

133 C.S.R. 7. PROMISE SCHOLARSHIP PROGRAM

RESPONSE TO COMMENTS

On June 21, 2023, the Higher Education Policy Commission (Commission) commenced a 30-day public comment period to accept written comments on proposed amendments to legislative rule 133 C.S.R. 7. One commenter submitted written comments regarding the Commission's proposed amendments to the rule. The Commission addresses these comments below.

1. COMMENTER: Advisory Council of Classified Employees Representative from West Virginia University

COMMENT A. *Use of Standardized Test Scores*

The commenter states that, “133-7-2.2.1.5 (sic) states ‘Shall meet standardized test score criteria on an ACT or SAT national test as established by the Commission[.]’ My concern here is this really needed? Most colleges and universities are going away from using these standardized test scores for admission since they have been proven to be unfair to the minorities. My question is: Is this still needed or does it need to be written with broader terminology?”

RESPONSE A: West Virginia Code §§ 18C-7-2 and 18C-7-5 require the Commission to operate the Promise Scholarship program as a merit-based program. The use of standardized test scores is an objective determinant of academic merit, along with cumulative grade point average. Lessening these requirements would require a statutory change, which is beyond the scope of this rulemaking.

COMMENT B. *Renewal Requirements for Veteran Students*

The commenter states that, “133-7-9.9.1.3 (sic) I feel this section should be amended further for veterans to take into consideration diversity of military personnel who may not be coming straight out of high school and should be afforded a less strict policy. I feel this should be amended with either additional verbiage as follows: Recipients straight out of high school, GED, and dependents of military, and all other recipients must complete and earn a minimum of 30 credit hours in each academic year for a recipient who receives a two-semester award in an academic year. For a single-semester award, these recipients shall complete and earn a minimum of 15 credit hours in the academic year. [Veterans must complete and earn a minimum of 24 credit hours in each academic year for a recipient who receives a two-semester award in an academic year. For a single-semester award, the recipient shall complete and earn a minimum of 12 credit hours in the academic year.] or create another section for veterans and remove the [] section above to its own section 133-7-9.9.1.4 (sic) Veterans must complete and earn a minimum of 24 credit hours in each academic year for a recipient who receives a two-semester award in an academic year. For a single-semester award, the recipient shall complete and earn a minimum of 12 credit hours in the academic year.”

RESPONSE B: To establish different renewal requirements for veteran students would require a statutory change, which is beyond the scope of this rulemaking.