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SENATE BILL NO. 760

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on January 18, 2018)

(Patrons Prior to Substitute—Senators Newman and Dunnavant [SB 724])

A *BILL to amend and reenact §§ 23.1-3136 and 23.1-3137 of the Code of Virginia, relating to the Online Virginia Network Authority.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 23.1-3136 and 23.1-3137 of the Code of Virginia are amended and reenacted as follows:
§ 23.1-3136. Board of Trustees.

A. The Authority shall be governed by a Board of Trustees (the Board) that has a total membership of ~~15~~ 17 members that shall consist of four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members to be appointed by the Governor; one nonlegislative citizen member to be appointed by the board of visitors of George Mason University; one nonlegislative citizen member to be appointed by the board of visitors of Old Dominion University; *one nonlegislative citizen member to be appointed by the State Board*; and ~~three~~ four members who shall serve ex officio with voting privileges, consisting of the President of George Mason University or his designee, the President of Old Dominion University or his designee, *the Chancellor of the Virginia Community College System or his designee*, and the Director of the Council. Nonlegislative citizen members of the Authority shall be citizens of the Commonwealth.

B. Legislative and ex officio members of the Board shall serve terms coincident with their terms of office.

C. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

D. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years.

E. No House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, and no nonlegislative citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

F. The Board shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.

G. Legislative members of the Board shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Authority.

H. George Mason University ~~and~~, Old Dominion University, *and the System* shall provide staff support to the Authority and the Board. All agencies of the Commonwealth shall provide assistance to the Board, upon request.

§ 23.1-3137. Duties of the Authority.

The Authority shall:

1. Expand access to affordable higher education in the Commonwealth by establishing the Online Virginia Network (the Network) for the purpose of coordinating the online delivery of courses that facilitate the completion of degrees at George Mason University ~~and~~, Old Dominion University, *and comprehensive community colleges*;

2. Encourage each public institution of higher education and each consortium of public institutions of higher education that offers online courses, online degree programs, or online credential programs to offer any such course, degree program, or credential program through the Network;

3. Oversee a process of approval for public institutions of higher education and consortia of such institutions to participate in the Network, with such funds as are appropriated for such purpose and made available to it;

4. Serve as a resource for residents of the Commonwealth and disseminate information regarding the opportunities for online learning offered by institutions and consortia that participate in the Network;

5. Coordinate the maintenance of an online portal through which potential students may examine and

60 enroll seamlessly in Network offerings;

61 6. Collaborate with institutions and consortia that participate in the Network to ensure that the needs
62 of enrolled students are met before, during, and after enrollment through online student support systems;

63 7. To the extent practicable, ensure that courses and degree programs offered through the Network (i)
64 are accredited by an accrediting agency recognized by the U.S. Department of Education or authorized
65 by the Council, as applicable; (ii) expand access to underserved populations based on income, race,
66 geography, and age; (iii) are responsive to the employment demands of the Commonwealth; (iv) employ
67 learning and delivery technologies, which may include competency-based and experiential learning, in an
68 efficient and cost-effective manner to promote flexibility for each student to pursue online courses and
69 programs at his own pace and in his own location throughout the year; (v) minimize student expenses
70 and reduce time-to-degree or time-to-credential; and (vi) are offered in collaboration with existing public
71 and private providers of online courses;

72 8. Promote the refinement and implementation of articulation agreements to ensure that credits earned
73 through the Network are transferable to each other public institution of higher education and contribute
74 to on-time degree completion at each such institution;

75 9. Assist in developing processes to help institutions and consortia that participate in the Network to
76 expand their online offerings;

77 10. Develop specific goals for meeting the demand in the Commonwealth for affordable and
78 accessible higher education through online learning;

79 11. Review and report annually to the Governor and the General Assembly on the cost structure of
80 funds allocated to the establishment, maintenance, and expansion of the Network. In addition, the
81 Authority shall examine ways to reduce the cost of online education and develop a budget that
82 incorporates estimated expected tuition revenue from online students and its use in supporting the
83 Network and assumes that any financial aid will come from existing financial aid programs; and

84 12. Accept, administer, and account for any state, federal, or private moneys that it may receive. Any
85 moneys, including interest thereon, that have not been expended by the Authority by the end of each
86 fiscal year shall not revert to the general fund but shall remain in the accounts of the Authority.