



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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11/20/2017 9:04:12 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 1 – NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)**

AGENCY **Higher Education Policy Commission**
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **133-**
RULE NAME **Grade Point Average for Associate and Baccalaureate Degrees** **22**

CITE AUTHORITY **18B-1-6**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Wednesday, December 20, 2017 5:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Dr. Paul L. Hill
Chancellor
WV Higher Education Policy Commission
1018 Kanawha Boulevard, East
Charleston, WV 25301

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Cindy L Anderson – By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 133-22



Rule Id: 16674



Document: 50007



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**FORM 1 – NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 2)**

AGENCY	Higher Education Policy Commission			
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES 133-22
RULE NAME	Grade Point Average for Associate and Baccalaureate Degrees			

CITE AUTHORITY 18B-1-6

PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL

Revisions to current rule necessary to update D and F repeat provisions for college courses.

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FORM 11 – FISCAL NOTE FOR PROPOSED RULES (Page 1)

AGENCY	Higher Education Policy Commission				
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	133-
RULE NAME	Grade Point Average for Associate and Baccalaureate Degrees				22

CITE AUTHORITY 18B-1-6

PRIMARY CONTACT

Cindy L. Anderson
WV Higher Education Policy Commission
1018 Kanawha Boulevard, East
Charleston , WV 25301

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CITE AUTHORITY 18B-1-6

SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.

N/A

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FORM 11 – FISCAL NOTE FOR PROPOSED RULES (Page 2)

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CITE AUTHORITY **18B-1-6**

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.

Effect Of Proposal	Current Increase/Decrease (use ' - ')	Next Increase/Decrease (use ' - ')	Fiscal Year (Upon Full Implementation)
ESTIMATED TOTAL COST	0	0	0
PERSONAL SERVICES	0	0	0
CURRENT EXPENSES	0	0	0
REPAIRS AND ALTERATIONS	0	0	0
ASSETS	0	0	0
OTHER	0	0	0
ESTIMATED TOTAL REVENUES	0	0	0

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FORM 11 – FISCAL NOTE FOR PROPOSED RULES (Page 3)

AGENCY	Higher Education Policy Commission			
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES 133-
RULE NAME	Grade Point Average for Associate and Baccalaureate Degrees			22

CITE AUTHORITY 18B-1-6

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.

N/A

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Title-Series: 133-22



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FORM 11 – FISCAL NOTE FOR PROPOSED RULES (Page 4)

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RULE NAME	Grade Point Average for Associate and Baccalaureate Degrees			22

CITE AUTHORITY 18B-1-6

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.

N/A

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

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Title-Series: 133-22



Rule Id: 16674



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TITLE 133
PROCEDURAL RULE
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

SERIES 22
GRADE POINT AVERAGE for ASSOCIATE and BACCALAUREATE DEGREES

§133-22-1. General.

1.1. Scope - Rule regarding grade-point average required for associate and baccalaureate degrees.

1.2. Authority - West Virginia Code §18B-1-1A; 18B-1-4.

1.3. Filing Date - ~~July 2, 2002~~

1.4. Effective Date - ~~August 1, 2002~~

1.5. Repeal of Former Rule ~~-Revises~~ Repeals and replaces Title ~~128~~ 133, Series ~~202~~, ~~and Title 131, Series 20~~, dated ~~March 30, 1986~~ August 1, 2002.

§133-22-2. Grade-Point Average Required For Graduation.

2.1. Quality points are based on the following point values for each semester hour of credit: "A" - 4, "B" - 3; "C" - 2; "D" - 1 and "F" - 0. The grade point average to be computed for graduation purposes (not necessarily each semester) shall be based upon all work for which the student has registered with the following exceptions:

2.1.1a. Courses with grades of "W" and "WP".

2.1.2b. Courses in remedial and/or developmental education.

2.1.3c. Courses taken on a credit/no credit, pass/fail or satisfactory/unsatisfactory basis where a passing grade is earned.

2.1.4d. Courses taken on an audit basis.

2.1.5e. Courses which have been repeated under the "D/F Repeat Provisions" of this policy.

2.1.6f. Courses which are covered under the "Discretionary Academic Forgiveness Provisions" of this policy.

§133-22-3. D and F Repeat Provisions.

3.1. If a student earns a grade of "D" or "F" (including failures due to regular and/or irregular withdrawal) on any a course taken ~~no later than the semester or summer term during which the student attempts the sixtieth semester hour, and if that student repeats this course~~ prior to the receipt of a baccalaureate degree, and if that student repeats this course prior to the receipt of the baccalaureate degree, the original grade shall be disregarded and the grade or grades earned when the course is repeated shall be used in determining ~~his/her~~ the grade point average. The original grade shall not be deleted from the student's record. In upper division courses, a student may formally repeat up to eight credit hours, of a

grade of "C", with the written permission of the appropriate head of the academic unit where the student's major is housed. The privilege of the "D" and "F" repeat is capped at 21 credit hours including any request for a "C" repeat in an upper division course.

§133-22-4. Discretionary Academic Forgiveness Provisions.

4.1. For purposes of grade-point average required for graduation, public colleges and universities shall have discretionary authority to establish academic forgiveness in addition to the "D/F" repeat provisions. However, institutionally established provisions must be consistent with this rule. If institutions elect to disregard prior "D" and/or failing grades, such action must accommodate the following minimal conditions:

4.1.1a. Students must not have been enrolled in college on a full-time basis during any semester or term in the last four consecutive years.

4.1.2b. Only grades for courses taken at least four years prior to the request for academic forgiveness may be disregarded for grade-point average computation.

4.1.3c. In cases where grades may be disregarded for grade-point average computation, these grades shall not be deleted from the student's permanent record.

4.1.4d. In instances where students request and gain academic forgiveness from one college or university and then transfer to another institution, the receiving institution is not bound by the prior institution's decision to disregard grades for grade-point average computation.

4.2. The provisions included herein shall be considered as minimum standards for extending academic forgiveness provisions. Consistent with institutional policies and mission, individual colleges and universities may impose more stringent provisions in the area of disregarding prior grades for grade-point average computation for graduation.

4.3. Institutional policies regarding academic forgiveness for grade-point average computation shall be stated in the institutional catalog. In addition to providing information on the manner in which such provisions may be applied at that institution, the catalog and/or such other publications as are appropriate shall inform students that academic forgiveness extended by one institution may or may not be recognized by other institutions in which the student may transfer.

§133-22-5. Application Only to Graduation Requirements.

5.1. Institutional officials shall make clear to students the fact that this regulation pertains only to graduation requirements and not to such requirements for professional certification which may be within the province of licensure boards, external agencies, or the West Virginia Board of Education.