



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR
A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

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

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

RULE IS LEGISLATIVE EXEMPT

Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

18B-1-6

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS

Friday, January 20, 2017

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: 33170

**TITLE 133
PROCEDURAL RULE**

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

**SERIES 13
CHANGE IN THE ORGANIZATION OF COLLEGES OR SCHOOLS**

§133-13-1. 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 – December 20, 2016.

1.4. Effective Date – January 20, 2017.

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

§133-13-2. 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. The president of the institution shall inform the Chancellor of any such change at least thirty (30) days prior to its implementation. The 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.