

WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION

Do Not Mark In This Box  
Filing Date  
**FILED**  
MAY 4 11 15 AM '00  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Form #2

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: University System of West Virginia TITLE NUMBER: 128  
RULE TYPE: Legislative CITE AUTHORITY: 18B-10-7a  
AMENDMENT TO AN EXISTING RULE: YES        NO X  
IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_  
TITLE OF RULE BEING AMENDED: \_\_\_\_\_  
IF NO, SERIES NUMBER OF RULE BEING PROPOSED: Series 67  
TITLE OF RULE BEING PROPOSED: Reduced Tuition and Fee Program for State  
Residents Who are at Least Sixty-five Years of Age

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 June 5, 2000 AT 8:30 a.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

W. Donald Weston, MD, Interim Chancellor  
University System of West Virginia  
1018 Kanawha Blvd. East  
Charleston, WV 25301

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

David R. Jew  
5/4/00  
Secretary, Education + the Arts

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

FILED

TITLE 128  
LEGISLATIVE RULE  
UNIVERSITY SYSTEM OF WEST VIRGINIA  
BOARD OF TRUSTEES  
SERIES 67

MAY 4 11 15 AM '00

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**TITLE: REDUCED TUITION AND FEE PROGRAM FOR STATE RESIDENTS WHO ARE AT LEAST SIXTY-FIVE YEARS OF AGE**

**SECTION 1. GENERAL**

- 1.1 Scope - This rule establishes jointly with the State College System of West Virginia a reduced tuition and fee program for residents of West Virginia who are at least sixty-five years of age to take courses or classes at University System of West Virginia institutions on a space available basis.
- 1.2 Authority - W. Va. Code §18B-10-7a
- 1.3 Filing Date -
- 1.4 Effective Date -

**SECTION 2. PURPOSE**

- 2.1 The purpose of this rule is to establish jointly with the State College System of West Virginia a reduced tuition and fee program for residents of West Virginia who are at least sixty-five years of age to take courses or classes on a space available basis. The program includes an option for those who attend undergraduate and graduate courses on a no credit basis and an option for individuals who attend undergraduate and graduate courses for credit.

**SECTION 3. ELIGIBILITY AND PARTICIPATION**

- 3.1 A participant will be permitted to register for a course under either of the two options of this program provided that the participant is a resident of West Virginia and is at least sixty-five years of age.
- 3.2 A participant may register for a course under either of the two options of this program provided that classroom space is available.
- 3.3 A participant may register for a course under either of the two options of this program provided that the instructor of the course consents.
- 3.4 A participant will be subject to the institutional programmatic and financial guidelines for enrollees in this program and to the rules, regulations, procedures, and requirements, including course prerequisites, of the institution and the University System of West Virginia.
- 3.5 Each institution will determine the following for participation under either of the two

options of this program. Such provisions, however, shall be consistent with those for other students enrolled at the institution.

3.5.1 A method of establishing priority for allowing a participant to register for and attend a course.

3.5.2 Whether to require a participant to pay special fees, including laboratory fees, if the fees are required of all other students.

3.5.3 Whether to require a participant to pay for parking.

#### **SECTION 4. NO CREDIT OPTION**

4.1 The total tuition and fees charged for each course under the no credit option, excluding laboratory and parking fees, may not exceed fifty dollars.

4.2 A grade or credit may not be given under the no credit option.

#### **SECTION 5. CREDIT OPTION**

5.1 The total tuition and fees charged in the program under the for credit option shall not exceed fifty percent of the normal rates charged to state residents by the institution.

#### **SECTION 6. REGISTRATION**

6.1 Each institution may develop an abbreviated student registration form for the convenience of participants in this program.

#### **SECTION 7. REPORTING**

7.1 Each institution will report on participation in this program to the State College and University Systems Central Office.

#### **SECTION 8 INSTITUTIONAL GUIDELINES**

8.1 Each institution shall develop guidelines to establish a reduced tuition and fee program for West Virginia residents who are at least sixty-five years of age to take classes on a space available basis. These guidelines shall be consistent with the provisions of this rule and shall be published in the college or university bulletin and/or other appropriate institutional publications. Further, these guidelines shall be filed with the Office of the Chancellor before implementation.

**TITLE 128  
PROCEDURAL RULES  
UNIVERSITY SYSTEM OF WEST VIRGINIA  
BOARD OF TRUSTEES  
SERIES 67**

**SUMMARY**

*Series 67, Reduced Tuition and Fee Program for State Residents Who are at Least Sixty-five Years of Age*, establishes a program of reduced tuition and fees for West Virginia residents who are at least sixty-five years of age at West Virginia public colleges and universities. The rule establishes maximum tuition/fees for course enrollment on a credit and non-credit basis.

## FISCAL NOTE FOR PROPOSED RULES

Rule Title: Reduced Tuition and Fee Program for State Residents Who Are at Least Sixty Five Years of Age

Type of Rule:  Legislative  Interpretive  Procedural

Agency University System Board of Trustees

| 1. Effect of Proposed Rule | ANNUAL   |           | FISCAL YEAR |            |            |
|----------------------------|----------|-----------|-------------|------------|------------|
|                            | Increase | Decrease  | Current     | Next       | Thereafter |
| Estimated Total Cost       | \$       | \$ 62,726 | \$(62,726)  | \$(62,726) | \$(62,726) |
| Personal Services          |          |           |             |            |            |
| Current Expense            |          |           |             |            |            |
| Repairs and Alterations    |          |           |             |            |            |
| Equipment                  |          |           |             |            |            |
| Other                      |          |           |             |            |            |

2. Explanation of above estimates

\$62,726 represents approximate lost revenue for both the State College and University Systems.

| Age | No. of Eligible Students Currently Enrolled | Number of Courses Currently Being Taken | Average Tuition & Fees Per Course | Cost   | \$50 Per Course |
|-----|---|---|-----------------------------------|--------|-----------------|
| 65  | 181   | 397                                     | 208                               | 82,576 | 19,850          |

3. Objectives of these rules

4. Explanation of Overall Economic Impact of Proposed Rule

A. Economic Impact on State Government

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

C. Economic Impact on Citizens/Public at Large

Date: 9/24/99

Thomas D. Soule

Signature of Agency Head or Authorized Representative

# DEPARTMENT OF EDUCATION AND THE ARTS

## Office of the Secretary

State Capitol Bldg. 5, Room 205  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305  
Telephone: (304) 558-2440  
Fax No.: (304) 558-1311



Cecil H. Underwood  
Governor

David R. Ice  
Cabinet Secretary

May 4, 2000

The Honorable Ken Hechler  
Secretary of State  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

Dear Secretary Hechler:

I am hereby approving for filing with your office for public comment the following proposed legislative rule of the University System Board of Trustees:

**Title 128, Series 67: Reduced Tuition and Fee Program for State Residents who are at least sixty-five Years of Age.**

The rule is attached.

Sincerely,

A handwritten signature in black ink that reads "David R. Ice". The signature is fluid and cursive.

David Ice  
Cabinet Secretary

cc W. Donald Weston, MD

Enclosure