

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #2

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FILED

2004 OCT 22 P 3:24

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 CITE AUTHORITY: WV Code §18B-1-6

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 26

TITLE OF RULE BEING PROPOSED: Council Organization and Meetings


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 November 22, 2004 AT 5:00 P.M. EST ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

James L. Skidmore, Chancellor

Community & Technical College
Education
1018 Kanawha Blvd. East Suite 700

Charleston, WV 25301

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

 ^{KDD}
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

SUMMARY

Title 135
Procedural Rule
West Virginia Council for Community and Technical College Education

Series 26
Council Organization and Meetings

This procedural rule establishes the organization of the West Virginia Council for Community and Technical College Education and conduct of its meetings.

TITLE 135

PROCEDURAL RULE

WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE EDUCATION

SERIES 26

COUNCIL ORGANIZATION AND MEETINGS

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1. GENERAL

- 1.1 Scope This procedural rule establishes the organization of the West Virginia Council for Community and Technical College Education and conduct of its meetings.
- 1.2 Authority W. Va. Code _____
- 1.3 Filing Date _____
- 1.4 Effective Date _____

2. ORGANIZATION

- 2.1 The officers of the Council shall be chair, vice chair and secretary. Officers shall be elected in June for a two-year term commencing on July 1 and ending on June 30. Officers may not serve more than two consecutive terms in the same office.
- 2.2 The Council will normally operate as a Committee of the Whole, but three standing committees will be established to address specific issues as needed. The three standing committees are: Executive Committee, Finance Committee and Academic Committee.
 - 2.2.1 The Executive Committee shall consist of officers of the Council and the Council's immediate past chair.
 - 2.2.2 The Finance and Academic Committees shall consist of Council members and chairs appointed by the Chair of the Council.
- 2.3 Members may be appointed by the Chair to special or ad hoc committees. In addition to Council members, Council staff and institutional presidents may be appointed as members of ad hoc committees.
- 2.4 All committees shall review and make recommendations to the Council on matters assigned by the Chair or the Executive Committee.
- 2.5 All committee meetings shall be open to the public.

3. MEETINGS OF THE COUNCIL

- 3.1 Meetings will be scheduled a minimum of eight (8) times per year. Special meetings may be convened by the Chair or upon the petition of a majority of the members.
- 3.2 Members may participate in Council and committee meetings by telephonic or other electronic means which permit voice or video identification of the member.
- 3.3 A quorum equal to more than one-half of the votes eligible to be cast is required to conduct business on matters requiring a vote of the Council. Members are prohibited to cast an absentee vote.
- 3.4 Meetings will be noticed in accordance with the provisions of the Open Governmental Meetings Act. This includes notice of regularly scheduled meetings being filed with the Secretary of State for filing in the State Register at least five days prior to the date of the meeting.
- 3.5 The agenda for each regularly scheduled meeting will be made available to the presidents of each institution and to Chairs of the statewide advisory councils of faculty, students, and classified employees at least three working days before the meeting. Agendas shall be posted on the Council's web site.
- 3.6 The notice provisions of this section shall not apply in the event of an emergency meeting requiring immediate official action. Notice of an emergency meeting may be filed at any time prior to the emergency meeting and shall include the date, time, place and purpose of the meeting and the facts and circumstances of the emergency.
- 3.7 All meetings of the Council and committees shall be open to the public, except the Council or a committee may vote to hold an executive session during its meeting for any of the reasons authorized under W.Va. Code § 6-9A-4. A motion to hold an executive session must identify the authorization in W.Va. Code § 6-9A-4 for the executive session and be approved by a majority of the members present. Any formal action of the Council must be taken in open meeting.
- 3.8 At the discretion of the Chair, members of the Council's staff, institutional presidents and administrative staff, faculty members, classified employees and members of the public may be recognized to address the Council or a committee during its meeting.
- 3.9 Meetings will be conducted according to Robert's Rules of Order subject to the suspension of any rule by a majority vote of the Council or committee.
- 3.10 The Council may cause the removal from a meeting of any member of the public who is disrupting the meeting to the extent that orderly conduct of the meeting is compromised.
- 3.11 Annually between the months of October and December, the chair will provide time on the agenda of the Council to meet with the statewide advisory councils of faculty, students and classified employees to address the Council on matters of concern to the respective advisory council.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: 135-26: Council Organization and Meetings

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

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of Above Estimates:

There are no direct costs associated with this rule.

3. Objectives of These Rules:

This procedural rule establishes the organization of the West Virginia Council for Community and Technical College Education and conduct of its meetings.

Rule Title: 135-26: Council Organization and Meetings

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

None

C. Economic Impact on Citizens/Public at Large.

None

Date: October 22, 2004

Signature of Agency Head or Authorized Representative:

Jim Skidmore KSD