

# LEGISLATIVE OVERSIGHT COMMISSION ON EDUCATION ACCOUNTABILITY

Senate Finance Committee Room  
November 14, 2011

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West Virginia  
Higher Education  
Policy Commission





# West Virginia Higher Education Policy Commission

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**Report to the Legislative Oversight Commission  
on Education Accountability**

**November 14, 2011**

**Annual Review of Rules of Institutional Governing Boards**





RECEIVED  
OCT 28 2011  
HIGHER EDUCATION  
POLICY COMMISSION

**Board of Governors**

September 28, 2011

Chancellor Brian Noland  
West Virginia Higher Education  
Policy Commission  
1018 Kanawha Boulevard East  
Charleston, WV 25301

Dear Chancellor Noland:

As Chair of the Concord University Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Concord University in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended, or repealed since July 1, 2011 that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30-day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address [www.concord.edu](http://www.concord.edu).

  
Frank Blackwell, Chair

9/29/11  
Date



**BOARD OF GOVERNORS**

Ron Tucker, Chairman  
Janet Crescenzi  
Matthew Jacques  
James Kettering  
Robert Mild  
Mark Pallotta  
Shirley Stanton  
H. Skip Tarasuk, Jr.  
Bryan Towns  
Scott Ullom  
Frank Washenitz  
Jack "Bob" White

November 3, 2011

Mr. Bruce Ray Walker  
General Counsel  
West Virginia Higher Education  
Policy Commission  
1018 Kanawha Blvd., East, Suite 700  
Charleston, WV 25301



Dear Mr. Walker:

As Chairman of the Fairmont State University Board of Governors, I hereby certify, pursuant to the requirements of West Virginia Code §18B-1-6, that the attached list contains all the institutional rules of Fairmont State University in effect on July 1, 2011, including the most recent date on which each rule was effective or amended by the FSU Board of Governors. I further certify that for all rules since July 1, 2011, that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address:  
<http://www.fairmontstate.edu/aboutfsu/board-governors/policies-list>.

Sincerely,

Ron L. Tucker  
Chairman

Attachment

c: Chancellor Noland

As Chair of the Glennville State College Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Glennville State College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005 that:

1. Public notice was given of the proposed rulemaking and interested parties  
Were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address www.glennville.edu.



  
Sue Morris

Chair, Glennville State College Board of Governors

Date: September 28, 2011

As Chair of the Marshall University Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Marshall University in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005 that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address  
“<http://www.marshall.edu/president/board/policies.html>”.



Chair, Marshall University Board of Governors

Date: 10-11-11



September 22, 2011



Mr. Bruce Ray Walker, Esq.  
General Counsel, HEPC  
1018 Kanawha Boulevard, East, Suite 700  
Charleston, WV 25301

Dear Mr. Walker:

As Chair of the Shepherd University Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Shepherd University in effect on July 1, 2011, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005 that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address:  
<http://www.shepherd.edu/bogweb/policies/>.

Sincerely,

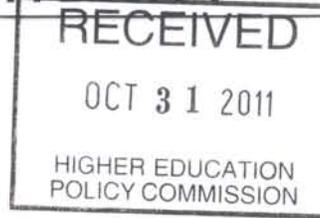
A handwritten signature in black ink, appearing to read "Gat Caperton". The signature is stylized and somewhat cursive.

Gat Caperton  
Chair



# WEST LIBERTY UNIVERSITY

Board of Governors Chair  
PO Box 295  
West Liberty, WV 26074

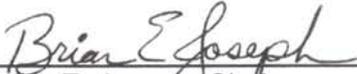


Brian E. Joseph  
(304) 243-0183  
brianejoseph@gmail.com

As Chair of the West Liberty University Board of Governors, I hereby certify, pursuant to the requirements of WV Code § 18B-1-6, that the attached list contains all the institutional rules of West Liberty University in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2011 that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30-day comment period prior to final adoption of the rules was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address:

[www.westliberty.edu/bog/board-of-governors-policies/](http://www.westliberty.edu/bog/board-of-governors-policies/)

  
\_\_\_\_\_  
Brian E. Joseph, Chair  
West Liberty University  
Board of Governors

Date: October 12, 2011



West Virginia School of Osteopathic Medicine

*Board of Governors*

Rodney L. Fink, D.O., Chair

RECEIVED

OCT 3 2011

HIGHER EDUCATION  
POLICY COMMISSION

September 29, 2011

Dr. Brian Noland, Chancellor  
West Virginia Higher Education Policy Commission  
Suite 700 – Boulevard Tower  
1018 Kanawha Boulevard, East  
Charleston, WV 25301

**Re: Adoption of Institutional Rules**

Dear Chancellor Noland:

As Chair of the West Virginia School of Osteopathic Medicine Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all institutional rules of the West Virginia School of Osteopathic Medicine in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify for all rules adopted, amended, or repealed since July 1, 2010 that:

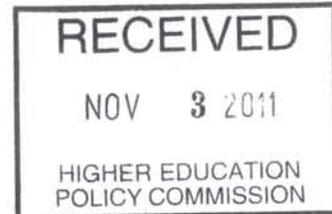
1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30-day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address:  
<http://www.wvsom.edu/AboutWVSOM/admin-policies>

Respectfully submitted,

Rodney L. Fink, D.O.  
Chair

/ccb  
Attachment

November 3, 2011



Bruce Ray Walker, General Counsel  
WV Higher Education Policy Commission  
1018 Kanawha Boulevard, East  
Charleston, WV 25305

Dear Attorney Walker:

As the current chairman of the West Virginia State University (WVSU) Board of Governors, I hereby affirm that, pursuant to the requirements of West Virginia Code §18B-1-6, the attached list contains all the institutional rules of West Virginia State University in effect as of July 1, 2010, including the date that each rule was adopted, amended or repealed by the WVSU Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2010, that:

1. Public notice was given of the proposed rule-making and interested parties were given a fair and adequate opportunity to respond to the proposed rule-making;
2. A minimum 30-day comment period prior to final adoption of the rule was provided to all campus constituents;
3. The Drain-Jordan Library is the designated facility at West Virginia State where all rules and policies may be reviewed; and,
4. Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address, [www.wvstateu.edu](http://www.wvstateu.edu).

If additional information is needed, please contact the Office of the President at 304-766-3111. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry L. Rowe". The signature is fluid and cursive, with a large loop at the end.

Larry L. Rowe  
Chair  
WVSU Board of Governors



West Virginia University

Board of Governors

July 12, 2011

Dr. Brian Noland  
Chancellor, West Virginia Higher Education  
Policy Commission  
1018 Kanawha Boulevard, East, Suite 700  
Charleston, WV 25301



Dear Chancellor Noland:

As Chair of the West Virginia University Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of West Virginia University and its divisional campuses in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2010:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address: <http://bog.wvu.edu/policies>

Sincerely,

Andrew A. Payne, III, Chairman  
West Virginia University Board of Governors

AAP,III:vsl  
Attachment





**Report to the Legislative Oversight Commission  
on Education Accountability**

**November 14, 2011**

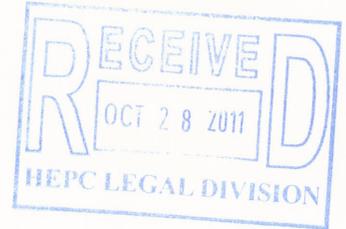
**ANNUAL REVIEW OF RULES OF INSTITUTIONAL  
GOVERNING BOARDS**

W.Va. Code §18B-1-6(h)



October 17, 2011

Mr. Bruce Ray Walker, Esq.  
General Counsel, HEPC  
1018 Kanawha Boulevard, East, Suite 700  
Charleston, WV 25301



Dear Mr. Walker:

As Chair of the Blue Ridge Community and Technical College Board of Governors, I hereby certify, pursuant to the requirements of W.Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Blue Ridge Community and Technical College in effect through July 2011, including the most recent date on which each rule was adopted, amended, or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2006 that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address:  
[http://www.blueridgectc.edu/BOG\\_Policies.htm](http://www.blueridgectc.edu/BOG_Policies.htm)

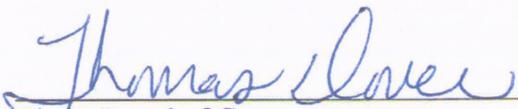
Sincerely,

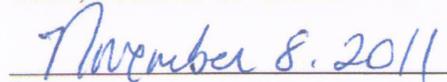


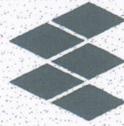
Tina Combs, Chair  
Blue Ridge CTC Board of Governors

As Chair of the Bridgemont Community and Technical College Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Bridgemont Community and Technical College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005, that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address [www.bridgemont.edu](http://www.bridgemont.edu).

  
\_\_\_\_\_  
Chair, Board of Governors

  
\_\_\_\_\_  
Date



James L. Skidmore  
Chancellor  
WV Council for Community and Technical College Education  
1018 Kanawha Boulevard, East - Suite 700  
Charleston, WV 25301

Dear Chancellor Skidmore,

As Chair of the Eastern WV Community & Technical College Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Eastern WV Community & Technical College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005, that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address \_\_\_\_\_  
<http://www.eastern.wvnet.edu/v.php?pg=109#top>

ORIGINAL OR ELECTRONIC SIGNATURE OF CHAIR

Chair, *Loran Shanboly*  
Board of Governors  
Date: 11-09-2011

Post Office Box 1000 / Cole Complex 102  
Institute, West Virginia 25112-1000  
Phone: (304) 766-3118  
Fax: (304) 766-5714  
www.kvctc.edu



KANAWHA VALLEY  
COMMUNITY & TECHNICAL COLLEGE

November 8, 2011

James L. Skidmore  
Chancellor  
WV Council for Community and Technical College Education  
1018 Kanawha Boulevard, East – Suite 700  
Charleston, WV 25301

Dear Chancellor Skidmore:

As Chair of the Kanawha Valley Community and Technical College Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Kanawha Valley Community and Technical College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005, that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address:  
<http://www.kvctc.edu/index.php?cat=2&s=4&t=1>.

Sincerely,

Janet Vineyard, Chair  
KVCTC Board of Governors



Institutional Board of Governors

- INSTITUTIONAL BOARD OF GOVERNORS
- Susan Richardson, Chair
- Jason Moses, Vice Chair
- Bob Bailey, Secretary
- Mark Bugher
- Ruth L. Cline
- Rachael Fricke, Student Representative
- Mark George
- Jim Hale
- Mike Herron
- Jeffrey Porter
- Christopher Stevens, Classified Staff Representative
- Linda Vinson, Faculty Representative

James L. Skidmore  
 Chancellor  
 WV Council for Community and Technical College Education  
 1018 Kanawha Boulevard, East – Suite 700  
 Charleston, WV 25301

Dear Chancellor Skidmore,

As Chair of the Mountwest Community & Technical College Institutional Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Mountwest Community & Technical College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Institutional Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005, that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address: [www.mctc.edu](http://www.mctc.edu).

ORIGINAL OR ELECTRONIC SIGNATURE OF CHAIR

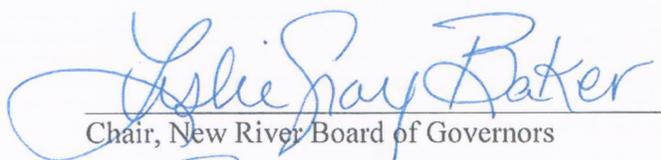
Chair, Mountwest CTC Institutional Board of Governors

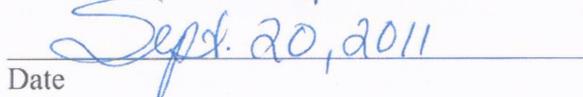
Date: 11/09/11

**NEW RIVER**  
Community and Technical College  
Board of Governors

As the Chair of the New River Community and Technical College (New River) Board of Governors, I hereby certify, pursuant to the requirements of WV Code Section 18-B-1-6, that the attached list contains all the institutional rules of New River Community and Technical College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended, or repealed since July 1, 2005 that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That internet access to all proposed and adopted rules was maximized. All rules can be found at [www.newriver.edu](http://www.newriver.edu).

  
\_\_\_\_\_  
Chair, New River Board of Governors

  
\_\_\_\_\_  
Date

[www.newriver.edu](http://www.newriver.edu)

<b>Central Administration</b> 221 George Street Suite 2 Beckley, WV 25801 304.929.5445 304.929.5478 Fax	<b>Advanced Technology Center</b> 527 Odd Road PO Box 307 Ghent, WV 26651 304.929.3300 304.929.6739 Fax	<b>Beckley Campus</b> 167 Dye Drive Beckley, WV 25801 304.929.5450 304.929.5462 Fax	<b>Greenbrier Valley Campus</b> 101 Church Street Lewisburg, WV 24901 304.647.6560 304.647.6561 Fax	<b>Mercer County Campus</b> 1397 Stafford Drive Princeton, WV 24740 304.425.5658 304.425.0860 Fax	<b>Nicholas County Campus</b> 6101 Webster Road Summersville, WV 26651 304.872.1236 304.872.3587 Fax
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James L. Skidmore, Chancellor  
WV Council for Community and Technical College Education  
1018 Kanawha Boulevard, East – Suite 700  
Charleston, WV 25301

Dear Chancellor Skidmore,

As Chair of the Pierpont Community & Technical College Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of Pierpont Community & Technical College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005, that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address [www.Pierpont.edu](http://www.Pierpont.edu).

ORIGINAL OR ELECTRONIC SIGNATURE OF CHAIR

Chairman  
Pierpont Board of Governors  
Date: November 9, 2011



## Board of Governors

July 6, 2011

**Mr. Terry R. Sammons**  
*Chair*

**Mr. Thomas A. Heywood**  
*Vice Chair*

**Ms. Wilma J. Zigmund**  
*Secretary*

**Ms. Linda Q. Akers**

**Mr. Kevin N. Fowler**

**Ms. Shelley T. Huffman**

**Ms. Jada C. Hunter**

**Mr. George Kostas**

**Mr. Glenn T. Yost**

**Ms. Debbie C. Dingess**  
*Classified Staff Representative*

**Mr. George Morrison**  
*Faculty Representative*

**Ms. Kimberly Irick-Reynolds**  
*Student Representative*

**Ms. Joanne Jaeger Tomblin**  
*President*

Mr. James Skidmore, Chancellor  
West Virginia Council for Community  
and Technical College Education  
1018 Kanawha Boulevard East, Suite 700  
Charleston, WV 25301

Dear Chancellor Skidmore:

As the Southern West Virginia Community and Technical College Board of Governors Chair, I hereby certify, pursuant to the requirements of West Virginia Code § 18B-1-6, that the attached list contains all of the institutional rules of Southern West Virginia Community and Technical College in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005 that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30-day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address: <http://southernwv.edu/administration/policies>

  
\_\_\_\_\_  
Terry R. Sammons, Chair  
Southern West Virginia Community and  
Technical College Board of Governors

July 6, 2011  
Date

TRS:elb

Attachment: 2011 Institutional Rulemaking Report

cc: Joanne Jaeger Tomblin, President



West Virginia  
Northern  
COMMUNITY COLLEGE

150 Park Avenue  
Weirton, WV 26062  
304-723-2210

141 Main Street  
New Martinsville, WV 26155  
304-455-4684

1704 Market Street  
Wheeling, WV 26003  
304-233-5900

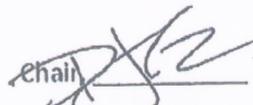
James L. Skidmore  
Chancellor  
WV Council for Community and Technical College Education  
1018 Kanawha Boulevard, East – Suite 700  
Charleston, WV 25301

Dear Chancellor Skidmore,

As Chair of the West Virginia Northern Community College Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of West Virginia Northern Community in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the Board of Governors. I further certify that for all rules adopted, amended, or repealed since July 1, 2005, that:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30 day comment period prior to final adoption of the rule was provided;
3. That a single location was designated where all proposed rules could be posted and accessed; and
4. That Internet access to all proposed and adopted rules was maximized. All rules can be found at the following web address <http://www.wvncc.edu/about/board-of-governors---rules-approved/680>.

ORIGINAL OR ELECTRONIC SIGNATURE OF CHAIR

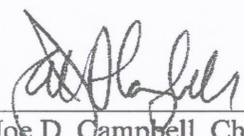
Chair  Board of Governors  
Date: 11-9-11

**Report on Institutional Rules  
October 1, 2011**

As Chair of the West Virginia University at Parkersburg Board of Governors, I hereby certify, pursuant to the requirements of W. Va. Code § 18B-1-6, that the attached list contains all the institutional rules of West Virginia University at Parkersburg in effect on July 1 of this year, including the most recent date on which each rule was adopted, amended or repealed by the West Virginia University at Parkersburg Board of Governors. I further certify that for all rules adopted, amended, or repealed:

1. Public notice was given of the proposed rulemaking and interested parties were given a fair and adequate opportunity to respond to the proposed rulemaking;
2. That a minimum 30-day comment period prior to final adoption of the rule was provided;
3. That a single location is designated where all proposed rules are posted and accessed; and
4. That Internet access to all proposed and adopted rules is available at the following web address: [http://www.wvup.edu/Board\\_of\\_Governors/policies.htm](http://www.wvup.edu/Board_of_Governors/policies.htm)

Signed, \_\_\_\_\_

  
Joe D. Campbell, Chair

West Virginia University at Parkersburg Board of Governors

Date: \_\_\_\_\_





# West Virginia Higher Education Policy Commission

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**Report to the Legislative Oversight Commission  
on Education Accountability**

**November 14, 2011**

**Institutional Graduation Rates**





West Virginia Higher Education Policy Commission  
1018 Kanawha Boulevard East, Suite 700  
Charleston, WV 25301  
(304) 558-0699  
www.hepc.wvnet.edu

**MEMORANDUM**

TO: Legislative Oversight Commission on Education Accountability

FROM: Brian Noland

DATE: November 14, 2011

RE: Graduation Rates at Public Four-Year Institutions

This memorandum provides information on graduation rates at public four-year institutions in West Virginia and reports progress on meeting the goals outlined in West Virginia Code §18B-3-4 (d)(1). That section reads:

By July 1, 2015, the governing board of each state institution of higher education under the jurisdiction of the commission, including the governing boards of Marshall University and West Virginia University, shall attain a graduation rate for full-time undergraduate students that equals or exceeds the graduation rate of its peers established pursuant to section three, article one-a of this chapter.

**Graduation Rates at Public Four-Year Institutions**

*West Virginia Public Colleges and Universities Cohort Graduation Rates \**

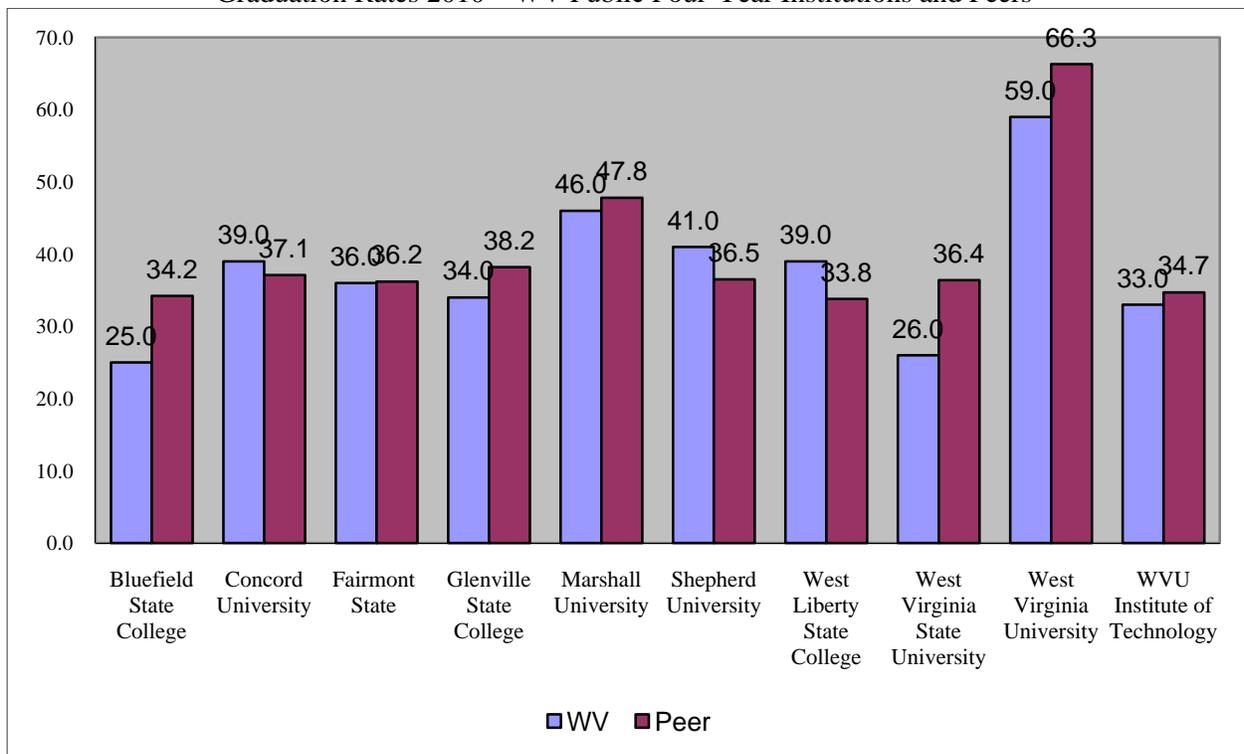
	1998-04	1999-05	2000-06	2001-07	2002-08	2003-09	2004-10	2005-11	Change (98-05 cohorts)
Bluefield State College	26.47	34.48	35.00	12.82	24.14	23.50	14.52	22.82	-3.65
Concord University	40.00	35.42	37.75	40.00	36.64	35.00	36.93	38.03	-1.97
Fairmont State	39.89	40.00	40.31	38.22	41.12	39.80	38.08	36.81	-3.08
Glennville State College	36.04	37.45	32.74	29.55	31.94	37.90	32.82	33.09	-2.95
Marshall University	40.36	44.01	48.17	42.28	46.03	46.80	48.44	46.58	6.22
Shepherd University	43.30	42.65	45.42	38.21	40.36	46.90	44.48	47.94	4.64
West Liberty University	41.49	44.81	44.27	44.99	42.61	42.60	39.37	47.08	5.59
West Virginia State University	30.87	26.36	22.70	23.68	28.08	28.10	22.44	21.19	-9.68
West Virginia University	56.29	55.86	56.27	55.58	57.65	56.90	58.87	57.03	0.74
WVU Institute of Technology	37.65	34.11	34.25	40.25	42.56	33.10	35.25	42.61	4.96
<b>Overall</b>	<b>45.88</b>	<b>46.73</b>	<b>47.71</b>	<b>45.69</b>	<b>47.91</b>	<b>48.50</b>	<b>48.53</b>	<b>48.49</b>	<b>2.61</b>

\* First-Time Full-Time Freshmen receiving a bachelor's degree or higher within 6 years from any WV institution

The table above provides information on the six-year graduation rates for students completing a bachelor’s degree at any public four-year institutions in West Virginia. During the last seven years, graduation rates have increased at five institutions (Marshall, Shepherd, West Liberty, WVU, and WVU Tech) and decreased at five institutions (Bluefield, Concord, Fairmont, Glenville, and WV State) with an overall increase of 2.61 percent for the system as a whole. The greatest increase in graduation rates has been at Marshall University and the greatest decrease has been at West Virginia State University. Between 2010 and 2011, graduation rates increased at six institutions and decreased at four. One year increases above five percent can be seen at Bluefield State College (8.3 percent), West Liberty University (7.7 percent), and WVU Institute of Technology (7.4 percent). All one year decreases were smaller than 2 percent.

**Graduation Rates – Peer Comparisons**

Graduation Rates 2010 – WV Public Four-Year Institutions and Peers



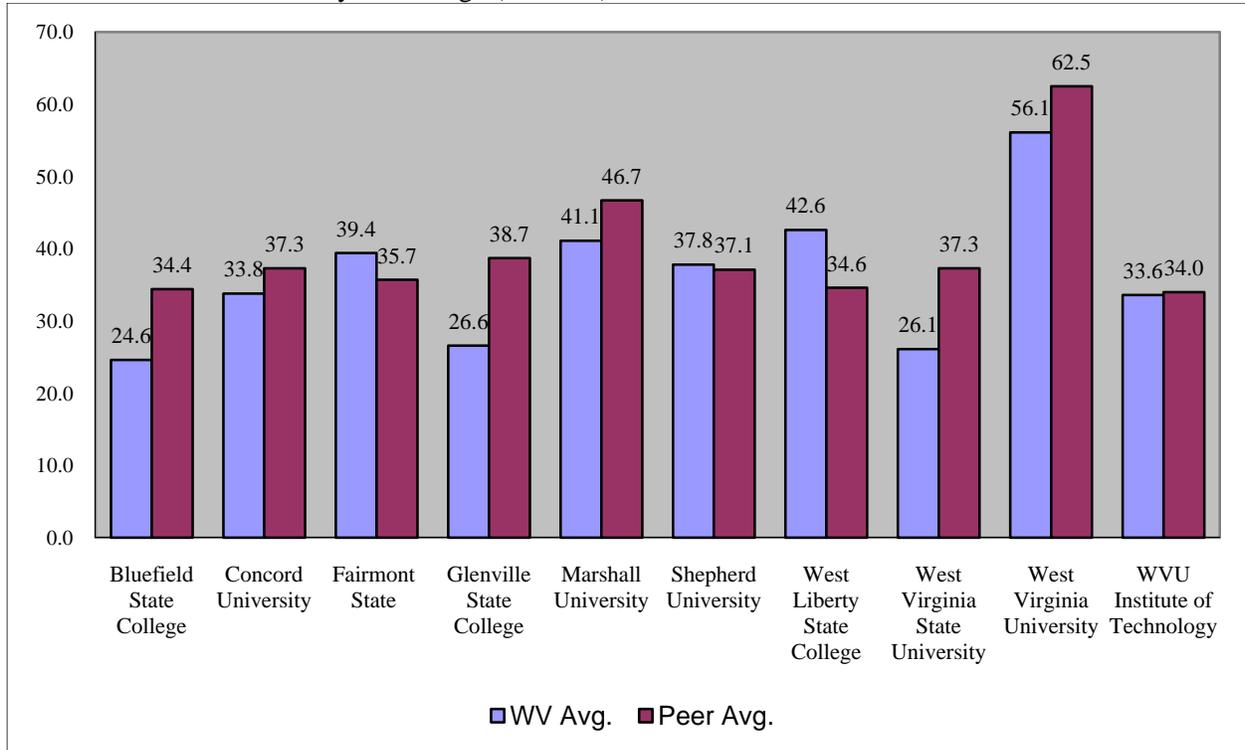
Source: IPEDS

The chart above compares the graduation rates of West Virginia’s public four-year colleges and their peer institutions for 2010. Three West Virginia institutions have graduation rates above their peer averages (Concord, Shepherd, and West Liberty) while the remaining seven are below their peer averages. Of those institutions that are below their peer average, West Virginia State University has the greatest difference in graduation rates (10.4 percent) between itself and its peers while Fairmont State University has the smallest (0.2 percent).

The next chart compares the average graduation rates of West Virginia public four-year institutions with their peer institutions over the last ten years. Three West Virginia institutions have 10-year average graduation rates that are above their peers (Fairmont, Shepherd, and West Liberty) while the graduation rates at the remaining seven institutions are below their peers. Of those institutions that are below their

peer average, Glenville State College has the greatest difference in graduation rates (12.1 percent) and WVU Institute of Technology has the smallest (0.4 percent).

Graduation Rates 10 year average (2001-10) – WV Public Four-Year Institutions and Peers



Source: IPEDS

**Conclusions**

A comparison of 2010 graduation rates puts all but three public four-year colleges (Bluefield, WV State, and WVU) within five percent of their peer averages. A comparison of average graduation rates over a 10 year period puts five of West Virginia’s public four-year colleges (Bluefield, Glenville, Marshall, West Virginia State, and WVU) more than five percent behind their peer institutions. If current graduation rate trends continue, Bluefield, Glenville, West Virginia State, and West Virginia University will likely have trouble matching or exceeding the graduation rate of their peer institutions by 2015.





**Report to the Legislative Oversight Commission  
on Education Accountability**

**November 14, 2011**

**SERIES 32, TUITION AND FEES**



**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In This Box

FILED

2011 OCT 26 AM 10:09

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: WV Council for Community and Technical College Education TITLE NUMBER: 135

CITE AUTHORITY: 18B-1D-3(a)(s)(B) and 18B-10-1

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: Series 32

TITLE OF RULE BEING PROPOSED: Tuition and Fees

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

  
Authorized Signature

**QUESTIONNAIRE**

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: October 26, 2011

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* WV Council for Community & Technical College Education

1018 Kanawha Blvd., East, Suite 700

Charleston, WV 25301

LEGISLATIVE RULE TITLE: Title 135, Series 32 - Tuition and Fees

1. Authorizing statute(s) citation 18B-1D-3(a)(2)(B) and 18B-10-1

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
August 26, 2011

b. What other notice, including advertising, did you give of the hearing?  
Notice via email to Community and Technical College presidents and constituent groups.  
Placed on Council web site in Council meeting agenda.

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
September 26, 2011

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached     X     No comments received

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

October 26, 2011

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- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

James L. Skidmore, Chancellor  
WV Council for Community and Technical College Education  
1018 Kanawha Blvd., East, Suite 700  
Charleston, WV 25301  
(304)558-0265  
(304)558-1646 fax  
skidmore@wvctcs.org

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- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

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- 3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

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b. Date of hearing or comment period:

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c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

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d. Attach findings and determinations and reasons:

Attached 

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**TITLE 135**  
**LEGISLATIVE RULE**  
**WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION**

**SERIES 32**  
**TUITION AND FEES**

FILED

2011 OCT 26 AM 10:09

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§135-32-1. General.**

- 1.1. Scope. -- This rule governs approval of tuition and fee increases by the West Virginia Council for Community and Technical College Education (Council) for West Virginia public community and technical colleges as required by West Virginia code.
- 1.2. Authority. – West Virginia Code §18B-1D-3(a)(2)(B), §18B-10-1
- 1.3. Filing Date. --.
- 1.4. Effective Date. --.

**§135-32-2. Purpose.**

- 2.1. The purpose of this rule is to establish guidelines for the Council to approve tuition and fee increases as required by State code. The Council recognizes that each college must have adequate funds to fulfill the institution's mission of delivering comprehensive community and technical college education and that two primary sources of funds are available: state general revenue allocations and tuition and fees collected from students. The Council recognizes the impact that tuition increases have on students and their ability to pay for and attend college. Consistent with this purpose, this rule addresses:
  - 2.1.a. The process by which the Council will approve required in-state resident tuition and fee increases above five percent (5%).
  - 2.1.b. The process by which Council staff will review special fees to determine if these fees should be included in required tuition and fees and thus subject to Council approval.
  - 2.1.c. The process by which the Council will review out-of-state nonresident tuition and fee rates to determine if these rates meet the "full cost of instruction" as required by W. Va. Code.

**§135-32-3. Definitions.**

- 3.1. Auxiliary Fees. Charges levied to all students to support auxiliary enterprises or optional charges levied only on students using the auxiliary service. Auxiliary fees include sales and service revenue from entities that exist predominantly to furnish goods or services to students, faculty or staff such as residence halls, faculty and staff housing, food services, intercollegiate athletics, student unions, bookstores, parking and other service centers.

- 3.2. Capital Fees. Charges levied on all students to support debt service, capital projects and facilities maintenance and renewal.
- 3.3. Deferred payment plans. Payment plans approved by each Board of Governors to allow for payment of tuition and fees at less than full payment prior to the start of classes.
- 3.4. Educational and General Fees. Charges levied on all students to support educational and general program services or optional fees levied for education and general services collected only from students using the service or from students for whom the services are made available. Educational and general expenditures include instruction, research, academic support, student services, institutional support, operation and maintenance of the physical plant, scholarships, and fellowships. Educational and general expenditures do not include expenditures for auxiliary enterprises or independent operations.
- 3.5. Full Cost of Instruction. The direct, functional expenditures from each institution's audit for both instruction and student services expenditures.
- 3.6. Full-time equivalent students. A calculation completed on an annual basis by Council staff using end of term enrollment data and is also referred to as annualized full-time equivalent students (AFTES). The calculation is as follows: end of term course hours for each semester (summer, fall and spring) divided by fifteen to get end of term FTES; sum the FTES for all three semesters; and divide by two to get AFTES.
- 3.7. Higher Education Price Index (HEPI). A measurement for inflation designed specifically to track the main cost drivers in higher education and to measure the change in the price of the goods and services purchased by colleges and universities as measured by the Commonfund Institute.
- 3.8. Median Family Income. Household income that is reported to the U.S. Census Bureau from various surveys and is the statistical center of all reported households income for a region.
- 3.9. Net college costs. The total cost to the student for tuition, room and board minus the amount of any financial aid a student may receive.
- 3.10. Peer Institution. A higher education institution located in another state that is similar to a West Virginia community and technical college and is one of twenty colleges selected to be a peer institution.
- 3.11. Program Fees. Charges levied to all students who take classes in a specific degree program to offset some of the higher, direct, instructional costs of these programs and minimize required tuition charged to all students.
- 3.12. Reduced nonresident tuition and fees. A special tuition and fees rate charged to a specific group of nonresident students typically in counties that border the West Virginia institution.

- 3.13. Required Tuition and Fees. Charges levied to all students and include educational and general fees, auxiliary fees, and capital fees. Increases in these fees above five percent must be approved by the Council.
- 3.14. Special Fees. Operational or user fees charged to offset the specific costs for providing a service. These fees include, but are not limited to, parking, late payments, drug testing, instrument fees, and other services provided to students.

**§135-32-4.**

**Goals.**

- 4.1. Objectives. The Council, in partnership with the governing boards of the ten community and technical colleges comprising the community and technical college system of West Virginia, shall enhance education opportunities for the widest range of state citizens by:
  - 4.1.a. Establishing tuition and fee levels for in-state students that do not inhibit access to public education nor cause students to incur excessive debt; W. Va. Code §18B-1D-3(a)(2)(B); and
  - 4.1.b. Establishing tuition and fee rates for out-of-state students at levels which, at a minimum, cover the full cost of instruction unless doing so is inconsistent with a clearly delineated public policy goal established by the Legislature ... or the Council. W. Va. Code § 18B-1D-3(a)(2)(B).
- 4.2. Findings. The Council finds:
  - 4.2.a. Students attending community and technical colleges in West Virginia pay a significantly higher proportion of their family income for tuition and fees than do students in most other states.
  - 4.2.b. The average tuition and fee rate for community and technical colleges in West Virginia exceeds the national average for public community and technical colleges.
  - 4.2.c. Providing opportunities for adult students to enroll in community and technical college programs is a priority, and tuition and fee rates must remain affordable for this targeted population.
  - 4.2.d. A delicate balance exists between the need for tuition increases to address increasing institutional operating costs and the impact on accessibility and affordability for students.
  - 4.2.e. The Council for Community and Technical College Education declares that it is supportive of institutional tuition plans that lead to increase degrees and/or certificates attainment in the State of West Virginia.

**§135-32-5.**

**Tuition and Fee Increases.**

- 5.1. Approval of In-State or Resident Tuition and Required Fee Increases.

- 5.1.a. In establishing guidelines, the Council shall communicate to institutions the benchmarks and guidelines for consideration of any tuition and fee increase above five percent. The benchmarks and guidelines may include, but are not limited to such items as:
  - 5.1.a.1. The HEPI, or other appropriate inflationary benchmarks, which any new state allocations to the institution's base budget for the next fiscal year did not offset;
  - 5.1.a.2. Continued achievement of benchmarks in the approved institutional compact;
  - 5.1.a.3. Comparison of the most recent year change in the average West Virginia student's net tuition with change in the West Virginia's median household income to determine whether a community and technical college education is costing families more or less over time and thus impacting the ability of families to pay for college;
  - 5.1.a.4. Institutional distance from peer equity levels;
  - 5.1.a.5. Institutional and state funding per full-time equivalent student;
  - 5.1.a.6. Most recent three year history of tuition and fee increases;
  - 5.1.a.7. Institutional implementation of new, high cost programs as defined by the Council;
  - 5.1.a.8. Total sources of student generated revenue, including special and program fees; and,
  - 5.1.a.9. Other factors as requested or deemed relevant by the Council, or in response to any new statutory language.
- 5.1.b. A governing board may approve tuition and required fee increases for resident students each fiscal year up to five percent (5%) without Council approval.
  - 5.1.b.1. For the purposes of this rule, the five percent tuition and fee increases that require only local governing board approval shall be based on required tuition and fee rates charged to all in-state, resident students.
  - 5.1.b.2. A special fee must be approved by the Council if it is a new fee (or an increase in an existing fee) that is charged to fifty percent or more of the students and if the inclusion causes resident tuition and fee increases to exceed five percent. Determination of the fifty percent (or more) of the students is calculated by using most current, unduplicated, fall

headcount and comparing these amounts to the institutional reported projected student population to be charged. These fees must be included in both reports to Council discussed in sections 5.1.c. and 5.1d.

- 5.1.b.3. Program fees must be approved by each governing board and do not require Council's approval. However, these fees must be included in both reports to Council discussed in sections 5.1.c. and 5.1d.
- 5.1.c. In responding to the guidelines and benchmarks provided by the Council, each institution shall provide the Council with an annual report by August 31<sup>st</sup> that specifies the following information from the most recent academic year:
  - 5.1.c.1. Tuition and fee rates for resident, nonresident, and reduced nonresident required tuition and fees, program fees, and special fees;
  - 5.1.c.2. The total number of students charged resident, nonresident, and reduced nonresident required tuition and fees, program fees, and special fees; and
  - 5.1.c.3. The total revenue generated from resident, nonresident, and reduced nonresident required tuition and fees, program fees, and special fees.
- 5.1.d. Each institution must provide to the Council by April 1<sup>st</sup>, any Board approved or proposed new tuition and fees for the next academic year. This report will specify:
  - 5.1.d.1. Current and proposed tuition and fee rates for resident, nonresident, and reduced nonresident required tuition and fees, program fees, and special fees;
  - 5.1.d.2. The estimated number of students who will be charged any new or proposed changes to existing special fees; and
  - 5.1.d.3. The projected revenue increases to be generated from any proposed tuition and fee increases for resident, nonresident, and reduced nonresident required tuition and fees, program fees, and special fees; and
  - 5.1.d.4. The justification for tuition and fee increases that exceed a total of 5%
- 5.2. Review of nonresident tuition and fees.
  - 5.2.a. A governing board shall propose tuition and required fee rates for out of state or nonresident students at levels that, at a minimum, cover the full

cost of instruction unless doing so is inconsistent with a clearly delineated public policy goal established by the Legislature or the Council.

- 5.2.b. The Council will require each institution to report annually on the number of nonresident students. At no time should the admission of nonresident students to any institution or specific program of study within the institution unreasonably impede the ability of resident students to attend the institution or participate in the programs of the institution.
- 5.2.c. Full cost of instruction is based on the functional schedule from the most recent financial statements. A calculation will be made for each institution taking the total instruction and student services expenses divided by the institution's full time equivalent students. The System average shall be determined by totaling the instruction and student services expenses for all institutions divided by the full time equivalent students for the entire system. Both calculations shall be provided to the institutions annually by January 31st. Each institution will report all nonresident tuition and fee rates. Nonresident tuition and fees will be reviewed by Council staff to determine if current proposed nonresident total tuition and fees fall below the *lower of* the most recent reported System average or the applicable institutional full cost of instruction.
- 5.2.d. Institutional governing boards may choose to set nonresident tuition based on the lower of the respective institution's full cost of instruction or the system average full cost of instruction.
- 5.2.e. In order to provide additional educational opportunities to West Virginia residents, West Virginia community and technical colleges may enter into reciprocity agreements with nearby out-of-state higher education institutions whereby institutions make available programs and courses that are not available at the reciprocating institution.
  - 5.2.e.1. Governing boards may enter into reciprocal regional and interstate agreements, including agreements with the Southern Regional Education Board, that allow nonresident students to be charged resident tuition and fee rates, when the agreements are mutually beneficial to the students of the participating states.
  - 5.2.e.2. Reciprocity agreements shall be approved by the Council. Request for approval shall include an estimate of the total number of participating students from West Virginia and other states over the life of the agreement.
  - 5.2.e.3. Tuition and required fees for nonresident students subject to reciprocity agreements shall be charged by community and technical colleges in a manner that is consistent with the Council approved reciprocity agreement.

- 5.3. Review of reduced, nonresident tuition and fees.
  - 5.3.a. A governing board may propose a reduced, nonresident tuition and required fee rates for out of state or nonresident students at levels that, at a minimum, covers the full cost of instruction as defined in 5.2.c. unless doing so is inconsistent with a clearly delineated public policy goal established by the Legislature or the Council.
  - 5.3.b. There must be clear, specific criteria provided by each Governing Board to govern what students will be charged this reduced, nonresident tuition rate .i.e. geographic location such as out of state surrounding counties bordering the West Virginia institution.
  - 5.3.c. Each institution must report any proposed or changes to the reduced, nonresident tuition rates to the Council along with the submission of resident and nonresident tuition and fee rates as outlined in section 5.1.d.

**§135-32-6. Refunds.**

- 6.1. Each Board of Governors must establish a refund policy for students who officially withdraw during a semester that at minimum establishes refunds that complies with the following schedule:
  - 6.1.a. A student who begins a term and withdraws after completing up to one (1) week or ten percent (10%) of the term is entitled to a refund of ninety percent (90%) of the charges;
  - 6.1.b. A student who withdraws after completing more than ten percent (10%) through twenty-five percent (25%) of the term is entitled to a refund of seventy-five percent (75%) of the charges;
  - 6.1.c. A student who withdraws after completing more than twenty-five percent (25%) through fifty percent (50%) of the term is entitled to a refund of fifty percent (50%) of the charges;
  - 6.1.d. A student who withdraws after completing more than fifty percent (50%) of the term is not entitled to a refund; or
- 6.2. Each Board of Governors may establish a refund policy for students who officially withdraw during a semester that establishes refunds based upon the same calculations that the United States Department of Education prescribes for the return of Title IV student financial aid funds.

**§135-32-7. Deferred Payment Plans.**

- 7.1. Each Board of Governors may establish a policy that provides deferred payment plan for students allowing them to pay their tuition and fees in installments. The deferred payment plan(s) must provide for full payment prior to the end of the academic term. This policy must address:

- 7.1.a. The interest rates, if any, that will be charged during the plan.
- 7.1.b. The types of installment plans available either institutionally or through a third party provider.

**WV Council for Community and Technical College Education  
Meeting of October 20, 2011**

**ITEM:** Approval of Series 32, *Tuition and Fees*

**INSTITUTIONS:** All

**RECOMMENDED RESOLUTION:** *Resolved*, that the West Virginia Council for Community and Technical College Education approves Series 32, *Tuition and Fees*, for filing with the Secretary of State and submission to the Legislative Oversight Commission on Education Accountability for approval.

**STAFF MEMBER:** James Skidmore / Pat Hunt

**BACKGROUND:**

At the August 18, 2011 meeting of the West Virginia Council for Community and Technical College Education (Council), legislative rule Series 32, *Tuition and Fees*, was approved to be filed for the 30-day comment period. There were primarily three comments which follow.

**Comment:**

The policy recognizes the WV Code mandates that tuition and fee rates for out-of-state students, at a minimum, must cover the full cost of instruction unless doing so is inconsistent with a clearly delineated public policy goal established by the Legislature or the Council.

- I am aware that some institutions have approved or proposed a “metro fee” where students in other states pay a reduced tuition.
- Under what authority are metro rates approved? I do not see any citation of metro fees in the proposed revisions.
- The policy does provide for reciprocity agreements where out-of-state students may be able to pay resident tuition. These provisions are not relevant to the metro fee because 1) the agreements are with nearby out-of-state institutions (not students) and 2) the agreements must be mutually beneficial to students from all participating states.

If metro rates are going to be approved, I believe that provisions need to be added to the policy to accommodate and provide for their approval.

**Response:**

Section 5.3 was added to the rule to address the review of reduced non-resident tuition and fees (or metro rates) similar to the review process for non-resident tuition and fees.

**Comment:**

There is no current legislation that sets refund policy. The history of this goes back to a legislative rule put in place in 1994. This rule has since been superseded through many revisions of 18B and the local BOG's do have local authority to provide institutional policy for refunding. However, in the research I have done, most policies still have a 90/70/50 % refund rule that mimics the legislative rule from 1994. To be safe and considerate of the Legislature, Council, and HEPC, I recommend:

- The new tuition and fee rules for both HEPC and Council institutions should indicate that the local boards have the authority to establish its own refund policy.
- That LOCEA is made aware that the tuition and fee rule will not include any refund policy.

History tells me that the same legislative thought process of being more student friendly with tuition and fees, by not removing the cap, went into the original refund rule mandated in 1994 and we should make sure that the Legislature (through LOCEA) are comfortable with each institution having their own distinct refund policy.

**Response:**

Council staff agrees that the tuition and fee rule should address a refund policy. Staff modified Series 32 adding Section 6 that provides refund schedules. Section 6.1 is identical to the refund schedule in Series 35 for proprietary institutions. Section 6.2 provides a refund schedule aligned with the United States Department of Education return of Title IV, student financial aid funds. Institutions have the flexibility to choose between one of the two refund schedules in setting a policy.

The modified Series 32 was circulated to the Presidents and their staff for further comments. Most comments were agreeable to having two refund policies; however, some institutions stated their preference to have Section 6.1 refund schedule similar to the one approved by the Higher Education Policy Commission. Some institutions also expressed concern with a prescribed refund policy and the impact on institutional flexibility. While Council staff appreciates the need for flexibility at each local Board, it does not seem appropriate to have a refund policy for public institutions less favorable to students than that approved for proprietary institutions.

**Comment:**

18B-10-1 was amended to NOT require a joint tuition and fee rule of Commission and Council. But another part of 18B-10-1 says Commission and Council shall JOINTLY propose rules for deferred tuition and fee plans by the BOGS or third parties. So we have to put something in both rules on that subject that is identical or do a different joint rule on that subject.

**Response:**

Section 7 was added to address deferred tuition and fee payment plans.

Series 32 follows with appropriate underlines to reflect the changes discussed above. Council staff recommends that Council approve this rule as modified.



## SUMMARY

### Title 135 Legislative Rule WV Council for Community and Technical College Education

#### Series 32

#### *Tuition and Fees*

The purpose of this rule is to establish guidelines for the Council to approve tuition and fee increases as required by State code. The Council recognizes that each college must have adequate funds to fulfill the institution's mission of delivering comprehensive community and technical college education and that two primary sources of funds are available: state general revenue allocations and tuition and fees collected from students. The Council recognizes the impact that tuition increases have on students and their ability to pay for and attend college. Consistent with this purpose, this rule addresses:

- The process by which the Council will approve required in-state resident tuition and fee increases above five percent (5%).
- The process by which Council staff will review special fees to determine if these fees should be included in required tuition and fees and thus subject to Council approval.
- The process by which the Council will review out-of-state nonresident tuition and fee rates to determine if these rates meet the "full cost of instruction" as required by W. Va. Code.

**FISCAL NOTE FOR PROPOSED RULES**

Tuition and Fees

Rule Title: \_\_\_\_\_

Type of Rule:  Legislative  Interpretive  Procedural

Agency: WV Council for Community and Technical College Education

Address: 1018 Kanawha Blvd., East, Suite 700  
Charleston, WV 25301  
James L. Skidmore, Chancellor

Phone Number: 304-558-0265 Email: Skidmore@wvctcs.org

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

There are no direct costs associated with this rule.

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "--")	Next Increase/Decrease (use "--")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: \_\_\_\_\_

Rule Title: Tuition and Fees

3. **Explanation of above estimates (including long-range effect):**  
Please include any increase or decrease in fees in your estimated total revenues.

There are no direct costs associated with this rule.

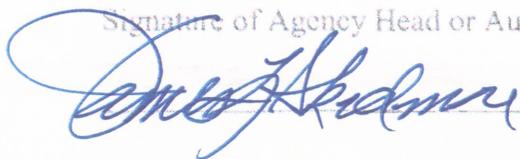
### MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

Established guidelines for the Council to approve tuition and fee increases as required by State code.

Date: 8/24/11

Signature of Agency Head or Authorized Representative







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**Report to the Legislative Oversight Commission  
on Education Accountability**

**November 14, 2011**

**MILITARY EDUCATION COVENANT SIGNING**

**U.S. ARMY**





## **Military Covenant Signing**

**US ARMY and  
WV Council for Community and Technical College Education**

**November 9, 2011**

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A covenant signing between the West Virginia Council for Community and Technical College Education and the U.S. Army was held on Wednesday, November 9, 2011, at the Clay Center.

The covenant states the Community and Technical College System of West Virginia recognizes the commitment Soldiers and their Families make every day to protect our nation and, as a System, are committed to:

- Assist in the implementation of the Army Educational Covenant that enables soldiers to simultaneously pursue their educational goals and protect our country.
- Build partnerships that support the attainment of educational goals and aspirations of soldiers and their families.
- Recognize the value of transfer and military education, and apply those credits towards earning a degree.
- Coordinate efforts for Soldiers and Families to utilize on-line classes of their choice, and earn credit for prior learning and learning experience.

### **Guest Speakers**

Chancellor James L. Skidmore

First Lady Joanne Jaeger Tomblin

Lieutenant Colonel Kevin A. Field

U.S. Army Columbus Recruiting Battalion - Battalion Commander

Major Timothy G. Hilton

U.S. Army Columbus Recruiting Battalion - Executive Officer



8 December 2011

Military Programs Proposal – WVCTCS

Presenter: Cory Payne, MCTC

# College Equivalency

## ACE Recommended Credit US Army Recruiter (E-7)

- 3 Hours – Social Psychology
- 3 Hours – Audiovisual Techniques
- 3 Hours – Marketing Techniques
- 3 Hours – Public Speaking
- 3 Hours – Records Keeping
- 3 Hours – Principles of Advertising
- 3 Hours – Office Procedures
- 3 Hours – Personnel Supervision
- 3 Hours – Records Management
- 3 Hours – Field Experience in Marketing
- 3 Hours – Personnel Management
- 3 Hours – Advertising Media
- 2 Hours – Vocational Counseling
- 2 Hours – Publicity Release Writing

## Current Evaluation Process For Transfer Credit

- SS 1XX – Unclassified – 3 Hours
- IT 1XX – Unclassified – 3 Hours
- MK 1XX – Unclassified – 3 Hours
- COM 1XX – Unclassified – 3 Hours
- AT 1XX – Unclassified – 3 Hours
- MK 1XX – Unclassified – 3 Hours
- AT 1XX – Unclassified – 3 Hours
- UNC 1XX – Unclassified – 3 Hours
- AT 1XX – Unclassified – 3 Hours
- MK 1XX – Unclassified – 3 Hours
- UNC 1XX – Unclassified – 3 Hours
- UNC 1XX – Unclassified – 3 Hours
- UNC 1XX – Unclassified – 2 Hours
- UNC 1XX – Unclassified – 2 Hours

# College Equivalency

## Reasons Why Colleges DO NOT Award Credit for Courses

- Why should I give credit to people who throw hand grenades?
- Awarding credit based on military training takes money from my coffers or I lose students in my class.
- Military Education and Training does not equate to the quality of education received in my classroom.
- Our accreditation excludes the awarding of military credit for courses listed as degree requirements.

## Reasons Why Colleges SHOULD Award Credit for Military Education

- In making these decisions, colleges consider comparability of credit to be transferred to the receiving institution and appropriate applicability of the credit in relation to the student's selected program of study. (American Council on Education)
- In determining comparability, the receiving institution must have evidence that the learning acquired through the student's military training course or experience directly relates to the objectives of the academic courses that the institution offers. (American Council on Education)
- Joint Statement on the Transfer and Award of Credit – copy provided to you. ([http://www.acenet.edu/Content/NavigationMenu/ProgramsServices/CLLL/Credit\\_Transfer.pdf](http://www.acenet.edu/Content/NavigationMenu/ProgramsServices/CLLL/Credit_Transfer.pdf))
- Limited Education Benefits Awarded (36 months) – Discuss changes in current policies for Federal TA and GIBILL Usages
- Increased Graduation Rates and Job Placement
- MIVER Evaluation Team - The evaluation process is founded on high quality standards of practice including a rigorous review and selection of subject-matter experts and academic faculty, a site visit to analyze the content, and an evaluator consensus in determining the learning outcomes and appropriate academic credit recommendations.
- MIVER Team Requirements: To qualify, you must be actively teaching college-level courses and have a minimum of 5 years teaching experience. Evaluators conduct evaluations of Military Training within their related field.

# College Equivalency

## Recommended Credit US Army Recruiter (E-7)

- 3 Hours – Social Psychology
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- 3 Hours – Office Procedures
- 3 Hours – Personnel Supervision
- 3 Hours – Records Management
- 3 Hours – Field Experience in Marketing
- 3 Hours – Personnel Management
- 3 Hours – Advertising Media
- 2 Hours – Vocational Counseling
- 2 Hours – Publicity Release Writing

## How the Credit SHOULD be Awarded (Based on MCTC Course Catalog)

- PSYC 215 – Lifespan Psychology – 3 Hours
- IT 280, SP – Audiovisual Techniques – 3 Hours
- MK 130 – Fundamentals of Marketing – 3 Hours
- COM 112 – Oral Communication – 3 Hours
- AT 104 – Records Management – 3 Hours
- MK 279 – Advertising and Sales Promo. – 3 Hours
- AT 265 – Administrative Office Proced. – 3 Hours
- ISM 133 – Prin. of Supervision & Mgnt. – 3 Hours
- AT – 105 – Comp. Database Mgnt – 3 Hours
- MK 210 – Customer Service – 3 Hours
- MG 233 – Personnel Management – 3 Hours
- MG 280, SP – Advertising Media – 3 Hours
- SS 280, SP – Vocational Counseling – 2 Hours
- ENL 280, SP – Publicity Release Writing – 2 Hours

# College Equivalency

## How Transfer Credit Would Appear on Program Eval Form (BOG Used Here)

**COMPONENT I General Education (21Credit Hours)**  
**Subject Areas Required**

	Hours Completed	Courses	
Communications	6	COM 112	3
Math/Science	6		
Computers	3		
Social Science/Humanities Courses	6	PSYC 215	3

**Hours completed in Component I: 6**

**Hours pending in Component I:**

**Hours remaining to be completed in Component I: 15**

**COMPONENT II Electives (39 Credit hours)**

Course	hrs	Course	hrs	Course	hrs	Course	hrs
IT 280	3	ISM 133	3	SS 280	2		
MK 130	3	AT 105	3	ENL 280	2		
AT 104	3	MK 210	3				
MK 279	3	MG 233	3				
AT 265	3	MG 280	3				
Total:	15		15		4		

This component consist of credit hours from the following options: Area of emphasis, portfolio course (TS 101) credits, CLEP and DANTES exams, Military Credits, challenge exams, special assessment of licensure/certifications/formal training programs, and capstone course.

**Hours completed in Component II: 34**

**Hours remaining to be completed in Component II: 5**

**MINIMAL HOURS REQUIRED FOR GRADUATION: 60**

**Overall GPA:**

**Institutional GPA:**

**Completed 3 hours at institution to establish residency: no**

**Completed 12 hours at regionally accredited institutions: no**

# Future Soldier/Sailor Program

## Program Requirements

- ❑ Central point of contact for the school
- ❑ Service Contract to Provide MILS 110 – Introduction to Military Service
- ❑ Credit Evaluation for Future Military Training Based on Military Contract
- ❑ Fee Waiver for Application and initial credit evaluation fees
- ❑ Future Soldier Leader – Teach content within the Future Soldier/Sailor on-line course packet
- ❑ Institution Point of Contact – Teach Courses covering financial management to include GIBILL, Federal Tuition Assistance, Financial Readiness, and Degree Planning (maximizing their educational benefits).

# Future Soldier/Sailor Program

## Outlook for the School for Participation

- ❑ Increased enrollment (on-campus & on-line) by students who have funding to attend
- ❑ Helps support the DegreeNow Initiative by assisting with increased degree completion
- ❑ Free Marketing (Word –of– Mouth)
- ❑ Capture stop out enrollment from previous attendees upon their exit from military service
- ❑ Increased visibility when perceived as a *Military Friendly School*

# Future Soldier/Sailor Program

## Advantages for Student for Participation Prior to Enlistment

- Promotion potential from two areas: First-from program completion early promotion upon attending basic training, Second- for future promotions they receive 1.5 promotion points for every college credit hour
- Increased knowledge on their educational benefits and how to maximize their ability to use (note: in 90's the highest utilization rate was 38%)
- Planting the idea that these individuals can attend college and succeed
- If service members use their active duty benefits they can use their GIBILL to earn more advanced degrees after exit from the service
- For career service members increased promotion potential due to Degree Completion while on Active Duty

# Future Soldier/Sailor Program



## REQUEST FOR COURSE ADDITION

Division: Workforce Development Contact Person: Corwyn Payne Phone: 304-399-1279

### COURSE DATA

<b>Alpha Designator and Number:</b> MILS 110	<b>Cross Referenced Alpha Designator and Number:</b>
<b>Course Title:</b> Introduction to Military Service	
<b>Title Abbreviation: (limit of 25 characters and spaces)</b> Intro Mil Service	
<b>Course Description:</b> This course prepares future service member for military service. Topics include history of the US military, military branch history, basic first aid, land navigation, military protocol and procedures, the military education benefits, military transcripts and personal finance	
<b>Rationale for Course Addition (Required):</b> Course is in support of the military program	
<b>Prerequisite/Corequisite:</b> Permission	
<b>Credit Hours:</b> 3	<b>First Term to be Offered:</b> Spring 2012
<b>Graded:</b> [X] CR/NC: [ ]	
<b>Course being deleted in place of this addition:*</b> Yes [ ] No [X]	
If Yes, Alpha Designator, Number, Title:	

\*If applicable, course deletion form must accompany this form.

### REQUIREMENTS

[X] See attached    NA Not Applicable    (attach a separate page if necessary)

- Attach an e-mail from the Registrar approving the alpha-designator and course number.
- If your division requires additional faculty, equipment, specialized materials, library resources, or facilities, attach an estimation of money and time required to secure these items.
- Attach a copy of the correspondence sent to other divisions describing the proposed new course.
- If this course will be required by division(s) other than your own, identify by name.
- If there are any agreements required to provide clinical experience, attach details and signed agreements.

Dean sends 1 signed hard copy and 1 electronic copy to Curriculum Committee Chair

### SIGNATURES\* (Please sign in blue ink)

Division Dean	_____	Date	_____
Curriculum Committee Chair	_____	Date	_____
Executive Dean	_____	Date	_____
President	_____	Date	_____

\*When all signatures have been acquired, please return form to Curriculum Committee Chair for distribution.

FOR USE BY CURRICULUM COMMITTEE CHAIR (COMPLETE AFTER SIGNATURES OBTAINED)

Curriculum Committee Chair	_____	Date Received	_____
<input type="checkbox"/> Original to Executive Dean's Office <input type="checkbox"/> Copy to Student Services Dean <input type="checkbox"/> Copy to Division Dean of Origination			

## Course Addition Sheet

### Course Addition Master Syllabus Information

<b>Alpha Designator and Number:</b> MILS 110
<b>Course Title:</b> Introduction to Military Service
<b>Course Description</b> This course prepares future service member for military service. Topics include history of the US military, military branch history, basic first aid, land navigation, military protocol and procedures, the military education benefits, military transcripts and personal finance
<b>Prerequisite/Corequisite:</b> Permission
<b>Credit Hours:</b> 3
<b>Learning Outcomes:</b> <b>Upon completion of this course, the student will be able to:</b>
<ol style="list-style-type: none"> <li>1. Perform First aid</li> <li>2. Determine an azimuth</li> <li>3. Read a map to determine distance</li> <li>4. Identify on a map terrain features</li> <li>5. Explain the declination angle</li> <li>6. Explain an ACE military transcript</li> <li>7. Describe how to use educational benefits.</li> <li>8. Financial Readiness</li> </ol>
<b>General education learning outcomes (selected outcomes must be embedded in course learning outcomes):</b>
<ol style="list-style-type: none"> <li>1. Utilize technology competently (maps to Learning Outcomes 1-3 above)</li> <li>2. Use critical thinking skills (maps to Learning Outcomes 1-3 above)</li> <li>3. Utilize written communication (maps to Learning Outcomes 1 and 2 above)</li> </ol>