

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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FILED

Dec 9 10 29 AM '96

OFFICE OF THE SECRETARY OF STATE
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: University System of WV Board of Trustees TITLE NUMBER: 128

RULE TYPE: Legislative; CITE AUTHORITY WV Code §18B-3-3a(d)

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 19

TITLE OF RULE BEING PROPOSED: Community and Technical College
Budgeting Process

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON Jan 9, 1997 AT 4:30 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Charles W. Manning, Chancellor
University System of West Virginia
1018 Kanawha Blvd., E., Suite 700
Charleston, WV 25301

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Joseph W. Daniels for
Charles W. Manning

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

3.80

DEPARTMENT OF EDUCATION AND THE ARTS

Office of the Secretary

State Capitol Bldg. 1, R-151
Charleston, West Virginia 25305
Telephone: (304) 558-2440
Fax No.: (304) 558-1311

Gaston Caperton
Governor

Barbara Harmon-Schamberger
Cabinet Secretary

December 6, 1996

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

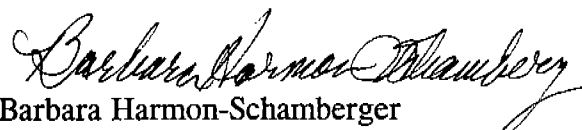
Dear Secretary Hechler,

I hereby grant consent as required pursuant to WV Code §5F-2-2 for the promulgation of the following procedural rule of the University System of West Virginia Board of Trustees:

Title 128, Series 19: Community and Technical College Budgeting Process

A copy of the rule is attached.

Sincerely,



Barbara Harmon-Schamberger
Secretary

BHS:th

Attachment

cc: Dr. Charles Manning
Dr. John Thralls

The University System of West Virginia

1018 Kanawha Boulevard, East • Suite 700
Charleston, West Virginia 25301-2827
Telephone 304-558-2736 Facsimile 304-558-3264

Charles W. Manning
Chancellor

Kay Goodwin
Chairman, Board of Trustees



December 2, 1996

Ms. Barbara Harmon-Schamberger
Secretary, Education and the Arts
Room 151, Main Capitol Building
Capitol Complex
Charleston, West Virginia 25305

RECEIVED
DEC 03 1996

Dear Secretary Harmon-Schamberger,

At its November 22nd meeting, the Board of Trustees approved the following legislative rule to be filed with the Secretary of State for the required 30-day comment period:

Title 128, Series 19: Community and Technical College Budgeting Process

This proposed rule has already received extensive review within the University System. Could you please review the attached and, if you approve, forward to the Secretary of State for filing. Thank you for your assistance.

Sincerely,

Charles W. Manning
Chancellor

Attachments

/jd

FILE

Dec 9 10 25 AM '96

OFFICE OF VERLINDA L. HILL
SECRETARY OF STATE

**TITLE 128
LEGISLATIVE RULE
UNIVERSITY SYSTEM OF WEST VIRGINIA
BOARD OF TRUSTEES
SERIES 19**

TITLE: Community and Technical College Budgeting Process

SECTION 1. GENERAL

- 1.1 Scope - This rule sets forth the process for the allocation of funds; establishing guidelines for reporting student enrollments; determining costs, reimbursements and revenues for community and technical colleges located on the campuses of four-year institutions.
- 1.2 Authority - W. Va. Code §18B-3-3a(d)
- 1.3 Filing Date -
- 1.4 Effective Date -

SECTION 2. PURPOSE

- 2.1 The Board of Trustees will utilize this process to allocate funds for the delivery of community and technical college education to those community and technical colleges located on campuses of four-year institutions.

SECTION 3. IMPLEMENTATION

Senate Bill 547 from the 1995 Legislative Session and Senate Bill 591 from the 1996 Legislative Session each singled out community colleges as separate components in the allocation of resources. These bills require that both higher education governing boards identify the State Funding allocated to each community and technical college. Senate Bill 591 further requires that the Board of Directors and the Board of Trustees establish by joint legislative rule a formula for the allocation of community and technical college education funds to control accounts of individual university system and state college system community and technical colleges. Additionally, the rule shall include uniform guidelines for reporting student enrollments, and

establishing costs, reimbursements and revenues for community and technical colleges located on the campus of another state institution of higher education.

- 3.1 The data used in the Resource Allocation Model (RAM) shall be identified as community and technical college funding or other. For example, the base budget shall be divided into two components; 1) the community and technical college component and 2) the four-year baccalaureate component. Additional funding provided to the colleges and universities shall be applied to those bases on a uniform basis.
- 3.2 Community and Technical College identified funds per the RAM (and where appropriate, adjusted for the Resource Allocation Policy) shall be reserved for use by community and technical college programs after deduction of indirect costs such as student services, physical plant operations and maintenance, administrative costs and other non-distributable academic support costs.
- 3.3. The amount of state appropriated funds identified for community and technical colleges that are part of a four-year institution will be based on full-time equivalency (FTE) enrollment in community and technical college programs beginning with Fall 1995 and updated annually.
- 3.4. For the purpose of calculating FTE for community and technical colleges that are part of a four-year institution, students enrolled in the following will be designated as community and technical college enrollment.
 - 3.4.1 **Career and Technical Education** - All students enrolled in certificate and associate degree programs that prepare students for immediate employment. These include programs from which students may exit into the work place or continue studies toward a higher level degree.
 - 3.4.2 **Transfer Education** - All students enrolled in associate degree programs that are designed to prepare students for transfer to other programs of study.
 - 3.4.3 **Developmental/Remedial Education** - All students who failed to meet the college admission requirements for baccalaureate programs as defined in Procedural Rule Series 44. All students pursuing or planning to pursue transfer or career and technical education programs (as defined previously) who enroll in courses or programs designated as developmental/remedial education. Those students admitted to baccalaureate programs and enrolled in a required developmental course or courses to remove a

deficiency are not to be identified as community and technical college students.

- 3.4.4 **Undecided/Undeclared Major** - All students having designated themselves as an undeclared two-year major. Undeclared students not identified will be counted as either baccalaureate or community and technical college enrollment based on the overall proportion of students falling into the two categories at a particular institution.
- 3.5. Higher Education Resource Fee (HERF), other student fees (including operating fees), and faculty improvement fees will be deposited in baccalaureate and community and technical college accounts based on the number of FTE students in each area as defined by Section 3.4 of this rule. In addition, income from Federal, State and local grants and public service education will be credited to the appropriate area.
- 3.6 Tuition and registration fees collected for the payment of debt service and capital construction needs shall not be distributed on a pro-rata basis. Other special fees collected for health services, student activities, student recreation programs, athletics or any other extracurricular activity shall be retained in control accounts for the use of the institution as a whole and for the purpose collected.
- 3.7 All costs designated specifically for the community and technical college or the baccalaureate programs of an institution shall be charged directly to the respective budget. All other costs shall be pro-rated as defined in Section 3.4 of this rule.
- 3.8 The president, in consultation with the provost for the community and technical college and the academic vice president, shall determine priorities for the spending of direct instruction related funds. Those funds allocated for community and technical colleges shall support that mission and those allocated for baccalaureate programs shall serve that mission.
- 3.9 Special revenues, fees and grants shall be dedicated to the portion of the student body paying those fees, when appropriate, in order to meet the boards' directives regarding collection of such revenues.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Series 19: Community and Technical College Budgeting Process

Type of Rule X Legislative _____ Interpretive _____ Procedural

Agency University System of West Virginia Board of Trustees

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates

There are no additional costs because this process will be handled by existing staff of the institutions.

3. Objectives of these rules

The Board of Trustees will use this process to allocate funds for the delivery of community and technical college programs.

4. Explanation of Overall Economic Impact of Proposed Rule

A. Economic Impact on State Government

N/A


B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

N/A

C. Economic Impact on Citizens/Public at Large

N/A

Date: December 2, 1996


Signature of Agency Head or Authorized Representative

Series 19: Community and Technical College Budgeting Process Summary

The purpose of this rule is to implement the provisions of W. Va. Code §18B-3-3a(d), which requires that both higher education governing boards establish by joint legislative rule a formula for the allocation of community and technical college education funds to control accounts of individual University System and State College System community and technical colleges. Additionally, the rule shall include uniform guidelines for reporting student enrollments, and establishing costs, reimbursements and revenues for community and technical colleges located on the campus of another state institution of higher education.