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## STATE OF WEST VIRGINIA

### SECRETARY OF STATE

Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

March 15, 1994

Pamela G. Steelhammer  
Trustees  
1018 Kanawha Blvd. E.  
Charleston, WV 25301

**SB 243** authorizing, **Title 128, Series 4, Acceptance of Advanced Placement Credit**, passed the Legislature on **March 12, 1994**. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs SB 243, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office with a promulgation history of the rule. Authorization for your legislative rule is cited in **SB 243** section **18B-17-2(e)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

**\*\*\*IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A WORD PERFECT OR WORD PERFECT COMPATIBLE COMPUTER SYSTEM THAT USES A 3 1/2" OR 5 1/4" DISK, YOU MUST SUBMIT A CLEAN COPY, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL MAKE IT QUICKER FOR US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You  
Administrative Law Division

# UNIVERSITY SYSTEM OF WEST VIRGINIA BOARD OF TRUSTEES

1018 KANAWHA BOULEVARD, EAST  
SUITE 700  
CHARLESTON, WEST VIRGINIA 25301 - 2827

TELEPHONE (304) 558-2736  
FAX (304) 558-3264

John R. Hoblitzell  
Chairman

Charles W. Manning  
Chancellor

May 2, 1994

The Honorable Ken Hechler  
Secretary of State  
Capitol Building  
Charleston, West Virginia 25305

Dear Secretary Hechler:

On behalf of the University System of Board of Trustees I am forwarding a notice of final filing and adoption of a legislative rule authorized by the West Virginia Legislature for the following legislative rule:

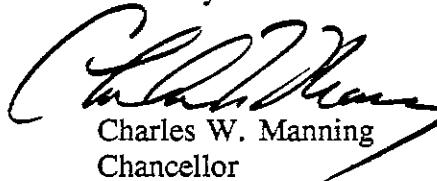
## **Title 128, Series 4: *Acceptance of Advanced Placement Credit***

The promulgation history is listed below:

July 9, 1993	Approved by the University System Board of Trustees
August 9, 1993	Rule filed by Secretary of Education and the Arts for public comment
September 9, 1993	Public comment period over
November 15, 1993	Notice of agency approval of a proposed rule and filing with the Legislative Oversight Commission on Education Accountability
December 12, 1993	Notice of approval by the Legislative Oversight Commission on Education Accountability filed with Secretary of State.
March 12, 1994	Passed by the Legislature
March 25, 1994	Signed by the Governor

Thank you for your cooperation and assistance.

Sincerely,



Charles W. Manning  
Chancellor

c: Secretary Harmon-Schamberger

Marshall University  
University of West Virginia College of Graduate Studies  
West Virginia School of Osteopathic Medicine  
West Virginia University  
Potomac State College of West Virginia University  
West Virginia University at Parkersburg

**TITLE 128  
LEGISLATIVE RULE  
UNIVERSITY SYSTEM OF WEST VIRGINIA  
BOARD OF TRUSTEES  
SERIES 4**

**TITLE: ACCEPTANCE OF ADVANCED PLACEMENT CREDIT**

**SECTION 1. GENERAL**

- 1.1 Scope - This rule establishes University System policy and guidelines for institutional policies in matters of acceptance of advanced placement credit.
- 1.2 Authority - West Virginia Code 18B-1-8
- 1.3 Filing Date: May 5, 1994
- 1.4 Effective Date: May 5, 1994

**SECTION 2. STATEMENT OF PRINCIPLE**

- 2.1 The University System Board of Trustees believes that it is important to encourage students at all educational levels to aspire to higher intellectual achievements and that the Advanced Placement Program of the College Board is an instrument that allows high school students to master college subject matter and to document their intellectual achievements through successful completion of advanced placement examinations.
- 2.2 The board encourages high school students to participate in this program in which successful completion of examinations will result in the acceptance of credit by all institutions in the University System.

**SECTION 3. GUIDELINES FOR ACCEPTANCE OF ADVANCED PLACEMENT CREDIT**

- 3.1 The institutions in the University System shall accept advanced placement credits according to the following guidelines:
  - 3.1.1 High school students completing advanced placement examinations of the College Board with a minimum score of 3 will receive credit at any institution in the University System, as indicated in the list of advanced placement exams offered by the College Board. The University System Administrative Bulletin No. 19 lists all College Board advanced placement exams and the minimum number of credits that

each institution will grant.

- 3.1.2 When the examination is in the area of the student's major, the institution will award credit toward the major or the core curriculum.
- 3.1.3 An academic department within the institution may, upon approval of the institutional faculty, require a higher score than 3 on an advanced placement test if the credit is to be used toward meeting a course requirement for a major in the department.
- 3.1.4 Credits awarded by regionally accredited institutions of higher education for successful completion of advanced placement exams are transferable to institutions in the University System in accordance with the advanced placement policy of the receiving institution.

#### **SECTION 4. INSTITUTIONAL GUIDELINES**

- 4.1 Each institution shall develop guidelines for acceptance of advanced placement credits that are consistent with the provisions of this rule and publish the guidelines in the college or university bulletin and/or other appropriate institutional publications.

#### **SECTION 5. ADVISORY COMMITTEE**

- 5.1 The chancellor of the University System and the chancellor of the State College System shall jointly establish an advisory committee with representatives from the appropriate educational constituency to advise the two higher education governing boards on matters of advanced placement. The advisory committee shall meet at least once each year.

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SENATE BILL NO. 243

(By Senator Lucht)

~~[Introduced February 2, 1994; referred to the  
Committee on Education.]~~

10 A BILL to amend and reenact sections two and three, article  
11 seventeen, chapter eighteen-b of the code of West Virginia,  
12 one thousand nine hundred thirty-one, as amended, relating to  
13 legislative rules; authorizing specific regulations relating  
14 to higher education including acceptance of advanced  
15 placement credit; assessment, payment and refund of fees;  
16 personnel administration; and resource allocation.

17 Be it enacted by the Legislature of West Virginia:

18 That sections two and three, article seventeen, chapter  
19 eighteen-b of the code of West Virginia, one thousand nine  
20 hundred thirty-one, as amended, be amended and reenacted to read  
21 as follows:

22 ARTICLE 17. LEGISLATIVE RULES.

23 §18B-17-2. Board of trustees.

24 (a) The legislative rules filed in the state register on the  
25 third day of December, one thousand nine hundred ninety-one,  
26 modified by the board of trustees to meet the objections of the

1 legislative oversight commission on education accountability and  
2 refiled in the state register on the twenty-first day of January,  
3 one thousand nine hundred ninety-two, relating to the board of  
4 trustees (report card), are authorized.

5 (b) The legislative rules filed in the state register on the  
6 thirteenth day of July, one thousand nine hundred ninety-one,  
7 relating to the board of trustees (equal opportunity and  
8 affirmative action), are authorized.

9 (c) The legislative rules filed in the state register on the  
10 eighth day of September, one thousand nine hundred ninety-two,  
11 relating to the board of trustees (holidays), are authorized.

12 (d) The legislative rules filed in the state register on the  
13 third day of April, one thousand nine hundred ninety-two,  
14 relating to the board of trustees (alcoholic beverages on  
15 campuses), are authorized.

16 (e) The legislative rules filed in the state register on the  
17 fifteenth day of November, one thousand nine hundred  
18 ninety-three, relating to the board of trustees (acceptance of  
19 advanced placement credit), are authorized.

20 (f) The legislative rules filed in the state register on the  
21 thirteenth day of December, one thousand nine hundred  
22 ninety-three, modified by the board of trustees to meet the  
23 objections of the legislative oversight commission on education  
24 accountability and refiled in the state register on the  
25 twenty-first day of January, one thousand nine hundred

1 ninety-four, relating to the board of trustees (assessment,  
2 payment and refund of fees), are authorized.

3 (g) The legislative rules filed in the state register on the  
4 first day of November, one thousand nine hundred ninety-three,  
5 modified by the board of trustees to meet the objections of the  
6 legislative oversight commission on education accountability and  
7 refiled in the state register on the twenty-first day of  
8 December, one thousand nine hundred ninety-three, relating to the  
9 board of trustees (personnel administration), are authorized.

10 §18B-17-3. Board of directors.

11 (a) The legislative rules filed in the state register on the  
12 sixteenth day of December, one thousand nine hundred ninety-one,  
13 modified by the board of directors to meet the objections of the  
14 legislative oversight commission on education accountability and  
15 refiled in the state register on the twenty-first day of January,  
16 one thousand nine hundred ninety-two, relating to the board of  
17 directors (report card), are authorized.

18 (b) The legislative rules filed in the state register on the  
19 twenty-seventh day of September, one thousand nine hundred  
20 ninety-one, relating to the board of directors (equal opportunity  
21 and affirmative action), are authorized.

22 (c) The legislative rules filed in the state register on the  
23 fourth day of December, one thousand nine hundred ninety-one,  
24 relating to the board of directors (holiday policy), are  
25 authorized.

1 (d) The legislative rules filed in the state register on the  
2 nineteenth day of March, one thousand nine hundred ninety-two, as  
3 modified and refiled in the state register on the tenth day of  
4 July, one thousand nine hundred ninety-two, relating to the board  
5 of directors (presidential appointments, responsibilities and  
6 evaluations), are authorized.

7 (e) The legislative rules filed in the state register on the  
8 twentieth day of September, one thousand nine hundred  
9 ninety-three, relating to the board of directors (acceptance of  
10 advanced placement credit), are authorized.

11 (f) The legislative rules filed in the state register on the  
12 tenth day of December, one thousand nine hundred ninety-three,  
13 relating to the board of directors (resource allocation policy),  
14 are authorized.

15 (g) The legislative rules filed in the state register on the  
16 eighth day of December, one thousand nine hundred ninety-three,  
17 modified by the board of directors to meet the objections of the  
18 legislative oversight commission on education accountability and  
19 refiled in the state register on the eleventh day of January, one  
20 thousand nine hundred ninety-four, relating to the board of  
21 directors (assessment, payment and refund of fees), are  
22 authorized.

23 (h) The legislative rules filed in the state register on the  
24 first day of November, one thousand nine hundred ninety-three,  
25 modified by the board of directors to meet the objections of the  
26 legislative oversight commission on education accountability and

1 refiled in the state register on the twenty-first day of  
2 December, one thousand nine hundred ninety-three, relating to the  
3 board of directors (personnel administration), are authorized.

4 NOTE: The purpose of this bill is to authorize the rules  
5 filed in the state register by the Board of Trustees and Board of  
6 Directors relating to the acceptance of advanced placement  
7 credit; assessment, payment and refund of fees; personnel  
8 administration; and resource allocation.

9 Strike-throughs indicate language that would be stricken from  
10 the present law, and underscoring indicates new language that  
11 would be added.

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H. B. 4439

(By Delegates Ashcraft and S. Williams

)  
(Introduced February 11, 1994; referred to the  
Committee on Education then the Judiciary.)

10 A BILL to amend and reenact sections two and three, article  
11 seventeen, chapter eighteen-b of the code of West Virginia,  
12 one thousand nine hundred thirty-one, as amended, relating to  
13 legislative rules; authorizing specific regulations relating  
14 to higher education including acceptance of advanced  
15 placement credit; assessment, payment and refund of fees;  
16 personnel administration; and resource allocation.

17 Be it enacted by the Legislature of West Virginia:

18 That sections two and three, article seventeen, chapter  
19 eighteen-b of the code of West Virginia, one thousand nine  
20 hundred thirty-one, as amended, be amended and reenacted to read  
21 as follows:

22 ARTICLE 17. LEGISLATIVE RULES.

23 §18B-17-2. Board of trustees.

24 (a) The legislative rules filed in the state register on the  
25 third day of December, one thousand nine hundred ninety-one,  
26 modified by the board of trustees to meet the objections of the

1 legislative oversight commission on education accountability and  
2 refiled in the state register on the twenty-first day of January,  
3 one thousand nine hundred ninety-two, relating to the board of  
4 trustees (report card), are authorized.

5 (b) The legislative rules filed in the state register on the  
6 thirteenth day of July, one thousand nine hundred ninety-one,  
7 relating to the board of trustees (equal opportunity and  
8 affirmative action), are authorized.

9 (c) The legislative rules filed in the state register on the  
10 eighth day of September, one thousand nine hundred ninety-two,  
11 relating to the board of trustees (holidays), are authorized.

12 (d) The legislative rules filed in the state register on the  
13 third day of April, one thousand nine hundred ninety-two,  
14 relating to the board of trustees (alcoholic beverages on  
15 campuses), are authorized.

16 (e) The legislative rules filed in the state register on the  
17 fifteenth day of November, one thousand nine hundred  
18 ninety-three, relating to the board of trustees (acceptance of  
19 advanced placement credit), are authorized.

20 (f) The legislative rules filed in the state register on the  
21 thirteenth day of December, one thousand nine hundred  
22 ninety-three, modified by the board of trustees to meet the  
23 objections of the legislative oversight commission on education  
24 accountability and refiled in the state register on the  
25 twenty-first day of January, one thousand nine hundred

1 ninety-four, relating to the board of trustees (assessment,  
2 payment and refund of fees), are authorized.

3 (g) The legislative rules filed in the state register on the  
4 first day of November, one thousand nine hundred ninety-three,  
5 modified by the board of trustees to meet the objections of the  
6 legislative oversight commission on education accountability and  
7 refiled in the state register on the twenty-first day of  
8 December, one thousand nine hundred ninety-three, relating to the  
9 board of trustees (personnel administration), are authorized.

10 §18B-17-3. Board of directors.

11 (a) The legislative rules filed in the state register on the  
12 sixteenth day of December, one thousand nine hundred ninety-one,  
13 modified by the board of directors to meet the objections of the  
14 legislative oversight commission on education accountability and  
15 refiled in the state register on the twenty-first day of January,  
16 one thousand nine hundred ninety-two, relating to the board of  
17 directors (report card), are authorized.

18 (b) The legislative rules filed in the state register on the  
19 twenty-seventh day of September, one thousand nine hundred  
20 ninety-one, relating to the board of directors (equal opportunity  
21 and affirmative action), are authorized.

22 (c) The legislative rules filed in the state register on the  
23 fourth day of December, one thousand nine hundred ninety-one,  
24 relating to the board of directors (holiday policy), are  
25 authorized.

1 (d) The legislative rules filed in the state register on the  
2 nineteenth day of March, one thousand nine hundred ninety-two, as  
3 modified and refiled in the state register on the tenth day of  
4 July, one thousand nine hundred ninety-two, relating to the board  
5 of directors (presidential appointments, responsibilities and  
6 evaluations), are authorized.

7 (e) The legislative rules filed in the state register on the  
8 twentieth day of September, one thousand nine hundred  
9 ninety-three, relating to the board of directors (acceptance of  
10 advanced placement credit), are authorized.

11 (f) The legislative rules filed in the state register on the  
12 tenth day of December, one thousand nine hundred ninety-three,  
13 relating to the board of directors (resource allocation policy),  
14 are authorized.

15 (g) The legislative rules filed in the state register on the  
16 eighth day of December, one thousand nine hundred ninety-three,  
17 modified by the board of directors to meet the objections of the  
18 legislative oversight commission on education accountability and  
19 refiled in the state register on the eleventh day of January, one  
20 thousand nine hundred ninety-four, relating to the board of  
21 directors (assessment, payment and refund of fees), are  
22 authorized.

23 (h) The legislative rules filed in the state register on the  
24 first day of November, one thousand nine hundred ninety-three,  
25 modified by the board of directors to meet the objections of the  
26 legislative oversight commission on education accountability and

1 refiled in the state register on the twenty-first day of  
2 December, one thousand nine hundred ninety-three, relating to the  
3 board of directors (personnel administration), are authorized.

4 NOTE: The purpose of this bill is to authorize the rules  
5 filed in the state register by the Board of Trustees and Board of  
6 Directors relating to the acceptance of advanced placement  
7 credit; assessment, payment and refund of fees; personnel  
8 administration; and resource allocation.

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10 the present law, and underscoring indicates new language that  
11 would be added.

