

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

FILED
Dec 29 1 38 PM '96

OFFICE OF THE SECRETARY OF STATE
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

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

RULE TYPE: Legislative; CITE AUTHORITY WV Code 18B-3-3a(d)

AMENDMENT TO AN EXISTING RULE: YES NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED:

TITLE OF RULE BEING AMENDED:

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 19

TITLE OF RULE BEING PROPOSED: Community and Technical College Budgeting Process

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 Jan 21, 1997 AT 4:30 p.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Dr. Clifford Trump
Chancellor
State College System of WV
1018 Kanawha Blvd., East
Charleston, WV 25301

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

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

DEPARTMENT OF EDUCATION AND THE ARTS

Office of the Secretary

State Capitol Bldg. 1, R-151
Charleston, West Virginia 25305
Telephone: (304) 558-2440
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Gaston Caperton
Governor

Barbara Harmon-Schamberger
Cabinet Secretary

December 18, 1996

The Honorable Ken Hechler
Secretary of State
State Capitol Building
Charleston, WV 25305

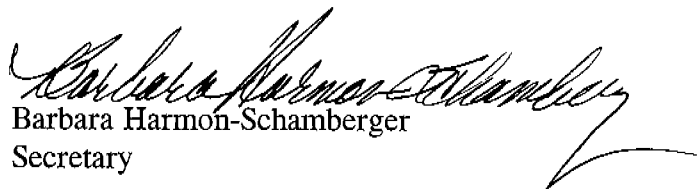
Dear Secretary Hechler,

I hereby grant consent as required pursuant to WV Code §5F-2-2 for the promulgation of the following procedural rule of the State College System of West Virginia Board of Directors:

Title 131, Series 19: Community and Technical College Budgeting Process

A copy of the rule is attached.

Sincerely,


Barbara Harmon-Schamberger
Secretary

BHS:th

Attachment

cc: Dr. Charles Manning
Dr. John Thralls

**TITLE 131
LEGISLATIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS
SERIES 19**

TITLE: COMMUNITY AND TECHNICAL COLLEGE BUDGETING PROCESS

SUMMARY: This rule sets forth the process for the allocation of funds; establishing guidelines for reporting student enrollments; determining costs, reimbursements and revenues for community and technical colleges located on the campuses of four-year institutions. This process will be used by the Board of Directors to allocate funds for the delivery of community and technical college education to those community and technical colleges located on campuses of four-year institutions.

**TITLE 131
LEGISLATIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS
SERIES 19**

**TITLE: COMMUNITY AND TECHNICAL COLLEGE BUDGETING
PROCESS**

SECTION 1. GENERAL

- 1.1 Scope - This rule sets forth the process for the allocation of funds; establishing guidelines for reporting student enrollments; determining costs, reimbursements and revenues for community and technical colleges located on the campuses of four-year institutions.

- 1.2 Authority - W. Va. Code §18B-3-3a(d)

- 1.3 Filing Date -

- 1.4 Effective Date -

SECTION 2. PURPOSE

- 2.1 The Board of Directors will utilize this process to allocate funds for the delivery of community and technical college education to those community and technical colleges located on campuses of four-year institutions.

SECTION 3. IMPLEMENTATION

Senate Bill 547 from the 1995 legislative session and Senate Bill 591 from the 1996 legislative session each singled out community colleges as separate components in the allocation of resources. These bills require that both higher education governing boards identify the state funding allocated to each community and technical college. Senate Bill 591 further requires that the Board of Directors and the Board of Trustees establish by joint legislative rule a formula for the allocation of community and technical college education

funds to control accounts of individual State College System and University System community and technical colleges. Additionally, the rule shall include uniform guidelines for reporting student enrollments, and establishing costs, reimbursements and revenues for community and technical colleges located on the campus of another state institution of higher education.

- 3.1 The data used in the Resource Allocation Model (RAM) shall be identified as community and technical college funding or other. For example, the base budget shall be divided into two components: 1) the community and technical college component and 2) the four-year baccalaureate component. Additional funding provided to the colleges and universities shall be applied to those base budgets on a uniform basis.
- 3.2 Community and Technical College identified funds per the RAM (and where appropriate, adjusted for the Resource Allocation Policy) shall be reserved for use by community and technical college programs after deduction of indirect costs such as student services, physical plant operations and maintenance, administrative costs and other non-distributable academic support costs.
- 3.3 The amount of state appropriated funds identified for community and technical colleges that are part of a four-year institution will be based on full-time equivalency (FTE) enrollment in community and technical college programs beginning with Fall 1995 and updated annually.
- 3.4 For the purpose of calculating FTE for community and technical colleges that are part of a four-year institution, students enrolled in the following will be designated as community and technical college enrollment.
 - 3.4.1 **Career and Technical Education** - All students enrolled in certificate and associate degree programs that prepare students for immediate employment. These include programs from which students may exit into the work place or continue studies toward a higher level degree.
 - 3.4.2 **Transfer Education** - All students enrolled in associate degree programs that are designed to prepare students for transfer to other programs of study.
 - 3.4.3 **Developmental/Remedial Education** - All students who failed to meet the college admission requirements for baccalaureate programs as defined in Series 44 of the State College System Rules. All students pursuing or planning to pursue transfer or career and technical education programs (as defined previously) who enroll in courses or

programs designated as developmental/remedial education. Those students admitted to baccalaureate programs and enrolled in a required developmental course or courses to remove a deficiency are not to be identified as community and technical college students.

- 3.4.4 **Undecided/Undeclared Major** - All students having designated themselves as an undeclared two-year major. Undeclared students not identified will be counted as either baccalaureate or community and technical college enrollment based on the overall proportion of students falling into the two categories at a particular institution.
- 3.5 Higher Education Resource Fee (HERF), other student fees (including operating fees), and faculty improvement fees will be deposited in baccalaureate and community and technical college accounts based on the number of FTE students in each area as defined by Section 3.4 of this rule. In addition, income from federal, state and local grants and public service education will be credited to the appropriate area.
- 3.6 Tuition and registration fees collected for the payment of debt service and capital construction needs shall not be distributed on a pro-rata basis. Other special fees collected for health services, student activities, student recreation programs, athletics or any other extracurricular activity shall be retained in control accounts for the use of the institution as a whole and for the purpose collected.
- 3.7 All costs designated specifically for the community and technical college or the baccalaureate programs of an institution shall be charged directly to the respective budget. All other costs shall be pro-rated as defined in Section 3.4 of this rule.
- 3.8 The president, in consultation with the provost for the community and technical college and the academic vice president, shall determine priorities for the spending of direct instruction related funds. Those funds allocated for community and technical colleges shall support that mission and those allocated for baccalaureate programs shall serve that mission.
- 3.9 Special revenues, fees and grants shall be dedicated to the portion of the student body paying those fees, when appropriate, in order to meet the Boards' directives regarding collection of such revenues.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Series 19: Community and Technical College Budgeting Process

Type of Rule XX **Legislative** **Interpretive** **Procedural**

Agency State College System Board of Directors

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 and Alterations					
Equipment					
Other					

2. Explanation of above estimates

There are not additional costs because this process will be handled by existing staff of the institutions.

3. Objectives of these rules

The Board of Directors will use this process to allocate funds for the delivery of community and technical college programs.

4. Explanation of Overall Economic Impact of Proposed Rule

A. Economic Impact on State Government

N/A

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

N/A

C. Economic Impact on Citizens/Public at Large

N/A

Date: 12/15/96

Marie Carter

Signature of Agency Head or Authorized Representative