

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

FILED

2002 JAN 24 P 1:30

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Higher Education Policy Commission TITLE NUMBER: 133

RULE TYPE: Procedural CITE AUTHORITY: §18B-1-6

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 RULE BEING PROPOSED: Series 13

TITLE OF RULE BEING PROPOSED: Change in Organization of Colleges or Schools

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 February 24, 2002 AT 10:00 AM ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Office of the Chancellor

Higher Education Policy Commission

1018 Kanawha Blvd. East

Charleston, WV 25301

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


Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

SCANNED



WEST VIRGINIA
H I G H E R
E D U C A T I O N
P O L I C Y
C O M M I S S I O N

John R. Hoblitzell
Chairman

J. Michael Mullen
Chancellor

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2002 JAN 24 P 1:30

OFFICE WEST VIRGINIA
SECRETARY OF STATE

January 23, 2002

The Honorable Joe Manchin
Secretary of State
State Capitol
Charleston, WV 25305


Dear Secretary Manchin:

On behalf of the Higher Education Policy Commission, I am forwarding notices of a public comment period on the following proposed rules that were approved on January 18, 2002, by the Higher Education Policy Commission:

Title 133, Series 13: Change in Organization of Colleges or Schools
Title 133, Series 14: Holidays

Also enclosed is an amendment to Title 133, Series 1, Emergency Rule: Performance Indicators, which has been amended consistent with the proposed legislative rule recently approved by LOCEA.

Sincerely,


J. Michael Mullen
Chancellor

/jd

TITLE 133

FILED

PROCEDURAL RULE

2002 JAN 24 P 1:30

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION
OFFICE WEST VIRGINIA
SECRETARY OF STATE

SERIES 13

TITLE: CHANGE IN THE ORGANIZATION OF COLLEGES OR SCHOOLS

SECTION 1. GENERAL

- 1.1 Scope – This rule establishes a process to change administrative organization within an institution.
- 1.2 Authority – *West Virginia Code* § 18B-1-6
- 1.3 Filing Date –
- 1.4 Effective Date –

SECTION 2. POLICY

- 2.1 The governing board of an institution may implement changes, without approval of the Policy Commission, in the organization of colleges, or schools, within the institution for organizational efficiency or administrative purposes, but not to implement a major new program, service or structure. The president of the institution shall inform the Chancellor of any such change at least thirty (30) days prior to its implementation. The Policy Commission reserves the right to consider and take action up to and including disapproval on any change which changes the mission of the institution or affects the statewide master plan.
- 2.2 The president's written notification to the Chancellor shall confirm that appropriately elected faculty, classified employees, student representatives and/or organizations were consulted prior to implementing any organizational change to which this provision applies.
- 2.3 The organizational changes to which this provision applies do not include staff changes for existing positions within the institution or organizational changes below the college or school level.

**SUMMARY
TITLE 133
PROCEDURAL RULE
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION
SERIES 13
CHANGE IN THE ORGANIZATION OF COLLEGES OR SCHOOLS**

This rule establishes a process to change administrative organization within an institution. The organizational changes to which this provision applies do not include staff changes for existing positions within the institution or organizational changes below the college or school level.

□
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: 133-13: Changes in Organization of Colleges or Schools

Type of Rule: Legislative Interpretive Procedural

Agency: Higher Education Policy Commission

Address: 1018 Kanawha Boulevard East
Charleston, WV 25301

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 & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of Above Estimates:

There is no cost to implementation of this rule. It is procedural.

3. Objectives of These Rules:

To establish a process to change administrative organization within a public institution of higher education.

Rule Title: 133-13: Changes in Organization of Colleges or Schools

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

None.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

None

C. Economic Impact on Citizens/Public at Large.

None

Date: January 23, 2002

Signature of Agency Head or Authorized Representative:

J. Michael Muller