

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

Form #5

Do Not Mark In This Box

FILE  
2013 FEB -7 PM 4:51  
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE  
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: Higher Education Policy Commission TITLE NUMBER: 133

CITE AUTHORITY: West Virginia Code §18B 1 1A; 18B 1 4

RULE TYPE: PROCEDURAL X INTERPRETIVE \_\_\_\_\_

EXEMPT LEGISLATIVE RULE \_\_\_\_\_

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW  
\_\_\_\_\_

AMENDMENT TO AN EXISTING RULE: YES X NO \_\_\_\_\_

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 23

TITLE OF RULE BEING AMENDED: Standards and Procedures for Undergraduate Admission at Four-Year  
Colleges and Universities

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS March 8, 2013

Authorized Signature

**TITLE 133  
PROCEDURAL RULE  
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION  
SERIES 23  
STANDARDS AND PROCEDURES FOR UNDERGRADUATE ADMISSIONS  
AT FOUR-YEAR COLLEGES AND UNIVERSITIES**

2013 FEB -7 PM 4:54  
SECRETARY OF STATE

**§133-23-1. General.**

- 1.1. Scope – This rule establishes standards and procedures for public undergraduate institutional admissions policies at four-year colleges and universities.
- 1.2. Authority - West Virginia Code §18B-1-1A; 18B-1-4
- 1.3. Filing Date - February 7, 2013
- 1.4. Effective Date - March 8, 2013
- 1.5. Repeal of Former Rule - Repeals and replaces Title 133, Series 23 which had an effective date of June 1, 2007.

**§133-23-2. Statement of Principles.**

- 2.1. It is the intent of the Higher Education Policy Commission (Commission) to provide access to higher educational opportunities commensurate with student interests and abilities. Working toward this end, the Commission continues to encourage the development of academic programs and delivery options which facilitate access and promote college completion. It is further the intent of the Commission that admissions policies at the four-year state-supported institutions of higher education should foster the attainment of these broad goals of access to the highest extent possible within the limits of available educational programs and resources.
- 2.2. In recognition of the diverse educational programs offered by the different public four-year higher education institutions and the varying kinds of preparation necessary for successful entry into them, the Commission considers it more appropriate to establish basic statewide guidelines and standards than to provide detailed provisions related to admissions criteria and procedures. Accordingly, the Commission has identified certain basic policies and provisions around which specific institutional admissions policies and practices are to be developed.

- 2.3. This rule applies to undergraduate admissions at West Virginia public four-year colleges and universities. The standards in this rule also apply to students who enroll in baccalaureate-level programs at state higher education institutions where missions are primarily the offering of associate-level degrees. Standards for students enrolled in associate degree or one-year certificate programs, regardless of institutional classification, shall be at least as rigorous as those at the community and technical colleges.
- 2.4. In fulfilling its mission, the Commission is also responsible for assuring quality programs to any individual attending West Virginia institutions.

**§133-23-3. Definitions.**

- 3.1. ACT and SAT are college admission tests that are designed to assess academic readiness.
- 3.2. Conditional admission is the admission of an undergraduate student who does not meet the requirements for regular admission as outlined in section 4 of this rule.
- 3.3. Continual enrollment is a term that describes student enrollment in consecutive semesters, excluding summer terms.
- 3.4. Developmental education programs commonly address academic preparedness, diagnostic assessment and placements, development of general and discipline-specific learning strategies. Developmental courses are "pre-college" courses and do not count toward a baccalaureate degree, an A.A. degree, an A.S. degree, or an A.A.S. degree.
- 3.5. A diploma is formal documentation and recognition that a student has satisfactorily completed the graduation requirements of a state and school district.
- 3.6. A General Education Development (GED) diploma is a diploma issued by a state department of education based upon satisfactory score earned on the GED test prepared by the General Educational Testing Service as an agent of the American Council on Education.
- 3.7. Grade point average (GPA) is the cumulative high school grade point average based on a 4.0 scale.

- 3.8. Home-Instructed/Home-Schooled students are those students defined under West Virginia Code §18-8-1, who are not enrolled in a public school within the school district and who are instructed by a person or persons providing home instruction.
- 3.9. International Baccalaureate Diploma Program means a comprehensive two-year international curriculum designed as a rigorous pre-university course of study that leads to examinations. An institution, at its discretion, may award college credit to students for successful completion of IB courses and examinations.

**§133-23-4. Regular Admission Standards.**

- 4.1. Students may be admitted on a regular admission basis at colleges and universities which offer bachelor's degrees if they have a) an approved high school diploma, a minimum 2.0 high school grade-point average (GPA), and an ACT composite score of at least 18; b) meet GED requirements and have an ACT composite of at least 18; or c) have a high school diploma and a minimum high school GPA of 3.0.
- 4.2. For universities which grant doctoral degrees, the minimum high school GPA/standardized test score requirement for regular admission is a) a 2.0 high school GPA and a 19 ACT composite score or b) a high school 3.0 GPA.
- 4.3. Home-Instructed/Home-Schooled students who provide appropriate ACT composite scores as outlined above and meet any additional institutional requirements may be admitted on a regular admissions basis.
- 4.4. Except as provided in section 8.2 and section 9.3 of this rule, all students must submit ACT or SAT scores prior to admission.
- 4.5. In instances where students have taken the SAT examination, these scores may be substituted for the ACT. SAT scores will be converted to ACT equivalents by using an appropriate conversion chart authorized by the Chancellor. These students will not be required to take the ACT at a later time.

**§133-23-5. Conditional Admission Standards.**

- 5.1. Conditional admission may be granted in instances where GPA or ACT standards for regular admission are not met and institutional officials have evidence that the student has the potential to successfully complete

college-level work. Students who do not meet the GPA or ACT standards, but who demonstrate the potential to complete an undergraduate program may be admitted conditionally with the stipulations listed below. Institutions are expected to monitor and provide support to conditionally admitted students through the offering of developmental education initiatives and other dedicated academic and student service programs.

- 5.1.a. Conditionally-admitted students must maintain good academic standing as defined by the institution.
- 5.1.b. If freshman placement standards require, developmental education must be completed prior to enrolling in the corresponding college-level courses. As necessary, students must enroll in the required developmental education program in the first semester of enrollment and maintain continual enrollment until all developmental requirements are fulfilled.
- 5.1.c. Students must complete any required developmental education and the provisions of their conditional admission within the first four semesters of enrollment. Unless the student is still enrolled in developmental education, students failing to meet the provisions of conditional admission shall be denied re-enrollment. Return to the institution is subject to institutional policy.
- 5.2. The percentage of first-time, baccalaureate degree-seeking students enrolled conditionally shall not exceed ten (10) percent of the Commission census data enrollment. The percentage shall be based upon a three-year rolling average. The specific process for calculating this average will be determined by the Commission and communicated to all institutions.

#### **§133-23-6. Admissions – Core Requirements.**

- 6.1. In addition to GPA and ACT requirements, students must successfully complete the following minimum academic core unit requirements prior to the initial period of enrollment: **Required Units**
  - 6.1.a. 4 English (including English 12CR and courses in grammar, composition, and literature)
  - 6.1.b. 3 Social Studies (including U.S. History)
  - 6.1.c. 4 Mathematics (three units must be Algebra I and higher or Math I or higher; Transitional Math for Seniors will also be accepted)

- 6.1.d. 3 Science (all courses to be college preparatory laboratory science, preferably including units from biology, chemistry, and physics)
- 6.1.e. 1 Arts
- 6.1.f. 2 Foreign Language (two units of the same foreign language, Sign language is also acceptable)
- 6.2. Institutions are authorized to employ the following waivers to the above unit requirements:
  - 6.2.a. All four-(4) year public higher education institutions have the discretionary authority to waive academic core unit requirements for admission to their institution.
  - 6.2.b. Students admitted with a waiver under the provisions of this section must satisfy any of the curricular deficiencies through the successful completion of commensurate college coursework. Each student receiving a waiver under this provision must complete any commensurate coursework prior to degree completion.

**§133-23-7. Transfer Students and Non-Degree Seeking Students.**

- 7.1. Students seeking transfer admission to a state college or university must be academically and otherwise eligible to return to the institution from which they wish to transfer and must meet the institution's basic admission standards. Students attending community and technical colleges who are seeking to transfer into a four-(4) year program must meet the regular institutional criteria for transfer admission. Students with at least twenty-four (24) transferable credit hours are exempt from meeting regular admission standards outlined in section 4 of this policy. Institutions may develop policies which require a greater number of credit hours completed prior to exemption from regular admission standards.
- 7.2. Transfer students must supply the institution with official transcripts reflecting all previous college work prior to admission.
- 7.3. Non-Degree Students. An institution may admit students on a non-degree basis. By definition, such students are not seeking and/or not eligible to pursue a certificate or degree at the institution. Institutions may establish minimum standards for admission of non-degree students.

**§133-23-8. International Students.**

- 8.1. International students are required to abide by the same freshman and/or transfer admission requirements as previously stated in this policy.
- 8.2. International students are not required to present ACT or SAT scores for admission purposes.
- 8.3. International students must meet English proficiency requirements as established by the institution and must submit scores prior to admission.

**§133-23-9. Additional Admissions Criteria.**

- 9.1. Official high school transcripts or GED scores are required to be on file for each incoming freshman who is registered in an undergraduate degree program. Such documents shall be on file with the institution prior to the end of the first semester of the student's attendance.
- 9.2. The institution issuing the diploma can be validated by a College Entrance Examination Board (CEEB) code, by a state department of education, or by other established procedures determined by the institution.
- 9.3. All students who have graduated from high school or completed GED requirements more than five years prior to seeking admission to a four-year college or university may have the requirement for ACT or SAT scores exempted at the discretion of the institution.
- 9.4. In addition to the above, institutions may use, but shall not be limited to the use of, the following information in determining admission to institutions and/or institutional programs:
  - 9.4.a. Records of traditional academic performance relative to the specific educational program to which the student seeks entry.
  - 9.4.b. Record of nontraditional learning experiences.
  - 9.4.c. Standardized examinations relative to the requirements of the program to which the student seeks entry.
  - 9.4.d. College equivalency examinations such as the College Level Examination Program (CLEP) and also, special preparatory programs such as the Advanced Placement Program of the College

Entrance Examination Board and the International Baccalaureate Diploma.

9.4.e. Recommendations and reports of interviews.

9.5. Health and immunization records may be required before or after admission into the institution depending on institutional policy.

9.6. Neither regular nor conditional admission shall ensure the entry of applicants into specific programs.

**§133-23-10. Institutional Admissions Policies.**

10.1. Institutions may establish admission standards more rigorous than those established by this rule for basic admission to the institution and/or for admission into specific programs.

10.2. Institutional admissions policies shall be comprehensive and stated in specific terms and shall include the general admissions requirements of the institution, as well as additional requirements for entry into specific programs.

10.3. All institutional admissions policies shall be consistent with existing Commission policies and applicable State and Federal regulations regarding nondiscrimination.

10.4. Institutional admissions policies shall be submitted to the Commission for evaluation in terms of their compatibility with stated Commission policies, institutional goals and available educational programs and resources. Any amendments to general admission policies shall be submitted to the Commission prior to their actual implementation at the institutional level. The Commission shall be notified of any amendments to admission policies prior to implementation at the institution.



**West Virginia Higher Education Policy Commission  
Meeting of February 1, 2013**

**ITEM:** Final Approval of Revised Series 23, Standards and Procedures for Undergraduate Admission at Four-Year Colleges and Universities

**INSTITUTIONS:** All

**RECOMMENDED RESOLUTION:** *Resolved*, That the West Virginia Higher Education Policy Commission approves Series 23, Standards and Procedures for Undergraduate Admission at Four-Year Colleges and Universities, as revised, for final filing with the Secretary of State.

**STAFF MEMBER:** Kathy Butler

**BACKGROUND:**

Series 23, Standards and Procedures for Undergraduate Admission at Four-Year Colleges and Universities, is the procedural rule that outlines the admission standards and procedures for West Virginia public four-year colleges and universities. The current version of this policy was last revised in 2007. The proposed revisions strengthen the rule and clarify the standards and procedures for admission.

The revised policy proposal was approved by the Commission at the December 7, 2012 meeting for filing with the Secretary of State for a thirty-day public comment period. Staff received written comments from two sources suggesting minor changes. The following modifications have been made to the final document:

- Sections 3.5, 3.6, and 3.8 have been modified to provide consistent sentence structure for all definitions found within this section of the policy.
- Section 4.1 has been modified to provide clarity for the reader. The section now states: *"Students may be admitted on a regular admission basis at colleges and universities which offer bachelor's degrees if they have a) an approved high school diploma, a minimum 2.0 high school grade-point average (GPA), and an ACT composite score of at least 18; b) meet GED requirements and have an ACT composite of at least 18; or c) have a high school diploma and a minimum high school GPA of 3.0."*
- A modification was made to Section 4.3 to ensure that terms are utilized consistently throughout the policy.

- Section 8.2 has been modified to delete the requirement that "*international students are required to submit ACT or SAT scores prior to their second semester of enrollment.*" The usefulness of these scores, if not available until after admission to the institution, would be limited.

Staff recommends that the rule be approved as presented for final filing with the Secretary of State.

**Ashley Schumaker**

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**From:** Kathy Butler  
**Sent:** Wednesday, February 06, 2013 11:53 AM  
**To:** Ashley Schumaker  
**Subject:** FW: Series 23 Draft

Dr. Teeuwissen's comments are below

*Jelayne*

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**From:** John Teeuwissen [<mailto:johntee@wvstateu.edu>]  
**Sent:** Friday, December 14, 2012 4:38 PM  
**To:** Kathy Butler  
**Subject:** Fwd: Series 23 Draft

Sorry! That got away before I finished. 4.1 should read something like this:

"Students meet the regular admission requirements for colleges and universities which offer bachelor's degrees if they a) have an approved high school diploma, a minimum 2.00 high school GPA, and an ACT composite score of at least 18; b) meet GED requirements and have an ACT composite of at least 18; or c) have a high school diploma and a minimum high school GPA of 3.00, regardless of ACT scores."

This wording does two things: it clearly and separately identifies each of the three possible sets of requirements for regular admission--rather than confusingly bundling two of the three into one option and placing the other in a second option. If there are three possibilities, it's simpler to put each one in a separate option.

Secondly, the opening phrase identifies the institutions to which the rule applies in the simplest possible manner: by their offering of 4-year degrees. This applies equally to 4-year schools and to schools like WVU-Parkersburg. The present combination of wording and punctuation is ambiguous: it can be construed to be applying the rule to all "four-year colleges and universities which offer [both] associate and bachelor's degrees" (are there any of those any more?). We know that the wording is intended to include WVU-P--which would not be included if it only said "four-year colleges." But the way it now reads is convoluted and unclear. Can't we just say that it applies to any school offering four-year degrees?

I didn't think to ask at our meetings whether the distinction should focus on the degrees the institution offers--which is what the rule now presumes--or on the degree program into which a student is admitted. But as long as all students admitted to WVU-P have to meet the 4-year admissions requirements that wouldn't matter, would it? Do they?

In any case, I really do think my suggested wording reflects the committee's intent more clearly and economically than the policy as it now stands.

JTee

----- Forwarded message -----

**From:** John Teeuwissen <[johntee@wvstateu.edu](mailto:johntee@wvstateu.edu)>  
**Date:** Fri, Dec 14, 2012 at 4:04 PM  
**Subject:** Series 23 Draft  
**To:** kathybutler <[kbutler@hepc.wvnet.edu](mailto:kbutler@hepc.wvnet.edu)>

Kathy:

I see that Series 23 has been approved in draft form by the HEPC. I don't recall looking at this draft in a AAAC meeting--did I miss something, or is my memory showing its age? In any case, I see several points which could still, I think, use some clarification. Maybe it's too late, but in case some minor editing is still possible let me suggest the following.

In the Definitions section 3.1 through 3.4 and 3.7 use the verbs "are" and "is" and avoid the awkwardness of a "this means that . . ." construction. A continuation of "are/is" would be useful in 3.5-3.6 and 3.8-3.9:

3.5 "A diploma is a . . ."

3.6 "A General Education Development (GED) Diploma is a diploma issued . . ."

3.8 "Home-Instructed (Home-Schooled) students are those students . . ." Also, the wording of this item implies that the "official" or accepted term for these students is "Home-Instructed" and that "Home-Schooled" is an unofficial, but common substitute, much as we might elsewhere write "Early Enrollment (Dual Credit) students." Is "home-Instructed" more official? If not, the appropriate punctuation would be "Home-Instructed/Home-Schooled." Further, in 4.3 the term "Home-School students" is used. This ought to be "Home-Schooled" in any case, for consistency (and also to avoid the sort of awkwardness reflected in the common, but unfortunate use of "release time" for "released time"). But regardless of the grammar issue, the same term should be used as primary in both 3.8 and 4.3.

4.1 This looks as if it still contains the ghosts of earlier versions. Item a) references both the GED and the HS diploma, while item b) only reference the GED. Logically, item b) is unnecessary if item a) remains as worded. As I recall the discussion, item a) reflects the edit we started with at our last meeting. In my concern for clarity on the issue of the equivalence of the GED and the HS diploma I suggested that the this should be two items instead of one, ie, one item referencing the HS diploma and one referencing the GED. That suggestion, I think, led to the creation of the current item b)--but did not change, as it should have, the introductory wording the item. It should read (with a minimum of further editing):

"Student

**From:** Brenda Thompson [bthompso@wvu.edu]  
**Sent:** Monday, January 14, 2013 12:39 PM  
**To:** Chancellor's Office  
**Cc:** Kathy Butler; Jennifer Fisher; Russell Dean; Stephen Lee; Marilyn Potts  
**Subject:** Series 23 Comment

Chancellor Hill,

I am writing in response to the proposed revised procedural rule, Series 23, Standards and Procedures for Undergraduate Admission at Four-Year Colleges and Universities.

In Section §133-23-8. International Students, the revised policy states that "international students are required to abide by the same freshman and/or transfer admission requirements as previously stated in this policy". The policy then states in 8.2. that "international students are not required to present ACT or SAT scores for admissions purposes", but must submit them prior to their second semester of enrollment.

I understand and am in favor of lifting the requirement to submit standardized test scores for admissions purposes since many international students find it difficult to meet this requirement due to testing availability in their home country. However, I am having difficulty understanding the reasoning in requiring them to submit standardized test scores prior to enrolling in their second semester if that information will not be used in either admissions or course placement of the student. Many international students are on a limited financial budget and it seems harsh to ask them to pay for a test that is not being used, especially if we can demonstrate they are doing well in their courses after the first semester. Can we not alter the policy for international students who are missing test scores to require a higher high school GPA for admission purposes and achieve the same goal?

Thank you for the opportunity to comment.

Brenda Thompson  
Associate Vice President, Enrollment Management  
West Virginia University  
(304)293-3837

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: Series 23 - Standards and Procedures for Undergraduate Admission at Four-Year

Type of Rule: ☐ Legislative ☐ Interpretive ☒ Procedural

Agency: Higher Education Policy Commission

Address: 1018 Kanawha Blvd. East, Suite 700, Charleston, WV 25301  
Contact: Dr. Paul L. Hill, Chancellor

Phone Number: 304-558-0699 Email: chancellor@hepc.wvnet.edu

**Fiscal Note Summary**

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

No impact.

**Fiscal Note Detail**

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

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

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

Rule Title:

Series 23 - Standards and Procedures for Undergraduate Admission at Four-Year

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

There will be no effect on cost or revenue.

### MEMORANDUM

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

Date: February 7, 2013

Signature of Agency Head or Authorized Representative

Paul J. King