



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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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 **Change in the Organization of Colleges or Schools** **13**

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

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Sunday, December 18, 2016 5:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
**Dr. Paul L. Hill
Chancellor
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: 133-13



Rule Id: 10337



Document: 32083



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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
RULE NAME	Change in the Organization of Colleges or Schools	TITLE-SERIES	133-13

CITE AUTHORITY 18B-1-6

PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL

Proposed revisions clarify that this rule does not govern program changes.

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	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes
RULE NAME	Change in the Organization of Colleges or Schools		TITLE-SERIES 133-13

CITE AUTHORITY 18B-1-6

PRIMARY CONTACT

Cindy L. Anderson
WV Higher Education Policy Commission
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.



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

AGENCY	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes
RULE NAME	Change in the Organization of Colleges or Schools		133-13

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.

N/A

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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 **Change in the Organization of Colleges or Schools** **13**

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	0	0	0
PERSONAL SERVICES	0	0	0
CURRENT EXPENSES	0	0	0
REPAIRS AND ALTERATIONS	0	0	0
ASSETS	0	0	0
OTHER	0	0	0
ESTIMATED TOTAL REVENUES	0	0	0

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	Change in the Organization of Colleges or Schools		13

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

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

AGENCY	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes TITLE-SERIES 133-
RULE NAME	Change in the Organization of Colleges or Schools		13

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.

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Title-Series: 133-13



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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
RULE NAME	Change in the Organization of Colleges or Schools	TITLE-SERIES	133-13

CITE AUTHORITY 18B-1-6

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

Rule establishes process to change administrative organization within an institution. Proposed revisions clarify that this rule does not govern program changes.

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: 133-13



Rule Id: 10337



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TITLE 133
PROCEDURAL RULE

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

SERIES 13

~~TITLE:~~ CHANGE IN THE ORGANIZATION OF COLLEGES OR SCHOOLS

§133-13-1. ~~SECTION 1.~~ General.

1.1. Scope. – This rule establishes a process to change administrative organization within an institution.

1.2. Authority – West Virginia Code § 18B-1-6.

1.3. Filing Date – ~~March 19, 2002~~

1.4. Effective Date – ~~April 19, 2002~~

1.5. Repeals and replaces Title 128, Series 2 and Title 131, Series 2 133, Series 13, dated April 19, 2002.

§133-13-2. ~~SECTION 2.~~ Policy.

2.1. The governing board of an institution may implement changes, without approval of the West Virginia Higher Education Policy Commission (Commission), in the organization of colleges, or schools, within the institution, for organizational efficiency or administrative purposes ~~but not to implement a major new program, service or structure.~~ The president of the institution shall inform the Chancellor of any such change at least thirty (30) days prior to its implementation. The ~~Policy~~ Commission reserves the right to consider and take action, up to and including disapproval, on any change which changes the mission of the institution or affects the statewide master plan.

2.2. The president's written notification to the Chancellor shall confirm that appropriately elected faculty, classified employees, student representatives and/or organizations were consulted prior to implementing any organizational change to which this provision applies.

2.3. The organizational changes to which this provision applies do not include staff changes for existing positions within the institution or organizational changes below the college or school level.