

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

Form #5

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

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

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

CITE AUTHORITY: 18B-3-6

RULE TYPE: PROCEDURAL  INTERPRETIVE \_\_\_\_\_

EXEMPT LEGISLATIVE RULE \_\_\_\_\_

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W. Va. Code 18B-1-3(h)(2)

AMENDMENT TO AN EXISTING RULE: YES \_\_\_\_\_ NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

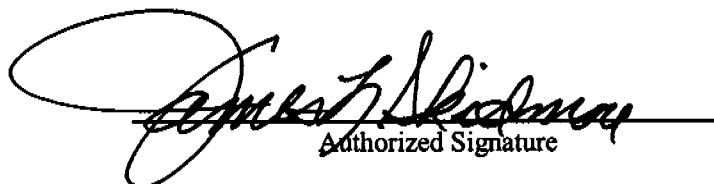
TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 37

TITLE OF RULE BEING PROPOSED: Increased Flexibility for Community and Technical  
Colleges

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

EFFECTIVE DATE OF THIS RULE IS December 14, 2005

  
Authorized Signature

TITLE 1335  
PROCEDURAL RULE  
~~HIGHER EDUCATION POLICY COMMISSION~~

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WEST VIRGINIA COUNCIL FOR COMMUNITY AND TECHNICAL COLLEGE  
EDUCATION

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

SERIES 37  
INCREASED FLEXIBILITY FOR COMMUNITY AND TECHNICAL COLLEGES

SECTION 1. GENERAL

- 1.1 Scope - Rule regarding the approval of new occupational programs for community and technical colleges, mode of delivery of such programs, and employment of faculty.
- 1.2 Authority - West Virginia Code §18B-3-6
- 1.3 Filing Date - ~~June 2, 2000~~ November 14, 2005
- 1.4 Effective Date - ~~June 12, 2000~~ December 14, 2005

SECTION 2. DEFINITIONS

2.1 ~~Commission Council:~~

West Virginia Higher Education Policy Commission Council for Community and Technical College

2.2 Chancellor:

West Virginia Higher Education Policy Commission Council for Community and Technical College Chancellor

2.3 Community and Technical College:

Eastern West Virginia Community and Technical College, Southern West Virginia Community and Technical College, West Virginia Northern Community College, ~~Bluefield State College~~ New River Community and Technical College, Marshall ~~University~~ Community and Technical College, Fairmont State ~~College~~ Community and Technical College, ~~Glenville State College~~ Community and Technical College, ~~Shepherd College~~ Community and Technical College of Shepherd, West Virginia State ~~College~~ Community and Technical College, ~~West Virginia University~~ Institute of Technology Community and Technical College of West

Virginia University Institute of Technology, West Virginia University at Parkersburg and any other college so designated by the Legislature.

2.4 Occupational Program:

Certificate or associate degree programs delivered by a community and technical college with the primary intent of preparing the student to enter employment upon completion of the program.

2.5 Temporary Faculty:

Faculty who have not been appointed in a tenure-track or tenured status. Their appointment may be full-time or part-time.

2.6 Two-Plus-Two Program:

An academic program that is designed for the first two years to be delivered by a community and technical college culminating in an associate degree and articulated into a baccalaureate program without loss of credit.

2.7 Transfer Academic Program:

An associate degree program delivered by a community and technical college for the primary purpose of providing the first two years of a baccalaureate degree program.

2.8 Module:

A self-contained instructional component that is part of an overall course.

**SECTION 3. TECHNOLOGY IN THE DELIVERY OF COURSES AND PROGRAMS**

3.1 Community and technical colleges are encouraged to incorporate the most effective and efficient use of technology in the delivery of courses and programs in order to make the best use of available resources and to control costs.

3.2 Each community and technical college shall submit to the Chancellor a five-year plan for increasing the use of technology in the delivery of courses.

#### **SECTION 4. DELIVERY OF CURRICULA UTILIZING MODULES**

- 4.1 Community and technical colleges will deliver curricula by utilizing smaller credit and non-credit modules, particularly in the delivery of workforce development programs intended for adults and employed individuals.
- 4.2 Each community and technical college will employ a system to break down curricula into smaller modules that is consistent across the campus and allows for maximum flexibility in formatting courses.
- 4.3 Each community and technical college will provide for professional development activities for those faculty involved in the development and delivery of curricula in smaller modules.

#### **SECTION 5. FACILITATOR FOR BROKERING EDUCATION PROGRAMS**

- 5.1 Each community and technical college will incorporate into its mission the roles of facilitator and broker of outside education and training programs that meet the needs of the residents and employers of the district.
- 5.2 The roles of facilitator and broker of outside education programs into the district will be incorporated into the overall workforce delivery strategy of each community and technical college.

#### **SECTION 6. FACULTY TYPES AND CONDITION OF EMPLOYMENT**

- 6.1 The goal for each community and technical college in the appointment of faculty is to limit the number of tenured and tenure-track faculty to no more than twenty percent of full-time faculty employed at the institution.
- 6.2 Appointments to the faculty are addressed in Series 9, *Academic Freedom, Professional Responsibility, Promotion and Tenure*, of the West Virginia ~~Higher Education Policy Commission~~ Council for Community and Technical College Education rules. Faculty are classified either as tenure, tenure-track, clinical-track, librarian-track, or term. Faculty employed on a non-tenure track are designated as term faculty.
- 6.3 Temporary faculty are eligible for reappointment, though no number of appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty.
- 6.4 The employment status of tenured and tenure-track faculty holding appointment at each of the community and technical colleges at the time of implementation of this rule shall not be affected.

**SECTION 7. OCCUPATIONAL PROGRAM APPROVAL**

- 7.1 New occupational programs at freestanding community and technical colleges may be implemented without approval by the Commission Council. Two-plus-two programs and transfer education program approval will continue to follow the provisions of West Virginia Higher Education Policy Commission Council for Community and Technical College Education Series 11.
- 7.2 Before the implementation of an occupational program at a freestanding community and technical college, the college must notify the Chancellor that such program is being implemented and the date the new program is to be placed on the official program inventory of the college.
- 7.3 Three (3) years after the date of implementation of the occupational program, the Commission Council will conduct a post-audit review of the program.
- 7.4 The Commission Council will request information from the college for the post-audit review that includes, but is not limited to the following:
  - 7.4.1 The goals and objectives of the program and the documented need the program was implemented to meet.
  - 7.4.2 A listing of the courses and the number of credit hours required for each.
  - 7.4.3 Headcount and full-time equivalency (FTE) enrollment and number of graduates for each year the program has been in existence.
  - 7.4.4 Placement rate of graduates and type of employment secured.
  - 7.4.5 The annual total expenditures to deliver the program and source of funding.
  - 7.4.6 Projection of future resource requirements and source of funding.
  - 7.4.7 Total number of full-time and part-time faculty per year to deliver the program.
  - 7.4.8 Listing of course delivery modes.
  - 7.4.9 Listing of advisory committee members and how the advisory committee has been utilized for program improvement.
  - 7.4.10 Program assessment measures that have been developed and implemented.

- 7.5 After completion of the post-audit review, should there be a recommendation for discontinuance of the program, the Chancellor shall make such recommendation to the ~~Commission~~ Council for action.

## **SECTION 8. REPORTING**

- 8.1 Each community and technical college will report annually to the Chancellor on the progress made in: (1) increasing the use of technology in the delivery of courses, (2) delivery of curricula utilizing modules, and (3) reaching the goal of the number of faculty tenured or in tenure-track positions to twenty percent (20%).
- 8.2 Reports will be completed on forms provided by the Chancellor.