needs for additional training on the following topics: prescribing antipsychotic medications, and managing and prescribing multiple mental health medications for patients. SCHEV and VMAP are working to address this training need.

**New full-time staff:** In addition to Brittany Everett (noted above), we also have hired Anthony Allen as a data analyst, Abbie Handford as an associate for financial aid and Rebecca Lystash as GEAR UP Virginia project director. Mr. Allen previously served as a business intelligence specialist at DSD Partners. He holds an associate degree from Southside Virginia Community College and a bachelor’s in mathematical sciences and statistics from Virginia Commonwealth University. Ms. Handford previously worked part-time in SCHEV’s financial aid office and in the financial aid offices at Virginia Commonwealth University and the University of Richmond. She received a bachelor’s degree and master’s degree in public administration from VCU. Ms. Lystash most recently worked as the TRIO Upward Bound director at Central Carolina Community College. She is a graduate of the University of Virginia and holds a master’s degree in public administration from Syracuse University.

**Staff meeting:** We held our annual holiday luncheon and staff meeting on January 9. Special thanks to Council members Katie Webb and Dr. Alvin Schexider for joining us and commending the staff on good work during a difficult year. We also recognized several staff members who had reached five-year milestones in state employment. The Virginia Community College System offered us space to hold the

luncheon. VCCS Chancellor Glenn DuBois joined us briefly and brought greetings to the staff.

***Commonwealth of Virginia Campaign:*** We recently completed the annual Commonwealth of Virginia Campaign, which is an annual program for state employees to raise funds for non-profit organizations. Under the leadership of staff member Tod Massa, SCHEV staff contributed over \$9,000, the largest figure in recent history, with over half of the agency staff participating.

***Out and about:*** Over the last two months, I attended the Governor's announcement of funding for private colleges at Virginia Union University; participated in higher education meetings of the Southern Regional Education Board and the State Higher Education Executive Officers; addressed the board of the Virginia Foundation for Community College Education; attended a legislative reception hosted by the Virginia Business Council; and met with the newest Council member, Jason El Koubi, the interim president of the Virginia Economic Development Partnership. I also met with Council member Mirza Baig.

# State Council of Higher Education for Virginia Agenda Item

**Item:** #IV.G. – Council Meeting – Discussion of Dual Enrollment Programs

**Date of Meeting:** January 11, 2022

**Presenters:** Dr. Joseph G. DeFilippo  
Director of Academic Affairs & Planning  
[joedefilippo@schev.edu](mailto:joedefilippo@schev.edu)

Dr. Sharon Morrissey  
Vice Chancellor for Academic Services and Research  
Virginia Community College System

**Most Recent Review/Action:**

- No previous Council review/action  
 Previous review/action

**Date:**

**Action:**

**Purpose of Agenda Item:** The purpose of this agenda item is to provide the Council with information about dual enrollment offerings, with a focus on Virginia’s community colleges.

**Background Information/Summary of Major Elements:** Since 2011, a series of bills have been passed with the intention of expanding access to dual enrollment and improving the contribution of dual enrollment to degree attainment. This has included: requiring community colleges to develop dual enrollment agreements with their local school divisions; allowing colleges to establish dual enrollment career pathways programs leading to postsecondary credentials; requiring the creation of passport (15 credits) and certificate (30 credits) programs consisting of coursework that is uniformly transferable to four-year institutions; and directing both SCHEV and the State Board for Community Colleges to adopt policies intended to assure quality and transferability as students transition from K-12 to higher education along pathways to the baccalaureate completion. As a result, substantial gains in dual enrollment participation and effectiveness have been achieved, but further improvement can be realized by strengthening partnerships between colleges and school divisions and providing resources to address inequities.

**Materials Provided:**

- PowerPoint: “Dual Enrollment Report,” by Dr. Sharon Morrissey

**Financial Impact:** N/A

**Timetable for Further Review:** N/A

**Relationship to Goals of The Virginia Plan for Higher Education:** The work of VIVA supports the following goals of *Pathways to Opportunity: The Virginia Plan for Higher Education*:

- Cultivate affordable postsecondary education pathways for traditional, non-traditional and returning students.
- Foster program and administrative innovations that enhance quality, promote collaboration and improve efficiency.
- Improve the alignment between post-secondary academic programs and labor market outcomes.

**Resolution:** N/A



# State Council of Higher Education for Virginia

## Dual Enrollment Report

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Dr. Sharon Morrissey, Senior Vice Chancellor,  
Academic & Workforce Programs, Virginia  
Community College System

January 11, 2022





# The Dual Enrollment Value Proposition



More than 1 million US high school students participate in dual enrollment each year, taking courses that simultaneously fulfill high school graduation requirements and count toward a postsecondary credential.



Research shows that dual enrolled students are more likely than others to graduate from high school, enroll in college, and complete college degrees.



Colorado study showed that dual enrolled students were more likely to earn a college degree on time or early and have higher workforce earnings after five years.



Dual Enrollment saves students time and money.

# A Summary of Dual Enrollment Legislation

2011	Top Jobs Act called for expanded availability of dual enrollment to promote pathways to degree attainment (§23.1-301.7)
2015	Virginia Code §23.1-907 required each community college to develop dual enrollment agreements with their school divisions to provide opportunities for attainment of an associate degree or general education certificate
2016	Virginia Code §23.1-2906.1 was amended to allow colleges to establish dual enrollment and high school equivalency Career Pathways programs leading to postsecondary credential, certification, or license attainment
2017	General Assembly directed the System and Council to develop a 15-hour Passport and a 30-hour Uniform Certificate of General Studies comprised of courses that will satisfy a lower-division general education requirement at any public institution of higher education (§23.1-907)
	Directed the Council to establish develop guidelines for mapping pathways to baccalaureate degree completion.
	Directed the State Board to adopt standards regarding quality, consistency, evaluation, and review of dual enrollment courses and programs to ensure they have the same quality and rigor as courses offered on the college campus; that students are held to the same standards of achievement; and that instructors meet the same academic requirements and preparation as faculty teaching at the college.

# 2018-2019 Dual Enrollment Outcomes

46,000 high school students dual enrolled in college classes.

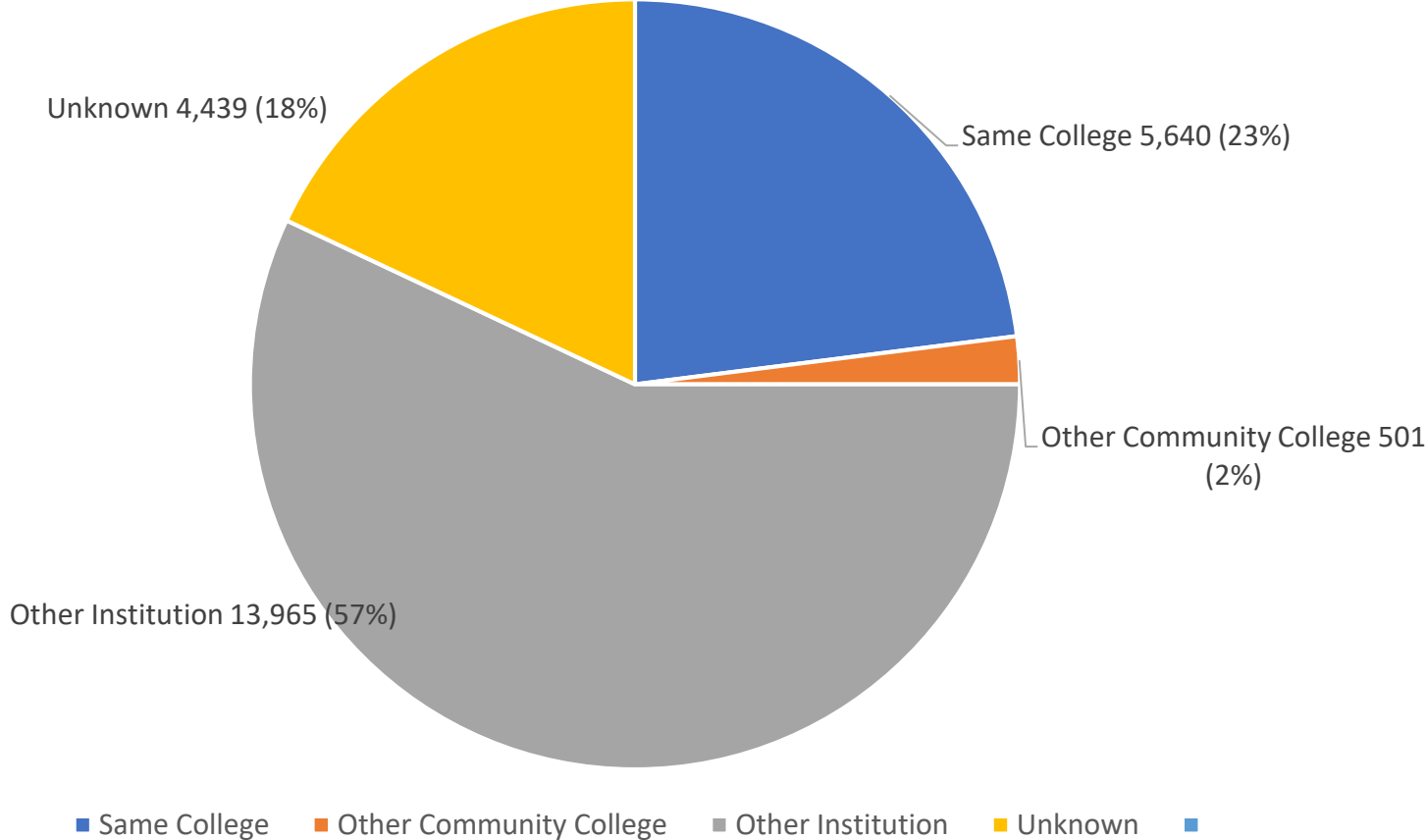
80% took college classes at their high schools.

Average participation rate was 17%.

Students successfully completed 419,604 credit hours – an average of 9.1 credit hours or 3 courses per student.

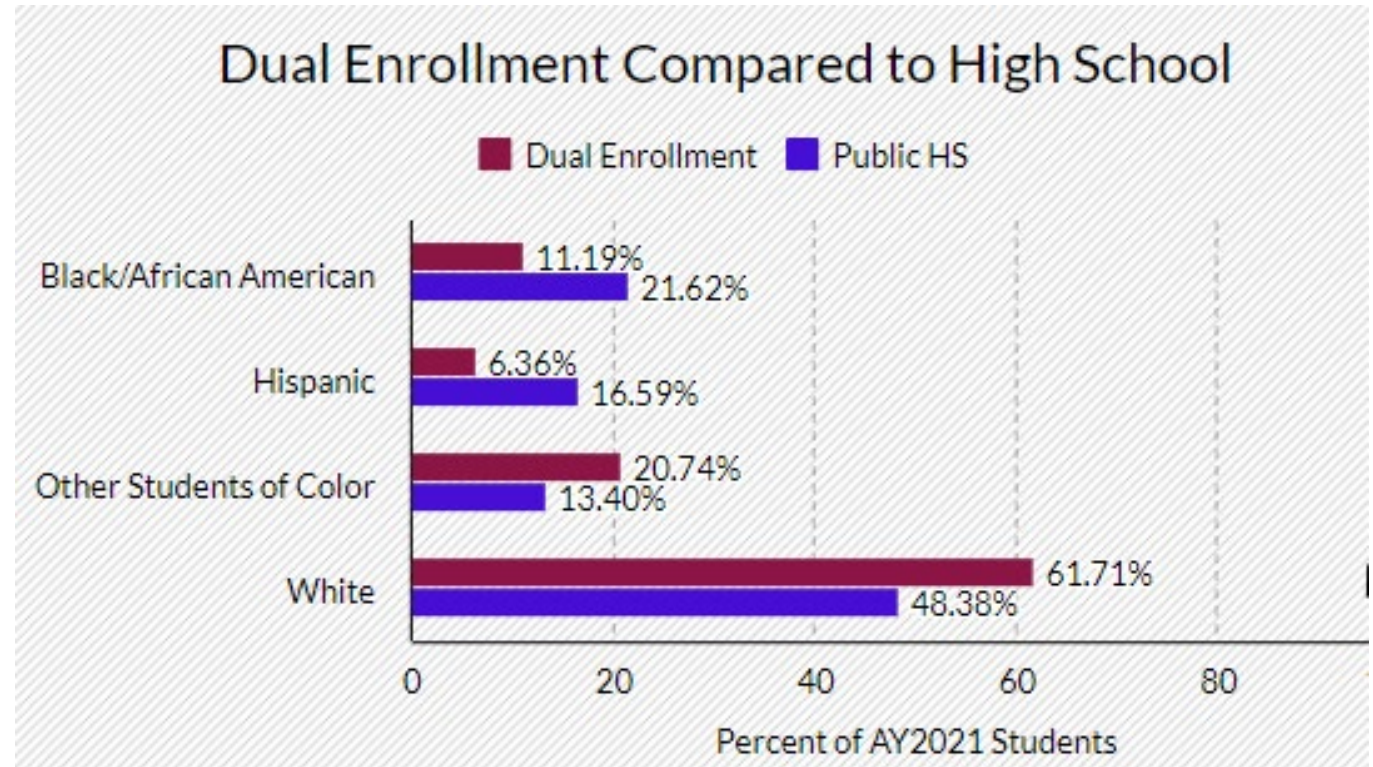
4,100 students earned a college credential while still in high school.

# Postsecondary Enrollments Fall 2019 (n = 20,106)



# Equity Participation in Dual Enrollment

- Black and Hispanic students are underrepresented in Dual Enrollment
  - Black students comprise almost 22% of high school students, but only 11% of dual enrolled students.
  - Hispanic students represent 17% of high school students, but only 6% of dual enrolled students
- White and Asian students are overrepresented in Dual Enrollment
  - White students comprise 48% of high school students but 62% of dual enrolled students.
  - Asian students comprise 7.5% of high school students but 8.5% of dual enrollment students.



# Uniform Tuition Rate

- Dual Enrollment tuition rates are discounted when the course is taught at the high school by a qualified high school teacher.
- The discounted rate is negotiated between the college and school division. Rates vary widely across the commonwealth, from \$0 to \$160/credit hour for tuition and fees.
- In some cases, the school division pays the tuition cost; in other cases, the cost is passed on to families.

***In 2017, JLARC Recommended that the State Board Adopt a Uniform Tuition Rate***

# Key Takeaways:

- Virginia's policy makers recognize the value of dual enrollment as a strategy for increasing degree attainment.
- Dual enrollment continues to grow in the VCCS at a faster pace than other enrollments.
- Participation in dual enrollment varies by school division.
- The high school-based dual enrollment model requires high school teachers to be qualified to teach college courses.
- Dual enrolled students who continue on to a college or university after graduation could benefit from a significant savings toward the cost of a degree – if all of their courses transfer for course credit.
- Dual enrollment costs vary across the commonwealth.

# Key Recommendations:

Colleges should target market the high school graduates who did not enroll in a Virginia college or university.

Colleges and school divisions should set equity goals for dual enrollment and form agreements that communicate an explicit commitment to increasing equity in access to and success in dual enrollment.

Colleges and school divisions should partner to increase dual enrollment participation rates.

State policy leaders should consider providing resources to school divisions to support credential attainment to qualify more high school teachers to teach college courses.

VCCS and VDOE should negotiate a Uniform Tuition Rate that acknowledges costs to both the community college and the high school.



# Questions?

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# State Council of Higher Education for Virginia Agenda Item

**Item:** #IV.K. - Council – Receipt of Items Delegated to Staff

**Date of Meeting:** January, 11, 2022

**Presenter:** Peter Blake  
Director  
[peterblake@schev.edu](mailto:peterblake@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:**

Degree Program Actions:

The College of William and Mary  
James Madison University  
Old Dominion University  
Radford University  
South Western Virginia Community College  
University of Virginia  
Virginia Polytechnic Institute and State University  
Virginia Western Community College

Discontinued Programs:

The College of William and Mary  
Virginia Polytechnic Institute and State University

Internal and Off-Campus Organizational Changes:

The College of William and Mary

National Council for State Authorization Agreements (NC-SARA) Renewal

Hampton University

Postsecondary, Non Degree Institutions Certified to Operate in the Commonwealth of Virginia

Aveda Arts & Sciences Institute  
Inova Phlebotomy School  
Learning Tree USA  
T&D Phlebotomy  
Vital Phlebotomy, LLC

Postsecondary Schools with a Change from In-state to Out-of-state Designation  
Saint Michael College of Allied Health

**Financial Impact:** N/A

**Timetable for Further Review/Action:** N/A

**Relationship to Goals of the Virginia Plan for Higher Education:** N/A

**Resolution:** N/A

Items Delegated to Director/Staff

Pursuant to the Code of Virginia, § 23.1-203 and Council’s “*Policies and Procedures for Program Approval and Changes*,” the following items approved/not approved as delegated to staff:

**Academic Program Actions**

<b>Institution</b>	<b>Degree/Program/CIP</b>	<b>Effective Date</b>
College of William and Mary in Virginia	<b>Program Name Change Not Approved:</b> Change the name of the Bachelor of Arts degree program in Spanish (16.0905) to Hispanic Studies (16.0905)	October 14, 2021
College of William and Mary in Virginia	<b>Program Name Change Approved:</b> Change the name of the Bachelor of Arts degree program in Theatre and Speech (50.0501) to Theatre (50.0501)	Spring 2022
James Madison University	<b>Program Name Change Approved:</b> Change the name of the Bachelor of Arts and Bachelor of Science degree programs in Communications (09.0101) to Communication Studies (09.0101)	Spring 2022
James Madison University	<b>Program Name Change Not Approved:</b> Change the name of the Bachelor of Arts and Bachelor of Science in Geography (45.0701) to Geographic Science (45.0701)	October 12, 2021
James Madison University	<b>Program Name Change Not Approved:</b> Change the name of the Bachelor of Science degree program in Public Administration (44.0401) to Public Policy and Administration (44.0401)	October 14, 2021
James Madison University	<b>Program Name Change Approved:</b> Change the name of the Master of Science in Speech Pathology (51.0203) to Speech Language Pathology (51.0203)	Spring 2022
Old Dominion University	<b>Certificate Program Approved:</b> Graduate Certificate in Music Performance (50.9999)	Spring 2022
Radford University	<b>Certificate Program Approved:</b> Post-Professional Certificate in Special Education, General Curriculum (13.1099)	Spring 2022
Southwest Virginia Community College	<b>Facilitated Staff Approval:</b> Associate of Applied Science degree program in Culinary Arts (12.0500)	Fall 2022
University of Virginia	<b>Certificate Programs Approved:</b> <ul style="list-style-type: none"> <li>Undergraduate Certificate in Cloud Computing (11.0902)</li> </ul>	Spring 2022

Institution	Degree/Program/CIP	Effective Date
	<ul style="list-style-type: none"> <li>Graduate Certificate in Premodern Cultures and Communities (30.1301)</li> </ul>	
Virginia Polytechnic Institute and State University	<b>Program Merger Approved:</b> Merge the Bachelor of Science degree program in Crop and Soil Environmental Sciences (01.1102) and the Bachelor of Science degree program in Horticulture (01.1103) to create the new <b>Bachelor of Science degree program in Plant Science (01.1101)</b>	Spring 2022
Virginia Western Community College	<b>Facilitated Staff Approval:</b> Associate of Applied Science degree program in Occupational Therapy Assistant (51.0803)	Fall 2025

Pursuant to the Code of Virginia, § 23.1-203 and Council’s “Policies and Procedures for Program Approval and Changes,” the following items reported:

### Discontinued Programs

Institution	Degree/Program/CIP	Effective Date
The College of William and Mary in Virginia	<b>Program Discontinuance:</b> Discontinue the Graduate Certificate in College Teaching (13.1299)	Spring 2022
Virginia Polytechnic Institute and State University	<b>Program Discontinuances:</b> Discontinue the following degree programs: <ul style="list-style-type: none"> <li>Bachelor of Science in Crop and Soil Environmental Sciences (01.1102)[Council Approval Date: BCHE]</li> <li>Bachelor of Science in Horticulture (01.1103) [Council Approval Date: BCHE]</li> </ul>	Spring 2022

Pursuant to the Code of Virginia, § 23.1-203 and Council’s “*Policies and Procedures for Internal and Off-Campus Organizational Changes*,” the following item approved as delegated to staff:

### Internal and Off-Campus Organizational Changes

Institution	Change/Site	Effective Date
College of William and Mary in Virginia	Establish and officially-recognize the <b>William &amp; Mary Washington Center</b> at 901 4th Street, NW, Suite 700, Washington, D.C. 20001.	February 1, 2022

Pursuant to the Code of Virginia, Section § 23.1-211 and Council’s “*Commonwealth of Virginia Policy on the Reciprocal Authorization of Distance Education and Related Activities*,” the following action was taken as delegated to staff:

**National Council for State Authorization Reciprocity Agreements (NC-SARA)  
Renewal**

<b>Institution</b>	<b>Action</b>	<b>Effective Date</b>
Hampton University	Renewal Not Approved	November 4, 2021

Pursuant to the Code of Virginia § 23.1-213 to 230 and 8VAC-40-31-90 of the Virginia Administrative Code, the following items approved as delegated to staff:

**Postsecondary, Non-Degree Institutions Certified to Operate in the  
Commonwealth of Virginia**

<b>Institution</b>	<b>Location</b>	<b>Effective Date</b>
Aveda Arts & Sciences Institute, Arlington Name	Arlington City, VA	12/13/21
Inova Phlebotomy School	Fairfax, VA	12/09/21
Learning Tree USA	Herndon, VA	11/17/21
T & D Phlebotomy	Norfolk, VA	12/13/21
Vital Phlebotomy, LLC	Fredericksburg ,VA	12/09/21

Pursuant to the Code of Virginia § 23.1-213 to 230 and 8VAC-40-31-90 of the Virginia Administrative Code, the following item approved as delegated to staff:

**Postsecondary Schools with Change from In-State to Out-of-State  
Designation**

<b>Institution</b>	<b>Location</b>	<b>Effective Date</b>
Saint Michael College of Allied Health	Washington, DC	11/9/2021