



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

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Office of West Virginia  
Secretary Of State

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**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL  
RULE**

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-10  
RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: Yes  
RULE NAME: Policy Regarding Program Review and Planning  
CITE STATUTORY AUTHORITY: 18B-1-6

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

September 2, 2022

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS 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.**

**133CSR10**

**TITLE 133  
PROCEDURAL RULE  
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION**

**SERIES 10  
POLICY REGARDING PROGRAM REVIEW AND PLANNING**

**§133-10-1. General.**

1.1. Scope - This rule provides baccalaureate institutions with guidelines and procedures for academic program review.

1.2. Authority. – W. Va. Code §§ 18B-1-6 and 18B-1B-4.

1.3. Filing Date. – August 2, 2022.

1.4. Effective Date. – September 2, 2022.

1.5. Amendment of Former Rule. – Amends and replaces Title 133, Series 10, dated October 10, 2008.

**§133-10-2. Basis of Program Review Process.**

2.1. The program review process is designed to improve the performance of institutions' academic programs by providing a systematic method to evaluate student outcomes, productivity, and need. It also allows institutions to demonstrate alignment with the general standards of academic programs through descriptive information and supporting documentation. The process of program review is complementary to accreditation review by the Higher Learning Commission or other United States Department of Education-recognized regional or national accrediting agency and to the reviews of professional accreditors.

2.2. For the purpose of this document, a "program" is defined as curriculum or course of study in a discipline specialty that leads to a degree.

**§133-10-3. [Reserved]**

**§133-10-4. Evaluative Components.**

4.1. Baccalaureate institutions shall integrate program review into their strategic planning and budgeting processes. This ensures each institution considers within these processes the full breadth of academic programs and the resources necessary to support them. This more effectively positions each institution to initiate changes that enhance quality and effectiveness through an objective and evidenced-based approach for making strategic decisions about critical resources in support of each institution's mission. In order to accomplish this each institution shall perform an evaluation of all academic programs at least once every five years and provide a report on the status of these programs to the West Virginia Higher Education Policy Commission (Commission) in a format determined by the Commission. The evaluation shall consist of, but not be limited to, the following priority core components:

4.1.1. External demand;

4.1.2. Quality of outcomes; and

4.1.3. Delivery cost.

4.2. At the discretion of the institution, it may adopt additional components to use in evaluating its academic programs, though the aforementioned criteria shall be given priority and weighted most within the institution's evaluation method.

**§133-10-5. Program Review Procedures and Levels of Review.**

5.1. The program review process provides for a review and evaluation of all programs leading to a degree at the institution.

5.2. The institutional governing board constitutes a committee or committees to review appropriate programs during a given year. Committees shall include a diverse range of stakeholder representation. The institution shall draft, in accordance with institutional policy, a self-study that uses transparent methodology. The institutions shall report this information on a form provided by the Commission. The governing board shall report to the Chancellor by May 31 of the reporting year the results of the five-year program review. The Commission through its staff or other appropriate entities, shall review annually the program review actions reported by each institution. The Commission may modify any institutional action consistent with its authority for review of academic programs. The final report shall include at a minimum the following:

5.2.1. Identification of programs to be developed or expanded due to demand;

5.2.2. Programs that will be improved through advancements in efficiency, quality, productivity, and focus;

5.2.3. Programs considered for consolidation or discontinuation based on cost of delivery and degree of relevance and impact;

5.2.4. Opportunities for improvements to organizational structure and function; and

5.2.5. Estimated institutional savings and efficiencies created through implementation of recommendations.

5.3. Each year between five-year reviews, the institutions shall provide to the Commission an annual update in a format and timeline established by the Chancellor or the Chancellor's designee. These updates shall inform the Commission of the progress achieved by the institutions in implementing report recommendations and addressing underperforming programs identified in the institution's report, including any action reporting in the program planning process outlined in Section 6 below.

5.4. Focused Program Review. – Either the Commission or the appropriate board of governors may request at any time that focused program reviews be conducted for a given purpose such as a) reviewing all programs within a discipline (e.g., biology) or b) concentrating on specific program review components (e.g. assessment). The Commission or the board, as appropriate, shall develop formal strategies for conducting such reviews consistent with the purpose of the review.

5.5. The Commission retains authority to resume program review using productivity standards to identify programs that are underperforming based on enrollment and completion rates and to recommend to the governing boards that those programs should be improved or discontinued.

**§133-10-6. Program Planning.**

6.1. Program planning is an ongoing process that both informs program review recommendations and prioritizes future program action as necessitated by program review findings. The purpose of planning is to ensure institutions can evaluate the direction of program delivery in a manner that is responsive to the mission, goals, and needs of the institution and the State. Program planning also provides the opportunity for collaboration among institutions, encourages innovation in program design to meet regional and State demand, addresses student needs, and minimizes unnecessary program duplication. The program planning process consists of the following steps:

6.1.1. Each year, the Commission shall review and approve the compilation of institutional program plans, which shall comprise the Statewide program plan.

6.1.2. Institutions shall provide to the Vice Chancellor for Academic Affairs a rolling three-year program plan, which the institutions shall update annually. The program plan shall be on a form provided by the Commission and shall include, but not be limited to, the following:

6.1.2.a. A listing of new, consolidated, and discontinued programs by title;

6.1.2.b. A brief description the program(s);

6.1.2.c. Program action and anticipated date of action;

6.1.2.d. Credential type;

6.1.2.e. Modality, location, and anticipated resources needed;

6.1.2.f. Specialized accreditation required;

6.1.2.g. Any agreements to be executed between institutions; and

6.1.2.h. Any other information requested by the Commission.

6.1.3. Institutional chief academic officers shall review, discuss, and coordinate the institutions' final program plans. Following this review, any subsequent changes, and approval by the institutional governing boards, the institutions shall submit their annual program plans to the Commission for review and approval. The Commission shall not adopt an institutional program plan that has not been approved by its governing board.

6.1.4. The Commission shall update the Statewide program inventory as necessary to reflect implementation of new programs and the consolidation or discontinuance of existing programs once such plans have been approved by the institutional governing boards.