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Form #3 ■

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OFFICE OF WEST VIRGINIA
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**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Higher Education Policy Commission TITLE NUMBER: 133

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: 1

TITLE OF RULE BEING PROPOSED: Performance Indicators

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


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Dec 26 9 56 AM '00

TITLE 133

LEGISLATIVE RULE

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

OFFICE OF 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:

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.

3.4.8 Measures of employer satisfaction and strength and weakness assessments of institutional graduates employed. This would most typically be accomplished through surveys of employers or employer focus group feedback. The issue of quality and preparedness of graduates from an employer perspective is the prime issue to be addressed in this type of feedback.

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.

Comments and Responses to Proposed Rule Series 1: Performance Indicators

During the public comment period (November 11, 2000 to December 11, 2000) we received the following written comments from people and took the following actions.

1. November 21, 2000 - we received a memo from John Hunter, president of West Virginia Northern Community College. President Hunter addressed a wide array of SB 653 issues including the following specifically addressing the performance indicator rule:

Hunter Comment - "How does the "percent of recent graduates...who enroll in public higher education institutions who take ACT core sources" relate to our accessibility? For a community college the "open door" mission means admission for all regardless of background. ACT and SAT scores may be helpful, but they are not necessary".

Response - Although it is true that Community College accessibility depends on more than just ACT core course completion in high school, it is an important aspect of the preparedness of students for college, either community college or four-year college education. Not having this kind of proper preparedness limits the ability and therefore, the accessibility to higher education in general and dissuades students from participating when they must take one or more remedial courses to attend and be successful. This ACT core for high school students just coming into college was felt to be very important for either two-year or four-year colleges, and the comment was not incorporated in any change to the rule.

Hunter Comment - "Why are "retention and graduation rates" for NON-TRADITIONAL students to be defined "in the same manner as for other students?" Is this a philosophical contradiction"?

Response - the present rule does not "define retention and graduation rates" for classes of students. It only looks at a measure of retention and graduation. Interpretation of those levels would normally have to be a matter of judgement relative to where an acceptable range might be for the type of student, be they traditional, non-traditional or in some other category that required judgement as to an acceptable level. The comment was not incorporated in any change to the rule.

Hunter Comment - "In respect to Academic Outcomes, why is the focus exclusively on degree programs and full-time cohorts? Community college success to large extent is due to service of many students who do not complete degrees. Bending performance to these criteria distorts the true record and, again, does not reflect mission correctly".

Response - using the National Center for Education Statistics measure of degree completion does not either endorse or reject the special situation of some students who may complete degrees in a much longer time nor does it prohibit other measures of academic success for both degree and non-degree completers; it

merely sets some standard way to assess degree completion time. Other measures of successful academic outcomes are still encouraged, and the interpretation of extended degree completion times by this measure is again a matter of judgement for a variety of special situations. The comment was not incorporated in any change to the rule.

Hunter Comment - "What does the definition of "credits per full-time equivalent instructional faculty" mean? It seems difficult to write a logical algorithm for it. Do the numbers called for in this strategic issue area really measure Coordinated Higher Education Delivery System? Could we not get at it better by looking at inter-institutional relationships, such as transfer agreements and policies for jurisdictional cooperation"?

Response - this comment was judged to be one that did require a change in the rule. Dr. Hunter was correct to observe that "credits per full-time instructional equivalent faculty" are not a measure of a coordinated higher education delivery system. This comment caused a change in the rule that moved measures of faculty productivity to the academic outcomes section of the rule and also caused several new coordination of higher education measures to be written - both actions which were approved by the Higher Education Policy Commission at their December 12, 2000 meeting.

Hunter Comment - "Finally, in Guidelines for Collection and Reporting of Data, why the restriction on contact with peer institutions? If the funding formula purpose of peer institutions falls away, would there be anything left of the index"?

Response - there was not a restriction on contact with peer institutions, but rather a request that, whenever possible standardized data on peers be obtained from the National Center for Education Statistics main data base (accessible to all institutions on the World Wide Web). Central staff has already offered to help institutions with this kind of data and has circulated some of this type of data for institutional use already. The comment was not incorporated in any change to the rule.

Hunter Comment - "I believe that for the Community Colleges we could create an appropriate system for assessing institutional effectiveness with about fifteen strong indicators. This was followed by a number of suggestions that focused only on the community colleges:

1. Measure personal goal attainment - - difficult but necessary (distinguishing matriculation in degree programs from other goals; requiring MIS model for tracking; student portfolio development; exit follow up procedures).
2. In developmental education, measure number of students enrolled, number who persist, follow-up comparison of achievement for students who undertake remediation with those who do not, and success of remediated students in their program of matriculation.

3. Demographic and age analysis of students served (including first time college generation).
4. Value added testing, using national, validated models such as ASSET, possibly using Work Keys for technical/occupational students (pre and post-testing).
5. Business/industry participation on advisory committees and feedback data on appraisal of student internships and graduates hired.
6. Number of transfers to baccalaureate degree institutions and performance at the transfer institution.
7. Number of students who transfer from four year colleges into the community college.
8. Documentation and summaries of student satisfaction surveys.
9. Number of customized work force programs, employers involved and number of workers enrolled.
10. Number of displaced workers enrolled in special programs and completion rates.
11. Job placement rates for all occupational/technical programs, including displaced workers re-trained.
12. Financial accountability by evidence of annual audit (summary).
13. Number of articulated programs with four year colleges and local schools (1 + 1 "tech prep" and 2 + 2 transfer) and number of enrolled.
14. Number of courses brokered and jointly offered through partnership with other institutions or agencies and number of students enrolled.
15. Matrix of direct college/community relationships (governmental agencies, economic development organizations, civic and cultural boards and committees)".

Response - the indicators suggested were focused mainly on community college education and the rule was intended for a guideline for all institutions regarding common goals. The Vice Chancellor for Community Colleges has been working with the community colleges to interpret and add to the measures in the Performance Indicator Rule that would address this comment. The rule was meant only as a basic guideline for institutions and specifically allows additional indicators to be used either for specific types of institutions or for particular aspects of the educational program. In addition, changes made in reaction to comment specifically

addressed several of the suggested indicators in this comment . This comment was not incorporated in any additional changes to the rule.

2. November 29, 2000 - we received a copy of a letter from David Wohl, Dean of Arts and Humanities at West Virginia State College, to Jim Rowley, Interim Vice President for Academic Affairs at West Virginia State College, with a number of suggestions for new performance indicators and a question about the calculation methodology of FTE instructional faculty per FTE student.

Wohl Comments - "1. Access to Higher Education - It seems to me that several indicators might be added to the ones listed so as to more fully reflect the special missions of many the colleges and universities in our state. Here are a few suggestions:

- a. Percentage and numbers of first generation college students served.
- b. Percentage and number of evening and weekend classes offered.
- c. Percentage and number of students who work full-time
- d. Average number of miles from College to Home
- e. Racial background

Much of this data is readily available from Entering Student Survey which is conducted on many campuses.

2. Academic Outcomes - Some suggestions for additional measures:

- a. Percentage and number of majors and programs which have a "capstone" course
- b. Percentage and number of majors and degree programs which have formalized assessment strategies
- c. Percentages and number of students enrolled in internships, work experiences, coop program, etc."

Response - some of the suggested indicators may be considered for use by all insitutions at a later time. The indicators in #1 come mostly from the Entering Student Survey which all insitutions do not use. Further, there are some historical problems with both the administration and interpretation of results from this survey that need to be addressed by all institutions before any common indicator might be established. This comment was not incorporated in any changes to the rule.

Wohl Comment - "Higher Education Delivery System - I think it is an excellent idea to include data on FTE faculty per FTE student. The description of how this data is to be compiled, however, is a bit confusing. The number of FTE students is easy to figure out, but FTE instructional faculty needs to be clarified. The draft states that "FTE instructional faculty equals full-time instructional faculty plus courses taught by part-time faculty multiplied by 2". The confusion may come when figuring out the part-time faculty data. Some adjuncts may teach 3 two-credit courses and others may teach 4 one-credit classes. Surely one part-time faculty member teaching 4 one-credit classes would not equal full-time equivalent faculty. Yet, that is how the instructions read. It would be best to designate a uniform full-time load for faculty (9 hours, 12 hours, or 15 hours, depending on the institutions) and figure part-time

faculty based on a percentage of these totals. Thus, a WVSC (where a "normal" full-time load is 12 credits), 4 part-time faculty each teaching one three-credit course would be equivalent to one full-time equivalent faculty member.

I think it would also be beneficial for institutions to report their ratio of full-time faculty to full-time equivalent student. This information (which does not include part-time faculty but does include the FTE produced by them) would be very useful in comparing and measuring instructional staffing patterns. Since most of the cost of instruction falls in the category of full-time [personnel this measurement would yield fairly accurate information on the true cost of instruction. Comparing both ratios would reveal useful data on the use of part-time faculty among institutions".

Response - the methodology that existed in the rule was confusing as West Virginia State College stated. The methodology was rewritten in the rule as the result of this comment and several made verbally about the same issue.

3. December 5, 2000 - Mr. Dana Waldo, Executive Director of the West Virginia Roundtable made two comments about performance indicators being added to the rule for coordination with business and industry.

Waldo Comment - "First, with regard to either 3.4.5 or 3.4.6, it might be helpful to include the number of H.B. 3009 grants that are requested and approved by each institution. This measurement goal goes directly to the ability of each institutions to identify and meet workforce needs".

Response - HB 3009 grants only apply to some institutions and this is an area that the Vice Chancellor for Community Colleges is helping the community colleges to get an indicator for in their expansion and interpretation of the rule only for community colleges. The comment was not incorporated in any change to the rule.

Waldo Comment - "Secondly, I think some form of quality measurement needs to be incorporated. For instance, how much remedial work must employers undertake for recent grads? This will be somewhat subjective, but it would help maintain focus on producing a good product vs. just crunching out ill-prepared grads".

Response - This comment was judged to require an additional indicator be added to the rule, and item 3.4.8 in the rule is a specific reaction to this comment.

4. General Throughout the November 11, 2000 to December 11, 2000 public comment period. Staff comments (not in writing during this time) also caused some modifications to the rule which included adding new items 3.4.1 through 3.4.7 and moving items old items 3.4.1 through 3.4.3 to 3.3.10 through 3.3.12 and deleting old items 3.3.4 through 3.3.6. These changes were made and approved by the Commission at its December 12, 2000 meeting,