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1973-74

# FACULTY MANUAL

MARSHALL UNIVERSITY

**THE  
MARSHALL UNIVERSITY  
FACULTY MANUAL  
1973-74**

**Eleventh Edition**

**August 1973**

**Marshall University  
Huntington, West Virginia 25701**

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## I.

### ORGANIZATION OF THE UNIVERSITY

#### WEST VIRGINIA BOARD OF REGENTS

The West Virginia Board of Regents has jurisdiction over all state-supported institutions of higher education in West Virginia.

#### PRESIDENT

The President is the chief administrative and executive officer of the university. It is his duty to see that the university is operated in conformity to the policies established by the West Virginia Board of Regents. As chief executive officer, he is finally responsible for everything concerning the university and for the effective and economical operation of all departments.

The President's Cabinet, the chief policy-making body of the campus, consists of administrative officers who report to the President. These are the Vice President for Academic Affairs, the Vice President for Business Affairs, the Vice President for Student Affairs, the Director of University Relations, the Director of Athletics, and the Director of Institutional Research. The Director of Informational Services and the President's Assistant serve ex officio.

The President's Assistant provides daily contact with many individuals. It is his function to provide access to the President or, when appropriate, to direct the individual to another office for assistance. He is responsible for helping the President maintain efficient operation of all departments within the university.

#### VICE PRESIDENT FOR ACADEMIC AFFAIRS

The Vice President for Academic Affairs is chief academic officer of the university under the President and is responsible for the general supervision of all instructional programs. His duties include working with the academic deans on such matters as appointments, promotions, salaries, curricula, instructional space, registration procedures, effectiveness of the Library, coordination of budgets, admission policies, testing, counseling and other matters relating to the instructional program.

#### ASSISTANT TO THE VICE PRESIDENT FOR ACADEMIC AFFAIRS

The Assistant to the Vice President for Academic Affairs assists the Vice President in working with the Deans, in preparing staff recommendations, and in attending such meetings as directed by the Vice President.

#### DEANS OF THE COLLEGES

The deans of the colleges - College of Education, College of Arts and Sciences, and College of Business and Applied Science - head the instructional units of the university. They take the leadership in curriculum organization and development and are responsible for constructing class schedules, assigning teaching loads, operating the counseling and testing programs, evaluating the work of the faculty members, coordinating the work between departments, assisting new faculty members in their adjustment to the campus, recommending students for graduation, aiding in the placement of graduates, recommending new faculty members, recommending leaves of absence, arranging for class work in the temporary absence of faculty members, and conducting

college faculty meetings. The academic deans are directly responsible to the Vice President for Academic Affairs.

#### CHAIRMEN OF DEPARTMENTS

The department chairman conducts departmental meetings and looks after the well-being and progress of his department. He is responsible to the proper dean for developing departmental curricula, initiating class schedules, improving instruction, utilizing testing program results and counseling. He recommends requests for leaves of absence, student assistants, regular and summer term appointments, and travel, and approves requisitions for departmental expenditures.

#### DEAN OF THE GRADUATE SCHOOL

The Dean of the Graduate School administers and promotes the graduate program of the university. He acts on applications for admission to the Graduate School and admission to candidacy for the master's degree; gives final approval on theses; recommends candidates for graduation; recommends new graduate courses to the curriculum committee; approves the qualifications of faculty members for graduate instruction; aids in the placement of graduates; works with deans of the colleges in constructing class schedules; assigns graduate students to advisers; appoints graduate assistants; presides at meetings of the Graduate Council; and serves as chairman of the Research Board. The Dean of the Graduate School is directly responsible to the Vice President for Academic Affairs.

#### DIRECTOR OF LIBRARIES

The Director of Libraries is charged with the administration of a major unit of the university which maintains contacts with all other units and serves the information and learning needs in all formats of all schools, colleges, departments, and interests and assists them in the attainment of their various educational objectives. He is responsible to the Vice President for Academic Affairs.

The Director of Libraries is an ex officio member of the Deans Council.

#### REGISTRAR

The Registrar is responsible for registration and accounting of all students and for keeping all academic records. Schedules of courses and certain other academic information publications are edited in his office. He is the secretary of the faculty and of the University Council.

#### VICE PRESIDENT FOR BUSINESS AFFAIRS

The Vice President for Business Affairs is the chief fiscal officer of the university under the President. He is responsible for the business and financial operation of the university.

#### DIVISION DIRECTOR OF FINANCE

The Division Director of Finance works as an assistant to the Vice President for Business Affairs. In addition to performing the assistant duties, one of the primary responsibilities of this position is the receipting and collecting of funds accruing to Marshall University.

## **DIRECTOR OF PERSONNEL**

The Director of Personnel is responsible for establishing a personnel system for nonacademic employees. The director develops and maintains a compensation and classification plan and establishes rules governing nonacademic personnel that include grievance procedures.

## **DIRECTOR OF PURCHASING**

The Director of Purchasing is responsible for procuring commodities, supplies, printing, and occasionally services necessary for the efficient operation of the university.

## **DIRECTOR OF PHYSICAL PLANT OPERATIONS**

The Director is responsible for the total physical plant of the university. His duties include the supervision of the Bookstore, Post Office, Security Force, Telephone System, and Buildings and Grounds.

## **VICE PRESIDENT FOR STUDENT AFFAIRS**

The Vice President for Student Affairs is the chief administrator of the nonacademic programs and services the university provides its students.

## **DEAN OF STUDENTS**

The office of the Dean of Students is responsible for the advising of student organizations, the advising of foreign students, the development and coordination of special programs highlighting distinct areas of student concern such as drug and sex education, the implementation of the university's student code of conduct and the administration of the student judicial system, the coordination of associated programs of student activities, and the development and implementation of Student Center programs.

## **ASSOCIATE DEAN OF STUDENTS**

The Associate Dean of Students is responsible for the administration of the Human Relations Center, in which specific attention is paid to the needs of minority students, veterans, and the physically disabled. Too, the Associate Dean is responsible for the New Student Orientation Program. In the absence of the Dean of Students, the Associate Dean assumes the Dean's responsibilities.

## **ASSISTANT DEAN OF STUDENTS**

The Assistant Dean of Students is responsible for the coordination and implementation of all programs of student activities, including the Artists Series, Convocations, Forums, the Magic Theatre, etc.

## **DIRECTOR OF STUDENT DEVELOPMENT CENTER AND STUDENT HEALTH SERVICE**

The Director is responsible for the administration and supervision of the Student Development Center, including individual and group counseling, career planning and placement, and supervision of the special services program. He is also responsible for the administration and supervision of the Student Health Service and the coordination of medical services with local hospitals contracted for student medical care by the university.

## **DIRECTOR OF UNIVERSITY HOUSING**

The Director is responsible for the administration of all university housing units including the assignment of rooms and apartments, and the planning and implementation of residence hall programming.

## **DIRECTOR OF ADMISSIONS**

The Director and Assistant Director are responsible for the admission of all graduate and undergraduate students and the coordination of the university's student selection and recruitment program. They have major responsibilities in high school and interinstitutional relations.

## **DIRECTOR OF STUDENT FINANCIAL AID**

The Director and Assistant Director are responsible for the administration of the university's student financial aid programs, including institutional scholarships and loans as well as federal grants, loans, and the college work-study program. In addition, the Student Financial Aid Office is responsible for the institution's student employment service.

## **DIRECTOR OF UNIVERSITY RELATIONS**

The Director is responsible for the planning, implementing, and evaluating of the external relations of the university.

## **DIRECTOR OF INFORMATIONAL SERVICES**

The Director is responsible for official university information. He and his staff prepare and disseminate news releases, informational radio and television programs, brochures and publicity for university projects. They also assist various agencies with special informational projects. The Director is responsible for planning and coordinating the university's overall informational program and advises faculty and staff members, departments, offices, and student organizations as to effective implementation of their informational needs.

His office also serves as the focal point for collection and distribution of public and internal information and maintains a speakers bureau service.

## **DIRECTOR OF ALUMNI AFFAIRS**

The Director coordinates the activities of Marshall alumni by keeping them informed of university activities and progress and recruiting their aid for university development as it is needed.

His office maintains a current file of names and addresses of Marshall alumni, processes funds from Alumni gifts, and is headquarters for Alumni activities.

## **DIRECTOR OF DEVELOPMENT**

The Director is responsible for all university fund raising activities except those related to the intercollegiate athletic program.

## **DIRECTOR OF COMMUNITY SERVICES**

The Director and his staff serve as a coordinating unit for providing university services and resources to the community including short-term noncredit courses and on-campus conferences.

#### **DIRECTOR OF GRANTS**

The Director assists in the preparation and coordination of proposals for federal and/or foundation funds.

#### **DIRECTOR OF ATHLETICS**

The Director of Athletics has charge of all business matters for the Department of Athletics and is responsible for all details of the intercollegiate athletic program. He arranges schedules, supervises the activities of the coaches, establishes ticket prices, and supervises the activities of the Big Green

Club, etc., in accordance with the NCAA rules and the institution's policies. He is responsible for promoting the development of an intercollegiate athletic program consistent with the general purposes of the university.

#### **ASSISTANT DIRECTOR OF ATHLETICS**

The Assistant Director of Athletics has the responsibilities of the planning, staging and operation of home events and practices. He coordinates the maintenance and security of the athletic facilities and equipment and is in charge of the scheduling of facilities and vehicles. He arranges or approves all team travel plans. He acts for the Director in his absence.



## II.

### ACADEMIC EMPLOYMENT, RANK, TENURE, AND RETIREMENT

#### PERSONNEL POLICY - WEST VIRGINIA BOARD OF REGENTS

...ORDERED that the president of each West Virginia state-owned college and university be, and he is hereby, vested with and given full power and authority to hire, discharge, promote, demote or in any manner rearrange the status of all employees now or hereafter connected with his institution and fix from time to time the salaries and wages of the same, excepting only the president. The authority and responsibility in this respect of all such presidents shall be exercised within the frame work of current applicable budgets and they shall not be bound or in any manner limited by faculty or other institutional rule, regulation, report or procedure heretofore or hereafter adopted, made or recommended. This policy shall apply to all existing, as well as to all future, personnel matters. In adopting this policy, the Board of Regents believes and expects that all presidents will handle the personnel problems of their respective institutions as reasonable, prudent administrators, looking especially toward the best interests of their own institutions, higher education in general and the taxpayers of the State of West Virginia. Report of actions taken hereunder shall be made to this Board no less often than monthly.

-Minutes, West Virginia Board of Regents, August 5, 1969

#### PLAN FOR DETERMINING ACADEMIC RANK AND TENURE FOR MARSHALL UNIVERSITY FACULTY MEMBERS

##### SECTION I. Principles and Objectives

- A. The general purpose of this plan is to provide a sound professional basis for accomplishing the following objectives:
1. To assist the administration by providing sound standards for the original selection of staff members.
  2. To result in the retention, encouragement, and promotion of able and promising staff members.
  3. To assure the faculty that individuals will be treated with the maximum objectivity.
  4. To offer assurance that accomplishment will be recognized and rewarded.
  5. To assure the faculty of the maintenance of promotional opportunity.
  6. To assure the faculty of security of tenure in the terms herein set forth and of freedom of teaching, of research, and of opinion.
  7. To provide appropriate procedures for release and dismissal so that faculty members may be guaranteed adequate notice and a fair hearing of complaints bearing on their security.
- B. It is assumed that some university positions by their very nature can be filled satisfactorily by persons whose graduate study is limited to the master's degree. It should, therefore, be understood that the terminal point in academic rank for some teachers is that of assistant professor. However, the terminal point in salaries for superior teachers of ten or more years' experience may

exceed the maximums when in the judgment of the administration that is right and proper. Subject matter fields rich in content, in depth and breadth, require seasoned, scholarly men and women as teachers. For teachers in these fields the two upper academic ranks are primarily reserved. As evidence of their scholarship, these teachers should possess the terminal degree. New entrants to the faculty whose services as teachers include scholarly interpretation of content courses and subjects should possess the terminal degree.

- C. It will be the duty of the university administration to withhold salary raises for persons of all ranks if they cease to grow professionally and widen their influence as college teachers. According to the provision of the salary scale, the administration will be free to give salary increases in line with a teacher's worth to the university. "Worth to the university" may be measured by criteria for promotion listed in Section V. Through such provision, an impelling incentive is given for best service to the institution. It is not assumed that the possession of the highest earned degree carries with it immunity from the necessity of further study, nor that it is a *sine qua non* of good classroom teaching.

##### SECTION II. Definitions

*See Faculty Constitution.*

##### SECTION III. Committees

*See Faculty Constitution.*

##### SECTION IV. Requirements for Academic Ranks; Initial Appointment and Advancement

- A. Rank for Incoming Members of the Faculty
1. New members of the faculty shall be assigned academic rank and salary by the university administration on the basis of qualifications for the various ranks established in Section IV. B, C, D, and E.
  2. Experience has shown, however, that on certain occasions special problems arise in connection with the determination of academic ranks and salaries of new entrants to the faculty. Such problems usually involve the evaluation of related work experience, private instruction without college credit, and the procurement of faculty in fields of extreme scarcity. If at any time the administration feels that it is advisable to assign rank or salary above that to which a newcomer is entitled under this plan, the recommendation shall come from the department chairman after he has conferred with the members of his department, especially those who hold ranks which are comparable to or above that of the new member of the department. The Faculty Personnel Committee shall be provided with a written explanation by the Vice President for Academic Affairs.
  3. Should new faculty members be employed at salaries higher than those being paid to current members of the staff who hold positions with comparable responsibilities and who have equivalent training, experi-

ence, and competence, the latter shall be compensated in like manner. The competence is to be determined by the chairman of the department in consultation with other members of the department with equal or higher rank.

4. The Vice President for Academic Affairs shall send to the Faculty Personnel Committee a summary statement concerning each new faculty member which will include training, experience, and salary and rank assigned.

B. Requirements for the Rank of Instructor

1. Except as provided below, for entrance as an instructor the applicant must have at least a master's degree from an accredited college, with a major in the teaching field.
2. However, in certain special areas in which professional achievement is of unusual importance, or in which personnel holding higher degrees are extremely scarce, the bachelor's degree or its equivalent may be sufficient for acceptance as an instructor.
3. The candidate must have expressed an interest in college teaching, and his character reputation must be above reproach.

C. Requirements for the Rank of Assistant Professor

1. He must show promise of superior worth to the university and the community.
2. He must have had at least three years of satisfactory teaching experience in institutions of higher learning, or other experience deemed equivalent, or the terminal degree in his teaching field.
3. He must have completed beyond the master's degree at least fifteen hours of graduate work in his teaching field or in courses that are acceptable to the dean of his college.
4. However, in certain special areas where professional achievement is of unusual importance, or in which personnel holding higher degrees are extremely scarce, the securing of the master's degree or its academic equivalent may be considered as sufficient for promotion to assistant professor.
5. Character reputation above reproach.

D. Requirements for the Rank of Associate Professor

1. He must show evidence of superior worth to the university.
2. He must have had at least six years' satisfactory teaching in institutions of higher learning, or other experience deemed equivalent. Faculty members with earned terminal degrees are eligible for appointment to the rank of associate professor in four years.
3. He must have completed beyond the master's degree at least thirty hours of graduate work in his teaching field or in courses that are acceptable to the dean of his college or have earned 60 hours of graduate work toward the terminal degree.
4. Interest in scholarship as evidenced by some publication activity in the form of research papers, creative writing and other forms of creative expression, book reviews, etc.

5. Character reputation above reproach.
- E. Requirements for the Rank of Professor
1. He must show evidence of superior worth to the university.
  2. He must give evidence that his service in the future will be of increasing worth to the university and the community.
  3. He must have had at least eight years' teaching experience in institutions of higher learning, or other experience deemed equivalent.
  4. He must have the highest earned degree recognized in his field.
  5. Scholarship as evidenced by research, publication and creative expression through writing, art, music, etc.
  6. Character reputation above reproach.

SECTION V. Criteria for Promotion

- A. Teaching Effectiveness. The department chairmen, the deans, the Vice President for Academic Affairs, and the President will use all appropriate means to determine fairly the relative effectiveness of individual teachers.
- B. In addition to teaching effectiveness, all the following criteria may be considered to determine an individual's eligibility for promotion:
1. Research and scholarship: publication, creative productions, and other scholarly attainments.
  2. Professional recognition: awards, fellowships, state and national office, etc.
  3. Professional improvement: attendance at and participation in professional meetings, graduate study, travel and other pursuits which may be judged as contributing to professional betterment.
  4. Experience: years of service as a teacher.
  5. Committee work: work on any duly recognized university committee involving faculty, faculty-administration or faculty-student relationships.
  6. Extracurricular activity: supervision of student activities.
  7. Community activity: participation in extramural activities which may serve directly or indirectly the best interest of the university. He must give evidence that his service in the future will be of increasing worth to the university and the community.
- C. In addition to the criteria set forth in paragraphs (A) and (B) above, consideration will be given to those personal characteristics which promote the smooth functioning of faculty-student, faculty-administration, and inter-faculty relationships: enthusiasm (a manifest and sincere liking of the job); cooperativeness (the antonym of obstructionism); loyalty (faithfulness to the university, to the department); adaptability (recognition that the university cannot be adapted to the pattern of each individual and willingness, therefore, to conform in essentials, to the pattern of the university); dependability (a reliable acceptance of responsibility).
- D. One advancement into the next higher rank, excluding that of professor, may be made on the basis of many years (not less than twenty-five) of superior service to the university. Such recommendation for advancement must come through

the department chairman and the respective academic deans. The emphasis in such promotions is not on number of years of service, but on outstanding qualities and accomplishments as compared with those of others in the rank of the candidate for promotion.

## SECTION VI. Promotion

### A. Annual Consideration for Promotion

All persons with the rank of instructor, assistant professor, or associate professor who regularly teach one or more classes in the university and who are employed full-time shall be given annual consideration for promotion to a higher rank.

### B. Promotion Process

1. No promotion shall be automatic. It is a reward for achievement.
2. Final and formal approval of all recommendations for appointment and promotion must be made by the West Virginia Board of Regents.
3. Normally the department chairman will be responsible for initiating formal proposals for promoting the members of his department.
4. Proposals for promotion of a department chairman below the rank of professor shall be initiated by his academic dean.
5. The department chairman shall prepare annually a report dealing with every member of his department below the rank of professor who regularly teaches one or more classes in the university and who is employed full-time. Every such person shall be recommended to the appropriate dean by January 1 of each year for retention in his rank or promotion to a higher rank. If separation of service from this institution is recommended, notice should be given in accordance with the AAUP statement on *The Standards for Notice of Nonreappointment*.
6. After a study of the written report, the dean shall call in the department chairman for a conference during which each recommendation shall be discussed. After the conference is concluded, the dean, not later than February 15, shall indicate to the department chairman, in writing, what his decision is concerning each proposal. If separation of service from this institution is recommended, notice shall be given in accordance with the AAUP statement on *The Standards for Notice of Nonreappointment*.
7. After final conferences with department chairmen, each dean shall present his recommendations to the Vice President for Academic Affairs and the President and send an information copy to the chairman of the Faculty Personnel Committee.
8. A faculty member not recommended for promotion by his department chairman may request the Faculty Personnel Committee to review his case and submit a recommendation to the dean, Vice President for Academic Affairs, and President. The department chairman shall be provided with a copy of this recommendation.

- a. The request to the committee must be made in writing before March 1.
  - b. Copies of the request shall be sent by the faculty member to the committee, the department chairman, the appropriate academic dean, the Vice President for Academic Affairs, and the President of the university.
  - c. The Committee shall consider each case which comes before it and vote to recommend or not to recommend promotion.
  - d. The chairman of the Committee shall send to the President, Vice President for Academic Affairs, and academic deans a written record of all actions taken by the Committee. Records shall also be sent to individual faculty members and department chairmen who are involved in action of the Committee.
9. On the basis of reports from the deans, the Vice President for Academic Affairs and the Faculty Personnel Committee, the President exercises his own judgment in recommending promotion to the West Virginia Board of Regents.

## SECTION VII. Probation, Tenure, Release and Dismissal

### A. Probation

1. The first five years of initial employment shall be a probationary period. Within this time the President (with appropriate advice) shall recommend to the governing board either that the probationary instructor be placed on tenure or that his employment be discontinued at the end of the contractual period. In the latter event notice shall be given in accordance with *The Standards for Notice of Nonreappointment*. Visiting professors do not have probation or tenure.
2. A person who has taught on the college level three or more years before being employed for teaching service in a college under the control of the West Virginia Board of Regents shall be employed on a probationary status for three years before becoming eligible for tenure. Within this time the President (with appropriate advice) shall recommend to the governing board either that the probationary instructor be placed on tenure or that his employment be discontinued at the end of the contractual period. In the latter event notice shall be given in accordance with *The Standards for Notice of Nonreappointment*.
3. For purposes of computing the length of probation, summer terms shall not be counted as part of an academic year nor shall leaves of absence for any purpose nor shall part-time teaching be included as part of the minimum of years' teaching service required.
4. Under special conditions the President may recommend an associate professor or professor for tenure upon initial appointment or at the end of any academic year thereafter.

### B. Tenure

1. Tenure at Marshall University provides for a

continuing series of term appointments which may be terminated by the university only for cause or under extraordinary circumstances because of financial exigencies. Termination for cause should be in accordance with the AAUP statement on *Academic Freedom and Tenure* and the *AAUP Statement on Procedural Standards in Faculty Dismissal Proceedings*.

2. After a teacher has completed his probationary period and has been found worthy of retention on the faculty, he will be notified in writing by his academic dean that he has achieved tenure and has been granted a continuous appointment which cannot be terminated except as specified in Section VII. C.
3. The President, the Vice President for Academic Affairs, the academic dean concerned, and the department chairman concerned shall determine whether a person on probation shall be granted tenure.
4. Tenure shall not be granted automatically but shall result from action by the West Virginia Board of Regents upon the recommendation of the presidents of the various colleges as outlined under the statement of probationary policies. Tenure status may be attained by all teaching personnel with the rank of assistant professor, associate professor or professor.

C. Release and Dismissal

1. A teacher on probationary appointment may be released at the end of his term appointment provided that written notice has been given in accordance with *The Standards for Notice of Nonreappointment of the AAUP*.
2. Dismissal of persons on tenure shall be for adequate cause, including incompetency, immorality, insubordination, physical or mental disability, proven disloyalty to the country, or because of a bonafide institutional exigency.
3. In any case of dismissal for cause, the procedure as formulated by a joint conference of committees from the Association of American Colleges and the American

Association of University Professors shall be followed.

4. The Faculty Personnel Committee shall serve as the preliminary hearing committee in cases involving termination for cause of a continuous appointment or the dismissal of a faculty member on probation previous to the expiration of an annual contract, in accordance with the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings* of the AAC and AAUP. In such cases, the University Council shall serve as the hearing committee as specified in section four of the above statement. Hearings shall be in accord with the procedures laid down in the above statement. The Faculty Personnel Committee shall act as the hearing committee in cases involving dismissal of a faculty member on probation, as specified in Section VI B-8.

At the conclusion of a hearing the committee shall prepare a full report which will include specific recommendations for disposition of the case. This report shall be transmitted to the Vice President for Academic Affairs and the President of the university for action.

SECTION VIII. Resignation from the Faculty

If a member of the faculty desires to terminate an existing appointment at the end of the academic year, or to decline a renewal in the absence of notice of nonrenewal, he shall give notice in writing at the earliest opportunity but not later than May 15, but he may properly request a waiver of this requirement in case of hardship or in a situation where he would otherwise be denied substantial professional advancement.

Revised February 13, 1969 (Faculty Personnel Committee)

Amended March 19, 1970 (Faculty Personnel Committee)

RETIREMENT POLICY

See West Virginia Board of Regents Policy Bulletin No. 18.

## III.

### FISCAL INFORMATION

#### EMPLOYEE SERVICES AND BENEFITS

##### RETIREMENT

It is mandatory that all full-time regular employees of Marshall University who are paid from state funds participate in one of the retirement plans available. He or she may select State Teachers Retirement or Teachers Insurance and Annuity Association (TIAA) - College Retirement Equities Fund (CREF). Detailed information concerning enrollment in either of the plans is available in the Office of the Director of Personnel.

##### INSURANCE

All full-time regular employees of Marshall University who are paid from state funds have the opportunity of becoming insured under a Group Plan which includes comprehensive health care and life and accidental death and dismemberment benefits. The State of West Virginia contributes 70% of the cost of the program with employee participants contributing the remaining 30%. Detailed information is available in the Office of the Director of Personnel.

##### WORKMEN'S COMPENSATION

Employees of Marshall University are entitled to Workmen's Compensation Benefits in case of injury or death while on the job. An injury or fatality on the job shall be reported by the supervisor immediately to the Office of the Director of Personnel. Questions or information concerning the Workmen's Compensation Program will be provided by the Director of Personnel.

##### SOCIAL SECURITY

Marshall University provides Social Security matching funds for all eligible employees. Details are available in the Office of the Director of Personnel.

##### UNEMPLOYMENT INSURANCE BENEFITS

Marshall University pays the premiums to cover Unemployment Insurance Benefits for all eligible employees. Details are available in the Office of the Director of Personnel.

##### CREDIT UNION

All employees of Marshall University and members of their immediate families are eligible for membership in the Marshall Federal Credit Union. The Credit Union's office is located in the basement of Old Main - Room MB7.

##### LEAVE OF ABSENCE

A member of the faculty and staff may be granted a leave of absence without pay for (1) illness, (2) involuntary service in the Armed Forces of the United States, and (3) study for advanced degrees. The latter may include engagement in activities calculated to improve teaching abilities such as travel, teacher and consultant service in another institution, government service or candidacy for a State or Federal elective office. Each request is to receive prior approval by the

Governing Board and is to be supported by descriptive information and justification furnished by both the President of the university and the applicant.

##### SABBATICAL LEAVE

See West Virginia Board of Regents Policy Bulletin No. 10.

##### LEAVE FOR MILITARY PURPOSES

Military leaves are provided under Section 1, Article 1F, Chapter 15, Code of West Virginia, 1931, as amended.

##### SICK LEAVE POLICY

The policy, applicable to nonacademic personnel, became effective on November 1, 1968. Accrual of sick leave began as of that date.

Except as otherwise provided in this policy, each employee in a nonacademic position shall be entitled to and shall receive sick leave with full pay, when and if needed, computed on the basis of one and one-half (1½) working days for each completed calendar month of service.

###### A. Coverage

1. Sick leave as herein outlined shall be accorded to all permanent nonacademic employees. All other nonacademic employees shall qualify for sick leave upon the completion of thirty (30) days full-time or equivalent part-time employment.
2. Students employed on a part-time basis through campus and federal work programs are not eligible for sick leave provisions.

###### B. Conditions

1. Employees shall qualify to use accumulated sick leave for the following reasons:
  - a. Illness on the part of or injury to the employee incapacitating him for duty.
  - b. Death in the immediate family of the employee. This provision shall be understood to include time required for travel to and from, and attendance at the funeral; the immediate family may be defined as: the father, mother, son, daughter, brother, sister, husband or wife, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, step-mother, step-father, and step-children.
  - c. Illness in the immediate family (see the preceding paragraph) of such a critical nature as to require the presence of the employee. This provision shall not be construed to cover absence for the purpose of nursing or caring for members of the family not declared by the attending physician to be critically ill.
  - d. Exposure to a contagious disease and determination by an appropriate health authority or his superior that the presence on duty of the employee

- may jeopardize the health of others.
- e. Illness due to pregnancy may be charged to sick leave under the same conditions applying to any illness. A pregnant employee may continue to work until six weeks before the date of delivery if her doctor determines her physically able to work until this time. A doctor's statement shall be furnished showing expected time of delivery. After separation or termination for the above reason, only annual leave may be allowed.

2. Whenever sick leave is occasioned by personal illness, illness in the immediate family, exposure to a contagious disease or illness due to pregnancy, the employee shall furnish a certificate from the attending physician for all consecutive days of sick leave granted beyond three working days.
3. In the case of illness occurring away from work, prompt notification to the department head or supervisor must be given prior to the start of the regular work period in order to have the work covered.

C. Benefits

1. Sick leave days, with pay, are computed on the basis of one and one-half (1½) working days for each completed calendar month of service. Sick leave accorded part-time employees each month shall be the same proportion of 1½ days as is their hours of employment to that of full-time employment.
2. The maximum number of sick leave days that can be accumulated is ninety (90) working days.
3. Sick leave provisions are contingent upon continued employment. When the services of an employee have terminated, all sick leave credited to him shall be considered terminated as of his last working day with the institution, and no reimbursement shall be provided for unused sick leave.

(Board of Regents Policy)

**HOLIDAYS**

Full-time members of the university staff may observe the following holidays with full pay: January 1, New Year's Day; Third Monday of February, Washington's Birthday; Monday following Easter Sunday; Last Monday of May, Memorial Day; July 4, Independence Day; First Monday of September, Labor Day; Fourth Thursday of November, Thanksgiving Day; Friday after Thanksgiving Day; Last Working Day before Christmas; December 25, Christmas Day; First Working Day after Christmas. Whenever a general election is held, the President may, at his discretion, declare such an election day to be a holiday.

**VACATION POLICY**

1. Twelve-month employees who are classified as major administrators, shall have an annual aggregate vacation of one month.
2. Other twelve-month employees shall have an annual aggregate vacation of two weeks during the first ten

years of employment. After ten years' continuous service these employees will have an annual aggregate vacation of three weeks.

3. An employee who begins service after the beginning of any fiscal year shall be entitled to prorated vacation benefits based upon the policies stated above.

University personnel entitled to an annual aggregate vacation of one month shall be those holding positions designated as "major administrators."

The Governing Board may charge unexcused absences to annual leave or leave without pay. Annual leave with pay shall not be granted to temporary or emergency employees or to hourly or per diem employees unless they are employed full-time.

Vacations at the university are based on the calendar week of five working days.

**REMISSION OF TUITION AND REGISTRATION FEES FOR FULL-TIME FACULTY MEMBERS, NONACADEMIC PERSONNEL AND GRADUATE AND TEACHING ASSISTANTS**

1. Full-Time Faculty  
Tuition and registration fees are waived for full-time members of faculties of any accredited college in West Virginia who register for graduate study at Marshall University. Accreditation shall be by the North Central Association of Colleges and Secondary Schools. The graduate courses enrolled for and the request for waiver of fees shall be approved by the Dean of the Graduate School. The Student Activity-Service Fee is not waived and must be paid.
2. Nonacademic Personnel  
Tuition and registration fees are waived for nonacademic personnel at Marshall University and the state colleges who have been in the employ of the institution for 12 months or more at the time of application for admission. This waiver is not to exceed six semester hours, and the request for this work shall be approved by the applicant's immediate supervisor and the appropriate academic dean. The Student Activity-Services fees is not waived and must be paid.
3. Graduate and Teaching Assistants  
Tuition and registration fees are waived for graduate and teaching assistants approved by the Dean of the Graduate School. The Student Activity-Services fees is not waived and must be paid.

The cost of the Student Activity-Service Fee applicable to the three foregoing enrollment plans may be obtained from the Cashier or by reference to the fee section of the catalog.

**REMISSION OF NONRESIDENT FEE FOR FULL-TIME EMPLOYEE'S SPOUSE AND DEPENDENT CHILDREN**

See West Virginia Policy Bulletin No. 3.

**AUDITING COURSES**

Full-time staff members may audit courses without charge with approval of their academic dean and the instructor of the course. Enrollment is required in the regular manner for such courses. Such enrollment may only occur at a regular registration. All such persons must be properly admitted to the university.

**EMPLOYMENT**

The President of Marshall University is authorized by the

West Virginia Board of Regents to make all appointments to staff and faculty. Any recommended changes in these appointments must be made on the Personnel Action Request forms provided for this purpose. Information pertaining to employment at Marshall University may be obtained from the office of the Director of Personnel.

## STUDENT EMPLOYMENT SYSTEM

All student employment is administered by the Financial Aid Office. University units seeking student help should elicit the services of this office.

Applications for employment of student employees must be made with the Financial Aid Office via a written job request. All positions requested must be approved by the respective department chairman, academic dean or administrative director. Once the position has been approved, the Financial Aid Office, pending the availability of students and funds, will send students to the requesting unit for interviews.

Each student authorized for student employment by the Financial Aid Office will present to the interviewer an Introduction Sheet and a Marshall University Personnel Action Request form. Only students possessing these forms should be interviewed by the university unit, unless other arrangements have been approved by the Financial Aid Office.

An Introduction Sheet will direct the student to the university unit requesting student employees. The student's name, requested position, and employment authorization are also indicated on the Introduction Sheet. When a student has been selected for employment by the unit, Part I of the Introduction Sheet must be dated and signed by the unit supervisor and student employee. The Marshall University Personnel Action Request form must also be completed and returned to the Financial Aid Office at this time. The P.A.R. must be typed and signed by the department or unit supervisor.

The Payroll Department will issue an IBM timecard each month to the university unit employing students. This timecard must be signed by the supervisor and submitted to the Payroll Department on the last day of each month. The supervisor is responsible for any errors appearing on the student's timecard. Any timecard not properly completed and signed will be returned to the supervisor. This delay will cause the late receipt of the payroll check by the student employee. This situation is regarded as justification for the Financial Aid Office to reassign the student to another university unit for the remainder of the employment term. Questions concerning student payrolls should be directed to the Payroll Department. Questions concerning the conduct of a student employee should be directed to the Financial Aid Office.

Payrolls are prepared for transmittal during the first week of each month following the previous month's pay period. Student employees' checks are disbursed by the Cashier's Office approximately ten days after the transmittal has been submitted.

During the regular school year and during the summer sessions student employees who are full-time students may work a maximum of fifteen (15) hours per week. Students must be enrolled and attending classes to be eligible for employment. Work-Study students may work while not

enrolled and not attending classes during the summer.

Student employees may not work during the weeks of semester break and vacation periods without the express consent of the Financial Aid Office.

Work and pay specifications are subject to changes as required by the university's participation in federal assistance programs and by the availability of federal and state funds. At the present time, the designated rate of pay is \$1.60 per hour (subject to change as the minimum wage is set by federal law).

Under no circumstances may a student be paid for more than the maximum hours provided in the program. Student employees will be paid only for the number of hours actually worked, and these hours must be verified by the supervisor.

## PURCHASING

No individual has the authority to enter into purchase contracts or in any way obligate Marshall University for a procurement indebtedness unless specifically authorized to do so by the President, Vice President for Business Affairs, or the University Director of Purchasing. Any such negotiations are considered as unauthorized purchases and the individual will be held personally accountable.

All equipment and supplies requested by faculty or staff members must be requisitioned by means of the Purchase Requisition Form. Requisition forms are available at the Purchasing Office, Room 203, Old Main. Each requisition originated by a faculty or staff member must contain detailed specifications and must be signed by the proper department chairman, dean or department head and vice president. After approvals, the requisition is forwarded to the University Purchasing Office for processing.

All equipment, supplies, commodities and printing, by state statute, must be purchased by the Purchasing Division of the State Department of Finance and Administration. Approval of the purchase is indicated when copies of a state purchase order are returned to Marshall University. One of these copies is then sent to the originating department. This purchase order must be checked carefully and if errors are discovered the University Purchasing Office must be contacted immediately.

The University Purchasing Director should be contacted when there is need for an emergency or unique purchase, or when there is only one known source of supply.

The vice presidents, deans and program directors shall make certain that obligations do not exceed available resources.

## TRAVEL AND UNIVERSITY MOTOR POOL REGULATIONS

Employees of Marshall University may travel on state business by state car, personal car or other mode of transportation and receive reimbursement for expenses, in accordance with state statutes and regulations promulgated by the Governor's Office.

Information pertaining to travel and University Motor Pool regulations governing all Marshall University employees is available in the office of each university department chairman.

## IV.

### ACADEMIC REGULATIONS

#### MINIMUM NUMBER IN CLASS

Undergraduate classes should have a minimum of eight students and graduate classes a minimum of five.

#### IBM CLASS CARD

A faculty member shall not admit a student to class until he or she has an IBM class card from the Registrar's Office.

#### STUDENT ATTENDANCE POLICY

"A student should recognize that one of the most vital aspects of a college experience is attendance and participation in classes and that the value of this academic experience cannot be fully measured by testing procedures alone.

"The members of the student body are considered sufficiently mature to appreciate the necessity of regular attendance, to accept this personal responsibility, and to demonstrate the kind of self-discipline essential for such performances.

"It is the responsibility of each individual instructor to evaluate the importance of student class attendance for his classes. Accordingly, each instructor prepares at the beginning of each semester a written statement setting forth his policy for consideration of unexcused absences, make-up examinations, and related matters, which will be in force for that semester. The statement is filed with the chairman of his department and a statement of policy on attendance appropriate to each class is read at the first class meeting.

"In those classes where marked violations of class attendance policy occur, the instructor may notify his dean so that every effort can be made to find and counsel the student whose academic prospects are being jeopardized by non-attendance.

"Absences such as those resulting from illness, death in the family, or institutional activities (those approved by the academic deans, such as debate, artistic performances and athletics) are to be excused when a student reports and verifies them to his instructor. For such excused absences, the students should not be penalized."

Adopted - General Faculty Meeting, May 12, 1970

#### REPORT OF ABSENCES OF VETERANS

Members of the faculty will report to their respective deans and the Registrar the daily absences of veterans only. Reports will be turned in each Friday on absences occurring during that week. Excessive absences must be reported to the academic deans on an Excessive Absence report form.

#### FINAL EXAMINATION SCHEDULE

The final examination schedule is printed in the *Parthenon* prior to the examination period. No exceptions to the printed schedule are permitted except those approved by the Examination Committee. This committee includes the Registrar and the academic deans.

#### SENIOR FINAL EXAMINATION POLICY

A faculty member is not required to give a final examination to a student who at the end of a semester or summer term is completing all requirements for a degree.

Grades for graduating seniors are reported to the Registrar's Office. Once reported, they are considered final and cannot be changed.

Graduating seniors shall attend class and laboratory sessions up to the beginning of the final examinations for the other students.

#### CHEATING

Marshall University considers cheating to be a serious breach of academic discipline and absolutely condemns this and any form of academic dishonesty, on or off campus, for whatever purpose it may be pursued.

Cheating shall be defined generally as any act of a dishonorable nature which gives the students engaged in it an unfair advantage over others engaged in the same or similar course of study and which, if known to the classroom instructor in such course of study, would be prohibited by him. Such cheating shall include, but is not limited to, the following: securing or giving unfair assistance during examinations or required work of any type; the improper use of books, notes, or other sources of information; submitting as one's own work or creation any oral, graphic, or written material wholly or in part created by another; securing all or any part of assignments or examinations in advance of their submission to the class by the instructor; altering of any grade or other academic record; and any other type of misconduct or activity which manifests dishonesty or unfairness in academic work.

The university fully expects its students to conduct themselves in a dignified and honorable manner as mature members of the academic community, and assumes that individually and collectively they will act to discourage acts of cheating. The university also expects complete and absolute cooperation among administrators, faculty, staff and students in the prevention of cheating, in detecting those who cheat, and in providing appropriate punishment for offenders. It shall be the special responsibility of the individual classroom instructor to establish with each of his own classes learning and testing conditions which minimize possibilities of cheating, to make every reasonable effort to detect those who cheat, to take appropriate action against such persons, and to prevent repetitions of such academic dishonesty.

Since each classroom instructor may modify the general definition of cheating to fit the immediate academic needs of his particular class, it shall be his responsibility where this is done to make clear to his students the details of any such departure from the general definition.

Major responsibility for punishment of cheating offenders shall lie with the individual instructor in whose classroom or course of study the offense occurred. Such punishment shall be based upon the severity of the offense, circumstances surrounding the act, causes for the behavior, whether it is a repetition of a previous offense, and such other factors as the instructor may consider pertinent, and may range from a reprimand to failure in the course with or without a remanding of the offender to other university officials for additional action. Where the offense is particularly flagrant and/or it is known to the instructor that the person has been guilty of one or more such offenses in the past, the instructor shall communicate the details of the offense and the action he has taken to the appropriate university officials with his recommendation for additional punishment or action. If the cheating offense involves a violation of any local, State, or



National law, the instructor shall communicate the details of the offense and any action he has taken, without delay, to appropriate university officials for additional action. Beyond the action taken by the individual classroom instructor, university officials may place the student on social and/or academic probation, place a written account of the offense in his permanent record file, expel him from the university, remand him to proper law enforcement officials for legal action, or take such other steps as may seem appropriate and reasonable.

A student charged with a cheating offense may appeal from the action of the classroom instructor to a Review Committee consisting of the Vice President for Student Affairs, the Dean of the College in which the student is enrolled, the Chief Justice of the Student Court, and two faculty members appointed for each individual case by the University Council. This committee may make such additional investigation as it may desire, shall hear all evidence in the case, and shall affirm or reverse, in whole or in part, the action of the instructor. The Review Committee shall be a special sub-committee of the Student Conduct and Welfare Committee, and shall deposit a record of its actions with the chairman of that committee.

A student may appeal from the action of the Review Committee to the President of the university, who may affirm or reverse, in whole or in part, the action of the Review Committee.

Appeals by the student to the Review Committee or to the President shall be made within thirty days of the time disciplinary action is taken or the appeal decision has been handed down; and as a part of such appeals the student may seek such legal or other assistance as he may deem advisable.

A copy of the approved cheating regulations shall be carried in all college and university catalogs, in any student handbook distributed to incoming students, in any freshman orientation issues of the student newspaper, and in any literature generally distributed as part of orientation classes. It shall be the responsibility of each classroom instructor each semester to either remind his classes of these regulations or to indicate where they may be read, indicating at this time any variations which will be followed in his classes with respect to such regulations.

In all phases of enforcement of the cheating regulations due care and diligence shall be taken by instructors and others concerned to see that charges are made only upon sufficient knowledge and that each student so charged is treated with fairness and consideration.

## GRADE REPORTING

Grades are reported to the Registrar's office at the end of each semester or term. Class listings for grade reporting are provided by the Registrar's office during the examination period. Detailed instructions for reporting grades accompany the listings.

The faculty member's signature shall be at the bottom of each grade slip. Initials are not acceptable. Each faculty member shall deliver grade reports to the Registrar's office in person and remain until the lists can be checked by the designated person. Grade reports should never be placed in mailboxes or delivered by students.

Faculty members must turn in grade reports by the deadline indicated for each term. Failure to meet the deadline will delay the total grade reporting process.

Accuracy in the reporting of grades is most important.

An incorrect grade may mean the loss of GI benefits, the failure of a student to be admitted to a professional or graduate school, the loss of deferment from military service or the loss of an opportunity to return to school.

If an error in reporting a grade or new evidence concerning a student's work makes a grade change necessary, the faculty member should explain the circumstances and propose the change in a letter to the department chairman and to the academic dean. If approval is given, the faculty member goes to the Registrar's office, makes the change, places his or her initials opposite the new grade, and indicates the date on which the change was made. Grades reported for graduating seniors cannot be changed.

A faculty member's grade report becomes a basic record in the Registrar's office. It should be filled out accurately and neatly, preferably with a typewriter. (See current Catalog for regulations concerning Progress (PR) and Incomplete (I) grades.)

## GRADE APPEAL PROCEDURE

Steps outlined in this procedure should be followed.

1. The student should first have a discussion with the course instructor to determine whether the grade recorded in the Registrar's Office is correct.

2. If the procedure in Step 1 does not have a mutually satisfactory result, either party may appeal to the Department Chairman. The Chairman will attempt to mediate the issue at the departmental level.

3. Should the problem not be resolved at the departmental level, either party may appeal in writing to the Dean of the College in which the course is offered. The Dean will attempt to bring it to a mutually satisfactory solution through mediation.

4. Should the problem not be resolved at the College level either party may appeal in writing to the Chairman of the Academic Planning and Standards Committee who will appoint a Review Committee as a special subcommittee of the Academic Planning and Standards Committee to be constituted as follows:

- a. Two members of the Academic Planning and Standards Committee, one of whom will serve as chairman.
- b. The academic dean in whose college the course is offered.
- c. The Chief Justice of the Student Court.
- d. A student member of the Student Conduct and Welfare Committee.

5. The full report of the action of the special subcommittee will be sent to the Academic Planning and Standards Committee which will hold further hearings.

6. Further appeal should be to the governing state board in accordance with appeal procedures set up by that body.

7. Initial appeal must be within sixty days of the mailing of grades from the Registrar's Office.

8. This procedure will be effective from the date of adoption by the faculty.

Adopted - General Faculty Meeting, November 11, 1969

## TUTORING BY FACULTY MEMBERS

A faculty member must have the approval of his or her department chairman and the academic dean before tutoring Marshall University students for pay.

## V.

### FACULTY RESPONSIBILITIES RELATED TO STUDENT LIFE

#### STUDENT ORGANIZATION ADVISERS

Faculty and staff members serve as advisers to campus organizations. The role of the adviser in the organization is an important one in aiding students to obtain full benefits from extracurricular activities. It is a requirement that approved campus organizations have one or more advisers who are members of the university faculty or staff. Exceptions are made for faculty wives if approved by the Student Conduct and Welfare Committee. A faculty member who is interested in aiding student organizations should contact the office of the Dean of Students.

#### CONFIDENTIALITY OF RECORDS

Academic and disciplinary records are confidential matters between the student and the institution. Policies must insure that these records can be viewed only by authorized campus personnel, and then for specific purposes, and that

records may be discussed with others only upon authorization of the students. The student's right to privacy further entails that procedures be established to preclude illegitimate use of evaluations made of the student, including achievement, aptitude, ability, interest and personality test scores.

#### CHAPERONS FOR STUDENT SOCIAL ACTIVITIES

Faculty and staff members are asked to cooperate when requested to volunteer their services as chaperons at student social functions.

#### CONVOCATION ATTENDANCE

Students having scheduled classes or laboratories at 11 a.m. Thursdays may be excused by the instructor to attend a Convocation.

No instructor may require a student to attend a Convocation if the student has a regularly scheduled class or laboratory during the Convocation hour.

## VI.

### UNIVERSITY REGULATIONS AND PROCEDURES

#### OFFICE HOURS

Office hours in university administrative offices are 8 a.m. to 4:30 p.m. Monday through Friday. Each director shall be responsible for having the appropriate offices open at other times when there is need for them to be open.

Faculty members will post office hours to fit their class schedules.

#### RECEIVING DEPARTMENT

This department is located in the Maintenance Building at the corner of Virginia Avenue and 20th Street. All items delivered to the campus go to the receiving and inventory department to be inventoried and distributed to the departments requesting them. Equipment may not be transferred from one part of the campus to another without prior approval of the University Purchasing Director.

#### INSTRUCTIONAL SUPPLIES

The Superintendent of Buildings and Grounds will provide chalk, erasers, desks and chairs for each classroom upon receipt of a signed request from the department chairman.

#### EXPENDABLE OFFICE SUPPLIES

Expendable supplies are available from the Receiving Department. Requests for supplies should be made to the Receiving Department on forms provided for that purpose.

#### SPACE RESERVATIONS

Reservation of the educational facilities of the university for programs, meetings, etc. can be granted only after the necessary spaces have been reserved for the regularly scheduled functioning of the university in all its departments. Requests for such special reservations should be made in line with the regulations stated here.

Classrooms, the Science Hall Auditorium, Smith Hall Room 154, and the conference rooms in Smith Hall are assigned by the Registrar. Old Main Auditorium is assigned by Mr. Bruce Greenwood. The Music Recital Hall is assigned by the chairman of the Department of Music.

Physical Education facilities such as the gymnasiums, playing fields, and the swimming pool are assigned by Dr. Dorothy Hicks and Dr. Jimmy Railey. Dr. Hicks assigns the use of the Women's Gymnasium, the tennis courts adjacent to the Women's Gymnasium, those adjacent to South Hall, and the playing fields north of the Women's Gymnasium. All other space is assigned by Dr. Railey.

Faculty office assignments are made by the Vice President for Academic Affairs, in consultation with the academic deans and department chairmen.

Requests for facilities handled by the Registrar must be made at least 24 hours in advance of the date the facility is to be used. The request should be submitted in writing.

The use of the educational facilities of the university is limited to university recognized organizations and to those civic organizations which serve an educational purpose and which are nonpolitical and nonsectarian. It will not be possible to confirm any reservations prior to the end of the late registration period of any semester or term as the educational needs of the institution must have first priority on all facilities.

#### CHANGE IN CLASSROOM ASSIGNMENT

Faculty members desiring a change in classroom assignment must contact their department chairman who will then request the change through the Registrar. If the request is granted, the Registrar will notify the department chairman and the academic dean regarding the change.

#### CONTROL OF KEYS ON THE CAMPUS

Keys to buildings, offices and classrooms are issued by the Superintendent of Buildings and Grounds to faculty on the request of their department chairmen. Requests for additional keys must be approved by the proper academic dean or other official. Key request forms and key regulations are available at the Office of the Superintendent of Buildings and Grounds.

#### USE OF UNIVERSITY FACILITIES

The use of university facilities is limited to university-sponsored organizations and to those civic organizations which serve an educational purpose and which are nondenominational and nonpolitical. As a state-supported institution, the university must remain nonpartisan and nonsectarian.

#### SMOKING REGULATIONS

Smoking is prohibited in classrooms, laboratories, auditoriums, and theater dressing rooms. Classes and organizations meeting in late afternoon or night are not exempt from this regulation.

Smoking is permitted in the corridors.

#### PARKING REGULATIONS

Marshall University has limited parking facilities on campus. Regulations controlling campus parking facilities are promulgated by the University Security Officers.

Application forms for parking assignments and information pertaining to parking facilities may be obtained through the office of the Director of Physical Plant Operations in Room 116, Old Main Building.

#### USE OF UNIVERSITY BUSES

Information pertaining to the use of university buses for official university business may be obtained from the office of the Superintendent of Buildings and Grounds.

#### USE OF DRIVER EDUCATION CARS

Cars assigned to the university for use in driver education classes may be used only for driver education instruction work. Any other use of such cars will constitute a violation of the contract between the university and the automobile dealer. If an accident occurs while a driver education car is being used for any purpose except driver education, it may result in a personal liability for either the driver or the university administrator in charge.

#### POLLS

Faculty members should not take part in polls intended to disclose the position of the university staff, as such, on

partisan or other highly controversial matters. This, of course, does not imply any restriction on participation in polls conducted among the general public.

## COLLECTIONS AND DONATIONS

No canvassing, peddling, or soliciting is permitted on the grounds or in the buildings of the university without the written permission of the President. Any canvassing, peddling, or soliciting in violation of this order should be reported at once to the President's Office.

## USE OF UNIVERSITY NAME AND STATIONERY

Whenever representing Marshall in an official capacity, staff members will use the name of the university and will use Marshall stationery for official correspondence. The university does not wish to become involved in actions with which it is not connected officially. Thus Marshall does not permit the use of its name or the university title of any of its employees in any announcement, advertisement, publication, or report, if such use in any way implies university endorsement of any product or service.

## INQUIRIES BY PROSPECTIVE STUDENTS

Many individual staff members receive inquiries from prospective students. Such inquiries should be channeled through the Director of Admissions. The faculty member should acknowledge the inquiry, help in any way he can, and tell the prospective student that his inquiry has been referred to the university Director of Admissions for further action.

## COMMENCEMENT

Annual Commencement exercises are held at the conclusion of the second semester. All faculty members march in the academic procession. The order of the procession is published each spring by the parade marshal. If a staff member does not own an academic costume, he may rent one from the Bookstore. Permission to be absent from Commencement must be obtained from the President.

## POLITICAL ACTIVITIES

It is consistent with the interests of the university that members of the staff be permitted to participate in the political and governmental activities of the community, under conditions which assure that the university will not become directly involved in any political activities or suffer from undue diversion of the interests of its employees. Therefore, the following considerations govern political activity;

No employee may use or attempt to use his official authority or position in the university directly or indirectly:

1. To affect the nomination or election of any candidate for any political office.
2. To affect the voting or legal political affiliation of any other employee of the university or any student.
3. To cause any other university employee or student to contribute time and money, whether as payment, loan or gift, to support a political organization or cause.

University employees may not engage in political activity while on university property, while on duty for the university, or while traveling on behalf of the university. "Political activity" is defined as active participation in political management or in political campaigns or knowingly

attempting to use official position or influence to promote the success or defeat of a political party or candidate in an election.

## GRADE BOOKS

Each faculty member may secure a grade book from his academic dean at the beginning of the fall semester.

## FIRE REGULATIONS

It is the responsibility of the university to hold periodic drills in order to acquaint all personnel with building evacuation procedures.

Each instructor has the responsibility to instruct his students in proper safety procedures to follow should an emergency occur.

Periodic announcements of drills with suggested procedures will appear in the university News Letter.

## RESEARCH BOARD

Marshall University encourages research by its faculty. A research fund, financed on the basis of institutional grants from public and private sources, is administered through the University Research Board to provide faculty members with research stipends and equipment or supplies beyond the means of departmental budgets. Applications for grants should be made on the forms provided by the Office of Academic Affairs and be submitted by the officially published deadlines.

## CONSULTING AGREEMENTS, PATENTS, COPYRIGHTS AND ROYALTIES

The university is dedicated to the generation and dissemination of knowledge, and its philosophy is to encourage the involvement of the faculty in professional activities such as research, writing and consulting. These activities are encouraged with the understanding that each faculty member has a primary obligation to the university, and that these activities must not interfere with specified university duties and with effective service to the university.

In order to encourage such activities and to protect the rights of both the individual and the university, the following policies have been developed:

### Patents:

1. Patent rights from personal and independent research, with little or no use of university resources, shall be the property of the inventor. Deans and department chairmen shall determine the extent to which university resources and support were used.
2. Patent rights from sponsored research grants, contracts, and fellowships shall be controlled by the terms of the agreements.
3. Patents resulting from activities carried out by faculty members, staff, and students in projects supported entirely or largely by university resources shall be assigned to and controlled by the university. The income will be shared by the university with the inventor on a negotiated basis. In most cases, 15% of the gross income will revert to the inventor.

### Copyrights and Royalties:

1. It is the privilege of faculty to copyright their publications and to receive royalties except as noted below.
2. When authorship is an assigned duty on university

time, or when a publication is commissioned by the university, the copyright may be claimed by the university.

3. When university funds or resources are specifically allocated to a project which results in a financially profitable publication, the author should reimburse the university in the amount allocated.
4. When the term "University" is used above, it may refer to Marshall University or The Marshall University Foundation, Inc. as determined by the Marshall University Research Board.

#### Consulting and Professional Services:

1. Whenever university facilities are to be moderately used, arrangements must be made and approval obtained from the department chairman. When a situation places an excessive demand upon university facilities, permission for use will be accomplished by submission of a formal request, through channels, indicating the extent to which university space, services, supplies, and equipment are to be used. The university will determine the appropriateness and the fee to be charged for the use of these facilities.
2. The university community is fully cognizant of and respects the professional ethics of each staff member. In those rare instances where consulting and professional services create doubt as to whether or not the faculty member is adequately fulfilling contractual obligations, the following procedural policy applies.
  - a. No faculty member should accept outside employment involving professional or non-professional services which interfere with or reduce the performance level of regularly assigned university duties. It is the responsibility of the department chairman to confer with the faculty member involved when interference with contractual duties becomes a possibility.
  - b. In instances where the situation is unresolved, the faculty member or department chairman may appeal to the academic dean to resolve the issue. If there still results a lack of agreement among the parties involved, the case should be presented to the Academic Planning and Standards Committee for its consideration and recommendation to the President.

Approved - Research Board  
Academic Planning and Standards Committee  
University Council  
February 10, 1970.

In order to provide an appropriate in-house record of extramural activities described above, each faculty member so engaged will submit on a semester-by-semester basis a written report describing the nature of the work and the amount of time which it requires weekly. This report is to be filed in the Office of Academic Affairs.

#### LEAVING THE UNIVERSITY

Each year faculty members leave the service of Marshall University through retirement, resignation or release. Necessarily, some last-minute responsibilities must be met: That is, grades must be reported to the registrar, class records must be filed with the department chairman, library books must be returned, keys must be returned, etc. As an assurance that these responsibilities have been fully met, the last salary check

will be lodged with the respective academic dean and delivered to the faculty member when it has been determined that all responsibilities have been discharged. It will be the responsibility of each academic dean to set up his own clearance procedures.

#### FACULTY CREDIT TRANSCRIPTS

Every new member of the faculty is required to submit to the Office of Academic Affairs, a copy of his birth certificate, a small photograph, and official transcripts of all academic credits and degrees. These items should be turned in early in September of the first year of employment. They will become part of the permanent personal file.

Also, each faculty member is responsible throughout his career at Marshall for submitting to the Office of Academic Affairs official transcripts of additional academic degrees and credits, as they are earned. It is important to keep the personal file updated for periodic evaluation as it affects promotion, tenure, etc.

#### UNIVERSITY SPONSORED TOURS POLICY

Marshall University will encourage and sponsor certain educational tours for academic credit under the following conditions:

1. Each participant in the tour must be registered as a Marshall University student either for course credit or as an auditor.
2. For credit or audit, participants must pay the established registration and tuition fees, resident or nonresident. Student activity services fees are waived for all participants.
3. At least ten members of the tour group must be regularly enrolled full-time students.
4. Marshall University will incur no additional expense over and above the regularly approved fiscal budget.
5. The tour must be conducted by a member of the Marshall University faculty.
6. The university may seek the assistance of a recognized travel agency to provide the arrangements and facilities required to carry out the tour.
7. Evidence of waiver of responsibility of Marshall University and the West Virginia Board of Education by all members of the tour and by parents of minors with respect to liability for accidents, etc., must be furnished to the university.
8. Prior approval of each educational tour must be obtained from the West Virginia Board of Education.

Approved by the West Virginia Board of Education  
February 24, 1969  
(Carry over policy of Board of Regents).

#### SELLING ON THE CAMPUS

All solicitation and selling on the campus is prohibited by regulation of the West Virginia Board of Education unless it is done by groups connected with the university and with the approval of the President. (Carry-over policy of Board of Regents).

#### VENDING MACHINES ON CAMPUS

Vending machines may not be placed on campus without advance approval of the Director of Physical Plant

Operations. Pursuant to this approval, placement of such machines must be approved by the office of the Vice President for Business Affairs.

#### **NAMING OF BUILDINGS ON THE CAMPUS**

See West Virginia Board of Regents Policy No. 6.

#### **MARSHALL UNIVERSITY LIBRARY**

All books, periodicals, documents, pamphlets, and other library materials of information that can be best organized and made available for use by library methods and are the property of Marshall University, whether acquired through purchase, gifts, exchange, or otherwise for university purposes constitute the Marshall University Library.

The apportionment of the funds used for the purchase of library-type materials, books, serials, pamphlets and other carriers of information to the various schools, colleges, departments, and other units of the university is the responsibility of the Director of Libraries with the advice of the Faculty Library Committee.

The Director of Libraries is responsible for the implementation of a system to insure the maintenance of as well balanced and adequate a book collection as funds available will permit. To invite participation in book selection, each department is requested to name a library representative who

will be authorized to recommend the purchase of books for that department.

All expenditures for library materials and arrangements for using them are made under the administrative supervision of the Director of Libraries.

The bibliographical control of library materials must serve the best interests of the respective users. Department collections shall be established and maintained only upon the official approval of the President, the Vice President for Academic Affairs, the pertinent dean and the Director of Libraries.

Duplication of library material already existing in the general library while sometimes desirable in the interest of teaching, will be based on real need and shall be practical only with reasonable regard for the limitations of library funds.

Since it is estimated that the cost of acquiring, handling, and adding a book that is an outright gift to the average university library is over three dollars and the construction and maintenance of space to shelve each volume is an additional two dollars, and since donors of collections sometimes place restrictions on the use and location of their gifts, no collection is to be accepted for the university library except after consultation between the donor and the Director of Libraries or an official representative of the director's office.

Whenever economy and efficiency warrant them, the Director of Libraries will institute policies of centralization in purchasing, cataloging, and other operations.

## VII.

### UNIVERSITY SERVICES AND ACTIVITIES

#### SERVICES

##### AUDIOVISUAL CENTER

The Audiovisual Program of the university is under the direction of an audiovisual director. The program provides classes and activities related to the production, selection, utilization, and care of audiovisual materials and equipment.

It is the purpose of audiovisual purchasing to provide each department with the equipment needed to facilitate classroom instruction. Basic repair service is maintained by the Audiovisual Center, within the limits of the budget available.

##### BOOKSTORE

The Marshall University Bookstore is located in the Memorial Student Center. It sells college textbooks and materials to Marshall University students, faculty and staff. Information pertaining to Bookstore activities should be obtained from the Bookstore Manager.

##### COMPUTER CENTER

The Computer Center, located in the basement of Old Main, furnishes services in support of the instructional, administrative and research activities of the university.

Equipment utilized for these purposes includes a batch processing digital computer system, plus auxiliary unit record processing equipment. Also available, via remote terminals at several campus locations, is a time-sharing computing facility.

For additional information, contact the Director, Computer Center in Room 5B of Old Main or by phone at extension 696-3140.

##### CAMPUS INFORMATION

*News Letter:* The Office of Information issues a weekly News Letter of general university news and information. Items for the News Letter should be given to the Information Office by 12 noon Wednesday for Thursday publication. Faculty members are asked to read to classes the student announcements section. Items of a commercial nature are not accepted.

Special bulletins may be issued by the Information Office when an emergency need arises. Such special bulletins must be of general interest to university personnel.

*Faculty Bulletin Board:* A faculty bulletin board is maintained in the lobby of the university post office. Faculty members may place their own notices on the board and are requested to remove them when their period of interest has passed.

*The Parthenon:* The university's student newspaper is distributed on the campus and contains items of interest to students, faculty, and staff. Persons wishing to submit items to the newspaper should contact the Parthenon office.

*Calendar:* The Office of Student Activities and Cultural Events maintains a calendar of university events and publishes a calendar for fall and spring.

##### LIBRARY MATERIALS

Books may be borrowed for one semester, subject to

recall by the library if needed by another faculty member or a student.

At the end of each semester, faculty members will receive a list of the books still checked out in their names. These should be cleared at once with the library.

An inventory of library materials checked out to the faculty will be made near the end of the spring semester. Every item must be physically accounted for before the end of each school year.

The library does not buy personal copies of books for faculty members. Each member of the faculty is encouraged to recommend books for purchase, through his departmental library representative. These are then available to both faculty and students.

Faculty members, like other library patrons, are entirely responsible for books checked out to them. They should not reloan books to students or other members of the faculty. The person who signs for a book when it is withdrawn from the library is solely responsible and entirely liable for its safe return. Certain materials are restricted for use within the library.

##### LOST AND FOUND SERVICE

The Memorial Student Center maintains a Lost and Found Service for the university as a whole. Items lost or found should be reported to the attendant at the main desk in the lobby.

##### MEMORIAL STUDENT CENTER

The Memorial Student Center offers fountain and cafeteria services, dance and meeting facilities, and recreational facilities for students, staff and administrative personnel. The Multi-Purpose Room as well as other meeting rooms may be reserved by campus groups for dances, social affairs, and/or meetings. Specific information regarding the charge for using these facilities may be obtained from the Assistant Manager of the Memorial Student Center who schedules the use of the various rooms.

##### POST OFFICE

The university post office is located in the basement of the western end of Old Main building.

Combination lock boxes are assigned to faculty and staff. Postal services are provided for conducting university business. These services shall not be used for personal business.

##### PRINTING, REPRODUCTIONS, XEROX

The Office of Publications arranges for university printing and supervises the on-campus printing and Xerox facilities. Xerox copiers are located in the Publications Office, in the basement of the Science Building, and in Old Main room 116. Materials Xeroxed and duplicated must be charged to a university spending unit. Complete information may be obtained in the Publications Office.

##### TENNIS COURTS

Regularly scheduled physical education classes have priority in the use of tennis courts. Next priority goes to

intercollegiate tennis matches and scheduled practices. The intramural tennis schedule as posted is next, with recreational tennis for students, faculty and administration given consideration thereafter.

All players are required to wear tennis shoes.

Courtesy to those waiting to play must be shown at all times. With others waiting to play, users should leave the court at the end of one hour (maximum).

## STUDENT HEALTH SERVICE

The Student Health Service is operated entirely from student fees. Health care is not available to members of the faculty and staff except when accidents occur on campus, in which case emergency treatment will be rendered in the clinic. Following this treatment the faculty or staff member will be expected to secure the services of his own physician.

During 1973-74 the anticipated hours of operation of the Health Service will be 8:00 a.m. to 5:00 p.m. Monday through Friday and 9:00 a.m. to 12:00 noon on Saturday. A university physician, registered nurse, or both will be on duty. The Health Service is located in Room 1 of Gullickson Hall. It is expected that the hours of operation will be expanded.

## WMUL-TV

WMUL-TV, a noncommercial broadcast television station, is in operation at Marshall University. A cooperative project of Marshall University and the Boards of Education of Cabell, Kanawha and Wayne counties, the station serves the Huntington and Charleston metropolitan communities as well as some eleven surrounding counties.

The station is licensed to the West Virginia Educational Broadcasting Authority. The main facility is located on the Marshall campus with auxiliary production studios in Nitro, West Virginia and transmission facilities on Barkers Ridge outside Huntington.

The station provides a number of additional television programming and program production services for the university and the community. Afternoon and evening programming are primarily devoted to a wide variety of public television programs designed to meet the interests and needs of smaller audience groups within the station's overall coverage area. Daytime programming is directed toward instructional television materials broadcast for in-classroom use.

In addition, facilities are used by Marshall's closed circuit television staff. Marshall University faculty are asked to participate in programming from "one time only" to "full course."

## ACTIVITIES

### ATHLETIC EVENTS

Faculty and staff may purchase tickets at reduced rates through the Ticket Manager, Department of Athletics, Gullickson Hall.

### FACULTY FUND

Each faculty member is asked in the fall to donate to the faculty fund. The funds are used by the Faculty Service Committee to defray the cost of sending remembrance and get-well gifts.

### FACULTY WIVES CLUB

Wives of all full-time members of the faculty and administration are eligible for membership in the Faculty Wives Club. During their first three years at Marshall, wives are also eligible for membership in the Newcomers Club.

### MARSHALL ARTISTS SERIES

Season memberships for the Baxter Series, Forum Series, and Young Peoples Series may be obtained from Mrs. E. Norval Carter, 533 13th Ave., Huntington, W. Va. 25701. Tickets to attractions on the Mount Series may be purchased prior to performance as announced. Admission is free to the Convocation Series and the Summer Series. Special faculty and staff season membership to the Forum Series is \$5.00. Information about programs can be obtained from Marshall Artists Series, Inc., campus.

### MARSHALL UNIVERSITY ALUMNI ASSOCIATION

The Marshall Alumni Association is administered by a twenty-four member Board of Directors, twelve of whom are elected each year for two-year terms at the Annual Business meeting on Alumni Day near the end of the second semester. The Board includes six officers, who serve for one year, and chapter representatives who are chosen by their respective Chapters. The activities of the Association are coordinated by the Office of Alumni Affairs.

Nonalumni faculty members are regarded as honorary members of the Association and are invited to take part in its activities. Alumni members of the faculty and staff are urged to take a continuously active part in the Association's program. All faculty and staff members are requested to notify the Alumni Office of addresses and information regarding Marshall alumni.



## VIII.

### CONSTITUTION OF THE MARSHALL UNIVERSITY FACULTY

- I. Name. The name of this organization shall be the Marshall University Faculty.
- II. Purpose. The faculty shall be the basic legislative body of Marshall University except as to matters reserved by proper legal action solely to the President or to the governing board of the university. The faculty shall concern itself with topics affecting the whole university as distinguished from those matters of interest only to particular subdivisions of the university. The faculties of the respective divisions shall be encouraged to develop policy in their proper areas. The responsibility of the Marshall University Faculty is in educational policy rather than administrative decisions. In such matters the faculty shall serve as a forum for the free interchange of ideas adding to the understanding of university-wide interests and developing a sense of responsible participation.
- III. Powers. The faculty shall determine all matters of educational policy with respect to educational program including degree requirements, honorary degrees, academic standards, student conduct and welfare, and general university development.

Action of the faculty, a faculty committee, or the faculty of any recognized subdivision of the university properly taken and recorded in accordance with the provisions of the constitution shall, unless overruled or amended by the President of the university, be deemed an official action for and on the behalf of Marshall University when such action is not in conflict with public law of the State of West Virginia or with the university policy as established by the President or the governing board of the university.

In the event the President disapproves any faculty or committee action, he shall do so in writing and notify the faculty and appropriate committee of his objections. It shall be the responsibility of the President to inform the faculty of all actions of the governing board affecting the educational policies of the university.
- IV. Membership. The faculty shall consist of all employees of the university who hold the rank of instructor or above, excluding part-time and temporary appointments, and at least one-half of whose duties are devoted to classroom teaching and/or scholarly research or duties closely related thereto. Questions relating to faculty membership shall be settled by the University Council. All members of the faculty, as defined above, regardless of length of service, shall be eligible to vote. The President of the university, Vice President for Academic Affairs, Vice President for Business Affairs, Academic Deans, Registrar, Vice President for Student Affairs, Director of Admissions, Director of Continuing Education and Professional Librarians shall be ex officio members of the Faculty. Ex officio faculty members shall be voting members of the Faculty except as specified elsewhere. During faculty meetings, any question of eligibility of voters which may arise shall be settled by the presiding officer.
- V. Meetings. Meetings may be called by the presiding officer at his discretion, or by the University Council.

A written announcement containing the agenda, time and place of the faculty meeting is to be sent to each faculty member not less than one week in advance of each meeting. A quorum shall consist of those faculty members present at any meeting. The rules of parliamentary procedure shall be those found in the Standard Code of Parliamentary Procedure by Alice Sturgis.
- VI. Officers. The presiding officer of the faculty shall be the President of the university, or, in his absence, a person appointed by him. The President shall designate at the beginning of the academic year a parliamentarian and alternate parliamentarian to serve throughout the year. The Registrar shall serve as secretary to the faculty.
- VII. Records. A stenographer, under the supervision of the secretary of the faculty, shall keep minutes of the meetings of the faculty, and of the University Council. The secretary of the faculty shall distribute to every member of the faculty a summary of the minutes of the faculty meetings, and the complete minutes shall be open to inspection by any member.

The secretary of each faculty committee and of each recognized subdivision of the university shall keep minutes of the meetings of such committee or subdivision. These minutes and each report submitted in accordance with the provisions of this constitution shall be deposited in the office of the secretary of the faculty and shall be open to inspection by any member of the faculty.

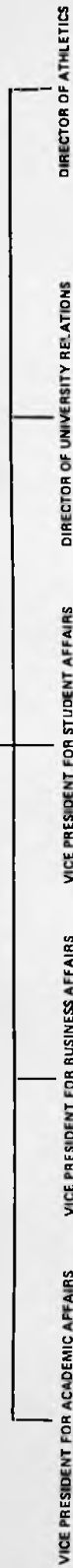
These minutes and reports shall constitute the official record of the decisions of the faculty.
- VIII. University Council. There shall be a University Council to represent the faculty in an executive capacity.
  - A. Functions. The functions of the University Council shall be the following:
    1. To serve as the executive committee of the faculty, taking such action as may be necessary to enforce the provisions of the Constitution. Such action shall be subject to review by the faculty.
    2. To cooperate with the presiding officer in the preparation of the agenda for faculty meetings.
    3. To consider and assign to appropriate committees of the faculty problems and suggestions of faculty members and administrators.
    4. To recommend to the President nominations to standing and special committees of the faculty unless otherwise provided.
    5. To coordinate the work of faculty committees.
    6. To submit an annual report to the faculty summarizing the recommendations made by individuals and committees and the action taken thereon.
    7. To receive appeals from any group of not less than ten faculty members with respect to action of any faculty body, and to place such appeals on the agenda of subsequent faculty meetings.
    8. To decide eligibility of faculty membership.
    9. To serve as the hearing committee in faculty

## **ORGANIZATIONAL CHART**

WEST VIRGINIA BOARD OF REGENTS

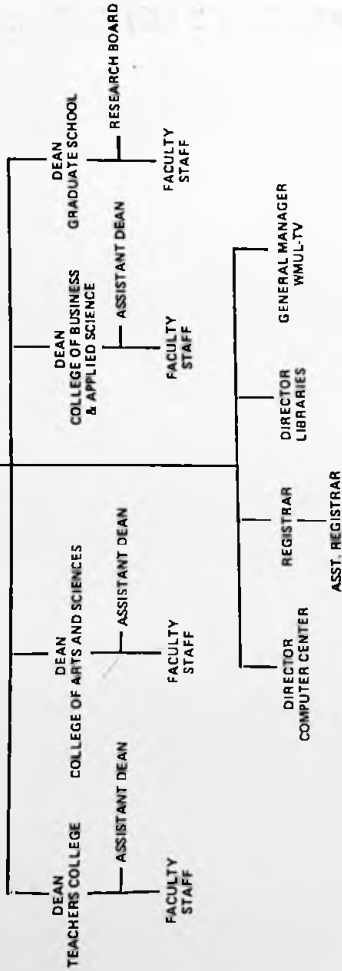
PRESIDENT

DIRECTOR INSTITUTIONAL RESEARCH ASSISTANT

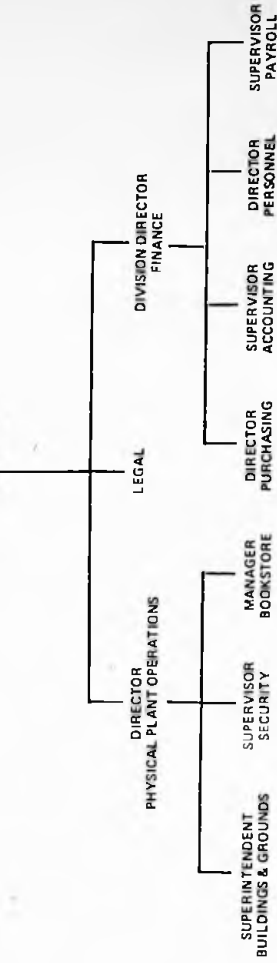


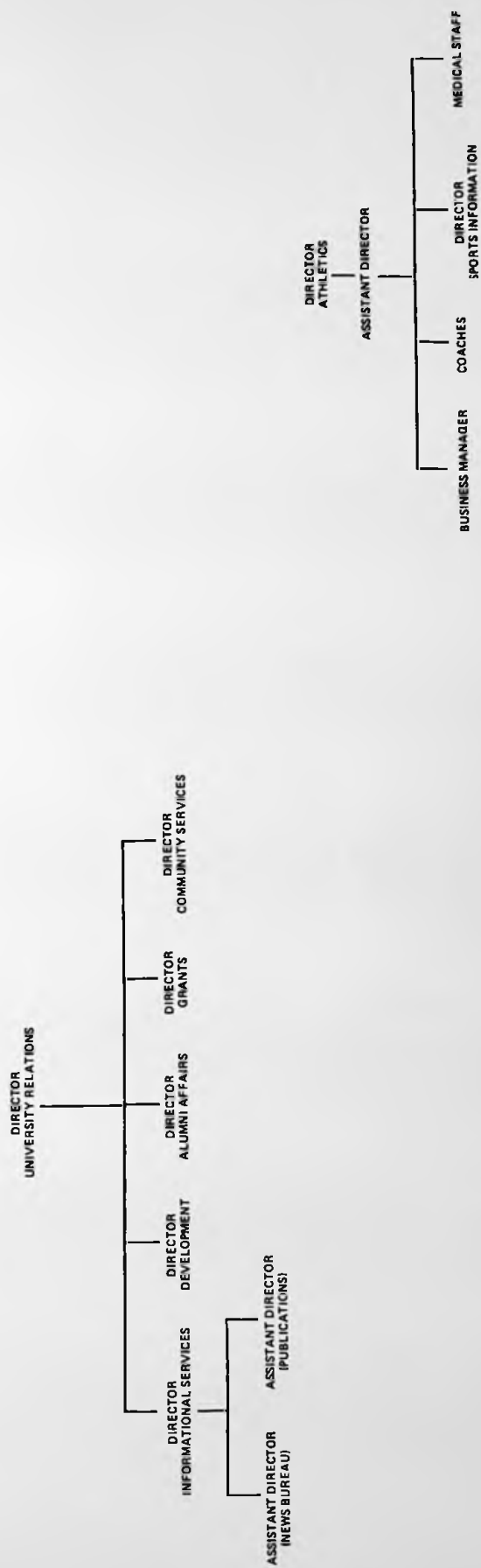
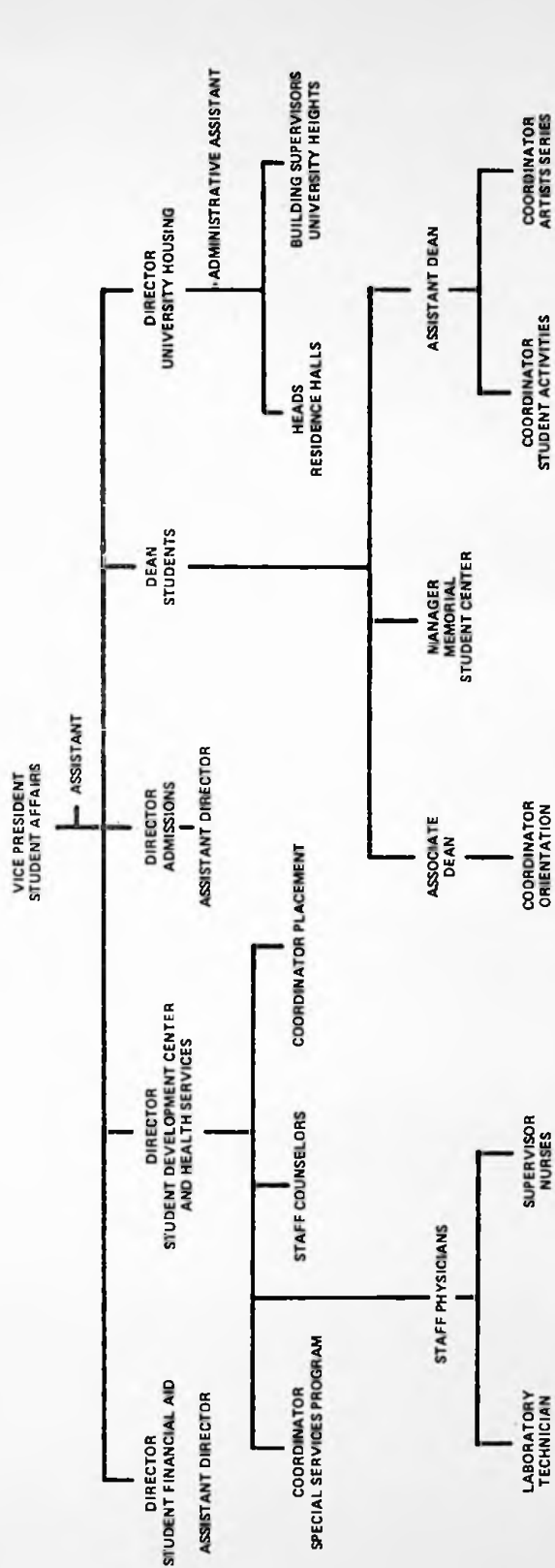
VICE PRESIDENT ACADEMIC AFFAIRS

RESEARCH BOARD DIRECTOR UNIVERSITY HONORS



VICE PRESIDENT BUSINESS AFFAIRS





dismissal proceedings in accordance with the 1958 statement of the American Association of University Professors and the Association of American Colleges (see Appendix A).

- B. **Membership.** The membership of the University Council shall consist of two members elected by the faculty of each college or school by secret ballot except that when faculty membership of a college or school is less than half the average of the two most numerous colleges combined only one member shall be elected. One student shall be appointed by the Student Government.

The secretary of the faculty, as an ex officio member, shall keep the minutes and records of the Council but may not vote. All regular members shall be required to have professorial rank or be full-time members of the faculty for three years prior to the time of assuming membership on the Council and be under retirement age at the time of election to the Council and during the term of service. They shall serve four-year terms arranged to expire in different years. The members shall annually elect one of their members to serve as chairman.

- IX. **Standing Committees.** The faculty and the university shall be served by a number of standing committees. While the primary responsibility of each committee shall be to formulate policy in all functional areas under its jurisdiction, it may also advise the President on administrative matters.

Membership shall be determined as hereinafter provided for each such committee. Members shall serve four-year terms arranged to expire in different years, except that student members shall be appointed annually. All members except ex officio, alumni and students shall be required to have professorial rank or to have been full-time members of the faculty for three years prior to the time of assuming membership on the committee and shall be under retirement age at the time of election and during the term of service. Membership on the University Council or any standing committee shall be a bar to membership on any other, provided, however, that any member may serve on or with any special or subcommittee that may be created. Each committee shall annually elect its own chairman, shall maintain records as required in Article VII and report immediately to the University Council such matters as require the attention of that body of the faculty. In addition, the chairman or secretary of each standing committee shall submit within one week a summary of each committee meeting to the Director of Information for publication in the News Letter.

The standing committees, together with their functions and memberships, shall be the following:

1. **Academic Planning and Standards Committee**
  - A. **Functions.** The committee shall initiate and consider plans for the academic development of the university. This will include the recommendation of standards for admission, requirements for graduation, and new curricula. Except as provided below, the committee shall refer all affirmative actions to the faculty for its approval. New course offerings will be referred to this committee for final disposition, subject, however, to appeal to the faculty by ten members of the faculty within ten days of notification. The

curriculum committees of the respective college jurisdictions shall have final authority in minor matters such as dropping a course and changing the numbers, titles, and descriptions of courses, subject to appeal to the Academic Planning and Standards Committee by ten faculty members within ten days of notification.

- B. **Membership.** The committee shall consist of two members elected by the faculty of each college or school, except that when faculty membership of a college or school is less than half the average of the two most numerous colleges combined, only one member shall be elected. One student shall be appointed by the Student Government. Nonvoting members shall consist of the Vice President for Academic Affairs and the Dean of each college or school.

- C. **Voting shall be by secret ballot**

2. **Faculty Personnel Committee**

- A. **Functions.** The committee shall specifically consider policies relating to academic rank, salary and tenure; teaching and nonteaching load, retirement, sabbatical and other leaves, and distribution of summer-term teaching. The committee shall act as an appeal board for all cases concerning the well-being of faculty members, including cases arising from functions listed above, and its recommendations shall be transmitted to the President. It shall also serve as a preliminary advisory committee in cases concerning the fitness of a faculty member in accordance with the 1958 statement of the American Association of University Professors and the Association of American Colleges on procedural standards in faculty dismissal proceedings (see Appendix A).

- B. **Membership.** The committee shall consist of two members elected by the faculty of each college or school, except that when faculty membership of a college or school is less than half the average of the two most numerous colleges combined only one member shall be elected.

- C. **Voting shall be by secret ballot.**

3. **Physical Facilities and Planning Committee**

- A. **Functions.** The committee shall consider policies relating to the maintenance, utilization, and improvement of existing facilities; and planning for existing and anticipated needs, including priority of major capital improvements.

- B. **Membership.** The committee shall consist of two members elected by the faculty of each college or school, except that when faculty membership of a college or school is less than half the average of the two most numerous colleges combined, only one member shall be elected. Two students shall be appointed by the Student Government. Ex officio members shall be the Vice President for Academic Affairs, the Vice President for Business Affairs and the Registrar.

- C. **Voting shall be by secret ballot.**

4. **Student Conduct and Welfare Committee**

4. **Student Conduct and Welfare Committee**
  - A. **Functions.** The committee shall consider policies relating to the coordination and regulation of student organizations, student social events, and other student activities; academic conduct of students; advisory and counseling programs; health services; and financial aid through loans and scholarships.
  - B. **Membership.** The committee shall consist of one member elected by the faculty of each undergraduate college, two elected by the faculty at large, and four students appointed by the Student Government. Ex officio member shall be the Vice President for Student Affairs. Nonvoting members shall be the Associate Deans of Students and the Director of the Student Health Service.
  - C. **Voting** shall be by secret ballot.
5. **Faculty Service Committee**
  - A. **Functions.** The committee shall be concerned with matters relating to official university faculty social functions and nonacademic welfare of the faculty.
  - B. **Membership.** The committee shall consist of three members elected by the faculty at large, and two members appointed by the President from the faculty at large.
6. **Commencement and Honorary Degrees Committee**
  - A. **Functions.** The committee shall be concerned with matters relating to the commencement activities and selection of candidates for honorary degrees.
  - B. **Membership.** The committee shall consist of three members elected by the faculty at large, two members appointed by the President from the faculty at large and one student appointed by the Student Government. Ex officio members shall be the Vice President for Academic Affairs, the Registrar, and the Chief Marshal of Commencement.
7. **Athletic Committee**
  - A. **Functions.** The committee shall consider policies relating to the maintenance and development of the intercollegiate athletic program, eligibility of athletes, budgets, and athletic staff personnel.
  - B. **Membership.** The board shall consist of five members elected by the faculty at large, the chairman of the Men's Physical Education Department, the faculty representative to the conference, two students appointed by the Student Government and one alumnus appointed by the Alumni Association. Nonvoting members shall be the Vice President for Business Affairs, the Vice President for Student Affairs and the Athletic Director, who shall be the permanent Secretary of the Board.
8. **Public Relations and Publications Committee**
  - A. **Functions.** The committee shall consider policies relating to university and student publications, and matters concerning public relations.
  - B. **Membership.** The committee shall consist of five members elected by the faculty at large and two students appointed by the Student Government. Ex officio members shall be the Director of Informational Services, and the Director of the Division of Finance.

9. **Special Committees and Subcommittees**  
The President, the University Council or any standing committee may create special or subcommittees for limited studies and reports. The membership of such may be chosen from the faculty or from other sources.

All special committees or subcommittees appointed as provided for in the paragraph above shall be coordinated through the appropriate standing committee or committees. Each special committee or subcommittee so created shall make its report and recommendations to the appropriate standing committee or committees for transmittal to its appointing authority.

- X. **Vacancies.** Whenever a vacancy occurs on the University Council or any standing committee, a replacement shall be chosen at once to fill the unexpired term. The replacement member shall be chosen by the same method used in the selection of his predecessor.

- XI. **Adoption and Amendments.** This constitution shall be effective when approved by a two-thirds majority of the ballots cast by the faculty. It may be amended in the same manner, provided that the proposed amendment has been presented at a faculty meeting not less than ten days prior to paper balloting.

Upon adoption by the faculty this constitution shall be made a part of the Marshall University Faculty Manual which shall contain the official policies, procedures, and other information pertinent to the university's operation and internal government.

#### CONSTITUTIONAL INTERPRETATIONS

##### Vacancies on Faculty Committees:

The Constitution provides for filling committee vacancies but does not define what vacancy is. The University Council considers a vacancy to exist when a committee member cannot fulfill the obligations and responsibilities required. Determination of whether a vacancy does or will exist is primarily the responsibility of the committee chairman. The faculty member should immediately inform the chairman of any change which will prevent him from fulfilling his duties on the committee. The chairman of the committee should then inform the University Council so that it may initiate the necessary action to fill the vacancy. Any person elected to fill such vacancy will serve on a temporary basis until the original member is free to meet his committee responsibilities.

##### Beginning of Committee Term:

Faculty members selected for committee service begin their terms on September 1. Student members selected for committee service have terms beginning on June 1.

#### QUORUM REQUIREMENTS IN STANDING FACULTY COMMITTEES

A quorum shall consist of a majority of the voting members unless special rules exist.

##### Recommended Special Rule:

If a voting member has been absent for three consecutive regularly scheduled meetings or a vacancy has been reported but not filled, he shall not be considered in determining a quorum.

The foregoing shall apply to the University Council, the standing committees and all special committees or subcommittees assigned to a standing committee.

## IX.

### FUNCTIONS OF STANDING FACULTY COMMITTEES (Detailed)

#### UNIVERSITY COUNCIL

1. To serve as the executive committee of the faculty, taking such action as may be necessary to enforce the provisions of the Constitution. Such action shall be subject to review by the faculty.
2. To cooperate with the presiding officer in the preparation of the agenda for faculty meetings.
3. To consider and assign to appropriate committees of the faculty problems and suggestions of faculty members and administrators.
4. To recommend to the President nominations to standing and special committees of the faculty unless otherwise provided.
5. To coordinate the work of faculty committees.
6. To submit an annual report to the faculty summarizing the recommendations made by individuals and committees and the action taken thereon.
7. To receive appeals from any group of not less than ten faculty members with respect to action of any faculty body, and to place such appeals on the agenda of subsequent faculty meetings.
8. To decide eligibility of faculty membership.
9. To serve as the hearing committee in faculty dismissal proceedings in accordance with the 1958 statement of the American Association of University Professors and the Association of American Colleges.
10. To perform such other duties as the President of the university and/or the faculty may direct.

#### ACADEMIC PLANNING AND STANDARDS COMMITTEE

1. This committee shall initiate and consider plans for the academic development of the university. This will include the development of standards of admission, requirements for graduation, and new curricula. Except as provided below, the committee shall refer all affirmative actions to the faculty for its approval. New course offerings will be referred to this committee for final disposition, subject, however, to appeal to the faculty by ten members of the faculty within ten days of notification. The curriculum committees of the respective college jurisdictions shall have final authority in minor matters such as dropping a course and changing the numbers, titles, and descriptions of the courses, subject to appeal to the Academic Planning and Standards Committee by ten faculty members within ten days of notification.
2. To assist the librarian in improving the library facilities and service.
3. To assist the Director of Radio and Television in making policies for developing and regulating educational programs over these media.
4. To investigate, encourage, and recommend suitable research projects to qualified departments.
5. To perform such other duties as the President of the university and/or the University Council may assign.

#### FACULTY PERSONNEL COMMITTEE

1. The committee shall specifically consider policies relating to academic rank, salary and tenure, teaching and nonteaching load, retirement, sabbatical and other leaves, and distribution of summer-term teaching.

2. The committee shall act as an appeal board for all cases concerning the well-being of faculty members, including cases arising from functions listed above, and its recommendations shall be transmitted to the President. It shall also serve as a preliminary advisory committee in cases concerning the fitness of a faculty member in accordance with the 1958 statement of the American Association of University Professors and the Association of University Professors and Association of American Colleges on procedural standards in Faculty Dismissal Proceedings.
3. To assist the administration by providing sound standards for the original selection of staff members.
4. To assist in the retention, encouragement, and promotion of able and promising staff members.
5. To assure the faculty that individuals will be treated with the maximum impartiality.
6. To offer assurance that accomplishments will be recognized and rewarded.
7. To assure the faculty of security of tenure in the terms set forth in the Plan for Determining Academic Rank and Tenure for Marshall University Faculty Members, and of freedom of teaching, of research, and of opinion.
8. To assure the faculty of the maintenance of promotional opportunity.
9. To provide appropriate procedures for release and dismissal so that faculty members may be guaranteed adequate notice and a fair hearing of complaints bearing on their security.
10. To review applications for sabbatical leaves and to make recommendations to the President.
11. To perform such other duties as the President of the university and/or the University Council may assign.

#### PHYSICAL FACILITIES AND PLANNING COMMITTEE

1. The committee shall consider policies relating to the maintenance, utilization, and improvement of existing facilities; and planning for existing and anticipated needs, including priority of major capital improvement.
2. To recommend allocation of space.
3. To prepare recommendations for capital outlay requests for each legislative session.
4. To recommend campus improvements such as walks, driveways, landscaping, and so forth.
5. To prepare a long-range plan for campus development, including buildings, land, location of buildings and facilities and the use of land and facilities.
6. To conduct fire drills as requested.
7. To report to the President the existence of hazards.
8. To make and enforce, if necessary, campus traffic regulations.
9. To perform such other duties as the President of the University and/or the University Council may assign.

#### STUDENT CONDUCT AND WELFARE COMMITTEE

1. The committee shall consider policies relating to the coordination and regulation of student organizations, student social events, and other student activities; academic conduct of students; advisory and counseling programs; health services; financial aid through loans and scholarships.

2. To make policies governing academic integrity and class attendance.
3. To develop policies governing the counseling and orientation programs of the university and to seek continuously the improvement of these programs.
4. To assist the Registrar and Director of Admissions in planning and administering the Freshman Week program.
5. To be responsible for all matters pertaining to the health of the students.
6. To recommend to the President of the university the granting of student scholarships and loans.
7. To promote desirable relations between the faculty and student body.
8. To perform such other duties as the President of the university and/or the University Council may assign.

#### **FACULTY SERVICE COMMITTEE**

1. The committee shall be concerned with matters relating to official university faculty social functions and non-academic welfare of the faculty.
2. To assist the President upon request in entertaining university guests and in helping at other social functions.
3. To collect an annual contribution from the faculty and administration officers to defray costs of expression of sympathy, congratulations, and so forth.
4. To plan and take charge of an annual faculty party or dinner to honor those who retire and who have served for 25 years.
5. To visit those who are hospitalized locally or who are seriously ill at home.
6. To inform the President immediately of illnesses, births, deaths, and accidents that may occur in staff families.
7. To perform such other duties as the President of the university and/or the University Council may assign.

#### **COMMENCEMENT AND HONORARY DEGREES COMMITTEE**

1. The committee shall be concerned with matters relating to the commencement activities and selection of candidates for honorary degrees.
2. To advise the President of the university in matters pertaining to the conduct of commencements and in the selection of speakers.
3. To advise the President of the university in the selection of recipients of honorary degrees.
4. To perform such other duties as the President of the university and/or the University Council may assign.

This committee will be governed by the following criteria in the selection of individuals for honorary degrees:

1. That an honorary degree may be conferred only on persons who merit recognition by outstanding achievement of superior service in some field of human endeavor.
2. That an honorary degree be conferred only on persons who regard it an honor to be so recognized by Marshall University.
3. That graduates of Marshall University be given first consideration in the selection of persons to recognize by an honorary degree.
4. That the achievements of West Virginians be reviewed carefully when selections for honorary degrees are being made.
5. That the degree to be conferred shall be determined by the field in which the person has distinguished himself.

6. That honorary degrees be conferred only at the annual spring commencement.
7. That the conferring of honorary degrees be practiced sparingly.

#### **ATHLETIC COMMITTEE**

1. The committee shall consider policies relating to maintenance and development of the intercollegiate athletic program, eligibility of athletes, budgets and athletic staff personnel.
2. To supervise the maintenance and development of the intercollegiate athletic program in conformity with the policies and standards of the NCAA and Marshall University.
3. To be responsible for determining the eligibility of athletes.
4. To approve the Athletic Department budget.
5. To assist the President of the university, upon his request, in all matters pertaining to the athletic staff.
6. To observe the following objectives:
  - a. To develop by ethical means and to direct into proper channels the recognized urges toward cooperation and competition.
  - b. To promote such qualities of good citizenship as initiative, loyalty, sportsmanship, and the will-to-win.
  - c. To develop interest and proficiency in sports activities which will provide students with a basis for future recreation and healthful living.
  - d. To provide a laboratory experience for students who expect to become coaches, physical education teachers, and recreational directors; and to furnish competent personnel in these categories.
  - e. To foster a sense of pride and to stimulate morale throughout the institution and the community by developing university spirit and loyalty, preserving traditions, and providing a rallying point for student, alumni, and community enthusiasm.
7. To perform such other duties as the President of the university and/or the faculty may direct.

#### **PUBLIC RELATIONS AND PUBLICATIONS COMMITTEE**

1. The committee shall consider policies relating to university and student publications and matters concerning public relations.
2. To be responsible for seeing that all the university publications are of good quality and of good taste.
3. To assist the President and other administrative officers in the public relations activities of the university.
4. To approve the financial budget and such other University Theatre matters that arise.
5. To examine and approve periodically the annual budget for each student publication, and to pass upon any unforeseen extra or unusual expenditures that may have arisen during the year and were not included in the budget. The committee shall review the expenditure of funds and limit expenditures to those items directly applicable to the preparation, publication, and distribution of the publication.
6. To approve the editorial policies of all university publications not supervised by a faculty adviser appointed by the President of the university.
7. To perform such other duties as the President of the university and/or the University Council may assign.



## **SPECIAL COMMITTEES AND SUBCOMMITTEES**

1. The President, the University Council or any standing committee may create special committees or subcommittees for limited studies and reports. The membership of such may be chosen from the faculty or from other sources.
2. All special committees or subcommittees appointed, as provided for in paragraph one above, shall be coordinated through the appropriate standing committee or committees. Each special committee or subcommittee so created shall make its report and recommendations to the appropriate standing committee or committees for transmittal to its appointing authority.

**ORGANIZATION OF THE GRADUATE SCHOOL OF MARSHALL UNIVERSITY  
INCLUDING THE FUNCTIONS AND RESPONSIBILITIES OF THE  
GRADUATE COUNCIL AND DEAN**

**PHILOSOPHY**

The Graduate Council shall have as its basic philosophy the combination of firm allegiance to superior academic standards for advanced study and the spirit of the pragmatic, scientific approach to immediate and long-range objectives. Commonly recognized basic principles shall provide the foundation for its program, yet its approach shall be suited to the needs of the present and the future. The overriding consideration in guiding its decisions shall be the welfare of the individual student in his proper relationship to his college, his community, and the nation.

The concept of the Graduate Council shall be that of a policy-making and advisory body with authority derived from the Graduate Faculty and the President of the university. Administrative details of the graduate program will be left to departments, deans of colleges and the Dean of the Graduate School.

The major objective of the Graduate Council shall be to provide a means of establishing and maintaining basic standards and requirements for graduate programs conducted in the various departments and colleges. It is desirable that advanced degree programs developed and administered by the various departments and colleges, though differing in details, should conform to certain fundamental principles of good practice.

**I. Graduate Faculty Membership**

- A. The regular members shall include:  
The President of the University  
The Dean of the Graduate School  
Deans of Colleges offering graduate work  
The Head Librarian
- B. Appointment to the graduate faculty will be made by the Dean of the Graduate School upon recommendation of the respective department heads and academic deans. Associate members must be approved by the Graduate Council.

**II. The Graduate Council**

- A. Membership. The Graduate Council shall consist of ex officio, elected and appointed members.
1. The Vice President for Academic Affairs shall be an ex officio nonvoting member of the Graduate Council.
  2. The elected members of the Graduate Council shall consist of three each from the two colleges or schools having the largest graduate faculties. New colleges or schools with graduate offerings shall have one representative on the Graduate Council until their graduate faculty reaches one-third of the average of the faculty of the two largest schools or colleges and two representatives until the graduate faculty reaches two-thirds of the faculty average of the two largest schools. Thereafter, the number of representatives will be three. Elected members will be chosen from and by the Graduate Faculty of the school or college they represent by secret ballot.
  3. The appointed members shall total three, and they shall be appointed by the President of the University.

4. The Dean of the Graduate School shall be an ex officio member of the Graduate Council.
5. A graduate student shall be selected by the graduate students at a meeting to be called by the Dean of the Graduate School on or before October 15 of each year. This student representative will have full voting rights during the academic year in which he serves.

**B. Terms of Office**

1. All elected and appointed members of the Graduate Council shall serve a term of three years. The terms shall be so staggered that after the first year three members shall be starting new terms each year. Those members beginning terms the first year shall draw lots for the one-two-three year terms. For this drawing separate ballots shall be provided for the appointed and the elected members of the Graduate Council so that thereafter two members shall be elected and one appointed annually. Members retiring from the Council shall not be eligible for successive appointments or elections until after one year has elapsed.
2. New members of the Council shall take office September 1 except those who are elected or appointed to the first council who shall take office immediately after election or appointment.

**C. Eligibility**

Faculty members eligible to serve on the Graduate Council shall be members of the graduate faculty who have attained tenure and hold rank of Associate Professor or Professor.

**D. Organization.**

1. The Dean of the Graduate School shall act as chairman and executive secretary of the Graduate Council. He shall call all meetings of the Council and prepare the agenda for such meetings. The agenda shall be placed in the hands of the Council members at least one week prior to a meeting.
2. A minimum of six regular meetings of the Graduate Council shall be held during the regular academic year. Special meetings may be called by the Dean as the need arises.
3. The Dean of the Graduate School shall call the graduate faculty together on the second Monday in May for the election of members to the Graduate Council. He shall have the authority to call other meetings as the need arises.
4. Presidential appointments to the Council shall be made by September 1.

**E. Functions of the Graduate Council**

The general duties of the Graduate Council will lie in the area of policy formation and general oversight of the graduate program. Specifically, the Council is charged with the following duties:

1. To formulate policies and regulations that will be administered by the Dean of the Graduate School.

2. To approve new members of the Graduate faculty.
3. To recommend new courses and programs, changes in existing courses and programs and new graduate degrees to the Academic Planning and Standards Committee.
4. To study and review the entire graduate program periodically.
5. To counsel and advise with the Dean of the Graduate School on any problem, whether in the realm of policy or administration, that he may bring before it.
6. To approve policies relating to admission to graduate study and requirements for degrees.
7. To encourage research and creative productivity.
8. To award research fellowships and study grants.
9. To consider recommendations concerning policy from the Graduate faculty.
10. To legislate concerning standards and procedures with reference to theses and types and conduct of examinations.
11. To promote the advancement and improvement of graduate study at Marshall University in all appropriate ways.
12. The Graduate Council shall have authority to establish such standing and special committees as it may deem necessary to the efficient discharge of its responsibilities. The members of such committees, including chairmen, shall be appointed by the Dean.
13. All actions of the Graduate Council are subject to review and approval by the President.

F. Responsibilities of the Individual Council Member:

1. To keep himself informed on the major modern problems in graduate studies.
2. To confer with his colleagues as occasion demands to get from them important ideas on graduate studies and to report these ideas to the Council.
3. To represent no special department but to consider the best interest of the graduate program as a whole.
4. To study the interrelationships of the undergraduate program to the graduate program and, as occasion demands, make recommendations for improving this interrelationship.
5. To serve on such subcommittees of the Council as the Dean shall appoint.

G. Duties and Responsibilities of the Dean of the Graduate School.

1. He shall be the chief executive of the Graduate School charged with the administration and supervision of all the graduate work of the university. (The Dean of the Graduate School is responsible to the President of the university, as provided in the Resolution of the West Virginia Board of Education of May 14, 1948, creating the Graduate School and defining the administrative relationship of the Dean to the President.)
2. He or his designated representative shall preside at all meetings of the graduate faculty, shall be chairman of the Graduate

Council and ex officio member of all committees. He shall at all times have a voice but shall cast a vote only in case of a tie.\* He shall be the official representative of the Graduate School and spokesman for its faculty before the President.

3. He shall deal directly with deans and department heads concerning schedules, faculty assignments, programs to be offered, committee service, and other types of sharing in graduate work.
4. He shall be consulted and have a voice in the appointment or release of all faculty members who are to be designated as members of the Graduate School Faculty.
5. He shall carry on correspondence with prospective graduate students, admit them according to the policies of the Graduate Council, approve their programs of study, and be charged with all administrative details concerning faculty members and students in their graduate work.
6. In consultation with department heads, he shall appoint all thesis advisors and examining committees, and he or his representative shall arrange for and approve in advance the scheduling of all preliminary, comprehensive, or final examinations of candidates for graduate degrees. He shall with the approval of heads of departments and advisors determine when students have completed the requirements for degrees.
7. In cooperation with the Council, he shall direct plans for the improvement and development of graduate studies and research among faculty members and students of the Graduate School.
8. He shall cooperate with department heads and deans in their selection of graduate fellows and shall approve of and formally make all such appointments.
9. He shall represent the Graduate School in all accrediting and educational relationships and associations which stimulate, recommend or regulate graduate studies. He shall likewise serve as the medium of communication for all official business of the Graduate School with university authorities, the faculty, the students and the public. He shall send copies of the minutes of Council meetings to the members of the graduate faculty.
10. In May of each year he shall prepare and submit to the President of the university an annual report on the operation of the Graduate School, and this shall cover achievements of the year, needs of the school, plans for improvement and strengthening of the graduate work of the university, and specific recommendations.
11. In addition he will perform all other duties as may be necessary for the general improvement and well-being of the graduate program.

\*Refers to Graduate Faculty and Graduate Council meetings.

Approved by the President - March, 1958

## GRADUATE FACULTY MEMBERSHIP

### I. Full Graduate Faculty Membership

#### 1. Qualifications

Graduate Faculty membership shall be awarded, upon proper application, to all faculty members

- a. with either an earned doctor's degree, or, upon determination by the Graduate Council, an earned terminal degree in their discipline or an adjudicated equivalent;
- b. *and* who have departmental responsibilities in the graduate program.

Proper application is defined as written recommendation by the department chairman, the undergraduate Dean, and the Dean of the Graduate School. The awarding of this status is administered by the Dean of the Graduate School. Only in cases where the proper application is questioned shall it be brought to the attention of the Graduate Council.

The Graduate Faculty membership of all present faculty who hold such membership on August 27, 1973, shall be automatically extended for a period of five years, that is, to the beginning of the fall 1978 semester.

#### 2. Renewal

- a. Graduate Faculty membership is awarded for an initial period of five years, and is renewable at five year intervals thereafter;
- b. Considerations for renewal:  
Applicants for renewal must have departmental responsibilities in the graduate program, which may also include research, scholarly publications, or creative work in the arts.
- c. Procedures for renewal:
  - (1) the Graduate Faculty member makes written application for renewal to the department chairman;

- (2) the department Chairman convenes a committee of all departmental Graduate Faculty members to determine whether or not considerations for renewal have been met, and forwards recommendation for or against renewal to the undergraduate Dean;
- (3) the undergraduate Dean forwards the application with his recommendation for or against renewal to the Dean of the Graduate School;
- (4) the Dean of the Graduate School forwards the application with his recommendation for or against renewal to the Graduate Council;
- (5) the Graduate Council votes to approve or disapprove the renewal.

### II. Associate Graduate Faculty Membership

Associate Graduate faculty membership may be awarded temporarily to faculty members who meet the following conditions.

- a. Course work must be completed beyond the Master's degree.
- b. A proper application must be presented with recommendations by the Department Chairman, undergraduate dean, and the Dean of the Graduate School. The application will include the courses to be taught, the terminal date of the appointment, and the special qualifications of the applicant that demonstrate the best available ability in the particular field.
- c. Approval of the Graduate Council must be obtained prior to the first meeting of the class.
- d. Renewal may be granted by the Graduate School Dean upon the request of the Department Chairman.

Approved by Graduate Council, November 21, 1966, June 21, 1973; by the President, July 30, 1973.

# XI.

## POLICY BULLETINS OF THE WEST VIRGINIA BOARD OF REGENTS

### POLICY BULLETIN NO. 1

November 17, 1970

With the distribution of Policy Bulletin No. 1, the Board of Regents initiates a formal procedure for disseminating official Board policies to the Presidents of the State Colleges and Universities. Policy Bulletins will be numbered in sequence and it is recommended that a complete file of these Bulletins be maintained at each institution for historical reference.

### POLICY REGARDING CURRENT OPERATING EXPENDITURES

It is the policy of the West Virginia Board of Regents that the financial affairs of the state system of higher education shall be conducted according to sound business principles; therefore:

BE IT RESOLVED THAT expenditures of each institution within each major category (Personal Services, Current Expenses, Repairs and Alterations, Equipment) shall be maintained within the sum allotted to the institution for each category,

BE IT FURTHER RESOLVED THAT the payment of all financial obligations incurred during the fiscal year shall be processed according to established procedures within that fiscal year and the duly authorized payment period at the end of the fiscal year (month of July),

BE IT FURTHER RESOLVED THAT at each college and university the president or chief administrator is responsible for the financial affairs of the institution being conducted in full compliance with this resolution.

Adopted: West Virginia Board of Regents  
November 10, 1970

### POLICY BULLETIN NO. 2

January 25, 1971

### POLICY REGARDING CHANGE IN THE ADMINISTRATIVE ORGANIZATION OR IN THE STRUCTURE OF COLLEGES, SCHOOLS, DIVISIONS, DEPARTMENTS OR OTHER ADMINISTRATIVE UNITS WITHIN UNIVERSITIES AND COLLEGES

Recognizing that each major change in the administrative organization or in the structure of colleges, schools, divisions, departments or other administrative units within universities and colleges has budgetary and program implications, the Board has enacted the following Resolution:

RESOLVED THAT the president of each state college and university shall submit to the Board of Regents a request with full justification for any proposed major change in the administrative organization of the institution or in the structure of its colleges, schools, divisions, departments or other administrative and academic units, and

BE IT FURTHER RESOLVED that no such change shall be put into effect without the prior approval of the Board of Regents.

Adopted: West Virginia Board of Regents  
January 12, 1971

### POLICY BULLETIN NO. 3

March 22, 1971

### POLICY REGARDING CLASSIFICATION OF RESIDENTS AND NONRESIDENTS FOR ADMISSION AND FEE PURPOSES

The West Virginia Board of Regents at its meeting February 2, 1971, adopted the following regulations governing the classification of students as residents or nonresidents for admission and fee purposes at all institutions under its jurisdiction, effective the Fall Semester of 1971:

### CLASSIFICATION OF RESIDENTS AND NONRESIDENTS FOR ADMISSION AND FEE PURPOSES

Effective Fall Semester 1971

General - Students enrolling in a West Virginia public institution of higher education shall be classified as resident or nonresident for admission, tuition, and fee purposes by the Registrar or other officer designated by the President. The decision shall be based upon information furnished by the student and all other relevant information. The Registrar is authorized to require such written documents, affidavits, verifications, or other evidence as are deemed necessary to establish the domicile of a student, including proof of emancipation, adoption, award of custody, or appointment of a guardian. The burden of establishing that a student is exempt from paying the nonresident tuition and fees is upon the student.

If there is a question as to residence, the matter must be brought to the attention of the Registrar and passed upon at least two weeks prior to registration and payment of tuition and fees. Any student found to have made a false or misleading statement concerning his residence shall be subject to dismissal from the college.

For purposes of resident and nonresident classifications, the word "parents" as herein used shall include legal guardians.

Residence Determined by Domicile - Domicile within the state means adoption of the state as a fixed permanent home and involves personal presence within the state. West Virginia domicile is presumed to be established upon the completion of at least twelve months of continued residence within the state prior to the date of first registration, provided that such twelve months residency is not for the purpose of attendance as an undergraduate or graduate student at any institution of learning in West Virginia.

Establishment of West Virginia domicile with less than twelve months residence prior to the date of first registration must be supported by proof of positive and unequivocal action such as the purchase of a West Virginia home, establishment of a permanent place of residence, full-time employment within the state, and assessment of property tax. Proof of one or more of these actions shall be considered only as evidence which may be used in determining whether or not a domicile has been established.

There must be no intent on the part of the person involved to return to another state or country.

Minors - The residence of a minor shall follow that of the parents at all times, except in extremely rare cases where emancipation can be proved beyond question. The residence of the father, or the residence of the mother if the father is

deceased, is the residence of the unmarried or unemancipated minor. If the father and the mother have separate places of residence, the minor takes the residence of the parent with whom he lives or to whom he has been assigned by court order. The parents of a minor will be considered residents of West Virginia if their domicile is within the state.

An unemancipated minor student loses resident status twelve months after his parents have ceased to maintain a domicile in West Virginia.

**Emancipated Minor** - An emancipated minor may be considered as an adult in determining residence, provided satisfactory evidence is presented that his parents, or legal guardian, if living, do not contribute to his support and do not claim him as a dependent for federal government income tax purposes.

In the event that the fact of emancipation is established, the emancipated minor assumes all of the responsibilities of an adult to establish residence for tuition and fee purposes. Proof must be provided that emancipation was not achieved principally for the purpose of establishing residence for attendance at an institution of higher education.

An emancipated minor, orphan, or abandoned child who has been domiciled in West Virginia for at least one year following his emancipation and next preceding the date of registration may be classified as a resident for tuition and fee purposes.

**Students Over Twenty-one Years of Age** - A resident student twenty-one years of age is (1) one whose parents were residents of the state at the time he reached his majority and who has not acquired a domicile in another state, or (2) who, while an adult, has established a bona fide domicile in the State of West Virginia. Bona fide residence in West Virginia means that the student must not be in the state primarily to attend a college and he must be in the state for purposes other than to attempt to qualify for residence status.

Any nonresident student who reaches the age of twenty-one years while a student at any school or college in West Virginia does not by virtue of such fact attain residence in this state for admission or tuition and fee payment purposes.

A student who is classified as a resident at the time that he reaches the age of twenty-one shall continue to be classified as a resident provided that he retains a domicile in West Virginia and that he does not establish a domicile, or legal residence, in another state.

**Marriage** - The residence of a married woman is determined by the rules which would apply to her husband if he were to seek enrollment, except that a woman who would have been classified as a West Virginia resident immediately prior to her marriage may continue to be classified as a West Virginia resident if she continues to be domiciled in the state.

**Military** - An individual who is on active federal military service or an employee of the federal government may be classified as a resident for the purpose of payment of tuition and fees provided he had established domicile in West Virginia prior to entrance into federal service, that he entered the federal service from West Virginia, and that he has at no time while in federal service claimed, or established, a domicile in any other state. Sworn statements attesting to these conditions may be required. The wife and dependent children of such individuals shall also be classified as residents of the State of West Virginia for tuition and fee purposes.

**Aliens** - An alien who has entered the United States on a resident visa, or who has taken out first papers for citizenship, and who has established a bona fide residence in West Virginia by living in the state for at least twelve consecutive months immediately preceding registration may be eligible for resident classification, provided he is in the state for purposes other than to attempt to qualify for resident status as a student.

**Higher Education Personnel** - Full-time employees of the West Virginia Board of Regents and the institutions under its jurisdiction, full-time ROTC personnel assigned to the institutions, and their spouses and dependent children, shall be considered West Virginia residents for the purpose of the payment of tuition and fees.

**Appeal Process** - The decisions of the Registrar or other officer charged with the determination of residence classification may be appealed to the President of the institution. The President may establish such committees and procedures as he determines necessary for the processing of appeals. The decision of the President of the institution may be appealed in writing with supporting documentation to the West Virginia Board of Regents. The appeal will be reviewed by the State Committee on Residency which shall make recommendations to the Board for final decision. The members of the State Committee on Residency shall be appointed by the Board of Regents.

Adopted: West Virginia Board of Regents  
February 2, 1971

#### **POLICY BULLETIN NO. 4**

**April 7, 1971**

#### **POLICY REGARDING THE APPROVAL OF NEW ACADEMIC PROGRAMS**

WHEREAS the West Virginia Board of Regents received a substantially smaller 1971-72 appropriation for personal services, library resources and the development of new programs in the state system of higher education than it had requested, and,

WHEREAS enrollment growth projected for 1971-72 and inflationary factors will require additional expenditures to maintain current programs at a quality level, and

WHEREAS the Board of Regents is committed to the principle of obtaining maximum return to the State for the dollars invested in support of higher education, and,

WHEREAS the Board of Regents believes that the expansion of career-technical higher educational opportunities of two years or less duration designed to prepare West Virginians for gainful employment within the State requires priority consideration,

THEREFORE BE IT RESOLVED that during 1971-72 new baccalaureate and graduate degree programs will be approved by the Board of Regents only if economies can be realized through a consolidation or reduction in existing programs sufficient to support new programs and if there is clear evidence that a critical need exists for personnel in West Virginia prepared in such new programs.

Adopted: West Virginia Board of Regents  
April 6, 1971

#### **POLICY BULLETIN NO. 5**

**June 9, 1971**

#### **POLICY REGARDING HOUSING REQUIREMENTS, RULES, AND REGULATIONS**

RESOLVED, That requirements as to housing and all rules and regulations in connection therewith shall be a matter of establishment and administration by each institutional president, provided always that the educational, moral, financial and legal obligations of each institution shall be fully guarded and protected.

BE IT FURTHER RESOLVED, That the above Resolution shall supersede any and all university and college residency rules and regulations heretofore adopted by the Board of Governors and the West Virginia Board of Education all of which are hereby rescinded.

Adopted: West Virginia Board of Regents  
June 8, 1971

#### POLICY BULLETIN NO. 6

June 9, 1971

#### POLICY REGARDING THE NAMING OF BUILDINGS

WHEREAS, The governing boards previously responsible for higher education in West Virginia had substantially different policies concerning the naming of buildings at the state institutions of higher education,

THEREFORE BE IT RESOLVED, That it shall be the policy of the Board of Regents to establish an official name of a building at an institution upon recommendation of the president of the institution with the concurrence of his advisory board provided, however, if it is proposed that the building be named for a person such individual must have rendered distinguished educational or other service to the institution and must not have been employed at the institution during the three previous years. An exception may be made by the Board of Regents in the case of the gift of a building.

Adopted: West Virginia Board of Regents  
June 8, 1971

#### POLICY BULLETIN NO. 7

June 9, 1971

#### POLICY REGARDING TRANSFERABILITY OF CREDITS AND GRADES

WHEREAS, The state system of higher education should provide flexible opportunities which facilitate the attainment of individual educational objectives,

THEREFORE BE IT RESOLVED, That the West Virginia Board of Regents hereby records its intention of establishing a policy for the transfer of student credits and grades between two-year and four-year institutions and between four-year institutions in the public higher educational system of West Virginia, and

BE IT FURTHER RESOLVED, That the Board directs its staff in consultation with the Advisory Council of Public College Presidents to prepare and submit for its consideration not later than September 1, 1971 policies or procedures which will insure the transfer of student credits and grades between such institutions.

Adopted: West Virginia Board of Regents  
June 8, 1971

#### POLICY BULLETIN NO. 8

June 30, 1971

#### POLICY REGARDING PROCESSING OF FORMS AND DOCUMENTS FOR ENCUMBERING AND EXPENDING FUNDS

BE IT RESOLVED, That as of July 15, 1971 all State forms and source documents related to the encumbering of

expenditures and processing of payments from funds appropriated under Title II, Sections 1, 2, and 6 of the Appropriations Act and allocated to each institution by the Board of Regents, excluding those for leases, consultant services agreements and computer equipment purchases, shall be submitted by each institution directly to the appropriate department or agency of State government for processing. All pertinent documents related to the excluded items shall be submitted to the Board of Regents for approval and processing, and

RESOLVED, That all forms and source documents related to capital outlay expenditures shall be submitted to the Board of Regents for approval and processing, and

RESOLVED, That the president of each college may authorize not more than two persons in addition to himself and the president of each university may authorize not more than four persons in addition to himself to sign and submit pertinent forms and documents for processing, and

BE IT FURTHER RESOLVED, That the president of each institution shall insure that the submission of all forms and documents by his institution shall adhere to all State statutes and State regulations and all Board of Regents' policies, rules, regulations and procedures.

Adopted: West Virginia Board of Regents  
June 29, 1971

#### POLICY BULLETIN NO. 9

June 30, 1971

#### POLICY REGARDING AMENDMENTS TO THE "POLICIES, RULES, AND REGULATIONS REGARDING STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT IN WEST VIRGINIA STATE UNIVERSITIES AND COLLEGES" ADOPTED BY THE WEST VIRGINIA BOARD OF REGENTS AUGUST 4, 1970

RESOLVED, That the "Policies, Rules, and Regulations Regarding Student Rights, Responsibilities, and Conduct in West Virginia State Universities and Colleges" adopted by the West Virginia Board of Regents August 4, 1970 are amended in regard to the following sections which are herewith changed to read as follows:

#### SECTION 3. POLICIES REGARDING STUDENT RIGHTS AND RESPONSIBILITIES

The submission of an application for admission to an institution represents an optional and voluntary decision on the part of the prospective student to partake of the program and privileges offered by the institution pursuant to the policies, rules and regulations of the Board of Regents and the institution. Institutional approval of that application, in turn, represents the extension of a right or privilege to join the institution community and to remain a part of it so long as the student fulfills the academic and behavioral expectations that are set forth in the policies, rules and regulations of the Board of Regents and the institution.

3.02 Freedom of Association - Students may organize whatever associations they deem desirable, and are entitled to affiliate with any group or organization for which they qualify for membership. However, institutional recognition of student organizations shall be limited to those whose purposes comport with the educational mission of the institution.

5.02 Powers, Authority, and Duties of the Presidents: Delegation of Authority and Responsibility - Any authority, responsibility or duty granted to or imposed upon such a president by these policies, rules, and regulations may be

delegated by him, subject to the control of the Board of Regents, to another person or persons on the faculty, staff or student body of the institution of which he is president.

5.06 Powers, Authority, and Duties of the Presidents: Use of Institutional Property or Facilities: Activities Which Interfere With, Disrupt, or Inhibit Institutional Operations - The assertion by any person or persons of rights of speech, assembly, press, or other expression with the intention to interfere with access to, or use of, the institution's property, facilities, activities, programs or operations by those properly and regularly using the same is expressly prohibited, any rule, regulation, or permission, expressed or implied, notwithstanding.

5.07 Powers, Authority, and Duties of the Presidents: Limitations of Assembly and Student Use of Institution Property or Facilities - Subject to the control of the Board of Regents, when, in the judgment of the president of any institution, an assembly is not in the best interests of the institution or the individuals concerned, in that it presents a clear and present danger of harm to persons, property or facilities or interference with or disruption of activities, such president or his delegate of authority shall prohibit such assembly and shall take measures to prevent harm to persons, property, or facilities, or to prevent interference with or disruption of activities, as may be necessary in the circumstances or may be reasonably expected to come into existence.

5.08b Immediately suspend any student who is found involved in prohibited action or conduct and who is (i) first advised, told, or notified that his action or conduct is prohibited, and who (ii) continues such action or conduct in spite of the warning. Such immediate suspension shall be followed with speedy disciplinary proceedings consistent with these policies, rules, and regulations.

Adopted: West Virginia Board of Regents  
June 29, 1971

#### POLICY BULLETIN NO. 10

August 25, 1971

#### POLICY REGARDING SABBATICAL LEAVE

RESOLVED, That the West Virginia Board of Regents, consistent with the provisions of the West Virginia Code, Chapter 18, Article 2, Section 12 and Chapter 18, Article II, Section 5a, hereby adopts the following uniform sabbatical leave plan effective July 1, 1972 and herewith rescinds effective the same date all sabbatical leave plans for higher educational personnel previously established by the Board of Governors or the West Virginia Board of Education.

(1) Eligibility. Any person holding faculty rank is eligible for sabbatical leave after the completion of at least six years of full-time employment in any one state college or university. After completing a sabbatical leave a faculty member shall not again be eligible until the seventh subsequent year.

(2) Purposes. Sabbatical leave may be granted to a faculty member so that he may engage in research, writing, study or other activity calculated to improve his usefulness to the college or university.

(3) Conditions governing the granting of sabbatical leave. The awarding of sabbatical leave is not automatic but shall depend on the merits of the request and on conditions prevailing in the college or university at the time. Sabbatical leave recommendations will be presented by the President of the institution to the Board of Regents for approval.

The presidents of the state colleges and universities may develop appropriate criteria for determining the usefulness of the proposed activity to the institution and equitable procedures and standards for processing applications for leaves.

(4) Compensation. A faculty member on sabbatical leave shall receive full salary for one semester of 4½ months or half salary for two semesters totaling 9 months. If a faculty member's salary is not paid wholly from state funds allocated by the Board of Regents, the president shall so inform the Board and justify his recommendation for a sabbatical under such circumstances.

(5) Obligations of the faculty member.

- (a) An applicant for a sabbatical leave shall submit to the president in writing a detailed plan of activity which he proposes to follow.
- (b) In accepting a sabbatical leave, a faculty member shall sign a statement indicating that he is aware of and agrees to all conditions of the leave, including the repayment provision.
- (c) While on sabbatical leave, a faculty member may not accept remunerative employment without the written consent of the president or his designated representative. Fellowships, assistantships and similar institutional stipends shall not be considered remunerative employment.
- (d) Upon return from a sabbatical leave, a faculty member shall file with the president of the college or university a written report of his scholarly activities while on leave.
- (e) Upon completing a sabbatical leave, the faculty member shall return to the college or university for three years, or repay the compensation received by him during the leave. If he returns for a period of less than three years, the repayment shall be prorated accordingly.

Adopted: West Virginia Board of Regents  
August 24, 1971

#### POLICY BULLETIN NO. 11

August 24, 1971

#### POLICY REGARDING PERIODIC REVIEW OF DEGREE PROGRAMS

RESOLVED, That in order to maintain an accurate assessment of productivity and to evaluate the need for continuing the several degree programs offered by the state universities and colleges, it shall be the policy of the West Virginia Board of Regents to review in detail enrollments, enrollment trends and degrees awarded in each program offered by the institutions comprising the state system of higher education according to the following schedule:

- Associate Degree Programs - Four years after the date of initiation and biennially thereafter
- Baccalaureate Degree Programs - Six years after the date of initiation and biennially thereafter
- Master's Degree Programs - Four years after the date of initiation and biennially thereafter
- Doctoral Degree Programs - Six years after the date of initiation and biennially thereafter

Adopted: West Virginia Board of Regents  
August 24, 1971



**POLICY BULLETIN NO. 12**

August 25, 1971

**POLICY REGARDING ESTABLISHMENT OF THE STATE COMMITTEE ON RESIDENCY AND PROCEDURES FOR APPEALING A RESIDENCY CLASSIFICATION DECISION OF AN INSTITUTIONAL PRESIDENT**

RESOLVED, That the Board of Regents adopts the following policy establishing a State Committee on Residency as prescribed by Board of Regents "Policy Regarding Classification of Residents and Nonresidents for Admission and Fee Purposes" adopted February 2, 1971 (Distributed as Policy Bulletin No. 3).

1. The membership of the State Committee on Residency shall be selected from the membership of the Board of Regents Academic Affairs Advisory Committee, Student Services Advisory Committee, Admissions and Registration Advisory Committee and the Advisory Council of Students.

2. The Chancellor will select for each session of the Committee five persons as follows:

- (a) One from the Academic Affairs Advisory Committee
- (b) One from the Student Services Advisory Committee
- (c) Two from the Admissions and Registration Advisory Committee
- (d) One from the Advisory Council of Students

3. The Chancellor shall appoint the Chairman of the Committee who shall designate the time and place of meetings.

4. Any appeal from the decision of the President of an institution on residency classification must be presented in writing to the Chancellor of the Board of Regents within thirty days after action by the President. The appeal must present the student's case in detail.

5. The Chancellor will obtain a written statement from the institution. He will send a copy of the student's statement to the institution and a copy of the institutional statement to the student. Both the student and the institution may submit an additional written statement to the Chancellor within two weeks after receiving the statement of the other party from the chancellor.

6. Copies of all statements will be provided to each member of the State Committee on Residency by the Chancellor. He will notify the student and the institution at least two weeks in advance of the time and place of the meeting of the State Committee on Residency as determined by the Committee Chairman.

7. The Committee shall provide full opportunity for the student and the institutional representative to present their positions. The purpose of the hearing is the determination of the proper classification of the student under existing residency regulations. It is not a disciplinary procedure. Neither the student nor the institution is on trial. A transcript or a tape of the proceedings shall be maintained. The student may be accompanied by an advisor who may not be a person other than his parent or guardian, or a student, faculty, or staff member of the institution, unless specifically permitted by name of the Committee.

8. Following the hearing, the Committee may deliberate in private. It shall present its recommendation in writing through the Chancellor to the Board of Regents, with copies to the student and to the institution, within ten days following the completion of the hearing.

9. The Board of Regents shall act on the appeal at its next regular meeting following receipt of the Committee

recommendation and shall notify the student and the institution promptly thereafter of its action.

Adopted: West Virginia Board of Regents  
August 24, 1971

**POLICY BULLETIN NO. 13**

September 17, 1971

**POLICY REGARDING COMMUNICATIONS REQUESTING NEW SERVICES, LEGAL OPINIONS, OR POLICY INTERPRETATIONS FROM STATE OFFICERS AND OFFICES**

RESOLVED, That all communications and contacts with state officers and offices, agencies, commissions or departments requesting new services, legal opinions, or policy rulings or interpretations associated with the state system of higher education or any state institution of higher education, shall be made by the Board of Regents unless approval is granted by the Board for an institution or institutional representative to initiate direct communication with such officers or offices. Institutional communications and contacts of a routine nature with state agencies regarding payrolls, requisitions, purchase orders and similar matters are not affected by this policy.

Adopted: West Virginia Board of Regents  
September 17, 1971

**POLICY BULLETIN NO. 14**

September 17, 1971

**POLICY REGARDING SALE OF NON-INTOXICATING BEER ON THE CAMPUS OF PUBLIC COLLEGES AND UNIVERSITIES**

BE IT RESOLVED, That henceforth the sale of non-intoxicating beer may be permitted, consistent with law, on the campus of public colleges and universities if, when and in the manner, authorized by the president of the institution; and

FURTHER RESOLVED, That any existing policies of this Board contrary to the foregoing be and the same are hereby accordingly modified and amended.

Adopted: West Virginia Board of Regents  
September 17, 1971

**POLICY BULLETIN NO. 15**

October 8, 1971

**POLICY REGARDING ACCREDITATION OF COMMUNITY AND JUNIOR COLLEGES**

RESOLVED, That the West Virginia Board of Regents, pursuant to the provisions of Chapter 18, Article 26, Section 13a of the West Virginia Code, adopts the following policy and procedures for the accreditation of Community and Junior Colleges.

- I. Basis for accreditation by the Board of Regents
  - a. Any institution which provides proof of accreditation by the North Central Association of Colleges and Secondary Schools shall receive full accreditation by the Board of Regents for the duration of the regional accreditation.

- b. Institutions which have not received regional accreditation may be accredited by the Board of Regents following an evaluation based on the standards used by the North Central Association of Colleges and Secondary Schools.
- II. Types of accreditation by the Board of Regents
  - a. Provisional accreditation may be granted for a period of one to four years with such conditions and limitations as the Board shall choose to apply.
  - b. Full accreditation may be granted for a period of one to four years with such conditions and limitations as the Board shall choose to apply.
- III. Procedures for the accreditation of institutions not regionally accredited.
  - a. A preliminary conference shall be held involving the President and chief administrator of the institution and the Chancellor and members of the staff of the Board of Regents.
  - b. The institution will compile an institutional self-study following the criteria established by the North Central Association. The staff of the Board of Regents may prepare guidelines to assist the institution in its self-study.
  - c. The Chancellor will appoint a visiting committee of from three to seven members to visit the institution to verify the self-study report. The Committee will be composed of academically qualified persons who may be chosen from public and private institutions of higher education in West Virginia or in other states, or from the staff of the Board of Regents or other educational agencies.
  - d. The visiting committee will submit its report and recommendations in writing to the Chancellor for transmittal to the Board of Regents with such comments and recommendations from the Board staff as may be deemed appropriate.
  - e. Representatives of the institution under consideration shall, upon request, be accorded an opportunity to meet with the Board of Regents to present information, statements and views which they deem appropriate concerning the institution's accreditation status.

Adopted: West Virginia Board of Regents  
October 8, 1971

**POLICY BULLETIN NO. 16**

October 8, 1971

**POLICY REGARDING ACCEPTANCE, OCCUPANCY, AND FINAL PAYMENT FOR NEW BUILDINGS**

RESOLVED, That prior to acceptance by the Board of Regents of a new building or an addition to an existing building the following actions shall be completed:

1. An inspection of the facility by the Architect, the Owner (the Board of Regents as represented by a staff member), the Contractor and other parties concerned and a determination of a date of substantial completion.
2. The Architect/Engineer shall:
  - a. Prepare a "Certificate of Substantial Completion", with a "punch-list" appended thereto of items to be completed or corrected, for approval and acceptance by

the Contractor and the Owner (the Board of Regents).

- b. Present to the Owner written certification of his right for occupancy from the Contractor, the Contractor's surety and insurance company.
- c. Present to the Owner written certification that permission for occupancy is acceptable with the State Fire Marshal.
- d. Present letter of certification to the President of the institution with one copy to the Board's Director of Physical Facilities, stating that construction of the building is complete in accordance with the Contract Documents, subject only to "punch-list" items remaining to be completed and/or corrected, and recommending that the building be accepted by the Board for occupancy as of a stated date.
3. The President of the institution shall present his written recommendation for acceptance of the project to the Board of Regents through the Chancellor.

RESOLVED, That no building or addition thereto constructed on any campus under the jurisdiction of the West Virginia Board of Regents shall be occupied in part or in whole prior to the date of Substantial Completion or prior to official action by the Board authorizing occupancy.

By definition, the date of substantial completion is "the date certified by the Architect/Engineer when construction is sufficiently complete, in accordance with the Contract Documents, so the Owner may occupy the project for use for which it is intended."

RESOLVED, That final payment to a Contractor for work performed in accordance with Contract Documents shall be made upon certification by the Architect of the following:

1. Completion of "punch-list" items appended to "Certificate of Substantial Completion."
2. Receipt of Contractor's affidavit as to Release of Liens.
3. Receipt of Contractor's affidavit as to Payment of Debts and Claims.
4. Receipt of agreement of Contractor's Surety Company as to Final Payment.
5. Certification by the Architect/Engineer as to Project Completion.

Adopted: West Virginia Board of Regents  
October 8, 1971

**POLICY BULLETIN NO. 17**

November 5, 1971

**POLICY REGARDING THE TRANSFERABILITY OF CREDITS AND GRADES**

WHEREAS, The Board of Regents at its meeting on June 8, 1971, recognized that the state system of higher education should provide flexible opportunities which facilitate the attainment of individual educational objectives, and

WHEREAS, The Board at that time recorded its intention to establish a policy concerning the transfer of credits and grades which would enable students who complete college-parallel programs in the state community colleges to obtain baccalaureate degrees in two additional years with the possible exception of certain specialized curricula,

THEREFORE BE IT RESOLVED, That the West Virginia Board of Regents establishes the following policy regarding the transfer of student credits and grades between two-year and four-year institutions and between four-year institutions in the public higher educational system of West Virginia.

1. Credit and grades earned for all baccalaureate level courses at any baccalaureate degree-granting institution in the West Virginia state system of higher education shall be transferable to any other institution in the state system.

2. Seventy-two hours of credits and grades earned for college-parallel courses completed at community colleges or branch colleges in the West Virginia system of higher education shall be transferable to any baccalaureate degree-granting institution in the state system.

3. Transfer students must fulfill the graduation requirements of the institution from which they expect to receive a degree.

4. Each institution shall establish reasonable and non-discriminatory policies that will permit transfer students from within the state system to graduate with honors.

5. Consistent with provisions 1 and 2 above, each baccalaureate degree-granting institution may require transfer students to meet any of the following standards:

- (a) An average of "C" on previous work attempted, provided that the average be determined according to Board-approved regulations applicable to the institution from which the student is transferring.
- (b) An average of "C" on work taken at the degree-granting institution, and an over-all "C" average according to the rules of that institution, as well as any requirement that may be established under provision 3 above.
- (c) The completion of up to 36 additional hours of credit, in residence, regardless of the number of hours transferred.
- (d) The completion of 16 of the last 32 hours before graduation in residence.
- (e) The completion of up to 15 additional hours of credit in his major field regardless of the number of hours and the nature of the courses transferred.

BE IT FURTHER RESOLVED, That any policies of this Board contrary to the foregoing are rescinded.

Adopted: West Virginia Board of Regents  
November 5, 1971

#### POLICY BULLETIN NO. 18

November 5, 1971

#### POLICY REGARDING RETIREMENT OF BOARD OF REGENTS EMPLOYEES

RESOLVED, That all employees of the West Virginia Board of Regents as of January 1, 1973 and those employed subsequently thereto shall be retired at the conclusion of the academic year or fiscal year contract period during which they reach their sixty-fifth birthday and in no event later than the June 30 which coincides with or is next after their sixty-fifth birthday.

BE IT FURTHER RESOLVED, That should the president of a college or university determine that unusual and extenuating circumstances exist whereby the loss of services of a teaching faculty member would seriously weaken or harm the instructional function of the institution, the president may petition the Board of Regents to continue the employment of the faculty member on a year-to-year basis beyond the

established retirement date and the Board of Regents will consider and act upon each such request provided:

- (a) The petition, with detailed justification of the circumstances involved, is received by the Board not less than four months prior to the established date of retirement of the individual.
- (b) The total number of yearly extensions granted for an individual shall not exceed two.
- (c) Any extension granted by the Board of Regents to an individual eligible to receive retirement benefits from the State Teachers' Retirement System shall be subject to approval by the State Teachers' Retirement Board.

BE IT FURTHER RESOLVED, That existing policies governing the retirement of Board of Regents employees shall remain in force through December 31, 1972.

Adopted: West Virginia Board of Regents  
November 5, 1971

#### POLICY BULLETIN NO. 19

January 11, 1972

#### POLICY REGARDING ACQUISITION, RENOVATION OR IMPROVEMENT OF PHYSICAL FACILITIES

RESOLVED, That approval of the Board of Regents is required prior to any institution initiating action:

- (a) To acquire any additional land, building or facility
- (b) To add to, renovate, or improve any building or other facility in a manner which may change or expand the functional use of the property in part or in whole.

Included under this policy are all gift and grant items as well as those financed from capital outlay accounts, operating accounts, special revenue accounts, etc. Requests for approval which are submitted by institutions must be structured around the Board of Regents' capital outlay guidelines (copy attached).

Adopted: West Virginia Board of Regents  
January 11, 1972

#### POLICY BULLETIN NO. 20

February 8, 1972

#### POLICY REGARDING QUALITY POINTS REQUIRED FOR GRADUATION

WHEREAS, The quality point averages of undergraduate students at Marshall University, Bluefield State College, Concord College, Fairmont State College, Glenville State College, Shepherd College, West Liberty State College, West Virginia Institute of Technology, West Virginia State College and Southern West Virginia Community College are calculated on the basis of the following regulation which was adopted by the West Virginia Board of Education and included in the minutes of its meeting on August 26-27, 1968:

#### Quality Points Required for Teacher Certification and Graduation

Quality points are based on the following quality point values for each semester of credit: "A"-4; "B"-3; "C"-2; "D"-1; and "F"-0. The quality point average is computed on

all work for which the student has registered with the following exceptions.

- a. Courses with grades of "W" and "WP"
- b. If a student earns a grade of "D" or "F" on any course taken no later than the quarter, semester, or summer term when he has attempted a total of 60 semester hours, and if he repeats this course one time only, the first grade shall be disregarded for the purpose of determining the student's quality point average and the grade earned the second time this course is taken shall be used in determining his grade point average.
- c. This regulation shall be effective only for students entering upon college study for the first time in the fall term of 1968 and thereafter.
- d. The first grade recorded shall not be deleted from the student's record and the second grade shall be entered adjacent thereto.

WHEREAS, Many students, parents and interested citizens have brought to the attention of the Board of Regents the fact that the regulation works to the disadvantage of students who entered college prior to the fall term of 1968, and particularly to the disadvantage of veterans who are returning from the armed services of the United States to resume their college studies, and

WHEREAS, The regulation is not applied in a uniform manner in all institutions as a result of various interpretations, and

WHEREAS, The current regulation of the Board of Education, published in MINIMUM REQUIREMENTS FOR THE LICENSURE OF SCHOOL PERSONNEL 1971, for the calculation of quality point averages for teacher certification is not the same as the regulation adopted by that Board in 1968,

THEREFORE BE IT RESOLVED, That the West Virginia Board of Regents hereby amends the 1968 regulation regarding the calculation of quality point averages for graduation purposes only to read as follows:

#### Quality Points Required for Graduation

Quality points are based on the following quality point values for each semester of credit: "A"-4; "B"-3; "C"-2; "D"-1; and "F"-0. The quality point average is computed on all work for which the student has registered with the following exceptions:

- a. Courses with grades of "W" and "WP".
- b. If a student earns a grade of "D" or "F" on any course taken no later than the semester or summer term during which he attempts the sixtieth semester hour, and if he repeats this course prior to the receipt of a baccalaureate degree, the original grade shall be disregarded and the grade or grades earned when the course is repeated shall be used in determining his grade point average. The original grade shall not be deleted from the student's record.

Students who began college study prior to the fall semester of 1968 or students whose records include an original grade which was reactivated following the second repeat of a course must make application to the appropriate institutional authority to assure their coverage by this regulation.

BE IT FURTHER RESOLVED, That the institutions in which this regulation applies shall make clear to students the fact that this regulation pertains only to graduation requirements and not to requirements for teacher certification which are within the province of the West Virginia Board of Education, and

BE IT FURTHER RESOLVED, That the Presidents of the colleges and universities shall evaluate this regulation and

report to the Chancellor their recommendation for further modification.

Adopted: West Virginia Board of Regents  
February 8, 1972

#### POLICY BULLETIN NO. 21

April 11, 1972

#### POLICY REGARDING ELEMENTARY AND SECONDARY TEACHING SCHOLARSHIPS

WHEREAS, The statute which established the Board of Regents provides that the policies and regulations of the preceding Boards shall remain in effect until altered or rescinded by the Board of Regents, and

WHEREAS, A revision of scholarship policies is being undertaken by the Board of Regents in order to establish a scholarship system which will more adequately meet the current financial aid needs of students, and

WHEREAS, It is not desirable that special restrictions or obligations be attached to scholarships which are awarded to students who are preparing for careers in elementary or secondary education,

NOW THEREFORE BE IT RESOLVED, That the West Virginia Board of Regents rescinds the policy actions of the West Virginia Board of Education of December 9, 1952, March 18, 1957, July 10, 1957, June 16, 1958, September 15, 1958, September 8, 1959, December 10-11, 1963 and December 8, 1964, which pertained to Elementary and Secondary Teaching Scholarships and thereby makes said Scholarships general Board of Regents Undergraduate Scholarships, and

BE IT FURTHER RESOLVED, That those students who presently hold Elementary and Secondary Teaching Scholarships shall continue to be awarded Board of Regents Undergraduate Scholarships as long as they meet the statutory and institutional requirements for Board of Regents Undergraduate Scholarships.

Adopted: West Virginia Board of Regents  
April 11, 1972

#### POLICY BULLETIN NO. 22

April 11, 1972

#### POLICY REGARDING THE LATE REGISTRATION FEE

BE IT RESOLVED, That the West Virginia Board of Regents hereby establishes the following regulations regarding a late registration fee at the State universities and four-year colleges effective the fall semester of 1972 and rescinds all previous regulations of the Board of Governors and of the West Virginia Board of Education regarding a late registration fee.

#### Regulations Regarding the Late Registration Fee

1. A late registration fee of \$10 shall be imposed upon all students in four-year colleges and universities who complete their registration after the regular registration date established by the institution.
2. The proper administrative officers of the institution shall have the authority to waive the fee in cases where there is a valid and serious reason for late registration.
3. The president of the institution shall determine whether and under what circumstances the late registration fee

shall be imposed on students registering for evening, Saturday, extension and other special classes.

Adopted: West Virginia Board of Regents  
April 11, 1972

**POLICY BULLETIN NO. 23**

April 11, 1972

**POLICY REGARDING THE EMPLOYMENT OF RELATIVES**

BE IT RESOLVED, That the West Virginia Board of Regents hereby rescinds the policy actions of the West Virginia Board of Education of July 17, 1947, March 17, 1958, July 11, 1960, January 27, 1961 and March 10, 1966; and Order Number 4631 of the West Virginia University Board of Governors, dated February 14, 1969, regarding the employment of relatives.

Adopted: West Virginia Board of Regents  
April 11, 1972

**POLICY BULLETIN NO. 24**

September 12, 1972

**POLICY REGARDING ACTION TO BE TAKEN ON AUDIT REPORTS**

BE IT RESOLVED, That immediately upon receipt of any audit report which suggests or indicates the illegal use or shortage of funds in any account associated in any manner with an institution or element of the state system of higher education, the West Virginia Board of Regents will submit the audit report to the Attorney General of West Virginia with the request that he take such action as he deems appropriate and to the prosecuting attorney of the county in which the institution or the element is located.

Adopted: West Virginia Board of Regents  
September 12, 1972

**POLICY BULLETIN NO. 25**

September 12, 1972

**POLICY REGARDING NEWS RELEASES ON CAPITAL OUTLAY PLANS AND PROJECTS**

BE IT RESOLVED, That inasmuch as the West Virginia Board of Regents is responsible for approving, financing, supervising all capital outlay developments for the state system of higher education, any and all releases to the news media pertaining to capital outlay developments associated with any institution in the state system of higher education shall be issued by the Board or shall be approved by the Board or its designated staff personnel prior to dissemination.

Approved: West Virginia Board of Regents  
September 12, 1972

**POLICY BULLETIN NO. 26**

October 3, 1972

**POLICY REGARDING HOLIDAYS**

RESOLVED, That the West Virginia Board of Regents

hereby rescinds all previous actions of the Board of Governors of West Virginia University and of the West Virginia Board of Education regarding holidays in the public colleges and universities of West Virginia, and directs that the president of each college or university shall determine the holidays which will be observed by the employees of that institution during any year provided:

- (1) That the number of the holidays shall not be less than eight nor more than eleven and shall include Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day.
- (2) Half holidays shall be counted as half days in computing the total number of holidays.

Adopted: West Virginia Board of Regents  
October 3, 1972

**POLICY BULLETIN NO. 27**

October 3, 1972

**POLICY REGARDING NEW ACADEMIC PROGRAMS**

WHEREAS, it is essential that the Board of Regents maintain an adequate range of high-quality academic programs in the West Virginia state system of higher education while avoiding unnecessary duplication, and,

WHEREAS, the changing needs of students and the changing economic opportunities require the continuous evaluation of academic offerings, and,

WHEREAS, the maintenance of an academic program of quality requires substantial financial support from the State and its citizens, and,

WHEREAS, the Board of Regents has defined and formalized the procedure for the approval of new academic programs,

NOW THEREFORE BE IT RESOLVED, that the West Virginia Board of Regents requires the president of each college or university to inform the Board as soon as the institution begins to plan for the addition or deletion of an academic program, and,

BE IT FURTHER RESOLVED, that each institution must submit to the Board formal proposals for new academic programs in conformity with the currently-approved Procedures and Format for the Submission of New Academic Program Proposals to the Board of Regents.

Adopted: West Virginia Board of Regents  
October 3, 1972

**POLICY BULLETIN NO. 28**

October 3, 1972

**POLICY REGARDING THE SUBMISSION OF GRANT APPLICATIONS AND PROPOSALS**

RESOLVED, That the West Virginia Board of Regents hereby establishes the following policy to be observed by the colleges and universities in the West Virginia state system of higher education regarding the submission of grant applications and proposals:

Effective October 3, 1972, all proposals by the institutions of higher education for grants, regardless of the source of funds, shall be reviewed and approved by the Board of Regents. Procedures and instructions to be followed in submitting proposals to the Regents shall be promulgated and revised as necessary by the Board.

All institutional proposals that contain elements which might lead to the development of new academic programs must be approved by the Board of Regents prior to submission to the funding agency. The new academic programs involved must be approved in accordance with established Board of Regents policy.

All other institutional proposals may be submitted to the funding agency concurrent with submission for Regents' approval. Proposals not approved by the Regents must be withdrawn from the funding agency.

Adopted: West Virginia Board of Regents  
October 3, 1972

**POLICY BULLETIN NO. 29**

**October 3, 1972**

**POLICY REGARDING THE COLLEGE-LEVEL EXAMINATION PROGRAM**

RESOLVED, That the West Virginia Board of Regents hereby establishes the following regulations regarding the use of the College-Level Examination Program in the colleges and universities which comprise the West Virginia state system of higher education.

**Regulations Regarding the College-Level Examination Program**

The regulations shall govern the use of the College-Level Examination Program (CLEP) of the College Entrance Examination Board in the institutions which comprise the West Virginia state system of higher education. The extent to which the program is utilized by any institution is a matter of institutional prerogative, but credit awarded by an institution in conformity with this policy shall be transferable to all other institutions in the state system.

(1) Subject Examinations. Students may be awarded credit for the successful completion of any or all of the CLEP Subject Examinations presently offered or developed in the future. They must achieve a score equal to or above the recommended score of the model policy of the College Board's Council on College-Level Examinations current at the time the examination was taken. Credit shall be awarded for the number of semesters for which the examination was designed. A grade shall not be assigned and the credit will not be included in the computation of the student's grade point average. The institution shall equate the CLEP credit earned with existing course offerings. If no equivalent course is offered by the institution the credit earned by CLEP examination shall be considered elective credit. Students shall not receive CLEP credit for equivalent courses in which they have already earned credit.

(2) General Examinations. An institution may award

credit within the limits indicated below to students who attain a score of 500 or above on each section of the General Examinations. The model policy of the Council on College-Level Examinations shall, upon publication, supersede the requirement for a score of 500.

English	6 hours	English Composition Credit
Natural Sciences	6 hours	General Education Natural Science Credit
Humanities	6 hours	General Education Humanities Credit
Social Sciences - History	6 hours	General Education Social Science and History Credit
Mathematics	6 hours	General Education Mathematics Credit

It should be made clear to students that such credit in general education may not meet specific program requirements of the institution awarding the credit or of other institutions to which the student may later transfer. The credit shall then be used as elective credit.

(3) Academic Record. The permanent academic record of the student shall indicate which credit was earned by CLEP examination.

(4) Enrollment. Students must be enrolled in an institution in order to receive credit from the institution. Students who have taken CLEP examinations prior to enrollment must submit an official CLEP transcript.

(5) Review. The Chancellor shall appoint a committee to review these regulations periodically.

Adopted: West Virginia Board of Regents  
October 3, 1972

**POLICY BULLETIN NO. 30**

**June 5, 1973**

**POLICY REGARDING EMERITUS STATUS OF RETIRED PROFESSIONALS**

RESOLVED, That the title "emeritus" may be conferred upon members of the professional staff at the time of their regular retirement upon the recommendation of the institutional president with the approval of the West Virginia Board of Regents. Such title does not, however, automatically entitle its bearer to access to institutional resources, but emeriti may be granted limited uses of such resources upon approval of the president.

BE IT FURTHER RESOLVED, That the criteria upon which the title "emeritus" depends shall be determined by each individual institution.

Adopted: West Virginia of Regents  
June 5, 1973

# Statement on Procedural Standards in Faculty Dismissal Proceedings

The following *Statement on Procedural Standards in Faculty Dismissal Proceedings* was prepared by a joint committee representing the Association of American Colleges and the American Association of University Professors and was approved by these two associations at their annual meetings in 1958. It supplements the 1940 *Statement of Principles on Academic Freedom and Tenure* by providing a formulation of the "academic due process" that should be observed in dismissal proceedings. The exact procedural standards here set forth, however, "are not intended to establish a norm in the same manner as the 1940 *Statement of Principles on Academic Freedom and Tenure*, but are presented rather as a guide. . . ."

## *Introductory Comments*

Any approach toward settling the difficulties which have beset dismissal proceedings on many American campuses must look beyond procedure into setting and cause. A dismissal proceedings is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely if ever need occur.

Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty are the academic entity. Historically, the academic corporation is the older. Faculties were formed in the Middle Ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions.

Nonetheless, the faculty of a modern college constitute an entity as real as that of the faculties of medieval times, in terms of collective purpose and function. A necessary pre-condition of a strong faculty is that it have first-hand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.

A well-organized institution will reflect sympathetic

understanding by trustees and teachers alike of their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of colleges, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. Such a condition is in no wise inconsistent with full faculty awareness of institutional factors with which governing boards must be primarily concerned.

In the effective college, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthy setting. When it does come, however, the college should be prepared for it, so that both institutional integrity and individual human rights may be preserved during the process of resolving the trouble. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.

One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 *Statement of Principles on Academic Freedom and Tenure* and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 Statement and standards which have developed in the experience of academic institutions.

This statement deals with procedural standards. Those recommended are not intended to establish a norm in the same manner as the 1940 *Statement of Principles on Academic Freedom and Tenure*, but are presented rather as a guide to be used according to the nature and traditions of particular institutions in giving effect to both faculty tenure rights and the obligations of faculty members in the academic community.

### *Procedural Recommendations*

#### 1. Preliminary Proceedings Concerning the Fitness of a Faculty Member

When reason arises to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with him in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, a standing or *ad hoc* committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment if possible and, if none is effected, to determine whether in its view formal proceedings to consider his dismissal should be instituted. If the committee recommends that such proceedings should be begun, or if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses his conviction that a proceeding should be undertaken, action should be commenced under the procedures which follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the president and the faculty committee; if there is disagreement, the president or his representative should formulate the statement.

#### 2. Commencement of Formal Proceedings

The formal proceedings should be commenced by a communication addressed to the faculty member by the president of the institution, informing the faculty member of the statement formulated, and informing him that, if he so requests, a hearing to determine whether he should be removed from his faculty position on the grounds stated will be conducted by a faculty committee at a specified time and place. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare his defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded to him. The faculty member should state in reply whether he wishes a hearing and, if so, should answer in writing, not less than one week before the date set for the hearing, the statements in the president's letter.

#### 3. Suspension of the Faculty Member

Suspension of the faculty member during the proceedings involving him is justified only if immediate harm to himself or others is threatened by his continuance. Unless legal considerations forbid, any such suspension should be with pay.

#### 4. Hearing Committee

The committee of faculty members to conduct the hearing and reach a decision should either be an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chairman.

#### 5. Committee Proceeding

The committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether he should be removed; otherwise the hearing should go forward. The committee, in consultation with the president and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter set forth in the president's letter to the faculty member should be received.

The president should have the option of attendance during the hearing. He may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the president. The faculty member should have the additional procedural rights set forth in the 1940 *Statement of Principles on Academic Freedom and Tenure*, and should have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or his counsel and the representative designated by the president should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all witnesses adverse to him. Where unusual and urgent reasons move the hearing committee to withhold this



right, or where the witness cannot appear, the identity of the witness, as well as his statements, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

#### 6. Consideration by Hearing Committee

The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or his counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The president and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the president's office.

#### 7. Consideration by Governing Body

The president should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee's decision would normally be expected. If the governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with objections specified. In such a case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the committee's reconsideration should the governing body make a final decision overruling the committee.

#### 8. Publicity

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee's original action, if this has not previously been made known.

# Academic Freedom and Tenure

## 1940 STATEMENT OF PRINCIPLES

In 1940, following a series of joint conferences begun in 1934, representatives of the American Association of University Professors and of the Association of American Colleges agreed upon a restatement of principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure. This restatement, known to the profession as the 1940 *Statement of Principles on Academic Freedom and Tenure*, was officially endorsed by the following organizations in the years indicated:

Association of American Colleges	1941	Midwest Sociological Society	1963
American Association of University Professors	1941	Mississippi Valley Historical Association	1963
American Library Association (adapted for librarians)	1946	American Philological Association	1963
Association of American Law Schools	1916	American Council of Learned Societies	1963
American Political Science Association	1917	Speech Association of America	1963
American Association of Colleges for Teacher Education <sup>1</sup>	1950	American Sociological Association	1963
Association for Higher Education, National Education Association	1950	Southern Historical Association	1963
Eastern Psychological Association	1950	American Studies Association	1963
American Philosophical Association: Western Division	1952	Southern Economic Association	1963
Eastern Division	1953	Classical Association of the Middle West and South	1961
Southern Society for Philosophy and Psychology	1953	Southwestern Social Science Association	1961
American Psychological Association	1961	Archaeological Institute of America	1961
American Historical Association	1961	Southern Management Association	1961
Modern Language Association of America	1961	American Educational Theatre Association	1961
American Economic Association	1962	South Central Modern Language Association	1961
American Farm Economic Association	1962	Southwestern Philosophical Society	1964
		Council for the Advancement of Small Colleges	1965
		Mathematical Association of America	1965
		Arizona Academy of Science	1965

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher<sup>2</sup> or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the

<sup>1</sup> Endorsed by predecessor, American Association of Teachers Colleges, in 1941.

<sup>2</sup> The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.

teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically: (1) Freedom of teaching and research and of extramural activities and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

### *Academic Freedom*

(a) The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

(b) The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

(c) The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman.

### *Academic Tenure*

(a) After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

(1) The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

(2) Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.

(3) During the probationary period a teacher

should have the academic freedom that all other members of the faculty have.

(4) Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges against him and should have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He should be permitted to have with him an adviser of his own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from his own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

(5) Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

### INTERPRETATIONS

At the conference of representatives of the American Association of University Professors and of the Association of American Colleges on November 7-8, 1940, the following interpretations of the 1940 *Statement of Principles on Academic Freedom and Tenure* were agreed upon:

1. That its operation should not be retroactive.
2. That all tenure claims of teachers appointed prior to the endorsement should be determined in accordance with the principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure.
3. If the administration of a college or university feels that a teacher has not observed the admonitions of Paragraph (c) of the section on *Academic Freedom* and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning his fitness for his position, it may proceed to file charges under Paragraph (a) (4) of the section on *Academic Tenure*. In pressing such charges the administration should remember that teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

## APPENDIX C

# The Standards for Notice of Nonreappointment

(Endorsed by The Fiftieth Annual Meeting)

Because a probationary appointment, even though for a fixed or stated term, carries an expectation of renewal, the faculty member should be explicitly informed of a decision not to renew his appointment, in order that he may seek a position at another college or university. Such notice should be given at an early date, since a failure to secure another position for the ensuing academic year will deny the faculty member the opportunity to practice his profession. The purpose of this Statement is to set forth in detail, for the use of the academic profession, those standards for notice of nonreappointment which the Association over a period of years has actively supported and which are expressed as a general principle in the 1940 *Statement of Principles on Academic Freedom and Tenure*.

### The Standards for Notice

Notice of nonreappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

- (1) Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
- (2) Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
- (3) At least twelve months before the expiration of an appointment after two or more years in the institution.