West Virginia Council for Community & Technical College Education

AGENDA
October 11, 2018
9:30 am

Members

Robert Brown, Chair
Clarence Pennington, Vice Chair
William Baker
Kenneth Boggs
Christina Cameron
Kathy D’Antoni

Michael Farrell
Tracy Miller
Charles Parker
Steve Roberts
John Sorrenti
Harry Keith White

Sarah Armstrong Tucker, Chancellor
Arriving from the EAST on I-64
(after leaving Charleston)
1. At I-64 exit 55, take Ramp (RIGHT) toward Kanawha Turnpike
2. Stay on Kanawha Turnpike [CR-12]
3. After about 0.5 mile, turn LEFT into the West Virginia Regional Technology Park (3300 Kanawha Turnpike)

Arriving from the WEST on I-64
(approaching Charleston):
1. At I-64 exit 54, turn RIGHT onto Ramp towards US-60 / MacCorkle Ave / South Charleston
2. Keep RIGHT to stay on Ramp towards US-60
3. Bear RIGHT (East) onto US-60 [MacCorkle Ave SW], then immediately turn RIGHT (South-East) onto SR-601 [Jefferson Rd]
4. After 0.5 mile, bear left at the traffic light onto Kanawha Turnpike [CR-12]
5. Continue straight (0.1 mile) through the next traffic light on Kanawha Turnpike
6. After about 0.5 mile, turn RIGHT into the West Virginia Regional Technology Park (3300 Kanawha Turnpike)
MEETING AGENDA
October 11, 2018
9:30 am
Advanced Technology Center, South Central West Virginia
1201 Science Park Drive
South Charleston, WV 25303
Room 131-132
Continental Breakfast available at 8:30 am

I. Call to Order

II. Oath of Office for New Member Michael Graney

III. Approval of Minutes
   A. *Approval of August 16, 2018 Meeting Minutes .......................................................... pg 6

IV. Academic Affairs
   A. *Program Review for 2017-2018 .......................................................... pg 10
   B. *Revisions to Legislative Rule, Series 20, Initial Authorization of Degree-Granting Institutions ............................................................................................................................... pg 15
   C. *Repeal of Procedural Rule, Series 41, Developmental Education Competencies ...... pg 40

V. General
   A. *Revisions to Legislative Rule, Series 27, Workforce Development Initiative Program, and Repeal of Procedural Rule, Series 7, Technical Program Development and WV Advance Rapid Response Workforce Development, for Public Comment ..................... pg 46
   B. *Revisions to Procedural Rule, Series 40, Equal Opportunity and Affirmative Action ............................................................................................................................................... pg 59

VI. Information Items

* Denotes an item requiring action/approval
A. Division of Student Affairs Overview ................................................................. pg 63

VII. Possible Executive Session Under the Authority of WV Code §6-9A-4 for the Following:

A. *Presidential Appointment and Compensation at New River Community and Technical College

VIII. Additional Board Action and Comments

IX. Upcoming Meetings

Next Council Meeting:
Location: Advanced Technology Center, South Central West Virginia
South Charleston, WV
Date: December 13, 2018
Time: 9:30 a.m.

X. Adjournment

* Denotes an item requiring action/approval
A meeting of the West Virginia Council for Community and Technical College Education was held on August 16, 2018, beginning at 9:30 a.m. at the Advanced Technology Center, South Central West Virginia in South Charleston, West Virginia. Council members present were: William Baker, Kenneth Boggs, Robert Brown, Steve Roberts, and John Sorrenti. Joining via conference call were: Christina Cameron, Tracy Miller, and Clarence Pennington. Absent were: Kathy D’Antoni, Mike Ferrell, Charles Parker, and Harry White. Also in attendance were Council staff, community and technical college presidents, faculty, staff, students, and guests.

Call to Order

Chairman Brown called the meeting to order and noted that a quorum was present.

1. **Approval of Minutes**

   Mr. Baker moved the adoption of minutes from the June 5, 2018, meeting of the West Virginia Council for Community and Technical College Education.

   Mr. Roberts seconded the motion. Motion carried.

Academic Affairs

2. **Post Audit Reviews**

   Mr. Roberts moved the adoption of the following resolution:

   RESOLVED, That the West Virginia Council for Community and Technical College Education receives the post-audit reports for the occupational programs at New River Community and Technical College, Southern West Virginia Community and Technical College, West Virginia Northern Community College, and West Virginia University at Parkersburg and follow-up reports from Mountwest Community and Technical College and Southern West Virginia Community and Technical College and recommends that the programs be subject to the recommended actions as noted.

   Mr. Sorrenti seconded the motion. Motion carried.
3. **Revisions to Series 59, Awarding Undergraduate College Credit for Prior Learning**

Mr. Baker moved the adoption of the following resolution:

RESOLVED, That the West Virginia Council for Community and Technical College Education approves the revisions to Series 59, Procedural Rule, Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program to be filed with the Secretary of State for the thirty-day public comment period and if no substantive comments are received that the Council extends its final approval.

Mr. Boggs seconded the motion. Motion carried.

**Finance and Facilities**

4. **Fiscal Year 2020 Budgetary Submission Request**

Mr. Sorrenti moved the adoption of the following resolution:

RESOLVED, That the West Virginia Council for Community and Technical College Education approves the fiscal year 2020 budget submission request as presented.

Mr. Roberts seconded the motion. Motion carried.

**General**

5. **Institutional Compact Updates for Planning Period 2016-2020**

Ms. Miller moved the adoption of the following resolution:

RESOLVED, That the West Virginia Council for Community and Technical College Education approves the updated institutional compacts for the planning period of 2016 - 2020.

Mr. Baker seconded the motion. Motion carried.

**Information Items**

6. **Lyndsey Wilson College to Continue to Offer Baccalaureate and Master’s Degrees at Southern WV Community and Technical College**

Corley Dennison, Vice Chancellor for Academic Affairs, reported to the Council that at its meeting on June 23, 2017, the West Virginia Higher Education Policy Commission approved a one-year extension for Lindsey Wilson College (KY) to offer a Bachelor of Arts in Human Services and Counseling and a Master of
Education in Counseling and Human Development at Southern West Virginia Community and Technical College.

7. Statewide College Attainment Goals

Chris Treadway, Senior Director of Research and Policy, reported that West Virginia Higher Education Policy Commission and Council staff recently announced a new statewide campaign aimed at increasing the educational attainment rate of working-age West Virginians from 31.4 percent to 60 percent by the year 2030. Dr. Treadway said that West Virginia’s Climb campaign will serve as a vehicle for cross-sector collaborations involving four-year colleges and universities, community and technical colleges, career and technical education centers, K-12, business and industry, government agencies, and philanthropic organizations. It will also provide a framework for new college access and student success initiatives. This effort was funded by a $37,500 grant from the Lumina Foundation. www.wvclimb.com.

8. Progress Report on Funding Model Research Study-Student Focused Funding

Chris Treadway, Senior Director of Research and Policy, informed the Council that following the June 4, 2018, Funding Formula Model Workshop, staff developed the framework for a formula tailored to the unique missions of the state’s community and technical colleges. Following his presentation, Dr. Treadway stated that the public will be invited to review the proposal on the Council’s website and submit formal, written comments from August 15-31, 2018, to chancellor@wvctcs.org. The complete funding model proposal can be viewed at this link: https://new.wvctcs.org/reports-resources

Executive Session

It was noted for the record that the Council elected to remain in open session for the following items:

9. Presidential Compensation at Eastern WV Community and Technical College

Ms. Miller moved the adoption of the following resolution:

RESOLVED, That the West Virginia Council for Community and Technical College Education approves compensation changes for Dr. Charles Terrell as President of Eastern West Virginia Community and Technical College as proposed by the institutional board of governors.

Mr. Sorrenti seconded the motion. Motion carried.
Adjournment

There being no further business the meeting was adjourned.

Upcoming Meetings

**Council Meeting:**
Location: Advanced Technology Center, South Central West Virginia
South Charleston, WV
Date: October 11, 2018
Time: 9:30 a.m.

**Hold the Date:** Council/Boards of Governors Training
Location: TBD
Date: June 12, 2019
Time: TBD

____________________________________
Robert Brown, Chairman

____________________________________
William Baker, Secretary
ITEM: Program Review for 2017-2018

INSTITUTIONS: All

RECOMMENDED RESOLUTION: Resolved, That the West Virginia Council for Community and Technical College Education accept the program review actions of the institutional governing boards.

STAFF MEMBER: Mark Stotler

BACKGROUND:

In accordance with West Virginia Code and Council Policy Series 10, Policy Regarding Program Review, the institutions through their respective governing boards conducted academic program reviews for 2017-2018 and submitted summary reports and actions taken. A summary of program enrollments and graduates as well as a few highlights is provided in the table that follows. All programs were recommended for continuation except those noted below.

The community colleges reviewed a total of 61 programs. The following programs were recommended for termination:

**Southern West Virginia Community and Technical College:**
- CAS/AAS Office Administration
- AAS Management

**West Virginia Northern Community College:**
- CAS/AAS Paralegal Studies
Blue Ridge Community and Technical College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAS Legal Office Assistant</td>
<td>NA</td>
<td>29</td>
</tr>
<tr>
<td>AAS Paralegal Studies</td>
<td>34</td>
<td>37</td>
</tr>
<tr>
<td>AAS Board of Governors</td>
<td>138</td>
<td>665</td>
</tr>
<tr>
<td>AAS Cyber Security</td>
<td>124</td>
<td>69</td>
</tr>
<tr>
<td>CAS Technical Studies</td>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>AAS Technical Studies</td>
<td>54</td>
<td>24</td>
</tr>
<tr>
<td>ASN Nursing</td>
<td>76</td>
<td>164</td>
</tr>
<tr>
<td>AAS Healthcare Professions</td>
<td>487</td>
<td>41</td>
</tr>
</tbody>
</table>

**Highlights:**
- All programs were recommended for continuation.
- Enrollment in the technical studies program has increased from 10 students in 2013-14 to 116 students in 2017-18.
- The ASN degree in Nursing provides greater flexibility for students who return to college to pursue BSN or MSN degrees.

BridgeValley Community and Technical College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAS Board of Governors</td>
<td>25</td>
<td>236</td>
</tr>
<tr>
<td>CAS Accounting</td>
<td>1</td>
<td>44</td>
</tr>
<tr>
<td>AAS Accounting</td>
<td>20</td>
<td>14</td>
</tr>
</tbody>
</table>

**Highlights:**
- An additional 32 students pursued accounting through the transfer program.
- The Board of Governors program attracts students who may have accumulated significant hours without securing a degree.

Eastern West Virginia Community and Technical College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAS Automotive Technology</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>AAS Automotive Technology</td>
<td>12</td>
<td>8</td>
</tr>
</tbody>
</table>

**Highlights:**
- The programs will be offered in a revised format. Technical classes will be offered on a two-year cohort model where technical core classes are only offered once every two years.
Mountwest Community and Technical College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAS Physical Therapy Assistant</td>
<td>24</td>
<td>98</td>
</tr>
<tr>
<td>AAS Management Technology</td>
<td>98</td>
<td>98</td>
</tr>
<tr>
<td>AAS Banking and Finance</td>
<td>6</td>
<td>18</td>
</tr>
</tbody>
</table>

**Highlights:**
- All programs were recommended for continuation, but were recommended to increase marketing efforts to increase enrollment.

New River Community and Technical College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAS Automotive Maintenance and Light Repair</td>
<td>NA</td>
<td>2</td>
</tr>
<tr>
<td>AAS Automotive Service Technology</td>
<td>28</td>
<td>7</td>
</tr>
<tr>
<td>CAS Cosmetology</td>
<td>20</td>
<td>3</td>
</tr>
<tr>
<td>CAS Electrical Distribution Engineering Technology</td>
<td>47</td>
<td>44</td>
</tr>
<tr>
<td>CAS Electro-mechanical Instrumentation</td>
<td>NA</td>
<td>0</td>
</tr>
<tr>
<td>AAS Industrial Technology</td>
<td>15</td>
<td>7 (one year)</td>
</tr>
<tr>
<td>AAS Hospitality and Tourism Management</td>
<td>7.5</td>
<td>6</td>
</tr>
<tr>
<td>AAS Physical Therapy Assistant</td>
<td>28</td>
<td>54</td>
</tr>
<tr>
<td>AAS Healthcare Information Technology</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>CAS Information Technology Fundamentals</td>
<td>22</td>
<td>7</td>
</tr>
</tbody>
</table>

**Highlights:**
- Council staff is working with college officials to sort out discrepancies with the college program inventory. While not on the statewide inventory, the CAS Cosmetology is listed in the college catalog as a 52-hour certificate program.
- The AAS in Physical Therapy Assistant is awaiting the results of a focused review by the accrediting body.

Pierpont Community and Technical College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAS Aviation Maintenance</td>
<td>50*</td>
<td>59</td>
</tr>
<tr>
<td>AAS Board of Governors</td>
<td>NA</td>
<td>365</td>
</tr>
<tr>
<td>AAS Drafting/Design Engineering Technology</td>
<td>25</td>
<td>22</td>
</tr>
<tr>
<td>AAS Graphics Technology</td>
<td>29</td>
<td>46</td>
</tr>
<tr>
<td>AA Liberal Studies</td>
<td>184</td>
<td>97</td>
</tr>
<tr>
<td>AAS Occupational Development</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>AAS Paralegal Studies</td>
<td>30</td>
<td>31</td>
</tr>
<tr>
<td>AAS Technical Studies</td>
<td>30</td>
<td>121</td>
</tr>
</tbody>
</table>
*Enrollment at the Aerospace Center includes programs offered by Pierpont Community and Technical College and Fairmont State University

**Highlights:**
- The Design Engineering and Graphics Technology program have maintained national accreditation.
- An area of emphasis in Radiologic Technology has been developed under the technical studies program in partnership with two area hospitals.

### Southern West Virginia Community and Technical College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAS Business Accounting</td>
<td>65</td>
<td>53</td>
</tr>
<tr>
<td>AAS Business Administration</td>
<td>97</td>
<td>91</td>
</tr>
<tr>
<td>CAS Office Administration</td>
<td>31</td>
<td>15</td>
</tr>
<tr>
<td>AAS Office Administration</td>
<td>22</td>
<td>17</td>
</tr>
<tr>
<td>AAS Management</td>
<td>4 (total)</td>
<td>0</td>
</tr>
<tr>
<td>AAS Paramedic Science</td>
<td>19</td>
<td>4</td>
</tr>
</tbody>
</table>

**Highlights:**
- A recommendation of termination was approved for the Office Administration and Management programs. Remaining business programs will be revised to provide students with alternative career options.
- Business Administration and Business Accounting have been requested to develop assessment plans.

### West Virginia Northern Community College:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAS Medical Assisting</td>
<td>51</td>
<td>138</td>
</tr>
<tr>
<td>AAS Clinical Medical Assistant</td>
<td>16</td>
<td>77</td>
</tr>
<tr>
<td>CAS Medical Billing and Coding Specialist</td>
<td>40</td>
<td>113</td>
</tr>
<tr>
<td>CAS/AAS paralegal Studies (combined)</td>
<td>49</td>
<td>51</td>
</tr>
<tr>
<td>AAS Advanced Manufacturing</td>
<td>49</td>
<td>64</td>
</tr>
</tbody>
</table>

**Highlights:**
- A recommendation of termination has been approved for the Paralegal Studies programs based on declining graduates and program necessity.
- Advanced Manufacturing (Mechatronics) has experienced significant enrollment decline in the past three years going from 68 students in 2015 to eight students in 2017.
- The Medical Assisting programs have licensure passage rates that exceed 90 percent.

### West Virginia University at Parkersburg:

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Enrollment</th>
<th>Total Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAS Business Technology</td>
<td>47</td>
<td>62</td>
</tr>
<tr>
<td>AAS Legal Studies</td>
<td>31</td>
<td>15</td>
</tr>
<tr>
<td>Program</td>
<td>Average Enrollment</td>
<td>Total Graduates</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>--------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>AAS Nursing</td>
<td>139</td>
<td>186</td>
</tr>
<tr>
<td>AAS Surgical Technology</td>
<td>26</td>
<td>14</td>
</tr>
<tr>
<td>AAS Welding Technology</td>
<td>56</td>
<td>50</td>
</tr>
<tr>
<td>AS Business Administration</td>
<td>274</td>
<td>250</td>
</tr>
<tr>
<td>AS Pre-Professional Studies</td>
<td>157</td>
<td>25</td>
</tr>
<tr>
<td>CAS Industrial Maintenance</td>
<td>3</td>
<td>36</td>
</tr>
<tr>
<td>CAS Legal Studies</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>CAS Welding Technology</td>
<td>20</td>
<td>23</td>
</tr>
<tr>
<td>CAS Workforce Skills</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>BA Elementary Education</td>
<td>75</td>
<td>146</td>
</tr>
<tr>
<td>BAS Bachelor of Applied Science</td>
<td>201</td>
<td>282</td>
</tr>
<tr>
<td>BS Business Administration</td>
<td>72</td>
<td>96</td>
</tr>
<tr>
<td>BSN Nursing</td>
<td>28</td>
<td>5</td>
</tr>
</tbody>
</table>

**Highlights:**

- All programs were recommended for continuation.
- Corrective actions are recommended for the Bachelor of Applied Science (assessment activities) and Workforce Skills (development of assessment plan).
- Following suspension of admissions, Surgical Technology began accepting students in fall 2018 into a revised curriculum.
- Pre-Professional Studies has developed 2+2 articulation agreements with Marshall and West Virginia universities to enhance the graduation rate.
- Business programs have developed a relationship with the U.S. Department of Treasury Bureau of the Fiscal Service.
ITEM: Revisions to Legislative Rule, Series 20, *Initial Authorization of Degree-Granting Institutions*

INSTITUTIONS: All

RECOMMENDED RESOLUTION: Resolved, That the West Virginia Council for Community and Technical College Education approves the proposed revisions to Series 20, *Initial Authorization of Degree-Granting Institutions* to be filed with the Secretary of State for the thirty-day public comment period.

Further Resolved, That staff is instructed to forward the legislative rule to the Legislative Oversight Commission on Education Accountability for approval and further legislative action at the conclusion of the comment period if no substantive comments are received.

STAFF MEMBER: Corley Dennison

BACKGROUND:

In 2017, The Council approved and the legislature passed revisions to Series 35, *Business Occupational and Trade Schools*. The specific revisions to Section 5 of Series 35 reads in part “All schools planning to offer a degree at the specialized associate’s degree, associate’s degree or higher must receive approval from the Council and/or the West Virginia Higher Education Policy Commission….”

This change to Series 35 now requires a revision to Section 4 of Series 20, *Initial Authorization of Degree-Granting Institutions (legislative rule)* as the current language is in conflict with the revised Series 35. Council staff recommends elimination of Sections 4.1.a, 4.1.b, 4.1.b.1, 4.1.b.2, and 9.2 in Series 20, *Initial Authorization of Degree-Granting Institutions* and to strike certain portions of Section 6.4 and 6.7.

4.1.a reads in part: “Any existing institutions of higher education approved to operate in West Virginia prior to the effective date of this rule…”

4.1.b and 4.1.b.1 read: Correspondence, business occupational and trade schools which…offer nothing higher than a specialized associate’s degree.”
4.1.b.2 reads: are regulated under West Virginia Code provisions (18-2B-9) on correspondence, business or occupational trade schools.

6.4 - remove language exempting Series 35 schools that offer associate degrees from authorization.

6.7 - remove language referencing exemptions to Series 35 schools in Section 4.

9.2 - Eliminates language that allows the Council, “at its discretion to waive all or part of the reporting requirements in section 14 of this rule.” State code now requires all schools, public, private and for-profit, to submit specific information to the Council related to authorization.
§135-20-1. General.

1.1. Scope. -- This rule establishes the policy regarding accreditation and approval of degree-granting institutions which offer degrees not above the associate level.

1.2. Authority. -- West Virginia Code §18B-4-7

1.3. Filing Date. -- May 16, 2013

1.4. Effective Date. -- June 16, 2013

§135-20-2. Purpose.

2.1. The West Virginia Council for Community and Technical College Education is responsible for the authorization of any institution, association or organization external to or within the State which offers credit-bearing courses or degree programs not above the associate level and which desires to offer such programs or courses of higher learning in the State of West Virginia. Authorization is required for all postsecondary providers that offer degrees at the associate level, and entities that use the term “academy,” “college,” “institution,” “university” or similar title, hereafter referred to as institution.

2.2. Prior to offering any course or degree program not above the associate level in the State, the entity shall apply to the Council for authorization to operate in the State. The provisions of this rule shall also apply to any course or programs not above the associate level delivered in the State by an out-of-state institution via distance education-based instruction if the institution will have a physical presence in the State. An out-of-state institution that solely delivers a course or program in the state via distance online instruction with no physical presence in the State, as defined in section 3, is exempt from the provisions of this rule.

2.3. This rule is designed to protect consumers and to ensure consumers are offered quality education by postsecondary education providers within the State of West Virginia.


3.1. “Academic credit” means the certification of a student’s successful completion of a unit of a course of study leading to a formal award granted by an institution approved to offer a collegiate degree such as an associate, baccalaureate, masters or doctorate degree.

3.2. “Accreditation” means a status attained by the institution through voluntarily meeting standards set by a nongovernmental entity recognized by the U.S. Secretary of Education.

3.3. “Authorization” means the status attained by the institution that allows the institution to offer programs and courses within the State of West Virginia. This status is granted by the WV Council for
Community and Technical College Education when the institution demonstrates compliance with the requirements for such status.


3.5. “Council” means the West Virginia Council for Community and Technical College Education.

3.6. "Course" means a formally organized, structured series of instructional activities open to the general public for which a fee is charged, and for which credit toward a degree either is awarded or may reasonably be understood to be applicable to a degree with the intent of imparting information or understanding at a level appropriate to a postsecondary audience. Instruction may be in face-to-face meetings or delivered electronically or by other means.

3.7. "Degree" means any earned award conferred by a higher educational institution which represents satisfactory completion of the requirements of a program, or course of study, or any instruction beyond or apart from the secondary level of greater duration than eleven months of full-time study.

3.8. "Degree program" means a curriculum or course of study of greater duration than eleven months of full-time study in a discipline or field that leads to a degree.

3.9. "Distance education" means the delivery of any course or degree programs by synchronous or asynchronous technology. Asynchronous or synchronous technology via distance delivery includes all forms of internet, electronic, digital, online, video, and any other technology driven delivery system.

3.10. "Institution" means any person, firm, corporation, association, agency, institute, trust or other entity of any nature whatsoever offering education beyond the secondary level which:

3.10.a. offers courses or programs of study or instruction which lead to or which may reasonably be understood to be applicable toward an associate degree; or

3.10.b. operates a facility as a college or university or other entity which offers degrees or other indicia of a level of educational attainment beyond the secondary school level; or

3.10.c. uses the term "college" or "university," or words of like meaning, in its name or in any manner in connection with its academic affairs or business.

3.11. “Physical Presence” means an actual presence in the state, online or on-site, for the purpose of conducting activity related to: a postsecondary educational institution; educational service; dissemination of educational credentials; enrollment, solicitation or advertising. Physical presence as further outlined for purposes of authorization shall include but not be limited to:

3.11.a. An instructional site within the state.

3.11.b. Dissemination of an educational credential from a location within the state.

3.11.c. An agent, whether compensated or not, who is utilized for the purpose of administering, coordinating, teaching, training, tutoring, counseling, advising, recruiting, or any other activity on behalf of the sponsoring institution.

3.11.d. Advertising, promotional material or public solicitation in any form that targets West Virginia residents through distribution or advertising in the state.
3.11.e. Instructional delivery that receives assistance from any other organization within the state in that delivery.

3.11.f. Clinical experiences, internships, or other similar curricular requirement. Activities exempt from this definition include: online instructors residing in West Virginia but having no direct, in-person contact with students and individuals participating in college fairs coordinated by the Commission and local school districts.

3.12. “Preliminary status” means six-month period of time that an institution is granted by the Council to satisfactorily complete preliminary information as required by the regional or other appropriate, acceptable, accrediting association. During this time period, the institution shall not accept students, offer instruction, award credits toward a degree, or award a degree until granted further authorization by the Council.

3.13. “Probationary status” means that an institution has been authorized by the Council to enroll students, offer instruction, graduate students and award degrees under the condition that the institution is continuously seeking and making satisfactory progress toward acquiring full accreditation and full state authorization.

3.14. “Reauthorization” is the process by which an institution annually renews its status as an institution authorized to offer programs and courses for West Virginia residents. This status is granted by the WV Council for Community and Technical College Education when the institution demonstrates compliance with the requirements for such status.

3.15. “Religious, theological, or faith–based institution” means a postsecondary institution that offers no degree programs other than those specifically related to the institution’s doctrine. Institutions that offer general degree programs cannot be exempted by this rule as religious, theological, or faith-based.

3.16. “Unearned Tuition” means the portion of tuition paid for which the institution has not fulfilled its contractual agreement.

§135-20-4. Exemptions.

4.1. Institutions that clearly qualify as exemptions under this rule and after Council staff review shall be considered exempt from authorization. Institutional exemption is subject to annual review and/or revocation any time the activity deviates from the original determination factors for exemption. The following institutions shall be exempt from the provisions of this rule:

4.1.a. Any existing institutions of higher education approved to operate in West Virginia prior to the effective date of this rule. Should any such institution, as the result of a change of ownership, or operational status from a non-profit to a for-profit institution, be required to modify its accreditation status from the Higher Learning Commission of the North Central Association, such institution must secure approval for the change(s) from the Council.

4.1.b. Correspondence, business, occupational and trade schools which

4.1.b.1. offer nothing higher than a specialized associate degree,

4.1.b.2. are regulated under West Virginia Code provisions(18B-2B-9) on correspondence, business, occupational and trade schools.
4.1. Out-of-state institutions:

a. offering courses through brokering or other collaborative arrangements with a West Virginia public institution of higher education and which support programmatic offerings of the state institution;

b. offering a short course or seminar in which the instruction for the segment takes no more than twenty classroom hours, and is not for college credit, or

c. offering courses or programs on a military installation solely for military personnel or civilians employed on such installation.

4.1b. Non-Degree granting institutions whose programs are designed primarily for job entry or upgrading of skills and are described in clock (contact) hours. These programs typically prepare individuals for employment and do not require courses beyond those specific to the job or its field with program length sufficient to effect outcomes.

4.2. Each institution of higher education which claims to be exempt under the provisions of this section must file with the Council such information as may be required by the Council to determine whether the institution is exempt. The written request for an exemption must be received by the Council at least thirty (30) days prior to the proposed initiation date of a course of instruction. The Council shall notify the institution in writing indicating whether or not the institution is exempt.

§135-20-5. Institutional Titles.

5.1. An institution shall use within the state a title appropriate to the program and degree it offers in the state.

5.2. No person, firm, association, institution, trust corporation or other entity shall use in any manner within West Virginia the term "college" or "university" or any abbreviation thereof, or any words or terms tending to designate it as, or create the impression that it is an institution of higher education, unless it shall have obtained the appropriate authorization as provided in this rule.

5.3. This section shall not apply to any institution which used the term "college" or "university" prior to the effective date of this rule.

5.4. This section shall not apply to individual proprietorships, associations, co-partnerships or corporations which use the words "college" or "university" in their training programs solely for their employees or customers, which do not offer degree programs, and whose name includes the word "college" or "university" in a context from which it clearly appears that such entity is not an educational institution.

§135-20-6. Authorization to Operate.

6.1. No institution may advertise, solicit, recruit, enroll, or operate a postsecondary education institution until it is authorized for operation in the State of West Virginia by the Council.

6.2. An institution locating in West Virginia must register with the Secretary of State’s office prior to making any application to the Council for authorization.
6.3. All institutions and religious, theological, or faith-based colleges offering any degree above the associate level, as specified in section 7.4 of this rule, shall register with the Council, shall meet the authorization criteria, and shall be granted authorization prior to offering any program of instruction, credit, or degree; opening a place of business; soliciting students or enrollees; or offering educational support services.

6.4. All institutions, with the exception of correspondence, business, occupational, and trade schools as defined in Series 35, Correspondence, Business, Occupational and Trade Schools, of the Council for Community and Technical College Education, offering degrees not above the associate level shall register with the Council, shall meet the authorization criteria, and shall be granted authorization prior to offering any program of instruction, credit, or degree; opening a place of business; soliciting students or enrollees; or offering educational support services.

6.5. All institutions offering degrees above the associate level shall register with the Commission, shall meet the authorization criteria, and shall be granted authorization prior to offering any program of instruction, credit, or degree; opening a place of business; soliciting students or enrollees; or offering educational support services. Granting of authorization of such institution is the responsibility of the Higher Education Policy Commission.

6.6. Authorization of institutions offering associate degrees is the responsibility of the West Virginia Council for Community and Technical College Education.

6.7. Institutions and religious, theological or faith-based colleges shall be authorized under the provision of this rule. Institutions, such as correspondence, business, occupational, and trade schools, exempted under the provisions of section 4 of this rule shall be governed by the provisions of Title 135, Series 35, Correspondence, Business, Occupational and Trade Schools, administered by the Council.

6.8. Institutions which are formed, chartered, or established outside West Virginia and have been fully accredited by a regional accrediting association or by another accrediting body recognized by the U.S. Department of Education and which seek to offer courses and/or academic degree programs within West Virginia shall be authorized by the Commission to offer programs and courses within West Virginia under provisions of section 7.3 of this rule.

6.9. Newly established institutions located in West Virginia and those seeking accreditation by a regional accrediting association and/or by another accrediting body recognized by the U.S. Department of Education, may not offer courses or degree programs without Commission authorization to locate, relocate or establish a branch campus in West Virginia. The institution must seek Commission authorization to offer courses and/or academic programs within West Virginia per the provisions of section 7.2 of this rule.

6.10. Institutions wishing to exceed or change their approved programmatic mission must receive approval from the Council to offer each program that exceeds the level of academic degrees that the institution is authorized to grant. Documentation must be submitted that specifies the scope of the proposed change, including long-range plans for new degree programs and programs that exceed the level of academic degrees currently authorized for the institution. Requests to exceed an institution’s programmatic mission shall be evaluated based on the following criteria: objectives of proposed program; relationship of program to statewide mission and plan; demonstration of need; effect of new program on existing programs at other institutions; resource availability; qualified faculty and administrators; library holdings and support; facilities and equipment; and, evidence of strength to offer the proposed program.

6.11. An out-of-state institution that seeks to offer online courses and programs in West Virginia and determined to have physical presence in West Virginia is subject to the provisions of section 8 of this rule.
6.12. Before an institution of higher education can be authorized by the Council to operate within the State of West Virginia, a surety bond must be provided by the institution. The obligation of the bond will be that the institution, its officers, agents and employees will faithfully perform the terms and conditions of contracts for tuition and other instructional fees entered into between the institution and persons enrolling as students. The bond shall be issued by a company authorized to do business in the state. The bond shall be to the Council in such form as approved by the Council and is to be used only for payment of a refund of tuition and other instructional fees due a student or potential student. The amount of the bond shall be $100,000 and shall be renewed annually. The Council, if it deems appropriate, may reduce the amount of the bond if an institution has less unearned tuition than $100,000, but in no event shall be less than $20,000.

6.13. If instruction is to be delivered at a physical location within the State of West Virginia, the applicant institutions must secure, from appropriate local agencies, documentation that fire and sanitation codes are met by the proposed instructional facilities. If such inspections are unavailable, the institution must present a copy of a recent letter from the local inspection agency indicating that such inspections are unavailable. Additionally, instructional delivery sites must be compliant with Americans with Disabilities Act guidelines.

6.14. Institutions seeking West Virginia authorization may withdraw from the authorization process at any time upon written notification to the Vice Chancellor for Academic Affairs of the Council for Community and Technical College Education.


7.1. Process for securing authorization

An institution which is interested in gaining authorization to operate within the State of West Virginia must follow the prescribed procedures outlined in this rule to be considered for the requested authorization. No institution shall operate until it meets the essential conditions established by the Council and defined in this rule. Institutional accreditation must be documented or its potential for accreditation established and accepted by the Council. Institutions authorized to operate pending full accreditation shall pursue full accreditation continuously and shall make reasonable and timely progress toward accreditation in order to retain authorization.

When a change in ownership occurs with an institution, the Council shall reassess the institution’s authorization status within six (6) months of the notification of the change in ownership.

7.2. Newly established institutions in West Virginia and those seeking accreditation Newly established institutions in West Virginia and those seeking accreditation by a regional accrediting association and/or by another accrediting body must seek Council authorization to offer courses and/or academic programs within West Virginia. Following is a description of the steps in the authorization process:

7.2.a. It is the responsibility of the applying institution to contact the Secretary of State’s office to determine if registration is required within the state.

7.2.b. A preliminary conference shall be held between the Chief Executive Officer or designee of the institution seeking authorization to operate a degree-granting institution in the State of West Virginia and the Vice Chancellor for Academic Affairs to the Council for Community and Technical College Education or designee. The agenda shall include a discussion of criteria to be met by the institution and procedures used in applying for requested authorization.
7.2.c. Following the preliminary conference, the institution shall submit a self-study report including all requested documents and materials related to authorization, including those which address the essential conditions in section 8 of this rule as may be requested. An initial application fee of $6,000 must accompany the submission of documentation for those institutions seeking authorization. The Council may adjust all fees charged as deemed necessary.

7.2.d. Upon receipt of the completed self-study report and all documentation, the Council staff shall organize a compliance review committee to visit the site(s) of the institution seeking state authorization. At the discretion of the Council staff, the compliance visit may take place at the Council office or other appropriate locations. The principal task of the committee will be to verify that the institution complies with the Council’s standards for preliminary authorization and to report its findings to the Council. The compliance review committee shall be composed of:

7.2.d.1. Persons who are qualified by academic training or professional experience to verify the institution’s compliance with Council standards for approval.

7.2.d.2. Members of the Council staff. The Vice Chancellor for Academic Affairs or designee shall serve as chair of the committee.

7.2.d.3. The visit will be scheduled at a time which is mutually convenient to the institution and the Council. The institution shall pay the reasonable expenses associated with the compliance review visit.

7.2.e. Following the site visit and review of submitted documentation, the compliance review committee will prepare an analysis of the findings and develop a recommendation for the Council regarding the institutional application. Only those institutions whose proposed offerings meet state standards of quality will be recommended for authorization. The report will contain:

7.2.e.1. a report by the compliance review committee; and

7.2.e.2. a recommendation by the compliance review committee for action by the Council regarding granting preliminary authorization as provided for in section 7.2.h of this rule.

7.2.f. A draft of a staff report prepared in accordance with this section will be provided to the institution for correction of factual errors and comment. The institution may provide the Council a response to the report within ten (10) working days of receipt of the report. The institutional comments will be included with the compliance review committee report presented to the Council.

7.2.g. An out-of-state institution seeking to establish a campus in West Virginia that holds appropriate accreditation as determined by the Council and that meets the essential conditions as provided in section 9 of this rule may be granted full authorization by the Council.

7.2.h. Upon receipt and review of the compliance review committee recommendation, the Council will consider the institution for Preliminary State Authorization effective for a period of time up to six (6) months. Within that period of time the institution shall satisfactorily complete preliminary information as required by the regional and/or other appropriate accrediting association, and shall not accept students, offer instruction, award credits toward a degree, or award a degree until granted further authorization by the Council.

7.2.i. If the institution does not hold accreditation, the Council staff shall request submission of information verifying its accreditation status and/or evidence of "reasonable and timely progress" toward
accreditation. Reasonable and timely progress toward accreditation is understood to be a status with the
regional accrediting association or an acceptable alternative accrediting association recognized by the U.S.
Department of Education (recognition shall be documented) that indicates that the institution has been
determined to hold the potential for accreditation and is actively pursuing accreditation within the timetable
established by the regional accrediting association (unless an alternative timetable has been presented to
and accepted by the Council).

7.2.j. Once the institution has been accepted for consideration for candidacy by the regional
accrediting organization and/or other appropriate accrediting association and has submitted evidence to this
fact to the Council, the institution shall be placed on Probationary Authorization status. The institution shall
remain on Probationary status no longer than six (6) years.

7.2.k. If at the discretion of the Council, satisfactory evidence is not received within six (6) months
of the granting date of Preliminary Authorization status, that authorization may be suspended or revoked.

7.2.l. An institution holding Probationary status shall undertake the accreditation process
immediately and shall comply with the accreditation requirements and procedures to achieve full
institutional accreditation.

7.2.m. Failure to pursue accreditation continuously, as provided in this rule, shall result in loss of
state authorization.

7.2.n. Each institution with Probationary State Authorization status shall submit an annual report
in a format determined by Council staff. A nonrefundable fee of $500 shall accompany the submission of
the annual report while the institution is maintaining Probationary State Authorization status. The Council
may adjust all fees charged as deemed necessary. The annual report should include the following:

7.2.n.1. any changes or additions to information previously submitted as part of the basis for
Preliminary State Authorization;

7.2.n.2. copy of current catalog with major changes cited;

7.2.n.3. the latest financial statement from the most recent institutional fiscal year;

7.2.n.4. an enrollment report from the most recent academic year;

7.2.n.5. a list of all institutional personnel including staff, instructors and agents;

7.2.n.6. summary data on student state and federal financial aid;

7.2.n.7. data on student retention;

7.2.n.8. program completion data, as applicable;

7.2.n.9. status of progress toward receiving full accreditation status from accrediting agency;

and

7.2.n.10. such other information or clarification deemed necessary by Council staff for
determination of authorization recommendation.
A nonrefundable fee of $500 shall accompany the submission of the annual report while the institution is maintaining Probationary State Authorization status. The Council may adjust all fees charged as deemed necessary.

7.2.o. Following the on-site accreditation visit and action by the Higher Learning Commission of the North Central Association of Colleges and Schools and/or other appropriate accrediting association, the institution shall immediately notify the Council which will then assign the institution an authorization status from among the following:

7.2.o.1. Fully authorized, as a result of the decision by the accrediting association to accredit the institution, and having demonstrated compliance with the Essential Conditions.

7.2.o.2. Continuation of Probationary State Authorization. An institution that holds candidacy for accreditation shall submit annual reports to the Council documenting its progress toward the achievement of accreditation consistent with policy of appropriate accreditation associations. Continuation of this status shall not extend beyond six (6) years.

7.2.o.3. Not authorized as a result of denial of accreditation by the accrediting association.

7.2.o.4. Continuation of Probationary State Authorization status pending an appeal of denial of accreditation by the Higher Learning Commission of the North Central Association. Continuation on these grounds shall only be granted upon showing good cause to the Council. An institution’s final authorization status will be based upon the action taken by the accrediting association.

7.3. Accredited, out-of-state institutions seeking to locate in West Virginia

Any higher education institution having its principal place of operation outside West Virginia which holds regional or other appropriate accreditation and which desires to offer courses and/or degree programs at a physical location within West Virginia must be authorized by the Council.

Following is a description of the steps in the authorization process:

7.3.a. It is the responsibility of the applying institution to contact the Secretary of State’s office to determine if registration is required within the state.

7.3.b. The institution must submit an application for approval to the Council for each course or degree program to be offered at the site. The application should include written unconditional assurance that:

7.3.b.1. Each course or program of study proposed to be offered in West Virginia has been approved by the governing board of the institution, and if applicable, by the appropriate state agency in the state where the main campus of the institution is located.

7.3.b.2. The institution has been approved as necessary by the appropriate agency, if any, in the state where the main campus of the institution is located.

7.3.b.3. The institution offers degree programs at the level for which credit is proposed to be awarded in those programs in West Virginia.

7.3.b.4. The out-of-state institution is authorized by its appropriate accrediting body to offer degree programs outside the state where the main campus is located.
7.3.b.5. Any credit earned in West Virginia can be transferred to the institution's principal location outside West Virginia as part of an existing degree program offered by the institution.

7.3.b.6. The institution offers the same program at the same level at its principal location outside West Virginia that it seeks to offer at a physical location in West Virginia.

7.3.b.7. The institution presents data that projects market demand and availability of openings in the job market to be served by the new program for which the institution is seeking authorization to offer in West Virginia.

7.3.c. In making its determination, the Council will consider whether the proposed degree programs or courses duplicate existing offerings of other institutions of higher education at the locations for which approval is requested.

7.3.d. Authorization for degree programs may be for a period of up to four years at a specified location with an application for renewal of the authorization required to be filed with the Council at least ninety days prior to the expiration of the authorization.

Authorization for courses may be granted for a period of one year at a specified location with an application for renewal of the authorization required to be filed annually with the Council at least ninety (90) days prior to the expiration of the authorization.

7.3.e. Accredited, out-of-state institutions authorized to deliver programs and/or courses for a specified period of time are not subject to the annual reauthorization provision of section 14 of this rule.

7.3.f. The Council may waive any or all of the reporting requirements for institutions that are delineated in section 9 of this rule.

7.3.g. Any out-of-state or private accredited institution that is granted authorization shall receive written notification of acceptable status and will be assessed an initial authorization fee not to exceed $500.

7.4. Religious, theological or faith-based institutions

To qualify as a religious, theological, or faith-based college, an institution must qualify both as an institution as defined in section 3 of this rule and as a religious institution based on meeting each of the following criteria:

7.4.a. Be a non-profit institution owned, controlled, and operated and maintained by a bona fide church or religious denomination, lawfully operating as a non-profit religious corporation.

7.4.b. Limit the educational program to the principles of that church or denomination, and the diploma or degree is limited to evidence of completion of that education.

7.4.c. Only grant degrees or diplomas in areas of study that contain on their face, in the written description of the title of the degree or diploma being conferred, a reference to the theological or religious aspect of the degree's subject area.

7.4.d. Not market, offer, or grant degrees or diplomas which are represented as being linked to a church or denomination, but which, in reality, are degrees in secular areas of study.
7.4.c. Have obtained exemption from property taxation under state law and shall have submitted a copy of the certificate of this exemption to the Council.

7.4.f. Additional evidence may be provided by an institution seeking to substantiate that the institution is a religious institution including:

7.4.f.1. Evidence that the institution holds at least pre-accreditation status with a nationally recognized accrediting association.

7.4.f.2. A statement of institutional mission clearly establishing the mission of the institution as solely religious, and curricula and degree, diploma, or certification programs that clearly support that mission singularly.

7.4.f.3. Other appropriate, substantial, evidence of qualification for state authorization as a religious, theological, or faith-based college.

7.4.g. An institution shall not be eligible for authorization as a religious, theological, or faith-based college if it offers degrees appropriate only for academic institutions, such as, but not limited to, Associate of Arts, Associate of Science, or other degrees typically offered by academic institutions, regardless of curriculum of course content, unless the degree title includes the religious field of study (e.g., "Associate of Arts in Religious Studies"). Institutions authorized as religious, theological, or faith-based colleges also shall not offer degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations.

7.4.h. An authorized religious, theological, or faith-based college, its educational programs, its degrees and diplomas, and its honorary degrees, have no state approval or recognition status whatsoever. An institution operating under this authorization shall not state or imply by any means whatsoever that there exists any endorsement by the state or by any agency or agent of the state of the education, documents awarded by the institution, or the institution itself, other than the institution’s authorization to operate.

7.4.i. An institution authorized as a religious, theological, or faith-based college is not subject to the annual reauthorization provisions of this rule.


8.1. An out-of-state institution with physical presence in West Virginia, as defined in section 3, but no physical location within the state, must abide by the following procedures for initial authorization:

8.1.a. Submit appropriate documentation to discern if physical presence is triggered as defined in section 3 of this rule.

8.1.b. Submit documentation of appropriate accreditation.

8.1.c. If Council staff determines that the institution’s activities constitute physical presence, the institution shall submit an initial application fee of $500.

8.1.d. The Council staff may, at its discretion, adjust or waive the application fee.
8.2. The Council staff, at its discretion, may request additional information from the institution to ascertain whether it meets the essential conditions provided in section 9 of this rule in the determination of the conferral of initial authorization.

8.3. Once initial authorization is conferred by the Council, authorization for West Virginia physical presence may be for a period of up to four years with an application for renewal of the authorization required to be filed with the Council at least ninety days prior to the expiration of the authorization.

8.4. Any accredited institution seeking to retain authorized physical presence in West Virginia, will be assessed a reauthorization fee not to exceed $500.

8.5. Institutions authorized under this section are not subject to the reauthorization provisions of section 14 of this rule.


9.1. Essential Conditions. An institution seeking authorization to operate in West Virginia must meet the following essential conditions and accreditation standards established by the Council. To apply for Preliminary State Authorization the institution must provide to the Council full documentation that demonstrates fulfillment of the essential conditions including evidence of a critical and compelling regional or statewide need or demand for the specific academic degree program(s) in the state.

9.1.a. Familiarity with accreditation and state authorization policies and procedures

The institution shall provide evidence that it is familiar with and understands accreditation procedures of the Higher Learning Commission of the North Central Association and/or other appropriate body and state authorization policies and procedures. The statement should indicate perceived strengths and weaknesses with respect to accreditation criteria and assess the capabilities of the institution in achieving accreditation status. It shall state the name of the accrediting association(s) from which accreditation will be sought. If the institution has secured full accreditation status, a copy of the final accreditation report shall be submitted to the Council.

9.1.b. Statement of mission

A statement of mission shall have been developed, formally adopted by the institution's governing body and made public, which defines the basic character of the institution, including a brief description of the educational programs to be offered and their purposes, the students for which the programs are intended, the geographical area served by the institution (or the particular constituency it serves), and a description of how the institution will fit within the broader higher education community. The mission shall be appropriate to an institution of higher education and the institution must plan to award degrees.

9.1.c. Institutional organization, administration, and delivery sites

9.1.c.1. A governing board that possesses and exercises necessary legal power to establish and review basic policies that govern the institution shall have been formally established. The board shall include among its members some who represent the public interest and are sufficiently autonomous from the administration and ownership to assure the integrity of the institution. The Council shall be provided a list of the members of the board with a brief resume of each.
9.1.c.2. An executive officer shall be designated by the governing board to provide administrative leadership for the institution. This officer's name, title, current vita, and the address of the administrative office, shall be provided to the Council.

9.1.c.3. If faculty members are employed at the time the application is filed with the Council, the faculty members’ names their academic credentials (degrees, previous experience, etc.), and teaching fields shall be identified. If no faculty members have been employed, the institution shall describe the qualifications of the faculty that is to be recruited and the procedures that will be used to find and contract with faculty members.

9.1.c.4. The method of program delivery and/or physical location of course delivery shall be defined. If a program is designed for online delivery, it shall meet best practice guidelines for distance education delivery as outlined by the regional accrediting agency. If the program is designed for traditional classroom delivery, the proposed physical location shall be identified.

9.1.c.5. To assure that instructional delivery sites meet applicable state standards for health and safety, institutions must secure a certificate of occupancy and recent fire inspection report from the State Fire Marshal’s office for each instructional delivery site. These requirements are not applicable if delivery is in a public building that already has regular health, safety, and fire inspections upon receipt of last approved inspection. If the nature of the building is changed, additional inspections will be required.

9.1.c.6. Instructional delivery sites must be compliant with Americans with Disabilities Act guidelines.

9.1.d. Degrees and academic programs

9.1.d.1. A degree shall be awarded upon successful completion of an educational program. The institution shall provide a list of the degrees it proposes to award.

9.1.d.2. The planned educational programs shall be compatible with the proposed institutional mission. The relationship shall be described in documents provided to the Council.

9.1.d.3. The academic program proposed for offering shall be appropriately named and be based on fields of study recognized as appropriate for a postsecondary institution. Evidence shall be provided to the Council that the fields of study upon which the academic programs are to be based are, in fact, so recognized. Such recognition, for example, could be demonstrated by the existence of professional literature in the field; the offering of similar programs in already-accredited institutions, generally; and by the existence of professional organizations related to the field.

9.1.d.4. The content and length of the proposed academic program shall follow practices common to institutions of higher education. The commonly accepted minimum program length is 60 semester credits for associate’s degrees.

Academic credit shall be awarded upon completion of each unit of the course of study, leading to a formal award granted by the institution.

Documentation shall be provided to the Council that lists requirements for each degree program including representative course syllabi specifying goals and requirements, course content, methods of evaluation, and bibliography.
The student-teacher ratio shall be reasonable at all times in keeping with generally accepted teaching modes for the subject matter. The institution must employ at least one full-time faculty for each degree program.

9.1.d.5. Any proposed associate degree program shall include a coherent general education component that is consistent with the institution's mission and appropriate to its educational programs. The undergraduate general education component shall be documented. General education is defined as follows:

General Education is "general" in several clearly identifiable ways: it is not directly related to a student's formal technical, vocational or professional preparation; it is a part of every student's course of study, regardless of his or her area of emphasis; and it is intended to impart common knowledge, intellectual concepts, and attitudes that every educated person should possess.

The minimum requirement for general education for all undergraduate programs delivered through the traditional distributed curricula is 15 semester credits for technical associate’s degrees and 24 for transfer associate’s degrees. If the general education component is delivered through integrated, embedded, interdisciplinary, or other accepted models, institutions must demonstrate that the program meets minimum requirements equivalent to the distributed model.

9.1.d.6. Student access to all necessary learning resources and support services shall be provided. Necessary resources and support services vary by type of program, but all require some use of library resources. Laboratories may be required for some programs. Support services such as academic advising, financial aid counseling, and support for special, targeted, constituencies may be needed. The institution shall describe the learning resources and support services that it will provide and state how they will be provided to students on a regular, dependable basis.

9.1.d.7. Distance learning instruction, when offered, should be considered part of the total program and be judged by criteria as used for sessions and courses offered by the institution in the regular academic year. Documentation shall be provided to the Council that shows that academic standards for all programs or courses offered electronically are the same as those for other courses delivered at the institution. Additionally, any programs that are offered primarily through asynchronous or synchronous technology shall meet the standards of good practice for distance education delivery as outlined by the regional accrediting agency.

9.1.e. Admission policies

Admission policies shall be consistent with the institution’s mission and appropriate to the educational program. The Council shall be provided with a copy of the institution’s admission policies, policies regarding tuition and fees assessment, and refund policies. The policies shall define the minimum requirements for eligibility for admission to the institution and for acceptance at the specific degree level or into all specific degree programs. These policies and related publications shall provide a true and accurate representation of the institution and its programs when recruiting students.

9.1.e.1. Degree program admission policies must require at least a high school diploma or equivalency for associate degree programs.

9.1.e.2. These policies and related publications shall provide a true and accurate representation of the institution and its programs when recruiting students.

9.1.f. Financial resources
The institution shall have financial resources adequate to support start-up activities and sources of funds sufficient to ensure that the institution can sustain itself once students have been admitted. An institution shall continuously ascertain its financial requirements, determine its sources of revenue, plan for current and future needs, and budget its resources accordingly. The Council shall be provided with:

9.1.f.1. A current financial statement compiled or audited by an independent certified public accountant. If the financial statement is unaudited or internally generated, a copy of the most recent income tax return must also be submitted;

9.1.f.2. A budget listing all sources of income and all Educational and General (E&G) expenditures and specifying the dollar amounts and percentages for each component of the budget for the preceding three fiscal years (including the current year). A projection of expenditures and revenues for the upcoming year should be included.

9.1.f.3. The institution shall demonstrate that it has the financial resources and planning sufficient to realize its mission over an extended period of time. It shall demonstrate that it has adequate financial resources to meet the following: facility maintenance and overhead; staff and faculty payroll; books, supplies, and/or equipment utilized by students; and general operating costs including printing and advertising.

9.1.g. Faculty credentials

9.1.g.1. The institution shall ensure that each full-time, part-time or adjunct instructional faculty member holds appropriate academic credentials in the program area or discipline in which the faculty member teaches. Each instructional faculty member shall either: (1) possess one or more degrees in an appropriate discipline; or (2) as an alternative to formal academic credentials, demonstrate competence by virtue of prior experience or academic training, or both, which are related to the field in which the instruction will be offered.

9.1.g.2. The institution shall ensure that each full-time, part-time or adjunct instructional faculty member holds academic credentials appropriate to the degree level of the programs or programs in which the faculty member teaches.

9.1.g.2.A. All instructional faculty teaching in a terminal occupational/technical program leading to the Associate of Applied Science degree shall:

If teaching general education courses, hold a baccalaureate degree plus at least 18 graduate credit hours in the discipline taught.

If teaching occupational/technical courses, hold either an associate degree or qualify for a faculty appointment by virtue of scholarly or professional achievements.

9.1.g.2.B. All instructional faculty teaching in a college transfer program at the associate level shall hold a baccalaureate degree plus at least 18 graduate credit hours in the discipline being taught.

9.1.g.3. An institution must employ faculty members whose highest earned degree presented as the credential qualifying the faculty member to teach at the institution is from an institution accredited by an accrediting body recognized by the U.S. Department of Education. Exceptions may be made only with the prior consent of the Council.

9.1.h. Evaluation and assessment
The institution must have a clearly defined process by which the curriculum is established, reviewed, and evaluated. The institution must provide for appropriate and regular evaluation of the institution and its program and course effectiveness including assessment of student learning, retention, graduation rates and student, graduate, faculty and employer satisfaction. The results must be used to ensure and improve quality of instruction.

9.1.i. Tuition policies

9.1.i.1. A tuition policy shall be developed that provides:

9.1.i.1.A. The total tuition for any specific program shall be the same for all persons enrolled at the same time;

9.1.i.1.B. Tuition charges for programs shall be justifiable, effective on specific dates and applicable to all who enroll thereafter;

9.1.i.1.C. All extra charges and costs shall be revealed to the prospective student before he or she is enrolled;

9.1.i.1.D. The true and accurate costs of courses and program completion must be published and made readily available to all prospective and current students.

9.1.i.2. Institutions that the U.S. Department of Education has approved for eligibility for federal student financial aid must comply with the federal regulations governing institutional refunds. An institution must develop criteria for refunds of tuition and fees and make them available to all students.

9.1.i.3. For institutions not participating in federal Title IV financial aid, criteria for refunds of tuition and fees must be developed and made available to all students and prospective students.

9.1.j. Financial Aid

A policy shall have been developed that provides prospective students and applicants with basic opportunities for student financial aid. This information shall include but not be limited to: (1) types of federal, state, local, private and institutional aid offered to students at the institution; (2) description of the financial aid application process and the method for determining student eligibility for aid; (3) methods and schedules used to determine and disburse financial aid to students; and (4) statement of the rights and responsibilities of financial aid recipients. A copy of the policy must be attached to Council submission materials. Information related to student responsibility for repayment of loans and other financial aid must be readily available to students. Consequences relevant to non-payment and delinquent or default repayment of loans must be published and readily available to students.

9.1.k. Library resources

The institution shall maintain or ensure via current and formal written agreements with other libraries or from other resources that students have adequate access to a library with a collection, staff, services, equipment and facilities that are adequate and appropriate for the purpose and enrollment of the institution. The institution shall provide clear and concise methods for on-campus and/or remote access of library electronic media resources and there shall be communication to students in a matter to minimize barriers to usage.
9.1.1. Institutional and student records

9.1.1.1. The institution shall maintain accurate records on all enrolled students. These records minimally shall include:

   9.1.1.1.A. Each student’s application for admission and admissions records containing information regarding the educational qualifications of each regular student admitted which are relevant to the institution’s admission standards. Each student record must reflect the requirements and justification for admission of the student to the institution. Admission records must be maintained for five years.

   9.1.1.1.B. Transcript of the student’s academic work at the institution shall be retained permanently in either hard copy forms or in a database with backup.

   9.1.1.1.C. A record of student academic progress at the institution including programs of study, dates of enrollment, courses taken and completed, grades and indication of the student’s status (graduated probation, etc.).

   9.1.1.2. Financial records of the institution must be maintained and open for inspection by properly authorized officials of the Council pursuant to compliance with confidentiality laws.

   9.1.1.3. Institutions administering financial aid programs must maintain a ledger and a record of financial aid administered which includes a chronological record of debits and credits which is understandable to the enrollee.

   9.1.1.4. The institution must have policies concerning retention and disposal of records and information-release policies which respect the rights of individual privacy, the confidentiality of records and the best interests of the student and institution.

   9.1.1.5. The institution shall have a written plan for the preservation of students’ transcripts by another institution or agency, as well as for access to the transcripts, in the event of institutional closure.

9.1.m. Catalog and official publications

9.1.m.1. Official publications of the institution shall reflect the institution’s integrity, commitment, and reputation and convey its sense of mission, character, goals and objectives to the public. All information released by the institution must be true and accurate.

9.1.m.2. Official catalogs must describe the institutional mission, requirements for satisfactory completion of degree programs, student policies, information on enrollment, tuition and fees, faculty credentials, academic calendar, student grievance procedure, transferability of credit, and other information specifically applicable to students.

9.1.n. Student grievances

An institution shall publish and make available to all students the institution’s grievance policies and procedures regarding the receipt, investigation and resolution of student complaints. These policies must include:

   9.1.n.1. An appropriate time frame for investigating and resolving the complaint;
9.1.n.2. Safeguards that those persons charged with resolving the complaint are capable of making a fair and impartial judgment;

9.1.n.3. Procedures to ensure that a student will not be subject to unfair actions as a result of an initiation of a complaint proceeding; and

9.1.n.4. The maintenance of records, disposition and other pertinent information concerning institutional complaints for at least five (5) years.

9.1.o. Other criteria deemed to be pertinent

9.2. The Council, at its discretion, may waive all or part of the reporting requirements in section 8.3.14 of this rule for regionally accredited institutions seeking authorization to offer credit courses or academic degree programs.


10.1. Termination of state authorization for those institutions not subject to annual reauthorization.

10.1.a. An institution shall provide the Council with a copy of any notice of warning, suspension, revocation or other adverse action received from any national or regional accrediting agency within five (5) days of receipt of such notice.

10.1.b. The Council may for good cause, suspend, withdraw or revoke the authorization of an institution to generate or solicit students within the state, place an institution on probation, order refunds to students, or forfeit the institution’s surety bonds, or take any other appropriate action. Good cause shall consist of any one or more of the following:

10.1.b.1. The institution is no longer making reasonable and timely progress toward accreditation while assigned Preliminary or Probationary State Authorization;

10.1.b.2. Loss of accreditation by a nationally or regionally recognized accrediting agency;

10.1.b.3. Cancellation of the institution’s bond by the bonding company and failure to secure a replacement in accordance with this rule;

10.1.b.4. Providing false, misleading, or incomplete information to the Council;

10.1.b.5. Presenting information about the school which is false, fraudulent, misleading, deceptive, or inaccurate in a material respect to students or prospective students;

10.1.b.6. Refusal to allow reasonable inspection or to supply reasonable information after a written request by the Council has been received;

10.1.b.7. A final determination that the institution has engaged in conduct prohibited by this rule, and any specified corrective action has not been taken within the required time;

10.1.b.8. Closure of the institution without adequately providing for the completion of students’ classes or course work, without refunding students’ unearned tuition or otherwise discharged the institution’s contractual obligations to the students;
10.1.b.9. Conviction of the owner of an institution for a felony or crime involving administration of the institution or involving Federal Student Assistance programs.

10.1.b.10. Repeated and/or consistent violations of the guidelines found in this rule, particularly in areas such as advertising, fair consumer practices, or operational standards.

10.1.b.11. Exclusion from eligibility to participate in the West Virginia Higher Education Grant Program due to one of the following reasons:

10.1.b.11.A. The institution does not have a signed participation agreement in place; or

10.1.b.11.B. The institution has been deemed ineligible to participate in federal student financial aid programs by the United States Department of Education; or

10.1.b.11.C. The Council has determined, based upon audits and/or administrative site visits by Council staff, that the institution has seriously mismanaged higher education grant or other state financial aid funds or lacks adequate institutional controls to manage such funds properly.

10.1.b.12. Failure to submit an acceptable annual report, an incomplete or unsatisfactory annual report, as determined by Council staff and as referenced in section 14 of this rule.

10.1.c. An institution authorized as a religious, theological or faith-based college that fails to continue to meet the criteria for a religious institution shall have its authorization terminated. The institution shall be so notified in writing. A phase-out period of not more than one additional academic term shall be permitted. An appeal to the Council may be filed within ten (10) working days. In the absence of a timely appeal the termination shall be final.

10.2. Institutions that are not authorized but offer degrees and/or degree credits in West Virginia shall be notified by certified mail that they shall cease immediately to offer degrees and/or degree credits. The Council shall initiate appropriate legal action if institutions fail to comply.

10.3. The provisions of section 8 of this rule are only applicable to accredited, out-of-state institutions offering only online instruction in West Virginia and accredited, out-of-state institutions authorized to deliver program and/or courses for a specified period of time.


11.1. Once the Council has received and verified the accuracy of information constituting any of the grounds identified in section 10 or denial of preliminary authorization, the Council shall notify the institution and its owner in writing of its intent to recommend denial, suspension, withdrawal, revocation, or other adverse action and the grounds for such recommendation.

11.1.a. The owner of the institution may, within ten (10) work days of receipt of such notice, request a hearing upon the recommended action. Such hearing, if requested, shall be commenced within twenty (20) work days of such request at the Chancellor’s office or at such other location convenient to the parties and witnesses as may be designated by the Chancellor.

11.1.b. The hearing shall be conducted by the Chancellor of the Council or his/her designee, pursuant to the procedures set forth in Chapter 29A, Article 5 of the Code of West Virginia.
11.1.c. The Chancellor or his/her designee may continue the hearing at the request of the institution for good cause shown. Continuance shall not be granted as a matter of right.

11.1.d. If the owner or a representative of the institution does not request a hearing within the requisite time period, the recommendation of the Chancellor or his/her designee shall be deemed unchallenged by the institution and reported to the Council for final action.

11.2. At the hearing, the grounds for denial, suspension, withdrawal, or revocation of authorization to operate the institution or other adverse action must be established by clear and convincing evidence.

11.3. Irrelevant, immaterial, or unduly repetitious evidence may be excluded from the hearing. Formal rules of evidence as applied in civil cases in the circuit courts of this state shall not be applied. When necessary to ascertain facts not reasonably susceptible of proof under those formal rules of evidence not admissible there under may be admitted, except where precluded by statute. If it is a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

11.4. The rules of privilege recognized by the law of this state shall be followed.

11.5. Objections to evidentiary offers shall be noted in the record. Any party to the hearing may vouch the record as to any excluded testimony or other evidence.

11.6. Any party to a hearing may appear with witnesses to testify on his or her behalf; may be heard in person, by counsel or both; may present such other evidence in support of his or her position as deemed appropriate by the Chancellor or his/her designee; and, may cross-examine witnesses called by the Council in support of the charges.

11.7. The hearing shall be open to the general public.

11.8. A record of the hearing, including the complaint(s), if applicable, the notice of hearing, all pleadings, motions, rulings, stipulations, exhibits, documentary evidence, evidentiary depositions and the stenographic report of the hearing, shall be made and a transcript thereof maintained in the Council’s files. All recorded materials shall be transcribed. The Council shall have the responsibility to make arrangements for the transcription and provision of the reported testimony and evidence to the parties. Upon request, a copy of the transcript shall be furnished to any party at his or her expense.

11.9. Documentary evidence may be received in the form of copies or excerpts or by incorporation by reference.

11.10. The Council may call witnesses to testify in support of charges and may present such other evidence to support its position; and, may cross-examine witnesses called by the charged party in support of its position.

11.11. All parties shall have the right to offer opening and closing arguments.

11.12. Hearings may be continued or adjourned to a later date or different place by the Chancellor or his/her designee by appropriate notice to all parties.

11.13. All motions related to a case set for hearing, except motions for continuance and those made during the hearing, shall be in writing and shall be received in the office of the Chancellor at least ten (10) days before the hearing. Pre-hearing motions shall be heard at a pre-hearing conference or at the hearing prior to the commencement of testimony.
11.14. Any party may submit proposed findings of fact and conclusions of law at a time and manner designated by the Chancellor or his/her designee.

11.15. At any time prior to the hearing or thereafter, the Chancellor or his/her designee may hold conferences for the following purposes:

11.15.a. To dispose of procedural requests, pre-hearing motions or similar matters;

11.15.b. To simplify or settle issues by consent of the parties; or,

11.15.c. To provide for the informal disposition of cases by stipulation or agreement.

11.16. The Chancellor or his/her designee may cause such conferences to be held on its own motion or by the request of a party.

11.17. Evidentiary depositions may be taken and read or otherwise included into evidence as in civil actions in the circuit courts of this state.

11.18. Subpoenas to compel the attendance of witnesses and subpoenas duces tecum to compel the production of documents may be issued by the Chancellor pursuant to West Virginia Code section 29A-5-1(b).

11.19. Written requests by a party for the issuance of subpoenas duces tecum as provided in Section 11.20 of this rule must be received by the Council no later than ten (10) days before a scheduled hearing. Any party requesting the issuance of subpoenas duces tecum shall see that they are properly served in accordance with West Virginia Code section 29A-5-1(b).

11.20. Any final order entered by the Council following a hearing conducted pursuant to these rules shall be made pursuant to the provisions of West Virginia Code section 29A-5-3. Such orders shall be entered within sixty (60) days following the submission of all documents and materials necessary for the proper disposition of the case, including transcripts, and shall contain findings of fact and conclusions of law unless good cause exists to extend such time or by agreement of the parties.

11.21. Findings of fact and conclusions of law shall be recommended to the Council by the Chancellor or his/her designee and must be approved by a majority of the Council by vote at a regular meeting, before a final order is entered. A copy of the final order approved by a majority of the Council shall be served upon the institution and/or his or her attorney of record, if any, within ten (10) days after entry by the Council by personal service or by registered or certified mail.

11.22. The final order may deny preliminary authorization; may suspend, withdraw or revoke the authorization of the institution, place an institution on probation; order refunds to students; order forfeiture of the institution’s surety bond and disbursement of the funds forfeited disbursed to students injured by the institution’s violation of this rule or its enabling statute; or order any other action deemed appropriate by the Council, up to and including payment of loans, interest and other charges in connection with institution loans, caused a student by the institution’s violation of this rule.

11.23. All proceedings pursuant to this rule shall be conducted pursuant to and comply with applicable statute, including, but not limited to, West Virginia Code section 29A-5-1, et seq.
11.24. Any relief a student believes he or she was not rightfully awarded by the Council pursuant to this rule may be pursued in any other appropriate forum.

§135-20-12. Notification and Deposit of Records Upon Discontinuance of a Program or Institution.

12.1. If an authorized institution, branch campus, or extension program of an authorized institution discontinues operation in this state, its chief executive officer shall notify the Council of the date of discontinuance and the name and address of the agency where records will be maintained.

12.2. Records shall be permanently maintained and copies may be obtained by authorized parties. Such records shall include but not be limited to information pertaining to the admission of each student and former student and the educational record of each student and former student. Financial aid records of each student and former student shall be retained consistent with state and federal regulations.

12.3. When an institution decides to cease postsecondary education operations, it must assist students to find alternative means to complete their studies with a minimum of disruption, and inform the Council of the following:

12.3.a. the planned date of termination of postsecondary education operations;

12.3.b. the planned date for the transfer of student records;

12.3.c. confirmation of the name and address of the organization to receive and hold the student records; and

12.3.d. the official at the organization receiving the student records who is designated to provide official copies of records or transcripts upon request.


13.1. An institution seeking authorization shall adhere to the following principles:

13.1.a. “Advertising” includes any form of public notice however distributed. Within this definition would be virtually all publications and promotional items and efforts that could normally be expected to be seen by significant numbers of prospective students or their sponsors. Examples include catalogs, bulletins, brochures and other institution publications, signs, mailing pieces, radio, television, newspaper, electronic or social media, or any other form of public notice designed to aid in the institution’s recruiting and promotional activities.

13.1.b. An institution shall use its name as shown in its letter of approval from the Council, together with a complete address, for all advertising and promotional purposes within the state.

13.1.c. All advertisements, announcements and promotional material of any kind which are distributed in West Virginia shall be free from statements that are untrue, deceptive or misleading with respect to the institution, its personnel, its services or the content, accreditation status and transferability of its courses or degree, diploma or certificate programs.

13.1.d. Reference in advertising to accreditation shall name the agency and shall be limited to accreditation currently held by the institution through nationally recognized accrediting agencies as defined and listed by the United States Department of Education.
13.1.e. No advertisement, announcement or any other material produced by or on behalf of an institution of higher education shall in any way indicate that the institution is supervised, recommended, endorsed or accredited by the Council; neither shall it include the name of the Council except to assert that the Council has authorized the institution to operate in the state.


14.1. The Council shall monitor institutional academic quality, an institution’s financial viability, and compliance with the provisions of this rule and West Virginia laws with respect to consumer protection and other matters of state oversight. A reauthorization application must be submitted to the West Virginia Council for Community and Technical College Education by November 1 according to the guidelines outlined in Series 52, Annual Reauthorization of Degree-Granting Institutions.
Repeal of Series 41, Developmental Education Competencies

Resolved, That the West Virginia Council for Community and Technical College Education approves the repeal of Series 41, Developmental Education Competencies.

Corley Dennison

At the start of 2018, Governor Justice asked all state agencies to review agency rules with the intent of reducing regulatory requirements and eliminating redundancy where possible. Council staff recommends the repeal of Series 41, Developmental Education Competencies. These competencies were developed when the community and technical colleges were still offering zero-credit, pre-requisite developmental courses to students. This practice has been superseded by the institutions offering corequisite delivery of developmental education. Rather than requiring students to pass courses that don’t count toward graduation, remedial students are placed in college-level courses with academic support. Adopting corequisite models has significantly increased pass rates for college-level math and English. According to the 2017 report card, pass rates for math have increased 34 percent since 2011 and English pass rates have increased 20 percent in the same time period. This new pedagogy has made the competencies listed in Series 41 irrelevant.
§135-41-1. General.

1.1. Scope—This policy identifies the competencies in reading, writing and mathematics that serve as the framework for the developmental education curriculum in the member institutions of the West Virginia Community and Technical College System.

1.2. Authority—West Virginia Code §18B-2B-6

1.3. Filing Date—April 5, 2013

1.4. Effective Date—May 5, 2013

§135-41-2. Policy.

2.1. The institutions of the West Virginia Community and Technical College System (WVCTCS) agree on the following competencies in reading, writing and mathematics as being required for success in college-level courses in writing and mathematics.

2.2. Degree or certificate-seeking students entering a community and technical college shall demonstrate mastery of the basic competencies in reading, writing, and mathematics required for success in their chosen program of study (major) through the administration of a system-approved diagnostic exam.

2.3. Students failing to demonstrate such mastery shall receive developmental instruction and/or the additional academic support services necessary to master the competencies required for success in their chosen program of study.

2.4. To reduce the time required to complete the certificate or associate degree requirements, students shall be required to complete only those developmental courses, course modules, co-curricular paired courses, or other remedial programs that address their specific deficiencies as identified through the administration of the approved diagnostic exam.

§135-41-3. Reading Competencies.

3.1. Demonstrate active reading strategies.

3.1.1. Skills: pre-read, read, review, outline and take notes.

3.2. Increase vocabulary development and word analysis strategies.

3.2.1. Skills: ability to use dictionary and thesaurus; understand and recognize word parts and context clues; and create and use graphic organizer.
3.3. Demonstrate literal reading skills (understanding what is stated).

3.3.1. Comprehension skills: identify main idea and supporting details, distinguish fact versus fiction, identifying patterns of order.

3.4. Demonstrate interpretive reading skills (understanding what is implied rather than what is stated).

3.4.1. Comprehension skills: make inferences and draw conclusions and able to read visual aids

3.5. Demonstrate critical reading skills (applying concepts and ideas).

3.5.1. Comprehension skills: analyze and synthesize ideas, identify purpose and tone, and summarize in your own words.

§135-41-4. Writing Competencies.

4.1. Produce effective written communication appropriate for audience and purpose using a writing process demonstrating the skills of pre-writing, drafting, revising, and editing.

4.1.1. Skills: Demonstrate pre-writing, drafting, revising, editing

4.2. Construct grammatically correct sentences demonstrating effective use of Standard Written English.

4.3. Demonstrate a clear flow of ideas from sentence to sentence and paragraph to paragraph.

4.3.1. Skills: Demonstrate the use of transitions, logical progression of idea

4.4. Write developed paragraph(s) with topic sentence(s) appropriate supporting details.


§135-41-5. Mathematics Competencies.

5.1. The following competencies/skills are required of students entering college-level math courses which are necessary for success in general or liberal arts math courses.

5.1.1. Whole numbers and integers
  • Add, subtract, multiply and divide whole numbers (including understanding place value, estimation, rounding)
  • Write and evaluate exponential expressions
  • Simplify arithmetic expressions using order of operations
  • Graph integers on a number line
  • Add, subtract, multiply and divide integers
  • Demonstrate understanding of absolute value

5.1.2. Fractions and Connections
  • Find prime factors of a number
  • Add, subtract, multiply and divide signed fractions (including mixed) and decimals
  • Connect fractions, decimals and percent
  • Represent a ratio as a fraction
• Write and solve proportions
• Solve problems involving percentages
• Use unit ratios to convert between units of measure (time, linear measures, etc.)

5.1.3. Linear Equations and Inequalities
• Understanding the meaning of “variable” and evaluate algebraic expressions containing variables
• Use properties to simplify algebraic expressions
• Understand the difference between simplifying an expression and solving an equation
• Solve equations using the addition and multiplication principles, including multi-step equations
• Solve equations by removing parentheses and combining like terms
• Solve equations by clearing fractions
• Evaluate formulas and solve a formula for a specified variable
• Solve applied problems by identifying a variable, writing an equation, solving and checking
• Solve varied types of application problems including geometric applications
• Solve linear inequalities in one variable and graph the solution on a number line

5.1.4. Exponents and Polynomials
• Evaluate expressions containing exponents
• Use the rules of exponents to simplify expressions
• Convert between scientific notation and decimal notation
• Multiply and divide using scientific notation
• Evaluate a polynomial for a given value of the variable(s)
• Identify terms, like terms, coefficients and degree of a polynomial
• Simplify polynomials by combining like-terms

5.1.5. Graphing
• Determine whether an ordered pair is a solution of a linear equation
• Graph linear equations of the forms y=mx+b, Ax+By=C, x=a and y=b
• Find the intercepts of a linear equation
• Find the slope of a line given two points
• Find the slope of a line from an equation
• Identify the slope as the rate of change in an applied problem

5.1.6. Roots and Radicals
• Use the Pythagorean Theorem

5.2. In addition to the competencies identified in Section 5.1, additional math competencies are required of students entering programs of study (majors) in the areas of science, technology, engineering, or math.

5.2.1. Exponents and Polynomials
• Add, subtract and multiply polynomials
• Find special products of binomials
• Divide a polynomial by a monomial

5.2.2. Factoring
• Factor the greatest common factor from the terms of a polynomial
• Factor by grouping
• Factor trinomials in the form \(x^2 \pm bx \pm c\)
• Factor trinomials in the form $ax^2 + bx + c$, $a \neq 1$
• Factor trinomial squares and differences of squares
• Solve quadratic equations by factoring
• Solve quadratic equations by the quadratic formula (using calculator to estimate radical, if necessary)
• Solve applied problems involving quadratic equations

5.2.3. Graphing
• Write the equation of a line given the slope and $y$-intercept, slope and a point on the line, or two points on the line
• Determine whether two line are parallel or perpendicular by comparing their slopes
• Identify the domain and range of a function
• Use functional notation and evaluate functions

5.2.4. System of Equations
• Determine whether an ordered pair is a solution to a system of equations
• Solve systems of two linear equations by graphing, substitution and elimination
• Solve applied problems using systems of equations

5.3. In addition to the competencies listed in sections 5.1 and 5.2, the following competencies are required of students entering programs of study (majors) which require math courses in College Algebra or higher.

5.3.1. Rational Equations
• Simplify rational expressions
• Identify values for which rational expressions are undefined
• Multiply and divide rational expressions
• Find the least common denominator for rational expressions
• Add and subtract rational expressions
• Simplify complex fractions
• Solve rational equations

5.3.2. Roots and Radicals
• Differentiate between rational, irrational and imaginary roots
• Use the radical product rule and quotient rules
• Add and subtract radical expressions
• Simplify radical expressions
• Solve radical equations

5.3.3. Quadratics
• Use the quadratic formula to solve quadratic equations
• Graph quadratic equations and identify intercepts

5.3.4. Additional intermediate algebra competencies required include:
• Use set builder notation, roster form and Venn diagrams to describe the union and intersection of sets
• Simplify complex fractions and complex algebraic functions
• Solve equations and inequalities containing rational expressions
• Graph the solutions for inequalities containing rational expressions
• Factoring Cubes
• Use the square root property of equality to solve quadratic equations
• Solve quadratic equations by completing the Square
• Evaluate cube roots
• Simplify cube roots
• Rationalize denominators of fractional expression and radicals
• Understand the meaning of nth root
• Evaluate expressions with fractional exponents
• Perform arithmetic operations with radical expressions
• Evaluate and graph radical function
• Simplify expressions using the properties of rational exponents
• Determine the domain and range of radical and rational functions
• Perform operations on complex numbers
• Identify the real and imaginary parts of complex numbers
• Simplify square roots of negative numbers
• Solve equations that contain one or more radical expressions
• Divide polynomials by polynomials
• Use synthetic division find roots (zeros) of polynomials
ITEM: Revisions to Legislative Rule, Series 27, Workforce Development Initiative Program, and Repeal of Procedural Rule, Series 7, Technical Program Development and WV Advance Rapid Response Workforce Development, for Public Comment

RECOMMENDED RESOLUTION: Resolved, That the West Virginia Council for Community and Technical College Education approves the proposed revisions to Series 27 and its submission to the Secretary of State for the required thirty-day public comment period. If no substantive comments are received, the Council extends its final approval.

Further Resolved, the Council approves the repeal of Series 7 upon final filing of Series 27.

STAFF MEMBER: Casey Sacks

BACKGROUND: At the start of 2018, Governor Justice asked all state agencies to review agency rules with the intent of reducing regulatory requirements and eliminating redundancy where possible. Council had two rules on file with a good deal of redundancy: Procedural Rule, Series 7, Technical Program Development and WV Advance Rapid Response Workforce Development; and Legislative Rule, Series 27, Workforce Development Initiative Program.

The proposed revision streamlines the new Series 27 to include all three workforce development grants administered by CTCS: learn and earn, technical program development, and WV advance rapid response grants. The new rule streamlines grant administration for all three projects including application criteria, distribution of funds, and performance evaluation.

The revision adds a provision to the learn and earn program to allow the Chancellor to waive the requirement of academic credit to expand the program to include training in high-demand occupation areas. This revision also removes language about a required match to align this rule with code changes that occurred in 2016.

In the area of grant eligibility, the requirement to share materials developed with grant funds under the prior rules was changed to align with changing technology and national best practices related to open educational resources. Now rather than printing materials
and sending them to CTCS, colleges are being asked to publish resources on their own websites with a CCby attribution license that can be found by any search engine program.

1.1. Scope. -- The West Virginia Council for Community and Technical College Education (Council) consistent with provisions of West Virginia Code §18B-3D-2, §18B-3D-6, §18b-1-6 and §18b-2b-6, adopts the procedures and guidelines for the administration of the Workforce Development Initiative Program (Learn and Earn), Technical Program Development, and West Virginia Advance Rapid Response grant programs.

1.2. Authority. -- West Virginia Code §18B-3D-2, §18B-1-1, §18B-2b-6

1.3. Filing Date. -- June 21, 2012

1.4. Effective Date. -- June 21, 2012

1.5. Sunset Date. -- This rule shall terminate and have no further force or effect on ______________.


2.1. Closely align West Virginia community and technical colleges with the economic development efforts of the state.

2.2. Provide funding to community and technical colleges for program delivery to advance the economic development goals of the state.

2.3. Provide an opportunity to build the capacity of community and technical colleges to sustain workforce development efforts and make a major impact on the economic development efforts of the state.

2.4. Provide West Virginia workers with world-class transferable and portable skills across industries.

2.5. Provide West Virginia employers a highly skilled workforce, thus providing an arena for recruiting and retaining business.

2.6. Increase the per capita income of West Virginia workers by increasing their workforce skill levels.

23.1 The purpose of this rule is to set forth provisions for the administration of grant funding, criteria for applications, determination and distribution of funds, and performance evaluation for the Learn and Earn, Technical Program Development, and West Virginia Advance Rapid Response workforce development grant programs that comprise the Workforce Development Initiative Program, including the Learn and Earn Program, that was created by the West Virginia Legislature with a mission to develop a strategy to strengthen the quality of the state’s workforce by linking the existing postsecondary education capacity to the needs of business, industry and other employers by utilizing available funding to provide explicit incentives for partnerships between employers and community and technical colleges to develop comprehensive workforce development services.

§135-27-4. West Virginia Advance Rapid Response Program Description

4.1. The program will focus on workforce delivery programs that develop high-performance work organizations and provide workers with world-class transferable skills enabling them to master technology and foster innovation.

4.2. The program will provide the development of specific occupational/technical competencies and workforce skills in critical thinking, problem solving, ability to work in teams, communication, math, science and other critical competencies required for West Virginia workers and companies to be competitive in a global economy.

4.3. The emphasis of the program is skill-based training that can be certified through national, state or local assessments resulting in a credential and meeting the economic development goals of the state as determined by the West Virginia Development Office.

4.4. The program is intended to provide services to West Virginia companies, but may provide education or training at out-of-state locations with the approval of the Chancellor.

4.5. The West Virginia Advance program will focus on providing services to employers that have a positive economic outcome on West Virginia. The program will support projects for:

4.5.a. Existing West Virginia companies that are expanding and creating new jobs;

4.5.b. Existing West Virginia companies that are requiring employees to obtain new job skills in order to retain their positions and keep or make the company more competitive;

4.5.c. Existing West Virginia companies that are upgrading present employees to access high-skill, high-wage occupations within the company;

4.5.d. Companies or industry sectors or clusters that are targeted by the West Virginia Development Office as critical to West Virginia’s economic development;

4.5.e. New companies locating in West Virginia that require a skilled workforce for start-up;

4.5.f. West Virginia Development Office projects, targeted industries or local economic development initiatives;

4.5.g. Pre-employment training or preparation to enter a program leading to a high-demand occupation;
4.5.h. Workers displaced by company closings or reductions in the workforce.

4.5.i. Entrepreneurship development programs that have a positive economic impact on a region or community, particularly rural areas, and produce individual employment opportunities.

§135-27-5. Technical Program Development Description

5.1. The program will provide funding for Certificate of Applied Science or Associate degree programs that meet documented needs of employers and/or compliment the economic development needs of the state or region.

5.2. The program must target high-demand occupations resulting in participant placement with an average wage range of $12.00 per hour or more.

5.3. The program is intended to provide participants with the general education and technical skill competencies for high-skill, high-wage occupations.

5.4. The program is intended to increase the capacity of community and technical colleges to better serve the needs of employers and individuals through the development of new technical programming.

§135-27-46. Learn and Earn Program.

46.1. Under the following provisions, eligible community and technical colleges may partner with employers to provide cooperative education opportunities for students. At a minimum the following programs must:

46.1.a. Funding is limited to cooperative education programs for those career-technical programs in which documentation can be provided to validate the program is a high-demand occupation for the state.

46.1.b. The cooperative education program must be a paid work experience that pays the student no less than $10.00 per hour.

46.1.c. The experience must provide the student with a supervised work experience in the student’s expected career field or program of study and reinforce learning that has occurred in the academic program.

46.1.d. The experience must have clearly stated measurable learning goals and objectives reflecting on what the student’s expected learner outcomes will be throughout the experience.

46.1.e. The experience must be part of the academic program and carry college credit as determined by program faculty. The Chancellor may waive this requirement for training in high-demand occupation areas.

46.1.f. The experience must have an assessment component that documents the student has adequately mastered the expected learner outcomes.

46.1.g. The experience must be for a defined period of time and may be on a part- or full-time work basis.

37.1. Under the provisions of this rule, higher education institutions so designated by West Virginia Code ‘18B-1-2, as a community and technical college, are eligible to apply for grant funding.

37.2. To be eligible for a grant under this program, a community and technical college must:

37.2.a. Develop programs that meet documented employer needs; Complete in its entirety, including all supporting documentation, the proposal for grant funding on forms provided by the Council and submit electronically on or before any specified application date;

37.2.b. Develop programs that meet documented employer needs;

37.2.c. Involve and collaborate with employers in the development of programs;

37.2.d. Develop customized training programs, skill sets, Certificates of Applied Science, or Associate of Applied Science degrees that provide for the changing needs of employers and are offered at flexible times and locations to accommodate employer scheduling;

37.2.e. Develop partnerships with other public and private providers; For programs that carry academic credit, establish programs of study agreements with public school systems for the seamless progression of students from the secondary level through community and technical college Certificate of Applied Science and Associate of Applied Science degree programs;

37.2.f. Establish cooperative arrangements with public school systems for the seamless progression of students from the secondary level through the community and technical college level, particularly in the area of career-technical education;

37.2.g. Assist with the ongoing assessment of workforce development needs of the community and technical college consortia district;

37.2.h. Actively participate in a community and technical college consortia planning district and facilitate the involvement of consortia members in the development of applications for funding through this program;

37.2.i. Include in its institutional compact a plan to achieve measurable improvements in the quality of the workforce in the community and technical college consortia planning district; Agree to share curricula developed with funding through these programs with other public West Virginia community and technical colleges;

37.2.j. Establish a special revolving fund under the jurisdiction of the community and technical college dedicated solely to workforce development initiatives; Agree to put curricula developed with funding through this program into an electronic format for inclusion on a state-level database for sharing with other community and technical colleges; establish a separate account with an identifiable account number for each grant award;
37.2.k. Develop a specific plan outlining how the community and technical college will collaborate with local postsecondary institutions to maximize the use of existing facilities, personnel and equipment; and

37.2.l. Agree to adhere to all terms, conditions and deliverables as specified in the application for proposals and this rule.


§ 135-27-58.1. The Chancellor of the West Virginia Council for Community and Technical College Education (Chancellor) shall provide grant applications to all eligible institutions with stated deadline dates for submission.

§135-27-58.2. For the Technical Program Development program, the Chancellor shall appoint an Advisory Committee consistent with the provisions of West Virginia Code to review applications and proposals and make recommendations to the Council for funding. For the Learn and Earn program, the Chancellor shall appoint an Advisory Committee consistent with the provisions of West Virginia Code to review applications and make recommendations to the Chancellor for funding. West Virginia Advance Rapid Response proposals may be reviewed by a committee comprised of Council staff for the purpose of providing a recommendation to the Chancellor for immediate implementation without committee review.

§135-27-58.3. At the call of the Chancellor’s discretion, the Advisory Committees may meet as often as necessary to review grant proposals.

§135-27-58.4. In evaluating grant proposals, the Advisory Committees shall give priority to proposals involving businesses with fewer than fifty employees, and grants will not be awarded that provide unfair advantage to employers new to the state that will be in direct competition with established local businesses.

8.5. The West Virginia Council for Community and Technical College Education may delegate authority for all grant approval to the Chancellor.


§135-27-69.1. Each proposal for a Learn and Earn, Technical Program Development and/or West Virginia Advance Rapid Response Initiative Program grant shall, at a minimum:

69.1.a. Identify the goals and objectives of the program, the specific business sector training needs, and the job market demand to be addressed for the program/training;

69.1.b. Identify the number of participants to be served during the grant period, anticipated placement rate, and wage benefit of completers;

69.1.c. Identify private and public sector partners including those with public school career-technical education which minimizes duplication of programming and maximizes the use of existing facilities;

69.1.d. Provide a letter of support for the proposal from the local Workforce Investment Development Board and/or Regional Economic Development Authority;
69.1.e. Provide a detailed work plan, a budget and an evaluation plan to gauge the progress of the program;

69.1.f. Provide letters of commitment from private or public sector partners confirming actual funding amount provided for the match requirements where applicable; and

69.1.g. Provide a plan for sustaining the program after grant funding is exhausted.

69.2. In addition to the provisions of 69.1., those community and technical colleges applying for grant funding to support a Learn and Earn project shall:

69.2.a. Complete the Learn and Earn section of the application describing in detail the cooperative education work experience reflecting the provisions contained in Section 46.1 of this Rule.

69.2.b. Provide a written agreement between the college and the participating employer describing a formalized work plan for the work experience component.


7.1. Each proposal must provide a commitment letter from private or public sector partners for a match of one dollar, cash and in-kind, for each dollar of state grant funding awarded.

7.2. An in-kind match shall not constitute more than fifty percent (50%) of the required match.

7.3. For the Learn and Earn Program, the paid work experience must have, at a minimum, a cash dollar-for-dollar match from the participating employer. No in-kind match can be used to meet the dollar match requirement for the Learn and Earn Program.

7.4. With the exception of the Learn and Earn Program, if previously used equipment is committed, the current market value of the equipment must be used in determining an in-kind match amount.

7.5. In cases where it can be documented that it is a hardship for a private sector partner to provide a dollar-to-dollar match, the required match may be reduced to one dollar for each three dollars of state funding awarded. Such cases meriting a reduction in the match requirement may include but are not limited to:

7.5.a. Private sector employers whose operations are located in rural areas of West Virginia;

7.5.b. Employers with fewer than fifty employees;

7.5.c. New start-up businesses operating five years or less in the state; and

7.5.d. Employers developing new or expanding operations in the state resulting in a minimum investment of two million dollars;

7.6. With the exception of the Learn and Earn Program, new equipment may be committed to meet cash match requirements based on the actual documented purchase price of the equipment.

7.7. If the grant award is solely for the purpose of modernizing equipment, the match requirement is one dollar for each two dollars in state funding awarded.
7.8. Match requirements may be provided by public sector partners utilizing state or federal dollars if funding for the Workforce Development Initiative Program for the current fiscal year exceeds six hundred and fifty-thousand dollars, and in which case one-half of the funded amount exceeding six hundred and fifty-thousand dollars may be granted utilizing a public sector match.

§135-27-810. Accountability and Reporting Requirements.

§10.1. A community and technical college receiving a grant under the provisions of this program shall submit to the Chancellor all requested programmatic accountability data and budgetary reports including but not limited to:

§10.1.a. Annual financial and final reports detailing program expenditures;

§10.1.b. Annual reports on activities conducted and dates completed; and

§10.1.c. A final report on goals achieved, number of participants served, number of completers, number of completers placed in employment or obtaining a wage increase, cost of training per participant, and other information deemed necessary by the Council.

§10.2. Equipment purchased or upgraded with grant funds under this program may not be sold, disposed of, or used for purposes other than those specified in the grant proposal without approval of the Council.

§135-27-911. Grant Extension and Renewal.

§11.1. Generally, grants will be awarded on a one-year basis. Technical Program Development and Advance grants but funding for the Learn and Earn program may be for multiple years reflecting the duration of the career-technical program or training being provided. Learn and Earn applications must be submitted annually.

§11.2. The Chancellor may authorize the expenditure of carry-forward funds upon written request by the institution.

§11.3. Subject to meeting stated goals, timeframes, with the recommendation of the Advisory Committee (for Learn and Earn projects), and the provisions of Council Series 2, the system’s rule on finance, cash match requirements, and with the recommendation of the Advisory Committee, the Council Chancellor may renew a grant up to five years following the initial grant award.
TITLE 135
PROCEDURAL RULE

WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

SERIES 7
TECHNICAL PROGRAM DEVELOPMENT AND WEST VIRGINIA ADVANCE RAPID RESPONSE WORKFORCE DEVELOPMENT

§135-7-1. General.

1.1. Scope: The West Virginia Council for Community and Technical College Education (Council) consistent with provisions of West Virginia Code §18B-1-6 and §18B-2B-6, adopts the procedures and guidelines for the administration of the Technical Program Development and West Virginia Advance Rapid Response Workforce Development grant programs.

1.2. Authority: West Virginia Code §18B-1-6, §18B-2B-6

1.3. Filing Date: January 23, 2012

1.4. Effective Date: February 23, 2012

§135-7-2. Goals.

2.1. Closely align West Virginia community and technical colleges with the economic development efforts of the state.

2.2. Provide funding to community and technical colleges for program delivery to advance the economic development goals of the state.

2.3. Provide an opportunity to build the capacity of community and technical colleges to sustain workforce development efforts and make a major impact on the economic development efforts of the state.

2.4. Provide West Virginia workers with world-class transferable and portable skills across industries.

2.5. Provide West Virginia employers a highly-skilled workforce, thus providing an arena for recruiting and retaining business.

2.6. Increase the per capita income of West Virginia workers by increasing their workforce skill levels.

§135-7-3. Purpose.

3.1. The purpose of this rule is to set forth provisions for the administration of grant funding, criteria for applications, determination and distribution of funds, and performance evaluation for the Technical Program Development and West
Virginia Advance Rapid Response workforce development programs that strengthen the quality of the state's workforce.

§135-7.4. West Virginia Advance Rapid Response Workforce Development Program Description

4.1. The program will focus on workforce delivery programs that develop high-performance work organizations and provide workers with world-class transferable skills enabling them to master technology and foster innovation.

4.2. The program will provide the development of specific occupational/technical competencies and workforce skills in critical thinking, problem solving, ability to work in teams, communication, math, science and other critical competencies required for West Virginia workers and companies to be competitive in a global economy.

4.3. The emphasis of the program is skill based training that can be certified through national, state or local assessments resulting in a credential and meeting the economic development goals of the state as determined by the West Virginia Development Office.

4.4. The program is intended to provide services to West Virginia companies, but may provide education or training at out-of-state locations with the approval of the Council or Chancellor of the Council (Chancellor).

4.5. The West Virginia Advance program will focus on providing services to employers or individuals that have a positive economic outcome on West Virginia. The program will support projects for:

4.5.a. Existing West Virginia companies that are expanding and creating new jobs;

4.5.b. Existing West Virginia companies that are requiring employees to obtain new job skills in order to retain their positions and keep or make the company more competitive;

4.5.c. Existing West Virginia companies that are upgrading present employees to access high-skill, high-wage occupations within the company;

4.5.d. Companies or industry sectors or clusters that are targeted by the West Virginia Development Office as critical to West Virginia's economic development;

4.5.e. New companies locating in West Virginia that require a skilled workforce for start-up;

4.5.f. West Virginia Development Office projects, targeted industries or local economic development initiatives;

4.5.g. Pre-employment training or preparation to enter a program leading to a high-demand occupation;
4.5.h. Workers displaced by company closings or reductions in the workforce.

4.5.i. Entrepreneurship development programs that have a positive economic impact on a region or community, particularly rural areas, and produce individual employment opportunities.

§135-7-5. Technical Program Development Description

5.1 The program will provide funding for Certificate of Applied Science or Associate degree programs that meet documented needs of employers and/or compliment the economic development needs of the state or region.

5.2 The program must target high-demand occupations resulting in participant placement with an average wage range of $12.00 per hour or more.

5.3 The program is intended to provide participants with the general education and technical skill competencies for high-skill, high-wage occupations.

5.4 The program is intended to increase the capacity of community and technical colleges to better serve the needs of employers and individuals through the development of new technical programming.

§135-7-6. Grant Eligibility.

6.1 Under the provisions of this rule, higher education institutions so designated by West Virginia Code '18B 1-2, as a community and technical college, are eligible to apply for grant funding.

6.2 To be eligible for a grant under these programs, a community and technical college must:

6.2.a. Complete in its entirety, the proposal for grant funding on forms provided by the Council and submit electronically on or before any specified application date;

6.2.b. Submit with the grant proposal, all requested supporting documentation as specified in the grant application;

6.2.c. Develop programs that meet documented employer needs;

6.2.d. Involve and collaborate with employers in the development of programs;

6.2.e. Develop customized training programs, skill sets, Certificates of Applied Science, or Associate of Applied Science degrees that provide for the changing needs of employers and are offered at flexible times and locations to accommodate employer scheduling;

6.2.f. Establish cooperative arrangements with public school systems for the seamless progression of students from the secondary level through
community and technical college Certificate of Applied Science and Associate of Applied Science degree programs;

6.2.g. Assist with the ongoing assessment of workforce development needs of the community and technical college consortia district;

6.2.h. Agree to put curricula developed with funding through these programs into a format for inclusion on a state-level database for sharing with other community and technical colleges;

6.2.i. Provide all requested financial reports and performance data by the Council by the specified date or forfeit eligibility to receive additional grant funding from these two programs;

6.2.j. Agree to establish a separate account with an identifiable account number for each grant award;

6.2.k. Agree to adhere to all terms, conditions and deliverables as specified in the application for proposals and this rule.

§135-7-7. Grant Review.

7.1. The Chancellor shall provide grant applications to all eligible institutions with stated deadline dates for submission.

7.2. For the Technical Program Development program, the Chancellor shall appoint a committee to review proposals and make recommendations to the Council for funding.

7.3. At the call of the Chancellor, or appointed Committee chair, the Committee may meet as often as necessary to review grant proposals.

7.4. West Virginia Advance Rapid Response Workforce Development proposals may be reviewed by a committee comprised of Council staff for the purpose of formulating a recommendation to the Chancellor as to approval; or may be approved by the Chancellor for immediate implementation.

7.5. The West Virginia Council for Community and Technical College Education may delegate the authority for grant approval to the Chancellor.

§135-7-8. Application Content.

8.1. Each proposal for a Technical Program Development and West Virginia Advance Rapid Response Workforce Development grant shall, at a minimum:

8.1.a. Identify the goals and objectives of the program, the specific business sector training needs and the documented job market demand for the program;
8.1.b. Identify the number of participants to be served during the grant period, anticipated placement rate, and wage benefit of completers;

8.1.c. Identify private and public sector partners including those with public school career-technical education which minimizes duplication of programming and maximizes the use of existing facilities;

8.1.d. Provide a detailed work plan, a budget and an evaluation plan to gauge the progress of the program;

8.1.e. Provide a plan for sustaining the program after grant funding is exhausted.

§135-7-9. Accountability and Reporting Requirements.

9.1. A community and technical college receiving a grant under the provisions of this rule shall submit to the Chancellor all requested programmatic accountability data and budgetary reports including but not limited to:

9.1.a. Reports detailing program expenditures;

9.1.b. Annual reports on activities conducted and dates completed; and

9.1.c. A final report on goals achieved, number of participants served, number of completers, number of completers placed in employment or obtaining a wage increase, cost of training per participant, and other information deemed necessary by the Council.

9.2. Equipment purchased or upgraded with grant funds under this program may not be sold, disposed of, or used for purposes other than those specified in the grant proposal without approval of the Council.

§135-7-10. Grant Extension and Renewal.

10.1. Generally, grants will be awarded on a one-time basis and may be for multiple years reflecting the duration of the technical program or training being provided.

10.2. The Chancellor may authorize the expenditure of carry-forward funds upon written request by the institution.

10.3. Subject to meeting stated goals, timeframes, and the provisions of Council Series 2, the system’s rule on finance, the Council may renew a grant for subsequent years to sustain the program.
ITEM: Revisions to Procedural Rule, Series 40, Equal Opportunity and Affirmative Action

INSTITUTIONS: All

RECOMMENDED RESOLUTION: Resolved, That the West Virginia Council for Community and Technical College Education approves revisions to Procedural Rule, Series 40 Equal Opportunity and Affirmative Action, for submission to the Secretary of State for a thirty-day public comment period.

Further Resolved, That staff is instructed to final file the procedural rule with the Secretary of State at the conclusion of the comment period if no substantive comments are received.

STAFF MEMBER: Patricia Humphries

BACKGROUND:

At the request of the Governor's Office and in an effort to reduce the regulatory requirements of the institutions, an extensive review of all existing Legislative and Procedural Rules of the West Virginia Council for Community and Technical College Education has been conducted by Council staff. To this effort, staff endeavors to remove unnecessary requirements and ensure that only necessary processes and procedures of the Council are reflected in the rules.

Staff recommends removal of the requirement for appointment by the Chancellor of a joint EEO/AA council, composed of one representative from each of the campuses or institutions. This council has not been convened for a number of years. The responsibilities of this council are met via the negotiation of a group contract with a vendor (Outsolve) to conduct institutional workforce analysis and develop compliant Equal Employment Opportunity policies and Affirmative Action Plans for each institution. The plans cover EEO/AA for women and minorities, protected veterans and individuals with disabilities. The responsibility for an implementation and dissemination of an effective EEO/AA policy is expressly that of the Board of Governors of each institution. In addition, to support in the event of an audit from the Office of Federal Contract Compliance Programs (OFCCP), Outsolve conducts comprehensive affirmative action training for clients via webinars and annual conferences/seminars.

Through Series 40, Equal Opportunity and Affirmative Action, the Council reaffirms its
commitment to Equal Employment Opportunity as described in the rule.

It is recommended that the Council approve the rule for filing with the Secretary of State for a formal thirty-day public comment period and further recommended that staff be instructed to final file the rule with the Secretary of State at the conclusion of the comment period if no substantive comments are received.

1.1. Scope. -- This rule establishes equal opportunity and affirmative action policy.

1.2. Authority. -- West Virginia Code §18B-1-6 and §18B-1B-5.

1.3. Filing Date. -- October 21, 2013

1.4. Effective Date. -- November 21, 2013

§135-40-2. General Policy.

2.1. It shall be the policy of the West Virginia Council for Community and Technical College Education (Council) and the West Virginia Higher Education Policy Commission (Commission) to provide equal employment opportunities to all qualified employees and applicants and to prohibit discrimination or harassment against any such individuals on the basis of protected characteristics. The Council and Commission considers ethnicity, marital status, race, color, religion, sex/gender, national origin, age, disability, genetic information, sexual orientation, gender identity and veteran status as protected characteristics and will not permit discrimination or harassment against any employee or applicant for employment on the basis of any such characteristic. The Council and Commission will conform both to the letter and the spirit of the law and regulations with respect to prohibiting any such discrimination or harassment and will engage in affirmative action to employ, advance in employment and treat all qualified persons without discrimination in any employment practices.

2.2. The scope of this policy prohibiting discrimination and harassment extends, but is not limited to, the following: recruitment, employment, promotion, transfer, training, working conditions, wage and salary administration, benefits, discipline, promotion, transfer, layoff, termination processes and the application of all other employment-related policies. These principles of non-discrimination and anti-harassment also apply to the selection and treatment of independent contractors, personnel working on Council and/or Commission premises and any other persons or firms doing business with the Council and Commission.


3.1. Under the Council’s and Commission’s additional authority to allocate specified functions and responsibilities among the institutions within the jurisdiction of the Council and Commission, each institution shall accept primary and long-term responsibility for the development and implementation of equal employment opportunity and affirmative action policies consistent with the Commission’s and Council’s guidance and all applicable laws and regulations.

3.2. Each institution and the Council and Commission shall take the initiative in developing or modifying its own plans to achieve compliance with the equal employment opportunity and affirmative action policies of the Council and Commission as well as those of the state and federal governments. The
president of each institution shall, through appropriate means, establish and maintain a positive program of equal employment opportunity and affirmative action within her/his jurisdiction in accordance with all laws and regulations applicable to the institution. The equal employment opportunity and affirmative action goals of the institution must be integrated into and consistent with other performance goals of the institution. The realistic goals and timetables of each institution shall be vigorously pursued to achieve a proportional representation of minorities and women in the workforce based on availability within the relevant workforce recruitment markets. The effective pursuit of affirmative action requires not only the adoption of an adequate plan, but also results-oriented procedures designed to ensure the involvement of managers at all levels of each institution. Institutional affirmative action plans shall be submitted to the Chancellors by July 1 of each year.

2.5. The Chancellors shall appoint an equal employment opportunity/affirmative action advisory council, to be known as the Chancellors’ Equal Employment Opportunity Council, composed of at least one representative from each of the campuses or institutions. The Council will help to facilitate the achievement of equal employment opportunity/affirmative action pursuit and compliance across the institutions under the Council’s and Commission’s jurisdiction. Under the general direction of the Chancellors, the Council shall be responsible for, but not necessarily limited to, the following duties and responsibilities:

2.5.1. Conducting periodic reviews of institutional equal employment opportunity/affirmative action plans and programs, while providing any assistance that may be required to improve programs and realize objectives.

2.5.2. Consulting from time to time with the Chancellors and presidents of institutions and/or their designees on equal employment opportunity/affirmative action matters.

2.5.3. Reviewing copies of equal employment opportunity reports of all institutions submitted to federal authorities responsible for enforcement of laws and regulations and providing consultation to the Chancellors where appropriate or as requested.

2.5.4. Helping to assure that current information affecting equal employment opportunity/affirmative action is disseminated to institutions and their employees.

2.5.5. Conducting other advisory assignments as directed by the Chancellors.
ITEM: Division of Student Affairs Overview

RECOMMENDED RESOLUTION: Information Item

STAFF MEMBER: Adam Green

BACKGROUND:

The Division of Student Affairs is responsible for the coordination of several college access and completion programs with the overarching goal of increasing access to and participation in postsecondary education. Dr. Adam Green, Vice Chancellor for Student Affairs, will provide a detailed report on these programs and other activities.
DIVISION OF STUDENT AFFAIRS
AN INTRODUCTION
PURPOSE AND INITIATIVES
GOAL: To create a statewide culture that promotes educational opportunities for all citizens, regardless of age or income.

The Division is responsible for the coordination of several college access and completion programs with the overarching goal of increasing access to and participation in postsecondary education.
Division coordinates several college access and completion programs/campaigns:

- College Foundation of West Virginia (CFWV)
- West Virginia GEAR UP
- FAFSA completion efforts
- College Application and Exploration Week
- College Decision Day
- Txt 4 Success Campaign

Other highlights:

- **Office of Veterans Education and Training**, which is the state approval agency for VA benefits and provides veterans, eligible persons, National Guard members, and reservists in WV with help throughout the college-going process.
- **Partnerships with student affairs offices** at the campuses of West Virginia’s two- and four-year colleges and universities.
- **Student Success Summit**, which invites educators from across West Virginia to participate in and lead professional development sessions.
- **Student Leadership Conference**, which invites student government leaders from across the state to network and sharpen leadership skills.
INITIATIVES
CFWV provides FREE resources to help students and families plan, apply, and pay for education and training beyond high school. CFWV.com is a free website that features career and college exploration tools, information about all federal and state level financial aid programs, and details about the state's colleges and universities.

By the Numbers (2017)

- More than 413,000 total visits/sessions occurred on CFWV.com.
- More than 41,000 active accounts existed.
- More than 8,900 college applications were submitted through CFWV.com to colleges and universities across the state.

Source: Google Analytics
West Virginia GEAR UP is a federal grant program aimed at assisting students in Gaining Early Awareness and Readiness for Undergraduate Programs.

The Commission’s current GEAR UP project began in Fall 2014 and will conclude in 2021 after having served approximately 13,000 students.

Hours spent by GEAR UP students in each activity. In the 2016-17 academic year, students spent more than 30,000 hours engaged in activities that promote academic achievement and ultimately increase participation in postsecondary education.
In 2016, the West Virginia Higher Education Policy Commission (Commission) secured a $55,000 grant from the National College Access Network (NCAN) to participate in the national FAFSA Completion Challenge. With this grant, the Division of Student Affairs coordinated a project with Kanawha County Schools to increase FAFSA rates among seniors.

Of the 22 cities that participated, Kanawha County Schools achieved the second highest FAFSA completion rate in 2017.
Schools across the state can see interactive data regarding their FAFSA numbers on CFWV’s Financial Aid Outreach page. Schools can track the number of FAFSAs completed, progress toward the statewide goal, submitted versus completed FAFSAs, and more.
To help more students file the FAFSA, staff from the Division of Student Affairs used its Txt 4 Success campaign to send text messages to the class of 2017 to remind them of milestone FAFSA deadlines. **More than 22,000 students received texts in 2017.**
This campaign is the first of three of CFWV’s annual college-planning milestone events. This campaign serves as an opportunity for students from pre-k through twelfth grade to explore the concept of college and for older students to submit college applications. **In 2017, nearly 370 schools registered to participate.**

Mountain View Elementary School students dressed as employees of their dream careers

100,000+ students participated in 2017!
This campaign is the last of three of CFWV’s annual college-planning milestone events. College Decision Day events serve to celebrate seniors for their postsecondary plans and assist them and their families in enrolling in and transitioning to college. In 2017, more than 40 high schools registered to participate.

College-bound seniors from Mingo Central High School’s class of 2017 pose with their certificates.
Txt 4 Success is an initiative that provides students with college counseling and deadline reminders. Texts are designed to help seniors successfully transition to college and make it through the first year of postsecondary education.

Students can opt-in to receive college-specific messages from one of the initiative’s 10 partner institutions.

27,000+ students received texts in 2017
19,000+ texts have been sent to Txt 4 Success staff from the class of 2018
20,000 students are enrolled to receive texts in 2018
40+ college access and success advisors on staff to answer text messages

*As of May 24, 2018
RESOURCES
Educators can use the site to monitor their students’ usage of CFWV, to find lesson plans for students, and to monitor the results of students’ assessments that they take on the site.

Educators can access the Professional Center by clicking on Educators sign in here on the homepage.
COUNTY FACT SHEETS

Higher Education At-A-Glance
West Virginia

2016-2017

DEFINING “COLLEGE”
Any form of high-quality education or training beyond high school.
This includes certificate programs, workforce training, apprenticeship programs, two- and four-year degree programs, and military service.

THE GOAL
The goal is to ensure that at least 60 percent of Americans have some sort of degree, certificate, or other postsecondary credential by 2025. This is to keep up with changing workforce demands that require education or training beyond high school to fill positions.

60%
60%

45.8%

30%

Americans currently with a postsecondary credential
West Virginians currently with a postsecondary credential

JOB OUTLOOK

LARGEST EMPLOYERS
Below are the largest employers in the state:

- West Virginia Medicine
- Walmart
- Charleston Area Medical Centers, Inc.
- Kroger
- Mylan Pharmaceuticals, Inc.

Approximately 752,300 people in the state are employed.

WORKFORCE PARTNERS
The West Virginia Community and Technical College System (CTCS) partners with various businesses – large and small – to help train and educate workers, build up the state’s workforce, and provide hands-on training opportunities for students. These partnerships help grow local and regional businesses and boost the state’s economy. More than 700 partnerships have developed as a result of CTCS Workforce Initiatives.

EDUCATIONAL OUTLOOK

These data sheets provide readers with an overview of what higher education looks like in their respective county.

Data includes the following:

- Number of students who are not college ready
- Certificates/degrees awarded to students from the county
- Largest employers and Workforce partners in the county
- College-going and high school graduation rates
- Top college choices of students in the county
- Scholarship dollars awarded to graduates from the county
- Number of students needed to reach national attainment goal

To access, visit CFWV.com and click on Higher Education At-A-Glance.
INITIATIVE TOOLKITS

For statewide initiatives such as College Application and Exploration Week and College Decision Day, the Division of Student Affairs will provide participating schools with a toolkit to use to help plan events.
College 101, Financial Aid 101, and Admissions 101 guides help students navigate the path to and through college. These guides are available online at cfwv.com.

NEW FOR 2018! The 101 guides for the 2018-19 school year for students who will be going to college in 2019-20 will be available in condensed hard-copy versions with the most important information. The full versions will still be available on cfwv.com.
PATHWAY EVENTS
CHANGES FOR 2018

❖ CFWV’s three college pathway events (College Application and Exploration Week, FAFSA completion events, and College Decision Day) are going to be different this year!
❖ High schools that participate in all three pathway events and meet other certain requirements will be recognized in Fall 2019 as a CFWV Champion of College Access and Success.
❖ More details to come! Stay tuned...
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