

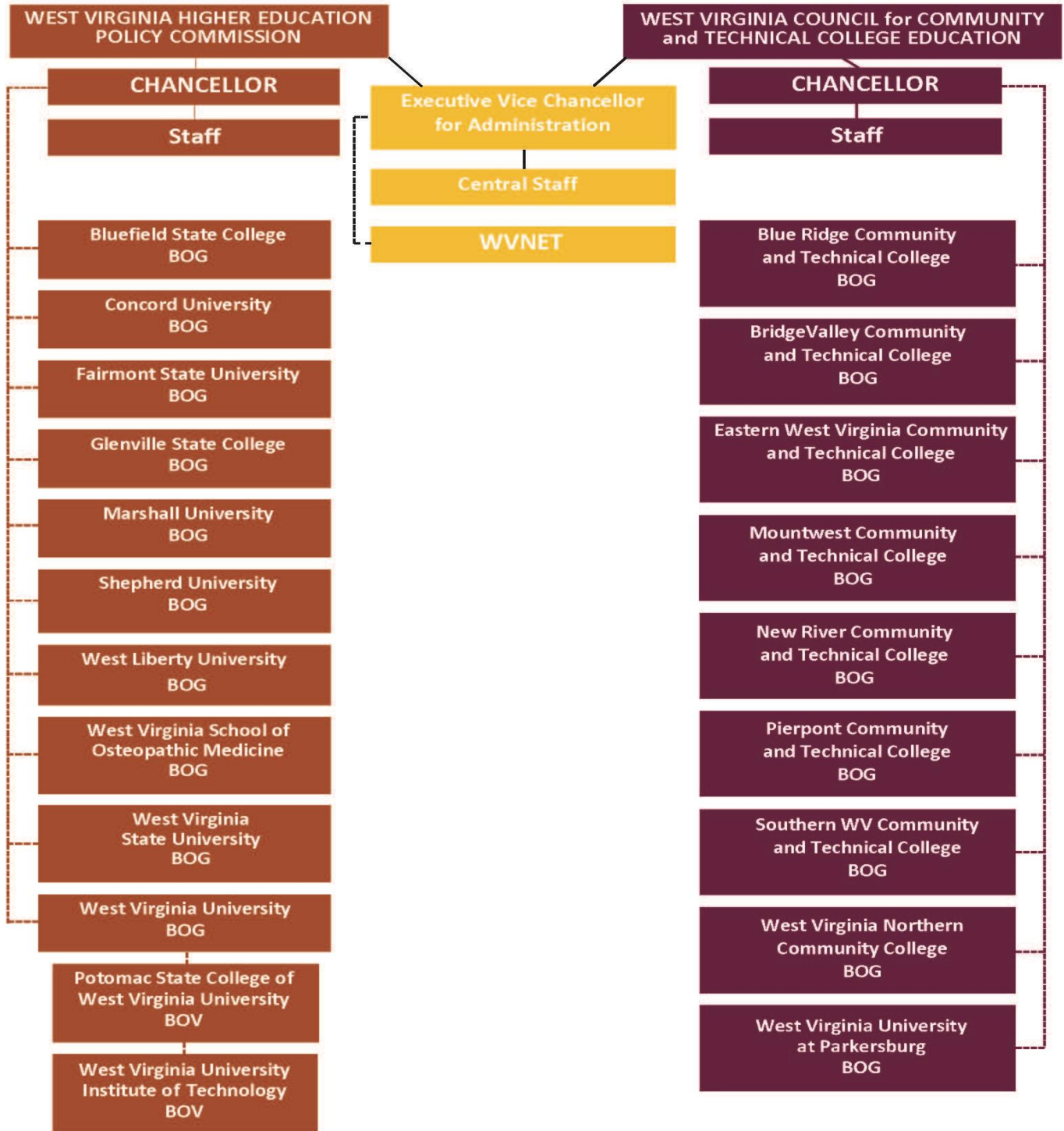
JOINT STANDING COMMITTEE ON EDUCATION

House Government Organization Committee Room
November 18, 2019

- **West Virginia Higher Education Policy Commission Institutional Oversight Review** 1
Dr. Sarah Armstrong Tucker, Interim Chancellor
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WEST VIRGINIA HIGHER EDUCATION SYSTEM STATEWIDE COORDINATION AND LOCAL GOVERNANCE



BOG - Board of Governors | **BOV** - Board of Visitors

The West Virginia Higher Education Policy Commission is a coordinating body with limited oversight of state colleges and universities. West Virginia Code generally provides that the local college and university boards of governors are responsible for institutional governance, with the exception of the reviews and approvals, listed with statutory citation, below.

Since 2017 (HB 2815), Marshall, WVU and the West Virginia School of Osteopathic Medicine have been classified as “exempt” schools, which are not required to seek state-level approval of academic programs, presidents’ contracts or capital projects. Prior to that, in 2005 (SB 603), Marshall and WVU were permitted to approve their own new academic programs on existing campuses and set tuition and fees up to certain limits before requiring HEPC approval. All institutions today are provided the same tuition increase threshold before requiring HEPC approval, and regional institution boards may authorize capital projects up to \$3 million.

Tuition and Fees	
18B-10-1	Approve tuition increases above 10% annually or 7% rolling 3-year average (all schools).
18B-1B-4(a)(34)	Establish tuition and fee policy rule (except exempt schools) .

Academic Program Review and Approval	
18B-1B-4(a)(39)	<p>Program approval for non-exempt schools – Commission reviews for degree program demand, viability, quality, finances and feasibility.</p> <p>For exempt schools – HEPC authority limited to programs proposed at new locations not currently served by the institution.</p>

Institutional Authorization and BOG Oversight Provision	
18B-1B-4(a)(44) and 18B-4-7	Authorization for public and private institutions, and establishing standards for accreditation and conferring degrees (jointly with CTC Council) (except exempt schools) .
18B-1B-4(c)	<p>Withdraw powers from local governing board (BOG, all schools) for up to 2 years if:</p> <ul style="list-style-type: none"> (1) Independent audit shows significant mismanagement or failure to carry out powers and duties per state law; or (2) Other circumstances that severely limit BOG’s capacity to exercise its powers or carry out its duties.

Missions and Achievement	
18B-1B-4(a)(9) and 18B-1D-7	Establish and implement benchmarks and performance indicators necessary to measure achievement of state policy priorities and institutional missions (except exempt schools) .
18B-1B-4(a)(38)	Approve institution missions, including using incentive funds to influence behavior toward public priorities (except exempt schools) .
18B-1D-7	Assign geographic areas of responsibility (except exempt schools, which have a statewide mission) .

Capital Projects and Facilities	
18B-1B-4(a)(11)	Develop standards for and evaluate BOG requests for capital project financing (except exempt schools) .
18B-1B-4(a)(12)	Approve capital projects to ensure BOGs manage capital projects and facility needs effectively (except exempt schools) .
18B-1B-4(a)(46)(A)	Approve capital budgets (except exempt schools)
18B-19-4	Confirm campus development plans (except exempt schools)
18B-19-5	Prepare and submit prioritized capital appropriation request according to HEPC rankings
18B-19-6	Approve capital improvement projects exceeding \$3 million (except exempt schools)
18B-19-11	Approve lease-purchase agreements for capital improvements and equipment of \$1.5 million and greater (except exempt schools) .
18B-19-13	Approve real estate transactions, lease-purchase and new building construction exceeding \$1 million (except exempt schools) .
18B-19-14	Confirm sale and lease-back transactions (except exempt schools) .
18B-1B-4(a)(21)	Develop and implement (jointly with Council) an oversight plan to manage system-wide technology (except exempt schools) .

Presidential Appointments and Salaries	
18B-1B-4(a)(17) and 18B-1B-6	Confirm presidential <i>appointments</i> (except exempt schools) .
18B-1B-4(a)(18)	Approve presidential <i>compensation</i> (except exempt schools) .