

**SURVIVAL OF THE FITTEST? THE REBRANDING
OF WEST VIRGINIA HIGHER EDUCATION**

**EXCERPT: CHAPTER FOUR: REGULATORY BODIES AND
THE “COLLEGE-TO-UNIVERSITY” CHANGE**

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Dissertation submitted to the Faculty of the
Marshall University Graduate College
in partial fulfillment of the
requirement for the degree of

Doctor of Education
in
Educational Leadership

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Huntington, West Virginia, 2007

Keywords: Higher education, rebranding, brand identity, college-to-university

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CHAPTER FOUR: REGULATORY BODIES AND THE “COLLEGE-TO-UNIVERSITY” CHANGE

*There are two great rules of life . . . The first is that everyone can, in the end, get what he wants, if he only tries. That is the general rule. The particular rule is that every individual is, more or less, an exception to the rule. – Samuel Butler (n.d.).
Hell, there are no rules here; we are trying to accomplish something. – Thomas Alva Edison (n.d.).*

For 19 long years, supporters of Southwest Missouri State University (SMSU) wanted a name that reflected its stature as the second largest institution in the state. Because they had attracted students from across the “Show-Me State,” they also desired statewide status to replace their existing regional designation. What they desired was to be Missouri State University. Even when other schools in the state were being rebranded, Southwest Missouri State sat in the wings patiently waiting for a suitor to punch her “name change” card, but year after year, the answer was the same – a resounding no. From behind the scenes, her big sister, the University of Missouri, prevented any romance between the legislature and SMSU from even remotely being kindled.

While a number of Missouri’s public institutions had rebranded over the past 20 years, nothing typified the perseverance of what eventually became Missouri State University in 2005. Although students petitioned for the dropping of the double directional moniker in 1979, the beginnings of SMSU’s courting ritual began in 1986. During the first day of the 1986 legislative session, Senate Bill 662 requesting the name change was introduced in the State Senate and died shortly afterward in the Senate Education Committee. Two years later, separate bills were introduced in the House and Senate. While the House bill was defeated in a floor vote, the Senate version never advanced out of the committee (Goodwin, 2005).

While the name change idea was put on hold, efforts to move to statewide status began in 1993. During that year, SMSU's entrance standards increased. This mirrored the steps previously taken by Northeast Missouri State (now Truman State University) in its move away from a regional designation. By 1995, Governor Mel Carnahan signed Senate Bill 340 into law, which extended SMSU's mission to one that incorporated a statewide mission in public affairs ("Statewide Mission," 1995; Thompson, S.C., 1995).

After a hiatus, the name change agenda returned every legislative session from 2002 through 2005. In 2002, the House passed the bill and the Senate Education Committee approved it; however, Senator Ken Jacob led a filibuster that effectively killed the bill in the Senate. Jacob, whose jurisdiction included Columbia, MO – the hometown of the main campus of the University of Missouri, made it known that he was protecting the state's flagship institution (Flory, 2002). While bills were introduced in 2003, these were not taken seriously after Ken Jacob threatened another filibuster (Goodwin, 2005). Jacob, however, sponsored a bill to move SMSU into the University of Missouri system as its fifth campus. This would effectively change the school's funding structure. SMSU vehemently opposed this proposed change in school governance (Carlisle, 2003; "Southwest Missouri State Opposed," 2003). When the dust settled at the end of the session, little sister Missouri Southern State College was elevated to "university status" and received an altered name; however, as Steve Kohler reported, SMSU was "left at the 'name change' altar once again . . . the school likely will remain a bridesmaid for quite a while" (2003, p. 1B).

For a third straight year, bills were introduced in both the House and Senate to rename Southwest Missouri State University as Missouri State University. Hoover

termed the 2004 ongoing battle among lawmakers as “the ugliest fight in the legislature so far this year” (2004, p. B1). The bill failed to garner enough support in the House and, after another Ken Jacob 16-hour filibuster, it failed in receiving a third and final reading (Goodwin, 2005; Hoover, 2004).

In 2005, the request was a different matter as two key events changed the political landscape. First, Governor Matt Blunt, whose hometown is the same as SMSU’s, made no secret about his position of supporting the change. Second, outgoing SMSU president John Keiser and the University of Missouri-Columbia president Elson Floyd met and agreed to a compromise that would effectively limit SMSU’s growth. Under the agreement, Missouri State University could offer only engineering and doctoral programs (*sans* audiology and physical therapy) in cooperation with the University of Missouri (Goodwin, 2005; Kumar, 2005).

Of the six times bills to rebrand SMSU were placed before the legislature, the Senate approved the measure for the first time in 2005. The bill passed 25 to seven. Likewise, the House passed the measure 120 to 35. Governor Blunt signed the bill into law during a special celebration coinciding with the school’s 100th anniversary on March 17. On August 28, 2005, SMSU officially became Missouri State University (Goodwin, 2005).

The 19-year long ordeal pitted the pros and cons of changing SMSU’s name. Proponents argued that the “Southwest” double-directional name was limiting; that the school had a statewide presence and its name and mission should reflect this; that the new name currently described the school and not what it wants to become; that it would aid in the recruiting of athletes; and that private donations would pay for the rebranding efforts.

Its detractors, however, viewed the name change as an attack on the University of Missouri (Carlisle, 2003; Kohler, 2003; Kumar, 2005; & Sonderegger, 1989).

Oppositional arguments ran the gamut and included the following: Missouri State was the University of Missouri's original name; Missouri State would want increased funding; Missouri State would seek to steal the University of Missouri's land-grant status; such a change would create a second tier system; and taxpayers would have to foot the bill for ancillary costs (Flory, 2002; Kumar, 2005; Shelton, 2005). The reasoning on both sides of the decision was similar to what has occurred elsewhere in the United States; however, in most cases, such legislation rarely continued more than a few years.

Some of the arguments in the Southwest Missouri State University battle were comparable to those voiced in 2004 in West Virginia. While similarities may exist with Missouri and other states, West Virginia has dynamics that are distinctive to its own geography and its history. These differences extend to the state's higher education system. Often these regional perspectives have influenced the decisions made by the State Legislature in regard to all of public higher education. This includes the "college-to-university" change and other related legislation.

As part of this study, an interview was conducted with a long-time legislator. Although representing only one side of this bicameral body, this individual's role in several key leadership positions provided him the opportunity to work with members of both the State Senate and the House of Delegates. With an insight into the workings of West Virginia government, this legislator provided information related to the "inner sanctum" of legislative decisions.

Additionally, this legislator provided expert opinions regarding the future of the state's higher educational system. His candid and frank discussion of these matters added substantially to the body of knowledge concerning West Virginia's legislative climate. To provide completeness, comments from institutional administrators regarding these issues as well as other documentation were provided. While this chapter discusses the political aspect of governing bodies and legislation, it additionally addresses issues relating to regulating bodies that approve degree programs.

Statewide Governance of Higher Education

When the University of Georgia Board of Regents approved the change of Georgia's four-year institutions to "university status" in 1996, their actions elicited both approbation and criticism. Marc Cutright, former public affairs director of North Georgia College, penned an acerbic editorial condemning these and similar actions elsewhere under the aegis of state legislatures.

Today, being a mere college is considered a low station, particularly when the title of "university" is a pen stroke away. State legislatures, enamored in these lean times of mandating gobs of good things that don't cost a dime, are buying into and handing out wholesale promotions. Higher education budgets across the country may be getting whacked with an ax, turning professional salaries into prison guards and highway asphalt, but that's no reason to ignore our self-esteem. Poof! You're a university. (Cutright, 1996, p. A15).

Not everyone in Georgia agreed with Cutright's assessment. One business faculty member at Kennesaw State University replied concerning her school's "university status" that was long overdue.

Kennesaw State looks like a duck (as of fall quarter 1995, it had 12,100 students enrolled in five schools, and its school of business is the second largest in the state). It acts like a duck (it offers over 30 undergraduate degree programs and has approximately 1,000 graduate students in business, accounting, professional writing, education, public administration, and nursing). It quacks like a duck (as of the fall of 1995, it had 364 full-time faculty, 80 percent with doctoral degrees, placing its percentage of doctorally qualified faculty below only the University of Georgia and Georgia Tech). It is a duck. (Ingram, 1996, p. G2)

Although Georgia's legislature had nothing to do with the rebranding issue, and since there are only a few states that have not already rebranded their state colleges (see Chapter 2), Cutright's evaluation of this situation illustrates the power these regulatory bodies wield in relation to higher educational institutions. According to Douglass B. Hartford, "Even though the state legislatures may be viewed with cynicism or disdain, they are a major controlling force in American public higher education through their powers to enact laws and appropriate funds" (1976, p. 1). Hartford suggested that a state's legislature had the power to hold an institution's very destiny in its hands.

In his study of the rebranding Southern Colorado State College to the University of Southern Colorado, Hartford provided some insight into this legislative process. While Hartford's research is 30 years old and deals with one particular piece of legislation that

occurred in another state, he analyzed numerous influences over state representatives that transcend geographical boundaries. Some of these exerted a varied amount of pressure upon individual legislators to pass this one particular bill. These included the following: constituent populations, the governor, members of the legislator's political party, the school and its governing board, and committee approval. In addition, Hartford examined demographic variables specifically related to the individual legislators. These included the legislator's seniority, residence, and college educational experience. Finally, Hartford asked lawmakers to provide their perceptions on why fellow legislators supported or did not support the passage of the name change bill.

Hartford drew two conclusions from his data: "(1) that the legislators generally ascribed what may be termed [as] 'higher' motives to their own behavior than they did [to that] of their colleagues and (2) that the primary influence on the final passage . . . was the personal and political influence of the bill's sponsors" (1976, p. 113). Additionally, he inferred that "in attempting to influence legislative actions, the merits of one's case may really be less than who is pleading it" (p. 113). While it would be incorrect to apply Hartford's specific conclusions to elected representatives in other states, similar influences over other lawmakers in regard to higher education may be reasonably suggested nonetheless.

In some states, such as Georgia, the University System Board of Regents (BOR) operates independently of the state legislature. Although funded by the legislature, the BOR controls institutions and the chancellor reports directly to the governor. One Georgia administrator explained,

We have a board of regents that is responsible for the 35 state-funded institutions of higher education. The Board of Regents actually gets its budget from the Legislature. There is very little influence. Now, members of the Legislature will call people and call the chancellor on occasion because legislators are legislators – they’re the same everywhere. They call and they put on the pressure and try to get things done for their constituents. But, direct influence? No. They approved the budget for the University System of Georgia. Beyond that, the Board of Regents is the regulatory body for the University System of Georgia.

In West Virginia, The Higher Education Policy Commission (HEPC) is the governing board for all four-year colleges and universities. Created by the Legislature, seven of its 10 members are appointed by the governor. The HEPC (2007) is charged with implementation of policies created by the Legislature, which are then signed into law by the Governor. While the HEPC was addressed in Chapters 1 and 2 regarding the criteria for rebranding, the following section will be devoted primarily to West Virginia’s Legislature and its decisions relating to the effecting of the “college-to-university” change in West Virginia.

West Virginia’s Legislature and Higher Education

In regard to higher education, members of the Legislature face both challenges regarding and influences from the institutions in their own districts. One of the challenges relates to the geographic placement of colleges and universities in West Virginia. One legislator explained:

One reason is the simple geography of West Virginia and the shifting of the demographics. If you look at the way our colleges were placed a hundred years ago, which is when most came into existence, it probably made rational sense then more so than it does now. This continues to be a challenge and when you run into the political side of it, it is awful hard to say from the Legislature, “We’re going to close one of the three medical schools” or “We’re going to allow this college or this university to run a program and say no to another college or university.” It really also becomes difficult, because at the end of the day while only the Legislature can directly make those decisions, it’s really a much more complex issue than the Legislature – a part time Legislature – is able to make.

Another higher education challenge is the inability for schools to change quickly and meet service area needs.

One of the things is ongoing, and this goes back to again when I was first a member of the Legislature, is “Have we done a good job rationalizing both the geographic location and types of degrees that are being offered?” One of the arguments that I’ve made to why I think community colleges or private colleges have been so successful in this state, particularly if you look, for example, at Mountain State University . . . it was on its death bed at one time, but it has the ability to change or fashion its degree offerings quickly. Unlike a public institution, that [ability] allowed it to survive or prosper.

Finally, higher education institutions often sway legislators and their decisions. The greatest examples of this were attributed to supporters of either WVU or Marshall, and those two groups were often pitted against each other.

The Legislature is under tremendous pressure. This is particularly true regarding those legislators from a district that has a major public higher education institution and that they need to preserve and protect the turf of that institution, to expand it, and to allow it to grow. Certainly I have seen that push and pull. One of the things that I tell people is that I have an advantage or disadvantage depending on how you want to look at it. My degree is from out of state, so I'm not really in this battle between Marshall and WVU. I, at least, try to look at it from what's best for the state. I also represent one of the largest districts in the state that does not have a sited public higher education institution . . . This allowed me a little more flexibility than most legislators to look at the state and ask, "Is this the right thing?" I have certainly seen those fights occurring. People almost literally would come forward and say, "If WVU is getting something, what's in it for Marshall or vice versa?" This is probably part of the reason that we have a disjointed, non-rational higher educational delivery system.

One administrator sized up the climate that exists within West Virginia higher education: "Clearly there could be more cooperation than competition. The competition between Marshall and WVU is in many cases absurd and everyone knows it." The infighting between educational outlets has prevented institutional efficiency from actually occurring in West Virginia. In 2001, WVU and Glenville State began talks concerning a

merger as occurred with West Virginia Tech in 1996. WVU President David Hardesty promoted this merger and indicated it would help to control spiraling expenditures, but, one WVU administrator admitted, however, that political opposition ended these discussions (Tuckwiller, 2001):

You know, I'll tell you another story behind the scenes that most people don't talk about. Glenville came to us and wanted to merge – so we've been kind of burned a couple times [and] we decided to go very slow on that. But they came for the right reasons and said, "We feel like we've got to merge our systems. We want you to help us in designing strategic programs so we can succeed. We may need some help in bonding capacity." All the things you would want to hear in a merger. Almost immediately, people downstate started to kill that merger because they felt that "WVU is getting too big."

While a merger would have expanded the WVU brand to a fourth branch campus, one legislator did not believe that this agenda was directly prevented by Marshall University's pressure:

Certainly Marshall was cognizant of it, they were interested in it, and probably made some pitches at the time that either they should be the institution to do that or it should be done in a different way. There also were arguments, serious arguments at that time, that Glenville should be shut. It shouldn't disappear, so to speak, but it should be converted into something of a more non-traditional four-year college degree program instead of emphasizing the technical and community courses. I think it's

an oversimplification to say that it didn't happen because Marshall came in and said, "We want it" or "We're [the Legislature] going to close it" . . .

You cannot argue that Marshall and WVU, in particular, are two major higher education presences in the state. They have an interest in how the system as a whole is designed. They have to have an interest in that, they're involved, they have concerns, but I think it's an oversimplification to say they [Marshall] came in and killed it because they weren't happy.

Although it did not occur, the WVU/Glenville merger would have had similarities to WVU's merger with West Virginia Institute of Technology (WV Tech).

The Rebranding of West Virginia Institute of Technology

In late 1995, WV Tech approached West Virginia University about a possible affiliation. Hoping to better position the Montgomery-based school to become more financially viable, WVIT became WVU Tech on July 1, 1996. As a regional campus of WVU, integration was slow and the relationship finally culminated in the end of WVU Tech's regional campus status as it changed roles to a WVU division on July 1, 2007. One WVU administrator characterized the initial reactions to the affiliation in 1996:

I would say . . . there were mixed reactions, but on the whole in '96 it was optimistic. People had seen what had happened at Parkersburg [WVU Parkersburg]. They had wanted to be associated with the university. This put the university name on them. We had an affiliation. We didn't have a division. We weren't planning to cut their budget. They were hoping a lot more money would come in. I think it was optimistic. In fact, there were

also opponents. In any merger of a higher education institution, the loss of identity of even one degree can get people really close to it . . . A change of identity, in some people's minds, meant that it would no longer be the Tech that they knew.

Another administrator described the legislative process for this transition as being "pretty smooth." Much of this was justified by the Legislature's understanding of the funding issues for higher education and the need to cut unnecessary duplication of services. According to one legislator, the state's financial climate had been in peril since the 1980s and anything that would relieve this strain was welcome:

The state had a horrendous fiscal position. Because of that, and moreso than in usual years, we were dramatically looking for ways to try to control certainly the growth of the budget, if not actually do deductions . . . When I first came on [in the 1980s], we reduced the budget to \$1.4 billion down from \$3 billion. However, 70% of the budget goes to education and probably 80% of the 70% goes to public education. What we started doing is that we actually started digging into the details on the premise that if you are really serious about trying to control costs or cut the budget, you have to look at education, because that's where the money is, so to speak.

Because of the May 14, 1984 decision handed down by Judge Arthur Recht in the *Pauley v. Bailey* case concerning inadequate public school funding, the Legislature's hands were tied in regard to cuts in public educational funding (Grimes, 1984). With

cutbacks to public education being limited to nonexistent, higher education became a target for budget reductions. One legislator explained,

Higher education, because it is not a constitutional right, presented some other opportunities. At the same time, given a state like West Virginia's demographics, the last thing you want to do is to cut your nose off to spite your face . . . One of the things we were looking at early on in the state is "Can you make the system more efficient?" One of the first things that obviously came to the forefront was, "Can you combine things and create efficiencies?" That is really the genesis of what happened to Tech and WVU.

To create these efficiencies, WVU and Tech argued that a merger of the institutions would provide some economic stability without the loss of service and programmatic offerings. A legislator outlined the reasoning:

There was an argument made to the Legislature that you could combine these two schools without ruining the quality or the breadth of the programs that were being delivered . . . At the time of the presentation, this could be done and would eliminate a pretty broad layer of duplicated services. You don't have to have a separate registrar at Tech and another one in Morgantown. Those functions, and many of the financial functions, could be taken over and run from Morgantown, so to speak. That is the brief history behind it and why it [the merger] was done.

During the beginning of the 2006 legislative session, Governor Joe Manchin's "State of the State" address announced that the engineering program at WVU Tech would be moving to South Charleston. The announcement, however, produced an intense response from Fayette County residents. Setting off a wave of controversy that resulted in the introduction of numerous bills in the Legislature, a compromise bill eventually passed moving Tech from a WVU branch campus to a WVU division effective July 1, 2007. In addition, the engineering program remained in Montgomery as well as having an additional presence in South Charleston (HB 4690, 2006).

A legislator detailed that many of the problems with West Virginia's higher education system were historical and that this has created unnecessary programmatic duplication. The engineering move to South Charleston was an effort to eliminate this replication of services.

Part of the problem is, and I'll give you an example, the debate is ongoing although there has been no change. Should this state have three medical schools? Can the state afford to have three medical schools? It would make sense to consolidate them. Likewise, engineering is obviously a degree program that you want to have. Does every college or university in this state need to have an engineering program? Wouldn't it make more sense to try to consolidate your resources and have three or four engineering schools located strategically throughout the state? So anybody who decides they want access to that degree can do it without really having to travel too far. You add to that . . . distance learning. Do we need to have a college on every corner, so to speak? That's where that came from

. . . I don't want to speak for the Governor, but my recollection of the concern was that . . . there was a distinct and dire need for a quality engineering program in the Kanawha Valley and the surrounding counties; however, there was not a need for two or three. It would actually be counterproductive to have two or three. So then the debate was joined by Marshall, who was looking down the road of having their own engineering program or certainly a more developed one than they had in the past. WVU was saying that really isn't necessary. We could provide the resources to do that whether it is in conjunction with Marshall or in conjunction with Tech. That again is kind of the background of how that came to the forefront.

On the subject of whether the WVU/Tech merger was successful, this legislator admitted that some found the issue debatable:

With the passage of time, there certainly are people that are of different opinions now as to how successful it has been. Certainly, the data that I have seen . . . [had indicated] there were actual cost savings. The broader argument today has become, "Have you preserved some things?" Number one, people want to preserve the identity [of Tech]. While I am not saying that is unimportant, I think it is less important to me and probably less important to members of the Legislature than it was to preserve the programs and the delivery of the higher education services in that part of the state. I will also admit it has become an open debate as to whether

those programs have been preserved and continue to the degree and to the extent that they did 10 or 15 years ago.

Time will also reveal if WVU Tech's 2007 move from a regional campus to a WVU division was successful in eliminating duplication of services with the ultimate goal of saving taxpayer dollars. Per the legislation, WVU Tech's individual regional accreditation was eliminated on July 1, 2007. It now holds accreditation under West Virginia University's umbrella. Additionally, President Charles Bayless simultaneously assumed the role of campus provost. Not included in the change to divisional status, the Community and Technical College at WVU Tech retained its own accreditation and president.

The Separation of Community and Technical College Component Schools

In 1995, Senate Bill 547 was the first step in granting the state's component community and technical colleges more autonomy. After a series of legislative actions culminating in 2004's Senate Bill 448, seven component Community and Technical Colleges (CTC) had been removed from the administrative control of their former parent institutions; however, they retained an affiliation with and in most cases a presence on the campus of their originating schools. The one exception was Glenville's CTC, which was split between Fairmont State CTC and New River CTC, which has an affiliation with Bluefield State ("Process for Achieving," 2001; "Preliminary Information Form," 2004).

As will be addressed in Chapter 6, the loss of the CTCs at two schools within the study contributed to a loss in enrollment. In the case of West Virginia State, the parent institution lost federal funding because it could no longer claim the CTC students. While

many of the parent institutions were hesitant to lose their CTC components, one legislator explained why from a governance perspective it had to happen:

It goes back to [the four-year institutions'] protecting "what's mine."

"Protecting my turf" became . . . more important than making sure community college degree offerings were tailored to the job opportunities particular to a state like West Virginia. We are not creating a tremendous amount of jobs for four-year degrees and the jobs we are creating are often ones that require some additional training, whether it be technical or some higher education beyond high school . . . These are the jobs that West Virginia is creating. I won't give you the particulars, but we had situations where hospitals were screaming, "We need nurses!" The colleges, particularly the public institutions, were cutting back or saying no to an expansion of their nursing programs. We had some public institutions saying no to other needed health care degrees. I don't mean doctors or nurses, but technician type programs. I remember one nightmare where the private sector was willing literally to step in and pay to run a particular program so they could keep those types of technicians available because they couldn't find them, hire them, and keep them. The public institutions said, "No, we'd rather not bother with it." Those are horror stories we were running into. You also had a system, to some extent, that allowed the parent institution to benefit financially from the community college programs. They were drawing those resources from the community colleges in terms of the tuition and fees, [but] the benefits of these dollars

were not going to the delivery of the community college programs. They were being used to subsidize other programs. When you look at all that and recognize what West Virginia's economic opportunities were, and even to some extent continue to be, it was just suicide. That is why it was so important to Senator [Lloyd] Jackson and Delegate [Jerry] Mezzatesta to say, "We've got to sever this relationship. We've got to set the community colleges off pretty much by themselves so they can at least make these intelligent decisions that are not being trumped by the four-year institutions they are controlled by."

The Four New Universities

Criteria for change. In 2000, five of the state's four-year schools were identified to begin offering graduate programs and to become graduate centers in their specific regions. As time progressed, four of these institutions expressed interest in gaining "university status." Unfortunately, there were no criteria in place to grant status. Both the Legislature and the West Virginia Higher Education Policy Commission began drafting specific criteria. A legislator recalled,

There are a number of accreditation issues and there are also a number of issues from the standpoint of how are you going to draw the line and allow this distinction going to be made rather than just the façade of tacking up a bigger sign that says "University" on it. What really makes something a "university" as opposed to a "college?" There wasn't any real distinction or difference in our system, so we also needed to develop those

[criteria] from a rational standpoint. This was so we could say, “All right, Concord, you’ve met the criteria; Shepherd, you’ve met the criteria; College X, you have not and the answer is no.” So we also had to put those in place and decide really what those criteria were [going to be]. I know that was one of the issues and we went ahead and developed a set of criteria, some of which were actually in the statutes. I think some of the others had to be developed by the [WV Higher Education] Policy Commission. You’ve got to do *these* things before you are a university.

When five institutions initially desired to move to the level of university, only four completed the process. West Liberty State College dropped out because it failed to meet some of the criteria established by the Higher Education Policy Commission in its “Criteria for Designation of University Status” (2002). One of the criteria that West Liberty failed to meet was the requirement to have two-thirds of the institution’s baccalaureate faculty as being terminally degreed. A West Liberty administrator explained that this issue has been resolved:

Nine or ten years ago, we were in sad shape with 38 or 39% of faculty holding doctorates – terminal degrees. That is the advantage of retirements. When non-terminally degreed faculty retired, we replaced them with faculty holding terminal degrees. So that has been a real plus for West Liberty State College. We’ve been real aggressive in that area for the past five or six years. In that nine-to-10 year frame, we’ve moved from 38 to 39% to over the 67% mark. In fact, right now we are at 70 to 71% of our faculty is holding terminal degrees. That was far and away a major

hurdle. A few years ago, we couldn't have applied. We didn't have two-thirds of our faculty holding terminal degrees . . . I'm guessing with a ballpark figure of about 30 positions, all have been replaced with terminally degreed faculty. It really allowed us to bump up quickly and get us over that criterion hurdle. For many years it was almost an autopilot deal. If you've been here long enough, regardless of your degree and most individuals were not holding terminal degrees, then "You're on tenure," "You're on tenure," "You're on tenure." We've greatly tightened that up in the past decade. It's not an autopilot deal anymore. It has specific criteria with the standard expectation. Other than in a few unique areas, you must have a terminal degree to receive tenure. If not, West Liberty State College will not grant you tenure.

Another criterion that West Liberty has also met is in regard to its institutional mission. The "Criteria for Designation of University Status" (2002) required institutions to "have an approved mission statement which provides for the offering of graduate programs" (§ 2). One West Liberty administrator commented,

Our mission statement, we're solid with that. We do not have an exclusive mission statement. If our mission statement had the words in it like, "undergraduate education," it would need to be changed; however, it doesn't. It does not have any language exclusive of graduate education. We're in good shape and it will not have to be changed. We could change it, but I don't think that it is going to have to be changed. It incorporates graduate education as well as undergraduate education.

Figure 4.1
West Liberty State College's main entrance.



The road to good intentions. West Liberty intends for its change in status to occur in either 2008 or 2009; however, the decision of whether it can become a university falls under the purview of the State Legislature. Experience has indicated that this process is not guaranteed, nor is it an easy road. Even after the four institutions met all of the HEPC's criteria for "university status" by 2004, the Legislature was hesitant to grant status for fear of requests for additional funding. One legislator admitted,

It wasn't something I came easily to, because I was concerned about some of the rationale and the reasons behind it. The Legislature, not just myself but a number of us, were concerned that immediately following the providing that status that there were going to be substantial additional funding requests. That was really the biggest concern. There also was a

concern in particular that there were certain things that a university was able to do from a standpoint of research that bring with it potential for federal funding, and also bring with it a requirement for additional funding from the state to match or provide a part of that funding. That concerned us. As opposed to turning it on its head, like everything else you deal with in the Legislature, there are two sides to everything. Some of this we were cognizant of, but we also came to the decision to do it. In today's market, there are distinct advantages for an entity to be a "full-blown university" as opposed to being a quote "college." There was the matter of balancing those two issues.

Additionally, the Legislature was not going to view these new universities as equivalent in status to WVU or Marshall. While the university name would be applied as it had for WVU and Marshall, one legislator indicated that the new name would not imply equality with the West Virginia's two largest institutions.

Our concern was, if you want to be a university for these good reasons, we'll find a way to make this work. If the move resulted in institutions' standing in line with WVU and Marshall next year and making the arguments for a higher level of funding, the ability to do this research, the permission to offer new programs, and to have additional funding from the state to do all of that, we didn't want to be put into that position. We know, as anybody knows about the state's higher education system, the system's resources as for how it was [originally] designed. It wouldn't be fair to the other institutions to allow these four to switch and jump up the

line and say, “Well now you made us jump across the line” or “You pushed across the line.” Even though they were the ones that wanted to go across the line, [it wouldn’t be fair to allow them] to say “We need a bigger check.”

This point was reiterated by Delegate Mezzatesta who introduced language into the name change bill (SB 448, 2004) indicating that no additional funding would be forthcoming. According to Mezzatesta, “These schools will get university status in name only” and that the bill would “make clear that this state has two research and doctoral institutions [WVU and Marshall] from now on” (McCormick, 2004, ¶ 2).

Is paved through hell. Having already met the criteria, a rough road was traversed by the “Four Sisters” as they waited for the Legislature’s approval to become universities. Although Hartford (1976) concluded that the legislative sponsors of the University of Southern Colorado bill had more influence over their fellow lawmakers than did the views of the various committees, this was not the case in West Virginia. From January 14 to February 13, 2004, legislators introduced seven bills to change the names of these four schools (see Chapter 5 for details). None passed, as the decision appeared to rest with the House and Senate Education Committees. According to one administrator, there was a *quid pro quo* arrangement regarding the acceptance of the Community and Technical College measures in order to receive the “university” name:

The separation of the community colleges was part of the process, that if we fought too hard on separating the community colleges then they [the Legislature] wouldn’t change our names. Jerry Mezzatesta was the Chair

of the House Education Committee at the time, so there were plenty of threats floating around, both direct and indirect.

While an administrator remembered this scenario, one legislator did not believe this was the case and felt that perhaps Delegate Mezzatesta's strong personality was misread:

I really have no personal knowledge of that. I know on a number of occasions Delegate Mezzatesta was accused of things, sometimes I think unfairly, that he didn't do. Delegate Mezzatesta has a strong personality. Senator Jackson felt as strongly about the community college bill as did Delegate Mezzatesta, and perhaps even more strongly. But Senator Jackson worked and dealt with people differently. So it may have been a function of that more than anything else . . . I never was personally aware of someone being threatened. I also can tell you this, that I was in the Legislature long enough to know that one of the best ways you can spoil the broth, so to speak, is to start throwing stuff into the mix to be unpalatable and it wouldn't be the first time somebody said, "We're being threatened." "We're being attacked." The Legislature felt strongly, and I think for legitimate reasons, that the change in the community college system was needed. The higher education system was collectively, maybe one person [school] more than others, failing the state. The system needed to be redesigned. There might be a dozen people, and I'm just picking a number, that didn't feel that way, but it was a strong and firm belief by two of the most knowledgeable education policy people. I'm not saying that all

college presidents didn't have the same background and degree as Delegate Mezzatesta and Senator Jackson. But the two people in the Legislature who were the leaders in that area, had knowledge and had an understanding of the system. They felt strongly about it. Most of the Legislature felt strongly about it. We had both anecdotal and concrete data that I think reflected that the system wasn't working . . . Maybe they were threatened, I don't know. I wasn't at every meeting. But for somebody to come forward now to say, "That happened because we were threatened and had to back off" or they had to accept it for political opposition, I don't believe that's true because I think the Legislature would have done it anyway because there was a strong consensus in the Legislature it was something that needed to happen.

Strong convictions and passion notwithstanding, Delegate Mezzatesta was abrasive to a number of individuals on numerous occasions. Another administrator recalled that several years prior to the name change issue, he witnessed Mezzatesta attack and humiliate his institution's president in a public forum. These actions, as the administrator recalled, were "without warrant and were unnecessary."

Additionally, the media recorded examples of similar behavior. A search of the Higher Education Policy Commission's (2003 & 2004) archives of press clippings provides additional documentation of Delegate Mezzatesta's usage of threatening language on more than one occasion. None of these, however, involved representatives of any of the colleges in question, although the Higher Education Policy Commission's employees were frequently under attack. One of the more audacious examples was

termed by *Charleston Gazette* reporter Phil Kabler as the “Mezz Meltdown.” According to Kabler, Mezzatesta told Robert Morgenstern, the HEPC’s Legislative Affairs Director, that “Whenever [Chancellor] J. Michael Mullen steps down as higher education chancellor, that he [Morgenstern] should look for work back in New York, because he’ll never work in West Virginia again” (2004, ¶ 2). Whether administrators perceived threats or actually experienced intimidation, communication between Mezzatesta and these particular institutional representatives was not documented. Mezzatesta’s “track record,” however, indicates that such behavior would not have been out of the question at the time.

While the trail blazed by the “Four Sisters” was rocky, the Legislature’s experience in granting status may make this type of legislation easier for the next candidate for “university status.” Familiarity with the process aided the Ohio Legislature with passage of a subsequent bill for the Medical College of Ohio. One survey respondent, Vice President of Governmental Relations at the University of Toledo William McMillen, illustrated the differences:

When the new president proposed changing the name of the institution [Medical College of Ohio] to the Medical University of Ohio (MUO), the one-word change took about 80 pages of legislation in the form of an amendment to the state budget bill. It was passed in the spring of 2005. That fall, the MUO president and the president of the University of Toledo began talks, which resulted in the merger of the two state institutions on July 2, 2006, with the MUO president assuming the presidency of the new institution. This was done as a free-standing piece of legislation that was, ironically, shorter than the name change amendment. I think the merger

would have happened anyway if MUO (now called the “Health Science Campus”) would have still been called the Medical College of Ohio, but the merger of two “universities” was definitely easier to pull off. Plus, the legislators already knew us and that we were doing interesting things in northwest Ohio.

With this in mind, West Liberty may have an easier path to “university status” because the Legislature previously has experienced this approval process in the past.

Degree Approving Bodies

Williams and O’Connor (2003) defined the philosophy behind regional accreditation as a “system of quality assurance that is based on the premise that the diverse institutions of higher education in the United States can best be evaluated through a process of self-evaluation and peer review” (p. 64). According to Murray’s study of the regional accreditation process at two-year institutions, the very process of seeking approval from regional accrediting bodies produced desirable institutional changes. These changes were manifested in the following positive benefits: improved student learning outcomes, enhanced faculty qualifications, and increased institutional effectiveness (Murray, 2004). Jones (1986) reported that when proprietary business colleges achieved regional accreditation status, it exerted a positive effect upon institutional resources, library holdings, and institutional staffing.

Therefore, regional accreditation is an imprimatur signaling that an institution has been evaluated and has met an acceptable level of quality associated with its programs. This is especially true at the graduate level. If an institution is seeking “university status,”

it usually has sought the approval to offer at least one graduate program. Regarding the schools that became universities from 1996 through 2001, over 87% already were already offering graduate or professional degree programs prior to the name change (see Table 4.1).

Table 4.1

103 University branded schools (1996 – 2001) with and without graduate programs.

Schools	Change Year		5 Years Later	
With Graduate and/or Professional Programs	90	87.38%	95	92.23%
Without Graduate and/or Professional Programs	13	12.62%	8	7.77%

For state institutions in West Virginia, the Higher Education Policy Commission required that an institution seeking “university status” must have at least one regionally accredited graduate degree program (WVHEPC, 2002). Table 4.2 identifies the year each West Virginia school in this study was regionally accredited and when the first graduate program was approved by the Higher Learning Commission of the North Central Association (“Affiliated Institutions: West Virginia,” 2007).

Table 4.2

Regional accreditation and graduate program approval years for WV study schools.

School	Year HLC Accredited	1st Grad Program Approved
West Virginia State University	1927	2003
Fairmont State University	1928*	2003
Concord University	1931	2003
West Liberty State College	1942	
Shepherd University	1950	2003
West Virginia University Institute of Technology	1956	1979
University of Charleston	1958	1979
Wheeling Jesuit University	1962	1979
Salem International University	1963	1979
Ohio Valley College	1978	2006
Mountain State University	1981	1998

*Fairmont State was regionally accredited 1928-1934 and then from 1947 onward

The Higher Learning Commission of the North Central Association (HLC), as with all regional accreditation bodies, accredits institutions and not programs *per se*.

According to the HLC's *An Overview on Accreditation* (2003, p. 12),

Institutional accreditation speaks to the overall quality of the organization without making judgments about specific programs. Institutional accreditation is accreditation of all programs, sites, and methods of delivery. The accreditation of individual programs, such as those preparing students to practice a profession, is carried out by specialized or program accrediting bodies that apply specific standards for curriculum and course content.

Although the HLC does not accredit programs, prior approval is required for “program offerings at a new degree level” and “regular course offerings that are not currently included within the organization’s affiliated status” (Higher Learning Commission, 2003, p. 7.2-2).

Planning for Graduate Degree Approval

A request for approval of a new graduate program can be made through a regular comprehensive visit by Commission evaluators or through a request for a focused visit to evaluate a specific programmatic change. To prepare for the HEPC’s criteria regarding graduate programs, West Liberty State College has been working with both West Virginia University and Marshall University in cooperative master’s degrees. One administrator explained,

We have done collaborative programs with Marshall University and with WVU. We think those have been successful – a couple of collaborative master's. As any institution evolves, it certainly should have its own graduate programs. When we achieve university status, our programs aren't going to be doctoral programs and we're not going to have 15 or 20 master's programs out there. You start with one and maybe down the road, West Liberty State College might have three, four, or five longer term. But, we're not going to be a graduate machine or anything like that. We will serve the Northern Panhandle and the Tri-State Area in the area of graduate education and have the resources to do it effectively. It's a natural evolution to continue what we have done for 170 years in the area of undergraduate education.

Although West Liberty will experience a comprehensive visit in November 2007, administration does not expect approval of the Master's of Education degree it is seeking during that particular visit. Approval, however, may be granted in a separate review.

What we're doing at this time, and we may need another focused visit, is that we're trying to incorporate much of our graduate component in our undergraduate visit. If we do it right and get as much information in there as possible, we might not even have to have a focused visit. They will not combine a graduate visit with the undergraduate. But if we get enough in there, it would be what they call a "paper review." This is a report out of Chicago – a panel type of review without a separate focused visit. Since they would have just been here, that panel review will probably take place

in the Spring 2008. We've been in contact with the folks at the HLC in Chicago and they're fairly optimistic that they will be able to do this without a separate independent focused visit.

Graduate Approval Difficulty

West Liberty is confident that they will be successful in seeking program approval for their Master's of Education degree; however, approval is not automatic. One school in this study experienced some problems the first time it sought programmatic approval at the graduate level. When The College of West Virginia (CWV and now Mountain State University) was considering entry into graduate education, it requested that the Higher Learning Commission review its application for a Master's in Business Administration (MBA). The site visit occurred on November 18 and 19, 1996 and it was evident that the reviewer panel was not in favor of granting this approval. During the visit's exit interview, one team member expressed, "I don't think you have 'graduate culture.'" When asked to explain this terminology, the reviewer responded, "I can't define it, but I know it when I see it and I don't see it here." One administrator recalls this disappointing visit.

That team that came into look at us for an MBA told us that we didn't have graduate culture, didn't look like a graduate institution, didn't sound like a graduate institution, and didn't have the faculty of one. That was a very, very pointed statement: "You cannot because you are not." At that particular time, there may have been an element of truth to that. Maybe you have to learn the hard lesson before you learn what the good lesson can be. We also learned in trying to become something, how you can

politically screw it up. Because, the person who developed the proposal for North Central didn't involve his subordinate faculty. As a result, when the team came in and tried to look at faculty ownership, they couldn't find any. The dean was the only one who knew anything about the proposal to do an MBA. So all of the faculty really innocently convinced the visiting team that we didn't have it – because they didn't know about it – they didn't own it.

Wisely, CWV administration asked the Higher Learning Commission to disregard the request for the MBA program. According to Lil Nakutis, Information Management Coordinator for the Higher Learning Commission, “The College withdrew its request for the MBA. Since there was no official action on this request, we do not consider it a part of our official permanent file” (Personal communication, October 1, 2007). One MSU administrator reflected on how the College moved forward from this disappointment:

That was the only time that came up. When we got our first approval to award graduate programs, I cannot recall any issue at that time whether anyone questioned if we were capable or whether we were qualified. In a short period of a year, we made dramatic changes.

A year and one day later, another team from the Higher Learning Commission conducted a focused visit regarding graduate education. During the beginning of the following year, CWV was approved by the HLC to offer a Master's of Science in Nursing (MSN). This graduate program also received programmatic accreditation by the National League for Nursing Accrediting Commission (2007) in March 2000. The program,

originally approved for two concentrations – Administration / Education and Family Nurse Practitioner, added a third, Certified Registered Nurse Anesthetist, in 2004 (“Statement of Affiliation Status – Mountain State University,” 2007). The new concentration received approval from the Higher Learning Commission, the National League of Nursing, and the Council on Accreditation of the American Association of Nurse Anesthetists.

In addition to the MSN, Mountain State was approved to offer the Master’s of Health Science (MHS) in 1999 and the following programs in 2001: Master’s of Science: Physician Assistant (MSPA), Master’s of Science: Strategic Leadership (MSSL), and both the Master’s of Science and Master’s of Arts in interdisciplinary studies (“Statement of Affiliation Status – Mountain State University, 2007). Mountain State University also offers several graduate certificates. Although the initial foray into graduate education was frustrating, one MSU administrator illustrated how the school is perceived today,

This is a very competitive business in spite of the fact that everybody says, “We just think that what you have done is marvelous and you guys have made great strides.” Deep down, they know that we’ve only made strides because we’ve taken students from them and nobody likes that. The reality is that looking at who we are and what we’ve become, people at least have to tip the hat and say, “Well, you guys did do it.” I don’t think today that we suffer from any unnecessary or valid criticism about being a school that deserves graduate education.

Graduate Program on Hold

Only one other West Virginia school has had a known issue regarding graduate programs; however, the problem did not occur with the Higher Learning Commission of the North Central Association. On May 22, 2006, the HLC approved Ohio Valley University to offer a Master's of Education in the following concentrations: special education, curriculum and instruction, and educational leadership. The M.Ed. degree was also approved for distance delivery via the Internet ("Statement of Affiliation Status – OVU," 2007). As of October 2007, Ohio Valley University has yet to offer the degree. When questioned about the issue during the Spring 2007, an administrator explained, "Yes, we are approved and highly recommended to offer graduate programs by North Central. However, we are currently working through issues with the state on that particular degree program" (Personal communication, March 5, 2007).

In regard to education degrees offered in West Virginia, the WV Department of Education (WVDE) must also approve these programs before they can be offered. According to Sharon Drake of the WVDE, "If a college or university has NCATE (National Council for Accreditation of Teacher Education) approval, then the Department of Education will automatically approve the program; however, if the program is not NCATE approved, the school will need to go through program review process" (Personal communication, March 8, 2007). The process for approval requires institutions to apply for review by the Educator Preparation Program Review Board. Kellie Crawford, Teacher Quality Coordinator for the WVDE, outlines the three possible outcomes following the Program Review Board's approval. "The recommendation to approve is forwarded to the West Virginia Board of Education who makes a move to do one of three

things. They could approve the program, approve the program with conditions on some things they want to them [the school] to clarify or work on before the action of ‘full-blown’ approval, or deny the program’s approval” (Personal communication, October 11, 2007).

Although the WVDE has been working with OVU on the regular review of its baccalaureate degree program in education, Ohio Valley has not formally presented the graduate degree to the program review board. To make application, Crawford explained that candidates need to submit the following information:

They would need to outline the process that their institution went through as far as the program’s internal approval is concerned. This would include meeting minutes and a statement of approval from their president. It also includes the curriculum plan for that particular program. The application includes all the of syllabi, all of the assessments they are going to use, and the curriculum vitae of all faculty. It’s a pretty complete block of information that shows exactly what they are going to be doing and how exactly they are planning on implementing things. (Kellie Crawford, Personal communication, October 10, 2007).

Crawford continued, “We haven’t received anything from OVU . . . nothing in the last year.” During spring 2007, OVU had gone through its regular state-approved review process that occurs about every five years; however, “there were some things that passed with conditions and these programs were not lining up with standards. They are making changes to remove the conditions.” Because of this, Crawford speculated, “Adding new

programs (M.Ed. concentrations) may have been put on the back burner for a while” (Personal communication, October 11, 2007).

The earliest that OVU would have an opportunity for program approval is April 25, 2008 (“Program Review Calendar,” 2007). If applied for and approved at this time, it will be nearly two years since the degree and its concentrations were approved by the HLC. Lil Nakutis of the Higher Learning Commission did not believe, however, that such a delay would jeopardize the HLC’s degree approval standing (Personal communication, October 10, 2007). With that said, another HLC liaison indicated that, while there are no definite commission rules on the subject, she “would have a problem if two or three years passed without activity on an approved program” (personal communication, October 18, 2007).

Summary

In any “college-to-university” change, there will be regulations and regulatory bodies that are involved in the process. In some cases, an institution may need to work through processes with these organizations. The number of regulatory groups will vary depending on the school, its location, its type of control, and its specific situation. Administrators may need to address concerns of a number of agencies that include, but are not limited to the following: a board of regents, the state legislature, an accrediting body, and the state department of education. For institutions requiring legislative approval, it may be an uphill battle. Southwest Missouri State’s 19-year ordeal illustrates that rebranding legislation may be an arduous journey for some schools. Legislators may have agendas based on their alma mater or another school located in their legislative district. The system may be taxed financially and lawmakers may perceive a name

change request as a clandestine method for an institution to seek additional funding.

There may be compromise measures that need to met before the rebranding legislation is passed. The institution's agenda may not be supported by key legislators and therefore have a difficult time getting passed. If there is any lesson that institutional administrators can learn, it is to persevere.

While few problems existed in regard to approval of degrees at the graduate level, the experiences of some West Virginia institutions may serve as examples. West Liberty is positioning itself for graduate approval and front loading the process in a comprehensive site visit may alleviate a later focused visit. The College of West Virginia (Mountain State University) learned the difficult lesson of having faculty ownership and support of the requested program. As for Ohio Valley's approval at the accreditation level as opposed to state approval, perhaps an initial choice of a less restrictive graduate program may have been a better choice. By seeking accreditation for a Master's in Education, OVU's foray into graduate education has been delayed. Since West Virginia must approve educational programs, another programmatic choice would have hastened OVU's move into the graduate arena.

With the numerous examples from West Virginia, institutions may have an idea what to expect in regard to the generic regulatory process. These cover governance and degree approval. Anticipating problems in advance will serve to make the "college-to-university" change smoother. Approvals of such changes are often steeped in political agendas. Securing the right champion, as did SMSU with Governor Blunt, may make the difference in whether an institution's desires to rebrand will be fulfilled.