

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #6

FILED

APR 17 3 39 PM '96

OFFICE OF 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 X, NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 16

TITLE OF RULE BEING AMENDED: Higher Education Report Card

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

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(k), PASSED ON

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON

THE FOLLOWING DATE: April 17, 1996

AUTHORIZED SIGNATURE

3.40



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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 16, Higher Education Report Cards** 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(k)**. 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 16**

TITLE: HIGHER EDUCATION REPORT CARD

SECTION 1. GENERAL

- 1.1 Scope - This rule establishes definitions, guidelines and procedures which will direct the development of the database and the comparable information to be included in the annually published Higher Education Report Card.
- 1.2 Authority - West Virginia Code 18B-1-1a, 18B-1-1b, 18B-1-8, 18B-1-8a
- 1.3 Filing Date -
- 1.4 Effective Date -
- 1.5 Repeal and Replace- This Rule repeals and replaces 131-16 which became effective on April 3, 1992.

SECTION 2. PURPOSE

- 2.1 The primary purposes of this report are to:
- 2.1.1 Provide basic and consistent data and other relevant information to be used in assessing progress of the State College System and its member institutions toward the goals and objectives as stated in 18B-1-1a of the West Virginia Code;
- 2.1.2 Provide a basis for comparing institutional and system performance with regional and national norms toward accomplishing the goals and objectives as stated in 18B-1-1a of the West Virginia Code;
- 2.1.3 Provide information to assist the governing board in assessing institutional and system progress toward goals and five-year plans, including resource allocation;

- 2.1.4 Provide additional information to assist the governing board in assessing institutional and system progress relative to historical, regional, and national trends;
- 2.1.5 Serve as a source of information available to parents, students, faculty, staff, state policymakers, and the general public on the overall quality and performance of public higher education in West Virginia.

SECTION 3. GUIDELINES

- 3.1 The following will guide the further development of the existing higher education database and the collection of data which will comprise the Higher Education Report Card:
 - 3.1.1 All data reported will be based on uniform and consistent definitions as established by the Central Office of the State College and University Systems (hereinafter referred to as the Central Office).
 - 3.1.2 Institutional requirements for additional recordkeeping and reporting will be minimized.
 - 3.1.3 Data element collection procedures and report timelines will be established by the Central Office. The Central Office shall be responsible for assembling the Higher Education Report Card from information relating to the State College System and its member institutions.
 - 3.1.4 The Higher Education Report Card shall be brief and contain concise, non-technical language, including relevant explanations.
 - 3.1.5 The preparation, printing, and distribution of the Higher Education Report Card will follow a schedule determined by the Central Office so that the final document will be prepared by December 1 of each year, beginning December 1, 1996. The Central Office shall provide technical assistance (as needed) in data collection and reporting.
 - 3.1.6 The Higher Education Report Card shall be prepared using institutional, system, state, regional, and national data as applicable and available indicating performance of the individual institutions and the State College System. It shall be based

upon information for the preceding academic school year, or for the most recent complete school year for which such information is available. Goals and trends for the institutions and the State College System shall also be indicated in relation to previously adopted board goals, especially the Higher Education Advocacy Team (HEAT) goals as stated in 18B-1-1a of the West Virginia Code.

- 3.1.7 Integrated Postsecondary Education Data System (IPEDS) and Southern Regional Education Board (SREB) data will serve as primary sources for peer data comparisons. Historical trend data and other relevant data comparisons will be used as appropriate.
- 3.2 The president or administrative head of each public college, university, regional campus, or community and technical college shall be responsible for ensuring that all requested information is submitted annually to the Central Office and shall certify that the information submitted has been reviewed for accuracy.
- 3.3 All detailed background data used in compiling the Higher Education Report Card shall be maintained on file at the Central Office for a reasonable time.

SECTION 4. ELEMENTS OF THE HIGHER EDUCATION REPORT CARD

- 4.1 Goals and Objectives: In the pursuance of the findings of the Higher Education Advocacy Team as outlined in 18B-1-1a of the West Virginia Code, the following goals and objectives have been adopted with respect to the investments which are necessary for higher education in West Virginia to contribute fully to the growth, development, and quality of life of the state and its citizens. The Higher Education Report Card will contain information to assess student and institutional performance related to each of these goals. West Virginia trend data and comparative regional and national data will be included as appropriate.
- 4.2 Mission of Higher Education: The Higher Education Report Card shall address the extent to which the public higher education systems and institutions are serving the students and the residents of West Virginia.
 - 4.2.1 The Higher Education Report Card shall contain a profile of each institution, including information such as each institution's mission-related goals, academic programs, assessment

programs, and faculty and student scholarship.

4.2.2 Background information on West Virginia and other states may be included as appropriate to address the goals and objectives in 18B-1-1a of the West Virginia Code.

4.3 Preparation: The Higher Education Report Card shall address the goal that students should be better prepared in high school to meet college standards jointly agreed upon by higher education and the public schools.

4.3.1 Information to be reported shall include relevant and mission-appropriate statistics such as the proportion of students whose high school curriculum included at least the "core" required for college, ratio of acceptances to applicants, proportion of full-time students enrolled, performance of enrolled freshmen on college entrance examinations, and developmental courses.

4.4 Access: The Higher Education Report Card shall address the goal that more students should obtain education beyond the high school level that is both of high quality and relevant for our individual and collective economic development.

4.4.1 Information to be reported shall indicate system and institutional progress toward increasing access to higher education in West Virginia through the elimination of geographic, economic, programmatic and other barriers.

4.4.2 Information to be reported shall include relevant and mission-appropriate statistics such as in-state college-going rates by county, number and dollar value of awards by the West Virginia Higher Education Grant Program and other major student aid programs, enrollment of nontraditional students, and the number of off-campus and distance learning courses.

4.5 Outcomes Assessment: The Higher Education Report Card shall address the goal that more students should be prepared to practice good citizenship to compete in a global economy in which the good jobs will require an advanced education and level of skill that far surpasses former requirements.

4.5.1 Information to be reported shall include system and institutional performance measures related to student academic outcomes and citizenship activities.

- 4.5.2 Information to be reported shall include relevant and mission-appropriate statistics such as graduation/completion rate within the state higher education systems, opportunities for foreign language/cultural education, and performance on licensure examinations and on standardized examinations required for graduate or professional education.
- 4.6 Economic and Workforce Development: The Higher Education Report Card shall address the goal that resources should be focused on programs and courses which offer the greatest opportunities for students and the greatest opportunity for job creation and retention in the state.
- 4.6.1 Information to be reported shall profile relevant and mission-appropriate programs and services such as employer-higher education alliances, workforce training and development programs, and employment of graduates.
- 4.7 Productivity and Efficiency: The Higher Education Report Card shall address the goal that resources should be used to their maximum potential and faculty and technology should be combined in a way that makes West Virginia higher education more productive than similar institutions in other states.
- 4.7.1 Information to be reported shall include relevant and mission-appropriate statistics and descriptions of progress such as integration of technology into the curriculum, technology-related faculty development activities, access to technology resources, and instructional cost.
- 4.8 Faculty, Staff and Administration: The Higher Education Report Card shall address the goal that the compensation of faculty, staff and administrators should be established at competitive levels to attract and keep quality personnel at state institutions of higher education.
- 4.8.1 Information to be reported shall include statistics which are relevant to the recruitment and retention of quality faculty, staff and administrators at higher education institutions such as peer salary comparisons, nonsalary compensation and employee turnover (excluding nonreappointments).
- 4.9 Additional indicators may be added as deemed necessary and appropriate by the designated research and information systems officer of the Central Office in consultation with the governing board and Chancellor.

131-16

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 refiled 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
24 of advanced placement credit), are authorized.

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.

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 refiled 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 refiled 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 (contracts
61 and consortium agreements with public schools, private
62 schools or private industry), are authorized.

63 (k) The legislative rules filed in the state register on

SECTION 5. PRESENTATION OF HIGHER EDUCATION REPORT CARD

- 5.1 The Higher Education Report Card shall be presented annually at a regular board meeting of the State College System Board of Directors.
- 5.2 The Higher Education Report Card shall be completed and disseminated with copies to the Legislative Oversight Commission on Education Accountability prior to or by December 1, 1996, and each year thereafter.

JUN 12 1996



KEN HECHLER
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

JUL 1 10 50 AM '96

FILED

TO: MARIE CARTER

AGENCY: DIRECTORS

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: June 10, 1996

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 16 TITLE: 131 DIRECTORS

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: Marie Carter
TITLE OF PERSON SIGNING: Special Asst. to the Chancellor
DATE: 6/27/96

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____
TITLE OF PERSON SIGNING: _____
DATE: _____

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.