

1 When used in this article the following words have the
2 meanings ascribed to them unless the context clearly indicates a
3 different meaning:

4 "Center of excellence" means an academic program or group of
5 programs located within a particular state institution, division or
6 branch campus that is addressed in the institution's compact and
7 recognized by the institution, its governing board, administrators,
8 faculty and staff as having gained a significant degree of regional
9 or national acclaim for high quality and public service.

10 "Chancellor" means the chief executive officer employed by the
11 commission.

12 "Governing board" means the board of Governors for West
13 Virginia University established pursuant to section one, article
14 two-a of this chapter.

15 "LOCEA" or "Legislative Oversight Commission on Education
16 Accountability" means the joint legislative commission established
17 pursuant to section eleven, article three-a, chapter twenty-nine-a
18 of this code.

19 "Revitalization Plan" or "Plan" means the implementation
20 process developed pursuant to section three of this article.

21 "Revitalization Project" means the entire process undertaken
22 to further the goals of this article including the research, plan
23 development and implementation designed to assist WVU-Tech to reach
24 its full potential as a center of excellence and positive force for

1 economic development and cultural enrichment in the state.

2 "STEM education" or "STEM" mean areas of study in science,
3 technology, engineering and mathematics.

4 "WV-CURE" means the task force created pursuant to section
5 three, article one-c of this chapter.

6 "WV-CURE report" means the findings and recommendations
7 contained in the final document submitted to the Legislature
8 pursuant to section three, article one-c of this chapter.

9 "WVU-Tech" means West Virginia University Institute of
10 Technology, a division of West Virginia University.

11 **§18B-1E-2. Legislative purpose, findings and intent.**

12 (a) The purpose of this article is to focus attention on West
13 Virginia University Institute of Technology to honor the
14 institution's history of excellence and service to the region and
15 the state, to identify its unique role and contributions to higher
16 education and to create and implement the revitalization plan that
17 not only will be used to assist this institution to reach its full
18 potential of service to the citizens of West Virginia, but also may
19 serve as a model that can be replicated at other state institutions
20 of higher education.

21 (b) Findings.--

22 (1) WVU-Tech has a distinguished history of more than a
23 hundred years of service, growth and change, but, in addition to
24 the positive advancements, the institution also has dealt with

1 internal conflict and external controversy initiated by multiple
2 changes in policy direction, governance structure and mission. It
3 was founded in 1895 as a preparatory school of West Virginia
4 University and since that time, has functioned as a trade school,
5 a junior college, a free-standing baccalaureate institution and a
6 regional campus of West Virginia University. In 2007, it became a
7 fully-integrated division of the university.

8 (2) The many changes of name, mission, governance structure
9 and affiliation, together with its location in the heart of the
10 southern coal fields, assure the institution a unique place in the
11 state system of higher education. The institution continues to
12 provide vital education opportunities to the mostly-rural
13 population which comprise its primary service clientele.

14 (3) Both its traditional strength and its unique opportunity
15 for future growth and service lie in its focus on (STEM) education,
16 particularly in undergraduate engineering and technology, in which
17 it has been a leader for nearly sixty years.

18 (4) The student-centered programs, combined with small classes
19 and individualized instruction, provide undergraduates with
20 opportunities for hands-on research and cooperative work
21 experiences that usually are available only to graduate students.

22 (5) The Legislature further finds the following regarding the
23 state system of higher education:

24 (A) Retention and graduation rates at the state institutions

1 are a major source of concern for state policymakers.

2 (i) The average retention rate for the state system as a
3 whole, calculated from the fall semester in 2008 to the fall
4 semester of 2009, the most recent period for which data are
5 available, is seventy-three percent. Twenty-seven students out of
6 every one hundred who were enrolled in a state institution of
7 higher education in 2008 did not return for the fall semester in
8 2009.

9 (ii) On average, of the students who entered four-year state
10 institutions as first-time freshmen in 2004, only forty percent had
11 graduated six years later.

12 (iii) Within these statewide averages there are significant
13 variations among both institutions and disciplines, particularly in
14 the disciplines emphasizing STEM education. Retention rates range
15 from a high of eighty-two percent to a low of fifty-five percent.
16 Six-year graduation rates fall between a high of fifty-nine percent
17 and a low of fifteen percent.

18 (B) According to the report submitted by the WV-CURE task
19 force in 2008 pursuant to section three, article one-c of this
20 code, West Virginia faces many of the same challenges in preparing
21 and recruiting STEM professionals as the rest of the country, but
22 in addition has unique challenges related to its population
23 demographics and geography.

24 (C) Due to its unique history and geographical location, WVU-

1 Tech provides the ideal laboratory in which to develop a successful
2 model to address these challenges through the revitalization plan
3 created pursuant to section three of this article.

4 (c) *Legislative intent.* -- It is the intent of the Legislature
5 in establishing the Revitalization Project set forth in section
6 three of this article to encourage WVU-Tech to build upon its
7 tradition of high-quality, student-centered STEM education, to
8 assist the institution to reach its full potential as a center of
9 excellence and a positive force for economic development and
10 cultural enrichment within the community and state, to implement
11 certain recommendations from the WV-CURE report and to create a
12 successful policy model that state decision makers may employ in
13 other areas where state institutions of higher education struggle
14 to overcome similar problems. The Revitalization Project shall
15 serve as a laboratory in which to identify problems, research
16 solutions and implement those programs and procedures that best
17 meet the intent of this article.

18 It is further the intent of the Legislature to promote
19 institutional stability at WVU-Tech by keeping the governance
20 structure of the institution unchanged until the report required in
21 section four of this article is received in 2014. Throughout the
22 WVU-Tech revitalization process, the governing board retains
23 statutory control of the institution. Except for authority
24 otherwise granted by statute, this article extends the commission's

1 authority only to those items identified in the revitalization plan
2 and funded by legislative appropriation therefor.

3 **§18B-1E-3. Revitalization Project and Plan; Plan approval**
4 **required.**

5 (a) There is hereby created the Revitalization Project for
6 WVU-Tech under the direction of the commission. The project
7 includes a study and development of the revitalization plan
8 designed to meet the goals and intent of this article.

9 (b) On the effective date of this section, the commission
10 shall initiate a study and draw upon the expertise of both groups
11 internal and external to West Virginia to take advantage of the
12 services of national organizations specializing in institutional
13 renewal. The commission shall bear the costs of the study.

14 (c) The study shall include, but is not limited to, the
15 following thematic areas:

16 (1) Exploring new academic programs that meet emerging
17 industry needs in West Virginia;

18 (2) Developing distance education and adult-targeted degree
19 and programmatic offerings, with particular attention to avoiding
20 costly program duplication;

21 (3) Examining marketing and recruiting strategies at the
22 institution;

23 (4) Reviewing nonacademic programs and auxiliary operations,
24 focused upon efficiencies and strategic development;

1 (5) Reviewing fiscal and operating procedures, emphasizing
2 initiatives through which the institution can reduce annual
3 operating costs and maximize all available revenues;

4 (6) Evaluating all institutionally-affiliated groups,
5 including the alumni association, the WVU-Tech Foundation and all
6 other institutionally-affiliated Section 501(c)(3) organizations,
7 stressing revitalization of these entities; and

8 (7) Reviewing and assessing the capital infrastructure of the
9 institution.

10 (d) The study also shall include consideration of the
11 following recommendations drawn from the WV-CURE report:

12 (1) Creating and maintaining a forum for meaningful
13 interaction between and among the K-12 and professional communities
14 to define better the needs of the STEM stakeholders at each level
15 of the education and early career process. The forum may help to
16 ensure smoother transitions for students at each step and thereby
17 increase student retention and graduation rates. A cooperative
18 approach with the public schools in the institution's service area
19 may serve as means to increase students' interest and familiarize
20 them with the STEM programs WVU-Tech offers.

21 (2) Preparing students for the future by enhancing student
22 design/capstone experiences to include undergraduate research at an
23 earlier point in the baccalaureate curriculum thereby expanding the
24 focus on opportunities for advanced studies and providing students

1 with enhanced critical thinking and learning skills to adapt to an
2 environment of rapidly changing technologies;

3 (3) Stimulating interest of young people in training and
4 careers in engineering and related disciplines by involving the
5 professional and business communities in a more visible and engaged
6 manner;

7 (4) Diversifying the types of students who pursue STEM
8 education and careers by developing strategic initiatives focused
9 on recruiting and retaining traditionally under-represented groups;

10 (5) Pursuing the goals set forth in section three, article
11 one-c of this chapter to increase West Virginia's capacity for high
12 quality engineering instruction and research; increase access to
13 high quality instruction and research opportunities in STEM
14 disciplines; and stimulate economic development by increasing the
15 number of professional engineers available to business and
16 industry.

17 (6) Exploring opportunities for collaborations between
18 institutions to increase the access to high quality programs while
19 reducing the overall expenditure per student in high cost
20 disciplines.

21 (7) Developing more electronic classrooms, online programs,
22 and other technology driven teaching/learning facilities in order
23 to pool resources among the engineering institutions, reach
24 students who are place-bound or who live in rural areas distant

1 from the institution's campus and avoid expensive program
2 duplication.

3 (e) Based upon the research and findings of the study, the
4 chancellor shall coordinate the development of a report to
5 implement the purpose and intent of this article. The
6 recommendations of the study shall serve to guide the distribution
7 of all funds appropriated by the Legislature and targeted to the
8 Revitalization Project. The plan shall include, but is not limited
9 to, the following elements:

10 (1) Providing clear and guiding recommendations for the
11 revitalization of WVU-Tech;

12 (2) Recommending a process for establishing WVU-Tech as a
13 center of excellence in STEM education with particular emphasis on
14 undergraduate engineering and technology, areas in which the
15 institution has earned a high degree of regional and national
16 recognition for excellence. The purpose of the center of
17 excellence is to enable the institution to concentrate its
18 resources on providing state-of-the-art post-secondary education
19 opportunities in a limited number of areas in which the institution
20 excels. The center of excellence approach promotes effective
21 teaching and learning through education, training, research and
22 information dissemination. All parties involved in identifying and
23 developing the center of excellence bring to the partnership their
24 special expertise of strategic importance to the program and,

1 ultimately, to the citizens of West Virginia;

2 (3) Benchmarks in the following areas:

3 (A) Enrollment;

4 (B) Retention and graduation;

5 (C) Capital improvements and building renovations/demolitions;

6 (D) Athletics, auxiliaries, and other nonacademic units;

7 (E) Fundraising and alumni development;

8 (F) Academic restructure and program development;

9 (G) Marketing and outreach;

10 (H) Remedial and developmental education;

11 (I) Innovative academic initiatives that can be piloted at

12 WVU-Tech with the opportunity for diffusion across the systems of

13 higher education;

14 (J) Transfer and articulation partnerships with other

15 institutions in the state systems of higher education; and

16 (K) Grants, contracts, and externally sponsored research.

17 (4) A process whereby WVU-Tech may request and receive money

18 from the pool of appropriated funds.

19 (f) The findings, conclusions and recommendations of the

20 study, together with the revitalization plan for implementation,

21 shall be reported to the commission and the governing board by

22 September 1, 2011. The plan shall be delivered to LOCEA no later

23 than September 1, 2011, and LOCEA shall consider the proposed plan

24 and approve or disapprove by September 30, 2011.

1 §18B-1E-4. Plan implementation; legislative intent; oversight;
2 reporting.

3 (a) The legislative findings set forth in section two of this
4 article demonstrate the unique historical role that WVU-Tech has
5 played as a vital component of the state's higher education system.
6 In order for the institution to move forward and realize its full
7 potential, its future must be supported by a financial commitment
8 from the state. Therefore, as funds are available, it is the intent
9 of the Legislature to make appropriations to the commission to
10 support the Revitalization Project at WVU-Tech.

11 (b) Appropriated funds may be expended under the direction of
12 the chancellor for the purposes set forth in this article and in
13 the revitalization plan approved by LOCEA.

14 (c) The purposes for which the moneys may be used include, but
15 are not limited to, development costs for new programs, student
16 outreach initiatives, demolition of certain facilities, and
17 renovation of campus infrastructure or other items designed to
18 support existing students and attract new students.

19 (d) By December 1, 2012, and annually thereafter until all
20 appropriated funds have been expended, the Chancellor shall report
21 to LOCEA on the allocation of funds. Additionally, the Chancellor
22 shall provide regular updates to LOCEA, as necessary or requested,
23 to keep members informed of the progress made in implementing the
24 purposes and intent of this article and the recommendations of the

1 revitalization plan.

2 (e) By May 1, 2014, the commission and governing board shall
3 provide to LOCEA a detailed summary of all Revitalization Project
4 activities undertaken to date. This report also shall include
5 recommendations for alterations in the revitalization plan and the
6 goals of the Revitalization Project and may include recommended
7 options for governance changes including independent status for the
8 institution.

NOTE: The purpose of this bill is to create the WVU-Tech Revitalization Project under the direction of the Policy Commission. The Project includes research on methods of institutional renewal, a plan for implementation of recommendations, development of a renewal model that may be replicated at other state institutions of higher education, and reports to the Legislature detailing use of resources, together with any recommendations for alterations in the Project's goals or institutional governance structure.

This article is new; therefore, it has been completely underscored.