

**WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION**

Form #2

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Higher Education Policy Commission TITLE NUMBER: 133

RULE TYPE: Legislative CITE AUTHORITY: WV Code §18B-1-A-2

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: Series 1

TITLE OF RULE BEING PROPOSED: Performance Indicators

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 15 AT 10:00 AM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Office of the Chancellor

Higher Education Policy Commission

1018 Kanawha Boulevard East

Charleston, West Virginia 25301

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

TITLE 133

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EMERGENCY RULE

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WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION WEST VIRGINIA
SECRETARY OF STATE

**SERIES 1
PERFORMANCE INDICATORS**

1. General

1.1 Scope: The West Virginia Higher Education Policy Commission, (hereinafter referred to as the Commission) consistent with the provisions of W. Va. Code §18B-1A-2, hereby adopts the following performance indicators that are recommended for use in measuring the degree to which the strategic issues, goals, and objectives (benchmarks) in the institutional compacts and masterplans are being met.

1.2 Authority: W. Va. Code §18B-1A-2

1.3 Filing Date: July 2, 2001

1.4 Effective Date:

2. Purpose

2.1 It is the purpose of this rule to set forth the (1) performance indicators that are recommended for use in measuring the degree to which the strategic issues, goals, and objectives in institutional compacts and masterplans are being met; (2) uniform definitions for the various data elements to be used in establishing the indicators; and (3) guidelines for the collection and reporting of data.

3. Performance Indicators

3.1 Use of Performance Indicators in Institutional Compacts and Masterplans

3.1.1 The following performance indicators are recommended for use in acceptable and viable institutional compacts and masterplans to measure progress made toward achieving the following strategic issues, which are not listed in order of priority: (1) access to higher education, (2) academic outcomes, (3) coordinated higher education delivery system, and (4) contributions to economic development of West Virginia. Included in these strategic issues are several very significant topics. Among these are teacher education, graduate education, independent accreditation for

community and technical colleges, economic and workforce development, and applied research. It is possible that a performance indicator may be a valid measurement of progress for more than one strategic issue.

3.2 Performance Indicators for Strategic Issue I: Access to Higher Education

3.2.1 Percent of recent graduates of West Virginia high schools who enroll in public higher education institutions who take ACT core courses in high school. The ACT core is defined as 4 units of English, 3 units of laboratory science, 3 units of Math, and 3 units of Social Science. The source of information for this indicator will be the freshmen reports prepared annually by ACT, Inc. for the Commission.

3.2.2 Developmental course enrollment. The percentage of recent West Virginia high school graduates enrolled as first-time, full-time freshmen who enroll in developmental math, reading, English or writing in their first fall semester in higher education, will be used. The source of data will be the course and enrollment data files submitted by institutions to the Commission and supplemental data from West Virginia University.

3.2.3 ACT and SAT scores of incoming students. For first-time, full-time freshmen who are recent graduates of West Virginia high schools, the average ACT composite score shall be used as one measure of entering student preparedness and quality. If a significant number of students at an institution report SAT scores for admission, average SAT scores may also be used.

3.2.4 Advanced Placement (AP) course enrollment by high school students. The AP Program of the College Board provides opportunities for students to earn college credit while in high school. The number and percent of West Virginia high school graduates who enroll as freshmen with AP credit earned through successful completion of the AP exams may be used as one measure of entering student preparedness and quality.

3.2.5 College credits taken by high school students. Both the number of high school students who take college courses and the total credits taken shall be reported. As it is reasonable to expect that much of this activity will stem from high school seniors taking courses in the spring semester, data on both Fall and Spring semesters shall be reported. The source of this data will be the course and enrollment data files submitted by the institutions to the Commission.

3.2.6 Financial assistance indicators. These are (a) percent of enrolled full-time undergraduates who are eligible for financial aid, (b) percent of

eligible undergraduates who receive financial aid, and (c) percent of financial need met for full-time undergraduates eligible for need-based financial aid. Source for this data will be the financial aid information system on each campus.

3.2.7 Non-traditional student outcomes. Non-traditional students shall be defined as undergraduates who are 25 years of age or older. Institutions shall report on non-traditional students and the headcount and full-time equivalent enrollment of such students and their retention and graduation rates. Retention and graduation rates shall be defined for these students in the same manner as for other students.

3.2.8 Ratio of resident undergraduate tuition and fee levels to relevant peer averages and medians. Tuition and fee levels should represent figures for the typical undergraduate program, as is reported in the *Statistical Profile of Higher Education in West Virginia*.

3.2.9 Ratio of nonresident undergraduate tuition and fee levels to instruction-related costs per FTE student. The definition of "instruction-related" cost shall be the same as has been reported in the *West Virginia Higher Education Report Card* or as otherwise defined by the Higher Education Policy Commission.

3.3 Performance Indicators for Strategic Issue II: Academic Outcomes

3.3.1 Baccalaureate teacher education licensure examination (Praxis) pass rates. For those institutions with baccalaureate programs in teacher education, the licensure examination pass rates to be used will be taken from the Federal report on teacher quality currently being developed under Title II of the Amendments to the Higher Education Act of 1965 (P.L. 105-244).

3.3.2 Number of degrees produced by level. The number of students graduating with One-year Certificates, Associate's, Bachelor's, Master's, Post-Master's, First-Professional, and Doctoral degrees shall be reported from the graduation files submitted to the Commission. Both data on the most recent academic year of graduation and an average of the three most recent years shall be presented.

3.3.3 Transfer rates. Use the transfer out rate as defined in the Integrated Postsecondary Education Data System (IPEDS) Graduation Rate Survey conducted by the National Center for Education Statistics (NCES). When possible, unit record data files on enrollment submitted to the Commission by institutions shall be used to report transfers to public higher education

institutions. If institutions gather their own data on transfer to West Virginia private institutions or out-of-state institutions, this data may be used to supplement the data on transfers to public higher education institutions. Figures on the transfer to West Virginia public higher education institutions and other institutions must be separately reported.

3.3.4 Freshmen to sophomore retention rates. For cohorts of degree seeking first-time full-time freshmen (the same cohorts used in the calculation of graduation rates) who enroll in the fall semester of the cohort year, report the number and percent who return to the same institution in the following fall semester.

3.3.5 Graduation rates for degree seeking students. For cohorts of degree seeking first-time full-time freshmen, report the number and percent who earn a degree in 150 percent of the normal time for degree completion. This information shall be the same as that reported in the IPEDS Graduation Rate Survey for the most recent graduating cohort.

3.3.6 Regents Bachelor of Arts degrees awarded. Data source shall be the graduation file submitted to the Commission by the institutions. Both data on the most recent academic year of graduation and an average of the three most recent years shall be presented.

3.3.7 Technologically delivered courses. Use data from the technological delivery of courses as has been reported in the *West Virginia Higher Education Report Card* since 1996. Also report any Southern Regional Electronic Campus courses offered and their enrollments. Enrollment report must distinguish between West Virginia residents and others.

3.3.8 Assessment of graduates' general skill levels. Indicate the assessment method(s) used (WorkKeys, CAAP, GRE, etc.), the number of graduates assessed by each method, and the number achieving scores meeting or exceeding national standards. Assessment in this area should, whenever possible, flow from data obtained with independently standardized instruments or methodologies.

3.3.9 Assessment of graduates' proficiency in their fields. (a) List specific programs (name and CIP number) that are nationally accredited, (b) indicate the number of graduates from each of these programs in the most recent academic year, total graduates from accredited programs by level and total graduates by level, and (c) indicate the number of graduates who took licensure examinations in their fields by level and field in the most recent academic year, and the number of such examination takers who passed. Institutions shall obtain data from reports submitted to the Commission from graduate data files.

3.3.10 Credits per full-time equivalent instructional faculty. Total credit activity divided by FTE instructional faculty, defined as, the instructional FTE of full-time instructional faculty plus credits taught by part-time faculty divided by 15. Source of data will be course, registration, and personnel data files submitted to the Commission by the institutions.

3.3.11 Full-time equivalent instructional faculty per full-time equivalent student. (a) Full-time equivalent undergraduate students equals number of undergraduate credits divided by 15, (b) full-time equivalent graduate students equals number of graduate credits divided by 12, and (c) full-time equivalent instructional faculty equals instructional FTE of full-time instructional faculty plus credits taught by part-time faculty divided by 15. Source of data will be course, registration, and personnel data files submitted to the Commission by the institutions.

3.3.12 Full-time equivalent non-instructional staff per full-time equivalent student. (a) Non-instructional staff include non-instructional faculty, classified staff, and non-classified staff, and (b) full-time equivalent non-instructional staff will equal full-time non-instructional staff plus the full-time equivalent of part-time non-instructional staff. Source of data will be course, registration, and personnel data files submitted to the Commission by the institutions.

3.3.13 Ratio of average instructional faculty salaries to peer institution averages. Average salaries of full-time instructional faculty shall be defined in accordance with procedures on file in the Commission office.

3.4 Performance Indicators for Strategic Issue III: Coordinated Higher Education Delivery System

3.4.1 Number and description of programs or special arrangements developed in partnership with public education that provide for "seamless" secondary/postsecondary curriculums.

3.4.2 Number and description of programs or special arrangements that provide education, training, or experience in such entrepreneurial skills as market analysis and business plan development and operations. Indicate headcount, participation levels in each program and separately identify programs and participation that targets high school students.

3.4.3 Number and description of programs developed collaboratively with one or more higher education or secondary education institutions that increases coordination throughout a region or statewide and/or reduces program duplication.

3.4.4 Number and description of programs or special arrangements created that emphasize the elements of citizenship in curriculums across institutional offerings and/or across secondary and postsecondary levels.

3.4.5 Number and description of programs, individuals served or special arrangements with business, industry, labor and/or public service agencies that deliver credit/non-credit instruction and/or professional services.

3.4.6 Number of business and industry representatives involved in advisory councils, boards, task forces and committees or in individual arrangements that work with the institutions to mesh the needs of their respective organizations with the programs of the institution.

3.4.7 Placement rates of students in businesses, industries and agencies both locally and throughout the state.

3.5 Performance Indicators for Strategic Issue IV: Contributions to the Economic Development in West Virginia

3.5.1 Number of students using Workforce Investment Act (WIA) individual training accounts. This program emphasizes a "work first" approach with training as a secondary strategy to immediate job placement. It provides for individual training account vouchers and streamlines core, intensive, and training services through one-stop delivery systems. Records on number of student participants will be maintained by each institution.

3.5.2 Customized training programs. These training programs are individually designed to meet the unique needs of business and industry and are frequently offered at off-campus sites. Data on these programs will be maintained by each institution.

3.5.3 Enrollment in technical fields. For fields designated as "technical" by the Commission, report the number of programs by level, the number of students by level who have declared majors in those fields, and graduates by level in those fields.

3.5.4 Number of West Virginia secondary school teacher graduates in "shortage" areas as identified by the West Virginia State Department of Education. As part of the education partnerships that are required by law, the State Department of Education shall be consulted on a regular basis to determine areas of special need in teacher preparation, and these needs shall be communicated to those institutions that have teacher education programs.

3.5.5 Participation levels in programs that develop entrepreneurial skills. Identify and briefly describe such programs. Indicate headcount

participation levels in each program operated by the institution. Separately identify programs and participation for high school students.

3.5.6 Percent of resident graduates working in West Virginia following graduation. The source of information on employment outcomes of graduates shall be data provided to the Commission each year by the West Virginia Bureau of Employment Programs.

3.5.7 Average earnings of resident graduates working in West Virginia following graduation. The source of information on employment outcomes of graduates shall be data provided to the Commission each year by the West Virginia Bureau of Employment Programs.

3.5.8 New program(s) created, program(s) terminated, and existing program(s) revised in response to workforce, societal, and student needs. Data on all program change is available at each institution. New and terminated program information is submitted to the Commission.

3.5.9 Basic and applied research projects. Data on basic and applied research projects that produce tangible outcomes that benefit business and industry will be maintained at each institution. Report (a) number of projects, (b) source and amount of funding, (c) number of student and faculty involved, (d) number of West Virginia employers and employees involved, if applicable, and (e) any tangible economic outcomes.

4. Selection Process for Other Performance Indicators and Other Forms of Measurement

4.1 In addition to those performance indicators that are listed in this rule, institutions may use other indicators to measure the degree to which the strategic issues, goals, and objectives in institutional compacts and masterplans are being met. It is requested that institutions inform the Commission staff of any additional indicators that are used. In all instances, these additional performance indicators must be from verifiable sources of data and documented by footnotes.

4.2 Progress toward many of the strategic issues, goals, and objectives may be difficult to quantify, yet information on these efforts must be presented. A short narrative or bullet-point format is suggested for this type of strategic issue. It is expected that schools may vary in the methods used to make progress in instances where quantifiable measurement is difficult.

4.3 Progress toward some of the strategic issues, goals, and objectives could be measured through surveys. Surveys must be independently standardized and normed.

5. Guidelines for Collection and Reporting of Data

5.1 When possible, performance indicators for West Virginia institutions shall be generated from the unit record student, registration, course, and personnel files collected by the Commission. When possible, peer institution data should be obtained from IPEDS electronic files maintained by the National Center for Education Statistics (NCES) or from audited financial statements in the case of financial statistics. If institutions must use their own internal data, explanations must be provided and documentation made available, if requested.

SUMMARY

TITLE 133
LEGISLATIVE RULE
HIGHER EDUCATION POLICY COMMISSION

SERIES 1
PERFORMANCE INDICATORS

As required by W. Va. Code §18B-1A-2, the Higher Education Policy Commission is adopting performance indicators that are recommended for use in measuring the degree to which the strategic issues, goals, and objectives (benchmarks) in the institutional compacts and masterplans are being met.

This rule sets forth the (1) performance indicators that are recommended for use in measuring the degree to which the strategic issues, goals, and objectives in institutional compacts and masterplans are being met; (2) uniform definitions for the various data elements to be used in establishing the indicators; and (3) guidelines for the collection and reporting of data.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Title 133, Series 1, Performance Indicators

Type of Rule: XX Legislative _____ Interpretive _____ Procedural

Agency Higher Education Policy Commission

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$0	\$0	\$0	\$0	\$0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates

There is no direct financial impact resulting from this Rule.

3. Objectives of these rules

To set forth the (1) performance indicators that are recommended for use in measuring the degree to which the strategic issues, goals, and objectives in institutional compacts and master plans are being met; (2) uniform definitions for the various data elements to be used in establishment of the indicators; and (3) guidelines for the reporting of data as specified in SB 653.

4. Explanation of Overall Economic Impact of Proposed Rule

A. Economic Impact on State Government

The overall economic impact will be to establish an objective measuring tool to gauge the performance of higher education institutions in providing (1) access to higher education; (2) academic outcomes; (3) coordinating higher education delivery systems; (4) and contributions to the economic development of West Virginia as specified in SB 653.


B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

See A above.

C. Economic Impact on Citizens Public at Large

See A above.

Date: July 2, 2001


Signature of Agency Head or Authorized Representative