



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

J. Thomas Jones
Chairman

J. Michael Mullen
Chancellor

July 11, 2002

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

FILED

2002 JUL 11 P 4:05

Dear Secretary Manchin:

Attn: Judy Cooper

WEST VIRGINIA
SECRETARY OF STATE

On behalf of the Higher Education Policy Commission, I am filing rules with technical changes that were approved on June 21, 2002, by the Higher Education Policy Commission. These rules are being transferred from the former University System Board of Trustees (Title 128) and State College System Board of Directors (Title 131) to the Policy Commission (Title 133) with technical changes to reflect the changes made by Senate Bill 653. The rules are as follows:

Title 133, Series 35: Correspondence, Business, Occupational and Trade Schools, which replaces Title 131, Series 3.

Title 133, Series 36: Sports Programs at Community and Technical Colleges, which replaces Title 128, Series 53, and Title 131, Series 53

Title 133, Series 37: Increased Flexibility for Community and Technical Colleges, which replaces Title 131, Series 25

Title 133, Series 38: Employee Leave, which replaces Title 128, Series 35, and Title 131, Series 35

Title 133, Series 39: Classified Employees, which replaces Title 128, Series 31, and Title 131, Series 31

Title 133, Series 40: Equal Opportunity and Affirmative Action, which replaces Title 128, Series 45, and Title 131, Series 45.

The Higher Education Policy Commission also voted at the June 21 meeting to abolish the following rule of the former systems and transfer jurisdiction to the individual institutional governing boards:

Title 128, Series 39, and Title 131, Series 39, Measles & Rubella Immunization.

Sincerely,

J. Michael Mullen
Chancellor

SCANNED

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

FILED

2002 JUL 11 P 4: 06

**SERIES 37
INCREASED FLEXIBILITY FOR COMMUNITY AND TECHNICAL COLLEGES**

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SECTION 1. GENERAL

- 1.1 Scope - Rule regarding the approval of new occupational programs for community and technical colleges, mode of delivery of such programs, and employment of faculty.
- 1.2 Authority - West Virginia Code §18B-3-6
- 1.3 Filing Date - June 2, 2000
- 1.4 Effective Date - June 12, 2000

SECTION 2. DEFINITIONS

- 2.1 Commission:
West Virginia Higher Education Policy Commission
- 2.2 Chancellor:
West Virginia Higher Education Policy Commission Chancellor
- 2.3 Community and Technical College:
Eastern West Virginia Community and Technical College, Southern West Virginia Community and Technical College, West Virginia Northern Community College, Bluefield State College Community and Technical College, Marshall University Community and Technical College, Fairmont State College Community and Technical College, Glenville State College Community and Technical College, Shepherd College Community and Technical College, West Virginia State College Community and Technical College, West Virginia University Institute of Technology Community and Technical College and any other college so designated by the Legislature.
- 2.4 Occupational Program:

Certificate or associate degree programs delivered by a community and technical college with the primary intent of preparing the student to enter employment upon completion of the program.

2.5 Temporary Faculty:

Faculty who have not been appointed in a tenure-track or tenured status. Their appointment may be full-time or part-time.

2.6 Two-Plus-Two Program:

An academic program that is designed for the first two years to be delivered by a community and technical college culminating in an associate degree and articulated into a baccalaureate program without loss of credit.

2.7 Transfer Academic Program:

An associate degree program delivered by a community and technical college for the primary purpose of providing the first two years of a baccalaureate degree program.

2.8 Module:

A self-contained instructional component that is part of an overall course.

SECTION 3. TECHNOLOGY IN THE DELIVERY OF COURSES AND PROGRAMS

3.1 Community and technical colleges are encouraged to incorporate the most effective and efficient use of technology in the delivery of courses and programs in order to make the best use of available resources and to control costs.

3.2 Each community and technical college shall submit to the Chancellor a five-year plan for increasing the use of technology in the delivery of courses.

SECTION 4. DELIVERY OF CURRICULA UTILIZING MODULES

4.1 Community and technical colleges will deliver curricula by utilizing smaller credit and non-credit modules, particularly in the delivery of workforce development programs intended for adults and employed individuals.

- 4.2 Each community and technical college will employ a system to break down curricula into smaller modules that is consistent across the campus and allows for maximum flexibility in formatting courses.
- 4.3 Each community and technical college will provide for professional development activities for those faculty involved in the development and delivery of curricula in smaller modules.

SECTION 5. FACILITATOR FOR BROKERING EDUCATION PROGRAMS

- 5.1 Each community and technical college will incorporate into its mission the roles of facilitator and broker of outside education and training programs that meet the needs of the residents and employers of the district.
- 5.2 The roles of facilitator and broker of outside education programs into the district will be incorporated into the overall workforce delivery strategy of each community and technical college.

SECTION 6. FACULTY TYPES AND CONDITION OF EMPLOYMENT

- 6.1 The goal for each community and technical college in the appointment of faculty is to limit the number of tenured and tenure-track faculty to no more than twenty percent of full-time faculty employed at the institution.
- 6.2 Appointments to the faculty are addressed in Series 9, *Academic Freedom, Professional Responsibility, Promotion and Tenure*, of the West Virginia Higher Education Policy Commission rules. Faculty are classified either as tenure, tenure-track, clinical-track, librarian-track, or term. Faculty employed on a non-tenure track are designated as term faculty.
- 6.3 Temporary faculty are eligible for reappointment, though no number of appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty.
- 6.4 The employment status of tenured and tenure-track faculty holding appointment at each of the community and technical colleges at the time of implementation of this rule shall not be affected.

SECTION 7. OCCUPATIONAL PROGRAM APPROVAL

- 7.1 New occupational programs at freestanding community and technical colleges may be implemented without approval by the Commission. Two-plus-two programs and transfer education program approval will continue

to follow the provisions of West Virginia Higher Education Policy Commission Series 11..

- 7.2 Before the implementation of an occupational program at a freestanding community and technical college, the college must notify the Chancellor that such program is being implemented and the date the new program is to be placed on the official program inventory of the college.
- 7.3 Three (3) years after the date of implementation of the occupational program, the Commission will conduct a post-audit review of the program.
- 7.4 The Commission will request information from the college for the post-audit review that includes, but is not limited to the following:
 - 7.4.1 The goals and objectives of the program and the documented need the program was implemented to meet.
 - 7.4.2 A listing of the courses and the number of credit hours required for each.
 - 7.4.3 Headcount and full-time equivalency (FTE) enrollment and number of graduates for each year the program has been in existence.
 - 7.4.4 Placement rate of graduates and type of employment secured.
 - 7.4.5 The annual total expenditures to deliver the program and source of funding.
 - 7.4.6 Projection of future resource requirements and source of funding.
 - 7.4.7 Total number of full-time and part-time faculty per year to deliver the program.
 - 7.4.8 Listing of course delivery modes.
 - 7.4.9 Listing of advisory committee members and how the advisory committee has been utilized for program improvement.
 - 7.4.10 Program assessment measures that have been developed and implemented.
- 7.5 After completion of the post-audit review, should there be a recommendation for discontinuance of the program, the Chancellor shall make such recommendation to the Commission for action.

SECTION 8. REPORTING

- 8.1 Each community and technical college will report annually to the Chancellor on the progress made in: (1) increasing the use of technology in the delivery of courses, (2) delivery of curricula utilizing modules, and (3) reaching the goal of the number of faculty tenured or in tenure-track positions to twenty percent (20%).
- 8.2 Reports will be completed on forms provided by the Chancellor.