



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

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 **Freshman Assessment and Placement Standards** **21**

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

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Saturday, August 20, 2016 5:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
**Chancellor Paul L. Hill
WV 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: 133-21



Rule Id: 10237



Document: 27751



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**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
RULE NAME	Freshman Assessment and Placement Standards	TITLE-SERIES	133-21

CITE AUTHORITY 18B-1-6

PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL

Amending existing rule to align with new college-level entrance exams and testing systems.

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: 133-21



Rule Id: 10237



Document: 27751



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

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

AGENCY	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes
RULE NAME	Freshman Assessment and Placement Standards	TITLE-SERIES	133-21

CITE AUTHORITY 18B-1-6

PRIMARY CONTACT

Cindy Anderson
1018 Kanawha Boulevard, East

Charleston, STATE ZIP

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: 133-21



Rule Id: 10237



Document: 27751



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

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

AGENCY	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes TITLE-SERIES 133-
RULE NAME	Freshman Assessment and Placement Standards		21

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.

No impact.

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: 133-21



Rule Id: 10237



Document: 27751



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

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 **Freshman Assessment and Placement Standards** **21**

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)
--------------------	------------------------------------------	---------------------------------------	-------------------------------------------

**ESTIMATED
TOTAL COST**

PERSONAL SERVICES

CURRENT EXPENSES

**REPAIRS AND
ALTERATIONS**

ASSETS

OTHER

**ESTIMATED
TOTAL REVENUES**

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: 133-21



Rule Id: 10237



Document: 27751



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

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	Freshman Assessment and Placement Standards		21

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.

N/A

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: 133-21



Rule Id: 10237



Document: 27751



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

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

AGENCY	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes
RULE NAME	Freshman Assessment and Placement Standards	TITLE-SERIES	133-21

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.

N/A

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: 133-21



Rule Id: 10237



Document: 27751



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

7/20/2016 9:03:53 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

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 133-21
RULE NAME	Freshman Assessment and Placement Standards			

CITE AUTHORITY 18B-1-6

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

In March 2016, the College Board released the newly redesigned Scholastic Aptitude Test (SAT). The redesigned SAT has a total score of 1600 and is further divided into several sections and sub-scores. With the new SAT being fully implemented for the 2016-17 academic year, the minimum scores for placement need to be updated to reflect the new scoring structure. Furthermore, the Compass test system and affiliated tests (Asset, Windows Compass, eCompass, Compass 5.0) will be eliminated by the end of 2016. Revisions to Series 21 will include removing COMPASS test system scores.

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: 133-21



Rule Id: 10237



Document: 27751

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

**SERIES 21
FRESHMAN ASSESSMENT AND PLACEMENT STANDARDS**

§133-21-1. General.

1.1. Scope. This policy establishes freshman assessment and placement standards for institutions in assignment to initial credit-bearing courses in mathematics and English.

1.2. Authority. -- West Virginia Code §18B-1B-4

1.3. Filing Date. -- ~~November 24, 2015.~~

1.4. Effective Date. -- ~~December 24, 2015.~~

1.5. Repeal of Former Rule. -- Repeals and replaces Title 133, Series 21 which had an effective date of ~~September 30, 2010~~ December 24, 2015.

§133-21-2. Policy.

2.1. The policy, Freshman Assessment and Placement Standards, for students in West Virginia public colleges and universities was developed to assure the integrity of associate degrees, baccalaureate degrees, and certificate programs to increase the retention and graduation rates of students, and to encourage high school students to improve their academic preparation for college. The standards for freshman assessment and placement are designed to establish uniform procedures for the placement of students in credit-bearing courses in mathematics and English that can be applied toward an undergraduate academic degree.

2.2. Degree-seeking students in West Virginia public colleges and universities must demonstrate that they possess the minimum academic skills essential for success in their chosen program of study. Academic skill proficiency in mathematics, writing and reading is demonstrated by meeting established placement standards in mathematics, writing and reading. Students not satisfactorily demonstrating these skills must remediate deficiencies through successful completion of specific developmental education courses, co-requisite courses or other entry-level college credit courses that provide supplementary academic support programs or services.

2.3. Full or part-time degree-seeking students identified as requiring remediation must enroll in the required developmental education courses, co-requisite courses or other entry-level college courses with supplementary academic support services in the year of enrollment.

2.4. Non-degree seeking students are exempt from these requirements. However, non-degree-seeking students who change their academic status to degree-seeking are then subject to the developmental education placement standards and first-term enrollment policies provided in this policy. Based on federal Title IV regulations, non-degree seeking students are not eligible to participate in federal financial aid programs.

2.5. All students must meet pre-requisites for college-level credit courses for which they wish to enroll.

2.6. Beginning with the 2015-2016 academic year, the results of the comprehensive statewide assessment in grade 11 in English/Language Arts (ELA) and mathematics shall be used to determine if the high school

student has met college and career readiness standards and is exempt from developmental education placement. If the student scores an achievement Level 3 in ELA and math on the West Virginia General Summative Assessment, that student is exempt from developmental education placement in West Virginia public higher education institutions.

§133-21-3. Definitions.

3.1. Developmental Education.

3.1.a. Developmental education programs and services commonly address academic preparedness, diagnostic assessment and placements, development of general and discipline-specific learning strategies, and affective barriers to learning. When the course is offered as a discrete course, the developmental education course is a “pre-college” course and does not count toward a baccalaureate degree, an A.A. degree, an A.S. degree, or an A.A.S. degree or a certificate program. If the developmental skill deficiencies are addressed through an embedded or co-requisite approach with a college-level entry course, the student can receive college credit for the course which will count toward graduation.

3.1.b. Strategies to address developmental skill deficiencies include, but are not limited to all forms of learning assistance, such as tutoring, mentoring, and supplemental instruction; personal, academic, and career counseling; academic advisement; and coursework.

3.2. Co-requisite Courses.

3.2.a. Co-requisite courses are credit-bearing courses that provide aligned academic support for the entry-level credit bearing course and are required as a component of the entry-level course. Co-requisite courses are designed for students who did not meet admission requirements for entry level math or English courses. Course content is the same as the traditional credit-bearing course but additional required attendance/instruction and/or participation in academic support structures is required for successful completion of the course. Stretch courses are one example of co-requisite course delivery.

3.3. Academic Support Programs.

3.3.a. Academic support programs include, but are not limited to, modular course delivery; summer boot camps; extra class sessions; accelerated learning program (ALP) model; paired courses, supplemental instruction; additional lab instruction; tutoring; and/or other instructional strategies which provide additional in-class or outside-class assistance and monitoring of student progress beyond that usually associated with entry-level college credit courses.

§133-21-4. Mathematics Placement Standards.

4.1. Students may not enroll at any two-year or four-year institution in West Virginia public colleges and universities in a mathematics course without required academic support which is designed to be applied toward a baccalaureate degree, an associate of arts (A.A.) degree, an associate of science (A.S.), an associate of applied science (A.A.S.) degree at a four-year college or university or an A.A., A.S. or A.A.S. degree or a certificate program at a community college unless the minimum score prescribed below is earned on one of the following assessments:

4.1.a. A score of 19 on the mathematics section of the American College Testing Program's (ACT) Assessment Test.

4.1.b. A score of ~~460 on the quantitative portion~~ 500 on the math section of the College Board's Scholastic Assessment (SAT-4).

4.1.c. An achievement level score of Level 3 on the mathematics portion of the statewide eleventh grade student assessment, the West Virginia General Summative Assessment.

4.1.d. A scaled score of 40 on the numerical test *and* 38 on the elementary algebra test of the American College Testing Program's Assessment of Skills for Successful Entry and Transfer (ASSET).

~~4.1.e. A scaled score of 59 on the pre-algebra test and a scaled score of 36 on the algebra test of the American College Testing Program's Computerized Adaptive Placement Assessment and Support System (COMPASS).~~

4.1.f. A scaled score of 85 on the arithmetic test for majors requiring quantitative reasoning courses or a scaled score of 76 on the elementary algebra test for majors requiring college algebra or a scaled score of 40 on the college-level math test of the College Board's ACCUPLACER Testing System.

4.1.g. Nationally-normed test scores, such as the Mathematical Association of America Basic Algebra test, with Chancellor's approval.

4.1.h. Other assessments or end-of-course exams in mathematics as approved by the West Virginia Board of Education and/or the Chancellor.

4.2. Students not meeting one of these standards must successfully complete required remediation. Institutions may require students who do not meet the standards to complete such courses at another institution or may design equivalent co-requisite coursework. Students with an ACT math score of 18 or below (or SAT equivalent below ~~460~~ 490) are placed into college-level, credit-bearing courses with required academic support. Such courses could include a stretch course, a co-requisite course, an ALP class or other embedded course delivery. Baccalaureate institutions may place students in this placement range into other programs with the approval of the Higher Education Policy Commission Chancellor. Community and technical college institutions may place students in this placement range into other programs with the approval of the Community and Technical College System Chancellor.

4.3. A transfer student who has successfully completed the developmental course or its equivalent, or other college-level course that has met the developmental education deficiency per course design, may enroll in a credit-bearing course in mathematics or transfer to another West Virginia state college or university and shall be deemed to have met the placement standard at the receiving institution and shall not be required to enroll in a developmental course or its equivalent at a West Virginia state college or university in mathematics. The assessment measure and score by which the student met the placement standard in mathematics shall be recorded on the student's transcript.

4.4. Based on WorkKeys profile requirements or other specific career skill requirements, institutions shall establish appropriate minimum placement standards for students enrolling in college-level mathematics courses required in specifically identified degree or certificate programs. Students not meeting the minimum placement standard established by the institution must successfully complete required developmental (pre-college level) mathematics assistance programs. However, such students may also be placed in college-level mathematics courses required in for the degree program that provide additional academic support programs to remediate the academic deficiency.

§133-21-5. English Composition Placement Standards.

5.1. Students may not enroll at any two-year or four-year institution in West Virginia public colleges and

universities in an English composition course without required academic support which is designed to be applied toward a baccalaureate degree, an A.A. degree, an A.S. degree, or an A.A.S. degree at a four-year college or university or an A.A., A.S., or A.A.S. degree or certificate program at a community college unless the minimum score prescribed below is earned on one of the following assessments:

5.1.a. A score of 18 on the English section of the ACT.

5.1.b. A score of ~~450~~ 480 on the ~~verbal portion~~ evidence-based reading and writing section of the SAT-~~1~~.

5.1.c. An achievement level score of Level 3 on the English/language arts portion of the statewide eleventh grade student assessment, the West Virginia General Summative Assessment.

5.1.d. A scaled score of 38 on the writing skills test of the ASSET.

~~5.1.e. A scaled score of 71 on the English Skills test of the American College Testing Programs Computerized Adaptive Placement Assessment and Support System (COMPASS).~~

5.1.~~e~~. A scaled score of 88 on the Sentence Skills test of the College Board's ACCUPLACER Testing System.

5.1.~~f~~. Satisfactory performance on a writing sample administered by each institution, with Chancellor's approval.

5.1.~~h~~. Other assessments or end-of-course exams in English/language arts as approved by the West Virginia Board of Education and/or the Chancellor.

5.2. Students not meeting one of these standards must successfully complete required remediation. Institutions may require students who do not meet the standards to complete such courses at another institution or design equivalent co-requisite course work. Students with the ACT English score of 17 or below (or SAT equivalent score of ~~440~~ 470 or below) are placed into college-level, credit bearing courses with required academic support. Such courses could include stretch courses, co-requisite courses, ALP or other embedded course delivery. Baccalaureate institutions may place students into other programs with approval from the Higher Education Policy Commission Chancellor. Community and Technical College institutions may place students into other programs with the approval of the Community and Technical College System Chancellor.

5.3. A transfer student who has successfully completed the developmental course or its equivalent, or other college-level course that has met the developmental education deficiency per course design may enroll in a credit-bearing course in English or transfer to another West Virginia state college or university and shall be deemed to have met the placement standard at the receiving institution and shall not be required to enroll in a developmental course or its equivalent at a West Virginia state college or university in English. The assessment measure and score by which the student met the placement standard in English shall be recorded on the student's transcript.

5.4. Based on WorkKeys profile requirements or other specific career skill requirements, institutions shall establish appropriate minimum placement standards for students enrolling in college-level mathematics courses required in specifically identified degree or certificate programs. Students not meeting the minimum placement standard established by the institution must successfully complete required developmental (pre-college level) mathematics assistance programs. However, such students may also be placed in college-level mathematics courses required in for the degree program that provide additional academic support programs to remediate the academic deficiency.

§133-21-6. Reading.

6.1. Students scoring 17 on the reading section of the ACT, ~~420~~ 23 or above on the ~~verbal section reading test~~ of the SAT-4, 36 on the reading skills test of the ASSET, 30 percentile above on the Nelson-Denny Reading Test, ~~75 on the reading test of the American College Testing Programs Computerized Adaptive Placement Assessment and Support System (COMPASS)~~, or 79 on the Reading Comprehension test of the College Board's ACCUPLACER Testing System will be considered to have met minimal reading skill requirements at those institutions which have developmental programs in reading.

6.2. Institutions in the state higher education system are encouraged to provide assistance for students who do not meet the standard and who are enrolled in a program leading to an associate or bachelor's degree.

6.3. A student having met the placement standard in reading who transfers to another West Virginia state college or university shall be deemed to have met the placement standard at the receiving institution and shall not be required to enroll in a developmental course in reading. The assessment measure and score by which the student met the placement standard in reading shall be recorded on the student's transcript.

§133-21-7. Determination of Placement.

7.1. In the event that a student has acquired placement scores via multiple assessments, the highest score(s) attained by the student is the score that guides the decision regarding developmental placement. For example, if the student's ACT score does not exempt the student from developmental education placement but the student scores a Level 3 on the West Virginia General Summative Assessment, that student is exempt from developmental education placement in any form.

7.2. Students may be exempt from developmental education placement in any form if the student achieves the minimum required score on any of the approved assessment measures identified in Sections 4, 5, and 6 of this policy.

7.3. Institutions may utilize diagnostic testing to determine specific area(s) of weakness so that the student's specific area(s) of weakness can be remediated rather than requiring that student to complete an entire course.

7.4. Institutions shall develop and implement developmental education delivery strategies that allow students to progress through college-level, credit-bearing courses in the first year of enrollment at the institution. These strategies may include, but are not limited to, stretch courses, co-requisite courses, co-requisite required course tutoring and assistance or other such academic support structure.

7.5. Each post-secondary institution shall file its policy on student academic placement for developmental education deficiencies with the Chancellor's office.

7.6. The Compass test system and affiliated tests (Asset, Windows Compass, eCompass, Compass 5.0) is to be retired in the 2016 calendar year. However, a student's Compass scores are to be accepted by the institution into the future for as long a period of time as is acceptable by institutional policy.