

FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN

The West Virginia Department Of Education (WVDE), The West Virginia Higher Education Policy Commission (Commission), And The Community And Technical College System Of West Virginia (Council)

This First Amendment (Amendment) to the Memorandum of Understanding (MOU) is entered into between the WVDE, Commission, and Council. The WVDE, Commission, and Council entered into a MOU finalized on February 4, 2016 and wish to amend the MOU as set forth below.

WHEREAS, the Legislature in **West Virginia Code §18B-1D-10(d)(5)** has directed that the data-sharing agreement must contain a “provision that allows another party to the compact to review any draft report or study generated using that party's data at least ten days before the report or study is released publicly.”;

NOW THEREFORE, the WVDE, the Commission, and Council hereby stipulate and agree to the following amendment:

The last paragraph of the section titled “**Data**” will be amended as *follows*.

- The information obtained from the SLDS will be used for the purpose of assessing educational outcomes, evaluating federal and state supported educational programs, policies and procedures, complying with both state and federal legal requirements related to these programs and fulfilling legislative requests as needed. Additional elements may need to be incorporated. All parties will have a minimum of 10 days prior to the publication of any report or study that utilizes that party's data to review and have the opportunity to submit comments regarding the accuracy, conclusions, and recommendations of the report or study. These elements will be added using the procedures set forth in the modification and/or amendments section of this document.

This amendment is made in accordance with the **MODIFICATION AND/OR AMENDMENTS** section of the Memorandum of Understanding between the WVDE, the Commission, and Council, finalized February 4, 2016.

This MOU amendment shall take effect upon completion of signatures by the duly authorized representatives of the parties to this Agreement.

Except as set forth in this amendment, the MOU is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the MOU or any earlier amendment, the terms of this amendment will prevail.

AMENDMENT NO. 1 to Memorandum of Understanding between the West Virginia Department of Education, the West Virginia Higher Education Policy Commission, and the Community and Technical College System of West Virginia

TERMS OF AGREEMENT: Each person signing this amendment on behalf of their respective agency represents that he or she has authority to sign on behalf of the respective agency and therefore binds the respective agency to the stipulations expressed in this MOU amendment.

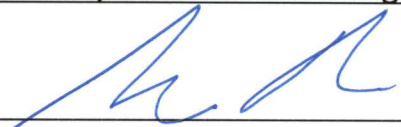
West Virginia Higher Education Policy Commission



Commission Authorized Representative

Date: 4/25/19

Community and Technical College System of West Virginia



Council Authorized Representative

Date: 4/26/19

West Virginia Department of Education



WVDE Authorized Representative

Date: 4/11/19