



**WEST VIRGINIA  
SECRETARY OF STATE**

**NATALIE E. TENNANT**

**ADMINISTRATIVE LAW DIVISION**

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OFFICE OF  
WEST VIRGINIA SECRETARY OF STATE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE  
(Page 1)**

AGENCY **Higher Education Policy Commission**  
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **133-**  
RULE NAME **Guidelines for the Offering of Early Enrollment Courses for High School Students** **19**

CITE AUTHORITY **18B-1-6**

COMMENTS LIMITED TO  
**Written**

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS  
**Thursday, May 29, 2014 5:00 PM**

WRITTEN COMMENTS MAY BE MAILED TO  
**Chancellor  
West Virginia Higher Education Policy Commission  
1018 Kanawha Boulevard, East  
Charleston, WV 25301**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
**Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 133-19



Rule Id: 9419



Document: 25733



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**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE  
(Page 2)**

AGENCY **Higher Education Policy Commission**  
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **133-**  
RULE NAME **Guidelines for the Offering of Early Enrollment Courses for High School Students** **19**

CITE AUTHORITY **18B-1-6**

**PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL**

**This policy sets forth procedures for West Virginia public colleges and universities for the offering of college courses for high school students.**

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.**

**Yes**

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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

AGENCY	<b>Higher Education Policy Commission</b>		
RULE TYPE	<b>Procedural</b>	<b>AMENDMENT TO EXISTING RULE</b>	<b>Yes</b>
RULE NAME	<b>Guidelines for the Offering of Early Enrollment Courses for High School Students</b>	<b>TITLE-SERIES</b>	<b>133-19</b>

CITE AUTHORITY 18B-1-6

SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.

**None.**

**Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 133-19



Rule Id: 9419



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)**

AGENCY **Higher Education Policy Commission**  
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **133-**  
RULE NAME **Guidelines for the Offering of Early Enrollment Courses for High School Students** **19**

CITE AUTHORITY **18B-1-6**

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.

Effect Of Proposal	Current Increase/Decrease (use ' - ')	Next Increase/Decrease (use ' - ')	Fiscal Year (Upon Full Implementation)
<b>ESTIMATED TOTAL COST</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>PERSONAL SERVICES</b>			
<b>CURRENT EXPENSES</b>			
<b>REPAIRS AND ALTERATIONS</b>			
<b>ASSETS</b>			
<b>OTHER</b>			
<b>ESTIMATED TOTAL REVENUES</b>			

Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)**

AGENCY **Higher Education Policy Commission**  
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **133-**  
RULE NAME **Guidelines for the Offering of Early Enrollment Courses for High School Students** **19**

CITE AUTHORITY **18B-1-6**

**3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.**

**There is no direct cost associated with the proposed changes to this rule.**

**Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 133-19



Rule Id: 9419



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 4)**

AGENCY	<b>Higher Education Policy Commission</b>		
RULE TYPE	<b>Procedural</b>	<b>AMENDMENT TO EXISTING RULE</b>	<b>Yes</b> TITLE-SERIES <b>133-</b>
RULE NAME	<b>Guidelines for the Offering of Early Enrollment Courses for High School Students</b>		<b>19</b>

CITE AUTHORITY **18B-1-6**

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.

**None.**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 133-19



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**FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)**

AGENCY	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes TITLE-SERIES 133-
RULE NAME	Guidelines for the Offering of Early Enrollment Courses for High School Students		19

CITE AUTHORITY 18B-1-6

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

This rule sets forth procedures for WV public colleges and universities for teh offering of college courses for high school students. it provides guidance to the institutions in matters of curriculum, selection of faculty, quality control, admission, and setting tuition/fees as they continue to offer and expand the number of college courses for high school students.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 133-19



Rule Id: 9419



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**TITLE 133  
PROCEDURAL RULE  
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION**

**SERIES 19  
GUIDELINES FOR THE OFFERING OF EARLY ENROLLMENT COURSES FOR  
HIGH SCHOOL STUDENTS**

**§133-19-1. General.**

- 1.1. Scope: This policy establishes guidelines for West Virginia public colleges and universities for the offering of college courses for high school students.
- 1.2. Authority: ~~W. Va.~~ West Virginia Code §18B-1-1A; §18B-1-6 and §18B-1B-4.
- 1.3. Filing Date. - ~~April 27, 2010~~
- 1.4. Effective Date. - ~~May 27, 2010~~
- 1.5. Repeal of Former Rule. Repeals and replaces Title 133 Series 19, Guidelines for the Offering of Early Enrollment Courses for High School Students, filed April 27, 2010 and effective May 27, 2010.

**§133-19-2. Purpose.**

- 2.1. Legislative goals established for West Virginia state colleges and universities provide that higher education in West Virginia should contribute fully to the growth, development and quality of life of the state and its citizens. Among these goals is a statutory provision (~~W. Va.~~ West Virginia Code §18B-1-1A), which states that more opportunities should be available for advanced high school students to obtain college credit prior to high school graduation.

This policy details the responsibilities of the state higher education institutions regarding early enrollment programs in matters of curriculum, selection of faculty, quality control, admission, setting tuition/fees, and accountability.

**§133-19-3. Principles.**

- 3.1. In support of providing opportunities for high school students to obtain college credit prior to high school graduation, early enrollment opportunities shall be designed to follow these principles:

- 3.1.4a. Expand access to college
- 3.1.2b. Increase the college-going rate
- 3.1.3c. Increase student success in college
- 3.1.4d. Enhance college affordability

While additional programs exist for high school students to obtain college credit, this rule applies to opportunities for early enrollment in college courses. Clarification and definition(s) of existing college credit options are provided in order to distinguish these early enrollment opportunities.

3.2. Definitions for reporting purposes:

3.2.1a. College credit opportunities which will be counted as credit hours attempted and/or earned for early enrollment reporting purposes are those course sections that are delivered primarily to eligible high school students. The local high school will decide if high school credit will be offered for these courses.

3.2.2b. College credit opportunities which are not counted for early enrollment reporting purposes.

- 3.2.2a.b.1. EDGE (Earn a Degree, Graduate Early)
- 3.2.2b.2. The College Board Advanced Placement Classes
- 3.2.2c.b.3. CLEP Examinations
- 3.2.2d.b.4. Articulated Credit
- 3.2.2e.b.5. Campus Based Courses Not Offered Primarily for High School Students

**§133-19-4. Courses.**

4.1. Any early enrollment course must meet the same rigorous standards as those required for on-campus instruction. Such standards are essential for maintaining institutional accreditation by the Higher Learning Commission of the North Central Association and for assuring institutional credibility. Courses must utilize college-approved syllabi, texts, assignments and assessments. Faculty for these courses will be evaluated by college personnel using the same processes as for other college faculty. The higher education institution must facilitate communication between the appropriate academic department and the early enrollment faculty member to assure quality.

4.2. Courses will be limited to lower division undergraduate courses which are jointly agreed upon by the cooperating college or university and high school.

4.3. Attendance in college courses offered in high schools will be limited to

those students registered for college credit.

**§133-19-5. Faculty.**

- 5.1. Faculty teaching early enrollment courses must meet the minimum faculty credential requirements as specified by the college and as approved by the department and chief academic officer of the college or university that will grant the credit.
- 5.2. The institution granting college credit shall assign adjunct/part-time faculty status to high school teachers who teach college courses in the high school. Employment of any early enrollment adjunct/part-time faculty must be consistent with any institutional, statewide and regional accreditation standards for employment of adjunct/part-time faculty.

**§133-19-6. Admissions.**

- 6.1. High school students desiring to enroll in a college credit-bearing course must apply for early enrollment admission status and meet all early enrollment admission requirements for the institution which is offering the college credit course.
- 6.2. Students must meet all course requirements and prerequisites. In addition to meeting these requirements, all students who enroll must have the approval of the high school principal or designee.
- 6.3. Opportunities for early enrollment are for students of junior and senior status in the high schools. Any exception must be approved by the institution's chief academic officer.
- 6.4. Alternative admission requirements may be applicable for specific statewide academic initiatives.

**§133-19-7. Tuition/Fees.**

- 7.1. ~~High school students enrolled in early enrollment courses in the high schools will be assessed tuition/fees consistent with the institution's approved fee structure. Alternatively, t~~To make college courses more accessible to high school students, an institution may ~~establish~~ use a special tuition structure for West Virginia high school students as provided in Section 7.2 of this rule.
- 7.2. Special tuition for high school students established by any West Virginia public higher education institution must be set, at a minimum, at \$25.00 per credit hour. ~~three-fourths of the rate of the lowest regular off-campus rate established by any West Virginia public higher education institution.~~

All high school students must be charged the special tuition or the regular tuition/fees approved for the institution granting the credit. The credit-granting institution may ~~not use its own resources to pay any student's assessed tuition/fees. Except for~~ use tuition/fee waivers or in third party sponsors to support the student's cost of the course. ~~sponsored agreements, no tuition/fee waivers are to be granted.~~

**§133-19-8. School Reimbursement and Credit Hour Accrual.**

- 8.1. Early enrollment courses will be taught by full-time or adjunct/part-time faculty members of the institution granting the college credit.
- 8.2. When a high school teacher teaches an early enrollment course during the regular public school day the institution granting the credit may reimburse the high school/county board of education for the instructor's service.
- 8.3. Consistent with the Higher Education Policy Commission and the Council for Community and Technical College Education policies, credit hours generated by high school students registered in college classes will accrue to the institution granting the credit.

**§133-19-9. Accountability.**

- 9.1. Each institution which offers college level courses for or in West Virginia high schools must maintain a record of the courses and enrollments for such courses and submit any reports of college courses for high school students as deemed necessary.
- 9.2. Each institution will submit reports in compliance with requirements set forth by the specifications of the West Virginia Data Policy Advisory Council, the West Virginia Higher Education Policy Commission, and the West Virginia Council for Community and Technical College Education.
- 9.3. Each institution will designate an individual who will be responsible for coordinating and reporting early enrollment opportunities for high school students. Each institution will provide contact information for this person by July 1 of each academic year.