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**HOUSE BILL NO. 1331**

Offered January 22, 1996

*A BILL to amend and reenact § 23-9.6:1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 13 of Title 22.1 a section numbered 22.1-212.2:1, relating to the Minorities in Teaching Program.*

Patrons—Christian, Almand, Barlow, Bennett, Callahan, Cantor, Crittenden, Cunningham, Davies, Diamonstein, Jones, D.C., Jones, J.C., McEachin, Morgan, Robinson, Ruff, Spruill, Stump and Van Yahres; Senators: Gartlan, Lambert, Marsh, Maxwell, Miller, Y.B. and Saslaw

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1. That § 23-9.6:1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 13 of Title 22.1 a section numbered 22.1-212.2:1 as follows:**

*§ 22.1-212.2:1. Minorities in Teaching Program established; purpose; Board of Education to administer cooperatively with State Council of Higher Education.*

*A. From such funds as may be appropriated for this purpose and from such gifts, donations, and bequests as maybe received in its behalf, there is hereby established the Minorities in Teaching Program to increase the number of minorities pursuing careers in teaching. The Program shall be administered cooperatively by the Board of Education and the State Council of Higher Education for Virginia. The Board and the Council shall promulgate such regulations as may be necessary for the implementation of the Program.*

*B. The Board and the Council shall develop and implement the Program by July 1, 1997. The Program may include, but shall not be limited to, initiatives that encourage elementary and secondary school students and students enrolled in institutions of higher education in the Commonwealth to enter the teaching profession, mentorship programs between educators and students, linkages between public schools and institutions of higher education, and other programs and activities designed to generate interest in entering the teaching profession. In implementing the Program, the Board and the Council may provide for pilot programs before statewide implementation.*

*§ 23-9.6:1. Duties of Council generally.*

In addition to such other duties as may be prescribed elsewhere, the Council of Higher Education shall have the duty, responsibility and authority:

1. To prepare plans under which the several state-supported institutions of higher education of Virginia shall constitute a coordinating system. In developing such plans, the Council shall consider the future needs for higher education in Virginia at both the undergraduate and the graduate levels, the mission, programs, facilities and location of each of the existing institutions of higher education, in addition to such other matters as the Council deems appropriate. The Council shall revise such plans biennially in each odd-numbered year and shall submit within the time prescribed by § 2.1-394 the plans as revised to the Governor and the General Assembly together with such recommendations as are necessary for their implementation.

2. To review and approve or disapprove any proposed change in the statement of mission of any presently existing public institution of higher education and to define the mission of all public institutions of higher education created after the effective date of this provision. The Council shall, within the time prescribed in subdivision 1 of this section, make a report to the Governor and the General Assembly with respect to its actions hereunder. No such actions shall become effective until thirty days after adjournment of the session of the General Assembly next following the filing of such a report. Nothing contained in this provision shall be construed to authorize the Council to modify any mission statement adopted by the General Assembly, nor to empower the Council to affect, either directly or indirectly, the selection of faculty or the standards and criteria for admission of any public institution, whether related to academic standards, residence or other criteria, it being the intention of this section that faculty selection and student admission policies shall remain a function of the individual institutions.

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

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60 and the General Assembly approves the institution's proposal.

61 4. To review and approve or disapprove all enrollment projections proposed by each public  
62 institution of higher education. The Council's projections shall be in numerical terms by level of  
63 enrollment and shall be used for budgetary and fiscal planning purposes only. The student admissions  
64 policies for the institutions and their specific programs shall remain the sole responsibility of the  
65 individual boards of visitors.

66 5. To review and approve or disapprove all new academic programs which any public institution of  
67 higher education proposes. As used herein, "academic programs" include both undergraduate and  
68 graduate programs.

69 6. To review and require the discontinuance of any academic program which is presently offered by  
70 any public institution of higher education when the Council determines that such academic program is  
71 nonproductive in terms of the number of degrees granted, the number of students served by the program  
72 and budgetary considerations. As used herein, "academic programs" includes both undergraduate and  
73 graduate programs. The Council shall make a report to the Governor and the General Assembly with  
74 respect to the discontinuance of any academic program. No such discontinuance shall become effective  
75 until thirty days after the adjournment of the session of the General Assembly next following the filing  
76 of such report.

77 7. To review and approve or disapprove the creation and establishment of any department, school,  
78 college, branch, division or extension of any public institution of higher education which such institution  
79 proposes to create and establish. This duty and responsibility shall be applicable to the proposed creation  
80 and establishment of departments, schools, colleges, branches, divisions and extensions whether located  
81 on or off the main campus of the institution in question. If any organizational change is determined by  
82 the Council to be proposed solely for the purpose of internal management and the institution's curricular  
83 offerings remain constant, the Council shall approve the proposed change. Nothing in this provision shall  
84 be construed to authorize the Council to disapprove the creation and establishment of any department,  
85 school, college, branch, division or extension of any institution which has been created and established  
86 by the General Assembly.

87 8. To develop a uniform comprehensive data information system designed to gather all information  
88 necessary to the performance of the Council's duties. The system shall include information on  
89 admissions, enrollments, personnel, programs, financing, space inventory, facilities and such other areas  
90 as the Council deems appropriate.

91 9. To develop in cooperation with institutions of higher education guidelines for the assessment of  
92 student achievement. An institution shall use an approved program which complies with the guidelines  
93 of the Council and is consistent with the institution's mission and educational objectives in the  
94 development of such assessment. The Council shall report the institutions' assessments of student  
95 achievement in the biennial revisions to the state's master plan for higher education.

96 10. To develop in cooperation with the appropriate state financial and accounting officials and to  
97 establish uniform standards and systems of accounting, record keeping and statistical reporting for the  
98 public institutions of higher education.

99 11. To review biennially and approve or disapprove all changes in the inventory of educational and  
100 general space which any public institution of higher education may propose and to make a report to the  
101 Governor and the General Assembly with respect thereto. No such change shall be made until thirty  
102 days after the adjournment of the session of the General Assembly next following the filing of such  
103 report.

104 12. To visit and study the operations of each of the public institutions of higher education at such  
105 times as the Council shall deem appropriate and to conduct such other studies in the field of higher  
106 education as the Council deems appropriate or as may be requested by the Governor or the General  
107 Assembly.

108 13. To provide advisory services to private, accredited and nonprofit institutions of higher education,  
109 whose primary purpose is to provide collegiate or graduate education and not to provide religious  
110 training or theological education, on academic, administrative, financial and space utilization matters.  
111 The Council may also review and advise on joint activities, including contracts for services, between  
112 such private institutions and public institutions of higher education or between such private institutions  
113 and any agency of the Commonwealth or political subdivision thereof.

114 14. To adopt such rules and regulations as the Council believes necessary to implement all of the  
115 Council's duties and responsibilities as set forth in this Code. The various public institutions of higher  
116 education shall comply with such rules and regulations.

117 15. *To develop and implement the Minorities in Teaching Program cooperatively with the Board of*  
118 *Education pursuant to § 22.1-212.2:1.*

119 In carrying out its duties and responsibilities, the Council, insofar as practicable, shall preserve the  
120 individuality, traditions and sense of responsibility of the respective institutions. The Council, insofar as  
121 practicable, shall seek the assistance and advice of the respective institutions in fulfilling all of its duties

**122** and responsibilities.