

**WEST VIRGINIA  
SECRETARY OF STATE**

**KEN HECHLER**

**ADMINISTRATIVE LAW DIVISION**

Form #5

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SECRETARY OF STATE

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

AGENCY: West Virginia Board of Regents TITLE NUMBER: 128

CITE AUTHORITY: WV Code

RULE TYPE: PROCEDURAL  INTERPRETIVE

EXEMPT LEGISLATIVE RULE

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 49

TITLE OF RULE BEING AMENDED: AWARDING OF UNDERGRADUATE AND  
GRADUATE FEE WAIVERS

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: \_\_\_\_\_

TITLE OF RULE BEING ADOPTED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS Sept. 4 1988

Edward Grose  
Edward Grose  
Vice Chancellor  
Administrative Affairs

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CHAPTER 18-24  
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# WEST VIRGINIA BOARD OF REGENTS

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## WEST VIRGINIA PROCEDURAL RULE WEST VIRGINIA BOARD OF REGENTS CHAPTER 18-24 SERIES I - GENERAL

Policy Bulletin No. 49

TITLE: AWARDING OF UNDERGRADUATE AND GRADUATE FEE WAIVERS

### Section 1. - General

1.1 Scope - Policy regarding the awarding of undergraduate and graduate fee waivers.

1.2 Authority - West Virginia Code 18-24-2

1.3 Filing Date - ~~June 30,~~ <sup>July 6</sup> 1988

1.4 Effective Date - ~~July 29,~~ <sup>Sept 4</sup> 1988

1.5 Repeal of Former Rule - Revises and replaces ~~Policy Bulletin No. 49 dated September 10, 1985.~~

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### Section 2. Undergraduate Fee Waivers

2.1 The term "undergraduate fee waiver" refers to all tuition and fee waivers authorized by Chapter 18, Article 24, Section 2 of the West Virginia Code. These awards shall be identified by using the name of the institution offering the award (e.g.: College Undergraduate Scholarship, or College Undergraduate Fee Waiver).

2.2 The maximum number of authorized undergraduate fee waivers at the institution shall be equal to five percent of the full-time equivalent undergraduate enrollment of the institution for the fall term of the immediately preceding academic year.

2.3 Pursuant to the statute, no student may hold an undergraduate fee waiver for more than eight semesters. Twelve or more semester hours attempted during a regular semester or a summer term shall be considered as one semester for scholarship purposes.

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2.4 Awards made under this program shall provide for the waiver of tuition, registration fee, Higher Education Resource Fee, and the Faculty Improvement Fee. In addition, institutions shall have discretionary authority to waive one or more of the component parts of the college fees (includes such fees as the activity, athletic, and student union fees) and/or special fees assessed to students in designated academic fields (e.g.: engineering fee, pharmacy fee).

2.5 Waiver recommendations shall be submitted by each public college and university in accordance with the following general provisions. The Chancellor's Office shall distribute appropriate instructions concerning the details of these reports.

2.5.1 All institutions will submit reports to the Board on November 15 and June 15 of each year. While the November 15 report will list waiver recommendations for the entire year, the June report must deal only with revisions to the initial report.

2.5.2 Each award recipient should be listed and a permanent hometown address provided. Both new and renewal recipients must be included.

2.5.3 Each waiver recipient should be listed within the single category which reflects the primary reason a fee waiver was awarded.

2.6 Each institution shall give priority consideration in the awarding of undergraduate fee waivers to students who are West Virginia residents. Institutions should also provide a reasonable opportunity for their employees to utilize these awards.

2.7 In view of the substantial alternative student aid resources available for students with demonstrated financial need and the shortage of merit scholarships available at the public institutions, it is recognized that colleges and universities may choose to award a substantial portion of their tuition and fee waivers to students who possess various kinds of special abilities and aptitudes. However, in instances where there are more financially needy applicants than can be assisted through the available need-based student aid programs, the institution shall give priority consideration in the awarding of scholarships to students with demonstrated financial need.

2.8 In accordance with Chapter 18, Article 24, Section 3a of the West Virginia Code, each institution shall make provisions to waive tuition and any fees charged to children and spouses, on a classroom space available basis, of certain law enforcement officers (as defined in Chapter 30, Article, 29, Section 1 of the West Virginia Code) killed in the line of duty. The institutions may require such persons to pay special fees, including any laboratory fees, if such fees are required of all other students taking a single or the particular course and may also require such person to pay for parking. A fee waiver shall also be awarded to each year's statewide winner of the Veterans of Foreign Wars Voice of Democracy competition and the American Legion High School Oratorical competition. Institutions enrolling students qualifying for waivers under this action shall award such waivers within the five percent allotment authorized in Section 2.2 of this policy.

Section 3. Graduate and Professional Fee Waivers

3.1 The term "graduate and professional fee waiver" refers to all tuition and fee waivers authorized by Chapter 18, Article 24, Section 3 of the West Virginia Code. These awards shall be designated at the institutional level with the name of the institution offering the award (e.g.: \_\_\_\_\_ University Graduate Scholarship or \_\_\_\_\_ University Graduate Fee Waiver).

3.2 The maximum number of fee waivers shall be determined in the following manner:

3.2.1 The maximum number of authorized graduate and professional fee waivers at institutions other than West Virginia University shall be equal to five percent of the number of full-time equivalent graduate and professional students registered during the corresponding fall semester, spring semester, and summer term of the immediately preceding academic year.

3.2.2 The maximum number of authorized graduate and professional fee waivers at West Virginia University shall be equal to ten percent of the full-time equivalent graduate and professional students registered during the corresponding fall semester, spring semester, and summer term of the immediately preceding academic year.

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3.2.3 All graduate assistants employed by West Virginia public colleges and universities shall be granted fee waivers. This is in addition to the above-referenced ten percent at West Virginia University, and five percent at other institutions (see Section 3.2.1, and Section 3.2.2).

3.3 Pursuant to the statute, no student may hold a graduate or professional fee waiver for a period of time that exceeds the number of semesters normally required in the recipient's academic discipline.

3.4 Awards made under the graduate and professional fee waiver program shall provide for the waiver of tuition, registration fee, Higher Education Resource Fee, and Faculty Improvement Fee. In addition, institutions shall have discretionary authority to waive one or more of the component parts of the college fees (includes such fees as the activity, athletic, and student union fees) and/or special fees assessed to students in designated academic fields (e.g.: medical education fee, pharmacy fee, and law school fee.)

3.5 Waiver recommendations shall be submitted by each public college and university in accordance with the following general provisions. The Chancellor's Office shall distribute appropriate instructions concerning the details of these reports.

3.5.1 Each institution will submit reports to the Board as follows:

3.5.1.a A report covering first semester awards will be due November 15;

3.5.1.b A report covering second semester awards will be due March 15; and

3.5.1.c A report covering summer (both sessions) awards will be due August 1.

3.5.2 Each of these reports will be considered as a separate report, and even though a student may be awarded for all three terms, that student must be listed on all three reports.

3.5.3 Each award recipient should be listed and a permanent hometown address provided.

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3.6 Each institution shall give priority consideration in the awarding of graduate and professional fee waivers to students who are West Virginia residents. Institutions shall also give priority consideration in the awarding of graduate fee waivers to faculty and staff members of West Virginia public and private colleges and universities who make application in accordance with the institution's announced application procedures and deadlines.

Adopted: February 8, 1977  
Revised: June 7, 1983  
Revised: September 10, 1985  
Revised: June 7, 1988