

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #2

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2010 JAN 29 AM 8: 79

WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

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

RULE TYPE: Procedural CITE AUTHORITY: WV Code 18B-1-1A and 18B-1B-6

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 19

TITLE OF RULE BEING AMENDED: Guidelines for the Offering of Early Enrollment Courses for High School Students

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 March 1, 2010 AT 12:00 PM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

James L. Skidmore, Chancellor

WV Council for Community & Technical College  
Education

1018 Kanawha Blvd., E., 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

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**TITLE 135  
PROCEDURAL RULE**

**WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION**

OFFICE OF THE CLERK  
WEST VIRGINIA  
SECRETARY OF STATE

**SERIES 19**

**GUIDELINES FOR THE OFFERING OF COLLEGE EARLY ENROLLMENT COURSES FOR  
HIGH SCHOOL STUDENTS**

**§135-19-1. General**

- 1.1. Scope: This policy establishes guidelines for West Virginia public colleges and universities for the offering of college courses for high school students.
- 1.2. Authority: W. Va. Code §§ 18B-1-1A; 18B-1B-6
- 1.3. Filing Date - August 26, 2005
- 1.4. Effective Date - September 30, 2005

**§135-19-2. Purpose**

- 2.1. Legislative goals established for West Virginia state colleges and universities provide that higher education in West Virginia should contribute fully to the growth, development and quality of life of the state and its citizens. Among these goals is a statutory provision (W. Va. Code §18B-1-1A) which states that more opportunities should be available for advanced high school students to obtain college credit prior to high school graduation.

~~Currently, most of the state colleges and universities offering undergraduate programs offer some college courses in high schools for high school students. The purpose of this policy is to provide guidance to the institutions in matters of curriculum, selection of faculty, quality control, admission, and setting tuition/fees as they continue to offer and expand the number of college courses for high school students. This policy details the responsibilities of the state higher education institutions regarding early enrollment programs in matters of curriculum, selection of faculty, quality control, admission, setting tuition/fees, and accountability.~~

**§135-19-3. CURRICULUM Principles**

- 3.1. ~~Any off-campus credit instruction must meet the same rigorous standards as required for on-campus instruction. Such standards are essential for maintaining institutional accreditation by the North Central Association. Thus, any college course offered for high school students must meet the standard of a campus-based college course. Each course needs to include the equivalent syllabus, text, assignments, assessments, evaluation of students, and evaluation of faculty as the campus course.~~

~~The curriculum will be limited to lower division undergraduate courses which are jointly agreed upon by the cooperating college or university and high school. In support of providing opportunities for high school students to obtain college~~

credit prior to high school graduation, early enrollment opportunities shall be designed to follow these principles:

- 3.1.1. Expand access to college
- 3.1.2. Increase the college-going rate
- 3.1.3. Increase student success in college
- 3.1.4. Enhance college affordability

While additional programs exist for high school students to obtain college credit, this rule applies to opportunities for early enrollment in college courses. Clarification and definition(s) of existing college credit options are provided in order to distinguish these early enrollment opportunities.

3.2. Definitions for reporting purposes

3.2.1. College credit opportunities which will be counted as credit hours attempted and/or earned for early enrollment reporting purposes are those course sections that are delivered primarily to eligible high school students. The local high school will decide if high school credit will be offered for these courses.

3.2.2. College credit opportunities which are not counted for early enrollment reporting purposes.

3.2.2.a. EDGE (Earn a Degree, Graduate Early)

3.2.2.b. The College Board Advanced Placement Classes

3.2.2.c. CLEP Examinations

3.2.2.d. Articulated Credit

3.2.2.e. Campus Based Courses Not Offered Primarily for High School Students

**§135-19-4. CREDIT Courses**

4.1. In cooperation with a local school system, an institution may offer an undergraduate college course in a high school for advanced high school students who qualify for college admission. At the discretion of the high school, the course may be offered for high school credit, i.e. the student will be awarded high school credit as well as college credit for successful completion of a course. Any early enrollment course must meet the same rigorous standards as those required for on-campus instruction. Such standards are essential for maintaining institutional accreditation by the Higher Learning Commission of the North Central Association and for assuring institutional credibility. Courses must utilize college-approved syllabi, texts, assignments and assessments. Faculty for these courses will be evaluated by college personnel using the same processes as for other college faculty. The higher education institution must facilitate communication between the appropriate academic department and the early enrollment faculty member to assure quality.

4.2. Courses will be limited to lower division undergraduate courses which are jointly agreed upon by the cooperating college or university and high school.

- 4.3. Attendance in college courses offered in high schools will be limited to those students registered for college credit.

**§135-19-5. CORRELATION WITH ADVANCED PLACEMENT**

- 5.1. ~~The College Board Advanced Placement program shall continue to be encouraged, and the credential for granting college credit shall remain student performance on the Advanced Placement exam. No credit will be awarded for College Board Advanced Placement courses based solely on successful course completion.~~

**§135-19-65. Faculty**

- 65.1. ~~All faculty serving as instructors for college credit bearing courses offered to advanced level high school students, whether on the college or the high school campus, must meet the minimum faculty credential requirements for instructional rank at the college which will grant the credit. Faculty teaching early enrollment courses must meet the minimum faculty credential requirements as specified by the college and as approved by the department and chief academic officer of the college or university that will grant the credit.~~

~~6.1.1—Credentials of faculty who serve as instructors for college credit bearing courses must be approved by the chief academic officer of the college and/or university and the department which will grant the credit.~~

- 65.2. ~~The institution granting credit shall assign adjunct part-time faculty status to high school teachers who teach such courses. Employment of any adjunct part-time faculty must be consistent with any commission and/or institutional standards on employment of adjunct, part-time faculty. The institution granting college credit shall assign adjunct/part-time faculty status to high school teachers who teach college courses in the high school. Employment of any early enrollment adjunct/part-time faculty must be consistent with any institutional, statewide and regional accreditation standards for employment of adjunct/part-time faculty.~~

**§135-19-76. Admissions**

- 76.1. ~~High school students desiring to enroll in a college credit-bearing course must apply for an admission status and meet all admission requirements for the institution which is offering the college credit course. Additionally, students must meet all course requirements and prerequisites. In addition to meeting these requirements, all students who enroll must have the approval of the high school principal. High school students desiring to enroll in a college credit-bearing course must apply for early enrollment admission status and meet all early enrollment admission requirements for the institution which is offering the college credit course.~~

- 6.2. Students must meet all course requirements and prerequisites. In addition to meeting these requirements, all students who enroll must have the approval of the high school principal.

- 6.3. Opportunities for early enrollment are for students of junior and senior status in

the high schools. Any exception must be approved by the institution's chief academic officer.

- 6.4. Alternative admission requirements may be applicable for specific statewide academic initiatives.

**§135-19-87. Tuition/Fees**

- 87.1. High school students enrolled in college early enrollment courses in the high schools will be assessed tuition/fees consistent with the institution's approved fee structure. Alternatively, to make college courses more accessible to high school students, an institution may establish a special tuition fee structure for high school students as provided in Section 87.2 of this rule.
- 87.2. Special tuition/fees for high school students established by any West Virginia public higher education institution must be set, at a minimum, at three-fourths of the rate of the lowest regular off-campus rate established by any West Virginia public higher education institution. All high school students must be charged the special tuition/fee rate or the regular tuition/fees approved for the institution granting the credit. The credit-granting institution may not use its own resources to pay any student's assessed tuition/fees. Except for tuition/fee waivers in third party sponsored agreements, no tuition/fee waivers are to be granted.

**§135-19-98. School Reimbursement and Credit Hour Accrual**

- 98.1. ~~College courses offered to high school students in the high schools will be taught by either regular or adjunct part-time faculty members of the institution granting the college credit. In the special circumstances of a high school teacher who teaches the course during the regular school day, the college granting the credit may reimburse the high school for the instructor's service. Early enrollment courses will be taught by full-time or adjunct/part-time faculty members of the institution granting the college credit.~~
- 98.2. ~~Consistent with Council policies, student credit hours generated by high school students registered in college classes will accrue to the institution granting the credit. When a high school teacher teaches an early enrollment course during the regular public school day the institution granting the credit may reimburse the high school/county board of education for the instructor's service.~~
- 8.3. Consistent with the Council for Community and Technical College Education and the Higher Education Policy Commission policies, credit hours generated by high school students registered in college classes will accrue to the institution granting the credit.

**§135-19-109. Accountability**

- 109.1. ~~Each community and technical college offering college courses for high school students may in accordance with provisions of this policy make arrangements for award of dual credit with the participating high school. Each institution which offers college level courses for or in West Virginia high schools must maintain a record of the courses and enrollments for such courses and submit any reports of~~

college courses for high school students as deemed necessary.

- ~~109.2.~~ ~~Each community and technical college which offers college-level courses for or in West Virginia high schools must maintain a record of the courses and enrollments for such courses and submit any reports of college courses for high school students as deemed necessary.~~ Each institution will submit reports in compliance with requirements set forth by the specifications of the WV Data Policy Advisory Council, the Council for Community and Technical College Education, and the Higher Education Policy Commission.
- 9.3. Each institution will designate an individual who will be responsible for coordinating and reporting early enrollment opportunities for high school students. Each institution will provide contact information for this person by July 1 of each academic year.



**WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION**

Robert L. Brown, Chair • James L. Skidmore, Chancellor

## **SUMMARY**

### **Title 135**

### **Procedural Rule**

### **WV Council for Community and Technical College Education**

### **Series 19**

### ***Guidelines for the Offering of Early Enrollment Courses for High School Students***

Legislative goals established for West Virginia state colleges and universities provide that higher education in West Virginia should contribute fully to the growth, development and quality of life of the state and its citizens. Among these goals is a statutory provision (W. Va. Code §18B-1-1A) which states that more opportunities should be available for advanced high school students to obtain college credit prior to high school graduation. This policy establishes guidelines for West Virginia public colleges and universities for the offering of college courses for high school students.

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: Bookstores and Textbooks

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  
James L. Skidmore, Chancellor

Phone Number: 304-558-0265 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.

There are no direct costs 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.

<b>FISCAL YEAR</b>			
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: Bookstores and Textbooks

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

There are no direct costs associated with this rule.

### 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.

Objective of this rule: This rule establishes process and guidelines for institutions to adopt rules governing the selection, adoption, use and sale of textbooks and other course materials.

Date: 1/29/10

Signature of Agency Head or Authorized Representative

