

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

Form #2

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2005 NOV -7 A 11:29
OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Council for Community & Technical College Education TITLE NUMBER: 135

RULE TYPE: Procedural Rule CITE AUTHORITY: 18B-2B-6

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 18

TITLE OF RULE BEING AMENDED: Assignment of Academic Credit and Financing Noncredit Instruction

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON December 7, 2005 AT 5:00 P.M. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

James L. Skidmore, Chancellor
Community and Technical College
Education
1018 Kanawha Blvd. East Suite 700
Charleston, WV 25301

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL



WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

Nelson B. Robinson Jr., Chair • James L. Skidmore, Chancellor

SUMMARY

Title 135
Procedural Rule
WV Council for Community and Technical College Education

Series 18
Assignment of Academic Credit and Financing Noncredit Instruction

This rule governs assignment of academic credit and financing noncredit instruction.

TITLE 1335
PROCEDURAL RULE

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION COUNCIL FOR COMMUNITY AND
TECHNICAL COLLEGE EDUCATION

SERIES 18

ASSIGNMENT of ACADEMIC CREDIT and FINANCING NONCREDIT INSTRUCTION

1. GENERAL

- 1.1 Scope - This rule governs assignment of academic credit and financing noncredit instruction.
- 1.2 Authority - West Virginia Code § ~~18B-1B-4~~ 18B-2B-6
- 1.3 Filing Date -
- 1.4 Effective Date -
- ~~1.5 Repeals and replaces Title 128, Series 50, and Title 131, Series 50 dated September 11, 1979.~~

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2. POLICY

- 2.1 All courses and classes offered for academic credit must be acceptable toward a degree or certificate program(s) as approved by the institutional governing board, and if required, also approved by the Higher Education Policy Commission Council for Community and Technical College Education and/or the institutionally-adopted general education program(s) as set forth in the college catalog(s). Courses and classes offered by an institution in a partnership arrangement with another West Virginia public state college or university must also count for academic credit toward a degree or certificate program(s) at the receiving institution.
- 2.2 Two exceptions may be made to this general policy:
- 2.2.1 Those courses offered for remedial purposes in the basic academic skills areas (foundation programs);
- 2.2.2 Certain specialized courses designed to meet the continuing education needs of public and private school personnel.
- 2.3 Courses and classes not qualifying for academic credit may be assigned C.E.U. value, in accordance with standards established by the appropriate institutional governing board.
- 2.4 Except as may be specifically allocated or approved by the board council, no state appropriated funds may be utilized for the direct and identifiable costs of noncredit courses and classes. It is expected that course and class fees and/or contract or gift funds will cover all identifiable direct cost of noncredit courses and classes. In meeting the system goal to "provide high quality workforce development programs that meet the demands of West Virginia's employers and enhance the economic development efforts of the state," institutions are encouraged and expected to utilize state appropriated funds for workforce development efforts.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: 135-18 Assignment of Academic Credit and Financing Noncredit Instruction

Type of Rule: Legislative Interpretive Procedural

Agency: WV Council for Community & Technical College Education

Address: 1018 Kanawha Boulevard East Suite 700
Charleston, WV 25301

Contact: James L. Skidmore, Chancellor 558-0265

Phone Number: 304-558-0265 Email: 304-558-1646

Fiscal Note Summary

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

There are no direct costs or revenues associated with this rule.

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: 135-18 Assignment of Academic Credit and Financing Noncredit Instruction

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

None

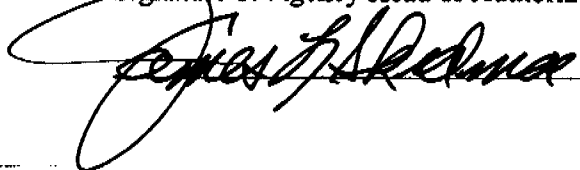
MEMORANDUM

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.

None

Date: November 2, 2005

Signature of Agency Head or Authorized Representative



**WV Council for Community and Technical College Education
Meeting of October 27, 2005**

ITEM: *Approval of Series 18, Assignment of Academic Credit and Financing Noncredit College Education*

INSTITUTION(S): All

RECOMMENDED RESOLUTION: *Resolved, That the WV Council for Community and Technical College Education approves Series 18, Assignment of Academic Credit and Financing Noncredit College Education, for submission to the Secretary of State's Office for a thirty-day comment period and that if no substantive comments are received, the Council extends its final approval.*

STAFF MEMBER: Mark Stotler

BACKGROUND:

This is one of the Commission policies approved for Community and Technical College System use until revised or rescinded by the Council. A review of the policy revealed a possible conflict with the mission of the Community and Technical College System.

Section 2.4 of the policy states that, "Except as may be specifically allocated or approved by the board, no state appropriated funds may be utilized for the direct and identifiable costs of noncredit courses and classes." Since workforce development is a primary mission of community and technical colleges, language has been added that states, "...institutions are encouraged and expected to utilize state appropriated funds for workforce development efforts." It is made clear that institutions would not be required to get Council approval to use state funds for workforce development efforts.