

**WEST VIRGINIA
SECRETARY OF STATE
BETTY IRELAND
ADMINISTRATIVE LAW DIVISION**

Form #3

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: WV Council for Community and Technical College Education TITLE NUMBER: 135

CITE AUTHORITY: WV Code 18B-1-6 and 18B-1A-2

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: Series 6

TITLE OF RULE BEING PROPOSED: Performance Indicators

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


Authorized Signature

FILED

**TITLE 135
LEGISLATIVE RULE
WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL
COLLEGE EDUCATION**

2008 DEC 23 AM 9: 52

OFFICE WEST VIRGINIA
SECRETARY OF STATE

**SERIES 6
PERFORMANCE INDICATORS**

§135-6-1. General.

- 1.1. Scope. -- The West Virginia Council for Community and Technical College Education (hereinafter referred to as the Council), consistent with the provisions of West Virginia Code §18B-1A-2, hereby adopts the following performance indicators that will be used to measure the degree to which West Virginia's community and technical colleges are meeting the goals for the delivery of community and technical college education.
- 1.2. Authority. -- WV Code §18B1-6 and 18B-1A-2
- 1.3. Filing Date. -- December 23, 2008
- 1.4. Effective Date. --
- 1.5. Repeal of former Rule. -- Repeals and replaces former rule dated April 22, 2005

§135-6-2. Purpose.

- 2.1. This rule sets forth performance indicators that will be utilized to measure the degree to which the goals and objectives for the delivery of community and technical college education, as identified in state statute and approved by the Council, are being met.

§135-6-3. Definitions.

- 3.1. Adult Literacy – The ability to read at a level necessary for success in college-level courses as determined by approved college reading placement examinations, successful completion of required developmental education courses or scoring at an appropriate level on the reading assessment of the WorkKeys examination.
- 3.2. Adult Student – Individual aged twenty-five and older.
- 3.3. Advanced Skill Sets – A series of courses or competencies that prepare individuals for a specific skill and carry a value of 12 or more but less than 30

credit hours or non-credit contact hours equivalent to 12 or more but less than 30 credit hours.

- 3.4. Associate of Applied Science Degree – A program of study consisting of a minimum of sixty credit hours of which twenty hours must be general education and whose primary focus is to prepare individuals for technician or higher skill-level occupations and direct entry into the workforce.
- 3.5. Associate Degree – A program of study consisting of a minimum of sixty credit hours and referred to as Associate of Arts, Associate of Science or Associate of Applied Science.
- 3.6. Basic Skills – Fundamental academic skills deemed necessary for success in college-level programs or employment and generally encompassing written and oral communications, reading and mathematics.
- 3.7. Brokered Courses – Courses delivered in a community and technical college consortium district from external education providers through the facilitation of local community and technical colleges.
- 3.8. Career Pathway Program of Study – A sequence of courses incorporating a non-duplicative progression of both public school and community and technical college elements which include both academic and technical content leading to a certificate or career-technical associate degree.
- 3.9. Career-Technical Programs – A general category of community and technical college programs designed to prepare individuals for direct entry into the workforce.
- 3.10. Certificate Degree Program – A program of study consisting of a minimum of thirty credit hours of which six credit hours must be general education with the primary focus being to prepare individual for direct entry into the workforce.
- 3.11. Collaborative Program – Programs in which community and technical colleges and another education or training provider, through formal agreement, both deliver instruction.
- 3.12. Contact Hours – A measure of instruction productivity determined by multiplying the number of students times the number of session hours (example: 10 students x 3 hour session = 30 contact hours).
- 3.13. Credit Course – A community and technical college course that carries a designated number of credit hours and generally counts toward meeting graduation or program completion requirements.

- 3.14. Developmental Education – Community and technical college courses, generally in areas of mathematics, reading and writing, offered to those that lack the fundamental education competencies to be successful in college-level course work.
- 3.15. Dual Credit Courses – College-level courses in which an early admission student is receiving both high school and college credit for the course.
- 3.16. Early Admission Students – High school students enrolled in a college-level course.
- 3.17. Entrepreneurship Education – The delivery of instruction that assists individuals in understanding the concepts and operation of business ownership or to be self-employed.
- 3.18. Full-Time Student – A student enrolled in twelve or more credit hours during the current semester.
- 3.19. Integrated Programs – A sequence of courses delivered seamlessly from public school career-technical education through certificate and associate degree programs at the community and technical college level.
- 3.20. Licensure Rate – The passage percentage rate of those students completing professional licensure or certifications examinations during the reporting period.
- 3.21. Momentum Points – A level of student achievement that makes it more likely that a student will be successful in earning a college credential or obtaining employment at a living wage.
- 3.22. Non-Credit Course – A community and technical college course that has no designated number of credit hours that count toward degree or program requirements, but may carry continuing education units or be measured in contact hours.
- 3.23. Part-Time Student – A student enrolled in fewer than 12 credit hours during the current semester.
- 3.24. Placement Rate – Education or training program completers working in West Virginia at least one quarter or enrolled in additional education during the year following program completion.
- 3.25. Pre-Baccalaureate Preparation Program – A program of study whose primary focus is to prepare individuals for transfer into baccalaureate-level programs and is referred to as an Associate of Arts (AA) or Associate of Science (AS) degree.

- 3.26. Retention Rate – The percentage of first-time, full- or part-time students enrolled during the fall semester and enrolled for the next fall semester at any West Virginia public higher education institution.
- 3.27. Skill Set – A series of courses or competencies that prepare individuals for a specific skill and carry a value fewer than 12 credit hours or non-credit contact hours equivalent to fewer than 12 credit hours.
- 3.28. Student Graduation Rate – The percentage of full- and part-time students enrolled in the fall semester and completing a certificate or associate degree within six years.
- 3.29. Student Retention Rate – The percentage of first-time, full- and part-time students enrolled during the fall semester returning to the same institution or transferring to another public higher education institution in West Virginia for the following fall semester.
- 3.30. Transfer Rate – Percentage of credit students enrolled in community and technical colleges in a given fall semester and enrolled in a baccalaureate institution the next fall semester.
- 3.31. WorkKeys Assessment – An assessment instrument developed by America College Testing (ACT) that measures levels of foundational skills attainment necessary to be successful in specific occupations.

§135-6-4. Reporting Period.

- 4.1. The reporting period for collecting performance indicator data will be on a fiscal year calendar of July 1 to June 30.

§135-6-5. Performance Indicators.

- 5.1. Performance indicators will provide concise data and other information that effectively measure the degree of success in achieving, on an institutional and system basis, statewide goals for the delivery of community and technical college education. Performance levels in the areas of access, workforce development, student access and collaboration will be measured.
- 5.2. Performance Indicators for Access:
 - 5.2.1. *Total Enrollment:* Non-duplicated headcount enrollment in credit and non-credit courses for all students and full-time equivalent enrollment in credit courses.
 - 5.2.2. *Traditional Age Student Participation:* Non-duplicated headcount and full-time equivalent enrollment of students ages 18 through 24

(excluding early entrance, dual enrollment and “Earn a Degree – Graduate Early” enrollees) enrolled in credit courses.

5.2.3. *Adult Student Participation:*

5.2.3.1. Non-duplicated headcount and full-time equivalent enrollment of students ages 25 and older participating in credit courses.

5.2.3.2. Non-duplicated headcount enrollment of students ages 25 and older participating in non-credit programs or courses.

5.2.3.3. The number of students ages 25 and older enrolling in college for the first time.

5.2.4. *Costs:* Tuition and required fees charged by each community and technical college.

5.3. Performance Indicators for Workforce Development:

5.3.1. *Range of Educational and Training Opportunities:* The number of skill sets, advanced skill set, certificates, skills enhancement courses, and career technical associate degrees offered by community and technical colleges; and the student enrollment and completers of these programs.

5.3.2. *Innovation:* The number of new programs implemented in the Certificate and Associate in Applied Science in Technical Studies and the Certificate and Associate in Applied Science in Occupational Development, and the number and types of programs modularized, offered in condensed formats, offered totally or particularly through distance education, or re-packaged and delivered in non-traditional ways.

5.3.3. *Direct Employer Services:* The total number of skills sets, advanced skill sets, certificates, associate degrees, and skills enhancement courses delivered directly to employers, the number offered at employer sites, the number of participants in such programs and the total number of training contact hours delivered.

5.3.4. *Employer Feedback:* Statistical measure(s) of employer satisfaction regarding job related knowledge and performance of graduates of skill sets, collegiate certifications, certificates, and career-technical associate degree programs.

5.3.5. *Entrepreneurship Education:* The total number of focused courses and workshops offered in the area of entrepreneurship and the total number of contact hours generated.

5.3.6. *Placement:* The placement rate for students completing skill sets, collegiate certifications, certificates and career-technical associate degree programs.

5.3.7. *Aid to Workforce Development Students:* The number of participants receiving a grant through the Higher Education Adult Part-Time Student (HEAPS) Grant Program workforce development component.

5.4. Performance Indicators for Student Success and Adult Literacy

5.4.1. *Productivity:* The total number of certificate and associate degrees awarded.

5.4.2. *Efficiency:* Retention and graduation rates of first-time, full- and part-time students.

5.4.3. *Pre-Baccalaureate Preparation:* The transfer rate of those students who enter a community and technical college and transfer to a baccalaureate institution.

5.4.4. *Licensure Rate:* The percentage of students successfully passing professional licensure or certification examinations.

5.4.5. *Basic Skills Enhancement:* The number and percentage of students successfully completing developmental education courses; the number and percentage of developmental education completers successfully completing the next college-level mathematics and English courses; and the number and percentage of developmental education completers receiving a certificate or associate degree within six years of the completion of developmental courses.

5.4.6. *Job Related Basic Skills Attainment:* The percentage of certificate and associate degree graduates meeting the prescribed WorkKeys levels for the occupational field of preparation.

5.4.7. *Momentum Points of Completion:*

5.4.7.1. The number of students successfully completing thirty credit hours of instruction.

5.4.7.2. The number of students earning a certificate or associate degree.

5.4.7.3. The number of adult students successfully completing thirty credit hours of instruction.

5.4.7.4. The number of adult students earning a certificate or associate degree.

5.5. Performance Indicators for Collaboration:

- 5.5.1. *Brokered Courses*: The number of courses and/or programs brokered into the community and technical college consortium district from other higher education institutions, public school career-technical education centers or other education providers.
- 5.5.2. *Collaborative Programs*: The number of programs delivered in collaboration with employers, private education, private agencies and other education or training providers.
- 5.5.3. *Integrated Programs*: The number of Tech Prep 4 + 2 or similarly integrated formal programs or career pathway programs of study implemented between community and technical colleges and public schools.
- 5.5.4. *Early Entrance Enrollment*: The total headcount enrollment in early admission and/or dual credit courses delivered by community and technical colleges for high school students.

SUMMARY

**Title 135
Legislative Rule
WV Council for Community and Technical College Education**

**Series 6
Performance Indicators**

This rule sets forth performance indicators that will be utilized to measure the degree to which the goals and objectives for the delivery of community and technical college education, as identified in state statute and approved by the West Virginia Council for Community and Technical College Education, are being met.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Performance Indicators

Type of Rule: Legislative Interpretive Procedural

Agency: WV Council for Community and Technical College Education

Address: 1018 Kanawha Blvd., East, Suite 700
Charleston, WV 25301

Phone Number: 558-2065 Email: skidmore@wvctcs.org

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

None

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.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: _____

Rule Title: Performance Indicators

3. **Explanation of above estimates (including long-range effect):**
Please include any increase or decrease in fees in your estimated total revenues.

NA

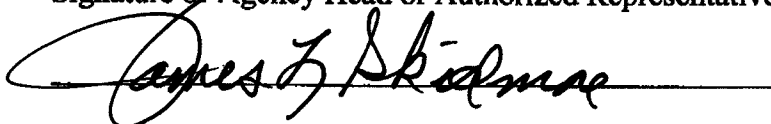
MEMORANDUM

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.

This rule sets forth performance indicators that will be utilized to measure the degree to which the goals and objectives for the delivery of community and technical college education, as identified in state statute and approved by the West Virginia Council for Community and Technical College Education, are being met.

Date: 12/22/08

Signature of Agency Head or Authorized Representative



**WV Council for Community and Technical College Education
Meeting of December 12, 2008**

ITEM: Approval of Series 6, *Performance Indicators*

INSTITUTIONS: All

RECOMMENDED RESOLUTION: *Resolved, that the West Virginia Council for Community and Technical College Education approves amendments as noted to Series 6, Performance Indicators, for final filing with the Secretary of State's Office and submission to the Legislative Oversight Commission on Education Accountability for approval and further legislative action.*

STAFF MEMBER: Rob Anderson

BACKGROUND:

During the October 17, 2008 meeting, the West Virginia Council for Community and Technical College Education approved an amended version of Series 6, the legislative rule for the West Virginia Council for Community and Technical Education's performance indicators, to be filed with the Secretary of State's office for a thirty-day public comment period. On the same date, an emergency version of the rule was approved by the Council.

Staff received four sets of comments during the comment period, which are summarized below.

Comment: It was suggested that the definition for "Adult Student" should read "twenty-five and older" instead of "twenty-five through forty-four." (Section 3.2)

Response: *The definition has been changed to read "twenty-five and older." (Sections 3.2 and 5.2.3)*

Comment: It was suggested that the name "Collegiate Certification" be changed in order to prevent confusion among business, industry, faculty, and students between this title and the long-standing title for the Certificate Degree Program. (Sections 3.3 and 5.3.1)

Response: *The proposed change has been made. "Collegiate Certification" has been replaced with "Advanced Skill Set." (Sections 3.3 and 5.3.1)*

Comment: It was suggested that the definition for Advanced Skill Sets be changed from “12 to 29” to “12 to less than 30” to accurately reflect the range of credit hours that would be included. (Section 3.3)

Response: *The phrase “12 to 29” was changed to “12 or more but less than 30.” (Section 3.3)*

Comment: It was suggested that the definition for “Part-Time Student” should state “fewer than twelve hours” instead of “eleven or fewer credit hours” to account for the possibility of a student taking more than eleven hours but less than twelve hours. (Section 3.23)

Response: *The definition has been changed to read “fewer than 12.” (Section 3.23 and 3.27)*

Comment: It was suggested that the definition for “WorkKeys Assessment” should use the phrase “foundational skills” instead of “basic skills.” (Section 3.31)

Response: *The definition has been changed to read “foundational skills.” (Section 3.31)*

Comment: It was suggested that traditional students be listed as being between “18 and 24” instead of “18 and 23.” (Section 5.2.2)

Response: *The definition was changed to read “18 and 24.” (Section 5.2.2)*

Comment: It was suggested that “Certificate and” be added to the programmatic descriptive “Associate in Applied Science in Occupational Development” to more accurately reflect these programmatic offerings. (Section 5.3.2)

Response: *The change was made. (Section 5.3.2)*

Comment: It was suggested that a six-year time period be used instead of five years in order to assess “Basic Skills Enhancement.” It was posited that much of the existing data uses six years. (Section 5.4.5)

Response: *The change has been made to indicate six years. (Section 5.4.5)*

Comment: It was suggested that “non-credit contact hours equivalents” be considered in the definition of a “Full-time Student.” (Section 3.18)

Response: *The proposed change will be considered for future action. The data system does not currently have the capability to include these non-credit contact hours.*

Comment: It was suggested that “non-credit contact hours equivalents” be considered in the definition of a “Part-time Student.” (Section 3.23)

Response: *The proposed change will be considered for future action. The data system does not currently have the capability to include these non-credit contact hours.*

Comment: A comment was received noting that the definition of a “Retention Rate” as measuring fall-to-fall persistence might negatively impact the retention rates of students enrolled in a “Collegiate Certification” or a “Skill Set” program which would conclude prior to the next fall. (Section 3.26)

Response: *No change was made. It is important to focus on fall-to-fall retention in the suggested manner so that results can be compared to national peers.*

Comment: A question was received asking how the level of student achievement would be determined in regards to the “Momentum Points.” (Section 3.21)

Response: *These “Momentum Points” are described later in the document. (Section 5.4.7)*