

SENATE BILL NO. 738

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on _____)

(Patron Prior to Substitute--Senator Morrissey)

A BILL to amend and reenact § 23.1-203 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-206.1, relating to Department of Education; State Council of Higher Education for Virginia; instruction concerning post-graduate opportunities for high school students.

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-203 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-206.1 as follows:

§ 22.1-206.1. Instruction concerning post-graduate opportunities for high school students.

A. As used in this section, "institution of higher education" means each public institution of higher education and each private institution of higher education, as those terms are defined in § 23.1-100.

B. The Department shall collect and distribute to school boards and publicly post on its website information that assists high school students in making more informed decisions about their futures after graduating from high school and in doing so ensure that such students are aware of the costs and benefits of different educational and certificate programs. The Department shall annually collect and compile such information in consultation with the State Council of Higher Education for Virginia (the Council) and any other entity that can assist the Department with collecting and compiling such information and shall update its distribution materials accordingly each year. The Department shall post and distribute the information to school boards, with any relevant updates, no later than October 1 each year, and shall provide an annual update to the General Assembly on how such information was distributed. Each school board shall ensure that the information is readily available to each high school student and distributed to each high school

26 student who expresses an interest in attending an institution of higher education or completing another
27 training program described in this section. Information to be collected shall include:

28 1. To the extent available from the Council or other entities or sources, the most in-demand
29 occupations in the Commonwealth, including entry wages and common degree levels required or
30 encouraged for entering such occupations, and lists of offerings at institutions of higher education that
31 offer such programs.

32 2. The average cost of institutions of higher education, set out by type of institution.

33 3. The federal and state scholarship, merit, and need-based aid programs available to students for
34 attending institutions of higher education.

35 4. To the extent available from the Council or other entities or sources, the average monthly student
36 loan payment and the average total amount of student loans for individuals who attend institutions of
37 higher education, with such information distinguished by type of institution, to the extent that the
38 Department and the Council can determine such information.

39 5. To the extent available from the Council or other entities or sources, the average student loan
40 default rate for students who attend institutions of higher education, to the extent that the Department and
41 the Council can determine such information.

42 6. To the extent available from the Council or other entities or sources, information relating to the
43 availability of paid internship and externship opportunities for students attending institutions of higher
44 education with such information distinguished by major or area of study.

45 7. The average time that it takes to complete degrees offered by institutions of higher education.

46 8. Median annual wages for individuals who graduate from institutions of higher education,
47 distinguished by degree level.

48 9. To the extent available from the Council or other entities or sources, the average starting salary
49 for individuals who complete career and technical education programs in the Commonwealth.

50 10. The contact information for each institution of higher education.

51 11. To the extent available from the Council or other entities or sources, information regarding the
52 degree to which any institutions of higher education that accept public funding align their curricula or

53 programs with the state job market, including the degree to which they contribute to filling the most in-
54 demand jobs in the Commonwealth. The information in this subdivision shall also be included in the
55 annual report sent to the General Assembly described in this subsection.

56 12. Any other information that the Department or the Council deem appropriate to assist high
57 school students in weighing the costs and benefits of post-high-school training and education.

58 **§ 23.1-203. Duties of Council.**

59 The Council shall:

60 1. Develop a statewide strategic plan that (i) reflects the goals set forth in subsection A of § 23.1-
61 1002 or (ii) once adopted, reflects the goals and objectives developed pursuant to subdivision B 5 of §
62 23.1-309 for higher education in the Commonwealth, identifies a coordinated approach to such state and
63 regional goals, and emphasizes the future needs for higher education in the Commonwealth at both the
64 undergraduate and the graduate levels and the mission, programs, facilities, and location of each of the
65 existing institutions of higher education, each public institution's six-year plan, and such other matters as
66 the Council deems appropriate. The Council shall revise such plan at least once every six years and shall
67 submit such recommendations as are necessary for the implementation of the plan to the Governor and
68 the General Assembly.

69 2. Review and approve or disapprove any proposed change in the statement of mission of any
70 public institution of higher education and define the mission of all newly created public institutions of
71 higher education. The Council shall report such approvals, disapprovals, and definitions to the Governor
72 and the General Assembly at least once every six years. No such actions shall become effective until 30
73 days after adjournment of the session of the General Assembly next following the filing of such a report.
74 Nothing in this subdivision shall be construed to authorize the Council to modify any mission statement
75 adopted by the General Assembly or empower the Council to affect, either directly or indirectly, the
76 selection of faculty or the standards and criteria for admission of any public institution of higher education,
77 whether relating to academic standards, residence, or other criteria. Faculty selection and student
78 admission policies shall remain a function of the individual public institutions of higher education.

79 3. Study any proposed escalation of any public institution of higher education to a degree-granting
80 level higher than that level to which it is presently restricted and submit a report and recommendation to
81 the Governor and the General Assembly relating to the proposal. The study shall include the need for and
82 benefits or detriments to be derived from the escalation. No such institution shall implement any such
83 proposed escalation until the Council's report and recommendation have been submitted to the General
84 Assembly and the General Assembly approves the institution's proposal.

85 4. Review and approve or disapprove all enrollment projections proposed by each public institution
86 of higher education. The Council's projections shall be organized numerically by level of enrollment and
87 shall be used solely for budgetary, fiscal, and strategic planning purposes. The Council shall develop
88 estimates of the number of degrees to be awarded by each public institution of higher education and
89 include those estimates in its reports of enrollment projections. The student admissions policies for such
90 institutions and their specific programs shall remain the sole responsibility of the individual governing
91 boards but all baccalaureate public institutions of higher education shall adopt dual admissions policies
92 with comprehensive community colleges as required by § 23.1-907.

93 5. Review and approve or disapprove all new undergraduate or graduate academic programs that
94 any public institution of higher education proposes.

95 6. Review and require the discontinuance of any undergraduate or graduate academic program that
96 is presently offered by any public institution of higher education when the Council determines that such
97 academic program is (i) nonproductive in terms of the number of degrees granted, the number of students
98 served by the program, the program's effectiveness, and budgetary considerations or (ii) supported by state
99 funds and unnecessarily duplicative of academic programs offered at other public institutions of higher
100 education. The Council shall make a report to the Governor and the General Assembly with respect to the
101 discontinuance of any such academic program. No such discontinuance shall become effective until 30
102 days after the adjournment of the session of the General Assembly next following the filing of such report.

103 7. Review and approve or disapprove the establishment of any department, school, college, branch,
104 division, or extension of any public institution of higher education that such institution proposes to
105 establish, whether located on or off the main campus of such institution. If any organizational change is

106 determined by the Council to be proposed solely for the purpose of internal management and the
107 institution's curricular offerings remain constant, the Council shall approve the proposed change. Nothing
108 in this subdivision shall be construed to authorize the Council to disapprove the establishment of any such
109 department, school, college, branch, division, or extension established by the General Assembly.

110 8. Review the proposed closure of any academic program in a high demand or critical shortage
111 area, as defined by the Council, by any public institution of higher education and assist in the development
112 of an orderly closure plan, when needed.

113 9. Develop a uniform, comprehensive data information system designed to gather all information
114 necessary to the performance of the Council's duties. The system shall include information on admissions,
115 enrollment, self-identified students with documented disabilities, personnel, programs, financing, space
116 inventory, facilities, and such other areas as the Council deems appropriate. When consistent with the
117 Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), the Virginia
118 Unemployment Compensation Act (§ 60.2-100 et seq.), and applicable federal law, the Council, acting
119 solely or in partnership with the Virginia Department of Education or the Virginia Employment
120 Commission, may contract with private entities to create de-identified student records in which all
121 personally identifiable information has been removed for the purpose of assessing the performance of
122 institutions and specific programs relative to the workforce needs of the Commonwealth.

123 10. In cooperation with public institutions of higher education, develop guidelines for the
124 assessment of student achievement. Each such institution shall use an approved program that complies
125 with the guidelines of the Council and is consistent with the institution's mission and educational
126 objectives in the development of such assessment. The Council shall report each institution's assessment
127 of student achievement in the revisions to the Commonwealth's statewide strategic plan for higher
128 education.

129 11. In cooperation with the appropriate state financial and accounting officials, develop and
130 establish uniform standards and systems of accounting, recordkeeping, and statistical reporting for public
131 institutions of higher education.

132 12. Review biennially and approve or disapprove all changes in the inventory of educational and
133 general space that any public institution of higher education proposes and report such approvals and
134 disapprovals to the Governor and the General Assembly. No such change shall become effective until 30
135 days after the adjournment of the session of the General Assembly next following the filing of such report.

136 13. Visit and study the operations of each public institution of higher education at such times as
137 the Council deems appropriate and conduct such other studies in the field of higher education as the
138 Council deems appropriate or as may be requested by the Governor or the General Assembly.

139 14. Provide advisory services to each accredited nonprofit private institution of higher education
140 whose primary purpose is to provide collegiate or graduate education and not to provide religious training
141 or theological education on academic, administrative, financial, and space utilization matters. The Council
142 may review and advise on joint activities, including contracts for services between public institutions of
143 higher education and such private institutions of higher education or between such private institutions of
144 higher education and any agency or political subdivision of the Commonwealth.

145 15. Adopt such policies and regulations as the Council deems necessary to implement its duties
146 established by state law. Each public institution of higher education shall comply with such policies and
147 regulations.

148 16. Issue guidelines consistent with the provisions of the federal Family Educational Rights and
149 Privacy Act (20 U.S.C. § 1232g), requiring public institutions of higher education to release a student's
150 academic and disciplinary record to a student's parent.

151 17. Require each institution of higher education formed, chartered, or established in the
152 Commonwealth after July 1, 1980, to ensure the preservation of student transcripts in the event of
153 institutional closure or revocation of approval to operate in the Commonwealth. An institution may ensure
154 the preservation of student transcripts by binding agreement with another institution of higher education
155 with which it is not corporately connected or in such other way as the Council may authorize by regulation.
156 In the event that an institution closes or has its approval to operate in the Commonwealth revoked, the
157 Council, through its director, may take such action as is necessary to secure and preserve the student
158 transcripts until such time as an appropriate institution accepts all or some of the transcripts. Nothing in

159 this subdivision shall be deemed to interfere with the right of a student to his own transcripts or authorize
160 disclosure of student records except as may otherwise be authorized by law.

161 18. Require the development and submission of articulation, dual admissions, and guaranteed
162 admissions agreements between associate-degree-granting and baccalaureate public institutions of higher
163 education.

164 19. Provide periodic updates of base adequacy funding guidelines adopted by the Joint
165 Subcommittee Studying Higher Education Funding Policies for each public institution of higher
166 education.

167 20. Develop, pursuant to the provisions of § 23.1-907, guidelines for articulation, dual admissions,
168 and guaranteed admissions agreements, including guidelines related to a one-year Uniform Certificate of
169 General Studies Program and a one-semester Passport Program to be offered at each comprehensive
170 community college. The guidelines developed pursuant to this subdivision shall be developed in
171 consultation with all public institutions of higher education in the Commonwealth, the Department of
172 Education, and the Virginia Association of School Superintendents and shall ensure standardization,
173 quality, and transparency in the implementation of the programs and agreements. At the discretion of the
174 Council, private institutions of higher education eligible for tuition assistance grants may also be
175 consulted.

176 21. Cooperate with the Board of Education in matters of interest to both public elementary and
177 secondary schools and public institutions of higher education, particularly in connection with coordination
178 of the college admission requirements, coordination of teacher training programs with the public school
179 programs, and the Board of Education's Six-Year Educational Technology Plan for Virginia. The Council
180 shall encourage public institutions of higher education to design programs that include the skills necessary
181 for the successful implementation of such Plan.

182 22. Advise and provide technical assistance to the Brown v. Board of Education Scholarship
183 Committee in the implementation and administration of the Brown v. Board of Education Scholarship
184 Program pursuant to Chapter 34.1 (§ 30-231.01 et seq.) of Title 30.

185 23. Insofar as possible, seek the cooperation and utilize the facilities of existing state departments,
186 institutions, and agencies in carrying out its duties.

187 24. Serve as the coordinating council for public institutions of higher education.

188 25. Serve as the planning and coordinating agency for all postsecondary educational programs for
189 all health professions and occupations and make recommendations, including those relating to financing,
190 for providing adequate and coordinated educational programs to produce an appropriate supply of properly
191 trained personnel. The Council may conduct such studies as it deems appropriate in furtherance of the
192 requirements of this subdivision. All state departments and agencies shall cooperate with the Council in
193 the execution of its responsibilities under this subdivision.

194 26. Carry out such duties as the Governor may assign to it in response to agency designations
195 requested by the federal government.

196 27. Insofar as practicable, preserve the individuality, traditions, and sense of responsibility of each
197 public institution of higher education in carrying out its duties.

198 28. Insofar as practicable, seek the assistance and advice of each public institution of higher
199 education in fulfilling its duties and responsibilities.

200 29. Administer the Virginia Longitudinal Data System as a multiagency partnership for the
201 purposes of developing educational, health, social service, and employment outcome data; improving the
202 efficacy of state services; and aiding decision making.

203 30. Assist the Department of Education with collecting and compiling information for distribution
204 to high school students that assist such students in making more informed decisions about post-high-
205 school educational and training opportunities pursuant to § 22.1-206.1.

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