

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #6

FILED

APR 17 3 39 PM '96

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: State College System Board of Directors TITLE NUMBER: 131

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 NEW RULE BEING PROPOSED: 8

TITLE OF RULE BEING PROPOSED: Contracts and Consortium Agreements with
Public Schools, Private Schools, or Private Industry

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 4746

SECTION 18B-17-3(j), PASSED ON _____

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: April 17, 1996


AUTHORIZED SIGNATURE

H. B. 4746

(By DELEGATES PREZIOSO, BALL, ENNIS, PROUDFOOT, YEAGER,
ANDERSON AND LEGGETT)

(Originating in the House Committee on Education)

[February 23, 1996]

A BILL, to amend and reenact sections two and three, article seventeen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to legislative rules; authorizing specific regulations relating to higher education, including higher education report cards and contracts and consortium agreements with public schools, private schools or private industry;

Be it enacted by the Legislature of West Virginia:

That sections two and three, article seventeen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

§18B-17-2. Board of trustees.

1 (a) The legislative rules filed in the state register on the

2 third day of December, one thousand nine hundred
 3 ninety-one, modified by the board of trustees to meet the
 4 objections of the legislative oversight commission on
 5 education accountability and refilled in the state register on
 6 the twenty-first day of January, one thousand nine
 7 hundred ninety-two, relating to the board of trustees
 8 (report card), are authorized.

9 (b) The legislative rules filed in the state register on the
 10 thirteenth day of July, one thousand nine hundred
 11 ninety-one, relating to the board of trustees (equal
 12 opportunity and affirmative action), are authorized.

13 (c) The legislative rules filed in the state register on the
 14 eighth day of September, one thousand nine hundred
 15 ninety-two, relating to the board of trustees (holidays), are
 16 authorized.

17 (d) The legislative rules filed in the state register on the
 18 third day of April, one thousand nine hundred ninety-two,
 19 relating to the board of trustees (alcoholic beverages on
 20 campuses), are authorized.

21 (e) The legislative rules filed in the state register on the
 22 fifteenth day of November, one thousand nine hundred
 23 ninety-three, relating to the board of trustees (acceptance
 4 of advanced placement credit), are authorized.

25 (f) The legislative rules filed in the state register on the
 26 thirteenth day of December, one thousand nine hundred
 27 ninety-three, modified by the board of trustees to meet the
 28 objections of the legislative oversight commission on
 29 education accountability and refilled in the state register on
 30 the twenty-first day of January, one thousand nine
 31 hundred ninety-four, relating to the board of trustees
 32 (assessment, payment and refund of fees), are authorized.

33 (g) The legislative rules filed in the state register on the
 34 first day of November, one thousand nine hundred
 35 ninety-three, modified by the board of trustees to meet the
 36 objections of the legislative oversight commission on
 37 education accountability and refilled in the state register on
 38 the twenty-first day of December, one thousand nine
 39 hundred ninety-three, relating to the board of trustees
 40 (personnel administration), are authorized.

41 (h) The legislative rules filed in the state register on the
 42 twenty-seventh day of January, one thousand nine
 43 hundred ninety-four, relating to the board of trustees
 44 (resource allocation policy), are authorized.

45 (i) The legislative rules filed in the state register on
 46 the fourth day of December, one thousand nine hundred
 47 ninety-five, modified by the board of trustees to meet the

48 objections of the legislative oversight commission on
 49 education accountability and refiled in the state register on
 50 the fifteenth day of February, one thousand nine hundred
 51 ninety-six, relating to the board of trustees (higher
 52 education report card), are authorized.

§18B-17-3. Board of directors.

1 (a) The legislative rules filed in the state register on the
 2 sixteenth day of December, one thousand nine hundred
 3 ninety-one, modified by the board of directors to meet the
 4 objections of the legislative oversight commission on
 5 education accountability and legislative oversight
 6 commission on education accountability and refiled in the
 7 state register on the twenty-first day of January, one
 8 thousand nine hundred ninety-two, relating to the board
 9 of directors (report card), are authorized.

10 (b) The legislative rules filed in the state register on the
 11 twenty-seventh day of September, one thousand nine
 12 hundred ninety-one, relating to the board of directors
 13 (equal opportunity and affirmative action), are authorized.

14 (c) The legislative rules filed in the state register on the
 15 fourth day of December, one thousand nine hundred
 16 ninety-one, relating to the board of directors (holiday
 17 policy), are authorized.

18 (d) The legislative rules filed in the state register on the
 19 nineteenth day of March, one thousand nine hundred
 20 ninety-two, as modified and refiled in the state register on
 21 the tenth day of July, one thousand nine hundred
 22 ninety-two, relating to the board of directors (presidential
 23 appointments, responsibilities and evaluations), are
 24 authorized.

25 (e) The legislative rules filed in the state register on the
 26 twentieth day of September, one thousand nine hundred
 27 ninety-three, relating to the board of directors (acceptance
 28 of advanced placement credit), are authorized.

29 (f) The legislative rules filed in the state register on the
 30 tenth day of December, one thousand nine hundred
 31 ninety-three, relating to the board of directors (resource
 32 allocation policy), are authorized.

33 (g) The legislative rules filed in the state register on the
 34 eighth day of December, one thousand nine hundred
 35 ninety-three, modified by the board of directors to meet
 36 the objections of the legislative oversight commission on
 37 education accountability and refiled in the state register on
 38 the eleventh day of January, one thousand nine hundred
 39 ninety-four, relating to the board of directors (assessment,
 40 payment and refund of fees), are authorized.

41 (h) The legislative rules filed in the state register on
 42 the first day of November, one thousand nine hundred
 43 ninety-three, modified by the board of directors to meet
 44 the objections of the legislative oversight commission on
 45 education accountability and refilled in the state register on
 46 the twenty-first day of December, one thousand nine
 47 hundred ninety-three, relating to the board of directors
 48 (personnel administration), are authorized.

49 (i) The legislative rules filed in the state register on
 50 the twenty-seventh day of October, one thousand nine
 51 hundred ninety-four, modified by the board of directors
 52 to meet the objections of the legislative oversight
 53 commission on education accountability and refilled in the
 54 state register on the nineteenth day of December, one
 55 thousand nine hundred ninety-four, relating to the board
 56 of directors (proprietary, correspondence, business,
 57 occupational and trade schools), are authorized.

58 (j) The legislative rules filed in the state register on the
 59 eighteenth day of April, one thousand nine hundred
 60 ninety-five, relating to the ~~board of directors (assistant~~
 61 ~~and consultants of public schools, private~~
 62 ~~schools of private industry), are authorized.~~
 63 (k) The legislative rules filed in the state register on

64 the seventeenth day of November, one thousand nine
 65 hundred ninety-five, modified by the board of directors to
 66 meet the objections of the legislative oversight commission
 67 on education accountability and refilled in the state register
 68 on the fourth day of January, one thousand nine hundred
 69 ninety-six, relating to the board of directors (higher
 70 education report cards), are authorized.



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(Plus all the volunteer
help we can get)

March 12, 1996

Marie Carter
Directors
1018 Kanawha Blvd East
Charleston, WV 25301

HB 4746 authorizing, Title 131, Series 08, Contracts & Consortium Agreements with Public Schools, Private Schools or Private Industry passed the Legislature on March 9, 1996. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs **HB 4746** to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office with a promulgation history of the rule. Authorization for your legislative rule is cited in **HB 4746 Section 18B-17-3(j)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A WORD PERFECT OR WORD PERFECT COMPATIBLE COMPUTER SYSTEM THAT USES A 3 1/2" DISK, YOU MUST SUBMIT A CLEAN COPY WITH ALL UNDERLINING AND STRIKE-THROUGHS, HEADERS OR FOOTERS REMOVED, TO OUR OFFICE WHEN FINAL FILING THE RULE. REMEMBER, THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING, STRIKE-THROUGHS, HEADERS OR FOOTERS REMOVED, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE. NOTICE: ALL ELECTRONIC FILINGS NOT COMPLYING WITH THIS WILL BE REJECTED AND SENT BACK TO THE AGENCY TO BE RESUBMITTED!**

After the final rule is entered into the data base, the rule will be sent back to the agency for review and proofing. The agency has ten (10) working days to send a confirmation or corrections to the Secretary of States. If the agency fails to return this within ten (10) working days, the rule will be filed in the data base with a disclaimer attached stating that the agency failed to review the rule. Following confirmation, corrections or failure to review, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to contact our office.

Thank you,
Administrative Law Division

**TITLE 131
LEGISLATIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS
SERIES 8**

**TITLE: CONTRACTS AND CONSORTIUM
 AGREEMENTS WITH PUBLIC SCHOOLS,
 PRIVATE SCHOOLS, OR PRIVATE INDUSTRY**

SECTION 1. GENERAL

1.1 Scope - This rule establishes conditions for institutions in the State College System to request approval by the board for contracts and consortium agreements with public schools, private schools, or private industry to provide technical, vocational, college preparatory, remedial, and customized training courses at locations either on campus or at off-campus locations.

1.2 Authority - West Virginia Code § 18B-1-8(a)(18)

1.3 File Date -

1.4 Effective Date -

SECTION 2. PROCEDURES

2.1 The president of any institution in the State College System may propose for approval by the board a written contract or consortium agreement with public schools, private schools, or private industry to provide technical, vocational, college preparatory, remedial, and customized training courses at locations either on campus or at off-campus locations under the following conditions:

2.1.1 All provisions of the agreement shall comply with State College System rules, procedures, and policies.

- 2.1.2 Any collegiate certificate(s) or degree program(s) shall be awarded by the participating college, as authorized by the State College System board.
- 2.1.3 Up to fifteen (15) credit hours offered by a vocational-technical school may normally be accepted for transfer toward an associate degree offered by the college through articulation agreements established by the two institutions within the guidelines of State College System Procedure No. 15.
- 2.1.4 Each institution shall award academic credit for appropriate college-level experience outside the college setting, including training, apprenticeship training, and prior work experience.

**TITLE 131
LEGISLATIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS**

**SERIES 8
CONTRACTS AND CONSORTIUM AGREEMENTS WITH PUBLIC SCHOOLS,
PRIVATE SCHOOLS, OR PRIVATE INDUSTRY**

§131-8-1. General.

1.1. Scope. -- This rule establishes conditions for institutions in the State College System to request approval by the board for contracts and consortium agreements with public schools, private schools, or private industry to provide technical, vocational, college preparatory, remedial, and customized training courses at locations either on campus or at off-campus locations.

1.2. Authority. -- W. Va. Code §18B-1-8(a)(18).

1.3. File Date. -- April 17, 1996.

1.4. Effective Date. -- April 17, 1996.

§131-8-2. Procedures.

2.1. The president of any institution in the State College System may propose for approval by the board a written contract or consortium agreement with public schools, private schools, or private industry to provide technical, vocational, college preparatory, remedial, and customized training courses at locations either on campus or at off-campus locations under the following conditions:

2.1.1. All provisions of the agreement shall comply with State College System rules, procedures, and policies.

2.1.2. Any collegiate certificate(s) or degree program(s) shall be awarded by the participating college, as authorized by the State College System board.

2.1.3. Up to fifteen (15) credit hours offered by a vocational-technical school may normally be accepted for transfer toward an associate degree offered by the college through articulation agreements established by the two institutions within the guidelines of State College System Procedure No. 15.

2.1.4. Each institution shall award academic credit for appropriate college-level experience outside the college setting, including training, apprenticeship training, and prior work experience.