

WEST VIRGINIA LEGISLATURE

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Originating

Senate Bill 673

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[Originating in the Committee on Education; Reported
on February 23, 2019]

1 A BILL to repeal §18B-1D-2, §18B-1D-3, §18B-1D-4, and §18B-1D-5 of the Code of West Virginia,
2 1931, as amended; to repeal §18B-7-8 of said code; to amend and reenact §18B-1D-1
3 and §18B-1D-8 of said code; and to amend and reenact §18C-1-1 of said code, all relating
4 to public higher education accountability and planning; ensuring efficiency in planning and
5 accountability; modifying the data collection and reporting processes; eliminating the
6 requirement for a statewide master plan for public higher education; eliminating the
7 requirement for state and institutional compacts for public higher education; eliminating
8 the requirement for a human resources report card for public higher education; modifying
9 the reporting methods for certain institutional and statewide reports; modifying the
10 reporting method for the student financial aid report card for public higher education; and
11 continuing the accountability system for public higher education.

Be it enacted by the Legislature of West Virginia:

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 1D. HIGHER EDUCATION ACCOUNTABILITY.

§18B-1D-1. Master plan repealed; accountability system continued.

1 (a) The Legislature finds that:
2 (1) Accountability and strategic planning are valuable and necessary components of
3 establishing and achieving goals for higher education in this state and fulfilling missions of the
4 institutions;
5 (2) To be most effective and efficient, the accountability and strategic planning process
6 should be coordinated, streamlined, and nonduplicative; and
7 (3) Redundant reporting requirements exist in the accountability and strategic planning
8 process which serve to waste scarce resources and decrease efficiency.
9 (b) It is the intent of the Legislature that the accountability and strategic planning process
10 for public higher education in this state continues in a unified and comprehensive manner while

11 utilizing the resources of the higher education systems in an economical and efficient manner.

12 To that end:

13 (1) The requirement for a statewide master plan for public higher education is repealed,
14 and any provision of this code regarding the plan is void and of no effect;

15 (2) The requirements for state and institutional compacts for public higher education are
16 repealed, and any provision of this code regarding the compacts are void and of no effect; and

17 (3) When collecting data from an institution, the commission and council first shall consider
18 data generated from the unit-record student, registration, course and personnel files, the audited
19 financial statements, and any source previously submitted formally to the commission or council
20 from which the requested data may be obtained, so long as the data or information available
21 through these sources reflects the most current reporting period.

§18B-1D-2. Definitions.

1 [Repealed]

§18B-1D-3. State vision for public higher education; findings; establishment of objectives.

1 [Repealed]

§18B-1D-4. Responsibilities of Higher Education Policy Commission and Council for Community and Technical College Education; development of public policy agendas; reports; institutional responsibilities.

1 [Repealed.]

§18B-1D-5. Master plans; reports; approval process.

1 [Repealed]

§18B-1D-8. ~~Institutional and system report cards~~ Publication of institution and system data.

1 (a) The purpose of the institutional and statewide ~~report cards~~ data reporting system is to
2 make information available through the official websites of the commission and council to parents,
3 students, faculty, staff, state policymakers, and the general public on the quality and performance
4 of public higher education. ~~The focus of the report cards is to determine annual progress of the~~

5 ~~commission, the council and institutions under their respective jurisdictions toward achieving state~~
6 ~~goals and objectives identified in this article and section one a, article one of this chapter and~~
7 ~~system goals and objectives contained in the statewide master plans of the commission and~~
8 ~~council created pursuant to section five of this article.~~

9 (b) The information ~~contained in the report cards~~ provided through the reporting system
10 shall be consistent and comparable between and among state institutions of higher education. If
11 applicable, the information shall allow for easy comparison with higher education-related data
12 collected and disseminated by the Southern Regional Education Board, the United States
13 Department of Education and other education data-gathering and data-disseminating
14 organizations upon which state policymakers frequently rely in setting policy.

15 (c) The rules required by ~~subsection (c), section one of~~ this article shall provide for the
16 collection, analysis, and dissemination of information on the performance of the state institutions
17 of higher education, including health sciences education, in relation to the findings, goals, and
18 objectives set forth in this article and §18B-1-1a of this code. ~~and those contained in the statewide~~
19 ~~master plans of the commission and council developed pursuant to section five of this article~~

20 (1) The objective of this portion of the rule is to ensure that the Legislative Oversight
21 Commission on Education Accountability and others identified in subsection (a) of this section are
22 provided with full and accurate information while minimizing the institutional burden of
23 recordkeeping and reporting.

24 (2) This portion of the rule shall identify various indicators of student and institutional
25 performance that, at a minimum, must be reported annually, set forth general guidelines for the
26 collection and reporting of data, and provide for the preparation ~~printing and distribution of report~~
27 ~~cards under this section~~ and publication of the statewide data and reports.

28 (d) The ~~report cards~~ statewide annual report shall be analysis-driven, rather than simply
29 data-driven, and shall present information in a format that can inform education policymaking.
30 ~~They shall include an executive summary which outlines~~ It shall outline significant trends,

31 ~~identifies~~ identify major areas of concern, and ~~discusses~~ discuss progress toward meeting state
32 and system goals and objectives. ~~They~~ It shall be brief and concise, reporting required information
33 in nontechnical language. ~~Any technical or supporting material to be included shall be contained~~
34 ~~in a separate appendix.~~

35 ~~(e)~~ (d) The statewide ~~report card~~ data reporting system shall include the data for each
36 separately listed, applicable indicator identified in the rule promulgated pursuant to subsection (c)
37 of this section and the aggregate of the data for all public institutions of higher education.

38 ~~(f)~~ (e) A statewide annual report ~~card~~ shall be prepared using actual institutional, state,
39 regional, and national data, as applicable and available, indicating the present performance of the
40 individual institutions, the governing boards, and the state systems of higher education. The
41 ~~statewide report cards~~ shall be based upon information for the current school year or for the most
42 recent school year for which the information is available, in which case the year shall be clearly
43 noted.

44 ~~(g)~~ (f) The president or chief executive officer of each state institution of higher education
45 shall prepare and submit annually all requested data to the commission at the times established
46 by the commission.

47 ~~(h)~~ (g) The higher education central office staff, under the direction of the vice chancellor
48 for administration, shall provide technical assistance to each institution and governing board in
49 data collection and reporting and is responsible for assembling the statewide annual report ~~card~~
50 from information submitted by each governing board.

51 ~~(i)~~ (h) Current data shall be published to the statewide data reporting system prior to
52 January 1 annually. The statewide annual report shall be completed and disseminated with
53 copies to the Legislative Oversight Commission on Education Accountability prior to January 1 ~~of~~
54 ~~each year~~ annually, and the staff of the commission and the council shall prepare a report
55 highlighting specifically the trends, progress toward meeting goals and objectives, and major
56 areas of concern for public higher education, including medical education, for presentation to the

57 Legislative Oversight Commission on Education Accountability annually at the interim meetings
58 in January. ~~2009, and annually thereafter.~~

59 (j) ~~For a reasonable fee~~

60 (i) The vice chancellor for administration shall make ~~copies~~ a digital copy of the statewide
61 annual report cards, ~~including any appendices of supporting material, available to any individual~~
62 ~~requesting them~~ available to the public for download from the official websites of the commission
63 and council.

ARTICLE 7. PERSONNEL GENERALLY.

§18B-7-8. Reporting.

1 [Repealed]

CHAPTER 18C. STUDENT LOANS; SCHOLARSHIPS AND STATE AID.

ARTICLE 1. FINANCIAL ASSISTANCE GENERALLY.

§18C-1-1. Legislative findings; purpose; administration generally; reporting.

1 (a) The Legislature makes the following findings:

2 (1) Although enrollments in institutions of higher education in this state and throughout the
3 nation continue to increase at a rapid pace, West Virginia has not developed sufficiently the state's
4 human talent and resources because many able, but needy, students are not able to finance a
5 higher education program;

6 (2) The state can achieve its full economic and social potential only when the following
7 elements are in place:

8 (A) Every individual has the opportunity to contribute to the full extent of his or her
9 capability; and

10 (B) The state assists in removing financial barriers to the individual's education goals that
11 remain after he or she has used all resources and work opportunities available;

12 (b) The ultimate state goal in providing student financial aid is to create a culture that
13 values education, to improve the quality of the workforce, and to enhance the quality of life for the
14 citizens of West Virginia.

15 (c) The vice chancellor for administration has a ministerial duty to administer, oversee,
16 and monitor all state and federal student financial aid programs administered at the state level in
17 accordance with established rules under the direction of the commission and council and in
18 consultation with the Higher Education Student Financial Aid Advisory Board.

19 (d) These programs include, but are not limited to, the following programs:

20 (1) The Guaranteed Student Loan Program, which may be administered by a private
21 nonprofit agency;

22 (2) The Medical Student Loan Program;

23 (3) The Underwood-Smith Teacher Scholarship Program;

24 (4) The Engineering, Science and Technology Scholarship Program;

25 (5) The West Virginia Higher Education Grant Program;

26 (6) The Higher Education Adult Part-Time Student Grant Program;

27 (7) The West Virginia Providing Real Opportunities for Maximizing In-State Student
28 Excellence (PROMISE) Scholarship Program;

29 (8) The Higher Education Student Assistance Loan Program established pursuant to
30 ~~article twenty-two-d, chapter eighteen~~ §18-22D-1 et seq. of this code;

31 (9) The West Virginia College Prepaid Tuition and Savings Program established pursuant
32 to ~~article thirty, chapter eighteen~~ §18-30-1 et seq. of this code, which is administered by the state
33 Treasurer;

34 (10) The state aid programs for students of optometry, pursuant to ~~article three~~ §18C-3-1
35 et seq. of this ~~chapter~~ code;

36 (11) The state aid programs for students of veterinary medicine pursuant to ~~section six-a,~~
37 ~~article eleven, chapter eighteen~~ §18-11-6a of this code;

38 (12) Any reciprocal program and contract program for student aid established pursuant to
39 ~~sections three and four, article four, chapter eighteen b~~ §18B-4-3 and §18B-4-4 of this code;

40 (13) Any other state-level student aid programs in this code; and

41 (14) Any federal grant or contract student assistance or support programs administered at
42 the state level.

43 (e) Notwithstanding any provision of this chapter to the contrary, the Vice Chancellor for
44 Administration shall ~~prepare a single, comprehensive report~~ publish comprehensive data to the
45 official websites of the commission and council regarding the implementation of the financial aid
46 programs identified in subsection (d) of this section which are administered under his or her
47 supervision. ~~The~~ A concise summary report shall be provided to the commission and the council
48 and shall be presented to the Legislative Oversight Commission on Education Accountability no
49 later than ~~November 30, 2009, and annually thereafter~~ January 1 annually. The report shall
50 address all financial aid issues for which reports are required in this code, as well as any findings
51 and recommendations.

NOTE: The purpose of this bill is to increase efficiency in higher education by eliminating the requirement for a state-wide master plan for public higher education and state and institutional compacts, and modernizing and streamlining the data collection and reporting process.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.

§18B-1D-1 has been completely rewritten; therefore, it has been completely underscored.