

Tenth Quadrennial Review

PREPARED FOR THE

Alabama Commission on Higher Education

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Association of Governing Boards of
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Tenth Quadrennial Evaluation of the Alabama Commission on Higher Education

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Preface

By statute, the Alabama Commission on Higher Education (ACHE) undergoes a thorough evaluation of its accomplishments and strategic planning goals every four years (the last year of each gubernatorial term). For the tenth quadrennial evaluation in 2014, consultants from the Association of Governing Boards of Universities and Colleges (AGB) and its Ingram Center for Public Trusteeship and Governance were chosen to conduct the review. AGB had also performed the ninth Quadrennial evaluation in 2010.

AGB was pleased to be selected again to undertake this review, and the project fit within our broad portfolio of programs and services. The Association of Governing Boards is widely recognized as the nation's leading organization for effective leadership, governance, and trusteeship in American higher education. AGB has been in existence for over 90 years and has been a reliable resource for its member boards and chief executives, as well as state and national policymakers, the media, and the general public. Over the past 10 years, AGB's Ingram Center has worked in over 30 states on a host of governance, state policy, and higher education issues.

AGB's evaluation methods for this review consisted of a site visit to Alabama, in-person and phone interviews of education and political leaders, an electronic survey, and document review.

Through the site visit, interviews, and survey responses, the tenth quadrennial evaluation committee compared its observations with ACHE's accomplishments, mission, and strategic planning objectives. The following report presents the committee's observations, recommendations, and evaluation materials.

We wish to thank all of those individuals who participated in the on-site and telephone interviews and the electronic survey for this tenth quadrennial evaluation of the Alabama Commission on Higher Education. The ACHE staff provided essential support for the logistics of this process and gracious assistance during the site visit. We particularly want to thank Tim Vick, ACHE's Director of Operations and Fiscal Services and ACHE Executive Director Greg Fitch.

Ellen Chaffee, Richard Novak, and Cristin Toutsu

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Tenth Quadrennial Evaluation of the Alabama Commission on Higher Education

Executive Summary

The tenth quadrennial evaluation of the Alabama Commission on Higher Education is based on document review, 30 in-person interviews, 25 telephone interviews, and 100 survey responses. The findings are similar to previous reviews: the Commission performs its legislatively mandated functions appropriately, ACHE staff members are highly rated, and the environment remains highly political and competitive. Progress on recommendations from the ninth quadrennial evaluation is marginal, primarily for reasons that are not under ACHE's control or influence.

The most striking initial finding of the evaluation committee was how similar its report would be to previous reports going back 15 years. Since ACHE staff members are highly rated and have endorsed many of the past evaluation recommendations, why do some very important ones remain applicable? The committee decided to provide, in addition to a standard agency evaluation, some observations about whether and how Alabama could reposition ACHE so it can provide more value to higher education and the state.

Alabama is at risk of declining enrollments and failure to sustain and grow education attainment levels in the adult population. In addition, important as Alabama's current initiatives in workforce development undeniably are, Alabama is at risk of being unprepared to support the next wave of economic growth. Several fundamental statewide policy issues in higher education are not being addressed despite repeated efforts by ACHE to do so. A timely and thoughtful state plan for higher education, "Forging Strategic Alliances: 2009-2014," attempted to address many fundamental policy issues, such as improving college preparation and increasing college completion rates, but the plan has not gotten the attention or traction it merits. Unfortunately, ACHE's capacity to advance issues of fundamental state higher education policy is constrained because of limited resources, how its state coordinating responsibilities are defined in statute, and the restrictive political environment it operates within.

The evaluation committee presents its recommendations in two models, noting that the Commission, ACHE staff, and state policymakers could select one or the other model, and could

also select specific recommendations within either model.

Model 1 focuses on improvement given the current statutory duties. The evaluation committee reviewed recommendations from 1999, 2006, and 2010, highlighting those that are highest priority at this time. The primary theme is to encourage ACHE to continue its efforts to operate at the state policy level and provide relevant data and information for significant policies and decisions.

Model 2 focuses on restructuring and reinvigorating ACHE through a thoughtful, judicious process of statutory review. Currently, Alabama statute prescribes that ACHE perform (a) duties without providing commensurate authority, (b) duties that have a far lower value to the state in 2015 than they did when ACHE was created in 1969, and (c) duties that involve creating reports that the receiving entity ignores. Relieving ACHE of the statutory responsibilities to perform these duties would free up the very significant staff expertise to focus on issues of greater importance and significance to the state and to do so in a much stronger partnership with the universities, as well as state policymakers and other agencies.

In any case, and more than may have been true in the past, this report's primary value will come if it serves as the basis for serious discussion and meaningful planning that includes ACHE Commission and staff, institutional leaders, leaders of partner agencies, legislators, and the Governor. The evaluation committee hopes to stimulate constructive suggestions that are worthy of serious consideration among Alabama's leaders to help reposition ACHE and higher education for the conditions of today and tomorrow.

Tenth Quadrennial Evaluation of the Alabama Commission on Higher Education

The tenth quadrennial evaluation of the Alabama Commission on Higher Education took place as the state had begun to settle in to what has come to be called the “new normal” of reduced public funding and increased accountability following the economic recession that began in 2008.

Statutory Charge to the Evaluation Committee

The statute that established the Alabama Commission on Higher Education (ACHE) provides for its evaluation by an evaluation committee during the last year of each gubernatorial term. The statutory charge to the review committee is “...to evaluate the effectiveness of the Commission and to recommend changes as necessary” (The Code of Alabama 1975, Section 16-5-12).

Evaluation Methods

The evaluation committee used the following methods to obtain input for the review:

- A survey to solicit views on the work of the Alabama Commission on Higher Education. The survey was distributed electronically to 234 individuals, including public higher education and postsecondary education institutional leaders, representatives from K-12 education, and many state-agency officials and elected leaders. The response rate was 42.7 percent or 100 respondents. Respondents were asked to supplement their answers with written comments, none of which were for attribution. (See Appendix A)
- A site visit to Alabama, which resulted in 30 in-person interviews with the ACHE executive director and ACHE staff and Commission members, representatives of the Department of Postsecondary Education, legislators, legislative fiscal staff, the state treasurer, higher education leaders, and representatives of the Governor and the state budget office. (See Appendix C)
- Telephone interviews with 25 individuals, including leaders from four-year institutions, the state superintendent of education, legislators, and ACHE Commissioners. (See Appendix D)
- Review of prior quadrennial evaluation reports, “Forging Strategic Alliances: 2009-2014” (the State Plan for Higher Education), 2010-2014 ACHE annual reports, and a number of additional documents found on ACHE’s web site: <http://www.ache.state.al.us/> and elsewhere on the Internet as noted.

About the Association of Governing Boards of Universities and the Ingram Center for Public Trusteeship and Governance

The Association of Governing Boards is a national, tax-exempt, non-profit organization based in Washington, D.C. Established in 1921, its mission is to strengthen the performance of citizen governing and state coordinating boards and academic trusteeship as the only viable alternative to direct, governmental control of higher education. Through a broad portfolio of publications, studies, programs, and direct services to its nearly 1,200 boards and 35,000 individual members who are ultimately responsible for the quality of education at some 1,800 public and independent colleges and universities, AGB encourages adherence to best practices in trusteeship, governance, and state coordination, and to the highest possible performance standards. The governing boards and chief executives of virtually all of the nation's public multi-campus systems are members, as are several of the nation's state coordinating boards. The association is governed by a board of directors, most of whom are college and university trustees, and has 30 full-time staff members.

AGB sponsors the Ingram Center for Public Trusteeship and Governance. The Center's mission is to strengthen relationships between public higher education and state government leaders by serving as a broker, convener, and provider of technical assistance and consulting services on governance and related matters. The Center collaborates with national and regional organizations of elected officials, college and university leaders, and business leaders to address issues of mutual concern, and, upon invitation, with elected officials and higher education leaders in individual states. The Center provides access to a variety of programs and services to advance higher education's effectiveness and responsiveness in meeting its public responsibilities. This includes facilitating an understanding of and commitment to higher education by state government leaders, and strategies to improve the governance and trusteeship of public colleges and universities.

AGB's Ingram Center has worked with many states and multi-university systems as these states and systems have more clearly focused their attention on board education programs and system or statewide strategic agendas. The Center has helped states and university systems focus on critical matters such as college access and completion, the board's responsibilities for educational quality, board chair-chief executive relations, state and system-level governance reorganization, board and presidential assessment, and board responsibilities in serving the public interest.

Evaluation Committee

Dr. Ellen Chaffee is a senior fellow and consultant at AGB. Her distinguished career spans institutional, system, policy, and national professional leadership in both public and private higher education, as well as extensive research and publication. Past president of two universities and two national professional associations (the Association for Institutional Research and the Association for the Study of Higher Education), she has led institutional, academic affairs, student affairs, research, and equal opportunity areas. She has served on and consulted with numerous governing boards as well as national organizations in higher education research, health care, allied health, and foundations.

Dr. Chaffee was president of Valley City State University for 15 years, and served nine of those years simultaneously as president of Mayville State University. Her leadership developed a

culture of innovation, change, and accountability. Previously, she was academic vice-chancellor for the North Dakota University System and before that, director of organizational studies at the National Center for Higher Education Management Systems (NCHEMS). Chaffee earned both her M.A. and Ph.D. in higher education administration and policy analysis at Stanford University.

Richard Novak is a senior fellow and consultant at the Association of Governing Boards of Universities and Colleges (AGB). Prior to being named a senior fellow, he served in several positions at AGB, including senior vice president for programs and research and executive director of the Richard T. Ingram Center for Public Higher Education Trusteeship and Governance.

As senior vice president for programs and research, he led the association's efforts for effective programming and research for both public and private members. As director of the Ingram Center he worked to strengthen the relationship between public academic institutions and state governments by enhancing the performance and capacity of public governing boards.

While at AGB, Mr. Novak directed special initiatives on board and presidential leadership; led a multi-state study on the effectiveness of public college and university governing boards; worked to incorporate environmental sustainability into governing board agendas; and directed or co-directed studies in several states, including Maryland, South Carolina, Louisiana, Mississippi, and New Jersey. Prior to joining AGB, he spent 13 years on the staff of the American Association of State Colleges and Universities. Internationally, he has co-directed a project on governance for the Ministry of Higher Education in Egypt funded by UNESCO, provided guidance to the Ireland Higher Education Authority, and worked extensively in the Republic of the Marshall Islands.

As an AGB senior fellow, he advises AGB on state and federal policy, and consults with AGB member boards on a variety of governance and policy concerns.

Cristin Touts is the director of public sector programs for the Ingram Center for Public Trusteeship and Governance at AGB. Ms. Touts works with AGB-member boards to offer workshops and consulting engagements, which include but are not limited to presidential and board assessments, board-retreats, and statewide governance conferences for board members and trustees. Ms. Touts produces resources on public higher education governance and tracks state and federal legislation concerning public board structures and policies affecting the practices of system and institutional boards. She also serves on the board of the Association for Collaborative Leadership and is chair of the nominating committee. Before coming to AGB, Ms. Touts served as a Governor's Fellow for Virginia Governor Timothy Kaine, assisting the Virginia Department of Planning and Budget and the Office of Commonwealth Preparedness on higher education initiatives. Prior experience includes several positions serving the President's Leadership Program at Christopher Newport University in Newport News, Virginia. Ms. Touts received a master of higher education degree from the College of William and Mary.

The Alabama Commission on Higher Education

A small staff led by an executive director conducts the work of ACHE under the direction of a 12-member Commission. In 2010, ACHE was one of 26 higher education coordinating boards and commissions in the country, 25 of which responded to an AGB survey. Compared to other coordinating boards and commissions, ACHE's Commission is typical in size, gender, and ethnicity. Commission members' terms are relatively long—nine years compared to an average of 5.5 years. The appointment process in most states is by the governor with legislative confirmation, with some states having appointments by the governor alone or the legislature alone. The appointment process in Alabama is more detailed but comparable in effect. The Commission meets less often than the average board; coordinating boards meet eight to ten times a year for at least three hours each meeting. Nearly all had held a retreat in the past five years.

The all-important working relationship between the ACHE Commission and its executive director appears solid. He works diligently to keep members informed. His weekly, detailed electronic updates to Commission members describe activities and issues that have arisen in the previous week.

ACHE's legislatively defined responsibilities include regulating, informing, planning, and recommending. Its enforcement authority is very limited. ACHE staff are very responsive to inquiries by the executive and legislative branches, but its role in policy development and on proposed legislation with respect to the executive and legislative branches is weak. ACHE is seldom called upon by the governor or legislature in key situations or on important decisions. ACHE represents the citizens of the state, and as such, has no organized constituency. As is often the case with state coordinating agencies, ACHE's effectiveness is constricted because it is viewed as a government regulatory agency by institutions on the one hand, but an education entity by the executive and legislative branches on the other.

The ACHE staff is engaged with key partners on a number of important state policy issues, including K-12 articulation and remediation, workforce development, and distance delivery. ACHE's relationships with the Department of Education and economic development entities are significant and rated positively by the partners. ACHE initiatives on several other important issues—spearheading a PK-20 Council, devising a common application for college admission, creating an electronic transcript, and others—have been blocked by institutions for various reasons.

Important as these initiatives and partnerships are, the evaluation committee heard and saw little meaningful or impactful engagement on other major education policy issues in Alabama, be it attempted by ACHE or others. For example, it appears that in Alabama there is little or no attention directed toward enhancing institutional productivity and efficiency, the financial needs of students, inter-institutional and inter-sector collaboration, statewide educational attainment, and closing the attainment gap for certain population groups. The evaluation committee notes that ACHE's State Plan for Alabama Higher Education, "Forging Strategic Alliances," makes many of these policy issues, and additional ones, major priorities for Alabama. But the state plan has not gained the attention, interest, or traction necessary for Alabama to make significant progress on them.

These observations are not a criticism of the Commission or the ACHE staff. Despite limitations in

staffing and financial resources, their work is very highly rated by nearly all interviewees. Rather, our observations are more a commentary on the difficult environment within which ACHE operates, from Alabama’s political dynamics to a seeming satisfaction with the status quo in the state that breeds complacency about change, if not resistance to it. In addition, the statute requires ACHE staff to undertake some activities that all agree are not used, and other activities that no longer add value because the landscape of higher education has changed dramatically. ACHE’s required functions leave them little capacity to change their focus to address higher priorities.

Assessment of ACHE Achievements, 2010-2014

Survey Results

The 100 responses to a fall 2014 survey sent to a diverse group of constituents regarding ACHE’s performance yielded valuable information both for this evaluation and as input to ACHE’s new strategic planning cycle. The vast majority of respondents, over 73 percent, were officials of public two- and four-year institutions, and when private college officials are included, the percentage of postsecondary officials rises to nearly 83 percent. When asked to evaluate how well ACHE performs its primary functions and how important those functions are, respondents tended to see ACHE as doing its most important functions well.

For summary purposes, the following table assigns numbers from 1 through 4 to item clusters, with clusters labeled “1” receiving the highest positive rankings and those with a “4” receiving the lowest rankings. Only five of the 12 items were ranked as 1 or 2 in importance and all of them received a 1 or 2 in performance, indicating that ACHE’s work is appreciated and recognized by many, especially college and university officials.

Table 1. Performance On and Importance of ACHE Core Functions

ACHE Core Functions	Performance	Importance
1. Administering the Statewide Student Database	1	2
2. Reviewing and approving/disapproving proposals for new programs or units of instruction	2	1
3. Reviewing and approving/disapproving proposals for off-campus offerings	2	2
4. Reviewing extensions and alterations to existing programs and units of instruction, research, and service	2	2
5. Developing and presenting a consolidated budget recommendation to governor/legislature	3	3
6. Facilitating statewide strategic planning processes	3	3
7. Serving as an advocate for public higher education	3	2
8. Conducting special studies, surveys, and evaluations related to postsecondary/higher education	3*	3
9. Developing and recommending legislation to insure high quality education in the state	4	4

10. Advising the governor, at his request, regarding postsecondary/higher education matters	4	3
11. Studying and making recommendations on public institution role and scope (mission)	4	4
12. Operating student aid programs for the state	3	4

** Item 8 had by far the highest proportion of neutral responses on ACHE's performance, perhaps because the special studies often pertain to targeted audiences and therefore have limited general awareness.*

In a contrasting view from the survey, a plurality of respondents (47 percent) agreed that ACHE performs its duties effectively and 34.8 percent disagreed, with the remainder undecided. Disagreement does not seem to reflect negatively on the staff, however. Responses to five questions about the performance of ACHE staff members are very positive on their knowledge of educational issues, quality work products, and responsiveness to inquiries, with 66 to 83 percent in the adequately or highly effective range. The more likely interpretation is that ACHE is handicapped in its ability to perform its duties. Fifty-eight percent of respondents reported that the Commission has sufficient authority to perform its responsibilities effectively, but many, 42 percent, believe that political impediments hamper ACHE's performance, and another 31 percent believe that the state higher education structure is an impediment for ACHE, recurring themes with which the evaluation committee agrees.

Several survey questions dealt with strategic planning and the state plan for higher education. Respondents strongly agree (96 percent) that the needs of business and industry are an important consideration in statewide planning, and there is general agreement with the ongoing value of the five strategic priorities articulated in the 2009-2014 state plan. Despite many presentations and meetings in which ACHE leadership has referenced and promoted the state plan, survey respondents did not see a strong effort from the Commission to inform and advance the priorities of the existing plan with all stakeholders including the press, policymakers, and the general public. Asked to rate ACHE's efforts to advance the state plan on a scale—with 5 being very effective and 1 not being effective—only 18 respondents gave ACHE a 4 or 5 (30 percent); 20 gave ACHE a 3 (34 percent); and 21 gave ACHE a 1 or 2 (36 percent).

A number of respondents offered suggestions for the new state plan. These suggestions include: the direct involvement of key stakeholders beyond public institution representatives, namely K-12, business leaders, private colleges, legislators, the executive branch, and state citizens; the possibility of a three-year planning cycle or annual updates to the plan; to begin a process for seeking state level or multi-institutional grants for educational advancement and research; and an appropriate version of performance-based funding.

When specifically asked which of the five priorities in the 2009-2014 plan might carry over into the new plan, seeking necessary financial resources for education received top ratings, while increasing graduates in STEM fields and preparedness for college and career both tied for second place. Many respondents appreciate the context in which the new plan will be formulated and see significant issues facing the state (beyond a shortage of funds) that include remedial education, teacher education/teacher training, and distance education. Several survey respondents indicated that they look to ACHE for guidance and leadership.

One of the major themes that emerged from the survey responses is an overall sentiment that ACHE should be a stronger advocate for increased state appropriations and for higher education overall. For example, serving as an advocate was ranked second on a "ranking of importance" of ACHE responsibilities, but ACHE was ranked third in terms of its performance of the duty (as

noted in the above table). In another related question, 55 of 60 respondents (92 percent) said ACHE should continue to advocate for increased state funding for higher education. But in a later question, only five of 59 respondents (8.5 percent) said that the Commission spends more time on advocacy than on fulfilling its statutory responsibilities as the state's higher education coordinating board, and only 16 respondents (27 percent) believe that ACHE successfully balances advocacy with statutory responsibilities.

The calls for an enhanced ACHE advocacy effort likely reflect the preponderance of university officials responding to the survey and their concerns about the difficult funding realities for higher education in the state. Similar to the situation in many states with coordinating entities, it has been a challenge for ACHE to define its advocacy role and then balance that role with statutory and regulatory responsibilities. That challenge was reflected not only in the survey results, but in several interviews conducted by the evaluation committee, as well.

Respondents also offered feedback regarding the Statewide Data Base, one of few student unit record databases in the country. Seventy-four percent of respondents reported that they are familiar with and use the database. The vast majority of survey respondents indicated that the database should be expanded to include the tracking of select, special cohorts like remedial students, dual enrollment students, advanced placement students, and high school and/or college students entering the workforce, among others. There is a clear sense that the information in the database is valuable and useful for gaining an understanding of how students are navigating their way through education in Alabama.

ACHE is using the database proactively to support regional and statewide economic development efforts by providing information about talent in the workforce. This development is a good example of how ACHE can add value for the state. The database could be even more valuable with appropriate higher education policy research expertise and expansion of the data to include more private universities and the ability to track students into the workforce in collaboration with the Department of Labor. ACHE staff is exploring the latter, but an agreement has yet to materialize.

Achievements Since Ninth Quadrennial Review

Based on ACHE's annual reports for 2010-2014, the following are some of the major achievements of the period since the ninth quadrennial review:

- The Legislature assigned to ACHE administrative oversight responsibility for additional small state entities, bringing the total of such entities to 22.
- The Statewide Data Base grew from over 7 million to over 9 million records. The demand for data increased from basic annual reports on enrollments and tuition at the state level to specialized reports on transfers, cost factors, longitudinal reviews, and district, county, and regional reports.
- The number of private universities in Alabama that voluntarily submit student unit data to the State Data Base grew to six.
- Sustained ACHE commitment to development of a PK-20 state council in collaboration with others (although opposed by higher education institutions) ultimately led to the establishment of the Governor's College and Career Ready Task Force.
- The website has been remodeled and experiences over 35,000 hits per month.
- Both the activity level regarding distance delivery by in-state and out-of-state institutions and the related issues for ACHE to address increased substantially.

With respect to the major recommendations to ACHE in the ninth quadrennial review, the evaluation committee finds the following outcomes.

Notable progress has been made regarding the recommendations to:

- Raise/inform issues in reports/other communications for policy makers, educators, and the public (achieved primarily with respect to regional workforce development needs); and
- Streamline preparation of the required consolidated budget recommendation.

Some progress has been made regarding the recommendations to:

- Continue to enhance the student database and its utility;
- Focus new program approval on quality, not duplication; and
- Raise awareness of need for increased student aid.

Little or no apparent progress has been made regarding recommendations to:

- Implement the 2009-2014 State Plan for Higher Education through delegation and oversight activities (lack of participation by institutions and others);
- Expand collection of course-level data (blocked by institutions);
- Discontinue mandated capital funding request and annual updates to the facilities master plan;
- Revitalize the Council of Presidents (the Council did not respond accordingly); or
- Develop a statement of qualifications and responsibilities for appointees to the Commission.

ACHE has continued to fulfill its statutory mandates and make important progress on some of its strategic projects. The staff members are very highly regarded, and ACHE has built some strong partnerships. ACHE's performance has been particularly effective in terms of applying data resources to economic development opportunities, engaging with partners to advance K-12/higher education issues, and simplifying the consolidated budget request.

About Alabama Higher Education

Before the evaluation committee offers its recommendations, it is helpful to understand the Commission's work in the context of the state as a whole for two reasons. First, ACHE staff members and Commissioners operate within a statute, a culture, and a set of dynamics that strongly influence and limit their work. Second, this evaluation brings the opportunity to step back and consider ACHE in the context of the long-term best interests of Alabama.

The Alabama higher education governance model is decentralized. Autonomous governing boards, two of which are constitutional, oversee the four-year institutions. All of these entities compete head-to-head for state resources. Powerful lobbies and coalitions can thwart unwanted initiatives from any direction. The Governor's powers are relatively limited. Both the state constitution and the statutes of Alabama pertaining to the work of the Commission are unusually detailed. Commission members, staff, and others are keenly aware that legislative mandates direct specific ACHE activities.

State appropriations for all education functions come from dedicated sources placed in the

Education Trust Fund, creating a revenue pool that also exacerbates competition among K-12, two-year, and four-year institutions. Universities in other states might well envy the lack of competition for state funding from corrections, social services, Medicaid, and other growing state functions, but such a benefit is not salient to the Alabamians we interviewed. Indeed, state funding pressure could threaten the future of the Education Trust Fund.

In short, the environment for Alabama higher education is highly competitive, relatively inflexible, and sometimes counterproductive.

The committee sees some current and foreseeable conditions that will have unfortunate consequences for Alabama if left unattended. ACHE could address these conditions if given a mandate and greater flexibility to do so.

Alabama is at risk of declining enrollments and failure to sustain and grow education attainment levels in the adult population.

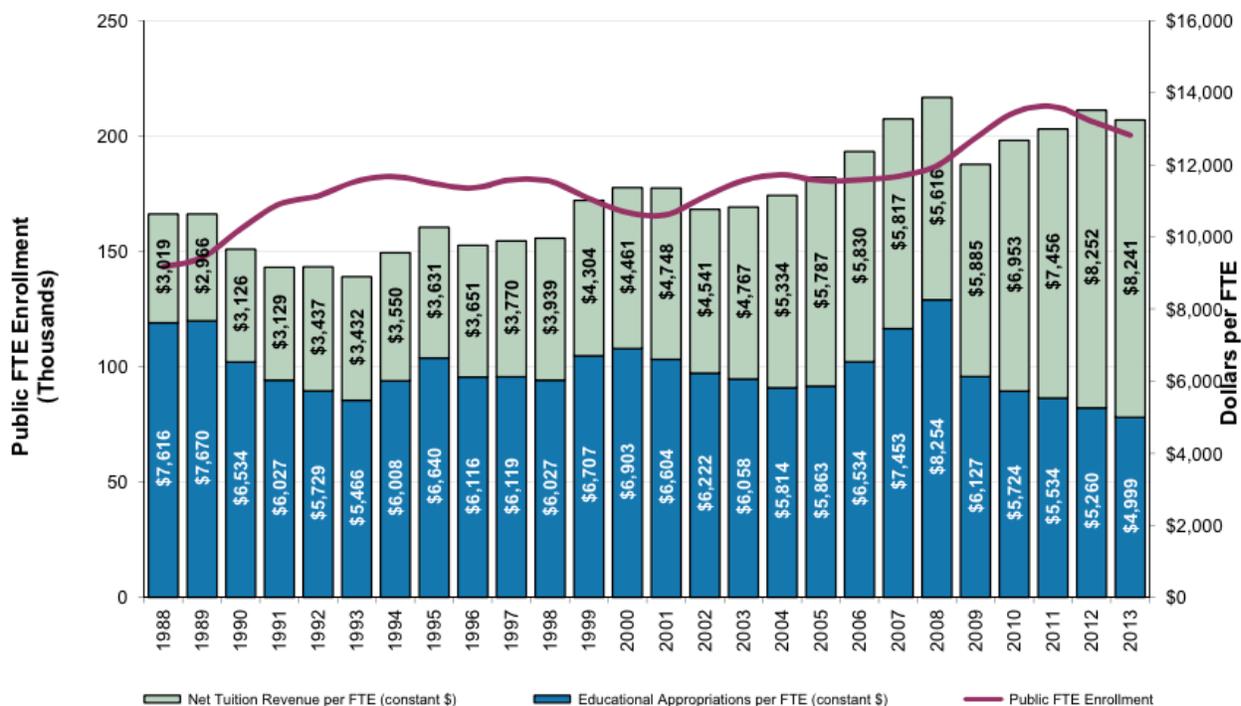
One major change since the Great Recession is the increased financial burden on students. Alabama institutions have used tuition revenue to offset lost state funding. State appropriations declined 28.4 percent compared to 10.8 percent nationally from 2008 to 2013. Adjusted for inflation, the decline in Alabama state funding was 39.4 percent versus 23 percent nationally, putting it in 47th place among the states.¹ In 2008, the state backed each student with \$8,254 in constant 2013 dollars. That amount fell to \$4,999 by 2013. However, in constant dollars, Alabama institutions had only a modest 5.8 percent less total funding per student in 2013 than in 2008, putting the state 24th in terms of five-year change.

Alabama achieved this moderate impact through a dramatic shift from state funding to student tuition funding (Chart 1). Net tuition revenue grew 46.8 percent over the five-year period, compared to a national average of 25.4 percent, placing Alabama at 10th among the states in net tuition revenue growth. Alabama students now contribute over \$3,200 more each year than what the state pays on a revenue-per-student basis: \$8,241 in constant 2013 dollars versus \$4,999 from the state. In 2008, Alabama students contributed \$5,616. Nationally in 2013, states contributed \$6,105 to net revenue and students contributed \$5,475. Institutions are also using tuition revenues for scholarship aid to offset the state's very low levels of need-based financial aid.

¹ State Higher Education Finance Report FY2013, SHEEO.org.

Chart 1. Enrollment, Appropriations, and Net Tuition Revenue, Alabama 1988-2013

Public FTE Enrollment, Educational Appropriations and Total Educational Revenue per FTE, Alabama -- Fiscal 1988-2013



Note: Constant 2013 dollars adjusted by SHEEO Higher Education Cost Adjustment (HECA). Educational Appropriations include ARRA funds.
Source: SHEEO

Alabama is a high-net-tuition revenue and low-tuition-aid state, which means that students and families carry a significant share of any rate increases. This may help account for the fact that Alabama was only 37th among the states in five-year enrollment growth from 2008-2013.

For the foreseeable future, state funding for higher education in Alabama is unlikely to return to prior levels, meaning that students are likely to continue to be the primary recourse to offset future cost increases. Census figures show that Alabama’s median family income has declined from \$44,476 in 2008 to \$41,381 in 2013. More Alabama families live below the poverty line than in the nation as a whole – 14.3 percent versus 11.3 percent. Although Alabama enrollments are beginning to recover modestly from recent declines in the number of high school graduates, the lack of state need-based aid makes enrollments especially vulnerable both to tuition increases and to any changes in the federal Pell grant program.

Data from the Project on Student Debt shows only a modest level of statewide average student debt: 54 percent (#40 among the states) of students graduated with debt in 2013, owing an average of \$28,895 (#12 among the states). However, the averages mask stark differences among institutions. At two of Alabama’s smaller institutions, 90 percent of the graduates had average debt exceeding \$32,000. It could well be that these students are least advantaged when they enter college, face the greatest challenges to success in college, and experience the lowest return on their investment after college. This is how the attainment gap – the difference in proportion of students graduating by income, race, or other factors – often works. Seeking upward mobility can further disadvantage students who face insurmountable barriers.

Important as Alabama's initiatives in workforce development undeniably are, Alabama is at risk of being unprepared to support the next wave of economic growth.

Perhaps the point of greatest consensus at the intersection of higher education and economic development is that a thriving economy in the 21st century requires a highly educated population. Federal, state, and philanthropic resources are being dedicated to increasing the educational attainment rate, with a goal of 60-65 percent of the population having a high-quality certificate or degree within the next 10 years. States with low attainment rates will be less able to attract or sustain the most productive economic activity. Given the rapidly shifting demographics of the country, increasing educational attainment also requires closing the gaps in graduation rates by race, income, ethnicity, and other factors. Alabama already has considerable ground to make up – U.S. Census figures show that only 22.6 percent of Alabamians have a bachelor's degree or higher, compared to 28.8 percent nationally. And only 15 out of 100 Alabama ninth graders persist through high school and achieve an associate degree or baccalaureate degree in three or six years, respectively, placing Alabama at 45th in the nation. The emphasis of the Governor and others on workforce preparation and training is a positive development for the state, but the higher paying jobs of the future will require greater numbers of Alabamians with baccalaureate and graduate degrees.

Alabama has done very well in attracting new employers to the state. Advanced manufacturing jobs in the automotive and aerospace industries are two prime examples and supplement existing economic activity in vital areas, a considerable amount of which is driven by U.S. government spending. But what is serving the state economy well today is no promise for the future.

In short, Alabama faces complex major short- and long-term challenges to the continuing success of both its postsecondary system and its economy. That is why the evaluation committee was surprised to hear so little from our several conversations with education and policy leaders about college and university productivity and efficiency, student financial aid, institutional collaboration, statewide educational attainment, and closing the attainment gap. Our recommendations will include some suggested approaches to addressing such issues given limited resources.

Recommendations

We suggest that the ACHE Commission and staff consider this report as input to a thoughtful, consultative process to determine which of these several recommendations, whether from Model 1, Model 2, or both, make most sense.

The evaluation committee was fortunate to benefit from a total of 55 interviews both in person and by telephone. The following recommendations are based on many diverse views and incorporate the results of the survey and written materials, and the evaluation committee's experience in both Alabama and a number of other states.

The evaluation committee offers two sets of recommendations from which the ACHE Commission and staff might pursue either one or elements of both. The first, Model 1, is a continuation of the ongoing quadrennial evaluation series, offering suggestions for improvement. The second set of recommendations, Model 2, proposes reconsidering the statutory expectations of ACHE to enable ACHE to contribute more to the state's key priorities today and in the future. We suggest that the ACHE Commission and staff consider this report as input to a thoughtful, consultative process to determine which of these several recommendations, whether from Model 1, Model 2, or both, make most sense.

Model 1: Improve Current Functioning

Many of the conclusions and recommendations that arise from this year's evaluation have already been made in the 1999, 2006, and 2010 evaluations. These prior recommendations are summarized in Appendix E. Discussion among ACHE staff and Commissioners could identify those on which the time, need, and resources are right for further progress. The evaluation committee identifies 18 recommendations below from 2006 and 2010 that still resonate with the committee and with the interview and survey participants, some on which progress recently has been achieved, as noted above.

2006 Recommendations for ACHE

1. Reframe the mission of ACHE from regulatory role to policy leadership.
2. Lead higher education's role in support of P-12: use a regional approach, use regional data/information, and convene regional forums.
3. Redesign ACHE's meeting agendas: monitor a limited set of basic questions, use consent agendas, and aim for 75% of time on policy leadership.
4. Increase ACHE staffing in strategic planning, data/information systems, and P-12 alignment.

2010 Recommendations for ACHE

5. ACHE should raise and inform issues in reports and other communications for debate, discussion, and action by policy makers, educators, and the public.
6. ACHE's most powerful potential role is to provide information as an advocate for a well educated citizenry and workforce for Alabama—to elucidate problems for those with the means to pursue solutions.

7. ACHE could be more involved with these matters by reallocating resources from some of the more time-consuming and less valuable activities, and by identifying simpler, more straightforward and possibly less regulatory approaches.
8. The state plan for higher education should be the guide for much of ACHE's work in statewide policy leadership and in encouraging statewide policy discussions.
9. The focus of the state plan for higher education on overall state educational achievement is admirable. But ACHE should clarify higher and postsecondary education's expectations and responsibilities for achieving the Plan's priorities and goals.
10. Using the statewide student database, ACHE should produce more on statewide or regional education issues that illuminate policy debates and options and strategic issues for the Legislature and Governor.
11. ACHE should consider retaining new program review only for the purpose of ensuring academic quality, adherence to academic mission, and, where relevant, the state's need for graduates in that field. Program duplication has all but disappeared as a rational criterion for program review in most states; the time has come to reconsider it in Alabama.
12. The ACHE process of building a consolidated budget recommendation appears to be a worthwhile process but may be unnecessarily cumbersome. The time required to crunch the numbers should be the minimum necessary to provide credible benchmarks.
13. The mandated ACHE capital funding request and annual updates to the facilities master plan appear to be meaningless exercises without state capital support and should be discontinued.
14. ACHE should be a stronger voice for affordability and expanded student aid programs. Going forward, using its research capacity, ACHE should bring visibility to institutional and state policymakers on the affordability problem, including comparable data with other southern states.
15. ACHE should host an annual or biennial Governor's Conference for the board members of all public and private institutions.
16. Commission meetings should devote sufficient time, if not a majority of time, to assessing progress on the state plan for higher education.
17. ACHE should be formally included on, and participate in, the State Workforce Planning Council.
18. To ensure high caliber individuals on the Commission as vacancies occur, a statement of desirable qualifications and Commission member responsibilities should be developed by the Commission as a guide to the Governor and other elected leaders when making appointments.

In addition, we offer the following recommendations for improvement based on our observations and gathered in interviews for this, the 2014 evaluation.

Regarding the Commissioners:

1. All Commissioners would benefit from an orientation to the Alabama statute, responsibilities of coordinating boards, state and national policy in higher education, strategic higher education issues, and the like. ACHE's orientation is directed at new members, but there is so much to learn that all Commissioners would benefit from on-going orientation and education.
2. The Commission's meeting frequency and duration is currently light enough to expand the time that is occasionally devoted to "discussion items," making strategic policy discussions an occurrence at every meeting. At the beginning of each Commission meeting, a president, elected leader, or ACHE senior staff member could be asked to make a brief presentation on a critical education policy issue facing Alabama, while ensuring that a

majority of the time is left for a strategic conversation among Commissioners around the issue presented. Individual Commissioners could volunteer to lead a discussion on a topic of interest.

Issues worthy of strategic discussion include, but are no means limited to: reciprocity in distance education, college completion, minority achievement gaps, college affordability, adult education, and employability of graduates. This would likely entail longer Commission meetings, but it would be time well spent and demonstrate a visible commitment to fulfill responsibilities to the citizens of Alabama. Overall, more compelling quarterly agendas that engage Commissioners on issues of policy will help inform those policies and advance the stature and effectiveness of ACHE.

3. Having an annual or biennial retreat would enable the Commission to discuss and evaluate major priorities both for the Commission and for higher education.
4. Many boards find it helpful to put their own best practices in writing in the form of a short handbook for members that includes key documents such as the statute, but also describes expectations for communication, processes for decisions, and the like. It is particularly important, for example, and as prescribed in the ACHE statute, that Commissioners represent the interests of the entire state and refrain from representing single institutional interests, or falling prey to institutional lobbying or interests before the Commission. A sample "Statement of Expectations" is included in Appendix B.
5. Commissioners with appropriate connections should assist the executive director in relations with the legislature and the business community.

Regarding the responsibilities of ACHE:

1. There is great concern regarding the quality of out-of-state providers in Alabama (both those that wish to establish a presence in the state and those that wish to provide distance education) and some expectation that ACHE do more to prevent problems. ACHE only reviews proposed programs for non-resident institutions and is not the licensing agency (that is the responsibility of the Department of Postsecondary Education) so ACHE may already be doing as much as it can. If concern is great, however, ACHE could consider taking a very proactive consumer protection role – for example, by providing information to the public regarding sources of comparative information about institutional variables such as job placement, net cost, graduates' debt, and retention/graduation rates.
2. The Statewide Data Base is a gold mine with much greater value than is currently extracted. ACHE provides a good deal of data on its web site, and has done several longitudinal studies on various topics. The database is used to create annual Institutional Student Profiles that show important measures such as enrollment, retention, graduation rates and numbers. Along with using the data to support regional and statewide economic development efforts, the Profiles are another good example of the kinds of information that can be of value to policy makers and decision makers.

Still more could be done in the way of statistics, trend lines, comparative, or interpretive information that would be very helpful to policy makers and decision makers. Furthermore, others are unable to access the data to prepare their own reports. Inter-institutional politics and fear of misunderstanding and misuse may account for some of this serious loss of value from one of the few student unit record data bases in the country. Credible, objective analyses and reports on issues of state higher education policy regarding institutions, citizens, and the economy would be invaluable input to important decisions by institution leaders and state policy makers. To provide this critical service, ACHE requires additional staff expertise and capacity, as well as a compelling mandate.

3. ACHE's strategic planning process for the new state plan (2015-2020) should build on the 2009-2014 State Plan for Higher Education by again focusing on major educational policy issues that colleges, universities, and ACHE collectively can and should address. In concurrence with earlier quadrennial reviews that encouraged ACHE to focus less on institutional needs and more on the future of Alabama, the 2009-2014 plan was a good start on forming alliances to address educational needs and deficits in the state, and the goals within its five priorities should be a starting point to discuss the inclusion of possible additional goals. As noted earlier, respondents to the electronic survey were largely supportive of the number of priorities and their focus.

As ACHE's executive director has stated, the 2009-2014 plan is a benchmark for future action. In that regard, several of the priorities and goals of the 2009-2014 plan and succeeding plans ought to be consistent from one planning cycle to the next, so that in essence, a longer-term "public agenda" for collective action is created. The new plan should have explicit performance measures to assess progress; measures on which institution leaders might be asked to report progress at Commission meetings, and ones that can be used again in future planning cycles. The new plan should also selectively build on and attempt to inform institutional and system strategic plans, including the Alabama Community College System.

It is also vitally important that ACHE continue to engage the Governor's office, Legislature, business leaders, chancellors, presidents, and representatives of the general citizenry (perhaps through focus groups or town meetings) so that they are involved directly in the planning process and thereby demonstrate a far greater commitment to the priorities and goals of the plan once they are determined. Involving these stakeholders directly, was strongly communicated in the survey results.

Model 2: Restructure and Reinvigorate ACHE's Foundation

An array of structural, political, historic, and economic factors exist that, in effect, hold the future of Alabama higher education in limbo, unable to leverage its considerable capacity toward maximum benefit for the people and businesses of Alabama.

Despite changing conditions and personnel, ACHE has not been able to make significant progress on important recommendations of past quadrennial evaluations such as engaging in policy leadership, increasing its focus on improving Alabama's educational access and attainment rates, and de-emphasizing its regulatory role (see Appendix E).

Lack of progress is not, we believe, attributable to lack of expertise, agreement, or effort on the part of ACHE staff. Indeed, we agree with one survey respondent who said that the staff is the best part of ACHE. As implied in previous evaluations and substantiated by the barriers noted in survey responses, we see the issues as systemic, not personal. An array of structural, political, historic, and economic factors exist that, in effect, hold the future of Alabama higher education in limbo, unable to leverage its considerable capacity toward maximum benefit for the people and businesses of Alabama.

At the same time, the world of higher education has changed dramatically since ACHE's establishment in 1969 and even since the statutory revisions of the 1990s. ACHE is attending to one dimension of such change in its work on out-of-state institutions offering courses and programs in Alabama (and Alabama institutions extending their instructional services outside the state). Another change is the extent to which the economic future of the country and each state depends upon major increases in the education level of the population. That in turn requires educators at all levels to rethink many of their core assumptions and practices and to find new ways to increase the likelihood of each student's success even as poverty, language, and other barriers make it more difficult for them.

Another change with significant, pervasive impact on ACHE as it currently operates is the nature of competition in higher education. Whereas geographic service areas once helped contain competition, the advent and growth of distance delivery have all but eliminated geography as a relevant consideration. While institutions may well be charged with addressing their region's mission-related educational needs, to hinder their efforts to reach out is to put them at a disadvantage relative to all other institutions that are not subject to Alabama state-level restrictions. One way to deal with excess impact by out-of-state providers is for Alabama institutions to proactively corner those markets without state-level regulation.

Relatedly, we subscribe to the view that market dynamics and institutional business models address program duplication better than a priori regulation. If duplicating another institution's program does not yield the expected return, the institution should close it. Participants attest that ACHE's new program review process often results in a better offering, but ACHE's approval is not required for an institution to launch a new program if the Legislature disagrees. Therefore, we recommend that ACHE significantly relax or eliminate its role in approving new programs but strengthen its focus on reviewing the effectiveness and productivity of existing programs.

We recognize that this perspective is much different from that of many people we interviewed, some saying that without ACHE all would be chaos. It also differs from the survey finding that new program review is ACHE's most important function. We suggested our different stance in the 2010 recommendations. Now we are persuaded that the ongoing scarcity of resources and the growing need to leverage higher education for all Alabamians make a compelling case for major changes to enable directing resources and attention to activities and initiatives where ACHE can make a significant difference.

Finally, we are concerned that Alabama's extraordinarily high levels of institutional isolation and competition harm both the state and the institutions. A wise management philosopher suggested long ago that when leaders are in a tough spot their best course of action is to expand their definition of who's on their team. The primary competitor of a public Alabama university is no longer (if it ever was) another public or private Alabama university. In fact, leading strategists today recommend focusing intently on the people you serve and how you serve them without regard to other service providers.

Whatever its benefits, competition inhibits institutions from collaborating to pursue academic and administrative cost savings. Collaboration allows everyone to tamp down their tuition increases while often times delivering higher quality programs. We asked many of our interviewees if there are any unifying themes or issues that transcend individual institutions and would help bring the leadership together, such as a focus on student success. Most were stumped. This is very unfortunate for the institutions, the students, and the state. The significant state issues reviewed earlier in this report require collaborative attention. ACHE can help convene and support such efforts if its charter limits or removes its regulatory duties.

We suggest that it is time for state leaders to consider a very different approach, one that can be more effective and efficient. We recommend that the Commission and relevant policy makers consider designing a process through which these key leaders can evaluate and revise the current statute, which has not had a comprehensive review in over 40 years.

It is not our intent to increase ACHE's authority. Rather, the outcome of such a process would be an updating of ACHE's responsibilities, an increase in ACHE's flexibility to address new priorities, and thereby, an increase in ACHE's effectiveness.

The statutory review and revision process should:

1. Ensure that any legislatively mandated functions for ACHE continue to add significant value to higher education and the state.
2. Enable ACHE to provide meaningful data and information to inform decisions by policy makers and educational leaders.
3. Recognize and support ACHE's state planning efforts to identify and clarify the major policy issues relative to higher education and the future of the state.
4. Leverage the shared priorities and capabilities of postsecondary institutions toward results and addressing state priority issues that will benefit all.
5. Minimize unproductive inter-institutional competition, seeking strategies that will grow the state and therefore potential funding together rather than compete for each slice of the pie.
6. Clarify ACHE's mandate to educate the general public, institutions, and the policymaker community at large on the value of postsecondary education and how Alabama is doing on key performance indicators and outcomes.

We believe that the above suggested goals will help ensure that the respect and stature that accrue to ACHE are based not only on the quality of the advice and policy analysis it provides, but also on its state policy leadership. As input to this process, we offer specific suggestions below to those statutory provisions contained in the authorizing statute for ACHE that we feel need to be re-examined. Some suggestions are repeated from Model 1. Many pertinent or critically important statutory provisions are still necessary, but may need to be updated to reflect changed conditions or recent activity, and are so noted. Some provisions should be fully retained as originally passed into law—hearing applications for changes in classification of role and scope, managing the statewide articulation agreement and administering student aid programs, are three examples—and we offer no comments on them. ACHE staff and Commissioners may see additional provisions that require review or updating. We are confident that a number of thoughtful individuals will have valuable ideas for examining and evaluating ACHE’s responsibilities.

Evaluation Committee Suggestions for Statutory Reconsideration

The relevant sections of the code are noted. Appendix F contains the Code of Alabama 1975, Chapter 16, Section 5 of the Code of Alabama 1975, pertaining to the ACHE.

Commissioner qualifications (16-5-2): To ensure that each Commission member accepts and fulfills the current statutory expectations, it should be required that ACHE staff provide a member orientation, and on-going education and development opportunities for Commission members. It should also be required that the Commission develop a list of selection criteria and qualifications to recommend to the Governor and members of the Senate for future appointments, and to update the list periodically. Examples of Commission member criteria and qualifications to consider, include:

1. Integrity, with a code of personal honor and ethics above reproach.
2. Independence from outside influence.
3. An inquiring mind and an ability to speak it articulately and succinctly.
4. Ability to challenge, support and motivate the staff and executive leadership.
5. An orientation to the future with an appreciation of higher education’s heritage (and that of each university or college in the system).
6. The capability and willingness to function as a member of a diverse group in an atmosphere of collegiality and selflessness.
7. An appreciation of the public nature of the position and the agency, including the open process of decision-making and service.
8. Valid knowledge and experience that can bear on college or university problems, opportunities, and deliberations.
9. An understanding of the Commission’s role in state policy formulation, strategic advice, and oversight.
10. A proven record of contribution with one or more appropriate organizations.
11. Commitment to education.
12. An understanding and acceptance of the mission of all state institutions, and an understanding of the role of each within the broader higher-education system of the state.
13. A willingness to commit the time and energy necessary to fulfill the responsibilities of a Commission member.
14. Willingness to forego, while a Commission member, any partisan political activity that could be disruptive or harmful to the agency or the Commission.
15. The capability to provide nine [six] years of constructive and productive service.

16. Overriding loyalty to the state and to the public interest rather than to any region or constituency.

Commission terms of office (16-5-3): ACHE Commissioners serve nine-year terms. The average term of office on other coordinating boards is 5.5 years. Six-year terms could be more realistic and attractive to candidates for the position. Also, consideration should be given as to whether members should be eligible for a second term.

ACHE executive director's appointment requiring senate confirmation (16-5-4): The executive director should report to the Commission; the needed concurrence of the Senate should be deleted.

The executive director should have one boss, the 12 members of the Commission, who select, evaluate, and compensate him or her. The evaluation committee has seen too many state higher education agencies that have compromised the independence of the Commission or executive staff, most often by requiring Governor's approval of the executive director's appointment. State agencies for higher education are most effective if there is a strong working relationship between the agency chief executive and the Commission that is built on trust, candor, integrity, and effectiveness, and not confused by dual loyalties, dual reporting or lack of independence.

Regarding current language to "analyze and evaluate education needs with advisory groups including a Council of Presidents" (16-5-5): Revisions should be considered to broaden the scope and focus on state policy rather than institutional programs. We feel that the statutory language is too narrow and that the added language will be more in keeping with the envisioned role of ACHE. Indeed, ACHE appears most effective now when its leadership provides policy information and options—witness the popularity of regional workforce discussions hosted by ACHE's executive director, supplemented by pertinent data presented in readable brochures targeted at the region.

Making the Council of Presidents optional (16-5-5): The council meets only once a year, often with surrogates instead of presidents. If the presidents and ACHE leadership desire to meet at key times to discuss critical state policy issues, scheduling meetings to do so on an "as-needed" basis may make more sense and be more productive than a single, yearly meeting that is sporadically attended. Opportunities for the presidents and ACHE leadership to meet are also possible in conjunction with other ACHE meetings, such as a statewide trustee conference discussed below.

Advising the Governor and Legislature on state and capital funding (16-5-6): A more policy-oriented description should be written that is directed at the Commission members' collective role and responsibility to advise the Governor and Legislature to help ensure that state funds are used to pursue the best interests of the state through higher education.

Regarding the current provision on statewide long-range planning for postsecondary education (16-5-6): The provision on long-range planning should be revised to say something like: "establish a strategic state plan for the next five year period focusing on the major statewide policy issues facing Alabama and its postsecondary education system." ACHE should be charged with facilitating a collaborative process to define the top few priorities for Alabama higher education, with incentives for institutions to help achieve the priorities.

Although much needs to be done to ensure a collaborative process and the engagement of top state and institutional leaders, especially as a new five-year plan is about to commence, this change more accurately recognizes how ACHE's planning process is evolving from master planning to strategic planning, especially as ACHE continues to shift the plan's focus from largely internal institutional issues to broader statewide issues that colleges and universities can help address. As noted under Model 1, alignment with institutional and system plans is desired in ACHE's plan, but institutional planning should in no way drive the ACHE planning process, nor should ACHE's plan be a summation of institutional plans. ACHE's plan should seek to inform institutional planning and focus on intended results.

*A suggested provision on **incentive and performance funding** (16-5-6):* Over 50 percent of survey respondents think that incorporating performance based funding elements that are agreed to by colleges and universities, should be part of seeking necessary funds for higher education. We assume that any allocation for performance would be a relatively small proportion of the total budget. We suggest that ACHE provide support for the process, but we are careful not to propose usurping legislative prerogative on the allocation of state monies. The Legislature would determine priorities, preferably in consultation with institutions and ACHE, and the Legislature would determine the amount of money for distribution. In addition, we recommend a small amount of money on the margins to incentivize institutions to implement and make progress on the goals of the state plan for higher education in order to make the plan more compelling and relevant. ACHE would distribute these funds in a manner it sees best, and not in excess of a certain predetermined amount or percentage of the annual appropriation for postsecondary education.

*Regarding the provision on the **student unit record system** (16-5-7):* The provision should be retained and the emphasis on a student unit record system to aid decisions and recommendations by all Alabama policy makers should be expanded and developed further, but making the data more accessible to analysts and providing data-informed reports for decisions and policies are top priority recommendations, whether the statute is revised or not. The recommendation under Model 1 regarding the Statewide Data Base is applicable here, as well.

*Regarding the provision to “design and establish a college/university information system, **including a faculty unit record system** capable of analyzing faculty workloads” (16-5-7):* This requirement for a faculty unit record system could be deleted due to scarce resources and higher priorities.

*Regarding ACHE involvement with **new program proposals, program viability, and off-campus program delivery** (16-5-8):* Protecting geographic turf and controlling program duplication no longer make sense; they handicap Alabama's public institutions from pursuing local or distant service opportunities for Alabama citizens, given that any institution from anywhere has the potential to be a local competitor. Establishing ACHE as a gateway for institutional and program development (a) sets ACHE up for failure, since governing boards and the Legislature can overrule ACHE decisions (already, the two constitutional boards may not require ACHE approval), b) sets ACHE up as a potential adversary of the institutions rather than a colleague in the effort to advance higher education in service to the state, and (c) diverts significant Commission and staff time and effort away from more worthwhile functions including policy analysis, data and information services, and focusing attention and efforts on major state initiatives to improve access, quality, and productivity.

We recommend revising the statutory language to either delete ACHE review of new undergraduate programs and units, or revise the process so that it reduces and relaxes the

processing time from a proposal to approval and requires less staff time. Also, the provision to authorize and regulate off-campus offerings should be deleted. Primary responsibility for these decisions should be left to governing boards and accreditors. ACHE program involvement should focus on assessing the ongoing cost-benefit and viability of small programs and tools ACHE could use to encourage or require their elimination when warranted.

*Requiring ACHE to “receive, evaluate and coordinate **budget requests for the public institutions** ... hold open hearings ... present a single unified budget report ...” (16-5-9):* We suggest leaving decisions on operating and capital budget requests to the governing boards, Governor, and Legislature unless or until such time as ACHE can provide a service that will add value to the process.

*Serve as the state agency for the administration of those titles of the **Higher Education Act of 1965** ... (16-5-10):* This provision should be retained and updated or revised as necessary.

*Regarding provision to authorize and regulate **instructional programs or units offered by non-Alabama institutions** of postsecondary education (16-5-10):* Depending on the recommendations by the appointed committee on whether Alabama should join the State Authorization Reciprocity Agreement (SARA) and resulting legislation, as a result of Executive Order #48, this language may have to be updated. Alabama is one of several states wrestling with the issue of reciprocity. Regardless of the outcome of the committee’s deliberations, we feel that enhancing ACHE’s ability to ensure quality and value and provide useful consumer information will be of significant benefit and ensure that ACHE continues to play an important role with out-of-state distance education providers, as well as for those providers who wish to establish a physical presence in the state.

*Suggestion to delete ACHE’s responsibility for viewing and **coordinating budget requests** (16-5-9) and **facilities master plans** (16-5-15):* The evaluation committee heard repeatedly that the Unified Budget Request (now called the Consolidated Budget Request) is an exercise that is time consuming for both ACHE staff and institutional staff and not used by legislative fiscal staff or the Governor’s staff. The same holds for the ACHE review of capital budget requests for facilities that emanate from institutions’ master plans. ACHE could continue to provide state fiscal staff with benchmarks that show credible funding comparisons from previous years’ levels or those of peer institutions.

*Regarding the provision for “such **surveys and evaluations** of higher education as are believed necessary and “conduct a program of **public information**” (16-5-10):* The first provision should be retained and revised or updated as needed. It relates to the second provision, where language should be added specifically to charge ACHE with designing and delivering policy-oriented reports on a regular basis, to include an annual or biennial “report card” on how the state is performing on key indicators such as education level of the population (attainment), proportion of low-income students enrolled (access), retention and graduation rates (student success), and research activity.

This broad authority could be useful to the ACHE planning process and could include any needed or legislatively desired surveys of the faculty, as well as other critical institutional information or data that can inform state higher education policy. ACHE’s annual Institutional Student Profiles, which emanate from ACHE’s student database, provide important data (both institutional and aggregated statewide) on enrollment, retention, and completion. For an annual or biennial report card, the Profiles could be supplemented by performance measures for the priorities and goals of

the five-year state plans for higher education (such as the number of degrees in STEM fields), and by other data such as research activity and degree attainment of the state's population (which can be attained from primary sources such as the National Science Foundation and the U. S Census).

The purpose of any assessment should be to improve future performance, and what appears lacking in ACHE's annual Profiles is trend data and analysis that compares one year to the next and change or progress over multiple years. A report card should have this comparative data and analysis. It should be stressed that a report card should be primarily an assessment of the state and not individual institutions, although individual institutions could still be identified in the report card if and when necessary, as they are in the current Institutional Student Profiles. Alternative approaches to a report card are also possible. Similar to the areas assessed in *Measuring Up*, the National Report Card on Higher Education from the National Center for Public Policy and Higher Education that was issued from 2000 to 2008, the questions are:

- Are Alabama students ready for college-level learning and a high skill workforce?
- Are Alabama students progressing through the education pipeline from 9th grade to a college degree or postsecondary certificate?
- Are they completing high school ready for college-level learning, entering college, and persisting to graduation?
- Are Alabama students completing certificates and degrees, especially in areas critical to the state's and each region's economies?
- Is the state's investment in R&D linked to the future competitiveness of the state and each of its regions?
- Is college affordable for all Alabamians in relationship to their ability to pay?

Interestingly, and as noted in the 2006 report of the eighth quadrennial review committee, the State Plan for Higher Education 2003-2004 to 2007-2008 placed the state's performance in a national context using the data generated about Alabama for *Measuring Up 2004*.

Quadrennial Committee to evaluate the Commission (16-5-12): We recommend that the Commission be encouraged to evaluate itself annually, in addition to the quadrennial evaluation and the annual report to the Governor and Legislature.

The annual written report to the Legislature and the Governor on the activities of the Commission and the state of higher education, combined with the quadrennial review, provide a substantive examination of the work and performance of ACHE. Effective boards and commissions also evaluate their own performance annually. A comprehensive self-evaluation (facilitated by a neutral third-party at a Commission retreat) would enable Commissioners to understand and address much more thoroughly their strengths and weaknesses as a collective body. Therefore, the evaluation team suggests that language be added that encourages, but does not mandate, a self-evaluation. Periodic self-evaluations could also happen without any change in the Code.

ACHE's relationship to governing boards (16-5-13): The evaluation committee suggests that ACHE be charged with hosting an annual or biennial statewide conference for the state's college and university trustees. Fourteen state coordinating agencies are conducting such conferences (trustees of private colleges and universities in Arkansas, Kentucky and Missouri are invited to join their public board member counterparts) and they are particularly beneficial in states with multiple governing boards where topics like board responsibilities, the state fiscal and budget

outlook, and state education policy issues are examined and discussed. ACHE has hosted occasional trustee conferences in past years and compelling issues in the state call for an annual or biennial conference that can be a forum for communication and interaction among ACHE Commissioners, presidents, chancellors, and the college and university trustees.

*Requiring ACHE to **review the master plans** of each institution and shall make known any concerns and/or recommendations (16-5-15):* We suggest leaving decisions on facilities and master plans to the governing boards unless or until such time as ACHE can provide a service that will add value to the process.

*Regarding the provision creating a **steering committee on college participation** (16-5-30):* This could be modified to charge ACHE with conducting an annual forum, meeting, or conference on participation, retention, and completion that would be advised by a broad-based advisory committee selected by the Commission. The event could be held separately or in conjunction with another ACHE conference.

*Enter into a contract with a state educational institution to establish a **Postsecondary Education Communication Center** to operate a statewide computer network and to perform the functions prescribed in this section (16-5-32):* This provision should be revised, deleted or updated as necessary.

Conclusion

In closing, the evaluation committee wishes to emphasize the following:

1. If ACHE and the state choose Model 1, the ACHE Commission and staff should carefully review past recommendations and those offered here to select only those that they believe add value and do not face significant barriers to implementation. Those few goals should be memorialized in a formal document with specific outcome expectations, and the Commission should review progress on those commitments at every meeting.
2. The issues that cause us to propose statutory revisions in Model 2 are systemic. They are not the fault of any individual or organization. If ACHE and the state choose to pursue Model 2, the appropriate process would rely heavily on discussions that include representatives of all the key stakeholders and on the expertise and best judgment of the ACHE staff.
3. If the statute is revised, we suggest that it not be done piecemeal, and that adequate time for deliberation and consultation be set aside to prepare the revisions.
4. We strongly recommend that any revisions in ACHE duties confirm the fundamental premise that there will be no reductions in staff size and that existing staff will have opportunities to re-tool if/as needed. Alabama higher education needs what this staff can provide, and their experience and relationships in the system are invaluable.

Appendices

- A. Survey Results
- B. Statements of Expectations
- C. List of In-Person Interviewees
- D. List of Telephone Interviewees
- E. Summary of Recommendations from Past Quadrennial Reviews
- F. The Code of Alabama 1975, Chapter 16, Section 5 – Alabama Commission on Higher Education

Appendix A: Survey Results

Q1

What is your position? (check one)		
Answer Options	Response Percent	Response Count
Public 4-Year College or University Official	57.6%	57
Public 2-Year College or University Official	16.2%	16
Private College or University Official	9.1%	9
Member of Campus or System Board of Trustees	0.0%	0
K-12 Official	3.0%	3
Member of State Legislature	1.0%	1
Executive Branch Official	2.0%	2
Civic or Business Leader	2.0%	2
Member of the News Media or Press	0.0%	0
Other (please specify)	9.1%	9
<i>answered question</i>		99
<i>skipped question</i>		1

Q2

Using the Commission Responsibilities and scale listed below, please indicate your assessment of the Commission's effectiveness for each function (with 5 being the most effective to 1 being no opinion). 5 - Highly Effective 4 - Adequately Effective 3 - Moderately Effective 2 - Not Effective 1 - No Opinion Effectiveness Rating						
Answer Options	5	4	3	2	1	Response Count
1. Administering the Statewide Student Database	18	22	14	4	10	68
2. Reviewing and approving/disapproving proposals for new programs or units of instruction	16	15	12	11	13	67
3. Reviewing and approving/disapproving proposals for off-campus offerings	15	16	13	8	15	67
4. Reviewing extensions and alterations to existing programs and units of instruction, research, and service	17	16	10	11	12	66
5. Developing and presenting a consolidated budget recommendation to governor/legislature	10	16	15	17	10	68
6. Facilitating statewide strategic planning processes	4	18	11	22	13	68
7. Serving as an advocate for public higher education	13	14	15	19	8	69
8. Conducting special studies, surveys, and evaluations related to postsecondary/higher education	10	13	24	10	11	68
9. Developing and recommending legislation to insure high quality education in the state	6	14	12	22	13	67

10. Advising the governor, at his request, regarding postsecondary/higher education matters	5	11	11	15	25	67
11. Studying and making recommendations on public institution role and scope (mission)	6	12	14	20	15	67
12. Operating student aid programs for the state	8	17	10	7	25	67
<i>answered question</i>						69
<i>skipped question</i>						31

Q3

In your view, please rank the importance of the following Commission Responsibilities (with 10 being the most important to 1 being the least important). Only use each number once.											
Ranking of Importance (10=most important; 1=least important)											
Answer Options	10	9	8	7	6	5	4	3	2	1	Response Count
1. Administering the Statewide Student Database	13	7	6	5	6	9	3	8	0	4	61
2. Reviewing and approving/disapproving proposals for new programs or units of instruction	18	11	7	3	2	4	3	2	1	10	61
3. Reviewing and approving/disapproving proposals for off-campus offerings	8	5	12	10	4	2	2	3	6	4	56
4. Reviewing extensions and alterations to existing programs and units of instruction, research, and service	10	8	9	4	6	2	3	6	5	3	56
5. Developing and presenting a consolidated budget recommendation to governor/legislature	9	10	4	5	0	10	7	5	5	4	59
6. Facilitating statewide strategic planning processes	9	9	3	5	6	7	7	4	3	3	56
7. Serving as an advocate for public higher education	16	6	6	2	3	4	2	3	8	8	58
8. Conducting special studies, surveys, and evaluations related to postsecondary/higher	5	4	6	5	8	10	5	4	2	5	54

education											
9. Developing and recommending legislation to insure high quality education in the state	5	5	8	6	5	7	7	3	7	5	58
10. Advising the governor, at his request, regarding postsecondary/higher education matters	4	7	10	3	7	8	2	2	3	7	53
11. Studying and making recommendations on public institution role and scope (mission)	7	4	5	10	3	3	3	8	4	7	54
12. Operating student aid programs for the state	5	5	2	8	3	9	5	3	4	9	53

Comments:

- *Universities should be allowed to offer junior and senior level courses on community college campuses without the need for ACHE approval.*
- *ACHE has started to provide information to institutions by issuing data releases - very helpful and productive.*
- *All tasks are important. I have no basis for ranking them.*

Q4

Does the Commission have sufficient authority to perform its multiple statewide responsibilities effectively?		
Answer Options	Response Percent	Response Count
Yes	57.6%	38
No	18.2%	12
No Opinion	25.8%	17
<i>answered question</i>		66
<i>skipped question</i>		34

Comments:

- *Sufficient for the functions defined by legislation.*
- *Has assumed more authority than original legislation allows.*
- *Too much authority.*
- *The Commission is a coordinating body, nothing more, so it has plenty of authority to coordinate.*
- *But they don't always exercise that authority appropriately because of politics.*

Q5

Is the Commission effective in the performance of its duties as they are currently defined?
--

Answer Options	Response Percent	Response Count
Yes	47.0%	31
No	34.8%	23
No Opinion	18.2%	12
<i>answered question</i>		66
<i>skipped question</i>		34

Comments:

- *The Commission succeeds in some areas and leaves significant room for improvement in others.*
- *Too slow and too autocratic.*
- *Moderately. Not a sufficiently strong or visible advocate.*
- *Not always. Such as the approval process for out of state institutions.*
- *The state would benefit from reduced regulatory burden and bureaucracy.*
- *For the most part.*
- *All colleges have their own boards. To have an extra entity performing governing board-type duties is illogical.*

Q6

Are there impediments to the ability of the Commission to provide leadership in postsecondary/higher education?				
Answer Options	Yes	No	No Opinion	Response Count
Statewide Higher Education Structure	31	22	14	67
Legal	17	30	19	66
Political	42	9	15	66
Service	6	26	33	65
Agency Organization Structure	14	20	32	66
Other (please indicate in the box below)	6	5	25	36
<i>answered question</i>				68
<i>skipped question</i>				32

Other:

- *Disconnect between higher education expectations and staff priorities.*
- *Little or no leadership to address the most important aspect of student success: effective instructional strategies.*
- *ACHE appears from the outside to be well run and comprehensively effective.*
- *Commission staff are burdened by responsibilities that bring with them an unhelpful audit mentality.*
- *State Financial Ability*
- *Leadership structure has been adversarial to higher education priorities.*
- *Mission creep.*

Q7

Using the scale provided, please indicate your assessment of the Commission's effectiveness for each of the responsibilities specified below. 5 - Highly Effective 4 - Adequately
--

Effective 3 - Moderately Effective 2 - Not Effective 1 - No Opinion						
Answer Options	5	4	3	2	1	Response Count
1. Do you find the staff to be knowledgeable on educational issues?	35	18	6	4	3	66
2. Does the work produced meet quality standards: accuracy, neatness, thoroughness, etc.?	33	22	8	2	1	66
3. Is the staff responsive to inquires in a timely fashion?	36	16	8	3	3	66
4. Do employees express ideas clearly, both orally and in writing, listen well and respond appropriately?	32	17	13	1	3	66
5. Do you find that the staff displays positive and cooperative attitudes?	29	14	7	8	7	65
<i>answered question</i>						66
<i>skipped question</i>						34

Comments:

- *The Commission operates with high effectiveness in the above categories.*
- *The staff at ACHE is responsive, dedicated, and efficient. They are always a pleasure to work with.*
- *There is significant variation in effectiveness among staff members.*
- *The staff are always available for questions and are very knowledgeable. They are courteous and friendly.*
- *Staff have always been helpful and easy to work with in all respects. I have worked directly with Sabrina Simpkins, Diane Sherman, Margaret Pearson, Wanda Rowe, and Susan Cagle and have found each of them very pleasant, knowledgeable, and responsive.*
- *Staff attitude has improved with recent retirements.*
- *The staff is the best thing about ACHE.*
- *ACHE staff have always been professional and courteous in my experience.*

Q8

ACHE’s development of the strategic plan, “Forging Strategic Alliances: 2009-2014,” that incorporated business and industry interests along with higher education and K-12 relationships was designed to improve educational services and outcomes. Do you think higher education should remain actively engaged with workforce development and coordinated support for business and industry?	
Answer Options	Response Count
Yes	49
No	2
<i>answered question</i>	51
<i>skipped question</i>	49

Comments:

- *Integration between K-12, two-year colleges and 4-year universities is crucial.*
- *Public universities have a responsibility for workforce development.*
- *Yes, education our citizenry is the best way to establish a workforce.*
- *Higher Education must remain involved in workforce development.*
- *The Commission needs to work on the formation of alliances and relationships.*
- *To the extent those efforts are non-existent with the mission of the institution.*
- *Yes, but, this should be the work of the State Board of Education and the individual colleges' leadership.*
- *Post-secondary education and industry should seek to coordinate their efforts whenever possible.*
- *The addition of business perspectives in the planning process has been extremely helpful for both K12 and postsecondary.*
- *Yes, this is highly important for any educational initiative.*
- *Yes, so long as engagement means respectful and collaborative interaction, not the automatic assumption that what is in the short-term interest of influential business interests is hence where public higher education should commit its energies and expertise.*
- *Yes. The product of our universities become the workforce. Therefore it is critical that students have an idea of where they will be able to work once they receive their degree.*
- *Yes, higher education has the broadest capabilities with regard to workforce development and should definitely play a role in its proliferation.*
- *Yes, it is key for economic growth.*
- *Yes, it is a growing trend and one that is likely to stick around for a while.*
- *Most definitely. Workforce development should not be limited to only community colleges and technical school.*
- *Institutions of higher education should and must be included in the development of the workforce to support new business and industry interests across the state.*
- *It is critical for all involved entities to work together.*
- *No university would encourage all its students to major in the same thing, but that's what Alabama has done in trying to attract jobs.*
- *The state has gone "all in" on attracting manufacturing at the expense of other types of jobs. The state needs a balanced approach.*

- *Alabama needs both something like a board of regents to govern all four-year universities in Alabama, and it needs a P-20 council to facilitate discussion and cooperation among all levels of education and workforce in the state.*
- *ACHE should actively support and promote university participation in workforce development. Currently, it only promotes two-year school and K-12 initiatives in workforce development.*
- *This is essential to the population of Alabama.*

Q9

Do you believe the next statewide strategic plan developed by the Commission should continue supporting the five major priorities outlined in the current higher education strategic plan, “Forging Strategic Alliances: 2009-2014”? These priorities are: (1) increasing students’ preparedness for college and career; (2) establishing a PK-20 Council or (2a) utilize the Governor’s Alabama Workforce Council (AWC) created in 2014 to serve as an education and business/industry partnership; (3) increasing graduates in STEM fields (science, technology, engineering, and mathematics); (4) seeking necessary financial resources for education; (5) establishing a comprehensive Workforce Development Plan for Alabama or (5a) depend upon the Alabama Workforce Council (AWC) to coordinate the effort?			
Answer Options	Yes	No	Response Count
Priority 1: Preparedness for college and career	53	5	58
Priority 2: Establishing a PK-20 Council	32	22	54
Priority 2a: Utilize the Governor’s Alabama Workforce Council (AWC)	41	12	53
Priority 3: Increasing graduates in STEM fields	53	3	56
Priority 4: Seek necessary financial resources for education	55	3	58
Priority 5: Establish a comprehensive Workforce Development Plan for Alabama	36	17	53
Priority 5a: Depend upon AWC to coordinate the effort	29	24	53
<i>answered question</i>			58
<i>skipped question</i>			42

Comments:

- *Work with AWC to implement a Workforce Development Plan.*
- *AWC's recommendations will have greater impact.*
- *I do not believe that this Commission's Statewide Strategic Plan is necessary.*
- *Developing an educational process that has the end in mind, that utilizes wide ranging inputs, with the ultimate goal of graduating students ready for their future and admirable and necessary goal.*
- *Financial resources are taking on more importance and should also take a higher priority in future plans.*
- *Need a new strategic plan.*
- *It is not the Commission's responsibility to develop a workforce development plan. There are other State agencies that have more expertise in that area and should take point on that type of plan.*

- *This seems like a duplication of the efforts already underway at the K-12 and individual college levels.*

Q10

What do you think is the maximum number of priorities that should be included in the next statewide strategic plan developed by the Commission?		
Answer Options	Response Percent	Response Count
1	3.5%	2
2	1.8%	1
3	8.8%	5
4	15.8%	9
5	61.4%	35
6	3.5%	2
7	1.8%	1
8	1.8%	1
9	0.0%	0
10	1.8%	1
What might be some of the priorities?		20
<i>answered question</i>		57
<i>skipped question</i>		43

Comments:

- *Current priorities seem well-conceived. Execution is lacking.*
- *As many priorities as needed to effectively address all major concerns. Effective instructional strategies to improve student learning and close the student achievement gap by closing the instructor effectiveness gap.*
- *A more unified advocacy effort by member institutions.*
- *Lobby for increased funding for higher education.*
- *Number one is advocacy for increased funding of higher education.*
- *The five major priorities in the existing plan remain viable. That said, I believe we need to proactively address the equity issue as well. There remains a real and present divide between those that have access to educational resources and those that do not.*
- *Funding and preparedness (2).*
- *Seeking to assure that Alabama's strong investment in public higher education results in differentiated and excellent higher education opportunities for more of the State's citizens, with an emphasis on degree/credential completion.*
- *Seek necessary financial resources for education.*
- *Seek ways to help ease financial burden of college attendance for our students without increasing their debt load.*
- *Resolving the challenges of statewide authorization for institutions in Alabama.*
- *Efforts to shorten time-to-graduation.*
- *Provide state-based student financial aid.*
- *Increase collaboration among institutions of higher education.*
- *Funding for higher education.*
- *Preparation of high school students for college work.*

- *Improving the funding model for higher education.*
- *Adequate funding for universities versus two-year and K-12.*
- *Develop a workforce plan that includes public universities.*
- *Promote the benefits of higher education to Alabama citizens (which ties into preparedness of students).*
- *College Preparedness and STEM majors-joint preparation between universities and K-12.*
- *Performance based funding equality.*
- *Funding for HBCUs.*
- *Pre-K—college preparedness.*

Q11

As part of seeking necessary funds for higher education (Priority 4), should ACHE expand/ extend its efforts in the following areas?				
Answer Options	Yes	No	No Opinion/ Don't Know	Response Count
Continue to adjust the ACHE Standard to reflect changes in funding sources?	23	19	17	59
Incorporate performance-based funding elements agreed to by the institutions?	33	18	9	60
Continue to advocate for increased state funding for higher education?	55	2	3	60
Begin process for seeking state level only or multi-institutional grants for educational advancement and research?	40	8	11	59
<i>answered question</i>				60
<i>skipped question</i>				40

Comment:

- *Increased relationship building could help in all these areas.*

Q12

There are a number of significant issues facing Alabama in providing higher education support. Rate the following according to importance with: 5 = critical; 4 = very important; 3 = important; 2 = somewhat important; 1 = little importance; and No Opinion.							
Answer Options	5	4	3	2	1	No Opinion	Response Count
Remedial education/training	29	15	9	5	0	1	59
Pre-K expansion	16	13	10	8	8	3	58
Distance education	15	19	13	10	2	0	59
Advanced placement courses	6	16	22	13	1	0	58
Dual enrollment	18	13	19	8	0	0	58
Teacher education/training	22	20	9	2	3	1	57
Performance-based funding	18	9	15	4	9	4	59
Institutional resistance	11	10	7	4	10	14	56
<i>answered question</i>							59
<i>skipped question</i>							41

Comments:

- *Though performance-based funding is not terribly popular in some circles it is a necessary next step in light of our limited resources. That said, we need to ensure that we have the correct objective measures in place to accurately drive performance-based funding.*
- *The Community Colleges are really hurting from a funding standpoint.*
- *Institutional resistance is not an issue as long as ACHE remains in its statutory coordinating role rather than trying to be regulatory agency.*

Q13

How would you rate the Commission's efforts to consistently advance or champion the State Plan for Higher Education with all stakeholders: educational leaders, policymakers, the press, and the general public?							
Answer Options	5	4	3	2	1		Response Count
5=very effective; 1=not effective	6	12	20	8	13		59
<i>answered question</i>							59
<i>skipped question</i>							41

Q14

Do you think a five-year plan meets the needs of the state in this rapidly changing environment or should a different approach or method, time line, purpose be used?			
Answer Options	Yes	No	Response Count
Keep a five year plan.	36	19	55
Change to a three year plan.	21	34	55
Change the process for developing the plan.	32	19	51
Limit the purpose to only key issues.	42	9	51
<i>answered question</i>			59
<i>skipped question</i>			41

Comments:

- *With technology, 3 years is longest plan you can do.*
- *A strategic plan is not very strategic if it is influenced by events in 3-5 year increments.*
- *Involve the Council of Presidents much more actively and stick to 1-2 truly important points of focus and agreement.*
- *Update annually.*

Q15

In developing a new strategic plan for the next five years, which of the following groups (if any) should be included? (Beyond institutional representatives.)			
Answer Options	Yes	No	Response Count
Private colleges and universities	39	19	58
Business leaders	58	1	59
Legislators	47	9	56
Executive branch representatives	48	8	56
K-12 representatives	54	4	58
Other state agencies	33	16	49
Comments			6
<i>answered question</i>			60
<i>skipped question</i>			40

Comments:

- *Two-year colleges.*
- *As a state agency supported by the citizens of Alabama, gathering their opinion would be useful as well.*
- *The entire spectrum of education-minded individuals should contribute to the process...particularly legislators.*
- *If the past is any predictor of the future, if they do not play a part in the development of the plan, they will play a part in derailing the plan.*
- *Public colleges and universities should be represented.*

- *Limited private college and university participation.*
- *State Employment Agency.*

Q16

Does the Commission strike a proper balance between being an advocate for higher education and fulfilling its statutory responsibilities as the state's higher education coordinating board?		
Answer Options	Response Percent	Response Count
Spends more time on advocacy	8.5%	5
Balances advocacy and statutory responsibilities	27.1%	16
Spends more time on statutory responsibilities	44.1%	26
No Opinion	23.7%	14
<i>answered question</i>		59
<i>skipped question</i>		41

Comments:

- *The Commissioners do not always support all of the institutions in the state equally. Very biased towards UA and AU.*
- *ACHE should be more of an advocate for higher education in Alabama.*

Q17

A primary responsibility of the Commission is the Statewide Student Database. Over 8.6 million records are currently being held by ACHE. The data is being used to assist K-12 school districts in examining remedial concerns, grant preparation and resource planning. Alabama's colleges and universities use this data to identify enrollment trends, various interest areas, completion rates, budgeting priorities, and to meet federal reporting requirements. A new data effort relates to regional business/industry needs associated with workforce development. Are you familiar with or do you use data from the Student Database?		
Answer Options	Response Percent	Response Count
Yes	73.8%	45
No	26.2%	16
<i>answered question</i>		61
<i>skipped question</i>		39

Comments:

- *This is an underutilized function.*
- *The database is helpful and well done.*

Q18

Should the Commission continue to expand the Student Database to include tracking of select special cohorts to exit and/or completion? If so, which cohorts should be included?			
Answer Options	Yes	No	Response Count
PK students	29	18	47
Remedial students	41	10	51
Advanced Placement students	36	15	51
High school and/or college students entering the workforce	36	14	50
Dual Enrollment students	39	12	51
Course level data	26	21	47
<i>answered question</i>			51
<i>skipped question</i>			49

Comments:

- *Add Private school students both non-profit and for-profit.*
- *ACHE has yet to produce results from the SDB that are comparable with the burden of sustaining it.*
- *Though I believe what ACHE can do is limited by who they have available to do it, because they do such a superlative job in data development and analysis I would advocate them expanding their database as much as possible.*
- *Students transferring from two-year colleges to four-year universities.*
- *Please focus on higher education.*
- *If expansion means increased funding for ACHE, the answer is no, not now.*
- *Expansion could be considered when there are new funds available. Otherwise, any increase in ACHE's budget comes directly from university appropriations.*

Q19

Additional Survey Comments?	
Answer Options	Response Count
<i>answered question</i>	7
<i>skipped question</i>	93

Comments:

- *The Commission needs to improve cooperation with the State's institutions.*
- *The state has adequate public capacity to do much more for its citizens, but funds are dispersed among many more institutions than ideal. Fewer but better institutions would be ideal. The Commission didn't create this problem, but it could do more to ameliorate its effects.*
- *ACHE should spend more time on leadership.*
- *It is ironic that ACHE is prone to mission creep (tracking Pre-K students?) while trying to prevent colleges from the same thing.*
- *All colleges have their own boards that they must answer to. Those boards are ultimately responsible for approving programs, budgets, facilities, etc.*

- *It makes no sense for ACHE to deny a college a technical program because its nearest neighbor has it if there is demonstrated need and student demand. An hour is a long way for many students to travel. If the college can support the program, it will succeed. If it can't, the program will close anyway.*
- *It makes no sense for ACHE to tell a college it must close a program because enrollment was below projections. Especially at smaller colleges, some programs are going to be small because their service areas are not densely populated. We cannot limit ourselves to only offering high-wage/high-demand/STEM programs. There are lots of jobs in other areas that require training. They are not all going to graduate 100 students per year.*
- *I am not familiar with what ACHE does for my university. Please increase communication.*

Appendix B: Statements of Expectations

As former AGB president, Tom Ingram, noted in a 2004 AGB publication for public trustees, more and more boards are finding it useful to adopt formal statements of commitment and responsibility to clarify some basic expectations their members hold for one another. Although many of these expectations are obvious, others are more subtle and address some of the ambiguities inherent in governing or coordinating board service. Statements of Expectations, sometimes called Statements of Commitments, are evidence of good practices. A statement is essentially a list of agreed upon “rules of engagement” on how the board will comport itself in all deliberations and activities, as a collective and as individual members. It is not used in lieu of a swearing in ceremony. Rather, the statement is a compact among members—to be shared with newly appointed members as they begin their board service, and to be reaffirmed periodically with continuing members.

Below is an illustrative Statement, adapted from Tom Ingram’s 2004 AGB publication, *Effective Trusteeship*, that could be edited or expanded upon to make it more appropriate to any organization’s particular responsibilities, culture, or needs.

Statement of Expectations

On of the great privileges and marks of personal accomplishment in our society is to be asked to serve on a public higher education board. Among some 50,000 accomplished men and women who serve on the boards of higher education, only about 10,000 serve in the public sector, where 80 percent of students receive their education. With this singular honor, of course, come considerable responsibilities and obligations.

The members of the Board of [name of organization] have chosen to clarify what we expect of one another and to remind ourselves of our ongoing commitment. This statement also will help those of us who are new to our board service to more fully understand and appreciate what is expected of us.

Created in 19____, [name of organization] has benefited greatly from the devotion, service and wisdom of its previous members. Those of us who have been singled out to serve on this board have agreed to safeguard the capacity of the state’s higher education system to serve our fellow citizens. We have also agreed to balance our responsibility to be accountable to them and with our responsibility to be advocates for the higher education enterprise as it strives to accomplish its mission and public purposes. Therefore, we enthusiastically and without reservation accept the mission and major responsibility of [the name of organization] as prescribed in state statute, but also accept the following major responsibilities not necessarily prescribed in law:

- Conscientiously participate in committee and board meetings by preparing well and engaging actively. Our ability to ask good questions is part and parcel of responsible stewardship, and that is a function of our preparation.
- Conscientiously participate in scheduled activities and events that demonstrate a willingness to become engaged in the important activities of [the name of organization] as they relate to its mission and service to the state.

- Conduct ourselves in word and deed from the perspective that we serve, individually and collectively, the state and [the name of organization] and the state as a whole, not any single institution, system of institutions, or individual or group. Having close personal friendships with college leaders, faculty members, students or staff is often a consequence of board service, but we should use good judgment in pursuing such friendships.
- Furthermore, should a grievance or suggestion come to our attention that has apparent merit, the chief executive or board chair should be informed. We know that our public and private statements carry great weight and that care must be taken in how we respond to criticism or grievances. We know that only the chief executive or board chair is ordinarily authorized to speak for [the name of organization] or the board. Calls from the news media about controversial board decisions or campus issues should ordinarily be referred to them.
- Avoid even the appearance of conflicts of interest. Each of us is expected to comply with any state conflict of interest policies or annual disclosure requirements. Should we be uncertain about a possible conflict, we should promptly inform the board chair so that an appropriate judgment can be made in consultation with others.
- Refrain from asking the chief executive or other senior staff for special favors.
- Adhere to state open meeting laws, but strictly maintain the confidentiality of the board's executive sessions, especially concerning sensitive personnel matters. Safeguarding the reputation of [the name of organization] and safeguarding the individual rights to privacy are always a top concern.
- Help the board set the strategic direction of [name of organization]. That is, each of us has a duty to help the board understand its oversight and coordination functions, and to think and act strategically and long term, and to stay focused on the major issues and opportunities related to its future. We should give our advice and share our particular expertise willingly and freely, but we also should be willing to accept that they might not necessarily be followed after consideration by the board's leaders.
- Understand that as individual board members, none of us has any legal authority or standing; only the full board possesses legal authority.

Additionally, our board and its members should:

- Recognize the obligation of public accountability, but avoid any hint of political partisanship and never allow statewide politics to interfere with our deliberations.
- Be civil in all disagreements and serve as a model of professionalism for other higher education boards in the state
- Keep abreast of developments in higher education outside our home state
- Possess a sense of teamwork and shared goals between the board and staff, and be supportive of staff
- Explore major issues vigorously and in depth, but speak with one voice once decisions are made
- Ensure that our board is focused on major and long-term issues, and not on short-term crises, administrative issues or trivia
- Understand and seek evidence that our higher education system contributes to statewide educational needs
- Demand state and institutional metrics to guide decision-making and use them to effectively monitor individual campuses, as well as our overall state performance

- Employ the individual talents, expertise, and knowledge of our individual board members
- Help establish and support effective relations with our institutional constituencies
- Help establish and support effective relations with our external publics
- Earn and merit political support from our state leaders
- Not facilitate end-runs of our board or our staff
- Think strategically, anticipating future challenges and opportunities
- Regularly assess our own performance.

In return for every board member's best efforts to adhere to these expectations, our leaders pledge their best efforts to help us, in turn, to find the intellectual value and personal satisfaction from our board service that we expect. By doing our best to understand and be informed about the future of higher education in the state and its need for nurturing for future generations, and by committing our time and energy to that future, our board will continue to be highly regarded by our many internal and external constituents.

Appendix C: List of In-Person Interviewees

Jon Barganier, Governor's Deputy Chief of Staff for Policy
Judy Bonner, President, University of Alabama
Young Boozer, State Treasurer
Kelly Butler, State Budget Officer
Norris Green, Director, Legislative Fiscal Office Staff
Commissioner Larry Hughes (ACHE Vice-Chairman)
Carrie Ellis McCollum, Deputy Legal Advisor, Office of the Governor
Hunter Meriwether, Staff Budget Analyst
Charles Nash, Vice Chancellor for Academic and Student Affairs, University of Alabama System
Bill Poole, Representative, Alabama House of Representatives
Commissioner William Powell
Shonda Stallworth, Analyst, Legislative Fiscal Office Staff
Jared White, Governor's Education Policy Advisor, Office of the Governor

ACHE Staff

Gregory Fitch, Executive Director
Susan Cagle, Director, Institutional Finance and Facilities
Elizabeth French, Director, Institutional Effectiveness and Planning
Margaret Gunter, Director, Communications and Governmental Relations
Ron Leonard, Director, Network of Alabama Academic Libraries - NAAL
Leonard Lock, Director of Instruction and Special Projects
Paul Mohr, Director, Special Programs
Margaret Pearson, Academic Program Review Analyst
Diane Sherman, Director, Research Services
Tim Vick, Director, Operations and Fiscal Services

Alabama Department of Postsecondary Education Staff

Kay Ash, Vice Chancellor for Finance and Administrative Services
Annette Funderburk, Special Assistant to the Executive Director for Government Relations
Mark Heinrich, Chancellor, Alabama Community College System
Trish Jones, Instructional Specialist
Jane Leatherwood, Director, Fiscal Services
Susan Price, Deputy Chancellor
Lisa Wesson, IPEDS Coordinator/Administrative Assistant

Appendix D: List of Telephone Interviewees

Robert Altenkirch, President, University of Alabama in Huntsville
John Dew, Vice Chancellor for Student Services and Administration, Troy University
Thomas R. Bice, State Superintendent of Education
Tim Boosinger, Provost and Vice President for Academic Affairs, Auburn University
Jeff Coleman, former ACHE Chairman
Tim Edwards, Provost, University of West Alabama
Robert Glenn, President, Athens State University
Jay Gogue, President, Auburn University
Paul Hankins, President, Alabama Association of Independent Colleges and Universities
Andrew Hugine, Jr., President, Alabama A&M University
Angel Jowers, Director of Institutional Effectiveness, University of West Alabama
Tonya Lee, Department of Labor
Drew Linn, ACHE Chairman
William Meehan, President, Jacksonville State University
Paul Mohr, ACHE staff
Arthur Orr, Alabama State Senator
Trip Pittman, Alabama State Senator
John Stewart, President, University of Montevallo
Gordon Stone, CEO, Higher Education Partnership
John G. Thornell, President, University of North Alabama
Ken Tucker, President, University of West Alabama
Rebecca Turner, Provost and Vice President for Academic and Student Affairs, Jacksonville State University
John G. Veres III, Chancellor, Auburn University at Montgomery
Tony G. Waldrop, President, University of South Alabama
Daniel Wims, Provost, Alabama A&M University

Appendix E: Summary of Recommendations from Past Quadrennial Reviews

ACHE Recommendations, 1999

Change core assumptions to be strategic, client-focused, decentralized through policy tools, quality defined in terms of outcomes. [2006: Little or no change]

Focus on a public agenda for the future of Alabama. [2006: Initiated state plans, but minimal influence; significant progress on information system]

Link fiscal policy to the public agenda. [2006: No change]

Lead a statewide campaign to raise the education attainment of Alabama's youth and adult populations by ensuring greater accessibility of higher/postsecondary education services in all of the state's regions. [2006: Minimal progress]

Develop a new generation of quality assurance policies. [2006: Several positive developments]

Engage in policy leadership. [2006: Little or no change]

ACHE Recommendations, 2006

2006 Recommendations to the Governor:

Appoint a blue-ribbon commission for P-20.

Establish an Education Cabinet, chaired by the Governor.

Convene an annual conference on college and university trustee leadership.

2006 Recommendations to the Governor and State Legislature:

Charge ACHE to develop and recommend substantial revision of current policies and methods for financing higher education.

Significantly increase state funding for student financial aid targeted to low-income students.

Enact substantially strengthened oversight of delivery by out-of-state providers.

2006 Recommendations to ACHE:

Reframe the mission of ACHE from regulatory role to policy leadership.

Shape next strategic plan: involve business and civic leaders, focus on HE contribution to the future of Alabama, include measurable goals and benchmarks, tie budget and financing policies to the action plan, link institutional accountability to plan performance.

Lead higher education's role in support P-12: use a regional approach, use regional data/information, and convene regional forums.

Streamline core functions work, link program review to state plan.

Develop a recommended long-range financing plan.

Give priority to capital needs procedures and financial aid incentives to middle school level.

Strengthen oversight of out-of-state providers.

Redesign ACHE's meeting agendas: monitor a limited set of basic questions, use consent agendas, and aim for 75% of time on policy leadership.

Increase ACHE staffing in strategic planning, data/information systems, and P-12 alignment.

Reassess statutory mandates for data collection.

Establish a consumer information portal.

ACHE Recommendations 2010

- Raising and informing issues in reports and other communications for debate,

discussion, and action by policy makers, educators, and the public.

- ACHE's most powerful potential role is to provide information as an advocate for a well-educated citizenry and workforce for Alabama—to elucidate problems for those with the means to pursue solutions.

- ACHE could be more involved with these matters by reallocating resources from some of the more time-consuming and less valuable activities, and by identifying simpler, more straightforward and possibly less regulatory approaches.

- The State Plan for higher education, *Forging Strategic Alliances: 2009-2014*, should be the guide for much of ACHE's work in statewide policy leadership and in encouraging statewide policy discussions.

- The focus of the State Plan for higher education on overall state educational achievement is admirable. But ACHE should clarify higher and postsecondary's expectations and responsibilities for achieving the Plan's priorities and goals.

- Using the statewide student database, ACHE should produce more on statewide or regional education issues that illuminate policy debates and options and strategic issues for the legislature and Governor.

- ACHE should also seek to overcome resistance and expand collection of course-level data, which is needed to help learn how to improve student retention, streamline the education process, analyze opportunities for collaboration, and other meaningful purposes.

- ACHE should consider retaining new program review only for the purpose of ensuring academic quality, adherence to academic mission, and, where relevant, the state's need for graduates in that field. Program duplication has all but disappeared as a rational criterion for program review in most states; the time has come to reconsider it in Alabama.

- The ACHE process of building a consolidated budget recommendation appears to be a worthwhile process but may be unnecessarily cumbersome. The time required to crunch the numbers should be the minimum necessary to provide credible benchmarks.

- The mandated ACHE capital funding request and annual updates to the facilities master plan appear to be meaningless exercises without state capital support and should be discontinued.

- ACHE should consider seeking the blessings of the Governor and legislature to create a broad institutional-based study group to develop and recommend a strong, fair, and equitable funding formula (or financing plan) that would be used to build the consolidated budget recommendation and fund institutions.

- ACHE should be a stronger voice for affordability and expanded student aid programs. Going forward, using its research capacity, ACHE should bring visibility to institutional and state policymakers on the affordability problem, including comparable data with other southern states.

- ACHE should devise a strategy to revitalize the Council of Presidents through fewer meetings but more compelling agendas.

- ACHE should host an annual or biannual Governor's Conference for the board members of all public and private institutions.

- Commission meetings should devote sufficient time, if not a majority of time, to assessing progress on the State Plan for Higher Education.

- Alabama's new Governor should create a PK-20 Council by executive order, or propose

legislation to do so.

- The Governor should consider allowing the executive director of the Commission to sit with the Governor's cabinet. This should not be as the Governor's appointee member of the cabinet, however, but as the head of an important agency.

- ACHE should be formally included on, and participate in, the State Workforce Planning Council.

- To ensure high caliber individuals on the Commission as vacancies occur, a statement of desirable qualifications and Commission member responsibilities should be developed by the Commission as a guide to the Governor and other elected leaders when making appointments.

- The Governor, Lieutenant Governor, and Speaker of the House need to make appointments to the ACHE Commission in a timely manner when vacancies occur. Doing so will ensure a vital Commission and agency and continuity for policy decision making.

Appendix F: The Code of Alabama 1975, Chapter 16, Section 5 – Alabama Commission on Higher Education

<http://alisondb.legislature.state.al.us/acas/CodeOfAlabama/1975/coatoc.htm>

Article 1 General Provisions.

Section 16-5-1 Definitions.

Section 16-5-2 Composition; appointment; qualifications of members; duties.

Section 16-5-3 Terms of office; reconfirmation of current members; appointment of new members; vacancies; reappointment.

Section 16-5-4 Organization; chairperson; meetings, quorum, agenda, etc.; expenses; executive director and employees; retirement system.

Section 16-5-5 Commission to analyze and evaluate education needs; advisory and consultant groups; Council of Presidents.

Section 16-5-6 Long-range planning.

Section 16-5-7 State university and college electronic faculty and student unit record system; definitions; state coordinating agency; advisory committee; database reports; failure to comply with requirements.

Section 16-5-8 Review, coordination, establishment, etc., of programs; transfer of credits; Articulation and General Studies Committee.

Section 16-5-8.1 Computation of grades earned at another institution.

Section 16-5-8.2 Equal access for all citizens.

Section 16-5-8.3 Legislative intent.

Section 16-5-8.4 Reports to Legislature.

Section 16-5-9 Budget proposals; open hearings; unified budget report; recommendations.

Section 16-5-10 Additional powers and duties of commission.

Section 16-5-11 Commission responsible for certain functions.

Section 16-5-12 Committee to evaluate commission.

Section 16-5-13 Powers and duties of governing boards of public institutions of higher education; commission relationship with state board and Chancellor.

Section 16-5-14 Acceptance and expenditure of gifts, grants, etc.

Section 16-5-15 Submission of facilities master plans by public institutions of higher education; review by commission; freeze on construction and acquisitions; prioritization of capital budget requests; exemption of facilities on military reservation.

Article 2 Committee to Improve Postsecondary Education Participation.

Section 16-5-30 Committee established to improve postsecondary education participation; membership.

Section 16-5-31 Duties.

Section 16-5-32 Postsecondary Education Communication Center created; center to operate statewide computer network, develop interactive communication system, establish annual ninth graders data base, operate toll-free numbers, and research factors affecting educational choices.

Section 16-5-33 Funding.

Section 16-5-1
Definitions.

The following terms shall have the meanings respectively prescribed for them, except when the context otherwise requires:

(1) PUBLIC INSTITUTIONS OF HIGHER EDUCATION. Those public educational institutions in Alabama which have been authorized by the Legislature or by the constitution to provide formal education, including vocational, technical, collegiate, professional or any other form of education, above the secondary school level.

(2) COMMISSION. The Alabama Commission on Higher Education created by this article.

(3) INSTRUCTIONAL PROGRAM. A series of courses at any one location which culminates in a degree, certificate or other formal recognition of academic credit.

(4) UNIT. A school, college, division or institute and includes the establishment of any new branch or campus. The term does not include reasonable extension or alterations of existing curricula or programs which have a direct relationship to existing programs previously approved by the commission; the commission may, under its rule-making authority, define the character of such reasonable extension and alterations.

(5) OFF-CAMPUS OFFERING. Any credit course, instructional unit or instructional program conducted off the main campus of any postsecondary institution in existence and separately accredited by the Southern Association of Colleges and Schools, at the time of the passage of this article, or of any new campus previously or hereafter approved by the commission.

(Acts 1969, Ex. Sess., No. 14, p. 28, §1; Acts 1979, No. 79-461, p. 816, §1.)

Section 16-5-2
Composition; appointment; qualifications of members; duties.

(a) The commission shall consist of 12 members. Ten of these members shall be appointed by the Governor, one shall be appointed by the Lieutenant Governor, and one shall be appointed by the Speaker of the House of Representatives by and with the advice and consent of the Senate. One person shall be appointed from each United States Congressional District in Alabama and shall reside or maintain an office or place of business within the congressional district from which he is appointed, and the remaining members shall be appointed from the state at large with no more than two in number of the total 12 members being from the same congressional district.

(b) The 12 members shall be citizens of the state and shall be selected, as far as may be practicable, on the basis of their interest in higher education. Appointees shall be selected without regard to political affiliation and appointments shall be of a nature as to aid the work of the commission and to inspire the highest degree of cooperation and confidence. No member of the commission shall be on the governing boards, be employed by or directly connected with any institution of higher education in the state, the State Department of Education or any county or other local board of education. No member of the commission shall serve past June 30th following his seventieth birthday. All members of the commission shall be deemed members at large charged with the responsibility of serving the best interest of the entire system of higher

education in the state. No member shall act as the representative of any particular region or of any particular institution of higher education. New appointments to the commission shall be made so that the total membership of the commission is broadly representative of the total population of the State of Alabama.

(c) The commission shall serve in an advisory capacity to the Legislature and the Governor of this state in respect to all matters pertaining to state funds for the operation and the allocation of funds for capital improvements of state supported institutions of higher education. The initial membership of the commission and the term of each initial member is as follows in Section 16-5-3.

(Acts 1969, Ex. Sess., No. 14, p. 28, §2; Acts 1979, No. 79-461, p. 816, §2.)

Section 16-5-3

Terms of office; reconfirmation of current members; appointment of new members; vacancies; reappointment.

(a) Members of the commission shall be selected for nine-year terms expiring on August 31 of the respective year. The current nine members are subject to reconfirmation by the Senate and shall continue to the expiration of their respective terms subsequent to such reconfirmation, but shall continue to serve as appointed until such reconfirmation. In the event that the Senate shall fail to reconfirm a current member, the Governor shall with the advice and consent of the Senate appoint a replacement for the unexpired term. Of the three new appointees, one shall be appointed by the Governor for a term of three years, one shall be appointed by the Lieutenant Governor for a term of six years and one by the Speaker of the House of Representatives for a term of nine years.

(b) The members of the commission shall continue to serve after the expiration of their terms until their successors have been appointed. In the event that the number of congressional districts shall change, incumbents on the commission shall complete their terms as members of the commission. If the number of congressional districts shall change, the membership will remain at 12 with the number of at-large memberships being adjusted, if necessary, so that each congressional district is represented. If the Senate is not in session or is in recess when the term of a member expires, the initial appointing authority shall make a temporary appointment of a succeeding member who shall serve subject to subsequent Senate approval of the appointment.

(c) Vacancies and new appointments on the commission shall be filled by appointment of the ex officio officer responsible for the initial appointment. If the Senate is not in session or is in recess when the appointment is made, the appointee shall serve subject to subsequent approval of the appointment.

(d) Any person who serves for five or more years as a member of the commission shall not be eligible for reappointment to succeed himself or herself until the next vacancy occurs after his or her successor is named.

(Acts 1969, Ex. Sess., No. 14, p. 28, §3; Acts 1979, No. 79-461, p. 816, §3.)

Section 16-5-4

Organization; chairperson; meetings, quorum, agenda, etc.; expenses; executive director and employees; retirement system.

(a) The commission shall elect annually from its own members a chairperson and such other officers as it deems desirable and shall adopt rules for its organization in the conduct of its business.

(b) The commission shall hold regular meetings at such times as are specified in its rules. Special or additional meetings may be held on call of the chairperson, or upon a call signed by at least six members, or upon call of the Governor. The commission is encouraged to meet as often as seems desirable on the campuses of institutions of higher education in the state. The commission shall meet at least once every three months. A majority of the members of the commission shall constitute a quorum at all its meetings but the approval of a new unit or program of instruction, or a new public institution of higher education, or the recommendation for a new unit of research or public service as provided in Section 16-5-8, shall require the concurrence of a majority of all the members of the commission. An agenda for the meetings in sufficient detail to indicate the terms on which final action is contemplated shall be mailed to the chairperson of each governing board and to the chief administrative officer of each public institution of higher education at least two weeks prior to the meeting. Any public institution of postsecondary education or the State Board of Education may place an item for discussion on the agenda of the next commission meeting by informing the executive director of the commission, in writing, of such request at least three weeks prior to the meeting.

(c) Members of the commission shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties.

(d) The commission may appoint a highly qualified person as its executive director who shall, with the consent and approval of the commission, select and supervise the commission's staff and perform such other duties as may be delegated to the executive director by the commission, within the amounts made available for the operation of the commission. The appointment of the executive director shall be subject to confirmation by the Senate. Failure of the Senate to confirm the executive director shall result in his or her dismissal within 90 days thereafter.

(e) The executive director shall, with the consent and approval of the commission, employ professional and clerical staff and other assistants, including specialists and consultants, upon a full-time or part-time basis as are necessary to assist the commission and the executive director in performing the duties assigned by this chapter. The number of employees, their compensation, and the other expenditures of the commission shall be within the limits and in compliance with the appropriation made therefor by the Legislature and within budgets that shall be approved from time to time by the commission.

(f) All full-time employees of the commission shall be eligible to participate in the state Teachers' Retirement System.

(Acts 1969, Ex. Sess., No. 14, p. 28, §4; Acts 1979, No. 79-461, p. 816, §4; Acts 1996, No. 96-497, p. 627, §1.)

Section 16-5-5

Commission to analyze and evaluate education needs; advisory and consultant groups; Council of Presidents.

The commission, in consultation with the agencies and institutions concerned with higher education in this state, shall analyze and evaluate on a continuing basis the present and future needs for instruction, research and public service in postsecondary education in the state, including facilities, and assess the present and future capabilities. The use of advisory groups and consultants, as deemed desirable, may be used to meet these needs in order to provide the highest possible quality of collegiate and university education to all persons in the state able and willing to participate. One such advisory committee shall be the Council of Presidents, consisting of the president of each public four-year institution of higher education and Athens State University, the Chancellor of Postsecondary Education, and the presidents of three public two-year institutions of higher education, to be selected by the chancellor.

(Acts 1979, No. 79-461, p. 816, §5; Act 2014-326, §1.)

Section 16-5-6

Long-range planning.

The commission shall be responsible for statewide long-range planning for postsecondary education in Alabama. Such planning shall be the result of continuous study, analysis and evaluation. Plans will include the establishment of statewide objectives and priorities with methods and guidelines for achieving them.

(Acts 1979, No. 79-461, p. 816, §6.)

Section 16-5-7

State university and college electronic faculty and student unit record system; definitions; state coordinating agency; advisory committee; database reports; failure to comply with requirements.

(a) For the purposes of this section, the following words shall have the following meanings:

(1) BIOGRAPHICAL AND DEMOGRAPHIC DATA ELEMENTS. Include, but are not limited to, student identification number which shall not be the Social Security number, sex code, race and ethnic identification code, birth date, country of citizenship, state of geographic origin on entry, matriculation date, and college graduation date.

(2) CURRENT EDUCATIONAL ACTIVITY DATA ELEMENTS. Include, but are not limited to, student level, major area code, credit hours enrolled, cumulative credit hours attempted, cumulative credit hours earned, cumulative grade point average (GPA), state of current legal residence, residency status, cumulative quality points, veterans' benefits status, housing status, minor/teaching field code, and financial aid status.

(3) DATA ELEMENTS. Include, but are not limited to, biographical and demographic data, previous educational experience data, and current educational activity data.

(4) PREVIOUS EDUCATIONAL EXPERIENCE DATA ELEMENTS. Include, but are not limited to, high school graduation date, high school code, high school average, American College Test (ACT) scores, Scholastic Aptitude Test (SAT) scores, transfer college, transfer hours earned at the undergraduate level, transfer grade point average at the undergraduate level, and admission status.

(5) RESIDENT/NONRESIDENT STUDENT. In determining resident or nonresident classification, the primary issue is one of intent. If a person is in Alabama primarily for the purpose of obtaining an education, that person shall be considered a nonresident student.

(6) STUDENT UNIT RECORD. Specific items of information pertaining to individual students enrolled at a public two-year or four-year institution of higher education.

(7) ELECTRONIC STUDENT UNIT RECORD DATA SYSTEM. The collective student unit records of all public two-year and four-year institutions of higher education.

(b) The commission, after affording a full opportunity to two-year and four-year public institutions of higher education and the public to be heard, shall design and establish a state university and college electronic student unit record system to provide comprehensive, meaningful, and timely information pertinent to the formulation of decisions and recommendations by the commission. The information submitted by the public institutions of higher education shall be in comparable terms that meet the specific format for the student unit records as established by the Executive Director of the Alabama Commission on Higher Education in complete and full consultation with the Chancellor of the Postsecondary Department of Education, and the Chairman of the Council of College and University Presidents. The reports developed through the system shall conform to the procedures established by the commission. The data elements of a student record shall include, but not be limited to, the following:

(1) Biographical and demographic data elements.

(2) Previous educational experience data elements.

(3) Current educational activity data elements.

(4) Residency status and whether the student pays tuition as a resident or a nonresident student.

(c) The commission shall be the state coordinating agency for all data collection requirements of the federal government which require state level coordination and relate to postsecondary education. The commission shall make every effort to minimize the reporting burden on the institutions by using the existing reports of the federal government.

(d) The commission shall establish an advisory committee comprised of, but not limited to, representatives of the public institutions of higher education and the State Board of Education to assure that the expertise and concerns of the institutions relative to this section, both individually and collectively, shall be provided to the commission.

(e) The database shall be configured to possess the capabilities to include:

(1) Reports to individual high school officials and the State Board of Education using information captured by the student unit record data base concerning the progress made by their respective graduates within the public institutions of higher education in Alabama. Using data captured through the system, the commission shall generate reports to assist legislators, the Governor and educators in informed decision making on education issues.

(2) Reports on student retention and graduation rates.

(3) Reports on student transfers across sectors, institutions, and within institutions.

(4) Reports on the status of out-of-state students.

(f) The information provided by each institution to the commission pursuant to subsections (a) to (g), inclusive, shall be subject to audit by the commission or by the Department of Examiners of Public Accounts.

(g) The commission shall immediately report to the Legislature the failure of any public institution of higher education to comply with the requirements of subsections (a) to (g), inclusive, by means of written notice delivered to the Lieutenant Governor, the Speaker of the House, the Chair of the Senate Committee on Finance and Taxation-Education and the Chair of the House Committee on Ways and Means.

(h) The format used to collect student data shall be developed by the Executive Director of the Alabama Commission on Higher Education in complete and full consultation with the Chancellor of the Postsecondary Department of Education, and the Chairman of the Council of College and University Presidents.

(i)(1) The commission, after affording a full opportunity to the two-year and four-year public institutions of higher education and the public to be heard, shall design and establish a state university and college information system, to include an electronic faculty unit record system, in order to provide comprehensive, meaningful, and timely information pertinent to the formulation of decisions and recommendations by the commission and the Legislature. The information, including the data components required by the electronic faculty unit record system, submitted by the public institutions of higher education shall be in comparable terms and shall meet the specific requirements as established by the commission and the reports developed through the system shall conform to the procedures established by the commission.

(2) In order to promote accountability, the commission shall establish a uniform electronic faculty unit record system for the purpose of obtaining information on faculty work loads at two-year and four-year public institutions of higher education in the state. Each two-year and four-year public institution in the state shall report annually to the commission its individual faculty work loads. The commission shall then forward a summary of this information to the Governor and the Legislature and the Chair of the Council of College and University Presidents and the State Board of Education. Nothing in this subsection shall be construed to authorize or permit the commission to set standards or establish policies for public institutions of higher education concerning faculty and staff hiring, promotion, or retention. This authority shall rest solely with the governing board of the institution.

(Acts 1969, Ex. Sess., No. 14, p. 28, §5; Acts 1979, No. 79-461, p. 816, §7; Acts 1996, No. 96-509, p. 647, §§1, 2; Acts 1996, No. 96-771, p. 1421, §1.)

Section 16-5-8

Review, coordination, establishment, etc., of programs; transfer of credits; Articulation and General Studies Committee.

(a)(1) The Commission on Higher Education is authorized to review periodically all new and existing programs and units of instruction, research, and public service funded by state

appropriations at the state universities and colleges and to share with the appropriate governing board, through the president of the institution, and state Legislature, its recommendations.

(2) As a part of its program review process, the commission shall enforce, monitor, and report on minimum degree productivity standards for all existing programs of instruction at public two-year and four-year institutions of higher education. Productivity standards shall be based, primarily, but not exclusively, on the annual average number of degrees conferred during a five-year period for senior institutions and a three-year period for two-year institutions, as verified by the commission. Minimum productivity standards will vary by degree level. The annual average number of degrees conferred constitutes a productivity standard by which programs shall be deemed viable or non-viable. The data source for degrees awarded per category per institution will be the Integrated Postsecondary Education Data System (IPEDS) annual completions survey. The viability standard annual graduation rates shall be: A diploma, certificate consisting of 45-90 quarter hours; associate or baccalaureate degree program, 7.5 graduates per year; a masters degree program, 3.75 graduates per year; an education specialist degree program, 3 graduates per year; and a doctoral degree program, 2.25 graduates per year. In vocational and technical programs, a student who leaves the program for purposes of gainful employment, in the same field of study as the program, having obtained the skills in said program, shall count as a graduate. For two-year technical and vocational college programs, a student who completes 40 quarter hours or equivalent programs shall be deemed and counted as a graduate for purposes of viability standards. It is the responsibility of the institution to document and verify to the reasonable satisfaction of the commission that the student should be counted as a graduate as provided in this section. This documentation shall include the name of the specific employer and the point in said program that student obtained said employment. The commission shall identify non-viable programs and notify the institution in writing of that determination. The institution has three years from the date of that notification to meet the minimum productivity standard. Failure to meet the minimum productivity standard within the three years will result in the phase-out of the identified programs within three years. New programs approved by the commission within two years prior to May 20, 1996, shall not be subject to this subsection for a period of five academic years.

(3) An institution may request a waiver of the non-viability of a program that does not meet the minimum productivity standard due to the unique and extraordinary characteristics of that program. The request for a waiver must be made in writing to the commission and the justification for the waiver must be documented by the institution. Factors that the commission may consider in a decision to grant the waiver shall include, but not be limited to: The employment and placement of program enrollees in that program-related area of employment; the transfer of program enrollees to other institutions for purposes of educational advancement; the success of program graduates; the lack of duplication of that program in the state; market demands; other unique aspects of the program; and the objectives and requirements of *Knight v. Alabama*. The commission shall grant or deny the request for the waiver and notify the institution and its respective governing board in writing of that determination.

(4) The commission shall annually report to the committee, the Governor, the State Board of Education, and the Council of College and University Presidents the status of programs determined to be non-viable. This report shall include information for each institution and its respective non-viable program offerings. The annual report shall also list any programs not meeting the minimum standard as set forth in this section which were granted waivers by the commission along with the commission's rationale for granting the waiver for said programs.

(b) The commission shall seek through the use of advisory committees to study needless duplication of education, research, or service programs and programs which are not adequately provided in the state, and shall make findings and recommendations to the institutions, the Governor, and the Legislature that would strengthen the total program of higher education in the state.

(c) The governing boards of public institutions of higher education in this state and the campuses under their governance or supervision shall not undertake the establishment of any new unit or program of instruction for academic credit with state funds before submitting plans for the new unit or program to the commission for its review, evaluation, and approval. No state funds shall be expended by any public institution on any new unit or program of instruction which has not been approved by the commission. Any plan submitted to the commission, or its staff, and not receiving final action by the commission within 10 months of submission shall be considered approved. The term "new unit of instruction," includes the establishment of a college, school, division, or institute, and includes the establishment of any new branch or campus. The term does not include reasonable extensions or alterations of existing curricula, or programs which have a direct relationship to existing programs. The commission may, under its rulemaking power, define the character of the reasonable extensions and alterations.

(d) The commission shall have the authority to authorize and regulate off-campus offerings, new or existing; except courses taught at business and industry sites intended exclusively for employees of business and industry. An exception to this off-campus authority is provided for the branch campuses of universities or branch campuses of junior colleges in existence at the time of passage of this chapter whose fall 1978 registrations exceeded 500 class enrollments and branch campuses of universities operating prior to 1960. For those branches which began operating since 1960, the commission shall present its recommendation for the continuation or termination of each branch with full findings of fact to the Legislature before a public joint meeting of the Education Committees of the House and Senate no later than the fifth legislative day of the 1981 Regular Session of the Legislature. In making the recommendation, the commission shall not use the ratio of full-time faculty to part-time faculty and/or a requirement to attend the main campus for degree completion as a part of its judgment of the quality of a program or branch campus. The education committee of each house shall report to its respective house with a concurrence or nonconcurrence on each recommendation of the commission. Debate on each recommendation shall be limited to one hour of continuous uninterrupted discussion for each recommendation and at the end of the time, it shall be mandatory that the President of the Senate and the Speaker of the House shall in their respective houses call for a recorded vote. The resolution by simple majority of both houses is required to affirm a commission recommendation. No more than one branch shall be continued or terminated in one resolution.

(e) The Computerized Advisement System for students operated by Troy State University which includes a comprehensive undergraduate program and course information for all public two-year and four-year institutions of higher education, existing on March 17, 1994, shall ensure students at each two-year institution accredited by the Southern Association's Commission on Colleges, the opportunity to enter into a contract with a four-year institution guaranteeing the transfer of credit earned for courses taken at the two-year institution pursuant to the terms of the contract provided the student is admitted to the four-year institution. Under this contract, all agreed upon credits transferred from a two-year institution to a four-year institution shall fulfill degree requirements at the four-year institution as if they were earned at the four-year institution. Information regarding this advisement and contracting program shall be included in the official

catalog of each institution of higher education. All public two-year and four-year institutions in the state accredited by the Commission on Colleges shall participate in this system.

In addition, there is created an Articulation and General Studies Committee which shall consist of ten members composed as follows: Two representing the state's regional universities, three representing the state's two-year colleges (one of whom shall be Black), and one representing each of the following: Auburn University, the University of Alabama System, the University of South Alabama, Alabama State University, and Alabama A & M University. The Executive Director of the Alabama Commission on Higher Education and the Director of the Computerized Advising System operated by Troy State University shall serve as nonvoting members.

Unless provided by the governing board of the respective institution, the representatives to the Articulation and General Studies Committee shall be selected in the following manner: The presidents of the state's regional universities shall select the two representatives of these institutions on the committee. The State Board of Education shall select the representatives of the state's two-year colleges on the committee. The Chancellor of the University of Alabama System and the Presidents of Auburn University, the University of South Alabama, Alabama State University, and Alabama A & M University shall each select the representative of their institutions on the committee. It is the intent of the Legislature that women be represented on the committee. This committee, utilizing whatever resources and task forces it deems appropriate, shall develop no later than September 1, 1998, a statewide freshman and sophomore level general studies curriculum to be taken at all colleges and universities. Nothing herein shall be interpreted as restricting any institution from requiring additional general studies courses beyond the statewide general studies curriculum.

This committee shall also develop and adopt no later than September 1, 1999, for the freshman and sophomore years, a statewide articulation agreement for the transfer of credit among all public institutions of higher education. Under this articulation agreement, all applicable credits transferred from a two-year institution to a four-year institution shall fulfill degree requirements at the four-year institution as if they were earned at the four-year institution. The committee shall further examine the need for a uniform course numbering system, course titles, and descriptions.

A four-fifths vote of the entire voting membership of the committee shall be required for the adoption of the articulation agreement and general studies curriculum. Upon adoption of the articulation agreement and general studies curriculum, this committee shall continue its duty and authority prescribed herein. The committee shall meet at least annually, or at other times as convened by the chair. The committee shall elect annually a chair from its membership. The chair of the committee shall rotate annually between a representative of the four-year institutions and a representative of the two-year institutions.

In case of problems in the administration or interpretation of the articulation agreement or the general studies curriculum, institutions shall present the problem to the Articulation and General Studies Committee for resolution. A majority decision of the committee shall be final and binding.

The budget recommendation of the commission shall not include an appropriation for institutions of higher education violating the stipulations of this section.

(f) Nothing in this or any section, however, shall be construed to prohibit any institution of higher education in this state from seeking and securing by separate bill the approval of the Legislature

for any new unit or program of instruction, research, or public service denied approval by the commission, in which case the action of the Legislature, when approved by the Governor or otherwise upon becoming law, is final.

(g) Colleges and universities conducting off-campus offerings on military reservations are exempt from the commission's regulatory review and approval authority for those offerings on the military reservation.

(Acts 1969, Ex. Sess., No. 14, p. 28, §6; Acts 1979, No. 79-461, p. 816, §8; Acts 1994, No. 94-202, p. 257, §1; Acts 1996, No. 96-557, p. 823, §1; Act 2000-409, p. 760, §1.)

Section 16-5-9

Budget proposals; open hearings; unified budget report; recommendations.

(a) The governing boards of the public institutions of higher education shall submit to the commission through their appropriate administrative officers, not later than 90 days prior to each legislative session, its budget proposals for the operation and capital needs of the institution under its governance or supervision.

(b) The commission shall receive, evaluate and coordinate budget requests for the public institutions of higher education of this state, shall hold open hearings on the budget requests of the separate institutions and shall present to each institution and to the Governor and the Legislature, a single unified budget report containing budget recommendations for separate appropriations to each of the institutions. The consolidated budget and analysis of the commission shall be accompanied by the original requests and their justifications as submitted by each institution. The recommendations of the commission shall be derived directly from its assessment of the actual funding needs of each of the universities, as presented to it by the presidents, which assessment may include, but shall not be limited to, derived conclusions that may be based upon standard techniques of objective measurement, need and unit cost figures arrived at through the use of comparative and verified data secured from the various institutions, applied in an impartial and objective manner, and comparison shall be made not only between similar functions of institutions in Alabama but also between Alabama institutions and similar functions of institutions located in other states, provided that nothing herein shall be construed to prohibit any institutions of higher education in this state from submitting any matter pertaining to the financial operation and needs of said institution to the Legislature or to the Governor at any time.

(Acts 1969, Ex. Sess., No. 14, p. 28, §7; Acts 1979, No. 79-461, p. 816, §9.)

Section 16-5-10

Additional powers and duties of commission.

The commission shall exercise the following powers and duties in addition to those otherwise specified in this article:

- (1) To cause to be made such surveys and evaluations of higher education as are believed necessary for the purpose of providing appropriate information to carry out its powers and duties.
- (2) To recommend to the Legislature of Alabama the enactment of such legislation as it deems necessary or desirable to insure the highest quality of higher education in this state taking into consideration the orderly development and maintenance of the state system of public higher education to meet trends in population and the change in social and technical requirements of the economy.
- (3) To advise and counsel the Governor, at his request, regarding any area of, or matter pertaining to, postsecondary education.

(4) To establish definitions of a junior college, a community college, a technical college or institute, a senior college, a university and university system; provided, that nothing herein shall be construed as authorizing the commission to establish or create any university system, nor to alter any university system presently existing.

(5) To develop and publish criteria which may be used by the Legislature as a basis:

a. For changing the classification of any public institution of higher education; and

b. For determining the need for new public junior colleges, public senior colleges, universities or university systems.

Any proposed statute which would establish an additional institution of higher education may be submitted, either prior to introduction or by the standing committee considering same to the commission for its opinion as to the need for the state therefore, and the commission shall report its findings to the Governor and the Legislature.

(6) To cause studies to be made for the purpose of classifying and prescribing the role and scope for each public institution of higher education in Alabama and to recommend such changes in classification or role and scope for such institutions as it deems necessary and which may be agreed to by the governing board of the institution. In making studies and recommendations for the purpose of classifying and prescribing the role and scope of institutions, the commission shall do so without regard for race and traditional role of the institution, provided, however, that in the absence of compelling reasons to the contrary the commission shall give priority to institutions having seniority in years of operation in the service area. When making recommendations for the elimination of duplication of educationally unnecessary programs, absent justifiable reasons to the contrary, the commission shall recommend the replacement of such programs and/or services with programs and/or services that will strengthen and enhance the role of the institution affected.

(7) To hear applications from the institutions for changes in classification or role and scope and to recommend to the Legislature for clarification such classifications in role or scope which may not be agreed to by the governing board of any institution.

(8) To make continuing studies, on its own initiative or upon the request of the Governor or the Legislature, of the financial needs of public higher education and issue such reports to the Governor and the Legislature as may result from its studies.

(9) To submit to the Governor and the Legislature on or before the first day in January of each year a written report covering the activities of the commission and the state of higher education in Alabama. The report shall include:

a. Statements of the nature, progress or result of any studies undertaken or completed during the past fiscal year;

b. Comments upon major developments, trends, new policies, budgets and financial considerations which, in the judgment of the commission will be useful in planning a sound program of higher education; and

c. Recommendations respecting postsecondary education in this state as may be appropriate.

(10) To make rules and regulations for its meetings, procedures and execution of the powers and duties delegated to it by this article.

(11) To encourage the establishment and development of formal consortia for the advancement of higher education comprised of institutions of higher education in the state.

(12) To conduct a program of public information in order to inform citizens of the state of matters of importance to higher education in Alabama.

(13) To serve as the state agency for the administration of those titles of the Higher Education Act of 1965 (Public Law 89-329) as amended for those programs requiring a single state agency for which the commission qualifies, unless otherwise designated by executive order.

(14) To authorize and regulate instructional programs or units offered by non-Alabama institutions of postsecondary education in the State of Alabama. No institution of postsecondary education located outside of Alabama may offer units or programs of instruction within Alabama without

prior approval of the commission, except for those units or programs approved by regional accrediting authorities located in states participating in reciprocity agreements entered into by the Governor or the commission. The commission under its rule-making authority shall establish criteria for the approval of such institutions and programs. The commission shall promulgate a schedule of programmatic review fees, commensurate with the cost of commission activities related to programmatic review, not exceeding fifteen thousand dollars (\$15,000) per institution. Any programmatic review fee collected from a non-Alabama institution of postsecondary education shall be deposited in the State Treasury to the credit of the commission and funds collected are hereby appropriated to the commission.

(15) The powers and duties of the commission shall apply equally to all postsecondary institutions regardless of any authority that may be, or has been, conferred upon them by the constitution or by statutes.

(Acts 1969, Ex. Sess., No. 14, p. 28, §8; Acts 1979, No. 79-461, p. 816, §10; Act 2013-368, p. 1323, §1.)

Section 16-5-11

Commission responsible for certain functions.

(a) The commission is designated the agency responsible for those functions under the Southern Regional Compact for Education (Act 227, HJR 42, 1949; Act 40, HJR 21, 1955) and those functions in Sections 16-3-32 through 16-3-35, heretofore assigned to the State Board of Education with funds that may be appropriated to it by the Legislature for that purpose.

(b) In addition to the function of the commission pursuant to subsection (a) and supplemental thereto, the commission may designate a portion of funds available for chiropractic scholarships for advanced education in health-related advanced education courses at the postdoctoral level at public or private nonprofit colleges and universities within this state.

(Acts 1979, No. 79-461, p. 816, §11; Act 2010-724, p. 1800, §1.)

Section 16-5-12

Committee to evaluate commission.

Two years after the establishment of the commission and during the last year of each gubernatorial term, the commission shall appoint a committee of at least three consultants who are not associated with higher education in this state to evaluate the effectiveness of the work of the commission and to recommend changes as needed. A report prepared by the committee shall be submitted to the Governor, the Legislature, the presidents and governing boards of the public institutions of higher education of this state and the public.

(Acts 1969, Ex. Sess., No. 14, p. 28, §9; Acts 1979, No. 79-461, p. 816, §12.)

Section 16-5-13

Powers and duties of governing boards of public institutions of higher education; commission relationship with state board and Chancellor.

(a) Governing boards of the public institutions of higher education of this state shall retain all powers and duties heretofore given and conferred upon them by the constitution or by any law expressed or implied, to govern, control and operate the institutions for which they are responsible. The commission shall work with and support the respective boards and except where otherwise authorized by this statute, shall act in a fact-finding and advisory capacity. (b) The State Board of Education and any successor board or boards which govern the state's public

postsecondary institutions, including senior institutions, community colleges, junior colleges and postsecondary technical institutes or colleges, shall stand in the same relationship to the commission as do university boards of trustees. The Chancellor shall stand in the same relationship to the commission as do presidents of the universities.

(Acts 1969, Ex. Sess., No. 14, p. 28, §10; Acts 1979, No. 79-461, p. 816, §13; Acts 1982, No. 82-486, p. 805, §11.)

Section 16-5-15

Submission of facilities master plans by public institutions of higher education; review by commission; freeze on construction and acquisitions; prioritization of capital budget requests; exemption of facilities on military reservation.

(a)(1) Each public two-year and four-year institution of higher education shall submit to the commission a facilities master plan. The commission shall review the master plans of each institution and shall make known any concerns and/or recommendations that it may have concerning four-year institutions to its respective board of trustees or, concerning two-year institutions, to the State Board of Education. This plan shall include the five-year plan of the institution regarding new facility construction and acquisition.

(2) The initial facilities master plan shall be filed with the commission prior to January 1, 1997. The plan shall be updated by the institution annually if changes are desired by the institution.

(b) The commission, in consultation with the Council of College and University Presidents and the State Board of Education shall adopt a standard, uniform method of reporting the five-year master plans. This process shall require the commission to notify the institution, the respective boards of trustees and the State Board of Education, within 60 weeks the findings of its review.

(c)(1) A freeze, effective January 1, 1997, for a period of one year on all new facilities construction and acquisitions of existing facilities shall be imposed on public two-year and four-year institutions of higher education, with the exception of those facilities mandated by the Knight, et al. v. State of Alabama consent decree and court order. Any available or budgeted capital funds may be used to renovate, replace, or restore existing facilities. Any facilities already approved by the appropriate governing board prior to January 1, 1997 are exempt from this subsection.

(2) All capital budget requests made by a public institution of higher education to the commission shall be prioritized. Such requests shall also be accompanied by a needs assessment and be included as part of each institution's master plan.

(3) Colleges and universities conducting off-campus facilities on military reservations are exempt from the commission's regulatory review and approval authority for those facilities on the military reservation.

(Acts 1996, No. 96-539, p. 755, §1.)

- Article 2 Committee to Improve Postsecondary Education Participation.

Section 16-5-30

Committee established to improve postsecondary education participation; membership.

The Alabama Commission on Higher Education shall establish a statewide steering committee to improve participation in two-year and four-year postsecondary education. The commission shall appoint the members of the steering committee. The committee shall be composed of representatives of each of the following groups:

(1) Two-year postsecondary institutions.

(2) Four-year postsecondary institutions.

(3) The State Parent-Teacher Association.

(4) The organization that represents the majority of education employees in the state.

- (5) The organization that represents the majority of school boards.
- (6) Governmental agencies.
- (7) Foundations.
- (8) The business community.
- (9) The Alabama AFL-CIO.

(Acts 1993, No. 93-369, p. 630, §1.)

Section 16-5-31

Duties.

The steering committee shall perform each of the following duties:

- (1) Seek methods to improve participation in two-year and four-year postsecondary education.
- (2) Seek methods to improve high school retention.
- (3) Encourage the State Board of Education and local boards of education to adopt courses of study that prepare students for two-year and four-year technical, vocational, and academic programs.
- (4) Organize and supervise local groups to perform each of the following functions:
 - a. Encourage participation in two-year and four-year postsecondary education.
 - b. Improve high school retention.
 - c. Encourage the adoption by the local board of education of two-year and four-year postsecondary education preparatory courses of study.
 - d. Provide tutorial, counseling, and other educational assistance to local junior and senior high school students.
- (5) Advise the Alabama Commission on Higher Education regarding the operation of the Postsecondary Education Communication Center established in Section 16-5-32.

(Acts 1993, No. 93-369, p. 630, §2.)

Section 16-5-32

Postsecondary Education Communication Center created; center to operate statewide computer network, develop interactive communication system, establish annual ninth graders data base, operate toll-free numbers, and research factors affecting educational choices.

- (a) The commission shall enter into a contract with a state educational institution to establish a Postsecondary Education Communication Center to operate a statewide computer network and to perform the functions prescribed in this section. The commission shall supervise the operation of the center. The functions and services of the Postsecondary Education Communication Center shall not duplicate the functions and services provided by the Computer Articulation Program operated by Troy State University.
- (b) The center shall assist and support the steering committee and local groups in fulfilling their duties.
- (c) The center shall develop and provide an interactive communication system that accomplishes each of the following:
 - (1) Creates awareness among students and their families of the important role of education in providing a foundation for future well-being.
 - (2) Provides information services to facilitate educational attainment, participation in postsecondary education, and career development.
 - (3) Assists students and their families to assess student preparedness for two-year and four-year postsecondary education.
- (d) The center shall annually establish a data base of all ninth graders whose parents authorize the steering committee or a local group to include the child in the data base. The center shall develop communications to provide to local groups and the steering committee to distribute to

these ninth graders and to other interested persons. These communications may include surveys, newsletters, reports of student preparedness for two-year and four-year postsecondary education, and high school planning books.

(e) The center shall operate a toll-free telephone information number providing students and their parents information regarding two-year and four-year technical, vocational, and academic programs, career planning, financial aid, admission requirements, course of study majors, support services, athletics, and other relevant matters. The center shall implement necessary communication methods to inform the public of the availability of the toll-free telephone service.

(f) The center shall engage in necessary research to better understand the decision-making process and intervention strategies that affect the decision of a student to remain in high school and pursue a two-year or four-year postsecondary education.

(Acts 1993, No. 93-369, p. 630, §3.)

Section 16-5-33

Funding.

The Alabama Commission on Higher Education may seek additional funding from foundations, governmental entities, federal grants, businesses, and other sources to supplement the state funding necessary to implement this article.

(Acts 1993, No. 93-369, p. 630, §4.)