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HOUSE JOINT RESOLUTION NO. 97

Offered January 8, 2020

Prefiled January 7, 2020

Directing the Joint Legislative Audit and Review Commission to perform compliance reviews of the management agreements between the Commonwealth and The College of William and Mary in Virginia, James Madison University, the University of Virginia, Virginia Commonwealth University, and Virginia Polytechnic Institute and State University. Report.

Patron—Poindexter

Referred to Committee on Rules

WHEREAS, pursuant to Chapter 933 of the Acts of Assembly of 2005, the General Assembly established the Restructured Higher Education Financial and Administrative Operations Act (the Restructuring Act); and

WHEREAS, the Restructuring Act sets forth a process by which the Commonwealth may enter into a management agreement with a public institution of higher education in the Commonwealth to grant autonomy to such institution over its financial and administrative operations in exchange for the institution's commitment to meet certain state goals; and

WHEREAS, the Commonwealth has entered into such management agreements pursuant to the Restructuring Act with The College of William and Mary in Virginia, James Madison University, the University of Virginia, Virginia Commonwealth University, and Virginia Polytechnic Institute and State University; and

WHEREAS, the Joint Legislative Audit and Review Commission previously performed two-year compliance reviews of management agreements, but it has been over eight years since the last such compliance review; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to perform compliance reviews of the management agreements between the Commonwealth and The College of William and Mary in Virginia, James Madison University, the University of Virginia, Virginia Commonwealth University, and Virginia Polytechnic Institute and State University.

In conducting its compliance reviews, the Joint Legislative Audit and Review Commission shall (i) solicit certification by the State Council of Higher Education for Virginia that each institution has met the academic performance standards and financial and administrative standards set forth in the Restructuring Act during each of the previous two academic years, and in the case of James Madison University, during the previous academic year; (ii) evaluate each institution's performance in achieving the aspirational goals specified in the management agreement during each of the previous two academic years, and in the case of James Madison University, during the previous academic year; (iii) review and evaluate any concerns expressed by central agencies regarding each institution's compliance with the procedures and rules contained in the management agreement for each operational area during each of the previous two academic years, and in the case of James Madison University, during the previous academic year; and (iv) make recommendations for any amendment to the management agreement that it deems necessary to ensure compliance with the provisions of the Restructuring Act.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by the State Council of Higher Education for Virginia. All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2020, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2021 Regular Session of the General Assembly. The executive summary shall state whether the Joint Legislative Audit and Review Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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