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Academic Affairs

Summer 1985

The Greenbook, Faculty Handbook, 1985-1986

Marshall University Academic Affairs

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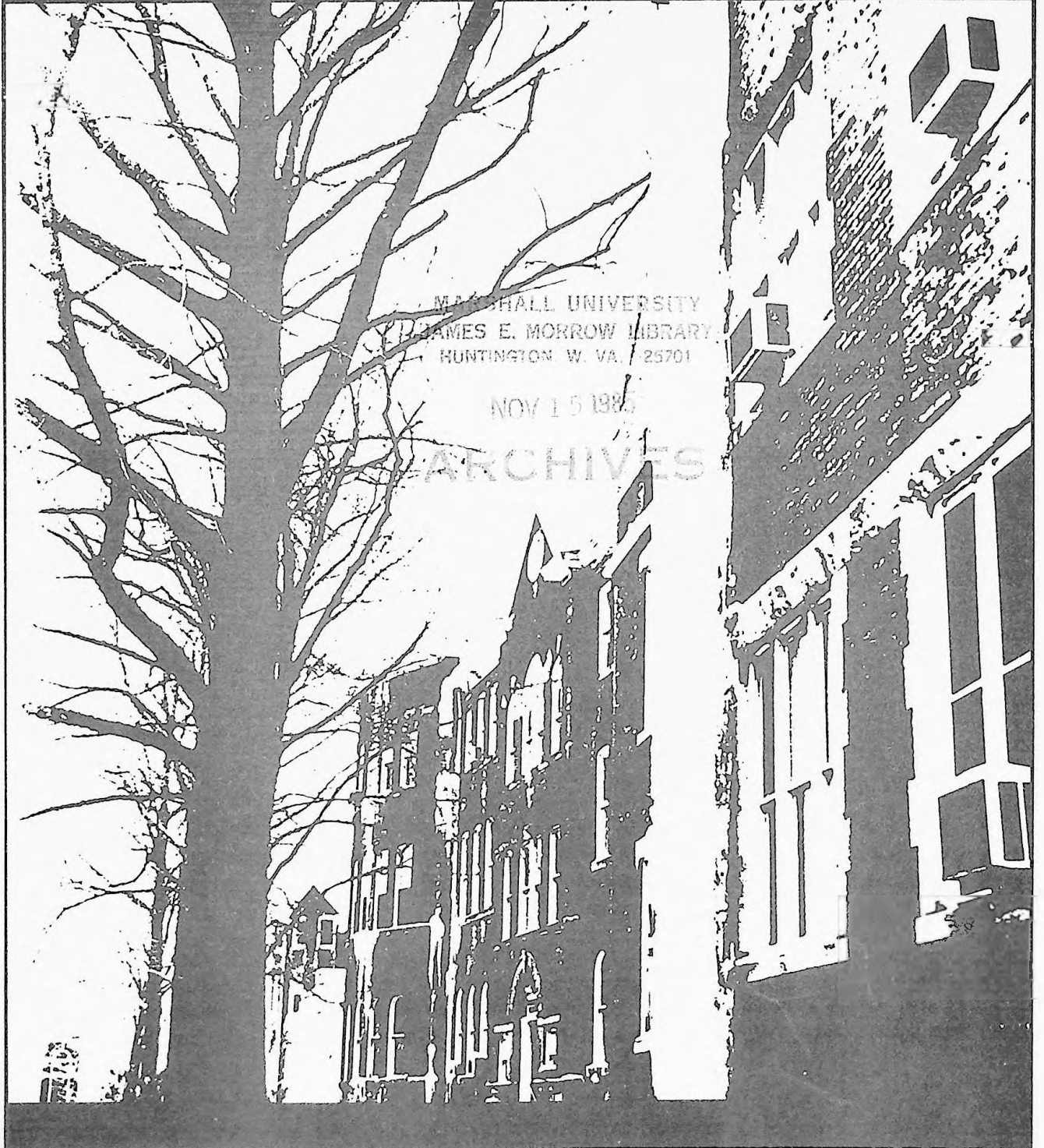


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Marshall University

The Greenbook



1985-86

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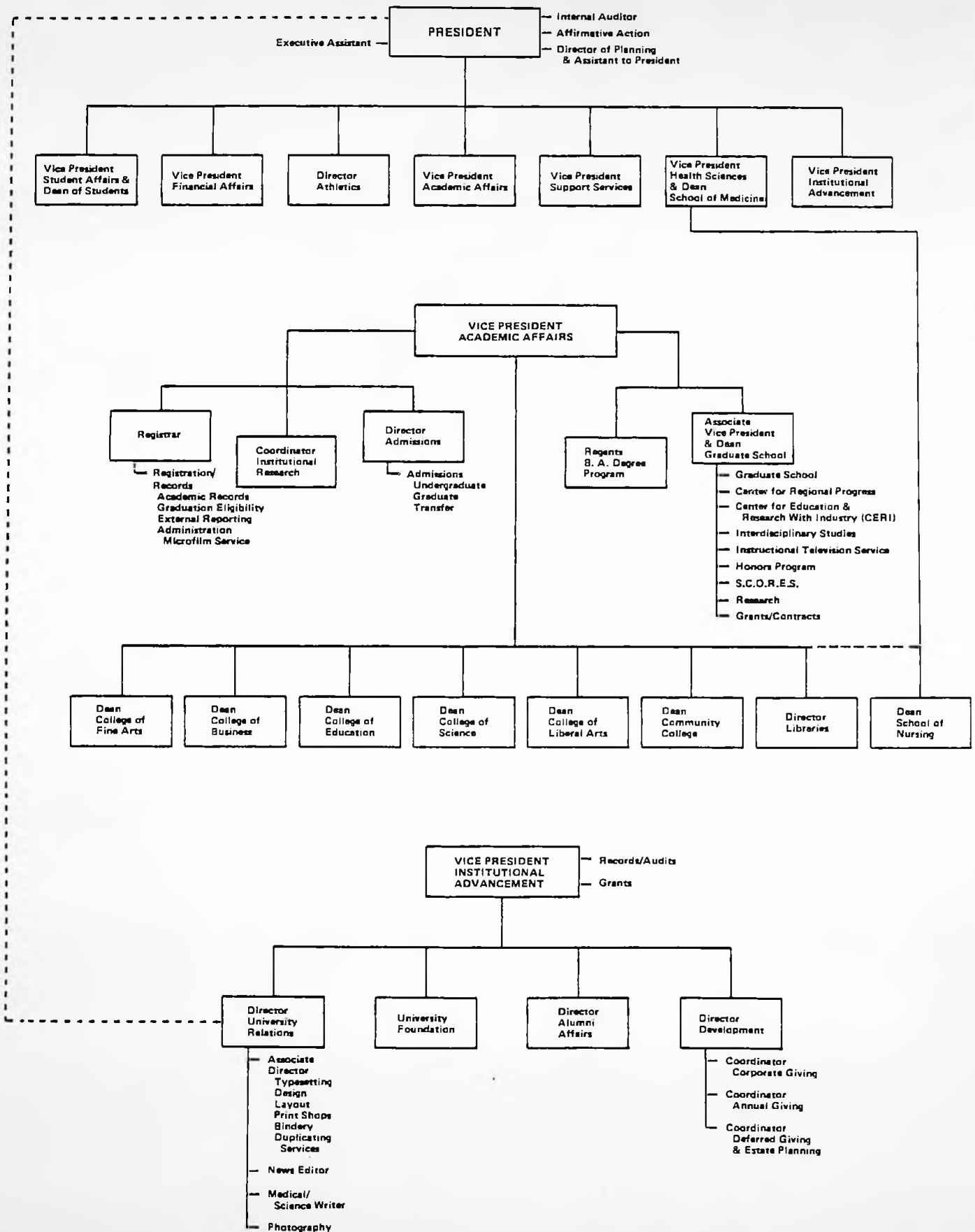
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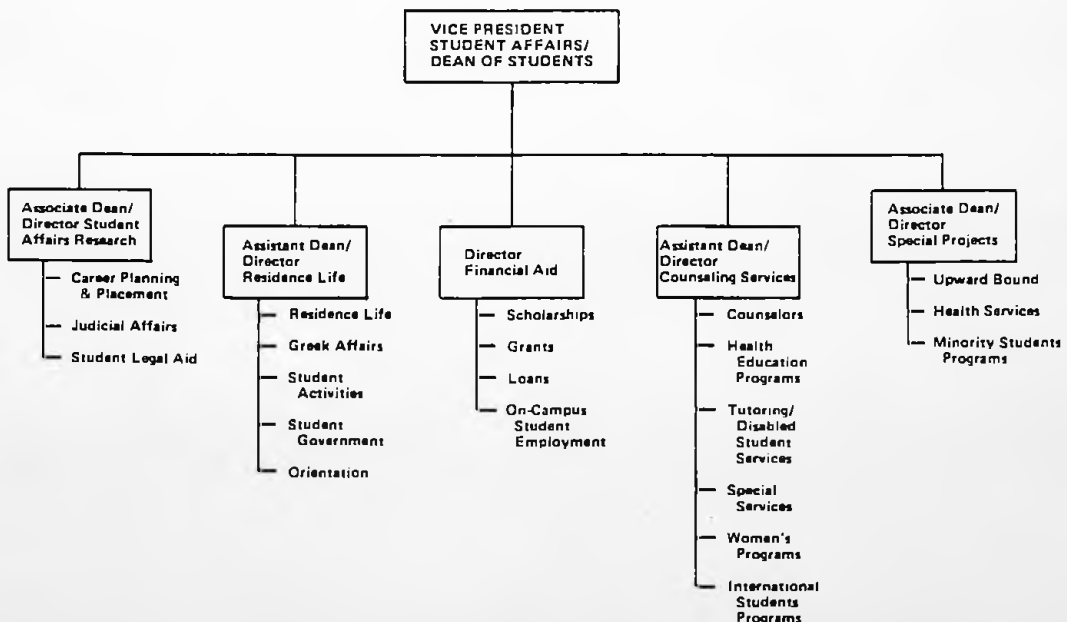
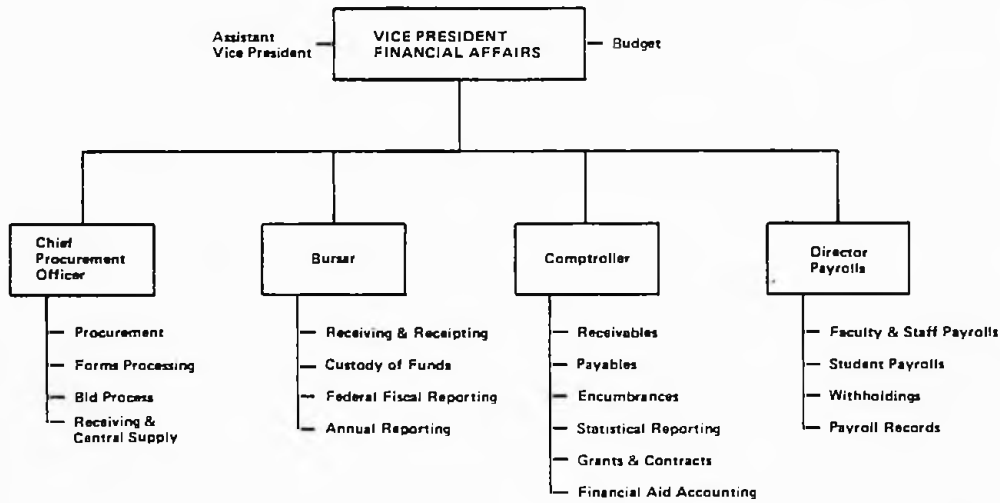
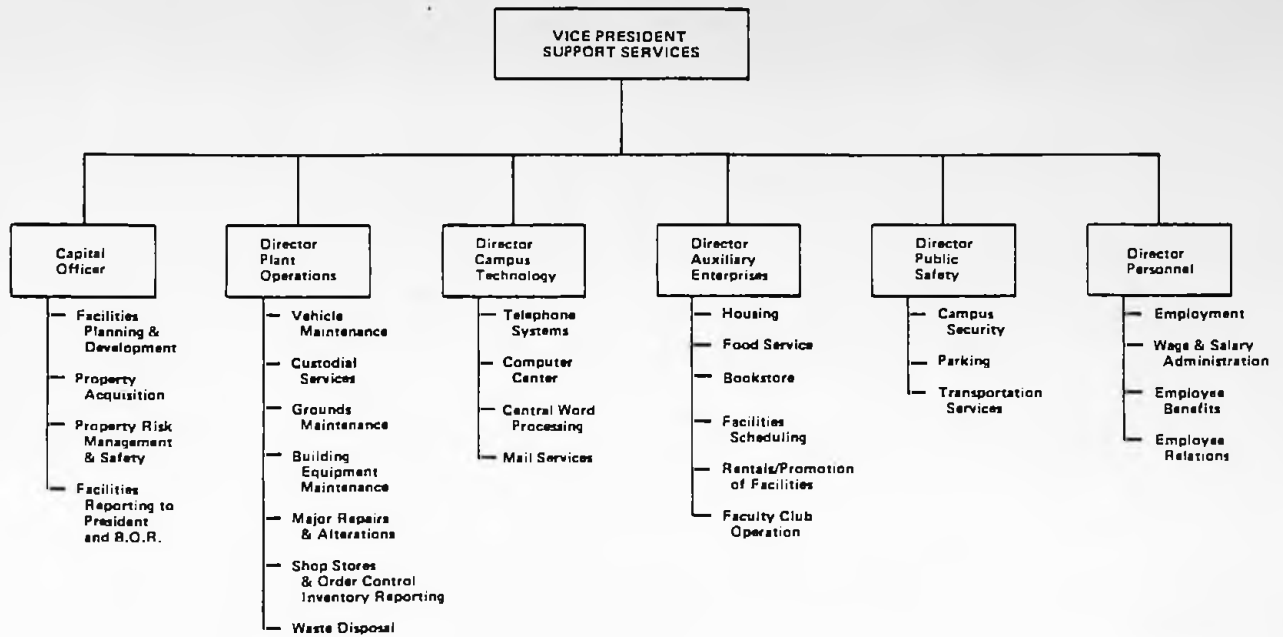
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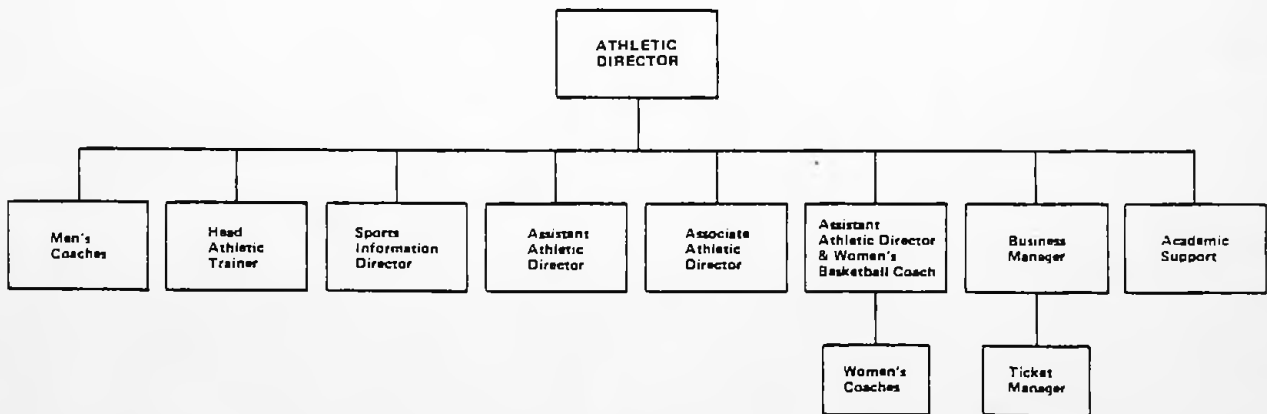
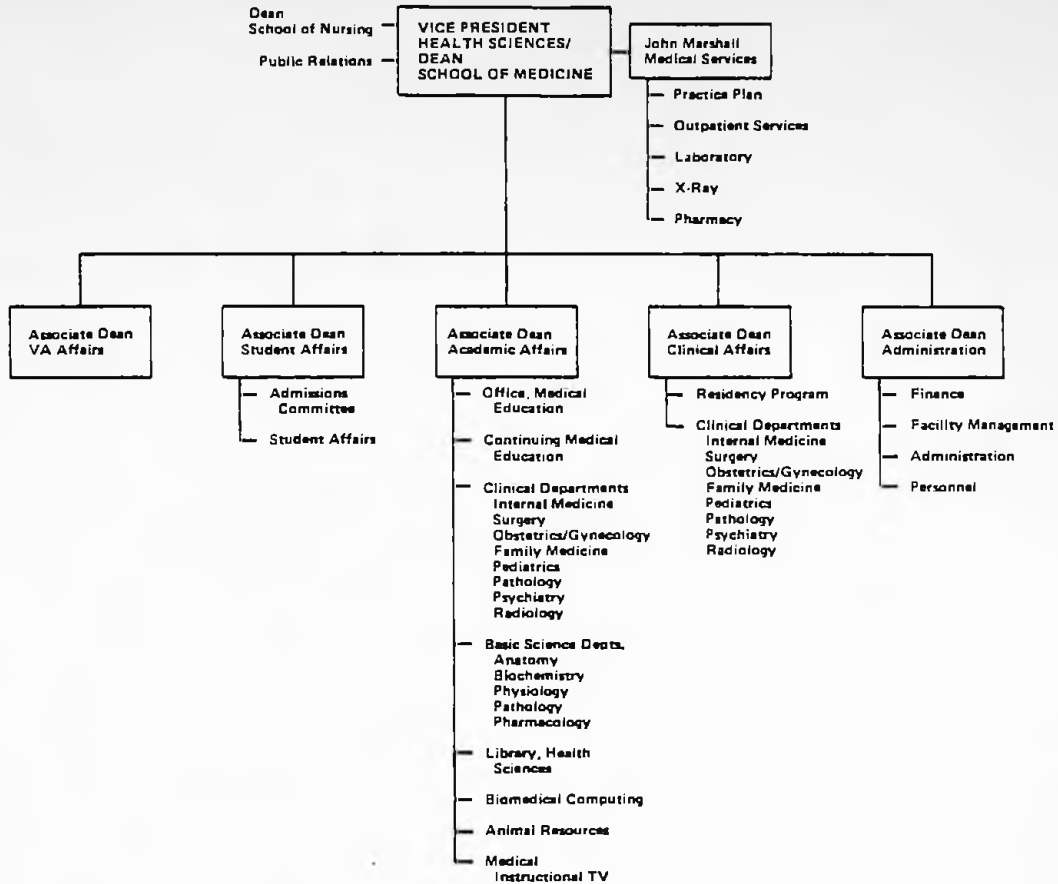
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I.

INSTITUTIONAL GOVERNANCE

SPONSORSHIP OF THE INSTITUTION

Marshall University is a tax-supported institution under the jurisdiction of the West Virginia Board of Regents. The Board of Regents assumed jurisdiction of state colleges and universities in July, 1969.

WEST VIRGINIA BOARD OF REGENTS

The President of Marshall University reports directly to the West Virginia Board of Regents, the governing board established by action of the West Virginia State Legislature in 1969. The functions of this Board are delineated in School Laws of West Virginia, Chapter 18, Section 26, as extracted from the West Virginia Code.

As described in the Code, the Board of Regents exercises responsibilities for the general determination, control, supervision, and management of the financial, business, and educational policies and affairs of all state colleges and universities. The Board's responsibilities include the making of studies and recommendations respecting higher education in West Virginia; allocating among the state colleges and universities specific functions and responsibilities; and submitting budget requests for the state colleges and universities.

The responsibilities of the Board of Regents differ from those of the West Virginia Board of Education, which was the former governing body of Marshall University, in that 1) the Board of Education did not govern West Virginia University and Potomac State College, both of which are now under the authority of the Board of Regents; 2) in addition to Marshall University and the public colleges of the state, the Board of Education had responsibility for public education on the elementary and secondary levels, whereas the Board of Regents is responsible only for public higher education; and 3) under the Board of Education, each college and university submitted its individual budget request to the Board of Education who, in turn, submitted it to the Board of Public Works to be included in the Board of Public Works Budget Request, whereas presently the budget for higher education is submitted by the Board of Regents to the Governor as a composite for all state colleges and universities.

All powers, duties, and authority of the West Virginia Board of Education with respect to state colleges and universities were transferred from the Board of Education to the Board of Regents, effective July 1, 1969, except that standards for education of teachers and teacher preparation programs at the state colleges and universities continue to be under the general direction and control of the Board of Education. The Board of Education has the sole authority to enter into agreements with County Boards of Education for the use of the public schools to give prospective teachers teaching experience.

The Board of Regents consists of twelve voting members in addition to the State Superintendent of Schools, ex officio. Nine members are state residents appointed by the Governor and approved by the Senate. The 1977 Legislature added to the voting membership the chairperson of the Advisory Council of Faculty, ex officio, and the chairperson of the

Advisory Council of Students, ex officio. The 1983 Legislature added the chairperson of the Advisory Council of Classified Employees, ex officio. The gubernatorial appointments are made for six-year overlapping terms. Except for the ex officio members, no person shall be eligible for appointment to membership on the Board who is an officer, employee or member of an advisory board of any state college or university, or any officer or member of any political party executive committee, or the holder of any other public office or public employment under the federal government or under the government of West Virginia or any of its political subdivisions, or any appointee or employee of the Board. Of the nine members appointed by the Governor from the public at large, not more than five shall belong to the same political party and at least two members of the Board shall be appointed from each congressional district.

Mr. William E. Watson, President
Attorney, Wellsburg
Mr. Kenneth M. Dunn, Vice President
Businessman, South Charleston
Mr. Louis J. Costanzo, III, Secretary
Accountant, Wheeling
Mr. Clark B. Frame
Attorney, Morgantown
Rev. Paul J. Gilmer
Director of Opportunities Industrialization Center,
Charleston
Mr. Thomas L. Craig, Jr.
Attorney, Huntington
Mr. John Shott
Businessman, Bluefield
Sister Mary Jude Jochum
Educator, Wheeling
Ms. Suzanne T. Snyder
Faculty Representative, Fairmont State College, Fairmont
Mr. Michael Queen
Student Representative
Marshall University, Huntington
Mr. Clifton Neal
Classified Employees Representative, Bluefield State
College, Bluefield
Dr. Tom McNeel
State Superintendent of Schools
Charleston, ex officio (non voting)

One vacancy, to be filled by gubernatorial appointment.

The principal administrative officer of the Board of Regents is the Chancellor, Dr. Leon H. Ginsberg. Members of the Chancellor's staff are as follows:

Vice Chancellor for Academic Affairs - Dr. David R. Powers
Vice Chancellor for Administrative Affairs - Dr. Edward Grose
Vice Chancellor for Health Affairs - Dr. James J. Young

Director of Community College and Vocational Education -
Dr. M. Douglas Call
Director of Student and Educational Services - John F.
Thralls
Director of Finance - James J. Schneider
Director of Personnel Administration - William J. Walsh
Director of WV Network of Educational Telecomputing -
Charles R. Shomper
Director of Facilities - Robert D. Wilson
Director of Planning and Educational Research - Wayne H.
Phelps

WEST VIRGINIA BOARD OF REGENTS ADVISORY COMMITTEE SYSTEM

To facilitate communication and expedite use of professional competencies, the Board of Regents has established a number of advisory groups. One of these is the Advisory Council of Public College Presidents, of which the President of Marshall University is a member, along with the Presidents of the other state colleges and universities. Others are the several Advisory Committees, on each of which Marshall University has a representative, as listed below. Members of the Advisory Committee system are appointed by virtue of positions held within the university.

Academic Affairs Advisory Committee
Vice President for Academic Affairs, Dr. Alan B. Gould
Business Affairs Advisory Committee
Vice President for Financial Affairs, Harry E. Neel, Jr.
Student Affairs Advisory Committee
Vice President/Dean of Students, Dr. Nell C. Bailey
Admissions and Records Advisory Committee
Director of Admissions, Dr. James W. Harless
Library Resources Advisory Committee
Director of Libraries, Dr. Kenneth T. Slack
Computer Center Directors Advisory Committee
Director of Computer Center, Arnold R. Miller
Computer Policy Board
Director of Campus Technology, Dr. William S. Deel
Equal Opportunity-Affirmative Action Advisory Council
Affirmative Action Officer, Dr. Cheryl Connelly
Regents BA Coordination Committee
RBA Coordinator, Dr. B.R. Smith
Teacher Education Advisory Committee
Dean, College of Education, Dr. Allen A. Mori
HEITV Committee (Higher Education Instructional
Television)
Dr. Dorothy R. Johnson, Professor and Chairman of
Speech
Advisory Council of Faculty
Dr. William S. Westbrook, Professor of Sociology and
Anthropology
Advisory Council of Students
Michael L. Queen, Past President, Student
Government
Advisory Council of Classified Employees
Ray Welty, Director of Auxiliary Services

As in past years, these committees will continue to be active in systemwide planning for higher education in West Virginia. They provide a direct means of communication whereby Marshall and the other state institutions may have a voice and make a real input to the Board of Regents.

MARSHALL UNIVERSITY INSTITUTIONAL BOARD OF ADVISORS

Appointed by Board of Regents:

Dr. H. Darrell Darby, Chairman
Podiatrist
Huntington
Mr. Paul M. Churton
Senior Vice President, Ashland Coal, Inc.
Huntington
Mr. Charles K. Connor, Jr.
President and Publisher, Beckley Newspapers
Beckley
Mr. David N. Harris
Personnel Manager, Huntington Alloys, Inc.
Huntington
Mr. Dan R. Moore
President, Matewan National Bank
Matewan
Mrs. Sandra S. Wilkerson
Homemaker, Former public school teacher
St. Albans
Mr. James S. Williams
Field Coordinator, AFL-CIO Appalachian Council
Huntington

Institutional Members:

Elected by Marshall University Faculty:
Dr. Elaine Baker
Professor of Psychology
Marshall University, Huntington

Elected by Marshall University Staff:
Mr. Eugene Crawford
Police Officer, Public Safety
Marshall University, Huntington

Administrator Appointed by President:
Dr. F. David Wilkin
Dean, Community College
Marshall University, Huntington

Elected by Student Body:
Mr. Mark Rhodes
Student Representative
Marshall University, Huntington

II.

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 the President's 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, the President is finally responsible for everything concerning the university and for the effective and economical operation of all departments.

NOTE: All administrators, including department chairpersons, serve at the will and pleasure of the President.

VICE PRESIDENT FOR ACADEMIC AFFAIRS

The Vice President for Academic Affairs, the chief academic officer of the university, is responsible for all instructional programs. Reporting to the Vice President are the Deans of the six undergraduate colleges, the Associate Vice President/Dean of the Graduate School, and the directors of the Regents B.A. Degree Program, Libraries, Institutional Research and Admissions and Records.

The Vice President has general supervision of all instructional programs in the undergraduate colleges and the Graduate School, is responsible for academic planning in all these units, and works in cooperation with the academic deans on matters of faculty appointments, promotions, salaries, curricula, instructional space, admissions policies, registration procedures, effectiveness of the university libraries, coordination of the instructional budgets, academic advising and testing, instructional evaluation, and other matters relating to the instructional program. The Vice President for Academic Affairs also has general supervisory authority over the Honors Programs, SCORES Program, Instructional Television Services, and faculty/student research.

VICE PRESIDENT FOR STUDENT AFFAIRS/DEAN OF STUDENTS

The Vice President for Student Affairs/Dean of Students manages a variety of programs and services which are designed to aid students in their growth and development and is assisted by two Associate Deans. Responsibilities of the Vice President/Dean include Counseling Services; Special Services such as tutoring, reading improvement, and teaching study skills and time management; Disabled Student Services; International Students' Programs; Minority Students' Programs; Women's Programs; Health Education; Upward Bound, a summer high school program for low-income potential college students; Financial Aid; Career Planning and Placement; Judicial Affairs; Residence Life; Student Activities; Student Government; and Student Legal Aid.

The Vice President for Student Affairs/Dean of Students reports to the President.

VICE PRESIDENT FOR FINANCIAL AFFAIRS

The Vice President for Financial Affairs is the chief fiscal officer of the university, reporting to the President. The Vice President's department includes the divisions of Finance, Accounting, Purchasing and Payrolls.

VICE PRESIDENT FOR HEALTH SCIENCES/DEAN OF THE SCHOOL OF MEDICINE

The Vice President/Dean is the chief officer in charge of the School of Medicine. The Dean of the School of Nursing is directly responsible to the Vice President/Dean, who is assisted by Associate and Assistant Deans for the various administrative areas in conducting the school's affairs in a manner acceptable to the President. The Vice President/Dean is directly responsible to the President of the university.

VICE PRESIDENT FOR SUPPORT SERVICES

The directors of five areas report to the Vice President for Support Services--Plant Operations, Campus Technology, Auxiliary Services, Public Safety, Capital Officer and Personnel. This administrative arm of the institution oversees more than two million square feet of owned space involving 35 structures and is responsible for facilities planning and development, property acquisition, property risk management and safety, vehicle maintenance, custodial services, grounds maintenance, building equipment maintenance, major capital repairs and alterations, shop stores, waste disposal, telephone systems, campus computer center, mail services, cable television, central word processing, student housing, food service, facilities promotions and scheduling, faculty club operation, campus security, parking, transportation services, employment, wage and salary administration, employee benefits, employee relations and hiring.

VICE PRESIDENT FOR INSTITUTIONAL ADVANCEMENT

The Vice President for Institutional Advancement is responsible to the President for developing and implementing a successful program among external constituencies related to understanding of the university and its mission; raising private and corporate funds; alumni relations and student recruitment. The Vice President serves as Executive Director of the Marshall University Foundation, Inc., in addition to providing leadership and direction for the offices of Development, Alumni Affairs, University Relations and Student Recruitment.

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 of all schools, colleges, departments, and interests and assists them in the attainment of their various

educational objectives. The Director of Libraries is responsible to the Vice President for Academic Affairs.

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

DEANS OF THE COLLEGES

The Deans of the colleges -- College of Business, College of Education, College of Fine Arts, College of Liberal Arts, College of Science, and Community College -- head the undergraduate 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.

DEAN OF THE GRADUATE SCHOOL

The dean of the Graduate School (also Associate Vice President for Academic Affairs) administers and promotes the graduate program of the university. The Dean acts on admission to candidacy for the master's degree; gives final approval on theses; recommends candidates for graduation; recommends new graduate courses; approves the qualifications of faculty members for graduate instruction; aids in the placement of graduates; assigns graduate students to advisors; allocates funds for and approves appointments of graduate assistants; presides at meetings of the Graduate Council; and serves as chairperson of the Research Board. The Dean of the Graduate School is directly responsible to the Vice President for Academic Affairs.

CHAIRPERSONS OF DEPARTMENTS

The department chairperson is responsible for the administration and promotion of all affairs pertaining to the academic well-being and morale of the department. This responsibility involves such activities as faculty counseling and guidance, student advising and counseling, curriculum planning, scheduling, maintenance of academic relevancy, and all budgetary considerations. The maximum participation in the administrative decision making process is encouraged at the chairperson's level. Every effort is made to foster departmental autonomy and to assure that decisions are formulated closest to the students and faculty affected. Recommendations of the chairperson such as those for faculty leaves, student assistantships, teaching appointments, travel, and departmental expenditures normally flow through the dean of the college.

The department chairpersons function collectively through a council of chairpersons sanctioned by the President as an administrative arm of the university. The council conducts inquiry into areas of common concern and makes recommendations to appropriate faculty committees and administrators.

The department chairperson is directly responsible to the dean of the college.

DIRECTOR OF UNIVERSITY RELATIONS

The Director of University Relations is responsible for official university information. This office prepares and disseminates news releases, publishes a campus newsletter weekly, and works with both the written and electronic media in reporting events. 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. The Director of University Relations reports to the Vice President for Institutional Advancement.

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. The Director of Athletics arranges schedules, supervises the activities of the coaches, establishes ticket prices, and administers the activities of the Big Green Scholarship Foundation in accordance with the NCAA rules and the institution's policies, and is responsible for promoting the development of an intercollegiate athletic program consistent with the general purposes of the university.

The Director of Athletics reports to the President.

III.

ACADEMIC EMPLOYMENT, RANK, TENURE, RELEASE, DISMISSAL, GRIEVANCE, RETIREMENT, AND AFFIRMATIVE ACTION

PERSONNEL POLICY - WEST VIRGINIA BOARD OF REGENTS (See Revised Policy Bulletin No. 36, revised June 11, 1985 - effective August 10, 1985 - in Chapter XIII following)

PLAN FOR DETERMINING ACADEMIC RANK AND TENURE AND FOR PROCEDURES OF GRIEVANCE, NONREAPPOINTMENT, AND DISMISSAL 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 faculty and 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 offer assurance to the faculty that individuals will be treated with maximum objectivity; that accomplishment will be recognized and rewarded; and that opportunity for promotions will be maintained.
 4. To assure the faculty the security of tenure in terms herein set forth, and of freedom of teaching and research in the discipline in which the faculty member is prepared.
 5. To provide appropriate procedures for action on grievance, nonreappointment, and dismissal.
- B. It is assumed that some university positions can be filled satisfactorily by persons whose graduate study is limited to the master's degree. It should be understood, therefore, that the terminal point in academic rank for such teachers is usually 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, including the chairperson, that is right and proper. The two upper academic ranks are primarily reserved for teachers who possess the terminal degree.
- C. It will be the duty of the university administration, including the appropriate department chairpersons, to withhold salary raises for persons of all ranks if they cease to grow professionally as scholars and as college teachers. According to the mode of salary determination, the administration, again including the appropriate department chairpersons, 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 VI. Through such provision, an impelling incentive is given for best service to the institution. It is not assumed that the possession of the terminal degree carries with it immunity from the necessity for 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. Conditions of Appointment

A. Full-time Appointments to the Faculty

1. Appointments shall be of two kinds: probationary and tenured.
2. Appointments shall be made subject to the following conditions:
 - a. Appointees shall render full-time service to the university. Outside service and/or employment shall not be restricted unless it interferes with the adequate performance of academic duties.
 - b. An annual review of outside service and/or employment shall be conducted by department chairpersons, deans, and the Vice President for Academic Affairs. If the review reveals that such outside activity interferes with the adequate performance of the academic duties of an appointee, this finding shall be reported to the Faculty Personnel Committee for recommendation to the President. The President may make such adjustments in the compensation of the appointee as are warranted by services lost to the university and institutional material and equipment used.

B. 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 V.
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 would be normally entitled under this plan, the recommendation shall come from the department chairperson after he/she has conferred with the members of the department, especially those who hold ranks 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, experience, and competence is to be determined by the chairperson of the department in consultation with other members of the department with equal or

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, salary, and rank assigned.
- C. Equivalencies for College Teaching Experience*
1. Experience and responsibilities in full-time employment and career activities during the years when the faculty applicant was not employed in college teaching will be reviewed by the Dean, the department chairperson and the department faculty or elected personnel committee with input from the faculty applicant to determine the relevance of these full-time activities to instructional competence. From such experiences as may be obtained in business, law, industry, public school teaching, etc., the Dean and the department chairperson, acting on the recommendation of the faculty (or elected personnel committee), shall determine the experiences which enhance the faculty applicant's competence in the particular area of teaching at Marshall.
 2. Such related experience as determined by the person and groups identified above shall not exceed five years for placement on the minimum salary schedule. No related experience equivalency can be used for tenure purposes.
 3. Negotiations for the related experience equivalency will be part of the formal interviewing process. At the time of appointment, the Dean and the department chairperson shall establish the Related Experience equivalency for each new faculty member on the basis of No. 1 and No. 2 above and shall submit a written report for approval by the Vice President for Academic Affairs office and in the Faculty Data Base developed by Institutional Research and Planning. The Related Experience equivalency and the years of full-time academic teaching experience will be used to determine the Faculty applicant's position on the minimum salary schedule. A copy of this report shall be provided to the faculty member.

*Section C approved by Faculty Personnel Committee, April 30, 1984, signed by the President, June 8, 1984, "with the understanding that all final work experience must be approved by the President."

D. Joint Appointments

Faculty members may be appointed to perform academic duties at two or more institutions, which duties may include teaching, research, counseling, or other services.

1. One institution shall be designated the faculty member's "home institution," which institution shall be responsible for granting promotions, raises in salary, and tenure in concert with the cooperating institution; provided, however, when cause therefore shall occur, appropriate counseling, disciplinary action, etc., shall be the responsibility of the institution where the occurrence arose.
2. The joint appointment, when not a part of the faculty member's original appointment, shall be agreeable to and agreed to by the faculty member and the administration, including the department chairperson. The faculty member shall have the option of refusing a joint appointment with sufficient personal or academic reasons. The Dean and the Vice President for Academic Affairs shall determine whether the reasons for refusal are justified.
3. The terms of joint appointment, when not a part of the faculty member's original appointment, shall be clearly stated in writing.

- a. The length of the appointment shall be clearly stated.
- b. The teaching and nonteaching responsibilities of the second appointment shall be clearly stated, and corresponding allowance of time and responsibilities shall be made in the home institution.
- c. At the time of the joint appointment, the teaching loads and the remuneration involved in the performance of other duties shall be based upon cooperative negotiations between the two institutions.
- d. The evaluation of the performance of the faculty member shall be the province of the home institution; and therefore, all pertinent procedures and information for evaluation shall be instituted, if not present, and shall be assembled by the second institution for transmittal to the home institutions.
- e. The compensation for mileage traveled, food, and lodging will be covered by state regulations.

SECTION V. Minimal Requirements for Academic Ranks

A. 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/her character reputation must be above reproach.

B. Minimal Requirements for the Rank of Assistant Professor

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

C. Minimal requirements for the Rank of Associate Professor.

1. The candidate must show evidence of superior worth to the university and the community.
2. The candidate 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. The candidate must have completed beyond the master's degree at least thirty hours of graduate work

- in his/her teaching field or in courses that are acceptable to the dean of his/her college or have earned sixty hours of graduate work toward the terminal degree.
4. The candidate must demonstrate interest in scholarship, research, and/or creativity as evidenced by specialized or interdisciplinary productivity, such as publication, consultation, performance, activity in professional societies, innovative teaching and development of new courses, etc.
 5. The candidate's character reputation must be above reproach.

D. Minimal Requirements for the Rank of Professor

1. The candidate must show evidence of superior worth to the university and the community.
2. The candidate must give evidence that his/her service in the future will be of increasing worth to the university and the community.
3. The candidate must have had at least eight years' teaching experience in institutions of higher learning, or other experience deemed equivalent.
4. The candidate must have the highest earned degree recognized in his/her field.
5. The candidate must demonstrate interest in scholarship, research, and/or creativity as evidenced by specialized or interdisciplinary productivity, such as publication, consultation, performance, activity in professional societies, innovative teaching and development of new courses, etc.
6. The candidate's character reputation must be above reproach.

SECTION VI. Criteria for Promotion and Tenure

- A. It is expected that each department, if its size and circumstances would seem to warrant it, set up an adequate intradepartmental committee for input into the consideration of promotion and tenure. No member of this committee will participate in regard to his or her own consideration.
- B. It shall be the duty of the departments and the department chairpersons to devise appropriate guidelines and policies concerning teaching effectiveness and academic advising, which criteria shall take into account the particular function of the department and the various instructional levels and functions within the department. The established criteria, moreover, shall attempt to utilize fair and objective factors of teacher evaluation which have been suggested by research in the area. Such criteria shall be subject to approval and review by the Deans and the Provost. Evidence for teaching effectiveness shall be gathered by the chairperson from various groups in accordance with Policy Bulletin No. 36, 5.a.2.
- C. In addition to teaching effectiveness, all the following criteria may be considered to determine an individual's eligibility for promotion and/or tenure:
 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 and/or years of related or applicable experience.
 5. Committee work: work on any 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 interests of the university. He/she must give evidence that his/her service in the future will be of increasing worth to the university and the community.
- D. Consideration will also be given to those personal characteristics which promote the smooth functioning of faculty-student, faculty-administration, and interfaculty relationships: enthusiasm (a manifest and sincere liking for 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).
- E. 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 chairperson 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 VII. 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. Promotion is a reward for achievement. It is not automatic. The minimal criteria are not to be construed in themselves as sole determinants in the promotion process.
2. Final and formal approval of all recommendations for appointment and promotion must be made by the West Virginia Board of Regents.
3. The department chairperson will be responsible for initiating formal proposals for promotion for the members of his/her department. However, a faculty member may submit (to his department chairperson) a written request for consideration for promotion. Proposals for promotion of a department chairperson shall be initiated by his/her academic dean.
4. After candidates for promotion have been reviewed by the committee recommended in VI. A, its recommendations will be given to the department chairperson. If the chairperson approves, he/she shall present the decision to the appropriate administrators as specified in B 5, 6, and 7 below.
5. The department chairperson shall prepare annually a report dealing with every member of his/her 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 regarding retention in his/her rank or promotion to a higher rank.

6. After a study of the written report, the dean shall call in the department chairperson 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 chairperson in writing what the decision is concerning each proposal.
7. After final conferences with department chairpersons, each dean shall present his/her recommendations to the Vice President for Academic Affairs, who then shall provide his/her recommendation to the President and send an information copy to the chairperson of the Faculty Personnel Committee.
8. A faculty member denied promotion may file a grievance in accordance with the grievance procedure detailed in Chapter III, Section IX, C and Policy Bulletin 36, Section 13.

SECTION VIII. Probation and Tenure

A. Probation

1. When a full-time faculty member is first appointed to teach at the university, the appointment shall be on a probationary status, in accordance with BOR Policy Bulletin No. 36, section 8, and the following university policies.
2. All faculty members shall serve a minimum two-year probationary period, except that under special conditions established by the department chairperson, the intradepartmental committee recommended in VI. A, and appropriate administrators, the President may recommend to the Board of Regents that an associate professor or a professor be granted tenure at the time of initial appointment.
3. During the probationary period contracts will be issued on a year-to-year basis and appointments may be terminated with or without cause at the end of any contract year. During such probationary period no reason for nonretention or nonreappointment need be given. A faculty member who is notified of nonretention may notify the Faculty Personnel Committee of an appeal in accord with the Grievance Procedure, Chapter III, Section IX. E.
4. The department chairperson with the advice of the intradepartmental committee recommended in VI. A shall conduct a yearly review of the performance of academic duties by nontenured faculty members, and the faculty members shall be informed of the results of such review in writing.

B. Tenure (See Policy Bulletin No. 36, 7)

1. Tenure at Marshall University provides for a continuing series of appointments which may be terminated by the university only for cause or under extraordinary circumstances because of financial exigencies as specified in Section IX.
2. The department chairperson, in consultation with the intradepartmental committee recommended in VI. A, shall recommend to the academic dean, the dean to the Vice President for Academic Affairs, and the Vice President for Academic Affairs to the President as to whether a faculty member on probation will be recommended to the Board of Regents for tenure. The ultimate decision on whether to recommend to the Board of Regents will be made by the President. The principles stated in Section VI, with the recognition that certain items of that section are subject to specific departmental interpretation

regarding the probationary faculty member's status, shall provide the basis for this determination.

3. After the Board of Regents acts on the recommendations for tenure, each individual faculty member recommended to the Board will be notified in writing by the academic dean as to the results of the Board's action.

SECTION IX. Termination, Dismissal for Cause, Hearings, Appeal to the Board of Regents, Grievance Procedures (See BOR Policy Bulletin No. 36, 12)

A. Termination of Tenured Faculty for Financial Exigency PLAN FOR MEETING FINANCIAL EXIGENCY

Introduction

Demographic and economic forecasts for the remainder of the century indicate possible enrollment decreases and reduction of funding for higher education. In past instances of reduced funding, state-supported colleges and universities have reacted in three stages:

1. First, costs are reduced in ways which do not disrupt programs or reduce staffing (e.g., by reducing supplies, postponing equipment purchases, restricting travel, deferring maintenance). This response to relatively mild financial constraint permits continuity of current operations, but burdens budgets in the future.
2. If funding problems continue, or worsen, non-instructional programs are curtailed, termination of non-instructional personnel occurs, and instructional personnel may assume added responsibilities. For example, at this stage institutions may terminate or reduce intercollegiate competition - both athletic and academic; may reduce administrative, secretarial, custodial and maintenance staff; and may ask faculty to be responsible for custodial work in their offices.
3. If, after the preceding measures have been taken, funding deteriorates to the point that state-wide public higher education is in jeopardy, financial exigency may be declared. At this stage, if further curtailment in non-instructional areas is impossible, reduction in instructional personnel, and perhaps in programs and degree offerings, may be unavoidable.

In West Virginia, authority to declare financial exigency is vested in the Board of Regents. It is assumed that such declaration would occur only in circumstances of extreme gravity, and that all institutions in the state system of higher education would be affected. In order to insure thoughtful consideration of the response to a declaration of financial exigency, the Board of Regents has mandated (Policy Bulletin 36: 12. a):

Institutional plans for meeting a financial exigency shall be developed through a collaborative assessment by representatives of administration and faculty and shall be reviewed by the Board of Regents prior to implementation.

Marshall University hereby responds to this charge. This plan was developed by an ad hoc committee on Financial Exigency and was reviewed by the Faculty Personnel Committee, the Vice President for Academic Affairs and deans and the Staff Council.

CRITERIA FOR RESPONDING TO FINANCIAL EXIGENCY

The overriding consideration during financial exigency must be to preserve the high quality of existing academic programs. Any loss of personnel diminishes the capacity of the university to continue its mission; therefore, every

personnel decision must be examined, before any other considerations, for its effect on teaching and learning. Adherence to this criterion insures that a plan for coping with financial exigency will protect the investment of the people of West Virginia in their system of higher education, and will not be arbitrary or capricious.

The following criteria for responding to financial exigency reflect the concern for maintaining quality programs for teaching and learning:

1. Academic integrity will have precedence over all other considerations.
2. To the greatest extent possible, all academic programs (instructional functions) will be preserved.
3. Exigency recommendations will be reviewed by an academically representative committee.
4. Specific programmatic and personnel decisions will be made at the level of the school or college.
5. Individual personnel decisions will be based on the following sequence of considerations: competence and value to program; ability to serve competently in other positions; tenure and length of service.

PROCEDURE FOR RESPONDING TO A FINANCIAL EXIGENCY

If the West Virginia Board of Regents declares a state of financial exigency, the President of Marshall University will immediately convene an Academic Exigency Committee (AEC). The composition of this committee will be:

- a. One elected member from each college or school of equal level*
- b. Chairperson of the Faculty Personnel Committee
- c. Chairperson of the Budget and Appropriations Committee
- d. Chairperson of the Academic Planning and Standards Committee
- e. Chairperson of the University Council
- f. Deans of all colleges and schools, including the Dean of Graduate School
- g. Vice President for Financial Affairs
- h. Vice President for Academic Affairs

The AEC will elect its officers from its membership.

*No person can fill more than one position. Pending election of a college or school representative, the college or school will be represented by the chairperson of its Personnel Committee.

This Academic Exigency Committee will review all proposed exigency-related actions affecting academic personnel and academic programs or degrees.

After the AEC is convened, the following steps will be taken in response to the declaration of financial exigency:

1. The AEC will assess the severity of the exigency and determine whether all appropriate steps have been taken to alleviate it without affecting programs or degrees, or terminating instructional personnel.
2. After step 1, if academic curtailment is unavoidable, the AEC will determine percentage reductions to be made by each college or school. The Deans will be asked to prepare recommendations for reductions in the following areas:
 - a. vacant positions
 - b. part-time instructional staff
 - c. miscellaneous instructional staff (as defined by the colleges and schools)
 - d. graduate assistant positions
 - e. first term summer school
 - f. second term summer school

These recommendations will be accompanied by a supporting statement showing how the criteria for response

to financial exigency were employed, how each reduction will affect programs or degrees, and the extent to which reduction could be offset by transfer of qualified personnel from other academic units.

If the exigency appears resolved by these actions, the Deans will return their recommendations to the AEC for review.

3. If, after step 2, further reductions are necessary, the Deans will recommend reductions in current faculty. These recommendations will be prepared in conjunction with existing Deans' advisory committees, and will consider the following:
 - a. effect on programs or degrees
 - b. relationship of program or degree to the mission of the university
 - c. five-year history of student credit hours generated in the program or degree
 - d. number of graduates from the program or degree in past five years
 - e. projected need for program or degree
 - f. cost of program or degree
 - g. minimum staffing required for program or degree
 - h. accessibility of similar programs or degrees to students in the region and state
 - i. profile of each faculty member involved in the program or degree
 - j. the possibility of early retirement or fractional appointment as an alternative to termination
 - k. other special considerations

When completed, these recommendations, along with supporting materials described in step 2 and a statement showing how the foregoing considerations affected the recommendation, will be submitted to the AEC for review.

4. After step 2 and/or step 3, the AEC will review the recommendations and supporting materials to insure that program and degree integrity is maintained, and that all who are affected by the recommendations have been treated impartially. When this review is completed, the recommendations, along with any comments or suggestions from the AEC, will be returned to the colleges and schools.
5. Each Dean, in conjunction with a committee composed of -- at a minimum -- all departmental chairpersons, will make final decisions on college or school reductions and submit these recommendations to the President of Marshall University. The President will make the final decisions on termination of faculty members.

It shall be incumbent upon the President (1) to promote and encourage transfers within colleges wherever possible, (2) to promote and encourage retraining wherever possible, and (3) to adhere strictly to Board of Regents Policy Bulletin 36.11.a.

Appeal processes will follow established Marshall University and West Virginia Board of Regents guidelines.

The mission of a university is to provide for its students a solid foundation for life-long learning, and to provide for society the wisdom and skills which enable a community to function. To fulfill this mission, a university needs academic staff which offer both breadth and depth of knowledge. Clearly, it is counterproductive to reduce staffing on any basis other than the ability of staff members to contribute to the teaching and learning that ultimately

justify the existence of the university. For this reason, it may be necessary in a financial exigency to terminate faculty members with a long record of service to the university while retaining faculty members who began their service more recently. The primary consideration must always be to provide a sound system of higher education for the people of West Virginia. It must also be remembered that, when other things are equal, the university community owes most to those who have served it longest.

*This Financial Exigency Planning statement was approved by the Faculty Personnel Committee and the President, and submitted to the West Virginia Board of Regents, December 2, 1982.

B. Dismissal for Cause of Tenured Faculty

1. Causes for Dismissal (See Policy Bulletin No. 36, 10. a).
2. A faculty member aware of an impending dismissal action against himself/herself may notify the Faculty Personnel Committee of an appeal in accord with the Grievance Procedure, Chapter III, Section IX.
3. Notice of Dismissal for Cause. (See Policy Bulletin No. 36, 10. b and c.)

C. Hearings

See Policy Bulletin No. 36, 13, with the following explanations and expansions. The pertinent sections of Section 13 are identified in parentheses.

1. Faculty member's advisor (b.3). The faculty member and his/her advisor may participate fully in the proceedings.
2. Witnesses (b.4). All persons offering testimony or evidence may be questioned by the Committee members or the Hearing Examiner and/or the faculty member's advisor.
3. Transcript (b.6, 7). The transcript of the testimony shall be prepared and maintained under the direction of the Committee or the Examiner.
4. Order of Proceedings
 - a. Presentation of testimony and evidence of the appealing faculty member and his/her witnesses.
 - b. Questioning of the appealing faculty member and his/her witnesses and rebuttal by those bringing charges.
 - c. Presentation of testimony and evidence of appropriate administrators and their witnesses.
 - d. Questioning of administrators giving testimony or evidence and their witnesses, and rebuttal by the appealing faculty member and his/her advisor.
5. Delivery to President (b.8). Within two weeks after the hearing, the Committee or Examiner shall deliver to the President a copy of the record of the hearing with the recommendation of the Committee or Examiner and shall provide a copy of the recommendation to the faculty member.
6. 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 as far as possible until the proceedings have been completed.

D. Appeal to the Board of Regents (See Policy Bulletin No. 36, 14.)

E. Grievance Procedure

Procedures for hearing faculty grievances are established in Board of Regents Policy Bulletin 36. In all cases, aggrieved faculty members will present their grievances in written form to the Faculty Personnel Committee. This committee will review the grievance, inform the faculty member of the procedural details mandated by Policy

Bulletin 36, and consult with the faculty member on preparation of materials.

Grievances involving nonretention of probationary faculty, dismissal of faculty, termination of faculty due to financial exigency, or promotion are presented before an institutional hearing committee in accord with Policy Bulletin 36, Section 13.

Grievances involving other matters affecting the well-being of faculty members (such as assignment of academic rank at the time of hiring, salary, teaching and non-teaching loads, sabbaticals and other leaves, distribution of summer teaching, etc.) are subject to the procedures of Policy Bulletin 36, Section 15. Under Section 15, grievances are subject to three levels of review. At Marshall University, four levels are recognized.

1. Level one: The faculty member will first seek a resolution of the grievance through informal discussion with his or her chairperson.
2. Level two: If not satisfied with the resolution at the first level, the faculty member shall reduce the grievance to writing and forward it, within ten working days, to the academic Dean, with a copy to her/his chairperson. Within ten working days, the chairperson shall submit a written report concerning the disposition of the grievance at her/his level to the academic Dean. The academic Dean forwards a copy of the grievance and a copy of the chairperson's response to her/his college personnel committee. Within ten working days of receipt of the grievance and the chairperson's response, the college faculty personnel committee shall submit a written report concerning the disposition of the grievance within their committee to the college academic Dean, the department chairperson, and the faculty member. The academic Dean shall render a decision within fifteen working days of receipt of the report from the college faculty personnel committee.
3. Level three: If not satisfied with the resolution at level two, the faculty member should forward to the Vice President for Academic Affairs a copy of the grievance, along with the Dean's response and supporting documents. The Vice President for Academic Affairs forwards a copy of the documents from level two--grievance and responses from the college chairperson, faculty personnel committee and academic Dean--to the University's faculty personnel committee. Within twenty working days, the faculty personnel committee shall submit a written report concerning the disposition of the grievance to the Vice President for Academic Affairs and faculty member. The Vice President for Academic Affairs shall render a decision within twenty-five working days of receipt of the documents from level two.
4. Level four: If not satisfied with the resolution at level three, the faculty member should forward to the President all documents from level three--grievance and responses from the chairperson, college faculty personnel committee, academic Dean, university faculty personnel committee and Vice President for Academic Affairs. In reaching a decision, the President may hold a meeting of the concerned parties. The President shall notify the grievant of the decision within ten working days of receipt of the recommendation of all concerned parties--grievant, chairperson, college personnel committee, academic Dean, university faculty personnel committee and

the Vice President for Academic Affairs. Should the President elect to hold a meeting of the concerned parties, more than ten working days may be permitted in arriving at a decision—but, no longer than a total of twenty days from date of materials from level three.

5. If there is substantial evidence that the grievance is the result of action taken solely by the President, and that the President therefore cannot remain disinterested or objective in the final resolution of the issue, evidence of injury is provided, and a remedy is feasible, a faculty member may so state in a petition to the Chancellor that the issue should be heard by a hearing examiner. A decision will be made by the Appeals Committee of the Board as to whether or not a hearing examiner should be appointed in such a grievance, and that decision of whether or not to appoint an examiner will be final.
6. Since the Medical School and the School of Nursing have a different administrative arrangement, the faculty member begins at the first administrative level and proceeds accordingly.

SECTION X. 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/she shall give notice in writing at the earliest opportunity, not later than May 15, but may properly request a waiver of this requirement in case of hardship or in a situation where he/she would otherwise be denied substantial professional advancement.

RETIREMENT POLICY

See West Virginia Board of Regents Policy Bulletin No. 18 (revised February 2, 1982), Chapter XIII following.

AFFIRMATIVE ACTION--POLICY STATEMENT

It is the policy of Marshall University to provide equal opportunities to all prospective and current members of the student body, faculty, and staff on the basis of individual qualifications and merit without regard to race, sex, religion, age, handicap, or national origin.

This nondiscrimination policy also applies to all educational programs and activities as they pertain to admission, employment and other related activities covered under Title IX, which prohibits sex discrimination in higher education.

Marshall University also neither affiliates with nor grants recognition to any individual, group, or organization having policies that discriminate on the basis of race, sex, religion, age, handicap, or national origin. Information on the implementation of the policy and/or the Title IX Amendment should be addressed to:

Affirmative Action Officer, Marshall University, Huntington, WV 25701, Tel. (304) 696-2311.

POLICY STATEMENT ON THE EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

A. The Policy. Each applicant for employment will be considered solely on his/her qualifications for the position, without regard to race, color, religion, sex, age, handicap or national origin. Each employee will be considered for promotion and other personnel action on the same basis. The basic obligations embodied in this policy, including

(1) Nondiscrimination, and (2) "Affirmative Action," are paramount to insuring equal opportunity and equal treatment in all aspects of employment.

These obligations are incumbent upon every member of the university; they extend to all facilities and operations. This policy includes, but is not limited to, the requirements of Board of Regents Policy Bulletin No. 45, the West Virginia Human Rights Act and Federal Executive Orders 11246 and 11375 as amended.

B. The Program

1. The administrative officer of each unit of the university shall exercise personal leadership in establishing, maintaining, and carrying out a positive, continuing program of affirmative action designed to promote equal opportunity in every aspect of employment policy and practice.
 - a. Affirmative Action is the execution of a set of specific and result-oriented procedures designed to eliminate unconscious discriminating practices in the employment of women and members of minority groups. Minority people are defined as including Hispanic, American Indian or Alaskan Native, Asian or Pacific Islander, Black/Negro, not of Hispanic origin.
 2. The university's program and that of each unit shall consist of the following elements as a minimum:
 - a. A continuing campaign to eradicate every form of prejudice or discrimination based upon race, color, religion, sex, age, handicap or national origin from personnel policies and practices and working conditions in the university.
 - b. An appraisal of the university's job structure and employment practices and adoption of a deliberate posture of actively seeking out for employment qualified or qualifiable persons of minority status or female sex who are presently under-represented in the various classifications and types of university employment.
 - c. Communication orally and in writing of the university's Equal Employment Opportunity Policy and Program, and its employment needs to sources of qualified women and minority group applicants, to solicit their recruitment assistance on a continuing basis.
 - d. A periodic survey of the composition of the total work force to determine compliance with the purpose of this program.
 - e. Provision for continuous education and orientation of university employees on the Equal Employment Opportunity Policies and Programs of the university.
 - f. Review and control of managerial and supervisory performance in such a manner as to insure a positive application and vigorous enforcement of the policy of equal opportunity.
 - g. Provision for counseling employees and qualified applicants who express belief that they have been discriminated against because of race, color, religion, sex, age, handicap or national origin, and for resolving informally the matters raised by such employees or applicants before formal complaint may be filed.
 - h. Provision for careful consideration and a just and expeditious disposition of complaints involving issues of discrimination on grounds of race, color, religion, sex, age, handicap or national origin.

C. Implementation of the Program

1. To implement this program, the President has designated the Affirmative Action Officer as responsible for Equal Employment Opportunity for the university.
2. As university officer responsible for the Equal Employment Opportunity Program, the Affirmative Action Officer is authorized, among other things, to:
 - a. Recommend to the President, as necessary, persons to assist in carrying out the functions described in this section in units of the university.
 - b. Develop plans, procedures, and regulations necessary to carry out the university's program. Specifically, an acceptable Affirmative Action plan will be developed.
 - c. Evaluate the operations of the university's Personnel Office at regular intervals to assure their conformity with the university's Equal Employment Opportunity Policy. Require such reports as deemed appropriate from all divisions of the university.
 - d. Advise the President with respect to the preparation of plans, procedures, and other matters pertaining to the Equal Employment Opportunity Policy and Program.
 - e. Recommend to the Director of Personnel changes in programs and procedures designed to eliminate discriminatory practices and improve the university's program for equal opportunity.
 - f. Provide for counseling, by designated persons, of employees or applicants for employment who express belief that they have been discriminated against on grounds covered by this section, and for measures to resolve on an informal basis the matters raised by such employees or applicants before a formal complaint may be filed.
 - g. Provide for the prompt receipt and investigation of individual complaints of discrimination in personnel matters within the university.
 - h. Assist the university administration in arriving at solutions to problems.
 - i. Provide for the prompt receipt, investigation, disposition, and rendering of a written recommendation to the President on general allegations made by organizations or third parties of discrimination in personnel matters within the university which are unrelated to an individual complaint of discrimination.

PHYSICALLY DISABLED PERSONS

In accordance with Public Law 93-516, as amended, and otherwise known as the Rehabilitation Act of 1973, the University as a government contractor agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified handicapped individuals without discrimination based upon their mental or physical impairment(s) in all employment practices such as the following: employment upgrading; demotion and transfer; recruiting and advertising; layoff or termination; rates of pay and other forms of compensation; and selection for training including outreach and position recruitment programs.

In considering business necessity and financial cost and expenses, to the extent possible, the University will eliminate any physical or other barriers that prevent or impede the

employment or advancement of handicapped individuals.

In each case, where a handicapped employee or applicant is rejected for employment, promotion or training, a statement of the reasons will be appended to the personnel file or application form. This statement will include a comparison of the qualifications of the handicapped applicant or employee and the person selected, as well as a description of the accommodations considered. This statement will be available to the applicant or employee concerned upon request.

Where applicants or employees are selected for hire, promotion, or training and the University undertakes any accommodation which makes it possible to place a handicapped individual on the job, the application form or personnel record will contain a description of that accommodation.

At the present time, the Handicapped Student Concerns Committee, headed by Stephen Hensley 696-3111 has been formed to deal specifically with challenges arising as a result of accommodation problems encountered by handicapped students.

All physically disabled employees needing assistance or guidance in determining the appropriate channel to follow during a period of need have the responsibility of contacting the Affirmative Action Officer at 696-2311 for direction. Also, all inquiries and questions regarding the rights of handicapped employees including the right to employment accommodations, should be directed to the Affirmative Action officer.

IV. FISCAL INFORMATION

EMPLOYEE SERVICES AND BENEFITS

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 nonacademic employment at Marshall University may be obtained from the Office of the Director of Personnel.

RETIREMENT PLANS

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 each of the plans is available in the Office of the Director of Personnel.

HEALTH CARE AND LIFE INSURANCE

All full-time regular employees of Marshall University who are paid from State funds have the opportunity to become insured under a Group Plan which includes comprehensive health care, life, and accidental death and dismemberment benefits.

For the first year of employment, the State of West Virginia contributes 70 percent of the cost with employee participants contributing the remaining 30 percent. Thereafter, the State of West Virginia contributes the entire premium.

Detailed information is available in the Office of the Director of Personnel.

GROUP TOTAL DISABILITY BENEFITS INSURANCE

All active full-time regular employees of Marshall University are eligible to participate in this plan on the first day of the month coinciding with or next following the completion of one year of service. The Group Policy is with Teachers Insurance and Annuity Association. Each participant pays the monthly premium in its entirety. Complete information concerning the plan 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. 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 Payroll.

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 City of Huntington Federal Credit Union. The Credit Union's office is located at 215 18th Street. The Credit Union provides a full range of services for Marshall University employees.

HOLIDAYS

The number of holidays shall be twelve, plus additional days for any election day (primary or general) held throughout the State and such other days as the President of the United States, Governor, or other duly constituted authority shall proclaim to be legal holidays. Days taken shall include Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day, with the additional days designated by the University President.

SABBATICAL LEAVE

See West Virginia Board of Regents Policy Bulletin No. 10, in Chapter XIII following.

ANNUAL LEAVE

MILITARY LEAVE

LEAVE OF ABSENCE WITHOUT PAY

SICK AND EMERGENCY LEAVE

WITNESS AND JURY LEAVE

See West Virginia Board of Regents Policy Bulletin No. 35, revised as effective August 1, 1982, in Chapter XIII following.

WEST VIRGINIA COURT OF CLAIMS

The West Virginia Legislature has created a "court of claims," (Section 4, Article 2, Chapter 14, Code of W.Va., as amended). This statute provides an individual, company or corporation who believe that they have a claim against the State a procedure to seek relief, even though it may be termed only a moral obligation. The State provides this procedure in lieu of insurance coverage for every possible risk.

REMISSION OF TUITION AND REGISTRATION FEES FOR GRADUATE AND TEACHING ASSISTANTS

Tuition, registration and higher education resources fees are waived for graduate and teaching assistants approved by the Dean of the Graduate School. The Student Activity fee is not waived and must be paid.

STUDENT EMPLOYMENT SYSTEM

To comply with Affirmative Action legislation, the Student Financial Aid Office administers all student employment programs.

Student employment is in two categories: 1) Student assistants, who are students employed from institutional funds and 2) College Work-Study students, who are employed from federal funds awarded on the basis of financial need by the Student Financial Aid Office.

Employment Procedure for Student Assistants

Departments wishing to employ student assistants must forward to the Office of Student Financial Aid a job description for each available position. The Department must also be prepared to assume full responsibility for employee wages. Each job description received by the Office of Student Financial Aid is posted for a period of ten (10) days.

During the posting period, interested students inquire at Room 122, Old Main, to apply by the identification code number assigned to each job description. Each student is given a referral sheet identifying the prospective employer.

Employers should return rejected applicants' referral forms directly to the students. For student(s) selected, the referral form should be returned to the Office of Student Financial Aid. Any student employed as a student assistant must be enrolled at the university.

Employment Procedure for College Work-Study Students

Departments requesting student employees under the college work-study program must submit at the end of each school year their request for student employment, describing the job and identifying the number of students requested for the next academic year. A request form for this purpose is forwarded to all areas of the university by the Student Financial Aid Office.

All students approved for Work-Student employment will be provided a student Introduction Sheet and various other payroll documents by the Office of Student Financial Aid. The Introduction Sheet will direct the student to a potential employer. If the student's application for employment is approved, Part I of the Introduction Sheet must be completed by the supervisor. Attachments to the Introduction Sheet should be completed at the same time and the student should be instructed to hand carry all completed documents to the Student Financial Aid Office.

Should the employment application be rejected, Part II of the Introduction Sheet should be completed. The other attached documents should not be completed. In this case the student should be instructed to return to the Office of Student Financial Aid for another referral.

Payroll Procedures for all Student Employment

The Payroll Office will issue time cards semi-monthly to employers. All time cards must be signed by the supervisor and returned to the Payroll Office on the 16th and 30th (31st) of each month. Student employee work performance should be evaluated and indicated on time cards submitted for each respective pay period. The supervisor is responsible for any errors appearing on time cards. Any time card not properly completed and signed will be returned to the supervisor. Such action will delay the employee's check.

Student employees are paid twice monthly, one month in arrears. Student employees' checks are disbursed by the Cashier's 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.

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

Authority to purchase or acquire materials, supplies, equipment, services, and printing is vested in the Chief Procurement Officer of Marshall University through State Code which authorizes the Board of Regents to set procurement policy and to adopt rules and regulations. Since the Chief Procurement Officer has sole responsibility from the Board of Regents to enter into, administer contracts, and make written determinations thereto, all other negotiations by employees of the University are considered unauthorized purchases for which the individual will be held personally accountable.

Equipment, supplies, services, and printing are requested on the appropriate purchasing forms which are available through Central Stores and Receiving. Each request originated by faculty or staff must contain sufficient information to complete the procurement cycle. Also, State Code requires that all expenditures be made within the limits of available appropriations and funds relating to expenditure schedules and quarterly allocations. Funds must be encumbered before the purchase is made. Upon certification of available funds and approval to purchase by the appropriate level of authority in the department, college, or school, the purchasing form is forwarded to the University purchasing office for processing. The form becomes an approved purchase order only after final approval of University Accounting and the signature of a Procurement Officer.

Questions about emergency purchases, sole source procurement, and competitive bidding requirements should be directed to University Purchasing. Every effort will be made to meet the needs of the University within the constraints of the Board of Regents purchasing regulations.

UNIVERSITY MOTOR POOL REGULATIONS

Information pertaining to University Motor Pool regulations governing all Marshall University employees is available in the office of each university department chairperson. To reserve a Motor Pool vehicle, contact the Public Safety Office, 696-6648.

TRAVEL REGULATIONS

Effective Date: July 1, 1979

(Issued by the Governor of West Virginia, June 4, 1979. Subsequent changes and modifications are shown in the dated regulations following the initial statement. It should be noted that these regulations are subject to change at any time and do not cover every travel situation which may arise.)

The following regulations govern reimbursement for travel costs and other expenses for West Virginia State employees as authorized by Chapter 12, Article 3, Section 11 of the West Virginia Code, 1931, as amended. These regulations are designed to ensure fairness in the application and administration of travel expense reimbursement for State employees. All expenditures shall be within the budgetary allowances for the department for which the employee works. It shall be the responsibility of the department head to ascertain that his or her employees comply with these regulations.

General Instructions

1. **Headquarters**--For purposes of travel reimbursement, each employee of the State of West Virginia shall have a designated work place as his official headquarters. Each department head will designate such location for his or her employees. An employee's home may be designated as his headquarters only if there is no other location where he performs more than 25 percent of the total of his work effort for the State. If the employee has one location where over 25 percent of his time is spent, this place will be considered his headquarters for travel expense purposes. In no case, will commuting to an employee's headquarters be allowed as a cost for reimbursement without specific written authorization from the Governor. Specific exception to this directive will occur in the cases where the employee is required to return to his headquarters from home after completing his day's work or is called out on what is normally a non-work day or holiday for that employee.
2. **Expense Accounts**--The standard forms, Out-of-State Travel Expense Account (WV-5) and In-State Travel Expense Account (WV-6) will be used for all settlement of and reimbursement for travel expenses. The form used must show the detail of expenses incurred by day and will be summarized by day and by category as provided for on the form. Receipts must accompany the report and will include, as a minimum, all lodging receipts and any airline or other common carrier receipts, whether paid by the employee or billed to the department. The purpose of any travel will be defined on the report and such purpose will be sufficient to allow for a review of the necessity of such travel. All expense reports will be signed by the employee and approved by his department head or designee.

Out-of-State Travel Expense Accounts, when submitted for payment, must be accompanied by an approved Request for Out-of-State Travel (WV-05A).
3. **Meal Allowances**--For an employee to qualify for any reimbursement of expenses other than transportation expenses, he must be away from home overnight. There are two exceptions to this requirement for in-state travel:
 - a. For an employee who is away from his designated headquarters and has been on duty two hours or more in excess of his normal work day, a meal allowance limited to \$3.00 will be permitted and may be reflected on the employee's expense account.

- b. Meals will be permitted for officers or counselors and hospital employees when transporting clients, prisoners or patients when documented by receipt.

Meals are allowed when lodging is listed as "gratis" or "no charge" but it must be noted on the voucher that no charge was made for lodging.

In the case of out-of-state travel, an employee may be reimbursed for meal costs on trips started and completed in the same day.

Overall meal allowance costs for either in-state or out-of-state travel will be limited to fifteen dollars (\$15.00) per day.

In cases where an employee is on an extended trip, meal costs will be allowed on both the day that he leaves home and on the day he returns from his trip to the extent that his leaving and arrival time includes such time as is normally utilized for a particular meal. To illustrate, if an employee leaves at 10:00 a.m. and returns the next day at 4:00 p.m., he may include his lunch and dinner costs on the day that he leaves and his breakfast and lunch costs on the day that he returns from his trip. In these instances, it is essential that the employee show the time of day leaving and returning to his headquarters.

4. **Duplicate Reimbursements**--Notwithstanding any provision of these rules and regulations to the contrary, no official or employee may request or receive from the State reimbursement for any expenses incurred in instances in which such expenses have been paid or are to be paid by any other person, firm, corporation, partnership, association or any other third party. No official or employee shall receive reimbursement for any expense actually incurred in instances in which such expenses have been paid or are to be paid by the State as part of a registration fee.

Transportation

1. **Motor Vehicle**--Reimbursement for the use of employee's personal car in connection with State business will be at the rate of twenty cents (\$.20) per mile. Such reimbursement rate shall apply between the employee's headquarters and any designated location of work as approved by his department head. There will be no reimbursement of expense for commuting purposes other than in cases where an employee has completed his work day and is called out to return to his headquarters or is called out and required to travel on what is normally a non-work day or holiday for that employee.

Automobile rental will be reimbursable to the employee when used in conjunction with common carrier travel or travel by State aircraft, and when substantiated by receipts. Employees are expected to utilize compact cars where available.
2. **Airline and Other Common Carrier Travel**--Receipted bills for travel by airlines and other common carriers must accompany and verify the employee's expense report. In cases where an employee's tickets are billed to his department, a copy of the bill will be attached to his expense account to reflect the mode of travel but will not be included in the detail of his expenses for reimbursement. All State employees traveling by way of commercial airlines are required to travel at tourist or economy rates when such accommodations are available.

In cases where tourist accommodations are not available, the employee and his department head will attach a statement to the expense report indicating that such accommodations were not available.

In cases where plane tickets are being billed directly to the State, the employee will include a signed copy of the ticket with his expense report and the department will reference the employee's expense account on the transmittal for the airline or travel agency. If the airline or travel agency bill is transmitted before the expense account, the cross-reference should indicate that the employee's expense account is pending and the reference to the airline or travel agency bill should be indicated on the expense account transmittal.

3. **Alternate Travel Arrangements**--In cases where a State employee chooses to drive rather than fly on State business, his reimbursement for such travel will be limited to the amount of the tourist or economy rate fare to such location. Meals, motel and other charges in connection with such travel will be allowed only to the extent that such costs along with mileage charges do not exceed such air fare.
4. **Other Transportation Costs**--Other transportation costs will be reimbursed on an incurred basis as substantiated by receipts. Such reimbursements may include toll bridge and turnpike charges or parking fees and garage storage charges for either a State vehicle or a personal vehicle in connection with State business.

Use of private or chartered aircraft is not permitted unless written approval is given by the Governor.

Subsistence

1. **Lodging**--All persons traveling on State business will be reimbursed in an amount equal to the actual cost of lodging at the least expensive available single rate while absent from their official headquarters. No reimbursements will be made for laundry or valet charges or personal telephone calls. No reimbursement for hotel expenses shall be made for an employee's spouse. In cases of double occupancy, hotel reimbursements will be on the basis of 80% of the room rate. In cases of double occupancy by two State employees, each shall be reimbursed only 50% of the total room charge on their respective expense account.

Direct billing to the State will be permitted only for State employees and only where the lodging is at a State-owned or run facility. Included will be State parks as well as facilities operated by the Department of Education, Colleges and Universities or other State facilities. Again, it should be noted that direct billing will be allowed for State employees only.

2. **Meals**--In the case of in-state or out-of-state travel, the total meal allowance on a daily basis will be limited to fifteen dollars (\$15.00) per day.
3. **Other Costs**--Baggage charges will be reimbursed on an as incurred basis for the date of arrival and the date of departure not to exceed 5% of the daily room rate.
4. **Overall Costs**--The overall total for the subsistence amounts will be limited to the actual cost of lodging as outlined above plus \$15.00 per day for food and other costs as noted above.

Expense Account Reporting Procedure

1. **In-State Travel**--There is no requirement for advance

approval for in-state travel. All travel expenses incurred in accordance with these regulations shall be reported on In-State Travel Expense Account (WV-6). Such report shall be attached to the transmittal when submitted for payment.

2. **Out-of-State Travel**--Advance approval for out-of-state travel will be required to be given by the department head prior to the trip. Such approval will be on the Request for Out-of-State Travel (WV-05A). All travel expense incurred in accordance with these regulations shall be reported on Out-of-State Travel Expense Account (WV-5). Such Request for Out-of-State Travel (WV-05A) and Out-of-State Travel Expense Account (WV-5) shall be attached to the transmittal when submitted for payment.
3. **Out of the Continental United States**--No travel outside of the continental United States will be allowed without the written approval of the Governor.

Miscellaneous

1. **Registration Fees**--Registration fees at conventions must be supported by receipts and attached to the employee's expense report. Any registration that includes lodging or food should be so indicated and designated on the employee's expense report. Registration fees in excess of \$150.00 must have prior approval of the Governor.
2. **Advance Allowance**--The transmittal for the advance allowance shall be approved by the department head and cleared against the related expenses within thirty (30) days of the last day of travel. The department head will be responsible to ascertain that such allowance and related expense reports are cleared within thirty (30) days. **No such allowance will be approved for in-state travel.**
3. **Out-of-State Travel**--It is suggested that out-of-state travel be limited to one employee who can in turn report his participation and review to others interested in the out-of-state meeting. Attendance is, however, limited to no more than two employees to any out-of-state meeting. In cases where more than one department will be attending any out-of-state meeting, an attempt should be made to limit the overall participation by State employees to no more than two.
4. **Greenbrier Hotel Trips**--The maximum attendance at any meeting at the Greenbrier will be limited to two State employees from any department. Reimbursement will be limited to the lowest rate set by the Greenbrier in connection with said meeting.
5. **Credit Cards**--Any credit cards authorized in the State's name or any department's name must be approved by the Commissioner of Finance and Administration.

As in the case of any regulations, there are certainly areas left uncovered. To the extent that any hardships develop, they will be dealt with on a case-by-case basis. The overall guideline to be followed is that in no case should any costs be incurred that would be inconsistent with the economic and effective operation of our State. Any employee of the State should recognize and be responsible for his expenses on the basis of the accounts being a public record.

Out-of-state consultants and expenses authorized under consulting agreements will be subject to the same limitations as outlined above.

Exceptions

Rules and regulations governing travel shall not apply to those persons who are not employed by the State--for example, members of the State Board of Education, special advisory committees appointed by the Governor, State college and university athletic teams, etc.--or to those branches or departments which are required to promulgate rules and regulations concerning out-of-state travel for their respective branches and departments of State Government under the provisions of the aforesaid chapter, article and section of the West Virginia Code, as amended. Board and/or commission members appointed by the Governor shall be governed by these regulations, except when specific rules and regulations for such board or commission are submitted and approved by the Governor. These regulations will also apply in the case of witnesses brought in to testify or otherwise be present for any judicial or administrative proceeding when their presence is at the request of an agency and such agency is under the control or direction of the Governor.

September 12, 1979--CASH ADVANCES--(State Auditor's Office)

1. No transmittal requesting an advance will be accepted prior to ten (10) working days before a trip is to begin.
2. To standardize the due date for settlement, we are adopting the period of thirty (30) days after the last day of a trip.
3. When a refund of an advance is due the state, the advance is not considered settled until the expenses of the trip have been audited by the Auditing Division of this office. A mere redeposit of the refund in the treasury does not constitute settlement.
4. If a trip is cancelled and the advance is redeposited in the treasury the Auditing Division must be provided a copy of the deposit before settlement is complete.
5. With the total dollar volume involved with advances, settlements will be strictly enforced. Future requests for advances will be denied if the 30 day time frame is not adhered to.

November 21, 1979 -- TRAVEL DISCOUNTS (Department of Finance and Administration)

When making travel arrangements you should make every effort to select the most economical deal which meets your needs. Enclosed is a summary sheet showing the firms presently offering discounts to the State and the identification numbers assigned to the State by each firm. This information may be helpful to you in making advance telephone reservations for rental cars or lodging.

TRAVEL DISCOUNTS AVAILABLE TO STATE EMPLOYEES

CAR RENTALS

Firm	Discount	State ID No.
Hertz	25% off daily "gas not included" rates 20% off weekly "gas not included" rates	68278
Avis	25% off all normal rates	A646900
National	20% off all normal rates	None

LODGING CHAINS

Firm	Program	State ID No.
Holiday Inns	Corporate Account Program	05601-4
Travelodge	Tender Loving Care Plan	None
Ramada Inn	Pacesetters Program	902575 0001
Howard Johnson's	Corporate Guaranteed Rate Program	C-162227

When making reservations for either cars or lodging you must furnish identification as an employee of the State of West Virginia.

April 2, 1981 -- OUT-OF-STATE TRAVEL -- (Vice President for Financial Affairs)

Effective immediately all Out-of-State Travel expense account forms must be completed and filed with the Marshall University Accounting Office within three working days after the trip has been taken.

Example:

- Travel to Houston, Texas
- Dates of Travel April 8, 9, 10, 1981
- Expense Account forms must be submitted by April 15, 1981 (three working days)

This new internal procedure will insure compliance with the State of West Virginia rules concerning complete settlement of cash advances within a thirty calendar day period. This new procedure affects all accounts i.e.: 3200, 8600, 8601, 2840 and Marshall University Foundation accounts.

May 3, 1982 -- REVISED TRAVEL REGULATIONS --(Office of the Governor)

TWO CHANGES:

The first eliminates the need for itemizing the cost of individual meals. The second increases the meal allowance from \$3.00 to \$7.00 for employees who are away from their designated headquarters and have been on duty two or more hours in excess of their normal workday. I believe these changes will provide a more reasonable reimbursement provision and will also simplify the reporting requirements imposed on state employees, especially those who travel on a regular basis.

July 16, 1982 -- TURNPIKE TOLL RECEIPTS -- (Department of Finance and Administration)

In the past, the West Virginia Turnpike Commission has provided toll receipts at each booth for state employees to be reimbursed. The turnpike now has three (3) mainline toll booths which could result in an employee having to submit as many as six (6) receipts for one trip. Also, there are exact change booths where no receipts are available.

In order to avoid unnecessary and additional paperwork for employees who travel on the Turnpike, the Department of Finance and Administration and the State Auditor's Office have agreed not to require receipts for Turnpike travel. We are confident that each Spending Unit will be able to establish appropriate review procedures before approving expense accounts for reimbursement.

January 19, 1984 -- OUT-OF-STATE TRAVEL -- (West Virginia Board of Regents)

3. Effective date, only those out-of-state trips which meet one or more of the following conditions will require prior approval by the office of Finance and Administration. It will not be necessary to submit these to the Board of Regents.
 - a. Travel involving more than two employees from the same institution attending the same meeting.
 - b. Travel outside the United States.
 - c. Travel to meetings with registration fees in excess of \$150.00 per person.
 - d. Travel to the Greenbrier.

All travel requests not meeting one or more of these conditions may be approved at the institution by the President and then forwarded directly to Finance and Administration with the expense account, or cash advance request.

V.

ACADEMIC REGULATIONS

DEPARTMENTAL AUTONOMY

Responsibility for course content, program integrity, and academic quality rests with the faculty of the department where the program is housed, and any changes in courses or programs should normally be initiated by those faculty.

If a department proposes a change in its program requirements or course offerings that materially and seriously affects the financial operation, program integrity, staffing, or course offerings of another department, however, it must notify that department prior to presenting the proposed change to the Academic Planning and Standards Committee. Written confirmation of such notification will accompany the proposed change. Faculty members from an affected department may protest such a proposal by petitioning the Academic Planning and Standards Committee. The Academic Planning and Standards Committee may send it to the Curriculum Subcommittee of the Academic Planning and Standards Committee for a review. After a careful review, the Curriculum Subcommittee may present the arguments for both sides, together with its recommendations, to the Academic Planning and Standards Committee for a decision. The same procedure should be followed if a proposed course or program substantially overlaps or duplicates the offerings of another department.

--Adopted by Academic Planning and Standards Committee, February 17, 1981; approved by the President, March 9, 1981.

MINIMUM NUMBER IN CLASS

Undergraduate classes should have a minimum of ten students and graduate classes a minimum of six.

TUTORING BY FACULTY MEMBERS

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

COURSE SYLLABI POLICY

During the first two weeks of semester classes (3 days of summer term), the instructor must provide each student a copy of the course requirements which includes the following items: 1) attendance policy, 2) grading policy, 3) approximate due dates for major projects and exams, and 4) a description of general course content.

This policy may not apply to the following types of courses: thesis, seminar, special topics, problem report, independent study, field work, internships and medical clerkships.

--Adopted by University Council, March 12, 1980; amended by Academic Planning and Standards Committee, April 10, 1980; approved by the President, May 5, 1980.

STUDENT ATTENDANCE POLICY

Students 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.

It is the responsibility of each individual instructor to evaluate the importance of student attendance in classes. Accordingly, each instructor prepares at the beginning of each semester a written statement setting forth his or her 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 chairperson of the department and a statement of policy on attendance appropriate to each class is read at the first class meeting.

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

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 the instructor. For such excused absences, students should not be penalized.

Adopted - General Faculty Meeting, May 12, 1970

EXCESSIVE ABSENCES

Excessive absences should be reported to the academic deans on an Excessive Absence report form obtainable from the deans' offices.

ILLEGAL DROPPING OF CLASSES

Policy on forged signatures on drop-slips has been defined as follows by the Deans Council:

When a single class is dropped and the withdrawal form does not contain a valid faculty signature, the action is nullified and the instructor will assign an appropriate grade.

Consequently, in those instances where a drop-date appears on your faculty grade sheet and your records do not indicate that you signed a drop-slip, you may question the validity of the drop in the Registrar's Office at the time you submit your grades. You may then determine whether the signature is actually yours or not, and supply the grade that is appropriate for the situation.

FINAL EXAMINATION SCHEDULE

The Final Examination Schedule for the fall and spring semester is printed in the respective class schedules and in the Parthenon. For the summer terms, the official final examina-

tion day is the last day of classes. No exceptions to the schedule are permitted except those approved by the faculty member's academic dean.

GRADE REPORTING

Grades are reported to the office of the Registrar at the end of each semester or term. Grade reporting sheets are distributed by the Registrar through the department chairmen immediately prior to the official examination period. Detailed instructions for reporting grades accompany the grade reporting sheets.

The faculty member responsible for the course shall record all grades in ink and shall sign and date each individual grade sheet. Grade reports are due in the Office of the Registrar forty-eight hours after the scheduled examination. Each faculty member shall remain until the lists can be checked by the designated person. Grade reports should never be placed in the mail boxes or delivered by students or departmental secretaries.

If an error in reporting a grade or new evidence concerning a student's work makes a grade change necessary, the faculty member may use the following procedure: Obtain an official grade change form from the department chairman or the academic dean. Complete the form indicating both the original grade and the new grade and the reason for the change. After signing and dating the form, submit it to the faculty member's department chairman and dean, and then to the Office of the Registrar. It is not necessary for the faculty member to come to the Office of the Registrar to make a grade change. An incomplete grade is changed in the same fashion. The completion of the grade change procedure will be acknowledged by the Registrar by returning a copy of the form to the student and to all of the persons signing the form.

The faculty grade report becomes a basic record in the Registrar's Office. Any changes to the report can be made by the procedure above.

Additional questions concerning grade reporting, the official grading procedures of Marshall University and specific questions relative to unique department requirements should be addressed to the Registrar. Official grades to be awarded at the undergraduate and graduate levels appear in the respective university catalog for the undergraduate colleges, the Graduate School and the School of Medicine.

POSTING OF GRADES

To comply with the regulations of the "Privacy Act of 1974" (Public Law 93-579 of the U.S. Congress), faculty members are required not to post grades of students. The Act prohibits disclosure of any records "from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual."

Marshall University Academic Rights and Procedures

This policy statement implementing West Virginia Board of Regents Policy Bulletin No. 60 (November 13, 1984) supersedes those portions of the University catalogs which concern grade appeals, academic dishonesty, and any other procedures relating to academic appeals.

I. Statement of Philosophy

Marshall University is an academic community and as such must promulgate and uphold various academic standards. Failure of a student to abide by such standards may result in the imposition of sanctions pursuant to Policy Bulletin No. 60 of the West Virginia Board of Regents. A student, by voluntarily accepting admission to the institution or enrolling in a class or course of study offered by Marshall University, accepts the academic requirements and criteria of the institution. It is the student's responsibility to fulfill course work and degree or certificate requirements and to know and meet criteria for satisfactory academic progress and completion of the program.

II. Definitions:

1. Academic Dean: the chief academic officer, of the student's college, program, or school or his/her designee. In the case of a graduate student this term refers to the Dean of the Graduate School.
2. Academic Deficiency: failure to maintain the academic requirements and standards as established by Marshall University and its constituent colleges and schools other than those relating to academic dishonesty. This shall include but is not limited to the criteria for maintenance of satisfactory academic progress, i.e. quality point average, special program requirements, professional standards, etc.
3. Academic Dishonesty: any act of a dishonorable nature which gives the student 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. This 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 of 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. Each classroom instructor may modify the general definition of academic dishonesty to fit the immediate academic needs of a particular class, provided the instructor defines, in writing, the details of any such departure from the general definition.
Academic dishonesty also includes conspiring with or knowingly helping or encouraging a student to engage in academic dishonesty.
4. Day: shall refer to a calendar day.
5. Limited Enrollment Program: any academic program which imposes admissions requirements in addition to general admissions to the University.
6. Student: any individual who has been admitted to and is currently enrolled in a course or in a certificate or degree program at Marshall University or for whom the institutional appeal period has not expired.
7. University Community: faculty, staff, or students at Marshall University.
8. Vice President of Academic Affairs: refers to the Vice President of Academic Affairs or his/her designee.

III. Student Academic Rights:

Concomitant with other academic standards and responsibilities established by Marshall University and its constituent colleges and schools, each student shall have the following academic rights:

1. The student shall be graded or have his/her performance evaluated solely upon performance in the course work as measured against academic standards.
2. The student shall not be evaluated prejudicially, capriciously, or arbitrarily.
3. The student shall not be graded nor shall his/her performance be evaluated on the basis of his/her race, color, creed, sex, or national origin.
4. Each student shall have the right to have any academic penalty, as set forth herein, reviewed pursuant to the procedures in Section V. Except in those cases where a specific time is provided, this review shall occur within a reasonable time after the request for such review is made.
5. Each student shall have access to a copy of a university catalog or program brochure in which current academic program requirements are described (e.g., required courses, total credit requirements, time in residence requirements, minimum grade point average, probation standards, professional standards, etc.).
6. Each student shall receive from the instructor written descriptions of content and requirements for any course in which he/she is enrolled (e.g., attendance expectations, special requirements, laboratory requirements including time, field trips and cost, grading criteria, standards and procedures, professional standards, etc.).
7. The instructor of each course is responsible for assigning grades to the students enrolled in the course consistent with the academic rights set out in the preceding sections.
8. Marshall University and its constituent colleges and schools are responsible for defining and promulgating:
 - A. the academic requirements for admission to the institution, for admission to limited enrollment programs, and for admission to professional and graduate degree programs,
 - B. the criteria for maintenance of satisfactory academic progress, for the successful completion of the program, for the award of a degree or certification, for graduation,
 - C. the requirements or criteria for any other academic endeavor, and the requirements for student academic honesty, consistent with the policies, rules, and regulations of the West Virginia Board of Regents and with the fundamentals of due process, and
 - D. probation, suspension, and dismissal standards and requirements.
9. Normally, a student has the right to finish a program of study according to the requirements under which he/she was admitted to the program. Requirements, however, are subject to change at any time, provided that reasonable notice is given to any student affected by the change.

IV. Academic Sanctions

A student who fails to meet the academic requirements

or standards, or who fails to abide by the University policy on academic dishonesty, as defined by Marshall University and its constituent colleges and schools may be subject to one or more of the following academic sanctions:

- A. A lower final grade in or failure of the course or exclusion from further participation in the class (including laboratories or clinical experiences, any or all of which may be imposed by the instructor of the course involved).
- B. Academic Probation:
 1. For Academic Deficiency:
 - a. Undergraduate Students
Any student who has less than a 2.0 grade point average on course work attempted at Marshall University and/or any approved course work transferred from another institution shall be placed on academic probation. Normally, the student will be permitted to enroll in no more than thirteen (13) hours.
In addition, a student placed on academic probation shall abide by such further conditions or restrictions imposed upon him/her pursuant to policies promulgated by the college or school in which he/she is enrolled as provided in Sec. III, 8 of this policy.
 - b. Graduate Students
Any student whose grade point average falls below 3.0 will be placed on academic probation by the Graduate Dean.
Following notification of probation and prior to subsequent registration, a student will be counseled by his/her advisor or the chairperson of the department of his/her program. During this session, the student will be advised of his/her deficiencies and the requirements for removing the deficiency within the next nine (9) semester hours of enrollment. A second advising period will follow the first grading of subsequent enrollment and will be designed to check the progress. If probationary status is not removed, the student may be subject to further academic action pursuant to these policies, including academic dismissal.
 - c. Medical School Students:
Medical School students should consult the appropriate Medical School publications for the description of this sanction.
 2. For Academic Dishonesty
In those cases in which a student has been found guilty of academic dishonesty he/she may be placed on academic probation for a period of time not to exceed one academic year. During this period the student is given an opportunity to prove that he/she can become a responsible and positive member of the University community. Conditions and restrictions for probation may be imposed, as deemed appropriate, including but not limited to:
 - a. Exclusion from representation of the University in any extracurricular activities such as intercollegiate athletics, debate teams, university theatre, band, etc.; however, the student may participate in

informal activities of a recreational nature sponsored by the University.

- b. Self-Improvement: A program of self-development will be planned in conjunction with a faculty or staff person assigned in a counseling/guidance capacity.
- c. Surrender of Student Activity Card: Upon request the Student Activity Card is to be yielded to Vice-President of Academic Affairs and all rights and privileges pertaining thereto forfeited for a specified period of time not to exceed one academic year.

A student violating any term of academic probation while on such probation will be subject to further academic sanction up to and including academic dismissal from the University.

C. Academic Suspension:

1. For Academic Deficiency:

a. Undergraduate Students

A student who has a deficit of twenty (20) or more quality points and who does not receive better than a 2.0 average on all work attempted during the semester in which the student last enrolled may be suspended and may not enroll during the next regular academic semester. Individual colleges and schools may impose additional suspension requirements pursuant to policies promulgated in accordance with Sec. III, 8 of this policy.

b. Graduate Students

Graduate students should consult college and program publications for a description of the conditions under which academic suspension may be imposed for academic deficiency.

c. Professional Students

Medical School students should consult Medical School publications for a description of the conditions under which academic suspension may be imposed for academic deficiency.

2. For Academic Dishonesty:

In those cases in which a student has been found guilty of academic dishonesty he/she may be academically suspended for a period of time not to exceed one academic year. During such period the student may not enroll in any course or program offered by Marshall University or any of its constituent colleges or schools. A student violating any term of academic suspension while on such suspension will be subject to further academic sanction up to and including academic dismissal from the University.

D. Academic Dismissal:

This is defined as termination of student status, including any right or privilege to receive some benefit or recognition or certification. A student may be academically dismissed from a limited enrollment program and remain eligible to enroll in courses in other programs at Marshall University, or a student may be academically dismissed from the institution and not remain eligible to enroll in other courses or programs at Marshall University. The terms of academic dismissal from a program for academic deficiency shall be determined, defined, and published by each of the constituent colleges and schools

of Marshall University. Academic dismissal from a program or from the University may also be imposed for violation of the University policy on academic dishonesty.

V. Academic Appeals

A. Appeals for Instructor-Imposed Sanctions:

In those cases in which a student has received an instructor-imposed sanction pursuant to Sec. IV., A herein, the student shall follow the procedures outlined below:

1. Undergraduate and graduate students:

- a. The student should first attempt a resolution with the course instructor. This initial step must be taken within ten (10) days from the imposition of the sanction or, in the case of an appeal of a final grade in the course, within thirty (30) days of the mailing of grades from the Registrar's Office.
- b. If the procedure in Step 1 does not have a mutually satisfactory result, either the student or instructor may appeal in writing to the department chairperson within ten (10) days after the action taken in Step 1, who will attempt to resolve the issue at the departmental level.
- c. Should the issue not be resolved at the departmental level, either the student or instructor may appeal in writing to the dean of the College in which the course is offered within ten (10) days of the action taken in Step 2. The dean will attempt to achieve a mutually satisfactory resolution.
- d. Should the issue not be resolved by the dean, either the student or instructor may appeal in writing within ten (10) days of the action taken in Step 3 to the Chairperson of the Academic Planning and Standards Committee who shall refer the matter to the University Academic Appeals Board for resolution.
- e. Should the student or the instructor be dissatisfied with the determination of the Academic Appeals Board then either party may file an appeal with the Vice-President of Academic Affairs within thirty (30) days from receipt of the decision of the Board. The decision of the Vice-President of Academic Affairs shall be final.

2. Medical School Students:

Medical School students who desire to appeal an instructor-imposed sanction should consult the appropriate Medical School publications for the proper procedures to be followed.

B. Appeals for Academic Dishonesty:

Primary responsibility for the sanctioning for academic dishonesty shall lie with the individual instructor in whose class or course the offense occurred; however, charges of academic dishonesty may be filed by any member of the University community.

Sanctions for academic dishonesty may range from an instructor-imposed sanction, pursuant to Sec. IV., A herein, to dismissal from the institution.

- 1. In those cases where the instructor imposes a sanction pursuant to Sec. IV., A only and does not refer the matter to the department chair-

person for additional sanctions, the student may appeal the sanction in accordance with the procedures described in Sec. V, A.

2. Where the offense is particularly flagrant or other aggravating circumstances are present such as a repeat violation the instructor may refer the matter to the department chairperson for additional sanctions as permitted by this policy. In addition any member of the University community may refer a case of academic dishonesty to the chairperson of the department in which the course involved is being offered. Allegations of academic dishonesty must be referred to the department chairperson within thirty (30) days from the date of the alleged offense.

In those cases where the matter is referred to the department chairperson the following procedures are applicable:

- a. The department chairperson shall bring together the student involved and the faculty member and/or other complainant within ten (10) days from the date of referral. A written admission of guilt at this level may be resolved with a maximum penalty of "F" in the course.
- b. If the student denies guilt or disagrees with the sanction imposed or if the faculty member, other complainant, or chairperson feels that the penalties in Step (a) are insufficient for the act complained of, the case shall be forwarded in writing by the chairperson to the student's academic dean within ten (10) days from the date of the meeting. The academic dean shall bring together the student, the faculty member or other complainant, and the department chairperson to review the charges within ten (10) days from the date of referral. The academic dean may impose any sanction permitted by Sec. IV of this policy.
- c. Should the student, faculty member, or other complainant be dissatisfied with the determination of the academic dean the case may be appealed in writing within ten (10) days of the dean's written decision to the Chairperson of the Academic Planning and Standards Committee who shall refer the case to the University Academic Appeals Board for resolution.
- d. Should the student, faculty member, or other complainant be dissatisfied with the determination of the Academic Appeals Board then he/she may file an appeal with the Vice-President of Academic Affairs within thirty (30) days from receipt of the written decision of the Board. The decision of the Vice-President of Academic Affairs shall be final.

C. Appeals For Academic Deficiencies:

1. In those cases in which an undergraduate or graduate student has been or may be placed on academic probation or academic suspension for academic deficiencies the following procedures are applicable:
 - a. The student is entitled to written notice:
 1. of the nature of the deficiency,

2. of the methods, if any, by which the student may correct the deficiency, and
3. of the penalty which may be imposed as a consequence of the deficiency.

- b. The student shall be given the opportunity to meet with the person or persons who have judged his/her performance to be deficient, to discuss with this person or persons the information forming the basis of the judgment or opinion of his/her performance, to present information or evidence on his/her behalf, and to be accompanied at any such meeting by an advisor of his/her choice from the University (faculty, staff, or student). Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless given specific permission to do so by the person conducting the meeting. The student is not entitled to an attorney in such meetings and the formal rules of evidence are not applicable. The student must request such a meeting in writing within ten (10) days from receipt of the notice.
- c. If the student is dissatisfied with the outcome of the meeting outlined in (b) above, the student may appeal the judgment to the Vice-President of Academic Affairs within thirty (30) days after receipt of written notice of the judgment.
- d. The decision of the Vice-President of Academic Affairs is final.

2. In those cases in which a student has been or may be dismissed from an undergraduate or graduate academic program or has been or may be dismissed from the institution for academic deficiencies the following procedures are applicable:

- a. The student is entitled to written notice:
 - (1) of the nature of the deficiency,
 - (2) of the methods, if any, by which the student may correct the deficiency, and
 - (3) of the penalty which may be imposed as a consequence of the deficiency.
- b. The student shall be given the opportunity to meet with the person or persons who have judged his/her performance to be deficient. The student must request such a meeting in writing within ten (10) days from receipt of the notice. The student shall be given the opportunity to discuss with this person or persons the information forming the basis of the judgment or opinion of his/her performance, to present information or evidence on his/her behalf, and to be accompanied at any such meeting by an advisor of his/her choice from the University (faculty, staff, or student). Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless given specific permission to do so by the person conducting the meeting. The student is not entitled to an attorney in such meetings and the formal rules of evidence are not applicable.

- c. If the student is dissatisfied with the outcome of the meeting outlined in (b) above, the student may file an appeal with the Chairperson of the Academic Planning and Standards Committee who shall refer the matter to the Academic Appeals Board. In such cases at least two (2) of the faculty and student members of the hearing panel must be chosen from Board members appointed from the constituent college or school involved. This appeal must be filed within ten (10) days after receipt of written notice of the decision.
 - d. If the student is dissatisfied with the decision of the Academic Appeals Board, the student may appeal the decision to the Vice-President of Academic Affairs within thirty (30) days after receipt of written notice of the decision.
 - e. The decision of the Vice-President of Academic Affairs is final.
3. In those cases in which a Medical School student has been or may be placed on academic probation, or academic suspension, or has been or may be dismissed from Medical School for academic deficiencies, he/she should consult the appropriate Medical School publications for the proper procedures to be followed.

VI. University Academic Appeals Board

A. Description and Jurisdiction

The University Academic Appeals Board is a permanent subcommittee of the Academic Planning and Standards Committee. It is established to hear all appeals arising from the following:

- 1. Instructor-imposed sanctions, including: lowering of final course grade, failure of course, or exclusion from further participation in the class.
- 2. Final course grades.
- 3. Sanctions imposed for academic dishonesty.
- 4. Dismissal from an academic program.
- 5. Dismissal from the University.
- 6. Such other cases as may be referred to the Board by the Academic Planning and Standards Committee.

B. Composition of the Board

The Academic Appeals Board shall be composed of faculty and student members chosen in the following manners:

1. Faculty Members:

The dean of each of the constituent colleges and schools of the University shall appoint three (3) faculty members from his/her unit to serve on the Board. Such appointments shall be made annually in the Fall semester.

2. Student Members:

The President of Student Government shall appoint two (2) students from each of the constituent colleges and schools of the University. All student members of the Board must be in good academic, financial, and disciplinary standing with the University and must have been enrolled for at least two (2) semesters at Marshall. If, for any reason, the President of the Student Government fails or is unable to appoint student members from any constituent col-

lege or school, then the dean of that constituent unit may appoint such student members.

3. Hearing Officers:

The Academic Planning and Standards Committee shall appoint the Hearing Officer of the Board and two (2) alternates. The Hearing Officer and alternates must have previously served on the Board.

C. Selection of Members for an Individual Hearing

An individual Hearing Panel shall be composed of two (2) faculty members, one student member, and one non-voting Hearing Officer. The members of the Hearing Panel shall be chosen randomly by the Chairperson of Academic Planning and Standards Committee or his/her designee. In appeals arising from dismissal from an academic program at least two (2) of the faculty and student members of the panel must be chosen from Board members appointed from the constituent college or school involved.

VII. Academic Appeals Procedures

It is the intent of these procedures to insure that Marshall University students receive appropriate due process in academic matters. This includes fundamental fairness, just sanctions, and all rights in accordance with the belief that academic appeal hearings at an institution of higher education such as Marshall University should have an educational objective. Academic appeals, pursuant to these procedures, are informal and not adversarial in nature.

1. The time and place of the hearing are determined by the Hearing Officer. Upon written request, the Hearing Officer may, at his/her discretion, grant a continuance to any party for good cause.

2. The Hearing Officer will notify the appellee, appellant, and other appropriate parties in writing at least five (5) days prior to the hearing, of the date, time, and place of the hearing. A statement of the facts and evidence to be presented in support of the student's grounds for appeal will be provided to the appellee in appropriate cases.

3. The appellant student and the appellee have the right to an advisor. Advisors must be members of the University community (faculty, staff, or student). Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless they are given specific permission to do so by the Hearing Officer. Attorneys are not permitted to appear on behalf of any appellant or appellee.

4. Prior to the scheduled hearing, the members of the Board may convene in closed session to examine the content of the appeal, the specific issues to be considered, and all supporting documents.

5. The student with his/her advisor if any, will be called before the Board and the Hearing Officer will then restate the nature of the appeal and the issues to be decided.

6. The hearing shall be closed. All persons to be called as witnesses, other than the appellant, with his/her advisor if any, and the appellee and his/her advisor if any, will be excluded from the hearing room. Any person who remains in the room after the hearing has begun will be prohibited from appearing as a witness at the discretion of the Hearing Officer.

7. The student, or anyone disrupting the hearing, may be excluded from the hearing room if, after due warning,

he/she engages in conduct which substantially delays or disrupts the hearing, in which case the hearing shall continue and the Board shall make a determination based on the evidence presented. If excluded, the person may be readmitted on the assurance of good behavior. Any person who refuses the Board's order to leave the hearing room may be subject to appropriate disciplinary action pursuant to Marshall University policy.

8. Except as provided in 7 and 11 herein, all evidence must be presented in the presence of the student.

9. The student or other parties involved may petition the Hearing Office for a subpoena or a request for appropriate written information or documents.

10. The student will be given the opportunity to testify and present evidence and witnesses on his/her own behalf and to discuss with and question those persons against whom the appeal is filed.

11. The Board may admit as evidence any testimony, written documents, or demonstrative evidence which it believes is relevant to a fair determination of the issues. Formal rules of evidence shall not be applicable in academic appeal hearings.

12. If the student appellant or the appellee fails to appear at a hearing and fails to make advance explanation for such absence which is satisfactory to the Board, or if the student appellant or the appellee leaves before the conclusion of the hearing without permission of the Board, the hearing may continue and the Board may make a determination on the evidence presented at the hearing, or the Board may, at its discretion, dismiss the appeal.

13. Upon completion of the testimony and presentation of evidence, all persons, except Board members will be required to leave the room. The Board will then meet in closed session to review the evidence presented. The Board shall make its findings based upon a preponderance of evidence. The Board shall reach its determination by a majority vote. The results shall be recorded in writing and filed with the Chairperson of the Academic Planning and Standards Committee and the Vice-President of Academic Affairs. If the Board's decision includes the imposition of academic sanction, the sanction given and its duration must be specified for the record. A report of a dissenting opinion or opinions may be submitted to the Chairperson of the Academic Planning and Standards Committee and the Vice-President of Academic Affairs by any Board member. The actual vote of the Board will not be disclosed. The Hearing Officer is a non-voting member of the Board.

14. The findings of the Board and any sanction shall be announced at the conclusion of the hearing. The student shall be notified in writing of the findings and any sanction at the conclusion of the hearing and this notification shall also contain any applicable appeal rights.

15. A record of the hearing shall be prepared in the form of summary minutes and relevant attachments and will be provided to the student upon request. The student, or any other person, may not tape the proceedings.

16. Within fifteen (15) days following receipt of the Hearing Board's decision, the student may file an appeal with the Vice-President of Academic Affairs who shall review the facts of the case and take such action as deemed appropriate under all the circumstances. The Board's findings and sanction, if any, may be affirmed, modified, or remanded to the original Hearing Board for further action as deemed appropriate by the Vice-President of

Academic Affairs. A written brief stating grounds for appeal should be presented by the student to the Vice-President for Academic Affairs with the appeal. The scope of review shall be limited to the following:

- a. Procedural errors.
- b. Evidence not available at the time of the hearing.
- c. Insufficient evidence to support the findings of the Board.
- d. Misinterpretation of university policies and regulations by the Board.
- e. A sanction disproportionate to the offense.
- f. Lack of jurisdiction.

Approved by Academic Planning and Standards Committee, June 26, 1985

VI.

FACULTY RESPONSIBILITIES RELATED TO STUDENT LIFE

STUDENT ORGANIZATION ADVISORS

It is a requirement that recognized campus organizations have one or more advisors who are members of the university faculty or staff. Exceptions are made for faculty spouses if approved by the Student Conduct and Welfare Committee. The role of the advisor in the organization is critical, not only to aid students in obtaining full benefits from extracurricular activities, but also to guide the personal development of individuals through association/modeling with the group. Seminars are offered periodically to keep advisors updated on trends and concerns, legal and otherwise. The advisor is instrumental in assisting students in developing programs and receiving maximum benefit from university and community resources and working within university regulations. Faculty/staff members who are interested in aiding student organizations should contact the Office of Student Life or Student Activities. Regulations specific to student organizations are printed in *The Student Handbook*.

CONFIDENTIALITY OF RECORDS

Academic and disciplinary records are confidential matters between the student and the institution. Policies must ensure that these records can be viewed only by the student and authorized campus personnel on a need to know basis, and then for specific purposes, and that records may be discussed

with others only upon authorization of the student. 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 tests. Students and university personnel who wish to review a record must make a specific request to the individual responsible for the direct supervision of the records. Faculty should review and become familiar with the official policy on student privacy, *A Policy Statement on Education Records: Privacy Rights of Parents and Students*, on file in the office of the Vice President/Dean of Student Affairs, 118 Old Main.

ATTENDANCE AT UNIVERSITY EVENTS

Students having classes or laboratories which conflict with university events may be excused by the instructor to attend such events.

No instructor may require a student to attend an event if the student has a regularly scheduled class or laboratory which conflicts with the time of the event.

STUDENT ACTIVITIES, SERVICES

Student activities and services are numerous and varied. For details, please see the 1985-86 undergraduate catalog, pp. 40-53.

VII.

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 Inventory Records Supervisor, 696-6669 and 696-6678.

INSTRUCTIONAL SUPPLIES

The Director of Plant and Administrative Operations will provide chalk, erasers, desks, chairs, and a lectern for each classroom upon receipt of a signed request from the department chairperson. Telephone 696-6680.

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. Telephone 696-6669 or 696-6678.

USE OF UNIVERSITY FACILITIES

Use of campus facilities by noncampus groups or organizations is encouraged within the following limitations:

1. Facilities and support services can be made available only to the extent that they are not needed for the on-going programs of Marshall University.
2. The nature of the activities of the noncampus group shall not be potentially disruptive of the campus program(s) or the general peace and tranquility of Marshall University.
3. The nature of the activities or of the organization involved shall not be of questionable legal status under the constitution or laws of the State of West Virginia or the United States.
4. Protection for the Board of Regents and Marshall University shall be provided through such means as written agreements and insurance coverage requirements.
5. The charges assessed shall be sufficient to cover all costs of a direct nature and shall take into account the indirect costs of facilities wear and indirect overhead cost factors.
6. Persons wishing to use university facilities, except

university auditoria, for a non-university sponsored event shall contact the Manager of Housing and Conference Services (OM213, 696-3125)

7. Persons wishing to use University Auditoria for a non-university sponsored event shall contact the Auditoria Manager (696-2306) at least one month prior to the event.

SPACE RESERVATIONS

Scheduling of classroom facilities for academic classes and testing is the responsibility of the Registrar. Reservation of these facilities for other approved use is granted only after the regular academic facility needs of the university and all its departments have been met. Requests for use of classroom space for meetings, conferences and other nonacademic activities must be approved by the Manager of Housing and Conference Services (OM 213, 696-3125).

Spaces in the Memorial Student Center are assigned by the administrative staff of the Center (696-6472). Groups sponsoring special events involving the MSC in conjunction with other campus facilities must also contact the Manager of Housing and Conference Services (OM 213, 696-3125).

Gymnasiums, fields, Memorial track, Henderson arena, Fairfield Stadium, tennis courts and the pools are assigned by the Manager of Housing and Conference Services (OM 213, 696-3125).

Scheduling of auditoria by campus departments and outside organizations requires approval of the Auditoria Manager (696-2306). All use of auditoria is based on the availability of space after Fine Arts laboratory and classroom requests are filled. Confirmation can not be made until 90 days in advance of the event for nondepartmental use.

All requests for facility usage must be made in writing one month in advance. Approval of requests will be based on availability of the facility and service personnel.

Office assignments are made by the Academic Dean or Administrative Department head in consultation with the Director of Plant and Administrative Operations.

USE OF UNIVERSITY FACILITIES BY CAMPUS ORGANIZATIONS

Recognized campus organizations may reserve the following facilities by contacting the Office of Housing and Conference Services (OM 213, 696-3125):

Gullickson Hall
Main Gym (124)
Gymnastics Room (210)
Pool
Locker Room

Henderson Center
Arena
Natatorium
Instructional Gymnasium

Classrooms
Available for meeting space

Outdoor Facilities

Memorial Track and Field
Gullickson Intramural Field
Tennis Courts
Memorial Student Center Plaza
Fairfield Stadium

To reserve one of the above facilities, a completed Facility Reservation Form signed by the organization's advisor and president must be submitted to the Office of Housing and Conference Services at least two weeks prior to the desired date of use. Attendance by the organization's advisor is required.

The Office of Housing and Conference Services will schedule the use of the facility and obtain other approvals as necessary, i.e., Security, Intramurals, etc.

Because of limited space and the current construction program, campus organizations are limited to two uses of the same facility in one month. For the same reasons, late requests will be subject to the availability of the space and personnel.

Recognized campus organizations may reserve the following auditoria facilities by contacting the Auditoria Manager, OMB 5, (696-2306):

Old Main Auditorium
Smith Recital Hall
Smith Hall 154.

REGULATIONS FOR USE OF UNIVERSITY FACILITIES

1. Campus organizations are expected to use University property responsibly. Officers and advisors of the sponsoring organization are responsible for enforcement of all rules and regulations of Marshall University and the West Virginia Board of Regents as outlined in the Marshall University Student Handbook and/or the Greenbook.

2. An inspection of the premises by Security personnel prior to and immediately following an event may be requested. Officers and advisors of the sponsoring organization are encouraged to request this inspection and accompany Security personnel.

3. Any damage or violation of policy noted will be reported to the Manager of Housing and Conference Services by Security. A complaint stating the violation, damages, estimated cost of repair, etc., will be filed with the Manager of Housing and Conference Services seeking payment for damages and loss of the privilege to schedule facilities or other penalties deemed appropriate by the Manager of Housing and Conference Services.

4. Neither Marshall University nor the West Virginia Board of Regents is responsible for any loss of or damage to equipment or property. Any equipment of the user remaining on the premises for more than ten (10) days shall be considered abandoned and may be disposed of by the Manager of Housing and Conference Services as he/she deems advisable.

5. No signs are to be posted upon University premises without prior written approval of the Manager of Housing and Conference Services. Materials such as nails, hooks, adhesive fasteners, tacks or screws are prohibited. The Manager of Housing and Conference Services has the right to refuse permission to use any materials, devices or procedures which might cause injury or bodily harm.

6. The use of lighted tobacco is restricted to corridors and other designated areas. Alcoholic beverages or illegal substances are strictly forbidden.

7. No parties using Marshall University facilities shall discriminate against any citizen of the U.S.A. or any person within the jurisdiction thereof, on the grounds of race, color, national origin, religion, sex, or handicap.

8. Organizations sponsoring dances or events with an estimated attendance of one hundred are required to hire two Marshall University Security Officers. Exceptions to this policy may be granted if the organization's advisor or approved designee will be in attendance. One officer and the advisor/designee will be allowed.

9. Officers are to be paid at a rate of \$9/hr. for patrolmen and \$11/hr. for supervisors. Arrangements for officers will be confirmed by the Assistant Director of Public Safety, 696-6665.

10. Organizations wishing to use a waiver must complete and return the appropriate waiver form.

11. Failure to comply with this policy will result in immediate cancellation of the event and action through the Coordinator of Student Conduct.

12. Organizations sponsoring pool parties are required to hire one Marshall University Security Officer.

13. Campus organizations using the Gullickson Hall/Henderson Center Pool must hire a minimum of two or three lifeguards. Lifeguards are provided by contacting the Intramural Office in Henderson Center 2017 (696-6477). Lifeguards are paid \$5.00 per hour by the using organization at the time of the event.

14. Persons running on or crossing over the Marshall University Track must wear regular track shoes with a spike less than one quarter ($\frac{1}{4}$) inch. The only other shoes permitted on the track will be flat running shoes or standard basketball or tennis shoes. Joggers are required to run on the outside lanes of the track to eliminate wear on the track. Under no circumstances shall persons using the track eat, smoke, chew or drink on the track surface.

REGULATIONS FOR USE OF UNIVERSITY RECREATION FACILITIES

1. The number of participants and spectators at an event will not be permitted to exceed established capacities.

2. The scheduling party will take the facility in the condition he finds it, and in the event it is necessary to remove or relocate any equipment or fixtures, such changes will be at the scheduling party's expense. The scheduling party will replace all equipment and fixtures in the original location and condition in which they were found. No changes or alterations will be made without prior written approval of the Manager of Housing and Conference Services.

3. No engine, motor, or other machinery shall be erected on the premises without prior written approval of the Manager of Housing and Conference Services. Use of gas, flammable substances and charcoal is forbidden.

4. No signs, materials or equipment may be attached to any facility in a manner damaging to the facility.

5. Publicity and advertisements for events charging admission must state total admissions prices, including applicable tax, if any.

6. The scheduling party will furnish in writing any information requested by the Manager of Housing and Conference Services to determine facilities, arrangements, and special services or equipment necessary for proper management of the scheduled event.

7. The MU pools are available for instructional purposes and for organized conference activities. All events are subject to the approval of the Manager of Housing and Conference Services. Campus organizations using the Gullickson Hall/Henderson Center Pool must hire a minimum of two lifeguards. Lifeguards are provided by contacting the Conference and Facility Office in Old Main 213. Lifeguards are paid \$5.00 per hour by the using organization at the time of the events.

8. Persons running on or crossing over the track shall wear regular track shoes with a spike less than one quarter (1/4) inch. Flat running shoes or standard baseball or tennis shoes are permitted. Joggers must run on the outside lanes of the track to reduce wear on the surface.

9. Concession privileges are reserved by the Department of Athletics.

10. No foods, liquids, smoking materials, gum or similar substances are permitted on the track surface or in the pool areas.

11. Neither Marshall University, nor the West Virginia Board of Regents shall be responsible for any loss or damage to property of the scheduling party. Any equipment or effects of the scheduling party remaining on the premises for more than seven (7) days after the event will be considered abandoned and may be disposed of by the Manager of Housing and Conferences Services unless prior arrangements have been made in writing.

REGULATIONS FOR USE OF UNIVERSITY AUDITORIA

1. The scheduling party will take the facility in the condition he finds it, and in the event it is necessary to remove or relocate any equipment or fixtures, such changes will be at the scheduling party's expense. The scheduling party will replace all equipment and fixtures in the original location and condition in which they were found. No changes or alterations will be made without prior written approval of the Auditoria Manager.

2. Neither Marshall University, nor the West Virginia Board of Regents shall be responsible for any loss or damage to machinery, equipment, paraphernalia, costumes, clothing, scenery, trunks, exhibit materials, musical instruments or any other property of scheduling party, caused by theft, fire, riot, strikes, act of God or any other cause of whatsoever nature or kind. Any equipment or effects of the scheduling party remaining on the premises more than seven (7) days after an event will be considered abandoned and may be disposed of by the Auditoria Manager unless prior arrangements have been made in writing.

3. Marshall University and the West Virginia Board of Regents are absolved from any and all liability and expense arising out of use of any composition, work or material covered by contract. Execution of a Rental/Lease Agreement does not constitute any partnership agreement with Marshall University.

4. No engine, motor, or other machinery shall be erected on the premises without prior written approval of the Auditoria Manager. Use of gas, flammable substances and charcoal is forbidden.

5. No signs, materials or equipment may be attached to any facility in a manner damaging to the facility.

6. The number of participants and spectators at an event will not be permitted to exceed established capacities. System of entry, seating method, and production staging shall be at the discretion of the Auditoria Manager.

7. The scheduling party will furnish in writing any information requested by the Auditoria Manager to determine facilities and arrangements, or special services or equipment necessary for proper management of the scheduled event.

8. Programs lasting one and one-half (1½) hours or more require an intermission of not less than ten (10) minutes unless prior written approval is obtained from the Auditoria Manager.

9. Facilities will be open to the public no more than one half (½) hour prior to the event.

10. Publicity and advertisements for events charging admission must state total admission prices, including applicable tax, if any.

11. Technicians providing services for Auditoria Events shall be paid in full at the conclusion of the scheduled event. All other charges will be invoiced immediately following the event.

12. All contractual agreements and proof of insurance must be filed with the Auditoria Manager 10 days prior to a scheduled event. Alterations in the agreement after this deadline must be approved by the Auditoria Manager.

13. The Auditoria Manager will maintain a current schedule of events in various auditoria (Smith Recital Hall, Old Main Auditorium, Smith Hall 154). Events of the College of Fine Arts will have priority use of these spaces. Sponsors of these events must notify the Auditoria Manager of their utilization schedule and technical requirements. Before accepting reservations for use of auditoria, the Auditoria Manager will check with Fine Arts Departments to insure no conflict with regular activities. Upon notice of confirmation of reservation for auditoria by organizations not within the College of Fine Arts, said confirmed reservation will take priority over all other utilization. Only reservations confirmed by the Auditoria Manager will be honored.

POLICY STATEMENT ON CLOSING

Extreme weather conditions or energy outages have resulted in disruption of normal operations at Marshall University on several occasions during past winters. Similar situations may occur in the years ahead. With that possibility in mind, Marshall University has developed the following policy:

1. Although it may be necessary to suspend classes because of inclement weather or other problems on some occasions, offices will not be closed, and classified and administrative employees will be expected to report to work.

Individual employees may, in their best judgment, determine the risk of travel to be too great and elect to remain at home. Those who do so should contact their respective supervisors and indicate they are: (1) taking annual leave that day, or (2) taking a day off without pay, or (3) taking compensatory time, in the event compensatory time is owed them.

2. In the event that a building, or a section of a building, is closed (because of heat loss, power outage, etc.), employees working in the affected area will be permitted to take their work to another area or building on campus. Or, in consultation with the supervisor, the employee may elect to take annual leave that day, take the day off without pay, or take compensatory time off.

3. In the event of an extreme situation (tornado, flood, ice storm, campus disturbance, etc.) and the employees' presence is not desired on campus, this information will be disseminated to the news media. A decision as to whether the missed time will be chargeable to annual leave, compensatory time, or a non-pay situation will be determined by the

President and communicated through supervisors on the first day normal campus operation is resumed.

4. Supervisors must take steps to ensure offices and/or work stations are open to employees at all times when those employees are expected to be at work, including inclement weather situations and other disruptive situations.

5. The provisions of this policy apply to classified and administrative staffs. In situations when classes are suspended, students and faculty members are excused.

CHANGE IN CLASSROOM ASSIGNMENT

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

CONTROL OF KEYS

Keys to buildings, offices, and classrooms are issued by Plant Operations. Requests for keys must be approved by the department chairperson or supervisor of the person for whom the key(s) are to be made and by the Director of Plant Operations. Key request forms and key regulations are available at the Plant Operations office in the Howard Sorrell Maintenance Building, 696-6680.

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 University parking facilities are promulgated by the Assistant Director for Parking.

Application forms for parking facilities may be obtained through the Office of the Director of Public Safety, in the Public Safety Building, 1819 Fifth Avenue (Telephone 696-6406).

USE OF UNIVERSITY BUSES

Information pertaining to the use of university buses for official university business may be obtained from the office of the Transportation Supervisor, 696-6680.

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.

FUND RAISING

All fund raising in the name of Marshall University should be coordinated through the Marshall University Development Office and, if at all possible, funds should be channeled through The Marshall University Foundation, Inc. This coordination prevents duplication of action on the part of university staff and it also points out to our constituent friends that the university does have an overall university development plan.

It is to the advantage of the university's total development program that all requests for funds from any particular university constituent be coordinated through the Development and Foundation Office (696-6440).

INQUIRIES BY PROSPECTIVE STUDENTS

Many individual staff members receive inquiries from prospective students. Such inquiries should be channeled through the Director of Admissions (696-3160). 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 Vice President for Academic Affairs. If a participant does not own an academic costume, a costume may be rented from the University Bookstore. Permission to be absent from Commencement must be obtained from the Academic Dean.

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 the 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 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 the Graduate Dean and should 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

chairpersons 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. Whenever 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 chairperson. 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 nonprofessional services which interfere with or reduce the performance level of regularly assigned university duties. It is the responsibility of the department chairperson 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 chairperson 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

The above Marshall University statement is supported by

and subject to the provisions of an agreement between the BOR and Research Corporation which related to patents. This agreement is available in the Office of the Vice President for 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 chairperson, 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 Vice President for Academic Affairs Office a copy of his or her 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 faculty member's permanent file.

Also, each faculty member is responsible throughout his or her career at Marshall for submitting to the Vice President for Academic Affairs Office 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, salary, 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

(Continued as policy under Board of Regents)

SELLING ON CAMPUS

All solicitation and selling on the campus is prohibited by regulation of the West Virginia Board of Regents unless it is done by groups connected with the university and with the approval of the President.

VENDING MACHINES ON CAMPUS

Vending machines may not be placed on campus without advance approval of the Director of Auxiliary Services. Pursuant to this approval, placement of such machines must be approved by the office of the Vice President for Support Services.

SIGN POLICY

The following statements comprise the basic policies for the posting of signs, as promulgated by the Physical Facilities and Planning Committee:

1. Every sign on university property must clearly display the name of the sponsoring organization or individual and the date of posting. The total area of the sign shall not exceed 700 square inches with a maximum width or length not to exceed 30 inches.
2. In order to maintain the natural beauty of the campus and to preserve the quality of the buildings, trees and shrubs, signs are to be displayed only on bulletin boards provided for that purpose. Signs are not to be posted on interior or exterior surfaces of buildings, doors, or windows. Signs are not to be posted on trees, shrubs, utility poles, or sidewalks.
3. Bulletin boards in classrooms are to be reserved for information pertaining to the instructional program. Administrative bulletin boards in departmental areas and in or adjacent to university offices are reserved for the use of such departments and offices. These bulletin boards shall be under the control of the departments and instructional staff.
4. Organizations and individuals may post only one sign on the same bulletin board at the same time, unless the additional sign pertains to a different event.
5. All signs posted on campus shall be in good taste. Any questions concerning this provision shall be addressed to the Director of Plant and Administrative Operations.
6. Individuals or organizations displaying signs are responsible for their removal the day after the event. If no expiration date is given, the sign must be removed one month after the day of posting.
7. Approval for displaying signs of non-university organizations must be secured through the Office of the Director of Plant and Administrative Operations.
8. Signs will be removed which violate these or other university regulations.
9. Student activity banners which are displayed on the balcony of the Memorial Student Center, fraternity doors which are displayed during fraternity rush, and signs posted under regulations for student government elections are specifically exempted from the size limitations and the restrictions of posting only on bulletin boards. These exemptions are given on the basis of the signs being in good taste and their repetitive use having been accepted prior to the implementation of this policy. It shall not imply waiver of the restriction against posting signs on painted surfaces or prompt removal of such signs. Use of banners, doors, and student government

elections are specifically exempted from the size limitations and the restrictions of posting only on bulletin boards. These exemptions are given on the basis of the signs being in good taste and their repetitive use having been accepted prior to the implementation of this policy. It shall not imply waiver of the restriction against posting signs on painted surfaces or prompt removal of such signs. Use of banners, doors, and student government election signs as exempted will be subject to review. Approval to use these signs as described does not negate the possible withdrawal of approval at a later date.

10. These policies pertain to the total university and shall take precedence over any regulations formulated by constituencies of the university. Enforcement of these policies shall be the responsibility of the Vice President for Support Services or his designees.

-Adopted by the Physical Facilities and Planning Committee, April 21, 1981; approved by the President, April 22, 1981.

NAMING OF BUILDINGS ON THE CAMPUS

See West Virginia Board of Regents Policy Bulletin No. 6, in Chapter XIII following.

THE JAMES E. MORROW LIBRARY

All books, periodicals, documents, pamphlets, databases and other library materials 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 James E. Morrow Library of Marshall University.

The rapid growth of new information forms and technologies has resulted in fundamental changes in the way the Library will support teaching research and in the way library budgets will be allocated. Heretofore, the dominant driving force has been growth in collections. Change to new technologies has overtaken and replaced growth as the dominant driving force.

Marshall Libraries' participation in the OCLC (the nation's largest electronic data base), begun in 1977 initially to obtain cataloging copy, now makes our resources available by terminal access to students in more than 3,000 university libraries. In turn, the resources of most of the great libraries of Great Britain, Canada, the United States and Australia are available by means of electronic access for the benefit of our students and faculty. The Director of Libraries with the advice of the Faculty Library Committee will continue to give leadership in the application of these technologies.

The apportionment of the funds used for the purchase of library-type materials, (books, serials, pamphlets, databases 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 coordinate the purchase of library materials 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 such 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.

The Director of Libraries will institute policies of centralization in purchasing, cataloging, and automation application whenever economy and efficiency warrant them.

FACULTY MEETING PARTICIPATION

Participation in Marshall University Faculty Meetings is limited to the persons provided for in the Marshall University Faculty Constitution and to others who may be invited to speak to specific matters. Other persons in the University Community may attend faculty meetings as observers and may be seated in the designated section of the auditorium.

Members of the news media may attend meetings of the Marshall University faculty, other than executive sessions. The representatives of the news media will be seated in a designated section of the auditorium. They may observe the proceedings but may not take part in them.

Still cameras, television cameras, tape recorders and other broadcast equipment will be permitted. In order to minimize distraction, such equipment should be set up prior to the beginning of the meeting in a specific area designated by either the presiding officer or the Director of University Relations. The equipment should not be moved during the course of the meeting other than for an unobtrusive departure.

Interpretation of the policy is the responsibility of the Director of University Relations and inquiries regarding the policy should be brought to the attention of that office.

--Approved by University Council, Oct., 1978; amended September 23, 1981

POLICY STATEMENT ON SEXUAL HARASSMENT

- I. It is the policy of Marshall University that no member of the University community may sexually harass another. Sexual harassment is a violation of Title VII of the 1964 Civil Rights Act as Amended (section 1604.11 of EEOC's regulation on sexual discrimination of 1980) and Title IX of the Education Amendments of 1972.
- II. **Definition**
Sexual harassment is defined as **unwelcome** sexual advances, such as requests for favors and other verbal or physical conduct of a sexual nature, which adversely affect the working or learning environment. Sexual harassment does occur when:
 - a. submission to such conduct is a condition of employment or education;

- b. submission or rejection of such conduct affects an individual's status in the work or learning environment;
- c. unwelcome sexual advances interfere with an employee's or student's performance by creating an intimidating, hostile, or offensive environment.

(This definition does not in any way affect social interaction or relationships entered into freely by individuals.)

III. Grievance Procedure

Anyone who is subjected to sexual harassment is encouraged to pursue the matter through the informal or formal procedures described. Generally, the informal procedure will result in the resolution of the problem.

a. Informal Procedure

Faculty, staff, and students should feel free to make complaints concerning allegations of sexual harassment. Strict confidentiality will be maintained in all informal procedures. No investigative action will be taken against the accused on behalf of the person complaining, however, unless the sexually harassed person agrees to be identified and the complaint is in writing.

Since most situations can be resolved at the informal level, the sexually harassed person may decide to take one or more of the following actions:

1. Ask a third party to talk to the accused regarding the unwelcome sexual behavior.
2. Write a letter to the accused stating the behavior, indicating it is unwanted, and asking that it be stopped.
3. Write a letter as described above and send a

copy to a third party stating no action will be taken by anyone if the behavior is stopped.

4. Confront the accused, with or without a third party, describe the behavior, state that it is unwanted, and ask that it be stopped.

b. Formal Procedure

The formal grievance procedure is invoked upon the request of the sexually harassed person. The formal grievance procedures at Marshall University are described as follows:

1. If a student is charged with sexual harassment, the University Judicial System, outlined in the **Student Handbook**, would apply.
2. If a staff member is charged with sexual harassment, the Staff Grievance Policy, outlined in the **Staff Employee Handbook**, would apply.
3. If a faculty member is charged with sexual harassment, the Faculty Grievance Procedure, outlined in the **Greenbook**, P.B. 36, would apply.

The filing of a formal grievance of sexual harassment must begin with a written signed complaint filed in accordance with the grievance policy for the sexually harassed person.

IV. Dissemination

Deans, directors, and department heads will disseminate this policy to all faculty, staff, and students at Marshall University on a regular basis.

Revised: September 19, 1984

VIII.

UNIVERSITY SERVICES AND ACTIVITIES

SERVICES

BOOKSTORE

Marshall University owns and operates the bi-level University Store located adjacent to the main floor lobby and lower level of the Memorial Student Center. The spacious modern bookstore specializes in servicing the students, faculty, and staff of the university with its wide variety of merchandise.

Over five thousand academic and best-selling selections are stocked in the main floor paperback and magazine departments and more than three thousand current textbook titles can be found in the lower level of the store. Other major departments include art, drafting, school supplies, greeting cards, jewelry, cosmetics, calculators, gifts, clothing, and Marshall souvenirs.

The bookstore offers a variety of special services which include special orders for books and merchandise which are not stocked, used book repurchase at the end of each semester or term, photofinishing, Marshall University class ring ordering, gift wrapping, coin copying, and custom imprints on specialty items.

The pricing structure offers a 10% discount to faculty and staff on all items except textbooks and sale merchandise. By offering a large selection and competitive pricing on other items ranging from computers to campus wear, the Marshall University Bookstore is successful in catering to the needs of the University.

The bookstore is open regularly from 8:00-4:30 daily Monday through Friday, and from September through May, on Monday evenings 4:30-6:30 and Saturdays from 10:00-2:00. The bookstore closes on holidays listed in the official university calendar.

COMPUTER CENTER

The Marshall University Computer Center, located on the second floor of Prichard Hall, furnishes facilities and services in support of the instructional, administrative and research activities of the university.

In addition to local computing facilities, Marshall University participates in West Virginia's state-wide higher education computing network, the West Virginia Network for Educational Telecomputing (WVNET).

Campus facilities include a data terminal network supplying services to faculty, staff, and students campus wide and via telephone dial-up service. Departmental terminals, printers and/or personal computers are provided access to a variety of host computer facilities via this terminal network and a Gandalf Dual PACX IV data contention switch.

A small cluster of Computer Center supported interactive terminals is located on the main floor of Morrow Library. These terminals are made available for those individuals who do not have adequate departmental facilities and/or for individuals who can not obtain departmental facility access in the evenings or on weekends.

Centralized output facilities are offered for users at the Computer Center in Prichard Hall. Distribution is made via Campus Mail Services or by pickup in the Computer Center Lobby.

Host computer facilities include:

On Campus:

1 DEC VAX 11/780 running VMS as a BITNET node (international higher education/research network providing electronic mail/messaging/file transfer)

1 DEC PDP 11/40 running RSTS and providing RJE service to WVNET IBM MVS facilities

1 DEC PDP 11/34 running RSTS

64 Multiplexed interactive terminal ports to the WVNET Host Site Facilities

Services offered via WVNET:

1 IBM 3081D running MVS

1 Amdahl 470 V/7A running VM/CMS

4 DEC VAX 11/780's running VMS

Telenet, Edunet and BITNET connections.

A wide variety of software products are available, including statistical packages, office automation products (word processing, electronic mail, document production, electronic filing, calendar/time management, spreadsheet products, etc.), computer aided instruction, a large variety of computer programming languages, query/data base packages, and graphic packages.

Host computer facilities are available twenty-four hours a day seven days a week except for scheduled maintenance periods. However, local operator hours are from 7:00 a.m. to 7:00 p.m. Monday - Friday on Fall and Spring Semester class days and from 8:00 a.m. to 4:30 p.m. Monday - Friday on all other days excluding university holidays.

For additional information, contact the Computer Center Documentation/User Services Coordinator at (304) 696-3140.

COMPUTER MISUSE

A student who is found guilty of any of the following acts shall be subject to the maximum sanction of expulsion or any lesser sanction authorized by the Board of Regents and/or Marshall University Code of Student Rights and Responsibilities. Faculty and staff members are similarly cautioned against violations listed below.

Misuse of the West Virginia Computer Network and the University Computer System:

- a. Disruption or interference with the normal use of the computers, computer-related equipment, data, or programs of individuals, the Network, or the University;
- b. Use of this equipment, data, or programs in performance of any act listed as prohibited in this document;
- c. Attempts to breach security in any manner;
- d. Use of a computer account for other than the purpose for which assigned.

CAMPUS INFORMATION

News Letter: The Office of University Relations issues a weekly News Letter of general university news and information. Items for the News Letter should be given to the University Relations Office by 10 a.m. Tuesday 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 University Relations Office when a need arises. Such special bulletins must be of general interest to university personnel.

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, 696-6696.

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

The Tri-State Arts Forum: Marshall University Institute for the Arts issues this publication periodically to publicize university and community events in the arts.

LIBRARY MATERIALS

Books may be borrowed for one semester, subject to recall by the library if needed by another faculty member or a student.

Near the end of each semester, faculty members should return to the library all books checked out in their names. Books needed for a longer period of time will be renewed. Renewals cannot be made, however, unless the materials are brought to the Library to be stamped with the new due date. At the end of the semester, faculty members will be notified of all remaining materials checked out to them and these should be cleared at once to avoid overdue charges.

LOAN PERIOD AND FINES

One semester Loan Period, Renewal

1-7 days overdue	No fine
8th day overdue	\$.10
Each day thereafter10
Maximum fine	\$5.00

Payment for lost books will include: List price determined from Books in Print, plus a processing fee of \$10.00.

The library does not buy personal copies of books for faculty members. Each member of the faculty is encouraged to recommend through the departmental library representative any books he/she wishes the library to purchase. 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 Main Desk in the Memorial Student Center maintains a Lost and Found Service for the university as a whole. Items found should be given to either the building custodian, the Office of Public Safety, or the Memorial Student Center. The item will be recorded and, upon proper identification, returned to the owner. In looking for a lost item, check with the attendant at the desk. Lost I.D. Cards should be returned to the Registrar's Office, Old Main 1B (basement).

INFORMATION CENTER

The Information Center is located at the Main Desk in the Memorial Student Center. The Information Center serves as a central point where students, faculty, staff, visitors, and guests of the university can find answers to their questions about Marshall University.

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 (Don Morris 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 and scheduling may be obtained from the Main Office of the Memorial Student Center, Room 2W6.

MAIL SERVICE

The university mail service is located in the building which houses the Office of Public Safety, 1819 Fifth Avenue. The mail-room is open 8:00-4:30, Monday through Friday. A substation is maintained in the east end of the basement of Old Main for delivery of mail to Smith Hall, Old Main, Corbly Hall, and the Library. Access to the substation is by keys individually assigned.

Boxes are assigned to faculty and staff, generally on a departmental basis, with option provided either for the Fifth Avenue location or the Old Main substation.

Postal services are provided for conducting university business. These services shall not be used for personal business.

TELEPHONES

Within the funds available, telephones are provided as a service for all areas of the university for conducting university business.

Local service is provided through a Centrex system. Long distance calls are dialed directly over the university's long distance network.

Inquiries regarding telephone service should be referred to the office of Campus Technology, Room 322 Old Main, 696-2375.

COPYING, PRINTING

Copying

Graphic Services, Old Main 21B, is responsible for walk-up convenience copiers at various locations on campus.

The copiers are to be used for duplicating from one to 10 copies of each original. These machines are activated by Auditrons (key meters) which are issued by Graphic Services to units of the university desiring them.

The Auditrons must be taken to the Graphic Services Office by the first day of each month for auditing. Offices are then charged for each copy registered on the key meters assigned them. **REPLACEMENT OF A LOST OR STOLEN METER COSTS THE ASSIGNED OFFICE \$25.**

Duplicating

Processing 11 or more copies of an original is handled via operator-controlled duplicating systems. Duplicating systems are located in Graphic Services' Old Main office, and in Campus East Copy Center, Community College Basement, 18th Street. These systems **DO NOT** clearly reproduce photographs.

Printing

A complete range of printing services via offset metal plates is available in Graphic Services, Old Main 21B. Many weights, colors and textures of paper in sizes up to 17" x 22", and almost any ink color or combination of ink colors can be provided. Please consult Graphic Services concerning these services and their prices.

NOTE: Photographs **CAN BE** reproduced in offset printing.

Publications

Publications, Old Main 8B, can assist in a wide range of publications services—from planning to supervising production. All jobs requiring typesetting, design and layout begin with Publications.

Complete information on services provided can be obtained by contacting Publications (696-6481).

TENNIS COURTS

Regularly scheduled physical education classes have priority in the use of tennis courts. Next priority goes to inter-collegiate 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). Reservations for use of tennis courts by university-related personnel are accepted daily in the Intramural Office, Henderson Center, Room 2018 (696-6477).

Off-campus organizations must contact the Conference and Facilities Manager for approval (696-3125).

FAIRFIELD STADIUM

Regularly scheduled intercollegiate football games and practices have first priority on use of Fairfield Stadium. In all day-time activities at the stadium, physical education, intramurals, or MU bands have second priority. The third priority goes to local high schools for night football games.

All participants using Fairfield must wear shoes of non-marking nature. There must be no smoking or chewing of tobacco on the Astro-turf. No alcoholic beverages are permitted in the stadium. Only participants and officials are permitted on the field and along the sidelines.

A rental fee will be required of all groups other than university groups. A responsible supervisor must be with all groups using Fairfield.

Permission for use of Fairfield Stadium must be secured through the Conference and Facilities Manager in writing. Special details must be worked out in advance. Telephone is 696-3125. Special approval is required for use of scoreboard and PA system with qualified technicians. Concession rights are retained by the Department of Athletics.

STUDENT HEALTH SERVICE

The Marshall University Student Health Service is located in the John Marshall Medical Services, Inc. facility at 1801 Sixth Avenue. The hours of operation are 8:00 a.m. to 8:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. Saturday. Emergency care on Sundays, holidays, and after John Marshall Medical Services closes is available at the Cabell Huntington Hospital Emergency Room.

The Student Health Service is operated entirely from student fees. Health care is not available to members of the faculty and staff. The faculty or staff member will be expected to secure the services of his own physician or to use the regular clinical services of the John Marshall Medical Services, Inc.

WPBY-TV

WPBY-TV, Channel 33, is a public television station licensed to the West Virginia Educational Broadcasting Authority. The station operates studios on the Marshall University campus and at Nitro, W.Va. It serves an area of a dozen counties surrounding Huntington and Charleston.

The station carries national programming from the Public Broadcasting Service (PBS) and originates local programming from both its studios. During hours when public schools are in session, WPBY-TV presents instructional material for classroom use. Both before and after those time periods, the station offers children's programs and presentations for small groups within the overall audience. Evenings are devoted to broad-interest news, cultural and educational programs.

Marshall University and WPBY-TV have a working agreement that calls for broad cooperation. The station provides program opportunities for the university, technical support for a number of departments, and media exposure for staff and faculty. Students benefit through employment opportunities, broadcast of Marshall sports and cultural events, and credit courses offered through the university facilities. Marshall staff expertise helps to achieve program goals. The campus Instructional Television Service and WPBY-TV have a ready exchange of facilities and technical support. The weekly half-hour series M.U. REPORT is broadcast by the Journalism Department over WPBY-TV during the second semester each year.

Many faculty members and staff at Marshall support the Friends of WPBY-TV and help in volunteer efforts, including service on the Friends Board. (Contact: Friends of WPBY, Third Avenue, Huntington, WV 25701)

WPBY and Huntington public radio station WHPW are part of the West Virginia Public Broadcasting interconnection. Since early 1984, this network has linked the TV stations of the Broadcasting Authority at Nitro-Huntington, Morgantown, Beckley and the radio network headquartered at Charleston. WPBY has experimented with higher education applications of the interconnection and has a construction permit for Instructional Television Fixed Service (ITFS) in Huntington. This potentially could link the Huntington

studio directly with industrial and educational sites in the Huntington area by 1986. Both the interconnection and ITFS provide instructional, training and teleconferencing opportunities between Huntington (M.U.) and other parts of the state.

INSTRUCTIONAL TELEVISION SERVICES

ITV Services supports the teaching faculty by providing video programming direct to classrooms by means of a six-channel campus cable television system. A library of over 2,000 television programs suitable for college-level instruction is available for use over this system, with new titles being added constantly. Many of these programs have been previously broadcast on public television; others have been produced in our studios. Most are in color.

ITV Services also provides high-quality video equipment and a professional staff to produce and record instructional materials on video tape. This service is available to individual instructors for a wide variety of instructional and professional purposes. Suggestions for creative use of these facilities are welcomed.

Playbacks of programs are scheduled at the request of any instructor. ITV Services operates continuously from 8:00 a.m. to 4:30 p.m. weekdays, and will also serve evening and weekend classes upon prior request. Offices are on the second floor of the Communications Building.

To schedule a playback for your classroom, or to preview any instructional television program, call 3150.

ACTIVITIES

ATHLETIC EVENTS

Faculty and staff may purchase season tickets at reduced rates through the Ticket Manager, Department of Athletics, Henderson Center, 696-3190.

FACULTY FUND

All faculty members and, administrators are asked in the fall to donate to the faculty fund. The Faculty Service Committee uses the funds to defray the cost of sending remembrances and get-well gifts.

FACULTY WIVES CLUB

The purpose of the Faculty Wives Club is to promote the social and cultural life of the members. Membership is open to all women whose husbands are (a) members of the Marshall University faculty, that is, those having at least the rank of instructor; (b) administrative officers and administrative assistants; (c) coaches who are employed full-time by the university; (d) associated full-time with the university as directors and assistant directors of auxiliary groups such as Research Projects, Student Christian Center, Placement Office, Alumni Affairs, Student Center, Bookstore, etc.; (e) librarians; (f) retired members of groups (a) - (e), or now deceased, who were in any of the groups (a) - (e) at the time of their death. Women in group (f) are Honorary Members.

During their first three years at Marshall, wives are also eligible for membership in the Newcomers Club.

ARTISTS SERIES

The aim and purpose of the Marshall Artists Series is to advance, aid and promote the educational and cultural life of Marshall University and surrounding area by providing for the personal appearance in Huntington of artists, groups and companies in the areas of music, dance, theatre, lecture and quality films. The Series is composed of four divisions: Baxter Series, Mount Series, Forum Series, and Summer Series. In addition, a number of workshops, seminars, master classes, and residencies are scheduled with visiting artists.

Season memberships are offered for the Baxter and Forum Series. Tickets for individual events are sold for all programs.

University employees are offered Forum Series season memberships and individual event tickets for Mount and Summer Series at half price.

The volunteer faculty and staff usher corps is headed by Mr. Philip E. Modlin, Assistant Professor of Biological Sciences.

Important to the success of all programs is faculty encouragement of student attendance. Admission is free to all events for students with valid Marshall University I.D. and activity cards. Students with valid Marshall University I.D. cards are offered individual event tickets for Mount, Summer and Forum Series at half-price.

Information may be obtained from Marshall Artists Series, 1W23 MSC. Telephone, 696-6656.

PERFORMING ARTS OPPORTUNITIES

Faculty, Staff, Administrators and their families are welcome to participate in various university performing arts organizations and non-collegiate instructional programs. The Choral Union vocal ensemble, Marshall University Symphony, and the Marshall University Summer Theatre invite participation by persons other than university students. Instructional programs in the Music Preparatory Program, the Art Opportunities Program and the Theatre/Dance Prep School are available to meet individual needs. Please contact the appropriate departments for specific requirements, schedules and events.

MARSHALL UNIVERSITY ALUMNI ASSOCIATION

The Marshall Alumni Association is administered by a thirty member Board of Directors, ten of whom are elected annually by the Active Membership to serve three-year terms. The Board membership also includes chapter and area representatives who are chosen by and represent alumni living in their respective regions. The activities of the Association are coordinated by the Office of Alumni Affairs.

Faculty and staff members, including nonalumni and alumni, are encouraged to become dues-paying members of the Alumni Association. Nonalumni are welcomed as "Friends of Marshall." The Association encourages campus-wide participation and invites faculty and staff to take part in all activities. Dues are \$15 per year for individuals and \$25 per year for couples. Life memberships are available at \$200 for individuals, and \$300 for couples. All faculty and staff members are requested to notify the Alumni Office of addresses and information regarding Marshall alumni.

IX.

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 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 Financial Affairs, Academic Deans, Registrar, Vice President for Student Affairs/Dean of Students, Director of Admissions, 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. A minimum of four meetings shall be called by the presiding officer during the academic year. Other meetings may be called by the University Council at its discretion.

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 meetings shall be the chairperson of the University Council, or, in his absence, a person appointed by the University Council. The presiding officer 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 dismissal proceedings in accordance with the 1958 statement of the American Association of University Professors and the Association of American Colleges.

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, except in the case of faculty members serving in ex officio capacity, 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 non-teaching load, retirement, sabbatical and other leaves, distribution of summer-term teaching, and other matters which affect the well-being of the faculty. The committee shall act as an advisory panel for all faculty members initiating grievance procedures in accord with Policy Bulletin 36. In the case of grievances within the scope of PB 36, Section 15, the committee shall, at the discretion of the aggrieved faculty member, review the grievance and the decisions at levels one and two of the procedure and prepare a recommendation for the President at level three. The committee will assist faculty members in assuring compliance with the 1958 statement of the American Association of University Professors and the Association of American Colleges on procedural standards in faculty dismissal hearings.
 - 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 Support Services and the Registrar.
- C. Voting shall be by secret ballot.
4. Budget and Appropriations Committee
- A. Functions. The committee shall serve in an advisory capacity in the development of the university budget and in the appropriations designated to units in the budget. It shall be the function of the committee to consider policy matters that determine the budget and its expenditure. The committee shall review the annual budget of the university to assure its general conformity with short-range and long-range priorities of the university and expressions of policy. The committee shall report instances of non-compliance of the budget with existing priorities or policies and any other allocations which in the committee's opinion are not in the best interest of the university.
- 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 ex officio members shall be the Vice President for Academic Affairs, the Vice President for Financial Affairs and the Vice President for Support Services.
5. 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 that number of student members which shall equal the number of undergraduate colleges, appointed by the Student Government. Ex officio member shall be the Vice President for Student Affairs/Dean of Students. Nonvoting members shall be the Associate Deans of Students.
- C. Voting shall be by secret ballot.
6. 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.
7. 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.
8. Athletic Committee
- A. Functions. The committee shall consider policies relating to maintenance and development of the intercollegiate athletic program, eligibility of athletes, budgets, and athletic staff personnel.
- B. Membership. The board shall consist of seven members elected by the faculty at large, the chairperson of the Health, Physical Education and Recreation Department, faculty representative to the NCAA, two students appointed by the Student Government and one alumnus appointed by the Alumni Association. Nonvoting members shall be the Vice President for Financial Affairs, the Vice President for Student Affairs/Dean of Students, the Athletic Director, and one representative from the Big Green Scholarship Foundation.
9. 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 University Relations and the Director of the Division of Finance.
10. 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.

XII. Procedural Amendments. Position title changes within the university administration and article number and reference changes may be made in this Constitution by the University Council with the provision that the proposed changes be provided the faculty not less than ten days before the changes are made. Such proposed changes are subject to faculty appeals provided for in VIII-A-7.

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.

X.

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 serve as an advisory panel for all faculty members initiating grievance procedures in accord with Policy Bulletin 36, and in the case of grievances within the scope of Section 15 of the Policy Bulletin, will, at the request of the faculty member, prepare a recommendation for the President at level three of the procedure. In all cases the committee will assist faculty members in assuring compliance with the 1958 statement of the American Association of University Professors and the Association of American Colleges on procedural standards in faculty dismissal.
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.

BUDGET AND APPROPRIATIONS COMMITTEE

1. The committee shall consider policy matters that determine the budget and its expenditure.
2. The committee shall review the annual budget of the university to assure its general conformity with short-range and long-range priorities of the university and expressions of policy.
3. The committee shall report instances of noncompliance of the budget with existing priorities and any other allocations which in the committee's opinion are not in the best interest of the university.

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 nonacademic 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 twenty-five 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 be recognized by an honorary degree.
4. That the achievements of West Virginians be reviewed carefully when selections of 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, goals, and standards of the NCAA, conference affiliation, and Marshall University scholastic standards.
3. To be responsible for determining the eligibility of requirements for athletic competition in compliance with NCAA, conference affiliation, and Marshall University scholastic standards.
4. To evaluate and approve the Athletic Department budget in terms of its suitability to both the short term and long term objectives and priorities of the Athletic Department and Marshall University.
5. The Committee shall review all policy matters relating to the Athletic program of the University as requested by the faculty, the athletic director or the president. The Committee shall establish an athletic staff personnel subcommittee. The Committee shall receive position requirements prior to public notice of vacancies. The Committee shall be represented on Athletic Department Search Committees to fill vacancies.

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 in 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 advisor 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.

STANDING SUBCOMMITTEE OF THE UNIVERSITY COUNCIL: PLANNING ADVISORY COMMITTEE

Functions:

1. To serve as a subcommittee of University Council and to periodically report to University Council regarding recommendations on the planning process.
2. To enhance communication among constituencies of the University concerning: (a) purposes and goals of the University, and (b) roles of the constituencies in the comprehensive planning process, with special regard to the roles of the Academic Planning and Standards Committee and the Physical Facilities and Planning Committee.
3. To advise and recommend procedures in facilitating and coordinating the planning process.
4. To periodically review and recommend revision of the Statement of Purpose, Statement of Institutional Goals, Planning Assumptions, and Statement of Role and Scope (Mission) of the University.
5. To appoint appropriate ad hoc subcommittees, which may include non-members of the committee, to study

particular areas within planning and make recommendations to the chairperson of the committee.

Composition: (a total of 16 members, including 4 ex-officio non-voting members)

- One faculty member selected from each of these standing committees:
 - University Council
 - Academic Planning and Standards Committee
 - Budget and Appropriations Committee
 - Faculty Personnel Committee
 - Physical Facilities and Planning Committee
 - Student Conduct and Welfare Committee
 - Graduate Council
- One member selected from Staff Council
- Two students selected from Student Government (graduate and undergraduate)
- Two appointees of the President from the constituencies of alumni, the Institutional Board of Advisors or the Foundation
- Ex-officio members (non-voting):
 - Vice President for Financial Affairs
 - Vice President/Dean, School of Medicine
 - Vice President for Academic Affairs
 - Director of Planning

A chairperson, elected by the Committee, shall be a faculty member from one of the above standing committees. The vice chairperson of the Committee shall be the Director of Planning, who will maintain a liaison with the Committee, the President and University Council.

STANDING SUBCOMMITTEES OF THE ACADEMIC PLANNING AND STANDARDS COMMITTEE:

Honors Council. The Honors Council helps to promote interdisciplinary cooperation among students and faculty in all colleges, acts as a liaison between the Academic Planning and Standards Committee and the Honors Programs, monitors the various courses in University Honors and functions as the principal policy-making body of the Honors Programs.

Library Advisory Committee. The purposes of the Library Advisory Committee are to assist the Director of Libraries in developing quality libraries that will meet various college and departmental accreditation standards and to address concerns of students and faculty which are raised concerning the libraries. The committee also works closely with the Director of Libraries and the departmental liaison members in the allocation and disbursement of library departmental acquisitions funds.

Marshall Council for International Education (MCIE). The purpose of MCIE is to promote international and intercultural understanding, as well as intellectual enrichment, through study abroad and utilization of the material and human resources of Marshall University. Membership is composed of volunteers (faculty, staff and students). As a service to the university and the community at large, MCIE maintains the Language Bank, a directory of competent local speakers of languages other than English.

XI.

ORGANIZATION OF THE GRADUATE SCHOOL OF MARSHALL UNIVERSITY, INCLUDING THE FUNCTIONS AND RESPONSIBILITIES OF THE GRADUATE COUNCIL AND GRADUATE 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.

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 director of Libraries
- B. Appointment to the graduate faculty will be made by the Dean of the Graduate School upon recommendation of the respective department chairpersons and academic deans. Renewal of associate members requires approval by the Graduate Council. For further details see "Graduate Faculty Membership," following.

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 their 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/she 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. The Dean 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. The Dean or his designated representative shall

preside at all meetings of the graduate faculty, shall be chairperson of the Graduate Council and ex officio member of all committees. At meetings of the graduate faculty and the Graduate Council, 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. The Dean shall deal directly with deans and department chairpersons concerning schedules, faculty assignments, programs to be offered, committee service, and other types of sharing in graduate work.
4. The Dean shall be consulted and have a voice in the appointment of all faculty members who are to be designated as members of the Graduate School Faculty.
5. The Dean shall carry on correspondence with prospective graduate students, supervise the admission of graduate students according to the policies of the Graduate Council, approve their programs of studies, admit them to candidacy, and be charged with all administrative details concerning faculty members and students in their graduate work.
6. The Dean shall be responsible for supervision of transfer credit.
7. In consultation with department chairpersons, the Dean shall appoint all thesis advisers 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 recommendation of chairpersons of departments and advisors determine when students have completed the requirements for degrees.
8. In cooperation with the Graduate Council, the Dean shall direct plans for the improvement and development of graduate studies and research among faculty members and students of the Graduate School.
9. In cooperation with department chairpersons and deans the Dean shall approve the allocation of graduate assistantships and fellowships on a departmental basis; he shall cooperate in the selection of graduate assistants and fellows, and he shall approve and formally make all such appointments.
10. The Dean shall be responsible for the preparation of the Graduate Catalog each academic year.
11. The Dean shall be responsible for promoting and publicizing the Graduate School programs.
12. The Dean shall serve as Chairman of the Research Board.
13. The Dean 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.
14. In May of each year the Dean 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.

15. In addition the Dean will perform all other duties as may be necessary for the general improvement and well-being of the graduate program.

Approved by the President - March, 1958. Amended by the Graduate Council, February 19, 1975, and approved by the President.

GRADUATE FACULTY MEMBERSHIP

1. Full Graduate Faculty Membership
Full Graduate Faculty membership may be awarded by the Dean of the Graduate School upon proper application only to those who have departmental responsibilities in the graduate program and who have a research oriented doctor's degree (thesis or dissertation) while those with similar responsibilities who have a professional degree in the subject to be taught or an adjudicated equivalent may be awarded full graduate faculty status at the discretion of the Dean of the Graduate School and the Graduate Council.
Proper application is defined as written recommendation by the department chairperson, 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 Dean of the Graduate School may exercise discretion to withhold full graduate faculty membership. Appeals of such cases should be made to the Graduate Council.

- 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 chairperson, 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 by the Graduate Dean must be obtained prior to the first meeting of the class.
 - d. Renewal may be granted by the Graduate Dean and the Graduate Council upon the request of the department chairperson.

Approved by Graduate Council and President on the following dates: November 21, 1966; June 21, 1973; July 30, 1973; February 25, 1977; March 25, 1977; April 29, 1977; May 11, 1977; December 9 and 20, 1977.

XII.

THE ACADEMIC COMMON MARKET

The Academic Common Market is helping students and faculty in the South cut the costs of undergraduate and graduate study at out-of-state institutions. This arrangement among 13 Southern states (Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, South Carolina, Tennessee, Texas, Virginia, and West Virginia) allows participating students to pay in-state tuition while studying outside their home states. There are only two requirements:

1. Acceptance in a program to which your state has made arrangements to send its students:
2. Proof that you are a legal resident of that state.

Write directly to the institution for admissions information. After you have been accepted, write your state coordinator for certification of residency:

Mark Stotler, Research Analyst
West Virginia Board of Regents
950 Kanawha Boulevard East
Charleston, West Virginia 25301
(304) 348-2101

PROGRAMS AVAILABLE AT IN-STATE RATES FOR RESIDENTS OF WEST VIRGINIA

(If your legal residence is in one of the other 12 participating states and you would like to have information on programs available to you through the Academic Common Market, write to the Southern Regional Education Board, 1340 Spring Street, N.W., Atlanta, Georgia 30309.)

BACCALAUREATE PROGRAMS

Aerospace

Bachelor of Science
Middle Tennessee State University

Afro-American Studies

Bachelor of Arts
Bachelor of Science
University of South Carolina

Agribusiness (Agricultural Communication)

Bachelor of Science
Middle Tennessee State University

Agronomy (Seed Technology Option)

Bachelor of Science
Mississippi State University

Animal Science

(Horse Science)
Bachelor of Science
Middle Tennessee State University

Archaeology (Public)

Bachelor of Arts
University of Alabama

Architecture

Bachelor of Science in Architecture
Bachelor of Science in Urban Studies
University of Maryland, College Park

Architecture

Bachelor of Architecture
University of Tennessee

Art History

Bachelor of Arts
University of Maryland, College Park

Aviation, Professional

Bachelor of Science
Louisiana Tech University

Biology (Marine and Estuarine Studies)

Bachelor of Arts
Bachelor of Science
St. Mary's College of Maryland

Construction Management Technology

Bachelor in Construction
Management/Technology
University of Maryland, Eastern Shore

Court Reporting

Bachelor of Science in Business
University of Mississippi

Dance

Bachelor of Arts
University of Maryland, College Park

Environmental Science

Bachelor of Science
University of Maryland, Eastern Shore

Extracorporeal Circulation Technology

Bachelor of Science
Medical University of South Carolina

Fashion Retailing

Bachelor of Science
University of Alabama

Fire Protection Engineering

Bachelor of Science
University of Maryland, College Park

Foreign Language (Russian)

Bachelor of Arts
Memphis State University

Forensic Science (Investigation)

Bachelor of Science
Jacksonville State University

Interior Design

Bachelor of Fine Arts
University of Georgia

Interior Design

Bachelor of Fine Arts
Virginia Commonwealth University

Landscape Architecture

Bachelor of Landscape Architecture
Mississippi State University

Marine Science

Bachelor of Science
Coastal Carolina College/USC

Marine Science

Bachelor of Science
University of South Carolina

Medical Record Administration

Bachelor of Science
University of Mississippi Medical Center

Metallurgical Engineering

Bachelor of Science
University of Alabama

Metallurgical Engineering
 Bachelor of Science
 University of Kentucky
 Meteorology
 Bachelor of Science in Meteorology
 Jackson State University
 Non-Destructive Testing
 Bachelor of Science
 Athens State College
 Nuclear Engineering
 Bachelor of Science in Nuclear Engineering
 University of Tennessee
 Occupational Therapy
 Bachelor of Science
 University of Alabama in Birmingham
 Occupational Therapy
 Bachelor of Science
 Medical College of Georgia
 Occupational Therapy
 Bachelor of Science
 Northeast Louisiana University
 Occupational Therapy
 Bachelor of Science
 University of Central Arkansas
 Occupational Therapy
 Bachelor of Science
 Virginia Commonwealth University
 Radiation Sciences
 Bachelor of Science
 Virginia Commonwealth University
 Recording Industry Management
 Bachelor of Science
 Middle Tennessee State University
 Russian Area Studies
 Bachelor of Arts
 University of Maryland, College Park
 Slavic Languages and Literature
 Bachelor of Arts
 University of Virginia
 Special Education
 Bachelor of Science in Education
 University of Tennessee
 Surgeon's Assistant
 Bachelor of Science
 University of Alabama in Birmingham
 Visual Impairment and Blindness
 Bachelor of Arts
 Bachelor of Science
 University of Louisville

Agricultural Mechanization
 Master of Agriculture
 Clemson University (SC)
 Anthropology
 Doctor of Philosophy
 University of Tennessee
 Anthropology
 Master of Arts
 Texas A&M University
 Architecture
 Master of Architecture
 University of Texas at Arlington
 Architecture
 Master of Architecture
 University of Texas at Austin
 Architecture
 Master of Architecture
 Texas A&M University
 Architecture
 Master of Architecture
 University of Maryland, College Park
 Art, History of
 Doctor of Philosophy
 Florida State University
 Art, History of
 Doctor of Philosophy
 University of Virginia
 Asian Studies
 Master of Arts
 Florida State University
 Astronomy
 Master of Science
 Doctor of Philosophy
 University of Florida
 Astronomy
 Master of Arts
 Doctor of Philosophy
 University of Texas at Austin
 Atmospheric Sciences
 Master of Science in Geophysical Sciences
 Georgia Institute of Technology
 Audiovisual Education
 Doctor of Education in
 Curriculum and Instruction
 Virginia Polytechnic Institute
 and State University
 Avian Medicine
 Master of Avian Medicine
 University of Georgia
 Aviation Systems
 Master of Science
 University of Tennessee
 Biology (Marine)
 Master of Science
 University of Southern Mississippi
 Business Administration
 Doctor of Business Administration
 University of Kentucky
 Business Administration
 Doctor of Business Administration
 University of Tennessee
 Business Administration--Health Services
 Master of Business Administration
 Augusta College
 Business Administration
 (Transportation and Logistics)
 Master of Business Administration
 University of Tennessee

GRADUATE PROGRAMS

Accounting
 Doctor of Philosophy
 University of Arkansas
 Actuarial Science
 Master of Actuarial Science
 Doctor of Philosophy
 Georgia State University
 Administration/Health Services
 Doctor of Philosophy
 University of Alabama in Birmingham
 Adult and Extension Education
 Doctor of Philosophy
 Texas A&M University
 Agricultural Engineering
 Doctor of Philosophy
 University of Kentucky

Business Statistics and Data Processing
 Master of Business Administration
 Doctor of Business Administration
 Mississippi State University

Ceramic Engineering
 Master of Engineering
 Master of Science
 Clemson University

Ceramic Engineering
 Master of Science
 Doctor of Philosophy
 Georgia Institute of Technology

Child and Family Development
 Doctor of Philosophy
 University of Georgia

City and Regional Planning
 Master of City and Regional Planning
 Morgan State University (MD)

City and Regional Planning
 Master of City and Regional Planning
 Memphis State University

City and Regional Planning
 Master of City and Regional Planning
 University of Texas at Arlington

City Planning
 Master of City Planning
 Georgia Institute of Technology

Classical Languages
 Master of Arts
 University of Virginia

Classics
 Master of Arts
 University of Mississippi

Clinical Nutrition
 Master of Science
 University of Alabama in Birmingham

Clinical Nutrition
 Master of Science
 University of Kentucky

Coastal and Oceanographic Engineering
 Master of Engineering
 Master of Science
 Doctor of Philosophy
 University of Florida

Communications
 Doctor of Philosophy
 University of Tennessee

Community and Regional Planning
 Master of Science
 University of Texas at Austin

Community College Teaching Specialist
 Arkansas State University

Community Development
 Master of Science
 University of Louisville

Community Health Education
 Master of Science
 Old Dominion University

Computer Science
 Doctor of Philosophy
 University of Maryland, College Park

Creative Writing
 Master of Fine Arts
 University of Arkansas

Criminal Justice and Criminology
 Doctor of Philosophy
 University of Maryland, College Park

Criminology
 Master of Arts
 Doctor of Philosophy
 Florida State University

Cultural Geography--Anthropology
 Doctor of Philosophy
 Louisiana State University

Dance and Related Arts
 Doctor of Philosophy
 Texas Woman's University

Deaf Education--Habilitation
 Master of Science
 Lamar University

Decision Sciences
 Master of Science
 Georgia State University

Dental Hygiene
 Master of Science in Dental Hygiene
 Old Dominion University

Ecology
 Doctor of Philosophy
 University of Georgia

Education--Allied Health Sciences
 Master of Arts
 University of Alabama in Birmingham

Education of Visually Impaired Children
 Master of Education
 Specialist in Education
 Doctor of Education
 University of Virginia

Environmental Health
 Master of Science in Environmental Health
 East Tennessee State University

Expressive Therapies
 Master of Arts
 University of Louisville

Fisheries and Allied Aquacultures
 Master of Science
 Doctor of Philosophy
 Auburn University

Fisheries Management
 Master of Science
 Frostburg State College

Folk Studies
 Master of Arts
 Western Kentucky University

Food Science and Technology
 Master of Science
 Doctor of Philosophy
 Mississippi State University

Food Systems Administration
 Master of Science
 University of Tennessee

Foreign Affairs
 Master of Arts
 University of Virginia

Geography
 Doctor of Philosophy
 University of Tennessee

Geological Sciences
 (Invertebrate Paleontology)
 Master of Arts
 Doctor of Philosophy
 University of Texas at Austin

Geology (Geophysics--Exploration)
 Master of Arts
 Doctor of Philosophy
 University of Texas at Austin
 German Language and Literature
 Doctor of Philosophy
 University of Tennessee
 Gifted Education
 Doctor of Education
 University of Georgia
 Health and Hospital Administration
 Master of Business Administration
 University of Florida
 Health Education
 Master of Health Education
 Medical College of Georgia
 Health Services Administration
 Master of Health Administration
 Virginia Commonwealth University
 Health Systems
 Master of Science in Health Systems
 Georgia Institute of Technology
 Home Economics
 Doctor of Philosophy
 Florida State University
 Home Economics
 Doctor of Philosophy
 University of Tennessee
 Hospital and Health Administration
 Master of Science
 University of Alabama in Birmingham
 Hospitality Management
 Master of Science
 Florida International University
 Humanities
 Doctor of Philosophy
 Florida State University
 International Business Studies
 Master of International Business Studies
 University of South Carolina
 International Management
 Doctor of Philosophy
 University of Texas at Dallas
 Jewelry and Metalwork
 Master of Fine Arts
 University of Georgia
 Latin American Studies
 Master of Arts
 University of Florida
 Learning Disabilities/Emotional Disturbance
 Doctor of Philosophy
 Florida State University
 Librarianship
 Master of Librarianship
 University of South Carolina
 Library Science
 Master of Arts
 Master of Science in Library Science
 University of Kentucky
 Library Science
 Master of Library Science
 Louisiana State University
 Library Science
 Master of Science in Library Science
 University of Tennessee
 Library Science
 Doctor of Philosophy
 Texas Woman's University
 Library Science
 Master of Arts
 Master of Science
 Doctor of Philosophy
 Florida State University
 Library Science
 Master of Library Science
 Doctor of Philosophy
 University of Maryland, College Park
 Library Science
 Master of Library Science
 University of Southern Mississippi
 Library Science/Library and
 Information Science
 Master of Library Science
 Doctor of Philosophy
 University of Texas at Austin
 Library Services
 Master of Library Services
 University of Alabama
 Literature, Comparative
 Doctor of Philosophy
 University of Arkansas
 Manpower and Industrial Relations
 Master of Arts
 North Texas State University
 Marine Law and Science
 Master of Marine Law and Science
 University of Mississippi
 Marine Science
 Master of Arts
 Doctor of Philosophy
 College of William and Mary
 Marine Science
 Master of Science
 University of South Florida
 Marriage and the Family
 Doctor of Philosophy
 Florida State University
 Materials Science and Engineering
 Doctor of Philosophy
 University of Texas at Austin
 Mathematical Sciences
 Doctor of Philosophy
 University of Texas at Arlington
 Mathematics
 Doctor of Philosophy
 University of Kentucky
 Metallurgical Engineering
 Doctor of Philosophy
 University of Kentucky
 Meteorology
 Master of Science
 Doctor of Philosophy
 Florida State University
 Meteorology
 Master of Science
 Doctor of Philosophy
 Texas A&M University
 Microbiology/Aquatic Pollution
 Ecology
 Doctor of Philosophy
 Virginia Polytechnic Institute
 and State University
 Middle Eastern Studies
 Master of Arts
 University of Texas at Austin

Multi-Campus University and
 College Systems
 Doctor of Philosophy
 Florida State University
 Music (Orff-Schulwerk Method)
 Master of Music
 Memphis State University
 Music Therapy
 Master of Music
 Master of Science
 Florida State University
 Natural Resources and Environmental
 Economics
 Master of Science
 Doctor of Philosophy
 Clemson University
 Neurosciences
 Master of Science
 Doctor of Philosophy
 University of Alabama in Birmingham
 Nuclear Engineering
 Master of Science
 Master of Applied Science
 Georgia Institute of Technology
 Nuclear Engineering
 Doctor of Philosophy
 University of Tennessee
 Nuclear Engineering (Radiological
 Safety Specialization)
 Doctor of Philosophy
 Texas A&M University
 Nuclear Science and Engineering
 Doctor of Philosophy
 Virginia Polytechnic Institute and
 State University
 Nursing
 Doctor of Science in Nursing
 University of Alabama in Birmingham
 Nursing
 Doctor of Philosophy
 University of Maryland, Baltimore City
 Occupational Therapy
 Master of Occupational Therapy
 Texas Woman's University
 Occupational Therapy
 Master of Science
 Master of Science (advanced program)
 Virginia Commonwealth University
 Ocean Engineering
 Master of Engineering
 Master of Science
 Florida Atlantic University
 Oceanography
 Doctor of Philosophy
 Old Dominion University
 Oral Biology
 Master of Science
 University of Alabama in Birmingham
 Pharmacy
 Doctor of Pharmacy
 University of Texas at Austin
 Philosophy
 Master of Arts
 Doctor of Philosophy
 University of Tennessee
 Philosophy
 Master of Arts
 Doctor of Philosophy
 University of Virginia
 Philosophy
 Master of Arts
 University of Kentucky
 Physical Education (Adapted and
 Developmental)
 Doctor of Education in Curriculum
 and Instruction
 Virginia Polytechnic Institute and
 State University
 Physical Therapy
 Master of Science
 University of Alabama in Birmingham
 Physical Therapy
 Master of Science
 Doctor of Philosophy
 Texas Woman's University
 Physical Therapy
 Master of Science
 Virginia Commonwealth University
 Physiological Optics
 Master of Science
 Doctor of Philosophy
 University of Alabama in Birmingham
 Planning
 Master of Science in Planning
 University of Tennessee
 Planning
 Master of Planning
 University of Virginia
 Plant Protection and Pest Management
 Master of Plant Protection and
 Pest Management
 University of Georgia
 Plasma Physics
 Doctor of Philosophy
 University of Maryland, College Park
 Public Administration
 Doctor of Public Administration
 George Mason University
 Public Health
 Master of Public Health
 University of Tennessee
 Public Health
 Master of Public Health
 Master of Science in Public Health
 University of South Carolina
 Public Health and Epidemiology
 Master of Public Health
 Master of Science
 University of Alabama in Birmingham
 Radio Astronomy
 Doctor of Philosophy
 University of Maryland, College Park
 Radiological Medical Physics
 Master of Science
 University of Kentucky
 Reading Education
 Master of Education
 Doctor of Education
 Doctor of Philosophy
 University of Georgia

Rehabilitation of the Blind
 Master of Education
 University of Arkansas at Little Rock

Religious Studies
 Master of Arts
 Doctor of Philosophy
 University of Virginia

Research, Operations
 Master of Science in Operations Research
 University of Alabama, Huntsville

Slavic Languages and Literature
 Master of Arts
 Doctor of Philosophy
 University of Virginia

Social Foundations
 Doctor of Education
 Doctor of Philosophy
 University of Virginia

Social Policy and Social Work
 Doctor of Philosophy
 Virginia Commonwealth University

Social Work
 Doctor of Social Work
 University of Alabama

Social Work
 Doctor of Philosophy
 Florida State University

Spanish
 Doctor of Philosophy
 University of Tennessee

Special Education
 Master of Science
 University of Tennessee

Special Education Administration
 Doctor of Education
 Virginia Polytechnic Institute and
 State University

Speech and Hearing Sciences
 Doctor of Philosophy
 University of Tennessee

Statistics, Applied
 Doctor of Philosophy
 University of Alabama

Student Personnel in Higher Education
 Master of Arts
 University of Georgia

Teaching the Gifted and Talented
 Master of Education
 University of Arkansas at Little Rock

Teaching the Visually Impaired Child
 Master of Education
 University of Arkansas at Little Rock

Textile and Polymer Science
 Doctor of Philosophy
 Clemson University

Textile Science
 Master of Science
 Clemson University

Urban and Regional Planning
 Master of Science
 Doctor of Philosophy
 Florida State University

Urban and Regional Planning
 Master of Urban and Regional Planning
 Virginia Polytechnic Institute and
 State University

Urban Services
 Doctor of Philosophy
 Old Dominion University

Urban Studies and Planning
 Master of Urban and Regional Planning
 Virginia Commonwealth University

Veterinary Medical Sciences
 Master of Science
 Doctor of Philosophy
 Louisiana State University

Veterinary Medicine Specialties
 Master of Science
 Auburn University

Visual Disabilities
 Doctor of Education
 Doctor of Philosophy
 Florida State University

Vocational Education
 Doctor of Education
 University of Georgia

Vocational-Technical Education
 Doctor of Education
 University of Tennessee

XIII.

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

September 13, 1983

BROADCAST ADVERTISING

Effective this date, commercial advertising time on all Board of Regents' controlled broadcast media programming shall be limited to the sale of standard product commercials which are designed to advocate or promote the sale of a product or services. This policy shall have no application outside the broadcast media.

Adopted: West Virginia Board of Regents
September 13, 1983

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 has 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

As Revised April 6, 1976

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 and that no contractual lease or other promissory arrangements, regardless of fund source, shall extend beyond the period of a fiscal year except with explicit Board approval.

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
April 6, 1976

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

February 7, 1984

POLICY REGARDING BOOKSTORES

In accordance with Chapter 18, Article 24, Section 10 of the *West Virginia Code*, the following merchandising and pricing policy will apply for the operation of college and university bookstores.

POLICY

The bookstore is a self-supporting auxiliary enterprise that exists solely to serve the campus community. In addition to merchandising books and supplies required for course work, the bookstore may offer services and merchandising programs

which students and faculty normally expect of a university or college store. These include general books and supplies, stationery, souvenirs, imprinted sportswear, college rings, and other items related to college or university life.

- A. In the interest of maintaining its self-supporting status, the bookstore must concern itself with gross profit margins. The following pricing policy will apply:
 1. **Textbooks:** Margin on textbooks should not be in excess of 33 1/3 percent.
 2. **Instructional Materials:** Margin on instructional materials should not be in excess of 40 percent.
 3. **Other** (for example, all merchandise or services not directly related to the instructional mission of the institution): Inasmuch as textbook and instructional material margins are, on the average, lower than those required to offset operating expenses, margins on items other than textbook and instructional materials will be at the discretion of each individual bookstore.
- B. The bookstore may advertise to inform the college or university community of services which are normally expected and are beneficial to the institution. It may not advertise for the purpose of competing with local merchants whose market includes the college or university community.
- C. The Board shall, subject to the approval of the Governor, fix, and from time to time change, the amount of the revolving fund necessary for the proper and efficient operation of each bookstore.

Adopted: West Virginia Board of Regents
February 7, 1984

REVISED POLICY BULLETIN NO. 8

As Revised March 2, 1982

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

BE IT RESOLVED, That as of July 15, 1981 all State forms and source documents related to the encumbering and expenditure of funds appropriated and allocated to each institution by the Board of Regents, excluding those for leases and consultant services agreements in amounts exceeding \$2,000, 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 office for approval and processing. In no case, regardless of sources of funds or encumbrance/expenditure category, shall commitments be made beyond the period of a fiscal year except with explicit Board approval; and

RESOLVED, That all forms and source documents related to capital outlay expenditures shall be submitted to the Board's office for approval and processing; and

RESOLVED, That the president of each college or university may authorize persons in addition to himself to sign and submit pertinent forms and documents for processing, provided that a list of those persons so authorized is approved by and on file in the Board's office at all times.

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
March 2, 1982

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

Replaced by Policy Bulletin No. 57 dated November 13, 1984

SUBJECT: POLICY BULLETIN NO. 10

West Virginia Interpretive Rules

West Virginia Board of Regents

Chapter 18-26

Series III

SABBATICAL LEAVE

May 7, 1985

SECTION I. General

1.01 Scope - That the West Virginia Board of Regents, consistent with the provisions of the West Virginia Code, Chapter 18, Article 26, Section 25a hereby adopts the following uniform sabbatical leave plan and herewith rescinds all sabbatical leave plans for higher educational personnel previously established.

1.02 Authority - W.Va. Code 18-26-25a

1.03 Filing Date - May 7, 1985

1.04 Effective Date - May 7, 1985

1.05 Repeal of Former Rule - Revises and Replaces Policy Bulletin No. 10 dated August 24, 1971. To be implemented May 7, 1985.

SECTION II. PURPOSE

Sabbatical leave may be granted to a faculty member so that he/she may engage in research, writing, or other activity calculated to contribute to professional development and his/her usefulness to the college or university.

SECTION III. ELIGIBILITY

Any person holding faculty rank is eligible for sabbatical leave after the completion of at least six years of full-time employment in one or more state colleges or universities. After completing a sabbatical leave, a faculty member shall not again be eligible until the seventh subsequent year. Separate summer school employment shall not be considered for sabbatical leave.

SECTION IV. 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 colleges or universities at the time. Sabbatical leave recommendations will be presented by the President of the institution to the Board of Regents for approval.

In consultation with the faculty, the presidents of the State colleges and universities shall develop appropriate

criteria for determining the usefulness of the proposed activity to the institution and equitable procedures and standards for processing applications for leaves.

SECTION V. COMPENSATION

A faculty member on sabbatical leave shall receive full salary for no more than one half of the contract period or half salary for no more than the full contract period. 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/her recommendation for a sabbatical under such circumstances.

SECTION VI. OBLIGATIONS OF THE FACULTY MEMBER

6.01 An applicant for a sabbatical leave shall submit to the President in writing a detailed plan of activity which he/she proposes to follow.

6.02 In accepting a sabbatical leave, a faculty member shall sign a statement indicating that he/she is aware of and agrees to all conditions of the leave as specified herein.

6.03 While on sabbatical leave, a faculty member may not accept remunerative employment without the written consent of the President or his/her designated representative. Fellowships, grants, assistantships, and similar stipends shall not be considered remunerative employment.

6.04 Upon completion of a sabbatical leave, a faculty member shall file with the President of the college or university a written report of his/her scholarly activities while on leave.

6.05 A faculty member is obligated to return for a full year of service upon completion of the leave. Failure to return will obligate the faculty member to fully reimburse the institution for salary received during the period of the leave.

SECTION VII. OBLIGATION OF THE INSTITUTION/SYSTEM:

A faculty member's institutional position, status, and rank shall not be adversely affected solely by his/her absence.

Adopted: West Virginia Board of Regents

August 24, 1971

Revised: May 7, 1985

POLICY BULLETIN NO. 11

As Revised December 1, 1982

POLICY REGARDING PROGRAM REVIEW

RESOLVED, That the West Virginia Board of Regents, pursuant to the provisions of Chapter 18, Article 26, Section 8 of the West Virginia Code, as amended in 1981, adopts the following policy and procedures for reviewing academic programs offered at the State colleges and universities in West Virginia.

I. INTRODUCTION

A. Basis of program review process:

Chapter 18, Article 26, Section 8 of the West Virginia Code requires that the Board of Regents "Review, at least every five years, all academic programs offered at any state college or university. The review shall address the viability, adequacy and necessity of the programs in relation to the master plan." The purpose of this document is to delineate the framework and steps in the program review process.

For the purpose of this document, a "program" is defined as a curriculum or course of study in a discipline specialty that leads to a certificate or degree. Each major within a program (but not each track or optional subfield) is considered a separate program.

- B. Assumptions used in developing the review process:
1. Program review is most effective when it is conducted on a regular cycle and when some indicators are examined on an annual basis.
 2. Program review is a collaborative process which includes both Board of Regents' staff and institutional personnel at every stage.
 3. A rational and comprehensive program review process requires differentiation among levels of degrees. The process, criteria, and standards for associate degree programs may differ significantly from those applied to graduate programs.
 4. The review process should be independent of any accreditation procedure, but may build upon accreditation self-studies and evaluations when they are illuminating.
 5. The program review process must be accomplished within the limits of available staff and resources.
 6. A continuous auditing process allowing for early identification of programs that need particular scrutiny is required to permit changes to be anticipated, appropriate intervention to take place, and corrective action to be accomplished within normal institutional and Board of Regents' planning efforts.
 7. A readily available computerized data base should be available to support the program review process.

II. PROGRAM REVIEW LEVELS

The program review process will provide for a review and evaluation of all programs leading to a certificate or degree at the State colleges and universities. The process will consist of three levels of activity: an annual audit, program review by the Board of Regents (in accordance with a five-year cycle), and special program reviews. The purposes, process, criteria, and possible outcomes of each of these review levels are presented in the following sections:

- A. Annual audit: The purpose of the annual audit by the staff of the Board of Regents will be to analyze the data collected on all programs in the system by using the computerized data base and, as needed, institutional reports. Programs will be reviewed in terms of productivity in credit hours, course enrollments, numbers of majors, numbers of degrees awarded, cost, and related information. The results of the annual audit will provide a continuous monitoring mechanism and will serve to alert both the institutions and the Board of Regents that specific programs may require further review.
- B. Program review by the Board of Regents: The purpose of the Board of Regents' review, conducted on a regular five-year cycle, will be to

conduct an in-depth evaluation of the viability of, adequacy of, and necessity for each academic program, consistent with the mission of each institution of higher education. This review process will build on the data of the annual audits and will include additional information about each program. Comprehensive institutional self-studies conducted in compliance with accreditation or institutional processes and completed within the previous 24 months may be used to provide the base-line data for the review, with any necessary updating of factual information.

Institutional personnel, external consultants, and the staff of the Board of Regents will be involved in establishing the criteria, standards, and process of evaluation, and in interpreting the information resulting from the review. To ensure that each program is reviewed at least once every five years, consistent with statutory requirements, the Board of Regents will select approximately 20 percent of all programs for review each year. For each program identified for review, the college or university will submit a self-study statement addressing the following items:

1. **Viability:** Viability is tested by an analysis of unit cost factors, sustaining a critical mass, and relative productivity. Based upon past trends in enrollment, patterns of graduates, and the best predictive data available, the institution should assess the program's past ability and future prospects to attract students and sustain a viable, cost-effective program.
2. **Adequacy:** The institution should assess the quality of the program. A valuable (but not the sole) criterion for determining the program's adequacy is accreditation by a specialized accrediting or approving agency recognized by the Federal government or the Council on Postsecondary Accreditation. The institution should evaluate the preparation and performance of faculty and students, and the adequacy of facilities. An objective analysis of the program's curricular strengths and quality should be presented, and plans to correct deficiencies should be described.
3. **Necessity:** The dimensions of necessity include whether the program is necessary for the institution's service region, and whether the program is needed by society (as indicated by current employment opportunities, evidence of future need, rate of placement of the programs' graduates). Whether the needs of West Virginia justify the duplication of programs in several geographic service regions also should be addressed.
4. **Consistency with mission:** The program should be a component of, and appropriately contribute to, the institution's fulfillment of its mission. The college or university should indicate the centrality of the program to the institution, explain how the program complements other programs offered at the institution, and state how the

program draws upon or supports other programs. Both intra-institutional and interinstitutional aspects of the program should be addressed. The institution should state the effects (positive or negative) that discontinuance of the program might have upon the institution's ability to accomplish its mission.

- C. **Special program review:** The Board of Regents may request at any time that special program reviews be conducted for a given purpose. Formal strategies for conducting such reviews will be developed, consistent with the purpose of the review.

III. CRITERIA AND STANDARDS FOR EVALUATION

The criteria, standards, and indicators of viability, adequacy, and necessity will vary among fields and among levels of degree programs. The same criteria and standards obviously do not apply to associate degree programs, baccalaureate degree programs, and graduate programs. To assist the Board in developing the criteria and standards for evaluation, the Chancellor of the Board of Regents will appoint the following four program review committees from among nominations by the president. (See Table I. for the proposed membership of each committee.)

- A. **Evaluation Advisory Committee:** This committee (consisting of one representative of each State college and university, and Board staff) will propose the criteria, standards, procedures, and schedules of reviews. The Evaluation Advisory Committee, to which the three degree-level committees specified below will report, will coordinate the activities of the three committees. The schedules of reviews will provide for a review of courses in which no degree program is offered at the institution. The policies proposed by the Evaluation Advisory Committee will be reviewed by the Academic Affairs Advisory Committee and the Advisory Council of Public College and University Presidents which, consistent with Board procedures, will make a recommendation to the Board of Regents.
- B. **Associate Degree Committee:** This committee will consist of representatives of the community colleges and the community college components, and branch college, external consultants selected by the Board of Regents' staff, and Board staff. The committee will review associate degree programs, vocational programs, and related certificates.
- C. **Baccalaureate Degree Committee:** This committee will consist of representatives of the two universities, the four-year colleges, one of the community colleges; external consultants selected by the Board of Regents' staff; and Board staff. The committee will include two-plus-two programs in its review and may advise the Associate Degree Committee on the criteria and standards for associate degree programs that are designed to prepare students to transfer to baccalaureate degree programs.

- D. **Graduate and Professional Degree Committee:** This committee will consist of representatives of the two universities and the two graduate colleges, external consultants selected by the Board of Regents' staff, and Board staff.

Because approximately 20 percent of all programs must be evaluated each year and specific disciplines will be selected for review each year, the three program review committees listed in subsections B, C, and D may be augmented by the appointment of specialists in appropriate fields. Such specialists may be external consultants or faculty from the participating institutions. When specific standards or criteria for one discipline are developed, the leaders of those programs at the institutions should be consulted and invited to comment prior to application of the measures.

IV. POSSIBLE OUTCOMES

- A. **Institutional recommendation:**

The Board of Regents' five-year cycle of program review will result in a recommendation by the institution for action relative to each program under review. The institution will recommend one of the following options for each program reviewed:

1. Continuation of the program at the current level of activity, with or without specific action;
2. Continuation of the program at a reduced level of activity (for example, reducing the range of optional tracks) or other corrective action;
3. Identification of the program for further development as an area of need or of excellence;
4. Development of a cooperative program with another institution, or sharing of courses, facilities, faculty, and the like; or
5. Discontinuance of the program in accordance with Administrative Bulletin No. 23.

For each program, the institution will provide a brief rationale for the observations, evaluation, and recommendation. The institution also will make all supporting documentation available to the Board upon request.

- B. **Board of Regents' staff recommendation:**

The Board staff will review the recommendation from the institution and will develop a recommendation for action to be submitted to the Board, together with the institutional recommendation for each program that has been reviewed. The Board may use outside consultants to assist in this phase of the program review process, and the consultants may conduct institutional follow-up visits as a part of the review process.

If the Board staff's recommendation conflicts with that of the institution, a written justification will be provided, along with an opportunity for institutional response. The Board staff's justification, any subsequent institutional response, and the consultants' report will accompany the staff recommendation submitted to the Board.

TABLE I.

PROPOSED MEMBERSHIP OF PROGRAM REVIEW COMMITTEES

Evaluation Advisory Committee	Associate Degree Committee	Baccalaureate Degree Committee	Graduate and Professional Degree Committee
One representative from each college and university and Vice Chancellor for Academic Affairs	(Associate Degree Programs, Vocational Programs, and Related Certificates)	(Bachelor's Degree Programs and Associated Certificates)	(Master's, Doctoral, and First Professional Degree Programs)
	3 Community Colleges	2 Marshall University	2 Marshall University
	1 Potomac State College of West Virginia University	3 West Virginia University	4 West Virginia University
	4 Four-year Institutions having Community College Components	4 Four-year Colleges	2 West Virginia College of Graduate Studies
	2 External Consultants	1 Community College	1 West Virginia School of Osteopathic Medicine
	1 Director of Community College and Vocational Education (Chair)	2 External Consultants	2 External Consultants
	1 Director of Planning and Educational Research (Chair)	1 Vice Chancellor for Health Affairs (Chair)	
	11	13	12

Adopted: West Virginia Board of Regents December 1, 1982

Replaces: Policy Bulletin No. 11 Dated August 25, 1971

POLICY BULLETIN NO. 11: APPENDIX A

December 6, 1983

GUIDELINES FOR CONDUCTING PROGRAM EVALUATIONS

I. INTRODUCTION

The following guidelines were initially developed by the Evaluation Advisory Committee, one of four committees appointed by the Chancellor of the West Virginia Board of Regents to assist the Board in developing the criteria and standards for evaluating programs in accordance with Policy Bulletin No. 11. The guidelines were amended by the degree-level program review committees (the Associate Degree Committee, the Baccalaureate Degree Committee, and the Graduate and Professional Degree Committee), which are charged with establishing the criteria and standards to be followed in evaluating programs at the several degree levels.

In approving these guidelines, the Board of Regents reiterates two principles which are stated in Policy Bulletin No. 11: (1) program review is a collaborative process which includes both Board staff and institutional personnel at every stage, and (2) the self-study component of the review process is of major importance, especially institutional self-study evaluations which are conducted independently of any accreditation procedures, but which may build upon accreditation self-studies and evaluations.

II. PROCEDURES TO BE FOLLOWED IN EVALUATING PROGRAMS

A. The process of program review will include:

1. Submission of the appropriate "Institutional Program Evaluation Report" for each program under review during a given year (the program review committees will develop three forms, one for each degree level);
2. A review of each "Institutional Program Evaluation Report" by a process determined by the appropriate degree-level committee; and
3. An optional use of consultants following the committee's review, either before or after presentation of a staff recommendation to the Board of Regents.

B. Criteria and standards for program evaluation:

1. Each degree-level committee will propose the criteria and issues to be addressed by institutions which offer programs at the particular degree level. These criteria and issues will be specified in an "Institution Program Evaluation Report" form.
2. The Evaluation Advisory Committee will review the proposals of the three degree-level committees and will recommend the policies to be followed in evaluating programs.
3. In accordance with Policy Bulletin No. 11, the Academic Affairs Advisory Committee and the Advisory Council of Public College and University Presidents will review the recommendations of the Evaluation Advisory Committee, and (consistent with

Board procedures) the Presidents will make a recommendation to the Board of Regents for the Board's endorsement.

4. Each program evaluation report shall address the criteria and issues listed on the "Institutional Program Evaluation Report" form. The report will be prepared by the institution and approved by the President.

C. Institutional review and recommendation:

1. For the programs under review during a given year, the Board staff will provide each institution with information (from data periodically furnished by the institution) about student enrollments, degrees awarded, faculty and the cost of instruction. These data should be included in the institution's evaluation of a program and, as appropriate, in the evaluation report. The institution shall have an opportunity to correct or amend the data provided.
2. In addressing each of the items listed on the "Institutional Program Evaluation Report" form, the institution should focus on both qualitative and quantitative information. In accordance with Policy Bulletin No. 11, the institution will recommend one of five possible actions with respect to each program under review.

D. Staff analysis and committee review:

1. Following submission by the institutions of the completed program evaluation reports during a given year, the Board staff will present to the respective degree-level committee (a) an analysis of the reports, including (as necessary or if requested to do so) all or portions of the various reports, and (b) the Board staff's recommendation, based upon its analysis of each report.
2. The degree-level committee will review the Board staff's analyses and will provide advice concerning the staff's recommendations. If there is not agreement between the institution's recommendation and the Board staff's recommendation, or if there is not a consensus between the degree-level committee and the Board staff, then information about such disagreement or lack of consensus, together with necessary explanatory material, will be furnished to the institution for comment or additional information to be provided within 30 days. To assist in this phase of the review process, the Board staff (in consultations with the institution) may employ outside consultants, who may conduct institutional follow-up visits.
3. Prior to submitting a recommendation to the Board of Regents, the Board staff will provide a summary of actions taken by the three degree-level committees to the President of the appropriate institution and the institution's designated program representative. If the institution does not concur with the Board staff's recommendation to the Board of Regents, the institution within ten days may request that the recommendations be reviewed by the Evaluation

Advisory Committee. The recommendation of the Evaluation Advisory Committee will then be included with the Board staff's written justification, any subsequent institutional response, and any consultants' report which may accompany the staff recommendation to the Board.

E. Additional considerations:

1. The academic programs scheduled for review in a given year include active programs and courses in which no degree program is offered at the institution. All programs which have been officially suspended are excused from evaluation; prior to reactivation of a suspended program, however, all information required by Administrative Bulletin No. 23 must be submitted to the Board of Regents.
 2. The three "Institutional Program Evaluation Report" forms referred to in these guidelines may be revised, as necessary by the appropriate degree-level committee and the Evaluation Advisory Committee. The forms and any suggested modifications shall be subject to review in turn by the Academic Affairs Advisory Committee and the Advisory Council of Public College and University Presidents.
 3. The Board of Regents' staff should be consulted for assistance in interpreting these guidelines and the "Institutional Program Evaluation Report" forms.
 4. The institution's representative on the Academic Affairs Advisory Committee shall have responsibility for monitoring completion of the "Institutional Program Evaluation Report" in accordance with Policy Bulletin No. 11 and these guidelines.
- Approved: West Virginia Board of Regents
December 6, 1983

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.

This policy is not to be interpreted as prohibiting employees of the Board of Regents or its institutions from meeting or communicating with elected or appointed officials in the employees' role as individual citizens, save only that in such contacts these employees are obligated to (1) identify their status with the Board/institution and indicate that they are not acting as official representatives or spokesmen for the Board/institution and (2) comply with any established institutional procedures for the use of its facilities, should they desire to hold such a meeting on campus.

Adopted: West Virginia Board of Regents
September 17, 1971
Revised: March 5, 1981

POLICY BULLETIN NO. 14

September 17, 1971

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

BE IT RESOLVED, That henceforth the sale of non-intoxicating beer may be permitted, consistent with law, on the campuses 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

As revised December 1, 1982

(Replaces Policy Bulletin No. 15, dated April 6, 1976, and Policy Bulletin No. 41, dated February 20, 1979)

POLICY REGARDING THE ACCREDITATION AND APPROVAL OF DEGREE-GRANTING INSTITUTIONS

RESOLVED, That the West Virginia Board of Regents hereby revises its Policy Bulletin No. 15 and its Policy Bulletin No. 41 and adopts, pursuant to the provisions of Chapter 18, Article 26, Section 13a of the West Virginia Code, the following policy and procedures for the accreditation and approval of degree-granting institutions of higher education.

I. Definitions:

- A. The term "higher educational institution" means any institution as defined by Sections 401 (f), (g), (h) of the Federal Higher Education Facilities Act of 1963, as amended, and also means any private proprietary educational institution located in West Virginia and operated for profit which offers one or more programs leading to a degree. In

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

Rescinded by Policy Bulletin No. 37

POLICY BULLETIN NO. 13

As revised March 5, 1981

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

addition, "higher educational institution" means any institution located outside West Virginia which offers courses or degree programs in West Virginia. Furthermore, "higher educational institution" means any person, firm, corporation, association, agency, institute, trust, or other entity of any nature whatsoever offering education beyond the secondary level which:

1. Offers courses or programs of study or instruction which lead to, or which may reasonably be understood to be applicable toward, a degree; or
 2. Operates a facility as a college or university or other entity of whatever kind which offers degrees or other indicia of a level of educational attainment beyond the secondary level; or
 3. Uses the term "college" or "university," or words of like meaning, in its name or in any manner in connection with its academic affairs or business, unless such college or university is not degree-granting and comes under the jurisdiction of the West Virginia Department of Education.
- B. "Institutional accreditation" means the process whereby one or more of the following institutional accreditation agencies recognized by the U.S. Department of Education has granted public recognition to a higher educational institution indicating that the institution meets established standards of quality, as determined through an initial and periodic self-study and evaluation by peers: The American Association of Bible Colleges and Schools, the Association of Independent Colleges and Schools, the Middle States Association of Colleges and Schools, the National Association of Trade and Technical Schools, the New England Association of Schools and Colleges, the North Central Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Southern Association of Colleges and Schools, and the Western Association of Schools and Colleges. "Institutionally accredited" means that the institution has been granted such accreditation.
- C. "Accreditation and approval by the Board of Regents" (or "approval by the Board of Regents") means the process whereby a higher educational institution is granted a right to award degrees or offer courses in West Virginia, pursuant to Chapter 18, Article 26, Section 13a of the West Virginia Code. "Accredited and approved by the Board of Regents" (or "approved by the Board of Regents") means that the institution has been granted such accreditation and approval.
- D. "Degree" means any earned award at the associate, baccalaureate, graduate, or professional level which represents satisfactory completion of the requirements of a program or course of study or instruction beyond the secondary level and shall include certificates and specialist degrees when such awards represent a level of educational attainment above the associate degree level.
- E. Postsecondary "diploma" or "certificate" means an award which represents a level of educational attainment at or below the associate degree level

and which is given for successful completion of a curriculum comprised of two or more courses and applies only to those awards for coursework offered within West Virginia by higher educational institutions which are appropriately approved to offer, either within or outside West Virginia, degrees at the associate, baccalaureate, graduate, or professional level. An institution which offers such diplomas or certificates, but not degrees, comes under the jurisdiction of the West Virginia Department of Education.

- F. "Degree program" means a curriculum or course of study in a discipline or field that leads to a degree.
 - G. "Course" means a formally organized, structured series of meetings open to the general public, for which a fee is charged and for which credit toward a degree either (1) is awarded or (2) may reasonably be understood to be applicable to a degree with the intent of imparting information or understanding at a level appropriate to a postsecondary audience.
- II. Accreditation and approval of higher educational institutions:
- A. Any higher educational institution having its principal place of operation in West Virginia (1) which desires to offer degrees, (2) which provides evidence of institutional accreditation by an appropriate institutional accreditation agency identified in Section I. B herein, and (3) which has invited an observer from the West Virginia Board of Regents to participate in the process leading to such institutional accreditation, shall be approved by the Board of Regents to offer, for the duration of such institutional accreditation, those degrees for which the institution is institutionally accredited.
 - B. Any higher educational institution having its principal place of operation in West Virginia which desires to offer degrees, but which has not received the institutional accreditation specified in subsection A of this Section, may be approved by the Board of Regents for a period of three to ten years, following a satisfactory evaluation by the Board, based on the standards of an appropriate institutional accreditation agency identified in Section I. B herein, which evaluation shall have been conducted in accordance with the procedures specified in Section III herein.
 - C. Any higher educational institution having its principal place of operation outside West Virginia which desires to offer degrees within West Virginia must be approved by the Board of Regents. Such approval may be for a period of three to ten years. The documentation required for this approval shall include, but shall not be limited to: (1) evidence of accreditation by an appropriate institutional accreditation agency identified in Section I. B herein, or (2) evidence of a satisfactory evaluation conducted by the Board of Regents and based on the standards of an appropriate institutional accreditation agency identified in Section I. B herein, which evaluation shall have been conducted in accordance with the procedures specified in Section III herein. In making its determination, the Board of Regents will consider whether the proposed degree program or programs duplicate existing offerings of West

Virginia higher educational institutions at the location or locations for which approval is requested.

- D. Any higher educational institution which offers degrees at its principal place of operation outside West Virginia and which wishes to offer courses (but not a degree program) in West Virginia, leading to a degree which would be awarded either within or outside West Virginia, must be authorized by the Board of Regents to offer such specified courses. The authorization may be granted for a period of one year at a specified location or locations, with an application for renewal of the authorization required to be filed annually with the Board of Regents at least 90 calendar days prior to the expiration of the authorization.
1. Such authorization will not constitute accreditation or approval by the Board of Regents or by the State of West Virginia, and any materials provided to prospective or enrolled students must not state or imply that the institution is so accredited or approved.
 2. In making its determination, the Board of Regents will consider (in addition to the number and range of courses proposed to be offered) whether the applicant institution is institutionally accredited, whether the proposed courses duplicate existing offerings of West Virginia higher educational institutions at the specified location or locations, and whether diplomas or certificates are proposed to be awarded.
 3. At its discretion, the Board of Regents may require the institution to follow the procedures specified in Section III herein.
- E. Any higher educational institution which provides evidence that it has achieved candidacy status, but is not yet accredited by an institutional accreditation agency identified in Section 1. B herein, may be granted provisional approval by the Board of Regents to award degrees for a period of one or two years, subject to renewal for additional one-year periods and under such conditions and limitations as the Board may specify. During such period of provisional approval, the institution must file an annual report with the Board of Regents, presenting evidence of satisfactory progress toward institutional accreditation. Upon receipt of evidence of institutional accreditation, the Board of Regents shall grant approval to the institution. Failure to achieve institutional accreditation may result in a suspension of the institution's provisional approval to award degrees until the deficiencies leading to a denial of institutional accreditation have been corrected.
- F. If a higher educational institution is accredited by the Association of Independent Colleges and Schools in the classification of a "business or specialized school" to offer programs leading to a specialized associate degree in one or more fields,

the institution shall be so approved by the Board of Regents. If accredited in the classification of "junior college" to offer programs leading to an associate degree in one or more fields, the institution shall be so approved by the Board of Regents. If accredited in the classification of a "senior college" to offer programs leading to a baccalaureate degree in one or more fields, the institution shall be so approved by the Board of Regents.

1. Notwithstanding the foregoing provisions of this subsection F, any higher educational institution which is seeking a change in its classification by the Association of Independent Colleges and Schools may be granted an exception to these provisions by the Board of Regents for a period not to exceed three years, during which time the Association of Independent Colleges and Schools must have confirmed its accreditation of the institution in the new classification. The Board of Regents may extend its approval under this provision for one additional year for proper cause, as determined following an evaluation by the Board, based on self-study reports, site visits, and other evidence as provided in Section III herein.
 2. Any higher educational institution (a) which is accredited by the Association of Independent Colleges and Schools as a "business or specialized school" or by the National Association of Trade and Technical Schools, (b) whose institutional accreditation is limited to the awarding of diplomas, and (c) which is seeking institutional accreditation to award an associate or specialized degree in one or more fields shall be granted approval by the Board of Regents following submission to the Board of satisfactory evidence of such accreditation.
- G. Any higher educational institution which is seeking institutional accreditation from an accrediting agency identified in Section 1. B herein may apply for approval by the Board of Regents by submitting the self-study report and other documentation used by the institutional accreditation agency, together with the report of the visiting committee and the final report of the institutional accreditation agency. Following a review of these materials and upon receipt of satisfactory evidence of institutional accreditation, the Board of Regents shall grant approval to the institution. An institution which is not institutionally accredited, but which is initiating a review by an institutional accreditation agency, shall invite an observer from the Board of Regents to participate in the visitation. The observer shall receive the same set of evaluation documents as do the members of the visiting committee, and the applicant institution shall bear the actual and reasonable expenses associated with the observer's participation in the visitation.

III. Procedures for the accreditation and approval of higher educational institutions which are not institutionally accredited:

- A. A preliminary conference will be held, involving the appropriate senior administrators of the institution and members of the staff of the Board of Regents, for the purpose of discussing the guidelines for evaluation. The guidelines will conform with nationally accepted standards appropriate for the degree programs proposed to be offered.
- B. The institution will conduct an institutional self-study in accordance with the criteria and standards agreed on during the conference between the institution and the staff of the Board of Regents.
- C. The institution must present evidence that it has secured a surety bond, minimally in the amount of \$20,000, issued by a surety company authorized to transact business in West Virginia.
- D. The Chancellor of the West Virginia Board of Regents will appoint a visiting committee, composed of three to five members, to visit the institution to verify the findings of the self-study report. The visiting committee will include appropriately qualified persons who may be chosen from public or private higher educational institutions in West Virginia or in other states, and from the staff of the West Virginia Board of Regents or other educational agencies. The institution may challenge the selection of individual visiting committee members for proper cause.
- E. The institution will bear the actual and reasonable expenses of the members of the visiting committee. Travel by private automobile will be reimbursed at the authorized rate. Members of the visiting committee who are not members of the staff of the Board of Regents will receive from the institution an honorarium of \$100 per day.
- F. The visiting committee will submit its report and recommendations in writing to the Chancellor for transmittal to the Board of Regents. Comments and recommendations from the staff of the Board of Regents will accompany the report. Before the Board acts on the report, the Chancellor will send the report to the applicant institution for comment.
- G. If the Board of Regents denies approval or authorization to the institution, representatives of the institution shall be afforded an opportunity, at the institution's request, to present information, statements, and views which the institution deems appropriate concerning its application for approval or authorization by the Board. The Board's action of denying its approval or authorization will take effect within 90 calendar days, unless the institution appeals the Board's decision, within 30 calendar days of receiving notification of the Board's action, by means of a letter to the Chancellor.

IV. Approval to offer new or additional degree programs:

- A. Any higher educational institution which is accredited by an institutional accreditation agency identified in Section I. B herein and which is approved by the Board of Regents in accordance with the policy and procedures set forth herein may modify degree programs which were previously approved, without special action by the Board of Regents. The institution also may offer new or additional degree programs in West Virginia, at the degree level or levels for which it is institutionally accredited, provided the Board of Regents is so notified prior to planned implementation of the new or additional program.

- B. Any higher educational institution which is not institutionally accredited by an institutional accreditation agency identified in Section I. B above, but which is approved by the Board of Regents to award degrees, may request approval to offer new or additional degree programs in West Virginia by submitting an application to the Board of Regents, at least 120 calendar days prior to planned implementation, requesting that the program or programs be incorporated into the institution's approval by the Board.

V. Additional Considerations:

- A. Any allegation or complaint of deceptive practices, violation of law, or failure to comply with the standards of institutional accreditation agencies should be submitted in writing to the appropriate institutional accreditation agency for its review and appropriate action, and a copy should be sent to the Chancellor of the Board of Regents. In addition, the institution shall be required to keep the Board of Regents fully informed of all findings and actions which may affect the Board's determination of the institution's approval to grant degrees or authorization to offer courses in West Virginia.
- B. In meeting its statutory obligations, the Board of Regents reserves the right to conduct such inquiries as may be required, or to cause such inquiries to be conducted by other agencies or offices. All such inquiries shall comply with due process procedures.

Adopted: West Virginia Board of Regents
December 1, 1982

Replaces: Policy Bulletin, dated October 8, 1971, revised May 9, 1972, and April 6, 1976; and Policy Bulletin No. 41, dated February 20, 1979

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 on 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

REVISED POLICY BULLETIN NO. 17
(Replaces Policy Bulletin No. 17 dated November 1, 1971)

July 10, 1979

POLICY REGARDING THE TRANSFERABILITY OF CREDITS AND GRADES AT THE UNDERGRADUATE LEVEL

It is the policy of the West Virginia Board of Regents that the transfer of credits among the institutions in the system will be complete, consistent with appropriate and legitimate academic program(s) integrity:

To this end, the following policy guidelines are hereby promulgated:

1. Undergraduate level credits and grades earned at any public institution governed by the West Virginia Board of Regents shall generally be transferable to any other such institution.
2. At least 64 and no more than 72 hours of credits and grades completed at community colleges or branch colleges in the West Virginia state system of higher education shall be transferable to any baccalaureate degree-granting institution in the state system.
3. All grades earned for college credit work within the state system shall be counted for purposes of graduation with honors and transfer students from within the state system shall be treated the same for this purpose as generic students.
4. With the exception of those enrolling in specialized four-year programs which have demonstrable and bona fide externally imposed requirements making such a goal impossible, students completing two-year associate degrees at public institutions governed by the West Virginia Board of Regents shall generally, upon transfer to a baccalaureate-level degree-granting institution, have junior level status and be able to graduate with the same number of total credit hours as a nontransfer student at the same institution and in the same program. An exception may exist in any instance where the associate degree is a technical type designed for terminal career purposes and the general education component is substantially of a markedly different nature than that required for a student at the same two-year institution enrolled in a college transfer associate degree program. Credit hours taken in general education toward associate degrees will count toward the total number of general education credit hours required at the baccalaureate degree-granting institution.
5. There shall be developed and maintained specific detailed articulation agreements between appropriate institutions in the state system. Particularly community colleges, community college components and branch colleges will indicate clearly in catalogs and other official materials which courses are not necessarily transferable for major programs or other specific purposes to those institutions where significant numbers of students traditionally transfer; any such course(s), however, will be transferred as elective credit up to the maximum herein required.
6. A statewide Ad Hoc Articulation Council appointed by the Chancellor consisting of two (including at least one faculty member) representatives from freestanding community colleges, from community college components and branch colleges, two (including at least

one faculty member) representatives from baccalaureate degree-granting institutions, the Chairman of the Advisory Council of Students or his representative, and two representatives from the Board of Regents' staff shall be convened as a facilitating body in cases of disagreement between institutions over the transfer of credit. This Council will make a report and a recommendation to the Chancellor.

7. Consistent with provisions above, each baccalaureate degree-granting institution may require transfer students to meet any of the following standards:
- An average of "C" on previous work attempted and the required grade point average for admission to a particular program.
 - The completion of 36 or more additional hours of credit, in residence, regardless of the number of hours transferable.
 - The completion of 16 of the last 32 hours before graduation in residence.

Any policies of this Board contrary to the foregoing are rescinded.

Adopted: West Virginia Board of Regents
July 10, 1979

REVISED POLICY BULLETIN NO. 18

Revised February 2, 1982

REVISED POLICY REGARDING RETIREMENT OF BOARD OF REGENTS' EMPLOYEES

BE IT RESOLVED, That all employees of the West Virginia Board of Regents as of January 1, 1979, and those employed subsequently shall be retired at the conclusion of the academic year or fiscal year contract period during which they reach their seventieth birthday and in no event later than the June 30 which coincides with or is next after their seventieth birthday.

BE IT FURTHER RESOLVED, That normal retirement age is sixty-five and Board contributions toward individual retirement will cease upon termination of employment if that occurs before age sixty-five, at age sixty-five if the employee works until that time but in no event will go beyond June 30 next following attainment of age sixty-five if an employee works until that time or later.

BE IT FURTHER RESOLVED, That tenured faculty shall be retired at the conclusion of the academic year or fiscal year contract period during which they reach their seventieth birthday. In the event such person shall reach age seventy in the middle of a semester or fiscal year, such person shall not be compelled to retire prior to the end of the semester or fiscal year: Provided, that in no event shall such retirement be postponed beyond six months after the date on which such person attained the age of seventy.

BE IT FURTHER RESOLVED, That certain high level executive or managerial employees as those terms are defined by relevant law and interpreted by the Board shall be retired at the conclusion of the academic year or fiscal 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.

Adopted: West Virginia Board of Regents
January 16, 1979
Effective: January 1, 1979
Revised: February 2, 1982

SUMMARY OF MAJOR FEATURES

Policy Bulletin Number 18
(Retirement)

Resolved on January 16, 1979
Effective date January 1, 1979

- Board contributions toward TIAA/CREF Retirement Annuities cease upon termination of employment if that occurs before age 65, at age 65 if retirement occurs at that time, at the conclusion of the academic or fiscal year contract period in which the employee reaches age 65 but in no event later than June 30 next following attainment of age 65, whichever is last.
- Payroll personnel on each campus must be instructed to adjust payroll procedures to effect this action.
- Individual contributions to TIAA/CREF Retirement Annuities should be permitted to continue until the time of actual retirement.
- High level executive and managerial employees will retire at age 65 but not later than June 30 next following attainment of that age; provided they held a position at that level in a Board institution at least two years prior to prospective retirement and qualify for an annual retirement annuity equal to \$27,000 per year. The \$27,000 per year is based on employer contributions only, may not include social security in its computation, nor contributions made by other than the West Virginia Board of Regents.
- Mandatory retirement prior to age 70 may continue to occur for persons in positions where age has been determined to be a bona fide occupational qualification and evidence of that B.F.O.Q. exists in writing.
- Employees may still be required to retire below age 70 for reasons other than age.
- Applicants for work who are under age 70 on or after January 1, 1979 will be considered for employment on the same basis which existed when the age limit was 65.
- At normal retirement age, academic administrators (individuals who meet the definition for high level executive or managerial employees and have faculty rank) may desire to continue employment until mandatory retirement age. If at that time relevant laws and policy allow such persons to continue employment by virtue of faculty status, those individuals must relinquish their administrative duties and return to work in their discipline, provided a position is available.
- There is no provision in policy for the extension of employment beyond age 70.
- No specific action must be taken for employees who participate in the State Teachers' Retirement System since the Board is not involved in matching funds.

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:

- To acquire any additional land, building or facility
- 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 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

REVISED POLICY BULLETIN NO. 22
(Replaces Policy Bulletin No. 22, dated April 11, 1972)

February 2, 1982

POLICY REGARDING ASSESSMENT, PAYMENT AND REFUND OF FEES

BE IT RESOLVED, That the West Virginia Board of Regents hereby establishes the following regulations regarding the payment and refund of fees and rescinds all previous regulations of the Board of Governors of West Virginia University and of the West Virginia Board of Education regarding the payment and refund of fees.

General

No financial credit of any type shall be extended to any individual, either student or other, at any state university or college. All universities and colleges shall operate on a strictly cash basis with all payments and obligations being collected in advance except that room and board charges may be divided into installments as determined by the institution. A student is not considered registered until full fee payment has been made.

Exceptions may be granted where a bonafide third party agency has provided authorization in writing that payment will be made for the student.

Fee Charges

1. Undergraduate students enrolled for 12 or more credit hours and graduate students enrolled for 9 or more hours pay the maximum charges in each basic fee category.
2. Tuition, registration, and higher education resource fees charged to undergraduates taking less than 12 hours and graduate students taking less than 9 hours are prorated according to the number of credit hours for which the student is enrolled.
3. Full or part-time students taking all courses off campus may be exempted from all or certain institutional activity, student union, and intercollegiate athletic fees at the discretion of the institution.
4. In view of existing bonding obligations at most institutions, it is necessary for institutions to establish different rates regarding student union fees. The fee should be prorated based on the requirements of the bond covenant.
5. Institutional activity and athletic fees will be paid in full by students taking 7 or more credit hours per semester on campus (except for students at community colleges

where the Activity fee for students enrolled less than full-time will be prorated according to the number of credit hours taken each semester). Students enrolled for less than 7 hours have the option of paying these basic fees.

6. Colleges and universities shall be permitted to establish and collect certain special fees for designated purposes separate from and above those identified in the regular fee schedule.
7. All regular and special fees charged by colleges and universities shall be identified separately and published so as to be readily available to all students.
8. All fees charged to students, both regular and special, must have approval by the Board of Regents prior to assessment and collection.
9. Fees shall be established and charged for all non-credit community service courses in an amount to insure that the offering is self-supporting, including indirect cost.

Refund of Regular Fees

Students who officially withdraw from any college or university under the jurisdiction of the Board shall receive a refund of regular fees in accordance with the following schedule.

1. **ACADEMIC YEAR (Semester)** Amount of Refund
 During the first and second weeks 90%
 During the third and fourth weeks 70%
 During the fifth and sixth weeks 50%
 Beginning with the seventh week No refund
2. **SUMMER TERMS AND NON-TRADITIONAL PERIODS**
 Refunds for summer sessions and non-traditional periods shall be established based upon the refund rate for the academic year and calculated using the following schedule.

TERM	Refund
During the first 13% of the term	90% refund
From 14% to 25% of the term	70% refund
From 26% to 38% of the term	50% refund
After 38% of term is completed	No refund
Should the percentage calculation identify a partial day, the entire day should be included in the higher refund period.	

Refund of Room and Board

1. **ROOM**
 Refund, if any, shall be based on housing contract signed by the student.
2. **BOARD**
 Refund shall be prorated based upon date of official withdrawal.
 All refunds are calculated from the first day of formal registration period.

Registration Period - Late Fee

A formal registration period shall be established at the beginning of each semester or term at which time fees are due and payable. In addition, a late registration period may be established which shall not exceed the 10th day of regularly scheduled classes. A late fee of \$15.00 shall be imposed on all late registrants. The president of the institution or a designee shall have the authority to waive the fee in cases where

evidence indicates the delay occurred through a fault of the institution.

An exception to the registration time period may be granted to an individual under rare circumstances and then only when there is evidence that the student has a reasonable opportunity to complete successfully all course work. The president or a designee must approve the exception with the evidence documented and held on file supporting the decision.

The first two class meetings shall be considered the regular registration period for non-traditional students registering for evening, Saturday, off-campus, extension and other special classes. In addition, a late registration period may be established which shall not exceed the third and fourth class meetings. A late fee of \$15.00 shall be imposed on all late registrants.

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, and 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

January 10, 1984

POLICY REGARDING HOLIDAYS Replaces Policy Bulletin No. 26, dated October 3, 1972, and January 11, 1983

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 holidays shall be 12 plus additional days for any election day (primary or general) held throughout the State and such other days as the President of the United States, Governor, or other duly constituted authority shall proclaim to be legal holidays. Days taken 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
January 10, 1984

POLICY BULLETIN NO. 27

As Revised June 8, 1976

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, There may be reasons for a given college or university to offer an academic program at a second or additional location; 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, using the currently approved format, of the institution's desire to add or delete an academic program, or to add or delete a location for the offering of an academic program; and

BE IT FURTHER RESOLVED, That, after approval has been received for the requested action, each institution will proceed with the detailed planning and will provide timely notice to the Board in the prescribed manner prior to implementing a new program.

Adopted: West Virginia Board of Regents
June 8, 1976

POLICY BULLETIN NO. 28

As Revised June 12, 1984

POLICY REGARDING THE SUBMISSION OF GRANT APPLICATIONS AND PROPOSALS

RESOLVED, That the West Virginia Board of Regents hereby revises its policy regarding the submission of grant applications and proposals by colleges and universities in the West Virginia system of higher education.

I. Summary of Policies

- A. The Board shall exercise its responsibility for review and approval of grant applications and proposals through the administrative procedures of the Board's Central Office, and through appropriate delegation to the Presidents of the institutions.
 - B. All grant applications and proposals calling for either (1) the development of a new academic program (2) the offering of an existing program out-of-state or (3) commitment of Board of Regents resources beyond the scheduled completion of the project must be submitted for approval by the Board of Regents prior to submission to a funding agency. Requests to plan or initiate new academic programs must be submitted and approved in accordance with established Board of Regents' policies, including Administrative Bulletin No. 23.
 - C. All other grant applications and proposals, including those containing elements which might lead to the development of a new academic program at some future date, may be submitted by the institution to a funding agency and reported to the Board on a monthly log sheet.
 - D. An application or proposal which is not approved by the Board of Regents must be withdrawn from the funding agency.
 - E. Except as provided in paragraph B. above and in Administrative Bulletin No. 23, nothing in the Policy Bulletin shall preclude an institution's timely submission of an application or proposal to a funding agency, as necessary to comply with application deadlines, when the project for which funding is requested is in accordance with the Board of Regents' policy.
 - F. It is the responsibility of the institution to ensure that a grant application or proposal is consistent with Board policies and that required resources are available in the approved budget.
 - G. The procedures contained in Section II of this Policy Bulletin are designed to ensure that the colleges and universities provide adequate information to the Board of Regents regarding grant applications and proposals.
- #### II. Procedures for Submission and Approval

- A. Each institution shall submit, on a monthly basis, an institutional log sheet (see Appendix A). *If the institution is able to certify on the log sheet that an application 1) does not commit the Board to future funding 2) does not establish a new degree program and 3) does not offer an existing program out of state, then no additional information will be required, unless specifically requested. Non-certification of the aforementioned conditions will necessitate submission of the full proposal to the Board for review and approval.
- B. Submitted proposals will be reviewed in accordance with the administrative procedures of the Board's Central Office.
- C. Disapproval of an application or proposal, as well as questions raised in the course of review by the Board staff, will be communicated to the submitting institution. An award cannot be accepted until the questions or concerns are resolved. A proposal or application which is not approved by the Board must be withdrawn from the funding agency.
- D. Minor changes in a funded proposal may be noted on the log sheet. If a proposal is modified in content, method of implementation, or budget to such an extent that a new proposal is written, the institution shall resubmit the proposal in accordance with the procedures specified in Section II. A. of this Policy Bulletin.
- E. Each grant application or proposal shall be included on the monthly log report until final action is taken by the funding agency.

Approved: West Virginia Board of
Regents
October 3, 1972

Revised: June 7, 1983; June 12, 1984.

*The institutional log sheet is available in the Office of Development, M109.

POLICY BULLETIN NO. 29

November 8, 1983

POLICY REGARDING THE COLLEGE-LEVEL EXAMINATION PROGRAM AND THE PROFICIENCY EXAMINATION PROGRAM

Replaces Policy Bulletin No. 29 dated December 4, 1979

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

Regulations Regarding the College-Level Examination Program and the Proficiency Examination Program

These regulations shall govern the use of the College-Level Examination Program (CLEP) of the College Entrance Examination Board and the Proficiency Examination Program (PEP) of the American College Testing Program in the institutions which comprise the West Virginia state system of higher

education. The extent to which the programs are 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. Further, credit shall be awarded only once to recognize mastery of course content. Credit shall not be awarded for equivalent courses in which students have already earned such credit through course work, CLEP, PEP, institutional challenge examinations, life experience, or other mechanisms.

1. **Subject Examinations:** Students may be awarded credit for the successful completion of any or all of the CLEP and PEP Subject Examinations presently offered or developed in the future. They must achieve a score equal to or above the recommended score of the Commission on Educational Credit and Credentials of the American Council on Education for CLEP Exams, and the University of New York and American College Testing Program for PEP Examinations current at the time the examination was taken. Credit shall be awarded in an amount not exceeding 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 and PEP credit earned with existing course offerings. If no equivalent course is offered by the institution, the credit earned by CLEP or PEP examination shall be considered elective credit. Students shall not receive CLEP or PEP Subject Examination credit for equivalent courses in which they have already earned credit.

2. **General Examinations:** As of the effective date of this policy, an institution may award credit within the limits indicated below to students who attain a score of 500 or above on the CLEP General Examinations in Natural Sciences, Humanities, Social Sciences and History, and Mathematics. Effective in the Fall semester of 1984, credit may be awarded to students who attain a score of 600 or above on the CLEP General Examination in English Composition.

English - 3 to 6 Hours - English Composition Credit
Natural Sciences - 3 to 6 Hours - General Education,
Natural Science Credit

Humanities - 3 to 6 Hours - General Education,
Humanities Credit

Social Sciences and History - 3 to 6 Hours - General
Education, Social Science and History Credit

Mathematics - 3 to 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. Students shall not receive CLEP General Examination credit for equivalent courses in which they have already earned credit.

3. An institution awarding credit through CLEP and/or PEP may establish scores higher than specified above for Subject and General Examinations if it is established that the higher scores equate to a satisfactory level of performance by students actually enrolled in the equivalent course(s) at that institution.

4. **Academic Record:** The permanent academic record of the student shall indicate which credit was earned by CLEP or PEP examination.

5. **Enrollment:** Students must be enrolled in an institution in order to receive credit from the institution. Students who have taken CLEP or PEP examinations prior to enrollment must submit an official CLEP or PEP transcript.
6. **Review:** The Chancellor shall appoint a committee to review these regulations periodically.

Adopted: West Virginia Board of Regents
October 3, 1972
Revised: December 4, 1979; November 8,
1983

POLICY BULLETIN NO. 30

February 12, 1985

POLICY REGARDING EMERITUS STATUS OF RETIRED PROFESSIONALS Replaces Policy Bulletin No. 30, dated June 5, 1973)

RESOLVED, that each college and university shall establish a policy regarding Emeritus Status and file that policy at the Board's Central Office.

Adopted: West Virginia Board of Regents
June 5, 1973
Revised: February 8, 1983
Revised: February 12, 1985

(Supplement to Policy Bulletin No. 30, February 12, 1985)

1. Emeritus status shall be conferred upon any faculty member regardless of rank and any professional staff who has served Marshall University for a minimum of five years and who has demonstrated meritorious service to the institution.
2. Emeritus status shall be conferred upon any faculty member who qualifies under one of the three following categories:
 - a. Regular full-time faculty who will hold the title of Faculty Emeritus.
 - b. Clinical faculty who will hold the title of Clinical Faculty Emeritus.
 - c. Adjunct faculty who will hold the title of Adjunct Faculty Emeritus.

The Emeritus title shall be conferred upon the faculty member by the President at the recommendation of the appropriate chairperson, dean and vice-president.

3. Emeritus status shall be conferred upon any staff member whose title and responsibility meet the requirements as designated by the institution.
 - a. Such staff members shall hold the title of Professional Staff Emeritus.
 - b. Those entitled to consideration for the rank of Professional Staff Emeritus will include members of the executive staff, deans, directors, coordinators, or the equivalents, as well as officers subordinate to any of these administrators with such titles as associate dean, assistant dean, librarian, and other such titles if their principal activity is administrative.

The Emeritus title shall be conferred upon staff members by the President at the recommendation of the appropriate director and vice-president. Members of the executive staff

shall be granted the title upon the recommendation of the President.

4. Those holding Emeritus rank will be entitled to such privileges as:
 - a. Use of the Library
 - b. Use of the Student Center and reduced rates for University administered functions including athletic events and cultural activities.
 - c. Special Mailings
 - d. Recreational Facilities

Effective May 1, 1985; approved by the President, June 3, 1985

POLICY BULLETIN NO. 31

June 5, 1973

POLICY REGARDING DEFINITIONS AND CLASSIFICATIONS USED IN REPORTING LIBRARY HOLDINGS

WHEREAS, The definitions and classifications followed in reporting library holdings vary among the State Colleges and Universities.

THEREFORE BE IT RESOLVED, That the attached definitions and classifications be used by the State Colleges and Universities in reporting library statistics.

COLLEGE AND UNIVERSITY LIBRARIES CATEGORIES FOR REPORTING LIBRARY HOLDINGS

1. Report physical volume count of items which fit the definition.

To determine the holdings of a library, a physical volume count should be reported according to the definition of a volume (see definitions). Books, monographic serials, and periodical publications should be reported in the total count of volumes held at the end of the reporting year. These are included in the volume definition, as are appropriate government documents and technical reports.

For reporting purposes, a volume is a physical unit of any printed, typewritten, handwritten, mimeographed, or processed work contained in one binding or portfolio, hardbound or paperbound, which has been classified, cataloged and/or otherwise prepared for use. Include bound periodical volumes. Include government documents that have been classified and cataloged, counting as a volume such material as is contained in one binding or portfolio.

The term "otherwise prepared for use" includes accessions which have not yet been cataloged. It does not include materials classified by a document classification system. The listing of specific inclusions or exclusions from the comparable area count is as follows:

Exclude:

- (1) Government documents which do not meet the definition of a volume as outlined above;
- (2) College and university catalogs;
- (3) Fragmentary or loose map collections;
- (4) Pamphlets, clippings, unbound newspapers, loose music scores, paintings, prints, phonograph records, and tape recordings;
- (5) Educational curricular materials, such as school texts, curriculum guides, kits and laboratoriali,

film strips, records, units of study, circulating periodical collections for student teachers, book jackets, pictures, etc., which are not cataloged or accessed or otherwise meet the definition of a volume;

- (6) Telephone books, trade catalogs and other ephemeral materials.

Include:

- (1) Prints or plates in portfolio;
- (2) Each copy of these which are retained;
- (3) Materials which meet the definition of a volume which are housed in an archives and educational reference material or audiovisual reference books which meet the definition of a volume but which happen to be housed in a curricular lab or an AV section, if they are administratively part of the library;
- (4) Juvenile books if they are cataloged or accessed;
- (5) Bound volumes of newspapers.

2. Omit title count

It is recommended that "titles added" not be reported.

3. Count total current subscriptions (including indexes and government serials) and also subscriptions by title count.

Current subscriptions should include all periodical and serial subscriptions, including newspapers. Total current subscriptions, including duplicates, reflect a library's acquisitions program in relation to its expenditures for library materials and in relation to use, and are consistent with the physical volume count. A subsection, listing number of titles subscribed to, shows depth of coverage and should also be reported.

Service-based subscriptions and monographs received in series will fall into the subscription count, but it is recommended that serially received monographs be included separately in the volume count.

4. Count unbound periodicals by bibliographic volume if this category represents an appreciable segment of the collection. List these separately from total bound volume count.

Unbound periodicals should be counted by bibliographic volume, that is, by publisher's volume. Because a number of libraries refrain from binding extensive periodical holdings for reasons of economy and practicability for circulation, these resources would otherwise go unreported. The opportunity should exist to list unbound periodicals as a separate category from the physical volume count of holdings.

5. Microform:

- (a) Count microfilm holdings by reel, as separate total.
- (b) Count microfiche and microcard by card, as separate total.
- (c) Count ultrafische by card, as separate total.

Microform is regarded as a separate significant category of holdings. It falls into two broad categories — reels and sheet forms. Although both physical volume and microform share a common role as information sources, it is recognized that accessibility and cost factors add significant differences in terms of library holdings.

Microform represents a format which is less accessible to users than the printed book because its use is limited by the necessary physical equipment, such as micro-readers. It is valuable in locating specific information known to the user, but it is less useful for searching

information through indexes, tables of contents, and chapters with the intent of finding needed material instantly. Microfilm in academic libraries is used to reduce storage space required for newspapers and to replace or acquire out-of-print books and periodicals. It is usually of most use in areas where repeated access by many people is not of the highest importance. The more recently established the library is, the more out-of-print material it may lack, which it will probably purchase in microfilm form.

In a number of libraries, particularly the smaller ones, the request for a report of microform holdings in terms of volumes or titles, rather than reels, would result in noncomparability because of differences in counting methods. The situation is aggravated in some cases where small spools of microfilm have been spliced together and each article or part of an article is counted as a separate bibliographic unit. In these cases, we can present a fair picture to the library-user as well as the administrator by consistently reporting total holdings of libraries in terms of physical units.

Because of these differences, it is recommended that the volume count and reel count not be added to make a total. The recommendation that microfilm be counted in reels is consistent with the physical volume of printed materials.

Microcard and microfiche, which tend to be bought in series, are best reported by the piece, since one serial subscription may cover thousands of cards.

For each of the above categories, list the number added during the year and the number withdrawn during the year.

6. List special collections of library materials not included above only if warranted by depth or amount; count by individual item.

For national statistics, it is not recommended that a further breakdown in reporting be made. However, further breakdown of categories of library holdings may be made for internal administrative uses; and to facilitate comparisons between libraries that wish to do so. A standard method of counting should be adopted by all libraries even for those materials which are not now reported nationally in the event that these items become of national significance at some future time.

Methods for counting nonbook materials are here outlined in order to make them uniform. Count by the piece: broadsides, posters, manuscripts, sheet maps (if bound, include in volume count), pictures, prints, photographs, and unbound sheet music. Prints, maps, or plates in portfolio are counted as volumes. Audiovisual materials should also be counted individually. Slides, filmstrips, video cassettes, and video cartridges should be counted by the piece. Motion picture film is counted by the reel. Sound recordings on disc, cassette, spool of wire, or reel of tape are counted by the physical unit.

Telephone books, college and trade catalogs, etc., are ephemeral and should not be reported. Other material which does not fall into the recommended format for national reporting, but which is of significance due to amount or depth, should be listed by libraries individually.

7. Omit office book-collections and other collections on campus not part of library.

Special material available on campus but not administered by the library should not be counted in the

library collection. This includes office book-collections and audiovisual materials which are located on campus but not part of the library holdings.

8. Count government documents by item; do not add to the total volume count. Add periodical subscriptions as in recommendation 3. State whether the library is a full or partial U.S. Government document depository.

Count government documents by item when they do not fit the volume definition; they should be reported separately from the total volume count. In this context, the U.S. Government Documents classification system is not interpreted as "classified" according to the definition of a volume. Pamphlets, press releases, or other unbound materials should not be prorated into volumes. A government publication should be added to the volume count when it is hardbound or paperbound and locally classified.

Since most government documents are published serially, only periodical titles so identified in the February issue of the U.S. Government Publications Monthly Catalog should be counted under current subscriptions.

The question of whether or not a library is a U.S. Government document depository should be included in order to assist the user in the interpretation of the date for the library.

DEFINITIONS

ANNUAL. A serial publication issued regularly once a year, as an annual report of proceedings of an organization; or, a yearly publication that reviews events or developments during a year, in descriptive and/or statistical form, sometimes limited to a special field. Also includes annuals, yearbooks, etc.

AUDIOVISUAL MATERIALS. Nonbook library materials, such as recordings, transparencies, tapes, slides, films, and filmstrips, which require the use of special equipment in order to be seen or heard.

BIBLIOGRAPHIC VOLUME. A unit of publication distinguished from other units by having its own title page, half title, cover title, or portfolio title. In connection with periodicals, the publisher's volume.

BOOK. A unit of publication, either bibliographically independent or a volume in a series published under the same title, consisting of leaves, sheets, or signatures sewn or otherwise bound together, covered or uncovered. Bound volumes of periodicals and newspapers are not considered books.

BULLETIN. A publication, usually numbered, issued at regular intervals by a government department, a society, or an institution.

CATALOGED MATERIALS. Any library material which has been identified in a catalog which records, describes, and indexes the resources of a library; as distinct from library materials which are merely physically arranged for use and are not indexed and described individually by item.

CLASSROOM COLLECTION. (1) A semipermanent or a temporary collection of books deposited in a schoolroom by a public or a school library. (2) A group of books from a college library sent to a classroom for use by instructors and students.

GOVERNMENT DOCUMENT. Any publication in book, serial, or nonbook form bearing a government imprint, e.g., the publications of federal, state, local, and foreign governments and of world organizations, such as United

Nations, European Common Market, etc.

LOOSE-LEAF SERVICE. A serial publication which is revised, cumulated, and/or indexed by means of new or replacement pages inserted in a loose-leaf binder, and used where latest revisions of information are important, as with legal and scientific material.

MANUSCRIPT. The handwritten or typewritten copy of an author's work before it is printed.

MICROCARD. An opaque card containing images photographically reduced to a size too small to be read without magnification.

MICROFICHE. A microfilm sheet containing multiple images in a grid pattern.

MICROFILM. A strip of film containing photographic images usually too small to be read without magnification.

MICROFORM. Any library material which has been photographically reduced in size for storage and protection purposes, and which must be read with the help of enlarging instruments, e.g., microfilm, microcard, microfiche; also called Microcop and Microtext.

MONOGRAPH. A treatise on a particular subject, usually detailed in treatment but not extensive in scope. It is generally a book or pamphlet, but need not be bibliographically independent.

NEWSPAPER. A serial publication issued at stated and frequent intervals (usually daily, weekly, or semiweekly) which reports events and discusses topics of current interest, and is usually a "primary source" of information to its readers.

NONBOOK MATERIALS. Those library materials which do not meet the definition of a book or periodical (see Book, Periodical, Periodicals Collection), such as, audiovisual materials; vertical file materials and similar items which are not individually cataloged; and any other material the form of which required special handling.

OFFICE COLLECTION. A convenient, working collection of library materials for the use of an office within the sponsoring agency of a library, but not owned by the library.

PAMPHLET. An independent publication consisting of a few leaves of printed matter fastened together but not bound; usually enclosed in paper covers. Pamphlets may be included in book stock, periodicals collection, or nonbook material, depending upon their treatment within the library.

PAPERBOUND. A publication bound between paper covers.

PERIODICAL. Periodicals are defined as publications issued in parts that usually contain articles by several contributors; they generally have distinctive titles, and the successive numbers or parts are intended to appear at stated intervals, usually for an indefinite period. Periodicals are thus distinguished from such other serials as monographs, newspapers, annuals, proceedings transactions, yearbooks, and recurring reports, for which data were not requested.

PERIODICAL COLLECTION. A library's collection of periodicals, newspapers, and other serials treated like periodicals, whether bound, unbound, or in microform.

SERIAL. A publication issued in successive parts, usually at regular intervals, and as a rule, intended to be continued indefinitely. Serials include periodicals, newspapers, annuals (reports, yearbooks, etc.), memoirs, proceedings, and transactions of societies; they may include monographic and publishers' series.

SERIAL SERVICE. A serial publication which is revised cumulated, and/or indexed by means of new or replacement pages (see LOOSE-LEAF SERVICE) or cards.

SERVICE-BASED SUBSCRIPTION. Serial subscriptions for which a library is charged according to its income, book fund, circulation, or periodical holdings indexed in the publication on which the subscription is based.

TITLE. A term used to designate a printed publication which forms a separate whole, whether issued in one or several volumes.

VERTICAL FILE MATERIALS. Those items such as pamphlets, clippings, pictures, etc., which, because of their shape and often their ephemeral nature, are filed vertically in drawers for ready reference.

VOLUME. For statistical purposes, a volume is a physical unit of any printed, typewritten, handwritten, mimeographed or processed work contained in one binding or portfolio, hardbound or paperbound, which has been cataloged, classified, and/or made ready for use. (See Recommendation I for complete definition.)

POLICY BULLETIN NO. 32

(Replaces Policy Bulletin No. 32 dated October 2, 1973 and December 16, 1981)

October 22, 1982

POLICY REGARDING THE CONTINUING EDUCATION UNIT (C.E.U.)

RESOLVED, That the West Virginia Board of Regents, recognizing the importance of Continuing Education as part of the services rendered by the state systems of higher education to the people of West Virginia and recognizing the need for a systematic method of measuring and reporting Continuing Education offerings, adopts the Continuing Education Unit (C.E.U.) as defined in the document entitled, "The Continuing Education Unit, Criteria and Guidelines" as the board's official measuring unit for these activities.

Measurement of Continuing Education Offerings

Continuing education, including such noncredit activities as short courses, institutes, workshops, etc., offered to postsecondary learners shall be measured in Continuing Education Units (C.E.U.'s) in conformity with "The Continuing Education Criteria and Guidelines" of the Council on the Continuing Education Unit. * A Continuing Education Unit is defined as ten contact-hours of participation in an organized continuing education experience under responsible sponsorship, capable direction and qualified instruction.

Awards may be made in increments of 1/10 unit; awards involving less than ten contact hours and earning less than 1.0 C.E.U. should be evaluated especially carefully in terms of the criteria established by the Council on the Continuing Education Unit. Institutions may develop policy limiting the certifying and recording of fractional C.E.U.'s less than 1.0.

In order to determine an institution's total effort in noncredit activities, the following reporting process is provided to the institutions as a means of reporting noncredit offerings to the Board of Regents (the reporting of institutional C.E.U.'s is not compulsory):

*Council on the Continuing Education Unit
13000 Old Columbia Pike
Silver Springs, Maryland 20904

- A. Individual C.E.U.'s - Those offerings for which C.E.U.'s were awarded to participants according to the criteria of the Council on the C.E.U.'s.
- B. Institutional C.E.U.'s - Those offerings for which C.E.U.'s were not awarded to participants but for which data are needed for fiscal or program planning purposes.

The following provisions are essential to the establishment of the C.E.U. as a measuring unit:

1. The number of C.E.U.'s for each activity must be determined and identified through regular institutional procedures in advance of offering the activity.
2. There must be some formal registration or identification of participants.
3. The units will be awarded upon satisfactory completion of the activity as defined by the institution.
4. A permanent record will be maintained by the institution and made available for each participant. The record will contain, as a minimum, the following information:
 - a. Name of the individual participant
 - b. Student identification number (preferably with Social Security number) of the individual participant
 - c. Title of the offering
 - d. Format of the offering (short course, institute, workshop, etc.)
 - e. Description and comparative level of offering, if not inherently clear from the title
 - f. Starting and ending dates of the activity
 - g. Location of the offering
 - h. Number of Continuing Education Units awarded for the activity
5. Continuing Education Units are appropriately awarded for only noncredit work and as such cannot legitimately be considered for conversion to college credits nor can college credits be legitimately converted to C.E.U.'s.
6. Each institution granting the C.E.U. shall develop procedures and definitions to accommodate provisions 1 through 4 which are consistent with the publication "The Continuing Education Unit, Criteria and Guidelines," and submit them for review to the West Virginia Board of Regents by October 1 of the year they are adopted and each year thereafter as revisions warrant.
7. This policy bulletin primarily addresses the policies and procedures for the C.E.U. and is not intended to restrict other noncredit offerings of the colleges and universities.

Adopted: West Virginia Board of Regents
 October 2, 1973
 Revised: December 16, 1981
 October 22, 1982

POLICY BULLETIN NO. 33

November 13, 1973

POLICY REGARDING GRADUATE EXTENSION COURSES

RESOLVED, That credit earned in graduate course offerings of Marshall University, West Virginia University and the West Virginia College of Graduate Studies taught away

from the home campus of these institutions shall be classified as resident graduate credit effective with the second semester of the 1973-74 academic year.

BE IT FURTHER RESOLVED, That the Board staff is directed to develop appropriate data collection procedures for the proper identification and inventory of these offerings.

Adopted: West Virginia Board of Regents
 October 2, 1973

POLICY BULLETIN NO. 34

(Replaces Revised Policy Bulletin No. 34 dated November 13, 1973)

October 2, 1981

POLICY REGARDING CLASSIFICATION OF STUDENTS AS RESIDENTS AND NONRESIDENTS FOR ADMISSION AND FEE PURPOSES

1. **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 institutional officer designated by the President. The decision shall be based upon information furnished by the student and all other relevant information. The designated officer is authorized to require such written documents, affidavits, verifications, or other evidence as are deemed necessary to establish the domicile of a student. The burden of establishing residency for admission, tuition and fee purposes is upon the student.

If there is a question as to residence, the matter must be brought to the attention of the designated officer at least two weeks prior to the deadline for the payment of tuition and fees. Any student found to have made a false or misleading statement concerning residence shall be subject to institutional disciplinary action and will be charged the nonresident fees for each academic term theretofore attended.

2. **Residence Determined by Domicile** Domicile within the State means adoption of the State as the fixed permanent home and involves personal residence within the State with no intent on the part of the applicant or, in the case of the dependent student, the applicant's parent(s) to return to another state or country. Residing with relatives (other than parent(s)/legal guardian) does not, in and of itself, cause the student to attain residence in this State for admission or fee payment purposes. West Virginia domicile may be established upon the completion of at least twelve months of continued residence within the State prior to the date of registration, provided that such twelve months residency is not primarily for the purpose of attendance at any institution of higher education in West Virginia.

Establishment of West Virginia domicile with less than twelve months residence prior to the date of registration must be supported by evidence of positive and unequivocal action. Priority consideration should normally be given to such evidence as the purchase of a West Virginia home, full-time employment within the State, paying West Virginia property tax, filing West Virginia income tax returns, registering of motor vehicles in West Virginia, and marriage to a West Virginia resident. Items of lesser importance which might be considered as support factors include registering to vote in West Virginia and the actual exercise of such right, possessing a valid West Virginia driver's license, transferring or establishing local church membership, involvement in local

community activities, and various other acts which may give evidence of intent to remain indefinitely within the State. Proof of a number of these actions shall be considered only as evidence which may be used in determining whether or not a domicile has been established. Factors militating against the establishment of West Virginia residency might include such considerations as the student not being self-supporting, being claimed as a dependent on federal or state income tax returns or the parents' health insurance policy if the parents reside out of state, receiving financial assistance from state student aid programs in other states, and leaving the State when school is not in session.

3. **Dependency Status** A dependent student is one who is listed as a dependent on the federal or state income tax return of his/her parent(s) or legal guardian or who receives major financial support from that person. Such a student maintains the same residency as that of the parent(s) or legal guardian. In the event the parents are divorced or legally separated, the dependent student takes the residence of the parent with whom he/she lives or to whom he/she has been assigned by court order. However, a dependent student who enrolls and is properly classified as a resident student maintains that classification as long as the enrollment is continuous and that student does not attain independence and establish domicile in another state.

A nonresident student who becomes independent while a student at an institution of higher education in West Virginia does not, by reason of such independence alone, attain residence in this State for admission or fee payment purposes.

4. **Change of Residence** A student who has been classified as an out-of-state resident and who seeks resident status in West Virginia must assume the burden of providing conclusive evidence that he/she has established domicile in West Virginia with the intention of making the permanent home in this State. The intent to remain indefinitely in West Virginia is evidenced not only by a person's statements but also by that person's actions. In making a determination regarding a request for change in residency status, the designated institutional officer shall consider those actions referenced in section two above.

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

Persons assigned to full-time active military service in West Virginia and residing in the State shall be classified as in-state residents for tuition and fee purposes. The spouse and dependent children of such individuals shall also be classified as residents of the State of West Virginia for tuition and fee purposes.

6. **Aliens** An alien who is in the United States on a resident visa or who has filed a petition for naturalization in the naturalization court, and who has established a bona fide domicile in West Virginia as defined in section two may be eligible for resident classification, provided that person is in the State for purposes other than to attempt to qualify for residency status as a student.

7. **Appeal Process** The decisions of the designated institutional 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 are determined to be appropriate 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 in accord with such procedures as may be prescribed from time to time by the Board.

Adopted: West Virginia Board of Regents
February 2, 1971 (originally adopted as
Policy Bulletin No. 3)

Revised: February 6, 1973
November 13, 1973
(rescinded revised Policy Bulletin No. 3)
October 2, 1981

POLICY BULLETIN NO. 35
Replaces Revised Policy Bulletin No. 35 dated January
15, 1974, and all subsequent revisions

March 12, 1985

**POLICY REGARDING ANNUAL LEAVE, MILITARY
LEAVE, LEAVE OF ABSENCE WITHOUT PAY, SICK
AND EMERGENCY LEAVE, AND WITNESS AND
JURY LEAVE FOR EMPLOYEES OF THE STATE
SYSTEM OF HIGHER EDUCATION**

SECTION I. GENERAL

1.01 Scope - Policy regarding annual leave, military leave, leave of absence without pay, sick and emergency leave, and witness and jury leave for employees of the state system of higher education.

1.02 Authority - W.Va. Code 18-26-8

1.03 Filing Date - July 3, 1985

1.04 Effective Date - March 12, 1985

SECTION II. LEAVE ENTITLEMENT

Persons employed in the state system of higher education subsequent to January 31, 1974, shall be entitled to annual leave, military leave, leave without pay, sick and emergency leave, and witness and jury leave as hereinafter provided.

SECTION III. LEAVE POLICY OPTION

Persons presently employed in the State system of higher education have the option, effective February 1, 1974, of electing to accept the leave policy hereinafter provided or of electing to retain coverage under the designated pre-existing leave policies of the Board of Governors or the State Board of Education, as the case may be. Such election shall be made by each individual on or before June 30, 1974, by giving written notice to the institution in the manner prescribed by the President of the institution. The option to elect shall pertain in full to the leave policy hereinafter defined or to the pre-existing policies. Individual elements may not be elected from among the several leave policies. An employee's election of a leave policy shall be effective from the date written notice is received by the institution from the individual.

SECTION IV. ANNUAL LEAVE

4.01 Accrual - It is the desire of the West Virginia Board of Regents that employees of the Board shall earn annual

with the length of leave based on the level of position, responsibility, service, and other factors.

I. Eligibility and Annual Allowance:

Except as otherwise provided herein, employees of the Board of Regents shall accumulate and receive annual leave with pay as follows:

- a. Major Administrators and Faculty with 12-month contracts shall be eligible for 24 days leave per year, calculated at the rate of 2.00 days per month from the date of employment.
- b. All other full-time, regular employees in classified positions shall be eligible for annual leave with pay on the following basis:
 1. Less than 5 years' service (60 months): 1.25 days per month - 15 days per year;
 2. 5 - 10 years' service (120 months): 1.50 days per month - 18 days per year;
 3. 10 - 15 years' service (180 months): 1.75 days per month - 21 days per year;
 4. 15 or more years' service: 2.00 days per month - 24 days per year.
- c. No person who is earning a higher accumulation than is authorized under this policy shall be reduced to comply with this policy. However, upon leaving the position, the proper accumulation rate shall thenceforth apply.
- d. Term of service described in b above shall be total service and does not require continuous service to fulfill the required term.
- e. Employees working more than one-half time on a regular and continuing basis shall accumulate annual leave on a pro rata basis.
- f. Annual leave shall not be accorded emergency or short-term employees or students employed on a part-time basis.
- g. A holiday occurring during an employee's leave period shall not be considered as a day of leave.
- h. Accumulated annual leave for continuing employees may be extended beyond that earned during a period of one year by written approval of the President, but in no case shall it exceed twice the amount earned in any twelve-month period.
- i. An employee is entitled to accumulated leave at termination of service, but in no case may this exceed the limits set in h above. Leave time may not be earned during a terminal leave period.

SECTION V. OTHER CONDITIONS:

5.01 Annual Leave - Annual leave at the request of the employee may be granted to an employee because of illness, provided all earned sick leave has been used.

5.02 Calculation of Annual Leave - Calculation of annual leave shall be based on years of service to the State of West Virginia, regardless of the location of the employee's work.

5.03 Scheduling of Annual Leave - Annual leave shall be arranged to fit operating schedules. However, consideration should be given to an employee's request. Leave may not be taken before it is earned.

5.04 Employee's Death - In the event of an employee's death, accumulated leave will be credited to the employee's heirs or estate.

5.05 Classification Record - Each institution under the Board of Regents shall keep on file a record showing classification of each employee and current leave status.

5.06 Transfer of Annual Leave - Annual leave may be

transferred from other agencies of state government to Board of Regents institutions. Any request for transfer of annual leave must be made within thirty calendar days of the time the employee commences work at the Board institution. Certification of the balance which existed in the losing state agency must follow the request for transfer and bear the signature of an officer from that agency.

SECTION VI. MILITARY LEAVE

An employee who is a member of the National Guard or any Reserve Component of the Armed Forces of the United States shall be entitled to and shall receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of 30 calendar days in any one calendar year ordered or authorized under provisions of State Law. The term "without loss of pay" shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such employee may receive other compensation from federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increase, and experience with the institution. An employee shall be required to submit an order or statement in writing from the appropriate military officer in support of the request for such military leave. The terms of this policy shall not apply under the provisions of any Selective Training and Service Act, or other such Act whereby the President may order into active duty the National Guard and the Reserve Components of the Armed Forces of the Federal Government.

SECTION VII. LEAVE OF ABSENCE WITHOUT PAY

7.01 Application - A full-time regular employee, upon application in writing and upon written approval by the institutional President, may be granted a continuous leave of absence without pay for a period of time not to exceed one year, provided, if granted because of illness, all sick and annual accumulated leave have been used.

7.02 Approval of Application - The President, at his discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay.

7.03 Determination - The President, at his discretion, shall determine if the purpose for which such a leave is requested is proper and within sound administrative policy.

7.04 Reinstatement - At the expiration of leave of absence without pay, the employee shall be reinstated without loss of any rights, unless the position is no longer available due to a reduction in staff caused by the curtailment of funds or a reduced workload. Failure of the employee to report promptly at the expiration of a leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment by the institution.

SECTION VIII. SICK AND EMERGENCY LEAVE

8.01 Eligibility and Allowance - All full-time employees of the Board of Regents and employees who work more than one-half time on a regular and continuing basis shall be eligible to receive and accumulate sick leave with pay. Full-time employees shall accumulate sick leave with pay at the rate of 1.5 days for every employment month or a major fraction thereof. Part-time employees working more than one-half time shall accumulate sick leave on a pro rata basis.

8.02 Sick Leave Pay - Sick leave with pay may be accumulated without limit.

8.03 Use of Sick Leave - Sick leave may be used by the employee when ill or injured, when a member of the immediate family is seriously ill, or when death occurs in the immediate family. For the purpose of administering this leave policy, the immediate family is defined as: the father, mother, son, daughter, brother, sister, husband or wife, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, step-mother, stepfather, stepchildren, or others considered to be members of the household and living under the same roof.

8.04 Disabilities - Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom shall be, for all job-related purposes, temporary disabilities and shall be treated the same as any other off-the-job illness or disability would be treated for sick leave entitlement. For this reason, employees shall be entitled to sick leave for their disabilities related to pregnancy and childbirth on the same terms and conditions as they or other employees would be entitled for other illnesses and disabilities. In determining whether an employee is unable to work because of a disability related to pregnancy or childbirth, the same criteria shall be used as would be used in the case of another type of off-the-job illness or disability.

8.05 Medical Clearance - Sick leave for more than five consecutive days shall not be granted to an employee for illness without satisfactory proof of illness or injury, as evidenced by a statement of the attending physician or by other proof satisfactory to the institution. An employee having an extended illness or serious injury shall, before returning to duty, obtain medical clearance to help insure adequate protection.

8.06 Verification - The institution may require evidence from an employee for verification of an illness or other causes for which leave may be granted under this policy, regardless of the duration of the leave.

8.07 Expiration of Sick Leave - In cases where all accumulated sick leave has been used and annual leave is available, it shall be the option of an employee (1) to use any accumulated annual leave until it has also expired, rather than being removed from the payroll, or (2) to retain the accumulated annual leave for use after return to work, but be taken off the payroll immediately after the accumulated sick leave has expired.

8.08 Occupational Illness - On-the-job injuries or occupational illnesses which involve no more than three days of disability leave or absence from work shall not be charged against the employee's accumulated sick leave. If on-the-job injuries or illnesses require a leave beyond the three-day period, the employee may have the option of either of the following: (1) using earned and accumulated sick and annual leave until both may be exhausted and receiving any additional benefits adjudged to be due under the West Virginia Compensation Law or (2) reserving for future use any earned and accumulated sick and annual leave and receiving only Workmen's Compensation benefits for which adjudged eligible.

8.09 Notification - An employee is required to notify his supervisor immediately if ill or unable to work for any reason. The notification shall be given to the immediate supervisor prior to the employee's normal starting time and should include the approximate length of absence. Following two written warnings, failure to report off from work shall be a basis for disciplinary action, which may include suspension, demotion, or discharge.

8.10 Eligibility - Students employed on a part-time basis through campus and federal work programs are not eligible for sick leave provisions.

8.11 Transfer of Sick Leave - Accumulated sick leave may be transferred with an employee from other agencies of West Virginia state government to a Board institution. Certification of the balance which existed in the losing state agency must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within three years from the last day of employment with the other state agency.

8.12 Employment Termination - Sick leave provisions are contingent upon continued employment. When the services of an employee have terminated, all sick leave credited to the employee shall be considered ended as of the last working day with the institution, and no reimbursement shall be provided for unused sick leave. Employees who resign in good standing and are later reemployed may have their accumulated sick leave reinstated.

8.13 Sick Leave Records - Each institution shall maintain a sick leave record on each employee for computation, audit, and research purposes. Faculty will report illnesses that cause absence from classes as early as possible. A written report of sick and leave days taken will be kept by each faculty member and reported monthly through appropriate campus channels.

8.14 Emergency Leave - Special emergency leave with pay may be granted by the President of the institution to those regularly employed in the event of extreme misfortune to the employee or the immediate family, provided annual leave is not available. The leave should be the minimum necessary, and in no case may it exceed five days within any fiscal year. Typical events which may qualify an employee for such leave are fire, flood, or other events (other than personal illness or injury, or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

8.15 Maximum Charge Against Sick Leave - The maximum charge against sick leave will be 260 work days per confinement, at which time disability retirement should be considered.

SECTION IX. WITNESS AND JURY LEAVE

9.01 Application for Leave - Upon the application in writing, a permanent, probationary, provisional, or temporary employee of the Board of Regents may be granted leave as indicated hereinafter in this section. Annual leave will not be charged under the provisions of this section.

9.02 Subpoena - When, in obedience to a subpoena or direction by proper authority, an employee appears as a witness for the Federal Government, the State of West Virginia, or a political subdivision thereof, the employee shall be entitled to leave with pay for such duty and for such period of required absence.

9.03 Court Attendance - When attendance in a court is in connection with an employee's usual official duties, time required in going and returning shall not be considered as absence from duty.

9.04 Jury Service - When an employee serves upon a jury, or is subpoenaed in litigation, the employee shall be entitled to leave with pay for such duty and for such period of required absence.

SPECIAL NOTE: This section of the policy is effective as of enactment on February 3, 1976.

SECTION X. LEAVE RECORDS TO BE MAINTAINED BY EACH INSTITUTION

10.01 A complete leave record and file shall be maintained by each college and university for each employee. This

This record shall disclose at all times accrued leave, as well as leave that has been used. The leave record and file for persons employed prior to February 1, 1974, shall include the signed statement of the employee, giving notice of the leave policy elected by the individual.

Adopted: West Virginia Board of Regents, January 15, 1974; Revised: February 3, 1976; July 8, 1981; November 3, 1981 to be effective January 1, 1982; July 13, 1982 to be effective August 1, 1982; July 10, 1984; October 3, 1984; March 12, 1985.

Classification of Staff and 12-month Faculty with respect to Board of Regents Leave Policy (Policy Bulletin No. 35) is on file in the Office of Personnel. Any questions concerning leave policy should be directed to the Office of Personnel.

REVISED POLICY BULLETIN NO. 36

(Replaces Policy Bulletin No. 36, dated March 12, 1974; latest amendment June 11, 1985)

June 11, 1985, effective August 10, 1985

POLICY REGARDING ACADEMIC FREEDOM, FACULTY APPOINTMENTS, AND APPEAL PROCEDURES

RESOLVED, That the West Virginia Board of Regents hereby revises its "Policy Regarding Academic Freedom and Responsibility, Appointment, Promotion, Tenure and Nonreappointment or Dismissal of Faculty; and Grievance Procedure for Other Matters Relating to Faculty," dated March 5, 1981, for faculty in the state system of higher education. All academic appointments made after the effective date hereof shall be in conformity with this policy statement.

1. Academic Freedom

Academic freedom at West Virginia state colleges and universities is necessary to enable the colleges and universities to perform their societal obligation as established by the Legislature. The West Virginia Board of Regents recognizes that the vigilant protection of constitutional freedoms is nowhere more vital than in the colleges and universities under its jurisdiction. Faculty members and students must always remain free to inquire, study, and evaluate.

Through the exercise of academic freedom, members of the academic community freely study, discuss, investigate, teach, conduct research, and publish, depending upon their particular role at the institution. To all of those members of the academic community who enjoy academic freedom, there are, commensurate with such freedom, certain responsibilities. All faculty members shall be entitled to full freedom in research and in the publication of the results of such research, subject to the adequate performance of their other academic duties, which may include designated research, extension service, and other professional duties. Further, each faculty member is entitled to freedom in the classroom in discussing the subject taught. In addition, when faculty members speak or write as citizens outside the college or university, they shall be free from institutional censorship or discipline.

The concept of academic freedom is accompanied by an equally important concept of academic responsibility. The faculty member at a West Virginia State college or university is a citizen, a member of a learned profession, and a representative of an educational institution. As such, a faculty member, together with all other members of the academic community, has the responsibility for protecting, defending, and promoting individual academic freedom for all members of the community. The faculty member is responsible also as a teacher for striving to speak with accuracy and with respect for the similar rights and responsibilities of others. In speaking only as an individual or for a limited group, the faculty member should not imply or claim to be a spokesperson for the institution in which he or she holds an appointment.

2. Appointment of Faculty:

a. The faculty at any institution under the jurisdiction of the Board of Regents shall be those appointees of the institution's President as reported to the Board of Regents. The faculty are those people so designated by the institution's President and may include, but are not limited to, such professional personnel as librarians and those involved in off-campus academic activities.

b. Faculty fall into one of the three following classifications:

(1) Tenured: Those faculty members who have attained the tenure status by official action of the Board or President and have been reported to the Board.

(2) Probationary: Those faculty members who have been appointed by the President on a full-time basis and have been designated by the President as being in a tenure track position.

(3) Temporary: Those faculty members who have not been appointed in a probationary or tenured status. Their appointment may be full-time or part-time.

c. Faculty appointed to tenured or probationary positions at any institution shall be appointed in one of the following ranks:

(1) Professor

(2) Associate Professor

(3) Assistant Professor

(4) Instructor

Additional ranks are permitted at West Virginia University through use of the title prefix designation "extension" as applicable to describe the connection or function; such additional ranks are excluded from and in addition to those ranks covered by the provisions of West Virginia Code 18-22-2.

Other appropriate titles which more accurately indicate the nature of the position may be used upon the recommendation of the President of an institution, subject to approval by the Board of Regents.

d. Persons assigned full-time or part-time to administrative or staff duties at any institution may (if qualified) be appointed to, or may retain, one of the foregoing faculty ranks in addition to any administrative or staff title. Such person will be informed in writing at the time of the appointment whether the faculty rank is as a tenured member, probationary member, or temporary member of the faculty. Administrative or staff

personnel who are not appointed to a faculty position are not faculty and therefore are not entitled to the protections provided by this Policy Bulletin.

- e. Other faculty hold temporary appointments which may be part-time or full-time and are not subject to consideration for tenure, regardless of the number, nature, or time accumulated in such appointments. Temporary appointees shall have one of the following titles:

- (1) Any of the faculty ranks, but designated visiting, research, clinical, extension or adjunct, as applicable to describe the connection or function;
- (2) Temporary lecturer;
- (3) Assistant, designated as graduate, research, clinical, or adjunct, as applicable to describe the connection or function.

Temporary full-time faculty appointments may be used only if one or more of the following conditions prevail:

- (1) The position is funded by a grant, contract, or other source that is not a part of the regular and on-going source of operational funding.
- (2) The appointment is for the temporary replacement of an individual on sabbatical or other leave of absence.
- (3) The appointment is for the purpose of filling an essential teaching post immediately, pending a permanent appointment through a regular search and screening process.
- (4) The appointee is beyond retirement age, according to current Board of Regents' policy.
- (5) The position is temporary to meet transient instructional needs, to maintain sufficient instructional flexibility in order to respond to changing demand for courses taught, or to meet other institutional needs. The appointee is so notified at the time of the appointment. Such appointments outside probationary status may not exceed three years.
- (6) The appointee is granted a primary appointment as an administrator or to perform other noninstructional duties, with a secondary appointment that is instructional in character. Any faculty rank or teaching would be considered temporary, renewable on an annual basis. The appointee must be notified in writing of the status of any faculty rank.

- f. The President of an institution shall make all tenured, probationary, and temporary faculty appointments at the institution after consultation with appropriate faculty and other collegiate units, and report those actions to the Board of Regents.

- g. Every faculty appointment at any institution shall be for one fiscal year, or part thereof, in accordance with and in compliance with the annual budget of the Board of Regents, or supplementary actions thereto, as provided by law.

- h. Every such appointment shall be in writing, and a copy of the appointing document shall be furnished to the person appointed. Such document shall contain the terms and conditions of the appointment.

3. Faculty – Types and Conditions of Appointment:

- a. Full-time appointments to the faculty of an institution, other than those classified as temporary, shall be either tenured or probationary.
- b. All temporary appointments, as defined in Section 2 (b and e) shall be neither tenured nor probationary, but shall be appointments only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment.

- c. The appointment of a person to a full-time position at an institution is made subject to the following conditions:

- (1) The appointee shall render full-time service to the institution to which appointed. Outside activities shall not be restricted unless such activities or employment interfere with the adequate performance of academic duties. The administration of each institution shall establish a program of periodic review of outside services of appointees to guide faculty members.

- (2) If outside employment or service interferes with the performance of the regular institutional duties of the appointee, the institution has a right to make such adjustments in the compensation paid to such appointee as are warranted by the appointee's services lost to the institution, and by the appointee's use of institutional equipment and materials.

- d. If the status of a faculty member changes from temporary to probationary, the time spent at the institution may, at the discretion of the President, be counted as part of the probationary period.

4. Joint Appointments:

- a. Faculty members may be appointed to perform academic duties at two or more institutions, which duties may include teaching, research, counseling, or other services. For administrative purposes, one institution shall be designated the faculty member's "home institution," which institution shall be responsible for granting promotions, raises in salary, and tenure, provided, however, that when cause therefore shall occur, appropriate counseling, disciplinary action, and the like shall be the responsibility of the institution where the occurrence arose.

- b. The conditions and the details of the faculty member's joint appointment, including the designation of the "home institution" and any other arrangements, shall be specified in the agreement between the faculty member and the presidents of the institutions sharing the faculty member's services. A joint appointment will be made only with the consent of the faculty member.

- c. Full-time faculty members appointed under joint

or contractual appointments shall continue to be considered full-time employees of the "home institution."

5. Promotion in Rank:

a. Within the following framework, each President shall establish, in cooperation with the faculty or duly elected representatives of the faculty, guidelines and criteria for promotion in rank:

- (1) There shall be demonstrated evidence that promotion is based upon a wide range of criteria, established by the institution in conformance with this document and appropriate to the mission of the institution. Examples appropriate to some colleges might be: excellence in teaching; accessibility to students; professional and scholarly activities and recognition; significant service to the college community; experience in higher education and at the institution; possession of the doctorate, special competence, or the highest earned degree appropriate to the teaching field; publications and research; potential for continued professional growth; and service to the people of the State of West Virginia. Ultimate authority regarding the application of guidelines and criteria relating to promotion shall rest with the institution.
- (2) There shall be demonstrated evidence that, in the process of making evaluations for promotions, there is participation of persons from several different groups, such as: peers from within and without the particular unit of the institution, supervisory administrative personnel such as the department/division chairperson and the dean, and students.
- (3) There shall be no practice of granting promotion routinely or because of length of service, or of denying promotion capriciously.
- (4) The institution shall provide copies of its general guidelines and criteria for promotion to the Board of Regents and shall make available such guidelines and criteria to its faculty.

b. Promotion shall not be granted automatically but shall result from action by the President of the institution following consultation with the appropriate academic units.

6. Faculty Resignations:

A faculty member desiring to terminate an existing appointment during or at the end of the academic year, or to decline reappointment, shall give notice in writing at the earliest opportunity. Professional ethics should dictate due consideration of the institution's need to have a full complement of faculty throughout the academic year.

7. Tenure:

a. Tenure is designed to ensure academic freedom and to provide professional stability for the experienced faculty member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as regular evaluation by peer and administrative personnel, is essential to the

viability of the tenure system. Tenure should never be permitted to mask irresponsibility, mediocrity, or deliberate refusal to meet academic requirements or professional responsibilities. Tenure applies to those faculty members who qualify for it and is a means of making the teaching and research profession attractive to persons of ability. There shall be demonstrated evidence that tenure is based upon a wide range of criteria, such as: excellence in teaching; accessibility to students; professional and scholarly activity and recognition; significant service to the college community; experience in higher education and at the institution; possession of the doctorate, special competence, or the highest earned degree appropriate to the teaching field; publications and research; potential for continued professional growth; and service to the people of the State of West Virginia. Ultimate authority regarding the application of guidelines and criteria relating to tenure shall rest with the institution.

b. In making tenure decisions, careful consideration shall be given to the tenure profile of the institution, projected enrollment patterns, staffing needs of the institution, current and projected mission of each department/division, specific academic competence of the faculty member, and preservation of opportunities for infusion of new talent. The institution, while not maintaining "tenure quotas," shall be mindful of the dangers of losing internal flexibility and institutional accountability to the citizens of the State as the result of an overly tenured faculty. Tenure may be granted only to people in positions funded by monies under the Board of Regents' control.

c. Tenure shall not be granted automatically, or for years of service, but shall result from action by the president of the institution following consultation with appropriate academic units.

d. Tenure may be granted at the time of appointment by the President. In the case of probationary appointees, tenure may be attained only by faculty who hold rank of Assistant Professor or above.

8. Probationary Status:

a. When a full-time faculty member is appointed on other than a temporary or tenured basis in any of the institutions of higher education under the jurisdiction of the Board of Regents, the appointment shall be probationary.

b. During the probationary period, the terms and conditions of every reappointment shall be stated in writing, with a copy of the agreement furnished the individual concerned within fifteen days following receipt of the Board of Regents' budgetary allocations and guidelines.

c. The maximum period of probation shall not exceed seven years. Before completing the sixth year of a probationary appointment, any nontenured faculty member shall be given written notice of tenure, or offered a one-year written terminal contract of employment. During the probationary period, faculty members may be granted tenured appointment before the sixth year of service, such appointment to be based upon criteria established by the institution and copies provided to the Board of Regents.

d. During the probationary period, contracts shall

be issued on a year-to-year basis, and appointments may be terminated at the end of the contract year. During said probationary period, notices of nonreappointment may be issued for any reason that is not arbitrary, capricious, or without factual basis. Any documented information relating to the decision for nonretention or dismissal shall be provided promptly to the faculty member upon request.

e. After the decision regarding retention has been made by a President, he or she shall notify the probationer of the decision as soon as practicable. In cases of nonretention of faculty who began service at the start of the fall term, formal notification shall be given:

- (1) Not later than March 1 of the first academic year of service;
- (2) Not later than December 15 of the second academic year of service;
- (3) At least one year before the expiration of an appointment after two or more years of service in the institution.

Faculty appointed at times other than the beginning of the academic year may elect to have those periods of appointment, equal to or greater than half an academic year, considered as a full year for tenure purposes only. Probationary appointments for less than half an academic year may not be considered time in probationary status. Failure to provide timely notice of nonretention to probationary faculty would lead to renewal of appointment for an additional year, but not prejudice further continuation after that additional year.

f. Following receipt of the notice of nonretention, the faculty member may appeal such nonretention decision by requesting a statement of reasons and then requesting a hearing before the institutional hearing committee, as provided in Section 13. The request for a statement of reasons shall be in writing and mailed to the President within ten days of receipt of the notice of nonretention, and the President, within ten days after receiving that request, by certified mail, return receipt requested, shall provide the faculty member with a statement of reasons for nonretention, which statement is only for purposes of informing the faculty member of reasons for nonretention prior to the institutional hearing (and therefore is not a statement of reasons referred to in Code 18-26-8c). Upon receipt of this preliminary statement of reasons, the faculty member may request a hearing before the institutional hearing committee in accordance with Section 13, and the hearing shall be conducted as provided therein.

g. Following receipt of the summary, findings, and recommendation of the institutional hearing committee in accordance with Section 13, the President shall issue a decision either setting aside or affirming the earlier issued notice of nonretention. If the nonretention is affirmed, upon request of the faculty member in accordance with Code 18-26-8c, he shall inform the faculty member with a formal statement of the reasons for nonretention issued in accordance with Code 18-26-8c, and the faculty member in accordance with Code 18-26-8c may appeal such decision by requesting a

hearing from the Board of Regents within ten days after receiving the statement of reasons. If the faculty member, following the institutional hearing, fails to request a statement of reasons in accordance with Code 18-26-8c from the President, the notice of nonretention shall be final.

9. Faculty Evaluation:

- a. All faculty, except tenured faculty, shall receive a yearly written evaluation of performance directly related to responsibilities as defined by the institution.
- b. Tenured faculty shall be similarly evaluated at least every third year.
- c. Evaluation procedures shall be developed at the institutional level, and a copy sent to the Board of Regents and filed in the Central Office.

10. Dismissal:

- a. Causes for Dismissal: The dismissal of a faculty member shall be effected only pursuant to the procedures provided in these policies and only for one or more of the following causes:
 - (1) Demonstrated incompetence or dishonesty in the performance of professional duties;
 - (2) Personal conduct which substantially impairs the individual's fulfillment of institutional responsibilities;
 - (3) Insubordination by refusal to abide by legitimate reasonable directions of administrators or of the Board of Regents;
 - (4) Physical or mental disability making the faculty member unable, within a reasonable degree of medical certainty and by reasonably determined medical opinion, to perform assigned duties;
 - (5) Substantial and manifest neglect of duty.
- b. Notice of Dismissal for Cause: The President of the institution shall institute proceedings by giving the faculty member a written dismissal notice by registered or certified mail, return receipt requested, which dismissal notice shall contain:
 - (1) Full and complete statements of the charge or charges relied upon;
 - (2) A description of the appeal process available to the faculty member; and
 - (3) A statement that the faculty member has the right to elect to have the hearing conducted either by an institutional hearing committee or a hearing examiner of the Board of Regents.
- c. Answer and Service: Within 30 days from the date of receipt of dismissal notice, the faculty member may file a written answer to the charges. The period for filing the answer may be extended by the President for good cause. The answer shall also contain a request for an institutional hearing committee, as provided in Section 13 of this policy, or a hearing examiner, as provided in Section 14 of this policy. If the faculty member fails to file a timely answer, the notice of dismissal shall be final.

11. Termination Due to Reduction or Discontinuance of an Existing Program:

- a. A faculty member's appointment may be terminated because of the reduction or discontinuance of an existing program at the institution as a result of program review, in accordance with

appropriate Policy Bulletins relating to review of academic programs, provided no other program or position requiring equivalent competency exists. If, within two years following the reduction or discontinuance of a program, a position becomes vacant for which the faculty member is qualified, the President shall make every effort to extend first refusal to the faculty member so terminated.

- b. Institutional policy for accommodating major reduction in or discontinuance of an existing program shall be developed through a collaborative assessment by representatives of administration and faculty and shall be reported to the Board of Regents prior to implementation.
 - c. Notice of Nonretention Due to Program Reduction or Discontinuance: The President of the institution shall institute proceedings by giving a faculty member written notice of such nonretention by certified mail, return receipt requested.
 - d. Answer and Service: Within 30 days from the date of receipt of the nonretention notice, the terminated faculty member may file an appeal with the President which shall be heard by the institutional Hearing Committee, in accordance with Section 13.
 - e. The dates of formal notification for tenured and probationary faculty shall be those specified in Section 8(e).
12. Termination Due to Financial Exigency:
- a. Termination of Employment Due to Financial Exigency: A faculty member's appointment may be terminated because of a financial exigency, as defined and determined by the Board of Regents. Institutional plans for meeting a financial exigency shall be developed through a collaborative assessment by representatives of administration and faculty and shall be reviewed by the Board of Regents prior to implementation.
 - b. Notice of Termination Due to Financial Exigency: The President of the institution shall institute proceedings by giving the faculty member written notice of termination by certified mail, return receipt requested, which notice shall contain:
 - (1) A delineation of the rationale used by the Board of Regents for the determination of a financial exigency;
 - (2) A copy of the implementation procedures used by the institution related to the financial exigency and a delineation of the rationale used for the termination of the faculty member; and
 - (3) A description of the appeal process available to the faculty member.
 - c. Answer and Service: Within ten days from the date of receipt of the termination notice, the faculty member may file a written appeal to the Board of Regents, in accordance with Section 14.
 - d. To the extent financially feasible, the dates of formal notification for tenured and probationary faculty shall be those specified in Section 8(e).
13. Hearings:
- In order to assure a fair and impartial hearing, a dismissed (under Section 10) or terminated (under Section 11) faculty member, or a faculty member desiring to appeal a decision of the President on nonretention

(Section 8) or promotion (Section 5) shall receive a written notice of the hearing process as hereinafter provided and may avail himself or herself of the following hearing procedure:

- a. Institutional Hearing Committee: Each year the faculty of each institution shall elect 13 tenured or probationary faculty members, representative of the various ranks in the institution, who shall be known as the Hearing Panel. Up to 30 may be elected to serve on the panel in the cases of West Virginia University and Marshall University. Terms may be for one or more years. In the event of a vacancy for any cause, the faculty shall fill the vacancy. If the request is for a hearing before the institutional Hearing Committee:
 - (1) The President shall, within fifteen (15) days of receipt of the request, furnish the faculty member in writing a list of nine of the faculty members of the Hearing Panel as herein set forth, with instructions to strike four names and return the list to the President within fifteen (15) days. If for any reason the faculty member fails to strike, the President shall, within fifteen (15) days, strike a sufficient number to reduce the members to five (5) who shall constitute the institutional Hearing Committee.
 - (2) The President shall promptly notify the five (5) members in writing that they have been selected to constitute an institutional Hearing Committee and that they are responsible for selecting one of their membership to be chairperson, and shall designate a time and place for their meeting to make such selection and to set a date for hearing the charge or appeal.
 - (3) The chairperson shall give notice by certified mail to the concerned persons of the time and place for hearing the charge or appeal, within thirty (30) days of the date of notice thereof.
- b. The hearing shall be conducted as follows:
 - (1) The Hearing Committee will hear such proof of facts as may be deemed proper and reasonable and make such investigation and enter such recommendations as the facts justify and the circumstances may require. The faculty member shall have the opportunity to submit evidence relevant to the issues raised in the notice.
 - (2) The hearing will be conducted with as little delay as possible.
 - (3) The faculty member shall have the right to have an advisor or legal counsel at the faculty member's expense.
 - (4) Witnesses will be examined under oath in the manner and form and in the order designated by the Committee.
 - (5) Formal court rules of evidence shall not apply in such hearings. Technical forms and allegations in pleadings are not required to be observed and amendments, supplements, or supplemental statements may be made and filed at the discretion of the institutional Hearing Committee.
 - (6) Testimony shall be recorded.

(7) Audio tape of the testimony, together with copies of the exhibits, shall be furnished to the faculty member, at no charge, upon his or her request. If the tape is transcribed at the request of the faculty member, the cost will be equally shared by the faculty member and the institution.

(8) As soon as practical after the hearing, the Hearing Committee shall deliver to the President a summary of the hearing and the findings and recommendations of the Committee and shall provide a copy of the summary, findings, and recommendations to the faculty member. The President shall, within 30 days after receiving the record and recommendation, issue a decision in writing to the faculty member by certified mail, return receipt requested, and such decision shall be final, unless the faculty member institutes an appeal to the Board of Regents under the procedures set forth in Section 14.

14. Appeal to the Board of Regents:

- a. An appeal from any final decision of the President of an institution regarding dismissal, nonretention, or denial of tenure which has the effect of nonretention may be taken by the faculty member following exhaustion of the institutional hearing procedures provided above, in accordance with West Virginia Code 18-26-8c. A faculty member who wishes to appeal a final notice of nonretention must first request a statement of reasons of nonretention within ten days of receiving such notice. The President must provide the statement of reasons by certified mail within ten days of receipt of such request. The faculty member must file an appeal in writing with the Board of Regents within ten days after receiving the statement of reasons from the President. This appeal shall be designated a Petition of Appeal and shall contain a statement of reasons why the final decision of the President is erroneous or incorrect, together with any appropriate records and any statements of fact or law.
- b. Such appeal shall be *de novo*, and a record of such appeal shall be made as prescribed herein.
- c. Time is of the essence in filing the appeal, and in the event the appeal is not filed within the required time period, the decision of the President shall be final.
- d. The Chancellor shall notify the Board of Regents of the appeal of the faculty member, and within five days after receipt of the petition of appeal of the faculty member, the Chancellor shall mail to the faculty member a strike list of the names of hearing examiners who have been selected pursuant to procedures adopted by the Board of Regents, and all of whom shall be duly qualified and licensed attorneys. The faculty member, within five days of receipt of the list of names, shall strike therefrom half of the names and return the strike list to the Chancellor, who shall appoint one of the remaining persons as the hearing examiner.
- e. The hearing examiner shall determine the date, time, and location at the employing institution

for the hearing to be held, and shall give notice thereof, by certified mail, return receipt requested, to the faculty member, the Chancellor, and the President of the institution. The hearing must be held within 30 days of receipt of the faculty member's petition of appeal, and the hearing may be continued for reasonable grounds from time to time until completed. It is the sole duty and responsibility of the hearing examiner to determine whether the reasons given for nonretention are arbitrary, capricious, or without factual basis.

- f. The faculty member shall be accorded substantive and procedural due process, including the right to produce evidence and witnesses and to cross-examine witnesses, and the right to legal counsel or other representation at his or her expense.
- g. Testimony shall be recorded on audio tapes, which, together with copies of the exhibits, shall be furnished to the faculty member, at no charge, upon his or her request. If the tape is transcribed at the request of the faculty member, the cost will be equally shared by the faculty member and the institution.
- h. The hearing examiner shall reduce to writing his or her findings, conclusions, and recommendations and shall set forth whether the reasons regarding dismissal, nonretention, or denial of tenure which has the effect of nonretention were arbitrary or capricious or without a factual basis. A copy of the recommendation of the hearing examiner shall be mailed to all persons to whom the notice of hearing was sent within 30 days after the conclusion of the hearing.
- i. If a faculty member desires to appeal the recommendation of the hearing examiner, the faculty member must file an appeal with the Board of Regents within ten days after receipt of the recommendation of the hearing examiner. The appeal filed with the Board of Regents shall be taken as an appeal on the written record submitted from the hearing held before the hearing examiner. The Board, based upon such record, may take such action as it deems reasonable and proper in all circumstances and in answer to all of its responsibilities according to law.
- j. The Board of Regents shall submit its decision in writing to the faculty member and the President of the institution within 30 days of receipt of the report of the hearing examiner. If the faculty member appeals the recommendation of the examiner, this period is extended to 60 days.
- k. In the case of an appeal from a final decision of nonretention by a probationary faculty member, if the reasons for nonretention are judged to be arbitrary or capricious or without factual basis, the faculty member shall be retained for the ensuing contract year. Such an appointment will not prejudice further continuation after that year.

15. Faculty Grievance Procedure for Matters not Otherwise Addressed in This Policy Bulletin:
Each college and university shall provide through institutional-level procedures, faculty grievance recourse for all appropriate matters not otherwise addressed in this Policy Bulletin. Said recourse shall be a

systematic method whereby individual faculty grievances can be reasonably presented and reviewed, and action taken related thereto. The institutional procedures shall normally consist of at least three levels or steps of consideration, commencing at the department or division level and concluding with the President. Grievance actions capable of being resolved by administrative action shall be resolved at the earliest possible stage.

- a. Level one: The faculty member will first seek a resolution of the grievance through informal discussion with his or her academic department or division head.
- b. Level two: If not satisfied with the resolution at the first level, the faculty member shall reduce the grievance to writing and forward it, within 15 days, to the next reporting level, normally a division head or dean, with a copy to the level one administrator. Within 15 days, the level one administrator shall submit a written report concerning the disposition of the grievance at level one to the level two administrator. The level two administrator shall render the decision within 15 days of receipt of the report from the level one administrator.
- c. Level three: If not satisfied with the resolution at level two, the faculty member should forward to the President a copy of the grievance, along with the level two administrator's response and supporting documents. In reaching a decision, the President may hold a meeting of concerned parties and/or may refer the issue to an appropriate committee for its recommendation. The President shall notify the grievant of the decision within 15 days of receipt of the recommendation of the committee, or of the receipt of the level three appeal, whichever is longer.
- d. If there is substantial evidence that the grievance is the result of action taken solely by the President, and that the President therefore cannot remain disinterested or objective in the final resolution of the issue, evidence of injury is provided, and a remedy is feasible, a faculty member may so state in a petition to the Chancellor that the issue should be heard by a hearing examiner. A decision will be made by the Appeals Committee of the Board as to whether or not a hearing examiner should be appointed in such a grievance, and that decision of whether or not to appoint an examiner will be final.

Adopted: West Virginia Board of Regents
March 12, 1974
Revised June 11, 1974; May 8, 1979;
March 5, 1981; January 11, 1983;
December 14, 1984; June 11, 1985
Effective: August 10, 1985

APPENDIX A

NOTIFICATION OF TERMS AND CONDITIONS OF FACULTY APPOINTMENTS

Institutions have a large measure of flexibility in determining the form and style whereby faculty are notified each year of the terms of their appointment. When an initial appointment is made, however, or when the conditions of the

appointment change, it is crucial that the faculty member be fully informed of the terms and conditions of employment. While a formal contract may not be necessary each year, the institution may choose one of several means of notifying faculty about their appointments: a personal letter, a formal contract, or a combination of a letter with a standard contract attached.

Each letter or contract which sets forth the terms and conditions of a faculty appointment should make special note that the appointment is subject to the provisions of Board of Regents' Policy Bulletin No. 36 and the availability of state funds. In addition, it is suggested that the letter or contract state the following:

1. That the appointment (to the specified position) is offered in accordance with the provisions of the current Board of Regents' Policy Bulletin No. 36, and (if appropriate) of the institution's faculty handbook or other publication.
2. Whether the appointment is tenured (a continuing appointment), probationary (a year-to-year appointment is a tenure track for a specified period), or temporary (an appointment for the period and purposes specified, with no other interest or right obtaining by virtue of the appointment).
3. Whether the rank (in case of a tenured or probationary appointment) is Professor, Associate Professor, Assistant Professor, or Instructor.
4. Whether the title (in the case of a temporary appointment) is Lecturer, Assistant, or other specified designation.
5. Whether the appointment is full-time or part-time.
6. That it is a terminal contract (whenever appropriate).
7. That it is a joint appointment with another institution (whenever appropriate), with the home institution specified.
8. What the beginning and ending dates of the appointment are.
9. What the total salary for the appointment will be, as well as the number of installments in which the salary will be paid.
10. That, consistent with the provisions of Board of Regents' Policy Bulletin No. 36, employment is subject to the fulfillment of the responsibilities of the position during the life of the appointment.
11. That the specific assignments of the position will be determined by the President or a designated representative (normally, a dean or department head).
12. That any special conditions which are included in the appointment are made a part of the contract only if they are signed by the faculty member and the President of the institution.
13. That acceptance of the appointment will be specified by the faculty member's signing, dating, and returning a copy of the letter or contract to the Office of the President within a reasonable time, which should be specified.

Renewal letters, or letters that simply inform the faculty member of a change in salary, need not contain all of the information listed above, but it is appropriate to refer to the earlier letter or contract. Always foremost should be a recognition of the obligation of both parties to communicate with each other, in a timely fashion, about the terms and conditions of employment.

Approved: West Virginia Board of
Regents
March 8, 1983

APPENDIX B

REGARDING MAJOR REDUCTION IN PROGRAMS GUIDANCE FOR INSTITUTIONAL POLICY (SECTION 11)

Program Reduction or Elimination

The following provides guidance to institutions as they develop policy concerning consultation on program changes, protection of individual faculty rights when programs are discontinued or substantially reduced in size, and efforts to foster faculty mobility among institutions when desirable. This statement expands on the processes and protections specified in Board of Regents' Policy Bulletin No. 36, or actions on programs that may stem from Policy Bulletin No. 11, and Administrative Bulletin No. 23. It is intended to assist institutions to comply with Policy Bulletin No. 36, Section 11.b.

All colleges and universities, especially those which are tax-supported, exist to serve the higher educational needs of one or more identifiable potential student populations in the State. Any given college or university's primary response to these educational needs is expressed through its array of academic degree programs. This program array is designed to meet what, in the best judgment of the institution, are the current and future higher educational needs of these potential student populations. Just as the educational needs of these potential student populations evolve with the passage of time, so too should the program arrays which purport to address these needs. New programs gradually are created to meet emerging educational needs, and these new programs take the place of those for which student markets gradually fade away. It is this latter concern, program reduction or elimination, to which the following statements are addressed.

Consultation and the Decision Process

A proposal for major reduction in or termination of a degree program may follow Administrative Bulletin No. 23 or Policy Bulletin No. 11 processes. Careful adherence to these procedures is of special importance when a proposed program termination affects the prospects for continued employment of probationary or tenured faculty. It is especially important that the affected faculty participate in evaluation of the long-term consequences of a proposal to terminate a program, and the procedures provide for analysis and comment both by the faculty at large, through the appropriate governance body (perhaps a faculty Senate), and by the faculties of the unit directly affected. The President is expected to keep such bodies informed of the status of such proposals and progress on actions that are planned, approved, or completed.

It is the President's responsibility to ensure that the affected faculty and the appropriate faculty governance body have an opportunity to review, discuss, and make recommendations concerning termination of, or major reductions in, or consolidation, merger or proposed interinstitutional consortia for a degree program. This advisory role, however, cannot serve to improperly delay action which may itself be a disservice to the affected faculty, students, and staff, and perhaps to the entire academic community. It is recommended that all parties provide any advice to the President of the institution within 90 days following receipt of a proposal prepared in accordance with the provisions of Administrative Bulletin No. 23 or resulting from review of a program through Policy Bulletin No. 11. The responsibility to make a recommenda-

tion to the Board of Regents rests solely with the President of the institution. Such a recommendation should include an explicit statement of those protections that will be provided to affected faculty, students, and staff. The President has an obligation to consider such advice in good faith, but cannot escape the duty of accepting responsibility for the recommended action.

Protection of Faculty Appointments

Board of Regents Policy Bulletin No. 36 provides explicit protections to members of the faculty. Terms and conditions of appointment and rights to due process and appeal are specified in this document.

The following additional practices should be made elements of the principles and practices of all institutions as they develop policy:

1. In the case of major reductions in or termination of programs, each probationary faculty member shall be permitted to complete the period of appointment in accordance with the terms of his or her contract, including the period of notice that is specified in Policy Bulletin No. 36.
2. Each faculty member who has been given notice of termination at the end of the contract period will be allowed early release at the end of any term or session from his or her contract upon request, even though the contract may extend beyond that time.
3. Each faculty member who is given notice of termination at the end of the contract period under these conditions shall be given a personal letter from the institution that expressly states that termination does not imply a negative judgment about the person's individual performance, but is due to a program change.
4. The institution shall assist the faculty member, to the extent possible, in the sending of letters of explanation and professional resumes to other institutions to assist in his or her effort to find suitable placement elsewhere.
5. Tenured faculty shall be given at least one year of notice of termination of employment following Board of Regents action to approve termination of a program or the date of the final institutional action for major reduction in a program.

Preferred Consideration

When possible, institutions should assist displaced faculty members when their services are no longer required, due to elimination or major reductions in the size of a program.

Every effort should be made to reassign an individual to instructional or noninstructional duties commensurate with the faculty member's training and experience, and offers of release time or leave of absence should be made to enable such persons to acquire capabilities in areas in which their services would be required by the institution. Faculty development programs and funds should be used to facilitate such reassignments.

An individual faculty member is an employee of only one institution. The several institutions, however, are components of a system of higher education and therefore are mutually dependent upon the health and viability of each other. If faculty members are to be released because of a major reduction in or elimination of a program, those persons should be given the courtesy of preferred consideration for vacancies at other institutions in the system. While it is not intended to diminish the principle that an institution selects its own faculty, each institution should be expected to assist the faculty of all other institutions to the extent possible

whenever programmatic or budgetary changes or changing demands preclude continuation of competent faculty.

To ensure that preferred consideration may be extended, announcements of vacancies at any institution should be communicated to the chief academic officers or appropriate deans (or, other appropriate persons) of the other institutions. All announcements of vacant faculty, administrative, and staff positions should also be sent to the Director of Personnel Administration at the Board of Regents' Central Office, who will devise a means to communicate with appropriate parties at the institutions to facilitate the mobility of faculty and staff among institutions.

When interest in a position is expressed by faculty whose programs are to be reduced or eliminated, and when all relevant considerations are deemed essentially equal by the hiring institution, that institution is encouraged to make an offer of employment, first, to those faculty members who have been informed of termination or reduction of their program and, second, to those who seek to relocate within the system. The terms and conditions of offers will be determined by the employing institution.

Faculty Obligations and Responsibilities

Each member of the faculty has an obligation to foster the viability, adequacy, and necessity for his or her program. The financial stability of a program, recruitment of an adequate concentration of students, and enhancement of the quality of a program is dependent in large part on the faculty themselves. The common burden of quality instruction, program development, and viability must be nurtured and responsibility shared by all.

A faculty member is also responsible for remaining current and valuable to his or her institution. Each is encouraged to explore opportunities for further developing his or her range of skills to become more versatile and acquire skills in demand by the institution. Through individual initiative and faculty development programs, individuals are encouraged to grow in competency in their own disciplines and consider training in related fields. Faculty so prepared are less likely to be negatively affected when programs change, disciplines evolve, and new professions or fields of study emerge.

Faculty also are expected to participate in consultation regarding decision making concerning programs, and in program review processes as professionals, in good faith, and as members of an academic community, eschewing self-serving behavior that is not in the best interest of the institution or consistent with the best practices of higher education. Integrity, objectivity, and service to the purposes and missions of the institution are expected.

Approved: West Virginia Board of
Regents
November 13, 1984

POLICY BULLETIN NO. 37

May 1, 1974

POLICY REGARDING TERMINATION OF STATE COMMITTEE ON RESIDENCY AND REFERRAL OF RESIDENCY APPEALS TO BOARD COMMITTEE ON APPEALS

WHEREAS, Policy Bulletin No. 34 titled "Policy Regarding Classification of Residents and Nonresidents for Admis-

sion and Fee Purposes rescinded Revised Policy Bulletin No. 3, February 8, 1973, relating to the same subject matter and

WHEREAS, Said Policy Bulletin No. 34 provides an appeal to the Board of Regents on the issue of residency shall be in accord with "such procedures as may be prescribed from time to time by the Board;" and

WHEREAS, it is the opinion of the Board of Regents that all issues brought before it on appeal should be handled in a uniform manner;

NOW THEREFORE BE IT RESOLVED, That Policy Bulletin No. 12 adopted by the Board of Regents August 15, 1971, providing appeals to the Regents from a determination on the issue of residency should be reviewed by a State Committee on Residency, is rescinded and nullified effective July 1, 1974; and

BE IT FURTHER RESOLVED, That an appeal from the final decision of the president of any college or university to the Board of Regents on the issue of residency shall be referred to the Board of Regents' Committee on Appeals.

Adopted: West Virginia Board of Regents
May 1, 1974

POLICY BULLETIN NO. 38

May 1, 1974

POLICY REGARDING REDESIGNATION OF BOARD OF REGENTS' UNDERGRADUATE SCHOLARSHIPS

RESOLVED, That effective July 1, 1974 all undergraduate scholarships awarded by a State institution of higher education under provisions of Section 18-24-2 of the Code of West Virginia shall be designated by the name of the institution (example: XYZ State College Undergraduate Scholarship). In addition to the institutional designation, supplemental descriptive wording in the scholarship title may be included as the institution deems appropriate.

Adopted: West Virginia Board of Regents
May 1, 1974

POLICY BULLETIN NO. 39

June 11, 1974; repealed February 3, 1976

POLICY REGARDING WITNESS AND JURY LEAVE

See Policy Bulletin Number 35, revised February 3, 1976; July 8, 1981; November 3, 1981; July 13, 1982; July 10, 1984; October 3, 1984; March 12, 1985.

POLICY BULLETIN NO. 40

Replaced by Policy Bulletin No. 59, September 13, 1983.

POLICY BULLETIN NO. 41

February 20, 1979

(Replaces Policy Bulletin No. 41 dated May 6, 1975)

POLICY REGARDING THE APPROVAL OF INDEPENDENT PROPRIETARY INSTITUTIONS TO AWARD DEGREES

(Replaced by Policy Bulletin No. 15, dated December 1, 1982)

POLICY BULLETIN NO. 42

May 6, 1975; Amended July 8, 1975

POLICY REGARDING ALCOHOLIC BEVERAGES ON THE CAMPUSES OF PUBLIC COLLEGES AND UNIVERSITIES

BE IT RESOLVED, That the possession or use of alcoholic beverages is prohibited on or in property or facilities (including student housing) of the public colleges and universities except as hereafter provided:

- a. As allowed under the Policy of the Board of Regents adopted September 17, 1971, and published in Policy Bulletin No. 14 regarding the sale of nonintoxicating beer; and
- b. In dwellings located thereon and occupied as a family residence.

Adopted: West Virginia Board of Regents
July 8, 1975

POLICY BULLETIN NO. 43

July 21, 1975; rescinded October 7, 1975

POLICY REGARDING PERFORMANCE OF ABORTIONS AT THE WEST VIRGINIA UNIVERSITY MEDICAL CENTER HOSPITAL

POLICY BULLETIN NO. 44

(Replaces Policy Bulletin No. 44 dated May 4, 1976, revised July 13, 1982)

June 11, 1985

POLICY REGARDING STANDARDS AND PROCEDURES FOR UNDERGRADUATE INSTITUTIONAL ADMISSIONS POLICIES

SECTION I. GENERAL

- 1.01 Scope - Policy regarding standards and procedures for undergraduate institutional admissions policies.
- 1.02 Authority - W. Va. Code 18-26-8
- 1.03 Filing Date - June 11, 1985
- 1.04 Effective Date - August 10, 1985
- 1.05 Repeal of Former Rule - Revises and Replaces Policy Bulletin No. 44 dated July 13, 1982. To be implemented August 11, 1985.

SECTION II. STATEMENT OF PRINCIPLES

It is the intent of the Board of Regents that West Virginia residents shall have access to higher educational opportunities commensurate with their interests and abilities. Working toward this end, the Board continues to encourage the development of academic programs and flexible time-space options which allow citizens throughout West Virginia to develop to the fullest their capabilities for work and fulfillment of life. It is further the intent of the Board that admissions policies at the State-supported institutions of higher education should foster the attainment of these broad goals of access to the highest extent possible within the limits of available educational programs and resources.

In recognition of the diverse educational programs offered by the different public colleges and universities and the

varying kinds of preparation necessary for successful entry into them, the Board of Regents considers it more appropriate to establish basic statewide guidelines and standards than to provide detailed provisions related to admissions criteria and procedures. Accordingly, the Board has identified certain basic policies and provisions around which specific institutional admissions policies and practices are to be developed.

SECTION III. BASIC ADMISSIONS STANDARDS

As a means of ensuring a reasonable chance of success in the educational programs for which students seek admission and of making the most productive use of Federal, State and community resources, institutional admissions policies shall incorporate the following basic standards:

3.01 Community Colleges, Community College Components at Four-Year Institutions, and Branch Campuses of Two-Year and Four-Year Institutions - Regular admission to community colleges, community college components at four-year institutions, and branch campuses of two- and four-year institutions is open to any person who has a high school diploma or meets General Education Development (GED) requirements.

Other persons may be admitted on a conditional basis but shall be evaluated at the conclusion of each semester of enrollment to determine whether college-level academic performance indicates an ability to continue their studies. Neither regular nor conditional admission shall ensure the entry of applicants into specific programs.

3.02 State Colleges and Universities - Students who meet general education development (GED) requirements or have a high school diploma and an overall grade point average of at least 2.0 or a composite score of at least 14 on the ACT may be admitted on a regular admission basis to State colleges and universities.

Conditional admission may be granted in instances where GPA or ACT standards are not met and institutional officials have evidence that the student has the potential to successfully complete college-level work. In addition to GPA and ACT requirements, not later than the fall of 1990, students must successfully complete the following minimum high school unit requirements prior to admission:

Units	Required Units
Years	
4	English (including courses in grammar, composition, literature)
3	Social Studies (including U.S. History)
2	Mathematics (Algebra I and higher)
2	Laboratory Science (from Biology, Chemistry, Physics and other courses with a strong laboratory science orientation)
	Strongly Recommended Units
2	Foreign Language
	Elective Units
Remaining Units	It is recommended that the remaining elective units be chosen from such subjects as computer science, fine arts, humanities, and typing.

Institutions are authorized to employ the following exemptions to the above unit requirements:

- a. All four-year public colleges and universities have the discretionary authority to waive the college preparatory curricular requirements for regular admission for not more than five percent (5%) of freshmen students who graduated from high school within five years of the date of enrollment (five percent based upon enrollment of

first-time freshmen entering the institution in the fall term of the previous year).

- b. Applicants for admission who have been out of high school for more than five years or who meet institutionally established GED requirements may be exempted from the specified high school curricular requirements at the discretion of the individual institution.

The academic performance of students admitted under one of the above exceptions or on a conditional basis must be evaluated at the conclusion of each semester. To continue, such students must be in good academic standing according to institutional standards as stated in the institutional catalog for regularly admitted students. Neither regular nor conditional admission shall ensure the entry of applicants into specific programs.

3.03 Transfer Students - Students seeking transfer admission to a State college or university must be eligible to return to the institution from which they wish to transfer. Students seeking transfer admission or readmission to a community college, community college component, or branch campus must meet the institution's basic admission standards. Students attending community colleges, community college components, or branch campuses who are seeking to transfer into a four-year program must meet the regular institutional criteria for transfer admission.

Students under disciplinary sanction at a West Virginia public college or university at the time of the application for transfer admission are also subject to provisions of Board of Regents' Policy Bulletin No. 57.

3.04 Non-degree Students - An institution may admit students on a nondegree basis. By definition, such students are not seeking and/or not eligible to pursue a certificate or degree at the institution.

It should be noted that the basic standards contained in this section are based upon current levels of funding. Should financial resources be limited, it may be necessary to establish additional standards and/or accept only those qualified students applying by a specified date.

SECTION IV. INSTITUTIONAL ADMISSIONS PROCEDURES

4.01 High School Transcripts - Official high school transcripts shall be submitted by all degree-seeking freshmen students prior to the initial semester of enrollment.

4.02 ACT Scores - Students desiring to enroll on a degree-seeking basis at the State colleges or universities who do not meet GED requirements or have a high school diploma and an overall grade point average of at least 2.0 must submit ACT scores prior to admission.

Degree-seeking State college or university students who do meet the GED requirements or high school grade point average and students admitted on a degree-seeking basis to the community colleges, community college components of the four-year institutions, and branch campuses must submit ACT scores prior to their second semester of enrollment.

All students who have graduated from high school or completed GED requirements more than five years prior to seeking admission to a community college or four-year college or university and branch campuses of the same may have the requirement for ACT scores waived at the discretion of the institution.

4.03 College Transcripts - Transfer students must supply the institution with official transcripts reflecting all previous college work prior to admission.

4.04 Other Academic Records - In addition to the above,

colleges and universities may use, but shall not be limited to the use of, the following information in determining admission to institutions and/or institutional programs:

- a. Records of traditional academic performance relative to the specific educational program to which the student seeks entry.
- b. Records of nontraditional learning experiences.
- c. Standardized examinations relative to the requirements of the program to which the student seeks entry.
- d. College equivalency examinations such as the College Level Examination Program (CLEP) and the Proficiency Examination Program (PEP). Also, special preparatory programs such as the Advanced Placement Program of the College Entrance Examination Board Program.
- e. Recommendations and reports of interviews.

4.05 Health Records - Health records may be required after admission into the institution.

SECTION V. INSTITUTIONAL ADMISSIONS POLICIES

5.01 Content - Institutional admissions policies shall be comprehensive and stated in specific terms and shall include the general admissions requirements of the institution, as well as additional requirements for entry into specific programs.

5.02 Residency Considerations - While it is not the policy of the Board to exclude nonresidents from State institutions or their programs, preference shall be given to qualified West Virginia residents (as defined by Board Policy Bulletin No. 34) in cases where enrollments must be limited.

5.03 Submission to Board of Regents - All institutional admissions policies shall be submitted to the Board for evaluation in terms of their compatibility with stated Board of Regents' policies, institutional goals, and available educational programs and resources. Any amendments to admission policies shall be submitted to the Board prior to their actual implementation at the institutional level.

All institutional admissions policies shall be consistent with existing Board of Regents' policies and applicable State and Federal regulations regarding nondiscrimination.

Subject to Board of Regents' approval, institutions may establish admission standards more rigorous than those established by this policy for basic admission to the institution and/or for admission into specific programs.

SECTION VI. IMPLEMENTATION DATE

The successful completion of high school unit requirements and related exemptions outlined in Section III shall be effective no later than the fall of 1990. The effective date of all other provisions of this policy will be 60 days after the date of filing with the West Virginia Secretary of State's office.

Adopted: West Virginia Board of Regents
May 4, 1976
Revised: July 13, 1982; June 11, 1985

POLICY BULLETIN NO. 45

June 8, 1976

POLICY REGARDING WEST VIRGINIA BOARD OF REGENTS EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

General Policy:

Based upon Board authority (outlined in the West Virginia Code Chapter 18, Article 26) to hire personnel, purchase materials, make studies and reports, enter into contracts and carry out other functions, it shall be the general policy of the West Virginia Board of Regents to provide equal opportunity for all qualified persons and to prohibit discrimination in employment because of race, sex, age, color, religion, national origin or handicap.

Allocation of Specific Functions and Responsibilities to Each Board Institution:

Under the Board's additional authority to allocate specified functions and responsibilities among the State colleges and universities, each Board institution shall accept primary and long-term responsibility for the development and implementation of equal opportunity-affirmative action policies consistent with all Board, State and Federal regulations.

Responsibility for the Development and Implementation of Equal Opportunity - Affirmative Action Plans:

Each Board institution and the Chancellor's office shall take the initiative in developing or modifying its own plans to achieve compliance based on a (proposed) model plan developed and updated in the Office of the Chancellor. The president of each institution shall, through appropriate means, establish and maintain a positive program of equal opportunity and affirmative action within his/her jurisdiction in accordance with specific laws and regulations applicable to his/her particular institution. The realistic goals and timetables of each institution shall be vigorously pursued to achieve a proportional representation of minorities and women in the faculty and nonfaculty ranks based on their availability. The effective pursuit of affirmative action requires not only the adoption of an adequate plan, but also result-oriented procedures which ensure the involvement of managers at all levels of each institution.

Duties of Equal Opportunity-Affirmative Action Advisory Council:

The Chancellor shall appoint a seven-member Equal Opportunity-Affirmative Action Advisory Council from among the colleges and universities for the purpose of providing guidance to help facilitate the achievement of Equal Opportunity-Affirmative Action compliance in each Board institution. Under the Chancellor, the Advisor Council shall be responsible for, but not necessarily limited to, the following specific duties and responsibilities:

1. Conducting periodic reviews of institutional Equal Opportunity-Affirmative Action plans and programs and providing any assistance that may be required to improve the program and realize objectives.
2. Consulting from time to time with the Chancellor, presidents of institutions and/or their assistants on equal opportunity-affirmative action matters.
3. Reviewing copies of equal opportunity reports of all institutions (EEO-6 and others) submitted to Federal agencies responsible for enforcement of laws and regulations and providing consultation to institutions where indicated or requested.
4. Helping assure that current information affecting equal opportunity-affirmative action is disseminated to institutions.

5. Conducting other advisory assignments as directed by the Chancellor.

Adopted: West Virginia Board of Regents
June 8, 1976

POLICY BULLETIN NO. 46

October 5, 1976

POLICY FOR INTERINSTITUTIONAL COOPERATION AND SHARING BETWEEN PUBLIC AND PRIVATE HIGHER EDUCATION IN WEST VIRGINIA

The West Virginia Board of Regents and the governing boards of several West Virginia private colleges adopt the following policy as a general framework for development of cooperative endeavors between public and private institutions of higher education in West Virginia.

By mutual agreement, the following policy for interinstitutional cooperation and sharing is approved as applicable to all colleges and universities under control of the West Virginia Board of Regents and to the private institutions of the higher education community represented by the Advisory Council of Private College Presidents, an official advisory council established and functioning within the Board of Regents' comprehensive system of advisory councils and committees, whose governing boards subscribe to the policy.

General Policy Statement

In undertaking positive steps to encourage cooperative planning between the public and private sectors of higher education, the Board of Regents and the governing boards of the several private institutions represented by the Advisory Council of Private College presidents recognize that the principle of appropriate and mutually supportive interinstitutional cooperation and sharing within the higher learning community of West Virginia can be beneficial to the State and all of its institutions of higher education. Technological developments, student mobility, escalating construction costs, increasing operating expenses and many other factors attest to the desirability for the closest possible cooperation between the public and private higher education communities. Interinstitutional cooperation and sharing relationships between public and private institutions in many instances should contribute to greater efficiency and productivity in programs and resources utilization.

This policy does not imply or suggest any commitment to specific cooperative detailed arrangements.

Scope of Present and Future Opportunities for Cooperative Enterprises

Some forms of interinstitutional cooperation and sharing between the public and private higher learning institutions have already been implemented while others are in the various stages of consideration and development. To prepare a listing of all enterprises which offer possibilities for partnership arrangement would be impractical; however, some of the areas which are now emerging as possible applications for cooperative association include:

1. Contractual arrangements for special academic programs, courses and services where appropriate and practical.
2. Sharing information and expertise in the technology of managing scarce resources, e.g., institutional research, operating budgets and financial management, and computer systems and operations.

3. Sharing information and expertise in the complex areas of institutional management and administration including, e.g., research grants and contracts, energy conservation, affirmative action, and safety and health regulations.

4. Creation of learning resource networks including libraries, television, laboratories, and other specialized facilities.

5. Fostering faculty development programs leading to, if appropriate, joint appointments for selected faculty and mutual sharing of other specialized personnel resources.

6. Generating a more positive public image for higher education in West Virginia among the business community, legislators, potential supporters, students, and the general public.

7. Developing understanding of and appreciation for "general education" within the total education enterprise.

Other innovative and creative forms of interinstitutional cooperation and sharing not included in the foregoing, may also be in the exploratory states of conceptualization and development at the various institutions. These and other possible applications provide the basis by which the scope of future opportunities for cooperative arrangement can be substantially increased and greater overall effectiveness achieved.

Implementation Policies and Procedures

Except in special cases of a statewide or broad regional nature, responsibility for the initiation of necessary arrangements and administrative requirements for interinstitutional cooperation and sharing programs and agreements is primarily at the institutional level.

Requests for approval of all formalized arrangements, programs and agreements between public and private institutions relative to interinstitutional cooperation and sharing shall be submitted to the West Virginia Board of Regents through the Chancellor for its action, and, if not within delegated presidential authority, to the appropriate private college board(s) of governance.

For purposes of expediting the fullest possible communications for purposes of coordination and cooperation among the total administrative leadership of higher education in West Virginia, there is hereby established a liaison committee comprised of seven individuals of which three shall be members of and appointed by the Advisory Council of Private College Presidents, three shall be members of and appointed by the Advisory Council of Public College and University Presidents and one shall be the Chancellor of the West Virginia Board of Regents who shall serve ex officio as chairman. This committee shall meet periodically and report its proceedings to the two parent Advisory Councils.

Adopted: West Virginia Board of Regents
October 5, 1976

POLICY BULLETIN NO. 47

September 14, 1976

TAX-FREE ALCOHOL PERMITS

RESOLVED, That the president or his designate of each institution of the West Virginia system of higher education (or part of the Board of Regents) is authorized to execute, on behalf of the West Virginia Board of Regents, all applications, notices, bonds and reports, as well as other instruments,

letters, writings and papers, to bind the board as to all agreements made in dealings with the Internal Revenue Service pertaining to tax-free alcohol permits, all of which shall be in accordance with Internal Revenue laws and regulations.

Adopted: West Virginia Board of Regents
September 14, 1976

POLICY BULLETIN NO. 48

January 4, 1977

RIGHTS AND RESPONSIBILITIES OF TELEVISION TEACHING

This statement of principles is to be used to guide the development of television instruction at each institution of the West Virginia System of Higher Education. The policy is intended to protect the rights of individual faculty members and the rights of institutions.

A television instructor, as defined by this policy, includes those faculty members involved in the actual production of a television course of instruction.

Responsibility for Televised Courses

The faculty of a department or other instructional unit shall determine the extent to which television should be used and has the primary responsibility of the academic content and conduct of any televised course of instruction taught by a member of that instructional unit.

Television teachers shall have the usual faculty prerogatives and responsibilities concerning the content and structure of courses assigned to them.

Instructional units utilizing televised instruction shall arrange to provide members of faculty and staff assigned to televised instruction sufficient released time, staff assistance, class meeting adjustment, and control of specific subject matter content to assure high quality instruction.

Ownership of Materials

Each college or university has a substantial investment in any televised course. State Law requires the institution to maintain ownership of materials, discoveries, and programs produced in instructional facilities and by institutional personnel.

Recorded programs and teaching materials, prepared by television teachers as a part of their regular institutional duties, are the property of the institution. On the other hand, television teachers have ownership rights to original notes, library and artistic efforts in common with other personnel who contributed. Where the programming is to be reused on a free-loan or cost-only basis, within or without the institution, the instructor shall be given reasonable notice of not less than 60 days that such use is contemplated. The instructor shall have the right to review and suggest revision or to refuse release. If, in the opinion of the department of instruction, the revision or refusal is unreasonable or revision is impractical or unnecessary, the department may arrange for such reuse, provided proper recognition of the instructor's disclaimer of responsibility be given.

Where the programming is to be reused on a profit or income-producing basis beyond institutional facilities or responsibilities, similar arrangements concerning instructor notice, review, and revision shall be followed. In addition, the instructor shall be paid a reasonable royalty, either in addition to his regular salary, if still employed, or by direct payment if he has left employment.

Written Agreement

There shall be a written agreement between the on-campus teacher and the institution made before going into production. The special written agreement should specify clearly the rights and responsibilities of the teacher in areas covered by this policy statement.

Certain key production personnel may share in ownership rights which should be adjusted, agreed to and reduced to writing by the parties prior to commencing production.

Adopted: West Virginia Board of Regents
January 4, 1977

POLICY BULLETIN NO. 49

Replaces Policy Bulletin No. 49 dated February 8, 1977

June 7, 1983

POLICY REGARDING THE AWARDING OF UNDERGRADUATE AND GRADUATE FEE WAIVERS

The West Virginia Board of Regents, in accordance with the provisions of Chapter 18, Article 24, Sections 2 and 3 of the West Virginia Code, as amended, adopts the following policy and procedures for awarding of fee waivers by public colleges and universities located in West Virginia.

The president of each institution shall ensure that appropriate members of the campus community evaluate on a regular basis the impact of fee waiver selection criteria and awarding practices in relation to broad institutional goals and directions, other student aid resources available, needs and characteristics of students being served, etc. Each college and university shall develop and maintain awarding policies and procedures which comply with the Board provisions outlined in this policy and which are compatible with institutional goals and the needs of students.

UNDERGRADUATE FEE WAIVERS

1. The term "undergraduate fee waiver" refers to all tuition and fee waivers authorized by Chapter 18, Article 24, Section 2 of the West Virginia Code. These awards shall be identified by using the name of the institution offering the award (e.g. _____ College Undergraduate Scholarship or _____ College Undergraduate Fee Waiver).
2. The maximum number of authorized undergraduate fee waivers at the institution shall be equal to five percent of the full-time equivalent undergraduate enrollment of the institution for the fall term of the preceding academic year.
3. Pursuant to the statute, no student may hold an undergraduate fee waiver for more than eight semesters. Twelve or more semester hours attempted during a regular semester or a summer term shall be considered as one semester for fee waiver purposes.
4. Awards made under this program shall provide only for the waiver of tuition, registration fee, and higher education resources fee and faculty improvement fee.
5. Waiver recommendations shall be submitted by each public college and university in accordance with the following general provisions. The Chancellor's office shall distribute appropriate instructions concerning the details of these reports.
 - a. All institutions will submit reports to the Board

on November 15, March 15 and June 15 of each year. While the November 15 report will list waiver recommendations for the year, March and June reports must deal only with revisions to the initial report.

- b. Each award recipient should be listed and a permanent hometown address provided. Both new and renewal recipients must be included.
 - c. Each waiver recipient should be listed within the single category which reflects the primary reason that a fee waiver was awarded.
6. Each institution shall give priority consideration in the awarding of undergraduate fee waivers to students who are West Virginia residents. Institutions should also provide a reasonable opportunity for their employees to utilize these awards.
 7. In view of the substantial alternative student aid resources available for students with demonstrated financial need and the shortage of merit scholarships available at the public institutions, it is recognized that colleges and universities may choose to award a substantial portion of their tuition and fee waivers to students who possess various kinds of special abilities and aptitudes. However, in instances where there are more financially needy applicants than can be assisted through the available need-based student aid programs, the institution shall give priority consideration in the awarding of fee waivers to students with demonstrated financial need.

GRADUATE AND PROFESSIONAL FEE WAIVERS

1. The term "graduate and professional fee waiver" refers to all tuition and fee waivers authorized by Chapter 18, Article 24, Section 3 of the West Virginia Code. These awards shall be designated at the institution level with the name of the institution offering the award (e.g. _____ University Graduate Fee Waiver or _____ University Graduate Scholarship).
2. The maximum number of fee waivers shall be determined in the following manner:
 - a. The maximum number of authorized graduate and professional fee waivers at institutions other than West Virginia University shall be equal to five percent of the number of full-time equivalent graduate and professional students registered during the corresponding fall semester, spring semester and summer term of the immediately preceding academic year.
 - b. The maximum number of authorized graduate and professional fee waivers at West Virginia University shall be equal to ten percent of the full-time equivalent graduate and professional students registered during the corresponding fall semester, spring semester and summer term of the immediately preceding academic year.
 - c. All graduate assistants employed by West Virginia public colleges and universities shall be granted fee waivers. This is in addition to the above referenced ten percent at West Virginia University and five percent at other institutions.
3. Pursuant to the statute, no student may hold a graduate or professional fee waiver for a period of time that exceeds the number of semesters normally required in the recipient's academic discipline.
4. Awards made under the graduate and professional fee waiver program shall provide only for the waiver of

tuition, registration fee, higher education resources fee and the faculty improvement fee.

5. Waiver recommendations shall be submitted by each public college and university in accordance with the following general provisions. The Chancellor's office shall distribute appropriate instructions concerning the details of these reports.

a. Each institution will submit reports to the Board as follows:

- (1) A report covering first semester awards will be due November 15.
- (2) A report covering second semester awards will be due March 15.
- (3) A report covering summer (both sessions) awards will be due August 1.

Each of these reports will be considered as a separate report and even though a student may be awarded for all three terms, that student must be listed on all three reports.

b. Each award recipient should be listed and a permanent hometown address provided.

6. Each institution shall give priority consideration in the awarding of graduate and professional fee waivers to students who are West Virginia residents. Institutions shall also give priority consideration in the awarding of graduate fee waivers to faculty and staff members of West Virginia public and private colleges and universities who make application in accordance with the institution's announced application procedures and deadlines.

Adopted: West Virginia Board of Regents
February 8, 1977
Revised: June 7, 1983. To be effective on
June 10, 1983

POLICY BULLETIN NO. 50

(Replaces Policy Bulletin No. 50 dated June 7, 1977)

September 11, 1979

ASSIGNMENT OF ACADEMIC CREDIT AND FINANCING NONCREDIT INSTRUCTION

All courses and classes offered for academic credit must be acceptable toward a degree or certificate program(s) as approved by the West Virginia Board of Regents, and/or the institutionally-adopted general education program(s) as set forth in the college or university catalog(s).

Two exceptions may be made to this general policy:

- (1) Those courses offered for remedial purposes in the basic academic skills areas (foundation programs)
- (2) Certain specialized courses designed to meet the continuing education needs of public and private school personnel.

Courses and classes not qualifying for academic credit may be assigned CEU value in accordance with the standards set forth in West Virginia Board of Regents' Policy Bulletin No. 32.

Except as may be specifically so allocated or approved by the West Virginia Board of Regents, no State-appropriated funds may be utilized for the direct and identifiable costs of noncredit courses and classes. It is expected that course and class fees and/or contract or gift funds will cover all identifiable direct cost of noncredit courses or classes.

Adopted: West Virginia Board of Regents
September 11, 1979

POLICY BULLETIN NO. 51

September 12, 1978

POLICY REGARDING FULL-TIME EMPLOYEE DEFINITION

To be classified as a full-time employee of the West Virginia Board of Regents, an individual must meet as a minimum the following conditions to employment as determined by the institutional president or head of other administrative unit directly under the Board:

1. Employment is in a specific position as delineated on a current and approved (by the Board of Regents' Central Office) State Expenditure Schedule(s) as contrasted to casual or part-time help.
2. Except for faculty, employment is for some specific number of hours on a regularized basis over at least nine months of the twelve-month fiscal year.
3. Except for faculty, employment must be for a minimum total of 1,040 hours during the course of a fiscal year.
4. Employment for faculty is on a full academic year (at least a nine-month) contract basis for at least six semester credit hours teaching per semester or the equivalent in teaching, research, public service and/or administrative responsibilities.

Adopted: West Virginia Board of Regents
September 12, 1978

POLICY BULLETIN NO. 52

July 10, 1984

(Replaces Policy Bulletin No. 52 of March 2, 1982)

CLASSIFIED EMPLOYEE GRIEVANCE PROCEDURE

The purpose of this policy is to assist the employee and employer in arriving at a satisfactory resolution to differences involving work related matters. The emphasis of discussion should be positive and reflect good communication between the two parties, resulting in a fair and effective resolution to the grievance. For the purpose of this policy, the definition of work week is the total work schedule of the aggrieved employee. Work release time will be granted to the grievant, committee member, and to those employees who are called as witnesses to attend hearings on a particular grievance.

An employee with a complaint should discuss, or attempt to discuss the problem with his/her immediate supervisor in an attempt to resolve the matter informally. This informal attempt at problem solving should take place within five work days after the disagreement or incident occurs and or the employee becomes aware of the incident. In the event an employee and his/her immediate supervisor are unable to resolve the problem, then step one may be initiated.

Step One - The grievant shall present in writing his/her grievance to the immediate supervisor, summarizing the relevant points from the initial discussion and requesting and receiving any letters or documents needed from the grievant's file. The grievant should state his/her written grievance to his/her immediate supervisor within five work days of their original discussion.

The immediate supervisor must respond in writing within five work days upon receipt of the grievant's written statement. The immediate supervisor's response shall explain in detail the reasons for or policies used in reaching his/her decision on the matter.

Step Two - If the grievant does not feel the grievance has been answered satisfactorily in step one, he/she may proceed to step two. The grievant shall present his/her grievance in writing to the person occupying the position one level above his/her immediate supervisor or the appropriate dean or director. The grievant must do this within five work days following the completion of step one. The person to whom the grievance is submitted must respond in writing to the grievant within five work days.

If the person occupying the position one level above the immediate supervisor is the President of the institution, the grievant should skip step two and proceed directly to step three.

Step Three - This is the final step in the grievance procedure. If the grievant does not feel the grievance has been answered satisfactorily in step two, he/she may proceed to this level. In step three, the employee must decide to have his/her grievance heard in one of the following manners and notify the personnel director.

- (a) The institution's president or his/her designee.
- (b) A three person committee, one selected by the grievant, one selected by the person against whom the grievance was filed and the third person selected by the two panel members previously chosen. If they cannot agree, the third person shall be selected by the institution president and becomes the committee chairperson.
- (c) A panel of three employees appointed by the institution president. (No more than one member of this panel can be from the grievant's grade classification).

The grievant must initiate step three within ten work days after receiving a response in step two. The final hearing, in step three, must be convened within thirty work days of the grievant's submission of final appeal. The hearing shall be recorded on tape. A transcript shall be prepared **upon request** at the expense of the requesting party.

Following the appeal hearing, a written recommendation with all support documents, will be sent to the president within ten work days. The President will render a written decision within 10 work days from the receipt of this recommendation. A copy of the decision will be sent to both parties involved in the grievance.

Additional Procedures and Definitions

1. The Personnel Director (unless he/she is an involved party) or his/her designee will be assigned the duties of providing coordination for the grievance procedures when a grievance is filed, to include providing for tape recording.

2. Periods of time indicated, within which an answer must be given do not commence until the first work day following the initiation of the previous step.

3. If time requirements are not met by the grievant or the employer, the decision will be made against the party failing to meet the prescribed deadlines. Extensions of time limits at each step may be granted if both parties concur in writing prior to the expiration of the established time limit or if either party has a verifiable sickness, accident, or scheduled absence from campus.

4. An aggrieved employee may have another employee assist him/her in the grievance procedure. The assisting employee cannot be an attorney.

5. Grievance issues must be those that are work related matters.

6. The aggrieved employee should stipulate in his/her initial appeal what redress is sought.

7. The relief sought must be within the capability of the institution to grant.

8. In any instance where legal counsel contacts personnel involved at any step in the grievance procedure that person should be referred immediately to the personnel director or the president's designee. This counsel should be referred to the Assistant Attorney General assigned to the Board of Regents.

9. The first step supervisor and the second step administrator may have another employee assist him/her in the procedure. The assisting employee cannot be an attorney.

10. No reprisals of any kind shall be taken by the Board of Regents, institution or administration, or any supervisor against any party in interest, any representative, or any participant in the grievance procedure by reason of such participation. This will include anyone in the grievance procedure who may participate either as a witness or member of the hearing panel.

11. For the purpose of this policy, the definition of work day is the usual work day schedule of the grievant.

12. Work release time for the purpose of this policy is paid time that is not charged to sick leave, annual leave, and is not required to be made up or added into overtime calculations.

Revised: West Virginia Board of Regents
July 10, 1984

POLICY BULLETIN NO. 53

January 8, 1980

POLICY REGARDING SPORTS PROGRAMS AT COMMUNITY COLLEGES

The primary vehicle for student participation in sports activities at community colleges will normally be the institutional intramural program and physical education classes. Any competitive activities beyond those provided through these programs shall be of a recreational or sports club nature. Should competition occur between public community colleges located in the State or with other institutions of higher education, activities must be conducted so as to exclude the following:

1. Tackle football
2. Intercollegiate conference affiliations
3. Scholarships awarded on the basis of athletic ability
4. State appropriations to defray operating or personnel costs
5. Addition of physical facilities constructed for the primary purpose of supporting intercollegiate sports.

Adopted: West Virginia Board of Regents
January 8, 1980

POLICY BULLETIN NO. 54

November 11, 1980

POLICY REGARDING STUDENT GRADE APPEALS

(Replaced by Policy Bulletin No. 60, dated November 13, 1984)

POLICY BULLETIN NO. 55

June 12, 1984

Revises Policy Bulletin No. 55, dated September 10, 1982

POLICIES ON USE OF INSTITUTIONAL FACILITIES

Facilities of institutions under the governance of the West Virginia Board of Regents are intended for use in the conduct of its educational programs. As such, first priority for the use of facilities will be given to the academic, administrative and student functions at each institution.

In its many aspects of service to the public, the Board of Regents also recognizes the need and permits the use of facilities which may provide benefits otherwise not available in the community. Consideration of requests from campus and off-campus groups will be guided by the following policy statements.

A. By Off-Campus Groups or Individuals (Non-State Employee)

It is the policy of the Board of Regents to permit the use of facilities by the general community in a manner which does not compete with the ongoing programs of the colleges and universities of the State. The community use of a college or university facility must have an educational or cultural purpose and must have a campus sponsor. The facilities that will be made available to non-campus groups will tend to be of a nature which is unique in the community.

Use of campus facilities by non-campus individuals or organizations will be permitted within the following guidelines:

1. Facilities and support services will be made available only to the extent that their proposed use is not in conflict with the regular programs of the institution.
2. The nature of the activities of the non-campus users shall not be potentially physically disruptive of the campus. For instance, local noise ordinances must be obeyed. While this policy may not be construed to preclude use of facilities based on political philosophy, race, religion, or creed of the sponsor, the nature of the activities to be conducted on the campus shall not be illegal under the Constitution or laws of the State of West Virginia or the United States.
3. A standard rental/lease agreement (attached) accompanied by evidence of such insurance protection as may be required to adequately protect the institution shall be executed by the campus sponsor and also be signed by a responsible officer of the non-campus organization desiring to use a campus facility.
4. All charges assessed for the use of campus facilities shall be sufficient at least to cover all identifiable costs of both a direct and indirect nature except that charges for indirect costs may be waived at the discretion of the institution for non-profit organizations and/or public bodies of the State of West Virginia, such as county school systems, etc. All charges must be reasonable, charged equally to all similar groups and be published in advance. In turn, such groups using campus facilities may charge admission, but only for the purpose of covering the direct and indirect cost of the sponsored activities. All surplus revenue derived from the conduct of an event will accrue to the benefit of the institution, except for public or non-profit groups for which this provision may be waived. An exception to the surplus revenue provision may be granted for certain programs offered during the summer months where the activity generates significant revenues to the Housing and Dining

B. By Campus Groups for Non-traditional Programs (State Employee)

accounts of the institutions.
To encourage the various colleges and universities to extend their offerings, it shall be the Board's policy to permit its facilities to be made available for use by recognized campus units to conduct educational or cultural programs, including youth camps, for which fees are charged and from which staff members may be paid beyond their regular annual salary. The following guidelines will apply for these activities:

1. Faculty and staff members who conduct non-traditional programs may be compensated on the basis of the number of attendees, hours worked, or percentage of net revenue. The conditions for such payments are that: a) extra compensation for the activity be paid from funds other than state appropriations allocated by the Board of Regents, and b) the amount of combined non-traditional and consulting activity for which additional compensation is received is consistent with institutional policy and where 12-month employees are involved, annual leave is taken. Institutional officials will be responsible for approval of employees' participation in programs covered by this policy and for maintenance of employees' records of annual leave and/or consulting time.
2. All revenues and expenditures shall be handled by the Business Office of the institution or the Business Office of the campus unit involved. All revenues from these programs shall be deposited into the appropriate State special revenue account. Charges for special services provided by the institution may be deducted from revenues; however, the institution may require that a deposit be made in advance for such services.
3. A formal agreement shall be developed and signed by an authorized representative of the group or unit responsible for the program and the president of the institution or his designee. Said agreements shall establish the responsibilities of the institution and the sponsor, including detailed financial obligations to the institution from revenues. All agreements must insure that the institution will receive reimbursement for all identifiable direct and indirect costs.
4. Programs must be sponsored by the institution. The name to be used for the program is left to the discretion of the institution.
5. All personnel receiving compensation for involvement in the programs must be paid on a regular State payroll or a standard 48 or 48-A service agreement as prescribed by the original contract agreement.
6. All publicity must indicate that checks for payment of fees are to be made payable to the institution and not to an individual or outside organization.
7. Adequate insurance must be underwritten by the sponsors of the program.

C. Selling of Articles on College or University Campuses

All solicitation and selling of products and articles upon property under the jurisdiction of the West Virginia Board of Regents is prohibited except by organizations and groups directly connected with the institutions and upon written approval of the respective president or his designee.

Adopted: West Virginia Board of Regents
September 10, 1982
Revised: June 12, 1984

RENTAL/LEASE AGREEMENT

THIS AGREEMENT, made this _____ day of _____, in the year One Thousand, Nine Hundred and _____ (19____), between _____, Lessor, and _____ Lessee.

WITNESSETH:

The facilities covered by this Agreement are described on the Facility Reservation Request Form, attached to and made a part of this Agreement.

IT IS UNDERSTOOD that the Lessee will pay the sum of _____

(\$ _____) Dollars for said use. This sum shall be paid not less than one day prior to the commencing of said event. Failure to do so shall result in cancellation of said event. All payments must be made by check, payable to _____

IT IS FURTHER UNDERSTOOD AND AGREED that as a condition of this Agreement the Lessee shall deposit with the _____, not less than one day prior to the commencing of said event, a certificate of insurance from a reputable insurance company licensed to do business in the State of West Virginia, conditioned to indemnify and save harmless the West Virginia Board of Regents, from any and all liability, claims or expenses of any kind by reason of personal and/or property injury caused by or growing out of the use of said facilities by Lessee. The required insurance policy shall have the following minimum coverages:

- (1) One Hundred Thousand Dollars and no cents (\$100,000.00) coverage for property damage.
(2) One Hundred Thousand Dollars and no cents (\$100,000.00) coverage for each personal injury with an aggregate of Five Hundred Thousand Dollars (\$500,000.00).

Said certificate of insurance meeting the above requirements shall be attached and made a part of this agreement.

The undersigned have read the Board of Regents' Policy on Use of Facilities and understand that they are made a part of the agreement between the parties.

Sponsor
Lessee
Lessor

By (Signature)
(Title)
By
By (President)

POLICY BULLETIN NO. 56

Replaced by Policy Bulletin No. 59, September 13, 1983

POLICY BULLETIN NO. 57

November 13, 1984

POLICIES, RULES, AND REGULATIONS REGARDING STUDENT RIGHTS, REPONSIBILITIES, AND CONDUCT IN WEST VIRGINIA STATE UNIVERSITIES AND COLLEGES

Revises and Replaces Policy Bulletin No. 57 dated July 13, 1982. To be implemented no later than July 1, 1985.

Section 7, dated July 13, 1982, is replaced by Policy Bulletin No. 60, dated November 13, 1984

SECTION 1. GENERAL

1.01 Authority - These policies, rules, and regulations are hereby promulgated by the West Virginia Board of Regents in accordance with, and pursuant to, Chapter 18, Article 26 of the West Virginia Code (1931), as amended.
1.02 Purpose - The purpose of these policies, rules, and

- regulations includes, but is not limited to, the following:
a. To establish a general policy on student life, including a statement on student rights and responsibilities, at the State colleges and universities.
b. To identify behavioral expectations of students and certain prohibited acts by students at the State colleges and universities.
c. To prescribe penalties and sanctions for such prohibited conduct.
d. To define generally the powers, authority, and duties to be exercised under the control of the Board of Regents, by the presidents and officials of the State colleges and universities in applying these policies, rules, and regulations.
e. To prescribe disciplinary actions and proceedings to be taken in cases of the violations of these policies, rules, and regulations.

1.03 Effective Date - These policies, rules, and regulations are effective immediately inasmuch as they cover any general or emergency situation that might arise at any State college or university, and they supersede any existing policies, rules, and regulations that are in conflict with these policies, rules, and regulations.

1.04 Filing Date - These policies, rules, and regulations were filed in the Office of the Secretary of State of West Virginia on the 7th day of August 1970.

SECTION 2. DEFINITIONS

2.01 Board of Regents - The West Virginia Board of Regents.

2.02 Institution or Institutions - Any or all of the institutions of higher education, the State colleges and universities, or any branch or division thereof, over which the Board of Regents shall have authority, responsibility, or control.

2.03 President - The chief executive officer of the institution, whatever the title, whether responsible directly to the Board of Regents or through some other officer to the Board of Regents, and shall include all those acting for or on behalf of such chief executive officer, at or by his direction, or at or by the direction of the Board of Regents.

2.04 Property - Any property, whether owned, rented, or otherwise held or used by the Board of Regents, by an institution, or by the institutional community.

2.05 Activity - All or any operations conducted, sponsored, promoted, operated, or otherwise engaged in by an institution, including, by way of illustration and not as limitation of the foregoing, classroom and course activities, recreational and cultural programs, maintenance or building programs, committee or other business activity, registration, advising, teaching, admissions, placement, disciplinary or routine office activity, research, or service.

2.06 Facility - Any and all property of an institution used or usable in any activity of an institution.

2.07 Campus - All the property and facilities of any institution serving as the locus in quo of any activity of an institution.

2.08 Faculty - Those employees of the Board of Regents who are assigned to teaching or research or service functions at an institution, and who hold academic rank.

2.09 Staff - Those employees of the Board of Regents who are assigned to teaching or research or service functions at an institution, and who are not members of the faculty.

2.10 Student - Any person who has been admitted to an institution to pursue a course of study, research, or service, who is currently engaged in an institutionally sponsored activity, and who has some right or privilege to be on the campus or in the facilities of the institution, or to use the same, in connection with study, research, or service, or who yet has some right or privilege to receive some benefit or recognition or certification from the institution, under the rules, regulations, or policies of the Board of Regents or the institution.

2.11 Member of the Institutional Community - Any officer, administrator, faculty member, staff member, employee, student of or at an institution, member of the institutional Board of Advisors, as well as any person authorized to participate in an institutional activity at the time applicable.

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 institutional community and to remain a part of it so long as the student fulfills the academic and the behavioral expectations that are set forth in the policies, rules, and regulations of the Board of Regents and the institution.

3.01 Freedom of Expression and Assembly - The student enjoys the essential freedoms of scholarship and inquiry cen-

tral to all institutions of higher education. In exercising these freedoms the student has certain rights and responsibilities, including, but not limited to, the following:

- a. To have access to campus resources and facilities.
- b. To espouse causes.
- c. To inquire, discuss, listen to, and evaluate.
- d. To listen to any person through the invitation of organizations recognized by the institution.
- e. To have a free and independent student press which adheres to the canons of responsible journalism.
- f. To not violate the rights of others in matters of expression and assembly.
- g. To abide by policies, rules, and regulations of the Board of Regents and the institution and federal, state, and local statutes and ordinances pertaining to freedom of expression and assembly.

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 meet membership qualifications. However, institutional recognition of student organizations shall be limited to those whose purposes comport with the educational mission of the institution.

3.03 Right to privacy - The student is entitled to the same safeguards of the rights and freedoms of citizenship as are afforded those outside the academic community, including, but not limited to, the following:

- a. Privileged communication on a one-to-one relationship with faculty, administrators, counselors, and other institutional functionaries.
- b. Respect for personality, including freedom from unreasonable and unauthorized searches of student living quarters.
- c. Confidentiality of academic and disciplinary records.
- d. Legitimate evaluations made from student records.

3.04 Responsibilities of Citizenship - The student is expected, as are all citizens, to respect, and abide by, local ordinances and State and Federal statutes, both on and off the campus. As a member of the educational community, the student is expected to abide by the institution's code of student conduct which clarifies those behavioral standards considered essential to its educational mission.

3.05 Disciplinary Proceedings - Disciplinary proceedings for students accused of committing offenses must be consistent with such constitutional provisions guaranteeing due process of law as are applicable to them. In all disciplinary proceedings, the student shall be considered innocent until proven guilty of any charge. Each institution shall have authority for promulgating rules and regulations, consistent with policies, rules, and regulations of the Board of Regents.

SECTION 4. STANDARDS OF CONDUCT: RULES AND REGULATIONS

4.01 Conduct Required in General - All students at the institutions are subject to, and are required to comply with, observe, and obey the following:

- a. The laws of the United States.
- b. The laws of the State of West Virginia.
- c. Local city, county, and municipal ordinances.
- d. The policies, rules, and regulations of the Board of Regents and the institution.
- e. The directions and orders of the officers, faculty, and staff of the institution who are charged with the administration of institutional affairs on campus.

4.02 Prohibited: Disorderly Conduct - Any and all students who behave in a disorderly or unlawful manner, such as the actions listed below, but not limited to those listed, in or about institutional property or facilities, are subject to institutional disciplinary action which may result in probation, suspension, or expulsion, whether or not there is prosecution for such violations in local, State, or Federal courts:

- a. Fights.
- b. Assaults or battery.
- c. Public disturbances.
- d. Unlawful assembly.
- e. The violation of any municipal, state, or federal law, or the rules and regulations of the Board of Regents or the institution.

4.03 Prohibited Conduct: Theft or Damage of Property - No student shall, individually or by joining with one or more others, misuse, steal, damage, or destroy any institutional property or facilities or the property of any member of the institutional community on or in campuses, property, or facilities of an institution. Students involved in any such prohibited actions or conduct shall be subject to institutional disciplinary action which may result in probation, suspension, or expulsion, whether or not there is prosecution for such actions or conduct in local, State, or Federal courts.

4.04 Prohibited Conduct: Disruption - No student shall, individually or by joining with one or more other persons, do any of the following:

- a. Disrupt or interfere with any institutional activity, program, meeting, or operation.
- b. Interfere with the rights of any member of the institutional community.
- c. Injure or threaten to injure, or coerce by bodily harm or restraint or threats thereof or any other means, any member of the institutional community or persons lawfully on the institution's campus, property, or facilities.
- d. Seize, hold, commandeer, or damage any property or facilities of an institution, or threaten to do so, or refuse to depart from any property or facilities of an institution upon direction, pursuant to policies, rules, and regulations of the Board of Regents or the institution, by an institutional officer, faculty or staff member, or other person authorized by the President.

Students involved in any such action or activities shall be subject to institutional disciplinary action which may result in probation, suspension, or expulsion, whether or not there is prosecution for such actions in local, state, or federal courts.

4.05 Prohibited Conduct: Hazing - No student shall, individually, or by joining with one or more other persons, engage in any act of hazing involving another member of the institutional community. The President of each college and university shall promulgate rules and regulations prohibiting hazing in any form. Such rules and regulations shall include provisions to:

- a. Prohibit any action which subjects a pledge, initiate, or member of a student organization to activities which are personally demeaning or involve a substantial risk of physical injury. This includes both organized rites of initiation and informal activities.
- b. Include the institutional hazing policy in the student handbook, or such other publications which are readily distributed to all students. The institu-

tional policy shall provide that students involved in hazing activities are subject to institutional disciplinary action which may result in the sanctions of suspension or expulsion, whether or not there is prosecution for such actions in local, state, or federal courts.

- c. Identify, through student publications and other appropriate mechanisms, the sanctions which apply to student organizations engaged in prohibited hazing activities or prohibited rites of initiation. These sanctions may include, but are not limited to: denial of the use of institutional facilities, removal of some or all social privileges, removal of institutional recognition, and a recommendation to regional or national headquarters that the organizational charter be revoked. The President of the institution shall take steps to ensure that the chief officer of each student organization is informed at least annually of the institution's hazing policy and the sanctions which may be imposed upon offending organizations.
- d. Ensure that students accused of hazing offenses where the sanctions of suspension or expulsion may result are afforded the opportunity for a disciplinary hearing, as provided in Section 6.04 of these policies, rules, and regulations.

4.06 Prohibited Conduct: Discrimination - No student shall, individually or by joining with one or more other persons, promote or demand action on their part or any other member of the institutional community that would constitute unlawful discrimination on the basis of race, sex, color, political affiliation, handicap, or age. Students involved in any such action or activities shall be subject to institutional disciplinary action which may result in probation, suspension, or expulsion, whether or not there is prosecution for such actions in local, State, or Federal courts.

SECTION 5. POWERS, AUTHORITY, AND DUTIES OF THE PRESIDENT

5.01 General Powers, Authority, and Duties of the Presidents: The chief executive officer of each institution shall be the President. The President shall be responsible for the entire administration of the institution, subject to the control of the Board of Regents. It shall be the President's duty to attend to and administer the laws of the State of West Virginia which may be applicable on the campus; the policies, rules, and regulations of the Board of Regents; and policies, rules, and regulations of the institution. Each such President is hereby vested with authority requisite to that end, subject to the control of the Board of Regents.

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 the President, subject to the control of the Board of Regents, to another person or persons on the faculty, staff, or student body of the institution.

All persons dealing in the matters so delegated by the President shall be required to deal with the persons to whom the President shall have delegated such authority, responsibility, or duty, and such persons shall be required to deal with the institution or the president through such designees, except on appeal to the President as specified by the President.

5.03 Powers, Authority, and Duties of the Presidents: Promulgation of Institutional Regulations for Student Discipline - The President of each institution shall have authority and responsibility, subject to the control of the Board of Regents, for the discipline of all students at the institution.

The President, with the advice of faculty and students and subject to the control of the Board of Regents, shall develop, promulgate, and use disciplinary regulations and channels at each institution not inconsistent with the policies, rules, and regulations of the Board of Regents.

5.04 Powers, Authority, and Duties of the Presidents: Activities on, and Use of, Institutional Property or Facilities - The use by any person of the property or facilities of the institutions shall be controlled and governed by the policies, rules, and regulations of the Board of Regents.

Regulations governing the use of such property or facilities at a particular institution shall be promulgated by the President thereof, with the advice of faculty and students, and shall conform to these policies, rules, and regulations and be subject to the control of the Board of Regents.

5.05 Powers, Authority, and Duties of the Presidents: Public Use of Institutional Property or Facilities, and Restrictions Imposed - Subject to the control of the Board of Regents, notwithstanding any rule, regulation, policy, or express or implied permission for the use of, or presence in or on, the property or facilities of any institution, any person who (a) is not a student presently registered for current classes or course work at the particular institution or is not an employee of the Board of Regents currently on duty at the institution and (b) by his/her conduct or speech or expressions, causes or, in the opinion of the President of the institution or the President's delegate of authority, may be reasonably expected to cause harm to persons, property, or facilities, or disruption of, or interference with, any activity of the institution, is no longer authorized to be in or on the property or facilities of the institution. In such instance, the President of such institution, or the President's delegate of authority, shall cause such person to be ejected from, kept off, and kept out of the property and facilities of the institution. The President or delegate of authority may take whatever legal or institutional action is necessary to effectuate this authority.

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 express or implied notwithstanding.

5.07 Powers, Authority and Duties of the Presidents: Limitations of Assembly and Student Use of Institutional 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.

5.08 Powers, Authority, and Duties of the Presidents: Limitation of Activities and Emergency Measures - When

there has been harm or damage to persons, property, or facilities, or when there has been disruption of or interference with institutional activities, or when there has been seizure or occupation of property or facilities by persons no longer authorized, then, subject to the control of the Board of Regents, when the President of an institution at which such occurrences happen or take place, deems it necessary to end or to control such occurrences and the circumstances caused thereby, that President shall take any or all of the following actions or other appropriate actions:

- a. Declare a state of emergency to exist on the campus, and:
 - (1) Close down any part of the institution for any length of time, or limit use of certain parts of the campus, property, or facilities to certain persons at certain times;
 - (2) Impose curfews on the presence of persons in or on institutional facilities or property;
 - (3) Place bans on gatherings of persons at places or times on or in the institution's property or facilities; or
 - (4) Enlist the aid of any public authority, police or otherwise, as may be necessary to restore order, protect persons, property, health, safety, or welfare.
- b. Immediately suspend any student who is found involved in prohibited action or conduct and who is (1) first advised, told, or notified that a particular action or conduct is prohibited, and who (2) 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.
- c. See to the enforcement of the laws of the State of West Virginia; the policies, rules, and regulations of the Board of Regents; and the policies, rules, and regulations of the institution, including any emergency orders imposed as a result of the state of emergency so declared.

SECTION 6. DISCIPLINARY ACTION: PROCEEDINGS

6.01 Application to Students - Any person who is a student as defined in these policies, rules, and regulations shall be subject to disciplinary action by the institution at which he/she is a student if that person is involved on the campus of that institution in any of the actions or conduct prohibited by these policies, rules, and regulations, notwithstanding the fact that at the time the student is also an employee of the Board of Regents. In taking disciplinary action against a student, as defined herein, an institution may act to remove any status of such a person or to revoke or remove any right or privilege of such person as a student, or to withhold, remove, or cancel any benefit, recognition or certification, including the conferring of a degree, which such a person might yet not have received from the institution.

6.02 Sanctions in Disciplinary Action - The following sanctions may be imposed upon students as a result of disciplinary actions by an institution:

- a. Probation - exclusion from participation in certain institutional activities, property, or facilities for a definite stated period of time, and may be conditioned upon compliance with policies, rules, and regulations, or specified required activity during the period of probation.
- b. Suspension - exclusion from all institutional activities for a definite stated period of time, and

any condition on resumption of activities, if any, also may be imposed.

- c. Expulsion - termination of all student status, including any remaining right or privilege to receive some benefit or recognition or certification, and conditions for readmission, if any, may be stated in the order.

Sanctions of lesser severity, including restitution, may be imposed in any case, at the discretion of the President of the institution.

Each institution shall identify in its student handbook, or other similar publication, the offenses for which a student who is found guilty may be subject to the sanctions of suspension or expulsion.

A sanction of suspension or expulsion imposed by a college or university under the jurisdiction of the Board of Regents shall apply to the person sanctioned not only at the institution where the sanction was imposed, but shall also be effective at all colleges and universities under the jurisdiction of the Board of Regents.

Where a sanction is scheduled for a particular semester and the time lapse during an appeal process makes enforcement in the designated semester impossible, then the sanction shall be applied to the semester in progress at the time of completion of the appeal. In the event that sanction cannot be implemented during that semester, then it shall be applied during the next regular semester, except that if the student has completed the course of study during the pendency of the appeal, the sanctions, where possible, shall be carried out retroactively to affect the grades and records of that student during the semester designated in the original sanction. In any event, the accused student may not be graduated during the process of appeal.

6.03 General Requirements for Disciplinary Channels - Rules and regulations establishing disciplinary channels at the institutions, promulgated pursuant to Sections 3.06 and 5.03 hereof, or any of these policies, rules, or regulations, shall provide, among other things, at the least for the following:

- a. There shall be a hearing board whose members shall be members of the institutional community, including student and faculty representatives, and whose number shall be at least three, and, in any event, on any panel hearing a case, shall be odd.
- b. The hearing board shall have jurisdiction of cases involving the alleged violations of Sections 4.02, 4.03, 4.04, 4.05, and 4.06 of these policies, rules, and regulations, and of cases involving students suspended pursuant to Section 5.08b. of these policies, rules, and regulations.
- c. The jurisdiction and authority of the hearing board shall be, in cases of disciplinary action against students:
 - (1) To hear evidence;
 - (2) To make findings of fact from the evidence presented;
 - (3) To make recommendations to the President of the institution, based upon such findings of fact, as to the disposition of the disciplinary action, including sanctions to be imposed, if any; and
 - (4) To refer for hearing to a lesser disciplinary channel in cases not involving potential suspension or expulsion. (In lieu of calling together the entire hearing board to decide on referrals, a referral board, including a

faculty representative and a student representative selected from the hearing board, may decide the level of hearing by establishing hearing levels for categories of disciplinary infractions or by considering individual referral cases.)

- d. The hearing board shall have such appellate jurisdiction as may be appropriate to the institution, from the determinations and recommendations of any lesser disciplinary channel.
- e. The student may then object or take exception to the recommendations of the hearing board under such procedures as the President may deem appropriate.

6.04 Procedural Standards in Disciplinary Proceedings - In any disciplinary proceedings before a hearing board established pursuant to Section 6.03 brought against a student for alleged misconduct, actions, or behavior for which sanctions of suspension or expulsion may be imposed, the following procedural standards shall be observed.

- a. Written charges of violation shall be presented to the accused student which shall include at least:
 - (1) A statement of the policy, rule, or regulation which allegedly has been violated;
 - (2) A statement of the facts and evidence to be presented in support of the charges made with sufficient clarity to reasonably disclose the time and place of the occurrence and the actions or behavior complained of;
 - (3) A statement that a hearing will be held before the hearing board on the charges, together with notice of the date, time, and place of the hearing; and
 - (4) In cases involving potential suspension or expulsion, as specified in institutional policies, the student must be informed of his/her right to have legal counsel present at the hearing (students retain attorneys in such cases at their own expense and must notify the hearing board at least forty-eight hours prior to the hearing if the attorney will be present at the proceedings).

It is expressly provided, however, that such written charges shall not be fatally defective so as to prevent the set hearing or to require further amplification if such minimum requirements are met reasonably and in good conscience at the discretion of the hearing board.

- b. Said written charges shall be served upon the student charged by one of the following means:
 - (1) Handing a copy to the student in person, if he/she can be found, with reasonable diligence in the town where the institution is located and the hearing is to take place; or
 - (2) Mailing, via certified mail, a copy to the student at the residence used while in attendance at the institution, as last noted on his/her official records at the institution; or
 - (3) If the student is not presently registered at the institution, or in any event, by mailing, via certified mail, a copy to his/her last known permanent or home residence as disclosed by official records at the institution.

It is expressly provided, however, that such

service of charges and notice of hearing shall not be defective if the student shall have hidden, refused mail, or shall have failed to notify the institution of his/her current address while attending the institution or of the current permanent home address, and the hearing may proceed without hindrance or delay.

c. A hearing shall be held at the date, time, and place specified (unless postponed by the hearing board for good cause shown) and shall provide the student at least five days notice from the serving of the charges (unless such notice is waived by the student). The hearing shall be conducted in such a manner as to do substantial justice and shall include at least the following:

- (1) The accused student has the right to have an advisor. Such an advisor may be a parent or guardian, a student at the institution, or a member of the faculty or staff of the institution. An advisor may consult with the accused student, but may not speak on behalf of the student or otherwise participate directly in the proceedings, unless given specific permission to do so by the hearing board. In cases involving the potential for suspension or expulsion, legal counsel may be present as specified in Section 6.04a. (4) of this policy. Legal counsel may serve in an advisory capacity to the accused student in such cases. However, legal counsel may not speak on behalf of the student or otherwise participate directly in the proceedings. The college or university may request legal counsel through the Office of the Chancellor. Counsel retained by the institution may participate only in an advisory capacity and may not speak on behalf of the institution or otherwise participate directly in the proceedings.
- (2) All material evidence may be presented subject to the right of cross-examination of the witnesses.
- (3) There shall be a complete and accurate record of the hearing. In the case of an appeal, a written transcript may be required.
- (4) In any event, the accused student shall be entitled to be present throughout the presentation of evidence, testimony of witnesses, and arguments of parties; to know the identity of and content of testimony of the witnesses against him and have them present at the hearing at appropriate times; and to present witnesses and any evidence on his behalf as may be relevant and material to the case.

d. No recommendation for the imposition of sanctions may be based solely upon the failure of the accused student to answer charges or to appear at the hearing. In such a case, the evidence in support of the charges shall be presented and considered. And, in any event, all findings of fact and recommendations shall be based solely upon the evidence in the case as a whole.

e. After the hearing, the hearing board shall make findings of fact and recommendations for the disposition of the case and sanctions to be imposed, if any, and forward the same to the President

of the institution. Within ten working days following receipt of the hearing board recommendations, the President shall review the facts of the case and take such action as may be appropriate under all the circumstances. Except in cases which involve the sanction of expulsion, as defined in Section 6.02 of these policies, rules, and regulations, the decision of the President shall be final.

6.05 Review by the Board of Regents - The Board of Regents may, from time to time, require from the presidents, or any of them, reports on disciplinary actions or proceedings over a period of time or as to any specific case or cases. Such reports shall be in such form as the Board of Regents may require.

In disciplinary cases where the institutional sanction is expulsion, the Board of Regents may, pursuant to such procedures as it may specify, grant an appeal from the disciplinary action of any President on the record of the case submitted and on leave of the Board of Regents first obtained. A student desiring to appeal the sanction of expulsion must, within three working days, indicate to the President in writing an intent to appeal the decision to the Board of Regents. A written petition of appeal must be filed with the Chancellor of the Board of Regents within fifteen days of the institutional President's decision. If the Board of Regents determines that the petition will not be heard, the decision of the President of the institution is affirmed and sanctions imposed therein shall be effective upon the President's receipt of the statement of denial.

If the appeal is granted, the sanction imposed by the President's decision shall be stayed until the Board of Regents makes a final decision after a review of the case. In the event the decision of the President is affirmed after such review, the person appealing and the President shall be notified by certified mail and the sanction shall be effective immediately upon receipt by the President of the decision rendered by the Board of Regents.

In reviewing student appeals involving the sanction of expulsion, the Board of Regents will review all relevant information and records of applicable institutional disciplinary proceedings to ensure that due process has been afforded. In any case of any review of disciplinary action, the Board of Regents may take such action as it deems reasonable and proper in all the circumstances and in answer to all its responsibilities under the law.

Adopted: West Virginia Board of Regents
July 13, 1982.

Revised:
November 13, 1984

POLICY BULLETIN NO. 58

May 3, 1983

POLICY REGARDING THE ESTABLISHMENT OF THE BOARD OF REGENTS ANATOMICAL BOARD

RESOLVED, That the West Virginia Board of Regents hereby adopts a "Policy Regarding the Establishment of the Board of Regents Anatomical Board," which Anatomical Board shall be responsible for making requisition for, receiving, and making deposition of dead human bodies for the scientific uses and purposes of reputable educational institutions within the State and elsewhere, having medical, osteopathy, dentistry, or nursing schools. This policy shall be

effective upon adoption by the Board of Regents, but not earlier than May 31, 1983.

- I. Basis for the Establishment of the Anatomical Board
 - A. Senate Bill No. 15, which was enacted by the Legislature of West Virginia in March 1983, transfers the powers and duties of the West Virginia Anatomical Board to the West Virginia Board of Regents, effective May 31, 1983. This legislation authorizes the Board of Regents to conduct the functions specified or to appoint a Board of Regents Anatomical Board to carry out these functions.
 - B. Senate Bill No. 15 repealed Chapter 18, Article 11, Sections 12 through 18 of the West Virginia Code (1931), as amended; reenacted Chapter 16, Article 19, Sections 3 and 4 of the Code; and amended Chapter 18, Article 26 of the Code by adding thereto a new section, designated Section 8d, all relating to transferring the powers and duties of the West Virginia Anatomical Board to the Board of Regents.
 - C. Sections 16-19-3 and 6-19-4 of the Code contain the provisions of the Uniform Anatomical Gift Act, and Section 18-26-8d specifies the powers and duties of the West Virginia Board of Regents relating to anatomical gifts, the requisition of bodies, requirements for autopsies, transportation of bodies, preservation expense, required bonding of Anatomical Board members, and offenses and penalties associated with failure to perform the duties and responsibilities specified in the Code. In essence, the Anatomical Board operates in the public interest, protecting the rights of citizens who have exercised the provisions of the Uniform Anatomical Gift Act, and establishing the necessary rules and regulations for the use of such donations and other legally acquired human remains.
 - D. The purpose of this document is to delineate the policy regarding the execution of the powers and duties granted to the West Virginia Board of Regents regarding the Anatomical Board.
- II. The Board of Regents Anatomical Board

The West Virginia Board of Regents, operating within its authority, hereby establishes the "Board of Regents Anatomical Board." In accordance with the provisions of Chapter 18, Article 26, Section 8d of the West Virginia Code, the Anatomical Board shall have full power to establish rules and regulations for its own governance and for the requisition, use, disposition, and control of such dead human bodies as may come under its authority by way of gift, pursuant to Section 18-26-8d or pursuant to Chapter 16, Article 19, Section 4 of the West Virginia Code.

 - A. Appointment of Board Members
 1. The Board of Regents shall appoint members to the Anatomical Board as prescribed in Section 18-26-8d of the Code. The Board of Regents may appoint one dean of a school of medicine, one dean of a school of dentistry, and two chairmen of departments of anatomy of schools of medicine. No more than one member of this board shall be from the same school.
 2. The Anatomical Board shall have the authority to designate its officers and to ap-

point its members to the offices created.

3. Members shall serve at the pleasure of the Board of Regents with date of initial appointment to be effective May 31, 1983. The term of office of each member shall be for a period of three years from the date of appointment. Because membership on the Anatomical Board for the most part is specified in the statute and tied to certain positions within the State's School of Dentistry and schools of medicine, members of necessity may be reappointed to membership on the Anatomical Board. When a member is no longer available to complete the term of appointment, the chief executive of the Anatomical Board shall notify the Chancellor of the Board of Regents and shall request the appointment of an appropriate person to fill the vacancy. A member may be removed from the Anatomical Board only by action of the West Virginia Board of Regents.
- B. Compensation of Board Members
 1. All members of the Anatomical Board by statute shall be members of the State's schools of medicine and dentistry and shall not be entitled to, or receive, any compensation for services rendered in their capacity as members of the Anatomical Board. Anatomical Board members may be reimbursed for incidental expenses, subject to applicable State and Board of Regents' regulations.
- C. Budget
 1. The Board of Regents Anatomical Board shall have no budget and therefore shall receive no direct allocation of State funds. The current practice, whereby the functions of the Anatomical Board are financed by the State's three medical schools as an element of their educational expense, shall continue.
 2. Each school currently operates a Human Gift Registry under the rules and regulations of the Anatomical Board. These registries shall be financed as an educational expense of each medical or dental school.
- D. Promulgation of Rules and Regulations
 1. The Board of Regents Anatomical Board is vested by statute with the authority to establish its own rules and regulations pursuant to Chapter 18, Article 26, Section 8d of the West Virginia Code.
 2. Within 90 days of the adoption of this Policy Bulletin, the Anatomical Board shall transmit to the West Virginia Board of Regents a copy of such rules and regulations as have been adopted by the Anatomical Board. The rules and regulations thereafter shall be included as Appendix A of this Policy Bulletin. By enacting the Policy Bulletin, the Board of Regents specifically adopts, as its own, the current rules and regulations of the West Virginia Anatomical Board. Such rules and regulations shall be in effect until superseded by

the rules and regulations adopted by the Board of Regents Anatomical Board.

3. The rules and regulations of the Anatomical Board may be amended or replaced in whole or in part by the Anatomical Board at its pleasure. When such changes are made, however, the revised rules and regulations shall be forwarded to the West Virginia Board of Regents for inclusion as Appendix A of this Policy Bulletin.
4. The Anatomical Board is charged under Section 18-26-8d of the Code with keeping a full and complete record of its transactions, indicating (among other things) every dead human body coming under its authority and giving the name, sex, date of death, place from which received, and when and from whom received. This record must be open at all times to the Attorney General of West Virginia and to any prosecuting attorney within the State. Accordingly, a single numbering system shall be established, and the central record-keeping system for the Anatomical Board shall be continued as currently established and functioning under the rules and regulations of the West Virginia Anatomical Board.
5. The West Virginia Code requires that members of the Anatomical Board file a bond with the Clerk of the Circuit Court of Kanawha County or to prove to such Clerk that the members of the Anatomical Board are covered by a suitable bond in the amount of at least one thousand dollars. Accordingly, the West Virginia Board of Regents shall communicate with the State Board of Risk and Insurance Management and with the Circuit Court of Kanawha County to record the filing of such bond.

E. Reporting Requirements

1. The Anatomical Board shall record the minutes of its regular and special meetings and shall forward copies of these minutes to the Chancellor of the West Virginia Board of Regents.
2. The Anatomical Board shall submit to the West Virginia Board of Regents an annual report of major actions taken, issues discussed, transactions accomplished, and recommendations requiring action by the Board of Regents.

Adopted: West Virginia Board of Regents
May 3, 1983

APPENDIX A

POLICY BULLETIN NO. 58

THE BOARD OF REGENTS ANATOMICAL BOARD RULES AND REGULATIONS

Institutions and individuals using human bodies for scientific study, as authorized by State Statutes, are required thereby to comply with the rules and regulations prescribed by the Board of Regents Anatomical Board. The Board of

Regents Anatomical Board shall meet at least annually to review its rules and regulations, elect its chairman, and make appointments. Advance public notice through the news media shall be given for all regularly scheduled meetings of the Board and for all special meetings except for an emergency requiring immediate official action.

The rules and regulations prescribed by the Board of Regents Anatomical Board apply to the use of all bodies, whether requisitioned by the Board of Regents Anatomical Board or donated to specific institutions or authorized persons. It is noted that two general categories of dead human bodies are recognized by State Statutes: first, those which are requisitioned by the Board of Regents Anatomical Board (i.e., certain bodies that must be buried at public expense) and second, those donated to a specific authorized institution, person, or the Board of Regents Anatomical Board. Institutions utilizing human bodies of either category must designate a person at the institution, acceptable by the Board, who will assume responsibility for assuring full compliance with the following rules and regulations. A written copy of such assurance, designating the name of the responsible person and signed by the chief officer of that institution, is to be submitted to the Board prior to usage of human bodies. Authorized individuals who are not associated with institutions must submit written assurance of compliance with these rules and regulations prior to usage of a human body or bodies.

- (1) All human bodies used by an authorized institution or individual for scientific study must be channeled through the Board of Regents Anatomical Board prior to usage of the body or bodies. This may be carried out by direct correspondence and does not necessarily require that the body itself be delivered to the Board. All bodies under the jurisdiction of the Board of Regents Anatomical Board are to be numbered using a single numbering system administered by the Secretary of the Board.
- (2) All bodies donated directly to any authorized institution or authorized person (i.e., not requisitioned by the Board) require a properly signed and witnessed Uniform Donor Card or Donation and Release Form. At the time of delivery of the body to such institution or person, a copy of the Donor Card or Donation and Release Form shall be forwarded to the Board.
- (3) Postnatal bodies delivered to institutions or to authorized individuals require a Burial-Transit Permit if delivery of the body is made from outside the county in which that institution or other authorized recipient is located. Within a county, a permit is not ordinarily required if the Death Certificate stipulates that the institution or authorized individual is to receive the body. If the body, or any part of the body, or the ashes are removed to any other location, within or outside the county, a Disinterment-Reinterment Permit is then required at the time of removal. Modes of transportation must be appropriate in consideration of the dignity of the human body.
- (4) Following the usage of a body or bodies, it is the responsibility of the institution or authorized individual utilizing the body to properly dispose of the remains by cremation, unless some other proper manner of disposal is agreed upon by correspondence with the Board. Postnatal bodies

must be cremated individually. A suitable crematory other than that used for animal remains is required. Ashes from each postnatal body must be interred in an identified, individual container in a manner that insures dignity and respect. Upon request by the next-of-kin at the time of donation, ashes will be delivered to the next-of-kin in a suitable container using a proper mode of delivery acceptable by the recipient. Special instructions given by the donor or next-of-kin as to the time or conditions of delivery will be strictly adhered to. If any early delivery of body ashes is requested, that body will be set apart for a schedule that will assure compliance with the wishes of the donor or the donor's family. In all respects, the feelings and the concern of the family will be given the proper and faithful consideration.

- (5) If a body is donated to any specific institution or authorized person, that body is not to be transferred to any other institution or person without the express written consent of the next-of-kin. A body or any part of a body, whether donated by an individual or requisitioned by the Board, which is in care of an authorized institution or person is not to be removed to any other location without the express written consent of the Board of Regents Anatomical Board.
- (6) All costs involved in the transportation of a body or bodies, embalming, cremation, and burial are to be assumed by the institution or authorized person utilizing the body or bodies.
- (7) Confidentiality of the identity of all bodies must be assured, including anonymity for student usage.
- (8) Predoctoral and postdoctoral students are authorized to utilize human bodies for anatomical study if enrolled in appropriate anatomical courses of medicine, dentistry, or allied health sciences at institutions authorized by State Statutes subject to the rules and regulations prescribed by the Board, and such persons may be allowed access to the locations where bodies are utilized for anatomical study without further specific approval by the Board. Faculty members, resident students, and appropriate non-faculty medical, dental, or allied health practitioners not enrolled in a course at an authorized institution also may utilize human bodies in the care of such institution for study if given permission by the responsible person designated by that institution, and if the study is carried out in the approved areas given to this purpose within that institution, as described below.
- (9) A body or bodies must be utilized in specific locations approved by the Board. Such locations are to be construed as restricted areas and must be designed to insure the proper security of the body, prevent unauthorized access or usage, contain facilities required for the proper manner of scientific usage, and remain in a securely locked condition when not in immediate use. Places for body storage, such as a departmental morgue, are to be construed as restricted areas, and access is to be limited to the faculty and appropriate staff of that department or unit. All

other individuals must secure the permission of the responsible person designated by that institution for admission to this restricted area, and only applications giving legitimate reasons for access shall be approved.

- (10) Photographs of a body or any of its parts are not to be made for any reason without the express written consent of the Board or the responsible person designated by the institution. The Board retains the right to edit, with respect to propriety, all photographs utilizing gross anatomical human material intended for publication and the Board must be notified of intention to publish such material.
- (11) No institution or individual may "buy" or "purchase" a human body. However, human bodies may be secured from medical schools in other states should the need arise; such schools shall be reimbursed only for the cost of embalming and transportation.
- (12) The Board of Regents Anatomical Board emphasizes the importance of maintaining the continuing good will of the public. Students who will utilize bodies for anatomical study are to be thoroughly instructed on the proper manner of professional conduct. No action is to be made, in public or private, that in any way will demean the human body. Conversational improprieties and any other manner of unprofessional or unethical conduct is strictly prohibited. The need for genuine and sincere respect for the dignity of the deceased human body and the obligation to treat the body in a responsible and professional manner is to be regarded as essential. While authorized students or others approved by the Board, or by the responsible person of an institution, have access to locations for body usage, such individuals do not have the authority in turn to grant admission or visitation privileges for guests not approved by the responsible person designated by the institution. Only persons having legitimate purpose shall be granted admission or the privilege of usage. All guests granted admissions to locations for anatomical study must comply with the professional standards outlined herein.
- (13) The proper physical care of each body is to be maintained throughout the period of usage.
- (14) Non-living human fetuses may be utilized for scientific study subject to the following constraints: Fetuses of less than 20 weeks gestational age require no death certificate or Burial-Transit permit. However, the Board of Regents Anatomical Board requires a Donation and Release Form signed by a parent or next-of-kin and by two witnesses releasing the fetus for scientific study and disposal. Such a statement is required for all in-state as well as out-of-state fetuses. Fetus usage and disposition is to be carried out in accordance with the standard procedures pertaining to the usage and disposition of all postnatal human bodies as prescribed by State Statutes and subject to the rules and regulations of the Board of Regents Anatomical Board.
Non-living fetuses exceeding 20 weeks gestational age require a death certificate and Burial-

procedures pertaining to the usage and disposition of all postnatal human bodies as prescribed by State Statutes and subject to the rules and regulations of the Board of Regents Anatomical Board.

Non-living fetuses exceeding 20 weeks gestational age require a death certificate and Burial-Transit permit in compliance with State Statutes. A Donation and Release Form, signed by a parent or next-of-kin and by two witnesses is required by the board of Regents Anatomical Board, whether the gift is made in-state or out-of-state. A Burial-Transit permit or a Disinterment-Reinterment Permit, whichever applies, is required following the same guidelines described for postnatal bodies. Fetus usage and disposition is to be carried out in accordance with standard procedures pertaining to the usage and disposition of all postnatal human bodies in compliance with State Statutes and subject to the rules and regulations of the Board of Regents Anatomical Board.

- (15) Full records are to be maintained by all institutions and authorized persons having prenatal and postnatal human bodies in their care. These records shall show all transactions and the name, sex, age, date of death, place from which received, when and from whom received, the Board of Regents Anatomical Board number assigned, and other information relevant for each individual body. Records shall be open at all times to inspection by the attorney general, prosecuting attorney in the State, and the Board of Regents Anatomical Board.
- (16) The propriety of any usage of the deceased human body for teaching and research purposes other than conventional anatomical and surgical dissection must be approved in advance by the Board.
- (17) The Board of Regents Anatomical Board requires that a personal copy of the Rules and Regulations be provided for each and every individual student, faculty member, secretary, technician, authorized guest, custodial maintenance, and security staff member, and for all other persons having authorized access to locations designated by the Board as "restricted," or who otherwise have occasion to participate, in any manner, in the use of dead human bodies or parts of bodies for anatomical study or research. This copy of the Rules and Regulations is to be received by each individual person, named above, prior to his or her initial entrance into restricted facilities, or prior to any participation in any act of anatomical study or research utilizing deceased human bodies or part thereof. This paragraph shall not be construed to include the use of human skeletal material purchased through commercial supply houses, but does include all skeletal material derived from any body coming under the authority of the Board of Regents Anatomical Board.

Approved by the Board of Regents
May 3, 1983
Adopted by the Board of Regents
Anatomical Board, May 31, 1983

Replaces Policy Bulletins Nos. 40 and 56

POLICY REGARDING PRESIDENTIAL APPOINTMENTS, RESPONSIBILITIES, AND EVALUATION

1. APPOINTMENT

- a. The President of each college and university under the governance of the West Virginia Board of Regents is appointed by the Board, consistent with the provisions of Section 18-26-9 of the West Virginia Code.
- b. The President of each college and university serves at the will and pleasure of the Board of Regents.
- c. The salary of a President is set by the Board of Regents and, with prior approval of the Board, may be supplemented from non-State sources.
- d. A President may be awarded academic rank, consistent with institutional policies and procedures.
- e. A President appointed subsequent to the effective date of this Policy Bulletin may serve a maximum of ten years as President of a particular institution but shall not be recommended for appointment to a sixth year prior to the completion of the performance evaluation described in Section 3 below. When the Board determines that an appointment beyond the tenth year at a particular institution would be in the best interest of the institution and of the state system of higher education, it may, upon recommendation of the Chancellor, extend the service of a President on an annual basis.
- f. Upon completion of at least five years of satisfactory service, a President shall become eligible for consideration for appointment as a Regents' Professor (as provided in Section 5 below). Presidents who began service prior to the effective date of this Policy Bulletin also shall be eligible for that consideration.

2. DUTIES AND RESPONSIBILITIES

The President of each college and university under the governance of the West Virginia Board of Regents is responsible to it through the Chancellor. Within the policies and regulations of the Board and of other State and Federal authorities and under the direction of the Chancellor, the President, as chief administrative officer, has general authority and responsibility for the institution and for keeping the Chancellor informed regarding the institution in a timely and appropriate manner.

A President is expected to demonstrate those leadership skills necessary for the vibrant, dynamic pursuit of the goals and objectives embodied in the mission of the institution. The President is also expected to understand the higher education needs of the institution's service region, work with the Board of Regents to develop proposals for meeting those needs, and provide leadership to foster cooperation between campus and community in fulfilling the institution's teaching, research, and public service responsibilities.

The President is expected to consult appropriately with faculty, students, classified staff and administrators in discharging the responsibilities of office. The President is also expected to ensure that the policies, procedures and actions of the Board of Regents

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are communicated to appropriate constituencies of the institution in a timely manner.

As the chief executive of the institution, the President is charged with the following specific responsibilities:

- a. Exercising effective leadership in a joint effort to implement the mission of the institution as delineated in role and scope statements approved by the Board of Regents.
- b. Providing effective leadership and support for an academic program that is consistent with the institutional mission, the needs of those being served, sound standards of quality, and available resources.
- c. Providing effective leadership and support for a program of student life that complements the academic program and recognizes the diverse interests and needs of the student body.
- d. Developing a competent administrative organization and staff to ensure effective and efficient management of the institution.
- e. Maintaining lawful, equitable, and efficient personnel programs, including appointment of qualified persons to the faculty and staff and promotion, retention or dismissal for cause of the same, with due regard for the best interests of higher education and the taxpayers of the State of West Virginia.
- f. Recommending to the Board of Regents annual operating and capital budgets and other plans, financial and otherwise, for realizing the institutional mission, and providing sound management of the approved budgets and plans.
- g. Under the coordination of the Chancellor, communicating the needs of higher education to the Governor, legislators, other State and local officials, and citizens of the state.
- h. Interacting with appropriate external bodies to achieve the mission of the institution in a manner consistent with Board of Regents' policy, statutory and regulatory provisions, and sound academic principles.
- i. Undertaking assignments requested by the Board of Regents.

With regard to (e) above, the President of each college and university under the governance of the West Virginia Board of Regents has final institutional-level authority and responsibility for every personnel action at his or her institution, with the exception of decisions relating to (1) his or her own employment and compensation, and (2) appointments to Boards, when such appointments are reserved to the Board of Regents.

Each President is expected to consult appropriately within the campus community on personnel decisions, but shall retain ultimate authority for such decisions.

3. PRESIDENTIAL EVALUATION

Consistent with the requirements of Section 18-26-8 (14) of the West Virginia Code ("Conduct performance evaluations of institution presidents in every fourth year of their employment as president, recognizing unique characteristics of their institutions and utilizing institutional personnel, institutional boards of advisors, board staff and persons knowledgeable in higher education matters who are not otherwise employed by the Board"), the process described below is

designed to evaluate presidential performance in relation to criteria established by the West Virginia Board of Regents. It seeks to identify both areas of strength and those in which improvement would appear to be appropriate.

The basis for assessing presidential performance shall be the "Duties and Responsibilities of the President" (Section 2 above) adopted by the Board of Regents. This performance evaluation shall be conducted every fourth year and shall utilize institutional personnel, institutional boards of advisors, Board of Regents' personnel and persons knowledgeable in higher education matters who are not otherwise employed by the Board.

- a. The Chancellor, with the President, shall establish a schedule for the performance evaluation activities. In no case shall the process exceed four months. The on-site schedule shall be developed for a period during the regular academic year when the institution is in operation. However, preparatory activities may be completed during the summer months.
- b. The President shall prepare and submit to the Chancellor at least six weeks prior to the on-site visit a "Statement of Presidential Assessment" consisting of his/her assessment of his/her performance as President in relation to each of the "Duties and Responsibilities of the President." The statement shall be no longer than twenty pages. The President may decide to append necessary and appropriate materials, including such documents as the President's annual report and the current North Central Association self-study report.
- c. The Chancellor shall form a visiting team of college and university Presidents, or comparably experienced peers, after reviewing the list of those considered with the President. Such persons shall be from outside West Virginia and free from conflict of interest. The team shall number three, with the addition of a Board of Regents' staff member who shall serve as staff to the team.
- d. The Chancellor shall appoint one member of the visiting team to serve as chairperson. The team shall be given the "Statement of Presidential Assessment" and such other documents deemed to be appropriate by the Chancellor.
- e. The chairperson of the visiting team shall make a visit to the campus at least four weeks prior to the team visit to determine a schedule, including interviews and meetings with campus personnel which will assure a careful assessment of leadership and condition of the campus.
- f. To obtain an accurate and objective impression of the performance of the President, the team shall visit the campus for up to three days to talk with and receive the views of the President, institutional Board of Advisors, and a representative number of administrators, faculty members, classified employees and students, including the elected leaders of each constituent group. Evaluative information thus obtained, either in oral or written form, if included in the report must be attributable. This would not preclude the use of survey procedures for constituent input if such information is attributable. Confidentiality

beyond the visiting team of individual assessments of presidential performance shall be assured.

- g. The team chairperson shall be responsible for drafting and submitting a team report to the Chancellor within thirty days of the on-site visit. The general approach and format for the report shall be similar to, but not identical with, a North Central team visit and report, including commentary on the performance of the President in relation to each of the "Duties and Responsibilities of the President" adopted by the Board of Regents. There shall be an oral report by the visiting team to the President prior to leaving the campus.
- h. The Chancellor shall forward a copy of the report to members of the Personnel Committee of the Board of Regents and to the President, inviting the latter to offer comments within two weeks.
- i. A copy of comments received from the Presidency shall be forwarded to members of the Personnel Committee of the Board of Regents.
- j. The President shall be invited to discuss the process and results of the evaluation with the Chancellor and the Personnel Committee of the Board of Regents, during which discussion areas of strength and those appearing to need improvement (if any) shall be identified for particular attention by the President prior to the next evaluation.
- k. Following its review of the evaluation with the President, the Personnel Committee shall report its conclusions to the Board of Regents. At all stages of the evaluation process, the President shall be involved and informed and be afforded an opportunity to respond as he/she deems appropriate. Confidentiality consistent with State laws shall be maintained throughout the evaluation process.

4. ANNUAL REVIEW

Annual review is a process designed to identify and assess on a yearly basis presidential goals and objectives with a focus on continuous growth and self-assessment. Prior to the beginning of the fiscal year, each President shall prepare an agenda of goals and objectives for the ensuing twelve months. These goals and objectives, as well as progress on the goals and objectives of the previous year, shall be the focus of the Annual Review by the Chancellor and President at the end of the fiscal year. A written summary of the Annual Review shall be shared with the Board of Regents. These summaries shall be shared with the Board as a part of the Performance Evaluation conducted every fourth year.

5. REGENTS' PROFESSORSHIPS

- a. Eligibility
To ensure that the institution and the state system of higher education as a whole may continue to profit from the President's accumulated experience and insight, a Regents' Professorship may be awarded to a President who has served at least five years as President of an institution under the governance of the West Virginia Board of Regents and has been recommended by the Chancellor. The terms and conditions of appointments of Regents' Professors shall be the same as

for all other tenured full professors, consistent with Board of Regents' Policy Bulletin No. 36. If a Regents' Professor requests temporary assignment to another institution, he or she may request leave from the home institution and, if approved by the President of the receiving institution, may be reassigned in accordance with established Board policy.

b. Salary and Perquisites

- (1) The salary of the Regents' Professorship shall be established upon recommendation of the Chancellor. It shall not be less than 80 percent of the State salary received during the last year prior to appointment as a Regents' Professor, appropriately prorated to length of appointment but not less than the average of the State salaries of the two highest paid full professors in his or her discipline. The salary of a Regents' Professor may be supplemented from non-State sources, with prior approval of the Board of Regents.
- (2) For purposes of preparing for his or her duties as a Regents' Professor, said professor shall be eligible for "Special Status" during the first six months of the appointment.

6. RESIGNATIONS AND TERMINATIONS

- a. A President may resign his or her appointment at any time upon written notification to the Chancellor.
- b. The Board of Regents may terminate an appointment as President at any time when, in the Board's judgment, such action would be in the best interest of the institution at which the President serves and of the state system of higher education. If a President has completed at least five years as President at the time of resignation or termination, he or she may request "Special Status" for a period of up to a maximum of six months, during which time the duties of the former President would be assigned by the Board upon recommendation of the Chancellor. During this period, salary may continue at the former level and any accrued annual leave must be amortized.

7. GRIEVANCE PROCEDURE

If the President of an institution under the governance of the Board of Regents senses a problem with the Chancellor or members of the Board, the President should first attempt to resolve it through a discussion with the Chancellor. If the problem seems to persist, the next appropriate step would be a discussion of the problem with the President of the Board. As the final step in this process, the aggrieved President may request a meeting with the entire Board (or its Executive Committee) to discuss the matter.

Adopted: West Virginia Board of Regents
September 13, 1983

November 13, 1984

POLICY REGARDING ACADEMIC RIGHTS AND RESPONSIBILITIES OF STUDENTS

Revises and Replaces Existing Section 7 of Policy Bulletin No. 57 dated July 13, 1982. To be implemented no later than July 1, 1985

SECTION 1: ACADEMIC RIGHTS AND RESPONSIBILITIES OF STUDENTS

1.0 Academic Responsibilities

1.0.1. The institution and its constituent colleges and schools shall define and promulgate, consistent with the policies, rules, and regulations of the Board of Regents, the academic requirements for admission to the institution, for admission to limited enrollment programs, and for admission to professional and graduate degree programs (where offered); the criteria for maintenance of satisfactory academic progress, for the successful completion of the program, for the award of a degree or certification, for graduation; the requirements or criteria for any other academic endeavor; and the requirements for student honesty and originality of expression.

1.02 A student, by voluntarily accepting admission to the institution or enrolling in a class or course of study offered by the institution, accepts the academic requirements and criteria of the institution. It is the student's responsibility to fulfill course work and degree or certificate requirements and to know and meet criteria for satisfactory academic progress and completion of the program.

1.1. Academic Rights. Concomitant with the academic standards and responsibilities established pursuant to Section 1.0, each student shall have the following academic rights:

1.1.1. The student shall be graded or have his/her performance evaluated solely upon performance in the course work as measured against academic standards. The student shall not be evaluated prejudicially, capriciously, or arbitrarily. The student shall not be graded nor shall his/her performance be evaluated on the basis of his/her race, color, creed, sex or national origin.

1.1.2. Each student shall have the right to have any academic penalty, as set out in Section 3.2 below and more specifically defined by his/her institution, reviewed.

1.1.3. Each student shall have access to a copy of the college or university catalog or program brochure in which current academic program requirements are described (e.g., required courses, total credit requirements, time in residence requirements, special program requirements, minimum grade point average, probation standards, professional standards, etc.). Students have the right to receive from the instructor written descriptions of content and requirements for any course in which they are enrolled (e.g., attendance expectations, special requirements, laboratory requirements including time, field trips and costs, grading standards and procedures, professional standards, etc.).

1.1.4. The instructor of each course is responsible for assigning grades to students enrolled in the course,

consistent with the academic rights set out in the preceding sections.

SECTION 2. APPLICATION OF POLICY TO STUDENTS

2.1 Definition of student. A student, for these purposes, shall be defined as any individual who has been admitted to and is currently enrolled in a course or in a certificate or degree program at the institution, or for whom the institutional appeal period has not expired.

2.2 Application of policy to students. A student as defined in this policy shall be subject to any applicable penalties for failure to comply with the academic requirements and standards promulgated by the institution and/or its constituent colleges and schools according to Section 1.0.1. Students are expected to adhere to these academic standards in all academic settings, classrooms, laboratories, clinics, and any other activities which are part of academic requirements.

SECTION 3. ACADEMIC REQUIREMENTS AND CONSEQUENCES OF FAILURE TO MEET REQUIREMENTS.

3.1. Academic requirements and criteria. The institution and its constituent colleges and schools shall define and promulgate the academic requirements, criteria and standards as set out in section 1.0.1 above. Normally, students may finish a program of study according to the requirements under which they were admitted to the program. However, requirements are subject to change at any time, with reasonable notice provided to the students.

3.2. Consequences of failure to meet academic requirements. A student who fails to meet the academic requirements or standards, including those for academic honesty as defined by the institution and its constituent colleges and schools according to Section 1.0.1, may be subject to one or more of the following penalties:

3.2.1. A lower grade or failure of the course or exclusion from further participation in the class (including laboratories or clinical experiences), all of which may be imposed by the instructor.

3.2.2. Academic probation as determined and defined by the institution and its constituent colleges and schools.

3.2.3. Academic suspension as determined and defined by the institution and its constituent colleges and schools.

3.2.4. Academic dismissal is defined as termination of student status, including any right or privilege to receive some benefit or recognition or certification. A student may be academically dismissed from a limited enrollment program and remain eligible to enroll in courses in other programs at the institution, or a student may be academically dismissed from the institution and not remain eligible to enroll in other courses or programs at the institution.

A student may appeal any penalty according to the procedures in Section 4 below. Each institution and its constituent colleges and schools shall determine and specify the point at which penalties, excluding those specified in Section 3.2.1, may be imposed. Each instructor determines the point at which the penalties specified in Section 3.2.1 may be imposed. Each

institution and its constituent colleges and schools shall determine the method(s), if any, by which a student may correct the conditions(s) leading to imposition of these penalties and thereby have them removed.

SECTION 4. APPEALS

4.1. Each institution and its constituent colleges and schools shall establish policies and procedures by which a student may appeal or challenge any academic penalties imposed by a faculty member or by the institution or one of its constituent colleges and schools, including those described in Section 3.2 above.

Additional procedures may include but not to be limited to:

- 4.1.1. Appeals of a grade penalty or exclusion from class,
- 4.1.2. appeals of final course grades,
- 4.1.3. appeals of imposition of academic probation,
- 4.1.4. appeals of imposition of academic suspension,
- 4.1.5. appeals of dismissal from undergraduate programs,
- 4.1.6. appeals of dismissal from graduate programs,
- 4.1.7. appeals of dismissal from professional degree programs,
- 4.1.8. appeals of dismissal from the institution.

4.2. Policies and procedures relating to appeals of academic penalties shall be governed by due process and shall include, as a minimum:

- 4.2.1. Written notice to the student (1) of his/her failure to meet or maintain an academic standard, (2) of the methods, if any, by which the student may correct the failure, and (3) of the penalty which may be imposed.
- 4.2.2. An opportunity for the student to meet with the faculty member(s) or other individual(s) who have judged his/her performance to be deficient, to discuss with these faculty member(s) or other individual(s) the information forming the basis of the judgement or opinion of his/her performance, to present information or evidence on his/her behalf, and to be accompanied at any such meeting by an advisor of his/her choice from the institution. Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless they are given specific permission to do so by the individual or committee conducting the appeal.
- 4.2.3. An opportunity for the student to appeal the decision or judgement of faculty members through the established institutional appeals procedure within thirty calendar days after written notice of the decision or judgement.
- 4.2.4. An opportunity to appeal to the president of the institution or his/her designee within 30 calendar days after the receipt of written notice of the decision or judgement.
- 4.2.5. The decision of the president or his/her designee regarding an academic appeal is final.

4.3. Appeals procedures for academic dismissal

4.3.1. The appeal will be subject to the following conditions:

- 4.3.1.1. The appeal must be filed within thirty calendar days after written notice of the decision.
- 4.3.1.2. The appeal to the appropriate academic officer or appeals committee is not adversarial in nature; the formal rules of evidence do not apply.
- 4.3.1.3. The student may be advised by a person

of his/her choice from the institution; likewise, the faculty member, academic officer, or committee recommending academic dismissal may have an advisor from the institution. Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless they are given specific permission to do so by the individual or committee conducting the appeal.

4.3.1.4. Witnesses may be called by any of the parties involved.

4.3.1.5. A record of the appeal shall be prepared in the form of summary minutes and relevant attachments and will be provided to the student upon request.

4.3.2. The decision of the president or his/her designee regarding academic dismissal is final.

SECTION 5. PUBLICATION

5.1. All standards, criteria and procedures of the institution shall be published in one or more appropriate institutional publications such as catalogs, student handbooks, academic pamphlets, and handouts. Such requirements are subject to change with reasonable notice provided to the students.

Adopted: West Virginia Board of Regents
November 13, 1984

POLICY BULLETIN NO. 61

June 11, 1985

POLICY REGARDING THE AWARDED AND RETENTION OF FINANCIAL ASSISTANCE TO ATHLETES

SECTION I. GENERAL

1.01 Scope - Policy regarding the awarding and retention of financial assistance to athletes

1.02 Authority - W.Va. Code 18-26-8

1.03 Filing Date - June 11, 1985

1.04 Effective Date - August 10, 1985

SECTION II. AWARDED FINANCIAL ASSISTANCE

Student athletes may be considered for all student aid programs available at the institution including, but not limited to, athletic grants, need-based grants, student employment, loans, and merit-based aid awarded for talents other than athletic ability. In awarding financial assistance to athletes, West Virginia public colleges and universities shall follow the regulations relating to the various forms of aid awarded (e.g., institutional policies relating to academic standards and satisfactory progress, state and federal student aid regulations, and applicable policies promulgated by such athletic organizations as the National Collegiate Athletic Association, National Association of Intercollegiate Athletics, and state or regional affiliates of such organizations).

SECTION III. RETAINING FINANCIAL ASSISTANCE

Financial assistance which is awarded on a basis other than athletic ability or participation shall be retained by the student athlete according to regulations applicable to the type of assistance awarded, and shall not be conditioned in any way upon athletic participation.

Students shall retain athletic grants and other forms of student assistance awarded on the basis of athletic ability or participation in accordance with the following:

3.01 Injury - Athletic aid may not be cancelled or reduced at any point during the period for which the award was made in situations where a bona fide injury or physical condition prevents the student athlete from participating in practice sessions or intercollegiate athletics.

3.02 Contribution to Team - Athletic aid may not be cancelled or reduced at any point during the period for which the award was made on the basis of a student athlete's ability or contribution to the team's success.

3.03 Other - Athletic aid may be reduced or cancelled if the recipient (i) renders himself/herself ineligible for intercollegiate competition, (ii) fraudulently misrepresents any information on an application, letter of intent or other document, (iii) engages in serious misconduct warranting substantial disciplinary penalty, or (iv) voluntarily withdraws from athletic participation for personal reasons. Any such reduction or cancellation of athletic aid is permissible only if such action is taken for proper cause by the regular disciplinary or student financial aid authorities of the institution and the student athlete is afforded the opportunity for a hearing through the regular disciplinary or student aid appeal procedures. Subject to the applicable regulations, provisions, and exceptions set forth by the duly recognized agency (e.g. National Collegiate Athletic Association or National Association of Intercollegiate Athletics) then having jurisdiction, when a student voluntarily withdraws from athletic participation, such cancellation or reduction of the athletic aid may occur only within the terms under which the award was made.

Adopted: West Virginia Board of Regents
June 11, 1985

POLICY BULLETIN NO. 62

June 11, 1985

POLICY REGARDING PERSONNEL ADMINISTRATION FOR BOARD OF REGENTS EMPLOYEES

SECTION I. GENERAL

1.01 Scope - Policy regarding personnel administration for Board of Regents employees

1.02 Authority - W.Va. Code 18-26-8

1.03 Filing Date - June 11, 1985

1.04 Effective Date - August 10, 1985

SECTION II. COMPENSATION/PAY CALCULATIONS

2.01 Salary Calculations - When salary increases are calculated, and rounding is involved, the policy is to round up.

2.02 Overtime Pay for Non-exempt Employees - Overtime pay for non-exempt employees is calculated at the rate of 1-1/2 times the regular hourly pay. Overtime does not commence until forty hours have been worked within one workweek. Regular hourly pay, also known as "straight time", is paid for work time between thirty-seven and one-half hours and forty hours.

2.03 Hours Worked - Only actual hours worked are included in calculating overtime. Pay which is received for holidays, annual leave, sick leave, jury duty, compensatory time, military duty or special emergency leave is not counted as working hours for purposes of overtime.

2.04 Holidays - Holidays to be observed under provisions of Policy Bulletin No. 26 are to be calculated and used on a calendar year basis.

2.05 Base pay - Base pay is calculated on a thirty-seven and one-half hour workweek.

2.06 Annual and Sick Leave - Annual and sick leave do not accumulate during months when an employee is on a leave of absence or off the payroll. Neither does it accumulate after the effective date of resignation.

SECTION III. COMPENSATORY TIME OFF

3.01 Types of - There are two types of compensatory time off.

- a. Type One - Employees required to work on any designated Board or institution holiday. When a classified employee is required to work on any designated Board or institution holiday, that employee shall receive regular pay for the number of hours worked on that holiday plus substitute time off at the rate of one and one-half (1-1/2) times the number of hours actually worked on the holiday. The time off should be used within 60 calendar days following the holiday. Type One must be used by the employee transferring to another position before the transfer.
- b. Type Two - Employees required to work in excess of their regular daily work schedule. When a non-exempt employee, whose regular daily work schedule is 7-1/2 hours, is required to work more than the normal 7-1/2 hours, that employee may be given compensatory time off equal to the actual hours worked beyond 7-1/2 hours per day provided that time off can be granted before the end of that employee's regularly scheduled workweek.

Compensatory time off is calculated at the straight time rate for up to 40 hours per week. For hours worked in excess of 40 hours per week, the non-exempt employee must be compensated monetarily at the rate of time and one-half. The intent of compensatory time off is to avoid working a non-exempt employee over 40 hours per week. Since work schedules and work hours are intended to be reasonably permanent when they are established, and those schedules cover a 7-1/2 hour day, it is only in exceptional circumstances that an employee should be required to work longer than the scheduled workday. When this happens, the employees should continue to work the normal workweek and receive overtime pay for all hours in that workweek in excess of 40. However, if the employer prefers and the employee agrees, when the employee works longer than the scheduled work hours in any one day, the time worked in excess of the normal workday can be subtracted from scheduled work hours on another day as long as this occurs within the same workweek.

Compensatory time off is a procedure through which the employee's work schedule is adjusted so 40 hours are not exceeded. Only non-exempt positions qualify for compensatory time off.

SECTION IV - WORKWEEK

The workweek is a regularly recurring period of one

hundred sixty-eight hours in the form of seven consecutive twenty-four hour periods. It begins at 12:00 A. M. (midnight) on Sunday and ends at 12:00 P.M. (midnight) the following Saturday. Institutional presidents or their designees may establish a workweek different from this provided that record-keeping requirements are met as set forth in relevant law. A work schedule of 37-1/2 hours will be established within a workweek.

SECTION V. APPOINTMENT

A classified employee appointment form shall be completed for each classified employee at the time of appointment and each time an appointment is renewed. The standard form distributed by the BOR shall be used.

SECTION VI. ACCESS TO PERSONNEL FILE

6.01 An employee may have access to his/her personnel file when the employing institution is normally open for business. An employee may examine his/her own file and the contents therein with the following exception:

- a. Materials which were gathered with the employee's prior agreement to forfeit his/her right of access such as some references.

6.02 A representative of the custodian of records shall be present with the employee during the review. The date, time and location of each review shall be recorded in the personnel file.

A copy of any material in the personnel file, except as noted above, shall be provided to an employee upon request. A small copying fee may be charged. Positive identification of the employee must be established prior to providing access to the personnel file. Documentation may not be removed from a personnel file by the employee. An employee may petition at any time for either the removal or addition of documents to his/her own personnel file. The employer may require that employees schedule an appointment to see the personnel file.

SECTION VII. CHANGES IN NAME, ADDRESS, NUMBER OF DEPENDENTS AND RELATED MATTERS

It is the exclusive responsibility to each employee to notify all appropriate persons, agencies and parties when record changes occur including emergency information. This must be done in writing and a copy of such notification will be placed in the employee's personnel file as a permanent record that he/she notified appropriate persons, agencies and parties.

SECTION VIII. MANAGING WORK TIME IN AREAS AFFECTED BY INTERRUPTION TO UTILITY SERVICE OR SIMILAR SITUATIONS

8.01 Utility Service Interruptions - When extended power and utility service interruptions occur, administrators should make arrangements for employees' usual work routine to be accomplished at alternate work locations, or make affected employees available to other administrators for work in other areas. Also, if an administrator deems it advisable and the employee agrees, time off during the utility service interruption may be granted and charged against an employee's accumulated vacation. Combinations of the above alternatives may be necessary, but in all cases interruptions of work schedules must be dealt with in accordance with applicable

laws. Principal among these laws is W.Va. Code 12-3-13 which is interpreted to mean that if pay is associated with absence from work, the absence must be charged to accumulated annual leave.

8.02 Inclement Weather - Absence from work due to weather must be similarly treated. Absence with pay must be charged against accumulated vacation, compensatory time off (when it is accumulated) or the employee must be removed from the payroll for the time in question. Where institutions employ the "floating holiday" concept, the holiday record may be charged. Sick leave may not be charged for absence due to weather. Time lost from work may be made up in the same work week at the discretion of the employee's supervisor.

SECTION IX. CLASSIFICATION REVIEW REQUEST

When significant changes occur in the principal duties and responsibilities of a position, it is the responsibility of the supervisor to recommend through established procedures that the position be reviewed. Within 60 days from the date of request for review of a job, the personnel office shall report to the requestor, in writing, what action has occurred. A personnel office may initiate action to review jobs. Position reviews also may be initiated by an employee after discussion with the immediate supervisor. The immediate supervisor must prepare an accurate description of the duties of the position and attest to its accuracy, but the description may be written by the employee at the supervisor's request. The responsibility for assigning tasks and duties to a position belongs to the supervisor. It is the responsibility of a supervisor to insure completion of required forms.

A position description shall exist for every classified position. It shall be reviewed by the supervisor at least one time per year. The date of each review shall be recorded on the description.

SECTION X. JOB CLASSIFICATION AND RATE DETERMINATION

The institutional president has final authority on the campus to make job classification determinations. The president may delegate authority to the personnel administrator for day to day management of the classification system. Management of the system requires adherence to written rules which insure a uniform system of personnel classification. All classified positions shall be placed on the pay grade structure promulgated by the Board of Regents. Each position shall have a title and that title shall come from the **Manual for Classification Administration**. Exceptions to this policy may be authorized by Board staff to allow time to gradually come into compliance. However, compliance must be achieved not later than the date for completion of work by the Legislative Pay Equity Task Force.

SECTION XI. ENTRY RATES

11.01- Definition - The entry rate of a position is the published minimum rate of pay associated with each pay grade. The expression of that rate is on a monthly basis.

11.02 - Procedure - Offers of employment shall be at the entry rate for the grade of a position. Exceptions may be authorized only by Board of Regents staff. Offers of employment at rates which exceed the entry rate are invalid unless the policy for exceptions is followed. Criteria for exceptions include:

- a. Qualifications of the candidate

- b. Number of applicants for a position.
 - c. Number of interviews.
 - d. Number of qualified applicants identified.
 - e. Number of offers of employment.
 - f. Length of the recruiting campaign.
 - h. Cost of the recruiting campaign.
 - i. Length of time the position was vacant.
 - j. Urgency to fill the position.
 - k. Market conditions for that job.
 - l. The rationale underlying the difference between the entry rate and the salary you wish to offer.
 - m. Past practices.
- Each test shall have justification

SECTION XII. PROMOTION

12.01 - Definition - Movement from a classification requiring a certain level of skill, effort and responsibility to another classification requiring a significantly greater degree of skill, effort and responsibility.

12.02 - Method of Determination - Determine the **entry rate** for the grade of the position which an employee now holds regardless of that employee's present salary. Determine the **entry rate** for the grade of the position to which the employee is moving. If the latter entry rate is higher than the former entry rate, a promotion exits.

12.03 - Method of Calculation - Upon promotion from a classification in one pay grade to a classification assigned to the next higher pay grade the employee will receive an increase of five percent of current salary or the entry rate of the new classification, whichever is higher. If the promotion involves a change of more than one pay grade, the 5% percent calculation shall be 5% per pay grade or the entry rate, whichever is greater. In multiple grade increases, the calculation shall be based on current salary. It is not additive.

SECTION XIII. - UPGRADE

13.01 - Definition - An increase of the classification level of an existing position.

13.02 - Method of Determination - Through the process of job evaluation determine the level of skill, effort and responsibility required in a position along with the working conditions to which the position is subject. Determine first the extent to which change has occurred. Note that the only changes which may occur are the changes which are required by the employer. After establishing that a higher level of skill, effort and responsibility exists, determine which classification specification most closely matches the work as it is now described. The pay grade associated with the classification specification that compares most closely with the job description for the job under review becomes the grade of that position. This work must be done by a job analyst.

13.3 Method of Calculation - When an employee occupies a position at the time that a position upgrade is to be placed into effect, the method of calculating the incumbent's salary increase is the same as that specified for a promotion. In the absence of funds to support an upgrade, work at the higher level may not be performed.

SECTION XIV. DEMOTION

14.01 Definition - Movement from a position requiring a certain level of skill, effort and responsibility to another position requiring a significantly lesser degree of skill, effort and responsibility.

14.02 Method of Determination - Determine the **entry rate** for the grade of the position which an employee now holds regardless of that employee's present salary. Determine the **entry rate** for the grade of the classification to which the employee is moving. If the latter entry rate is lower than the former entry rate a demotion exists.

14.03 Method of Calculation - The employee moves from entry rate to entry rate or percentage above an entry rate to that same percentage above the entry rate of the demoted-to position.

SECTION XV. DOWNGRADE

15.01 Definition - A decrease of the classification level of an existing position.

15.02 Method of Determination - Through the process of job evaluation determine the level of skill, effort and responsibility required in a position along with the working conditions to which the position is subject. Determine first the extent to which change has occurred. Note that the only changes which may occur are the changes which are required by the employer. After establishing that a lower level of skill, effort and responsibility exists determine which classification specification most closely matches the work as it is now described. The pay grade associated with the classification specification that compares most closely with the job description for the job under review becomes the grade of that position. This work must be done by a job analyst.

15.03 Method of Calculation - When an employee occupies a position at the time that a position downgrade is to be placed into effect, the current salary for that employee will be "frozen" and managed in accordance with the principles set forth by the United States Department of Labor.

SECTION XVI. TRANSFER

16.01 Definition - Movement from a position requiring a certain level of skill, effort and responsibility to another position requiring the same degree of skill, effort and responsibility. Both positions are in the same pay grade.

16.02 Method of Calculation - No change of salary as a function of a transfer may occur. In cases where shift differentials exist, salary changes may occur in transfer situations only when they result from those shift differentials.

SECTION XVII. REHIRE

17.01 Definition - A person who was involuntarily separated due to layoff in a specific position at a Board of Regents' institution and is the successful candidate for employment at the same institution within 12 months commencing from the last day that person was physically present for work.

17.02 Procedure - Persons in these circumstances may be appointed at the same salary they earned at the time of termination provided that salary is not less than the current entry rate for the position and that position has not been upgraded or downgraded in the interim.

SECTION XVIII. DEFINITION EXEMPT AND NON-EXEMPT

18.01 Exempt - A position which is not covered by the minimum wage and overtime provisions of the Fair Labor Standards Act. (See Employee Handbook)

18.02 Non-Exempt - A position which is covered by the minimum wage and overtime provisions of the Fair Labor Standards Act. (See Employee Handbook)

Adopted: June 11, 1985

XIV

WEST VIRGINIA BOARD OF REGENTS

SELECTED ADMINISTRATIVE BULLETINS RELATED TO THE FACULTY

(The complete file of Administrative Bulletins is kept in the Vice President of Academic Affairs' Office)

ADMINISTRATIVE BULLETIN NO. 23

December 1, 1982

Replacing "Procedures and Format" dated July 1, 1976

SUBMISSION OF PROPOSALS FOR NEW ACADEMIC PROGRAMS AND THE DISCONTINUANCE OF EXISTING PROGRAMS

Background

The Board of Regents is charged by statute with the general determination, control, supervision and management of the educational policies and affairs of all State colleges and universities. It is further required to prescribe and allocate among the State colleges and universities specific functions and responsibilities to meet the higher educational needs of the State and avoid unnecessary duplication.

To facilitate the discharge of its responsibilities, the Board has determined that the following procedures and format shall be followed by each college and university in submitting proposed new academic programs to the Board for approval in accordance with Policy Bulletin No. 27.

Submission Procedures

Each college and university president shall submit to the Chancellor for Board review and action a program proposal for each new degree or certificate program, major, distinctive track or option, or teaching specialization or for the offering of such a program at a new location. Requests for termination of such programs should also be submitted to the Chancellor for Board review and action (see Part V).

Fifteen copies of a proposal to add a new degree program or certificate program or to discontinue an existing degree program shall be submitted to the Chancellor by July 1 of each year, one year in advance of initiating the program. Exceptions to the requirement of one year lead time may be approved by the Chancellor. Requests for financial support for the program shall be integrated into budget requests for the appropriate years. If the proposal is to suspend temporarily the offering of a program, or to add a new track or option not requiring additional funding, or to add a new teaching specialization, or to offer an existing program at a new location, such proposal shall be submitted to the Chancellor not less than four months prior to the date intended for implementation.

When feasible, an institution should express by a "letter of intent to plan" a new degree program at least one year before submission of a full proposal (that is, two years prior to intended date of implementation). Early consultation allows exploration of such fundamental concerns as needs analyses, consistency with institutional mission, resource requirements, and other issues prior to engaging in extensive and detailed planning.

The staff of the Board of Regents will review the proposal and contact the institution if additional information or consultation is required. Questions about the proposal may be raised at the institutional budget hearing. Consultants will be used to assist the staff when deemed necessary. After the submission deadline, a comprehensive listing of all such proposals will be prepared. That list will be shared with the chief academic officer of all institutions for institutional information and comment (if any).

The format of proposals should follow the sequence of items as they appear on the following pages. Please respond to each item if only to indicate that it is not applicable. Information may be presented in narrative or in outline form or in a combination of the two. Supporting materials such as charts and tables may be included or attached.

Cover Page

Name of Institution

Date

Category of Action Requested

Title of Degree or Certificate

Location

Effective Date of Proposed Action

Brief Summary Statement

Part I - Program Description

- A. **Program Objectives:** State the program objectives so that they can be related to the criteria in the evaluation plans (See Part IV).
- B. **Program Features:** Summarize the important features of the program and include a full catalog description. This section should contain:
 1. **Admissions and Performance Standards:** State admissions and performance standards and describe their relationship to the program objectives.
 2. **Program Requirements:** State course requirements (indicating new courses with an asterisk), majors and specializations, credit-hour requirements, research-tool requirements, examination procedures and requirements for a research paper, thesis, or dissertation; also, field work or similar requirements and any other information that helps to describe the program of study.
- C. **Program Outcomes:** Indicate the expected results of the program and, if this is a proposal for an expanded or modified program, specify how the proposed change may achieve results different from those produced by the current program.

Part II - Program Need and Justification

- A. **Relationship to Institutional Goals/Objectives:** Relate this program to the institution's goals and objectives and the master plan for the state system of higher education.

- B. **Existing Programs:** List similar programs (and their locations) offered by other institutions (public and private) in West Virginia. State why additional programs or locations are desirable.
- C. **Program Planning and Development:** Indicate the history to date of the development and submission of this program proposal. What resources (e.g., personnel, financial, equipment, etc) have already been invested in this program? What planning activities have supported this proposal?
- D. **Clientele and Need:** Describe the clientele to be served and state which of their specific needs will be met by the program. Indicate any special characteristics, such as age, vocation, or academic background. Indicate manpower needs, interest on the part of industry, research and other institutions, governmental agencies, or other indicators justifying the need for the program.
- E. **Employment Opportunities:** Present a factual assessment of the employment opportunities that are likely to be available to program graduates. Include data and references supporting this assessment. Indicate the types and number of jobs for which such a curriculum is appropriate.
- F. **Program Impact:** Describe the impact of this program on other programs that it will support or that will be supported by it.
- G. **Cooperative Arrangements:** Describe any cooperative arrangements (including clinical affiliations, internship opportunities, personnel exchanges, and equipment sharing) that have been explored.
- H. **Alternatives to Program Development:** Describe any alternatives to the development of this program that have been considered and why they were rejected.

Part III - Program Implementation and Projected Resource Requirements

- A. **Program Administration:** Describe the administrative organization for the program and explain what changes, if any, will be required in the institutional administrative organization.
- B. **Program Projections:** Indicate the planned enrollment growth and development of the new program during its first five years (FORM 1). If the program will not be fully developed within five years, indicate the planned size of the program in terms of degrees and majors or clients served over the years to reach full development of the program.
- C. **Faculty Instructional Requirements:** Indicate the number, probable rank, experience, and cost of faculty required over the five-year period.
- D. **Library Resources and Instructional Materials:** Evaluate the adequacy of existing library resources and instructional materials for the proposed program. Estimate the nature and probable cost of additional resources necessary to bring the proposed program to an accreditable level.
- E. **Support Service Requirements:** Indicate the nature of any additional support services (e.g., laboratories, computer facilities, equipment, etc.) likely to be required by the proposed program. Include the expected costs, and describe how such expansions will be incorporated into the institutional budget.
- F. **Facilities Requirements:** Indicate whether the program will require the addition of new space or facilities or the remodeling or renovation of existing space. If so, provide a statement detailing such plans and space needs and

their estimated funding requirements. Describe the impact of this new program on space utilization and facilities requirements.

- G. **Operating Resource Requirements:** Using FORM 2, provide a summary of operating resource requirements by objective expenditure.
- H. **Source of Operating Resources:** Indicate the source of operating resource requirements if the service levels are to reach those projected in FORM 1. Describe any institutional plans to reallocate resources to the program in each year of the five-year period. Describe the supplementary resource needs that are beyond the usual or expected institutional allocations that are derived through the regular budget request process.

Part IV - Program Evaluation

- A. **Evaluation Procedures:** Indicate the evaluation or review guidelines, procedures, and schedule that will be used for this program. Criteria and standards for program evaluation will vary according to the level and purpose of the program. The evaluation should address the viability, adequacy, and necessity of the program in relation to the mission of the institution, and its consistency with the master plan for the state system of higher education. Both qualitative and quantitative indicators are important. Among the measures may also be the value of the program to the State and its people, its role in contributing to human development, and its social utility in contributing to the further development of West Virginia.
- B. **Accreditation Status:** Indicate the accrediting agency for the proposed program, the schedule for initiating and receiving accreditation, and the costs of each stage of the process. Attach to the proposal the statement of standards used by the accrediting agency for such a program.

Part V - Termination of a Program

In requesting authorization to discontinue or temporarily suspend offering a degree or certificate program, the president of the institution should forward to the Chancellor a narrative statement that explains the reasons for the proposed action (e.g., lack of enrollment, high cost, etc), and indicates the institution's plans for assigning the positions and workload of faculty who are involved in the program, and the impact on the students who are already enrolled. Describe any plans that may have been made to transfer students, library holdings, equipment, etc. to another institution.

Part VI - Schedule - Five-Year Cycle

Each year a group of study areas, covering select fields, will be identified for Program Review. Different fields may be selected for review for each level of degree when consistency of selection does not balance the burden among institutions.

The study areas of the National Center for Education Statistics' Classification of Instructional Programs are:

- Agriculture
- Architecture and Environmental Design
- Area and Ethnic Studies
- Business
- Communications
- Computer and Information Sciences
- Consumer, Personal, and Miscellaneous Services
- Education
- Engineering
- Foreign Languages
- Health

Home Economics
 Industrial Arts
 Law
 Letters
 Liberal/General Studies
 Library and Archival Sciences
 Life Sciences
 Mathematics
 Military Sciences
 Multi/Interdisciplinary Studies and Regents' B.A.

Parks and Recreation
 Personal and Social Development
 Philosophy, Religion, and Theology
 Physical Sciences
 Psychology
 Public Affairs and Protective Services
 Social Sciences
 Trade and Industrial
 Visual and Performing Arts

FORM I

FIVE-YEAR PROJECTION OF PROGRAM SIZE

	First Year (19__)	Second Year (19__)	Third Year (19__)	Fourth Year (19__)	Fifth Year (19__)
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Number of students served through
 course offerings of the program:

Headcount

FTE

Number of credit hours
 generated by courses within
 the program:

Number of credit hours generated
 by majors in the program:

Number of majors:

Headcount

FTE majors

Number of degrees to be granted
 (annual total)

FORM 2

FIVE-YEAR PROJECTION OF TOTAL OPERATING RESOURCES REQUIREMENTS*

	First Year FY(19__)	Second Year FY(19__)	Third Year FY(19__)	Fourth Year FY(19__)	Fifth Year FY(19__)
A. <u>FTE POSITIONS</u>					
1. Administrators	_____	_____	_____	_____	_____
2. Faculty Members	_____	_____	_____	_____	_____
3. Graduate Assistants	_____	_____	_____	_____	_____
4. Other Personnel	_____	_____	_____	_____	_____
a. Clerical Workers	_____	_____	_____	_____	_____
b. Professionals	_____	_____	_____	_____	_____
TOTAL POSITIONS	_____	_____	_____	_____	_____
B. <u>OPERATING COSTS (APPROPRIATED FUNDS ONLY)</u>					
1. <u>Personal Services:</u>					
a. Administrators	_____	_____	_____	_____	_____
b. Faculty Members	_____	_____	_____	_____	_____
c. Graduate Assistants	_____	_____	_____	_____	_____
d. Nonacademic Personnel					
Clerical Workers	_____	_____	_____	_____	_____
Professionals	_____	_____	_____	_____	_____
TOTAL SALARIES	_____	_____	_____	_____	_____
2. <u>Current Expenses:</u>					
3. <u>Repairs and Alterations:</u>					
4. <u>Equipment:</u>					
Educational Equipment	_____	_____	_____	_____	_____
Library Books	_____	_____	_____	_____	_____
5. <u>Nonrecurring Expense:(specify)</u>					
TOTAL COSTS	_____	_____	_____	_____	_____
C. <u>SOURCES</u>					
1. General Fund Appropriations (appropriated funds only)	_____	_____	_____	_____	_____
2. Federal Government (nonappropriated funds only)	_____	_____	_____	_____	_____
3. Private and Other (specify)	_____	_____	_____	_____	_____
TOTAL ALL SOURCES	_____	_____	_____	_____	_____

* Explain your method for predicting the numbers

APPENDIX A

GUIDELINES FOR COOPERATIVE DOCTORAL PROGRAMS

I. Introduction:

- A. At its meeting July 13, 1982, the Board of Regents directed the Chancellor and the Board staff to undertake, during the 1982-83 academic year, the development of formal guidelines for cooperative doctoral programs. The Board also directed that the presidents of Marshall University, the West Virginia College of Graduate Studies, and West Virginia University be involved in developing the guidelines.
- B. These guidelines deal primarily with policies and procedures for proposing and implementing cooperative doctoral programs, rather than with the structure of the programs, which necessarily will differ from program to program.

II. Procedures for proposing cooperative doctoral programs (effective July 1, 1983):

- A. Any of the three graduate degree-granting institutions may initiate a proposal for a cooperative doctoral program. The President of the initiating institution should send a proposal to the President of each of the other two institutions, with a copy to the Chancellor of the Board of Regents.
- B. Within 45 calendar days, each of the other two presidents should send to the President of the initiating institution a response to the proposal, with a copy to the Chancellor.
- C. Following receipt of the responses, the Chancellor (or his representative) shall convene a meeting of the presidents or other representatives of the three graduate degree-granting institutions to review the proposal and responses. The purpose of the meeting will be to determine whether the proposal is consistent with the approved mission statements of the institutions and to resolve any concerns expressed in the responses. In the event of disagreement, the Chancellor will attempt to resolve the differences and make a determination about the proposal, subject to the institutions' right to appeal to the Board of Regents.
- D. When agreement is reached on the appropriateness of the proposal to the missions of the three institutions, and when any concerns expressed in the responses have been resolved, the Chancellor, with advice from the presidents of the cooperating institutions, will appoint an ad hoc committee composed of representatives of the cooperating institutions to conduct a needs assessment. The ad hoc committee will determine the population to be surveyed and the form of the survey instrument. The ad hoc committee will submit to the Chancellor the results of the needs assessment, together with a recommendation concerning implementation of a cooperative doctoral program. West Virginia University will be

the degree-granting institution, and either Marshall University or the West Virginia College of Graduate Studies (or both) will be the cooperating institution (or institutions).

- E. Based upon a review and positive recommendation by the Chancellor, the ad hoc committee will draft a formal proposal for a cooperative doctoral program, consistent with the requirements for completion of comparable doctoral programs (if any) that may already be offered at West Virginia University.
- F. West Virginia University will consider the proposal in accordance with its internal committee structure, and (as appropriate) the cooperating institutions also may do so. The two or three participating institutions will then make a joint presentation of the proposal to the Chancellor, who will make a recommendation to the Academic Affairs Committee of the Board of Regents. As appropriate, representatives of the participating institutions will be invited to be present.
- G. The Chancellor will monitor the progress of the program from the time of initiation of the proposal to ensure that satisfactory progress is made toward action on the proposal.

III. Policies for implementing existing and new cooperative doctoral programs (effective immediately):

- A. Students wishing to enroll in a cooperative doctoral program must be admitted to West Virginia University. For each cooperative doctoral program, the admission standards and program requirements in such areas as academic progress and research shall be those of West Virginia University.
- B. Cooperating doctoral students will be admitted to both West Virginia University and the cooperating institution.
- C. Enrollment in a cooperative doctoral program will be subject to those limitations on faculty, equipment, laboratory, library and financial resources which are agreed upon by the participating institutions.
- D. To participate in a cooperative doctoral program, a faculty member from a cooperating institution must be approved as a member of West Virginia University's graduate faculty by the appropriate school or college and department at West Virginia University. The criteria for graduate faculty membership at West Virginia University shall be in effect for all faculty whose credentials are submitted from a cooperating institution.
- E. The regulations regarding the composition of doctoral committees shall be those of West Virginia University and the appropriate school or college and department. In addition, each committee of a cooperative doctoral student shall have no fewer than two faculty members from West Virginia University, both of whom shall have been approved as graduate faculty eligible to participate in doctoral education.
- F. Grades in course work taken at a cooperating

institution will be transferred to West Virginia University. Appropriate graduate degree credit (but not grades) may be transferred from non-cooperating institutions. West Virginia University will issue a transcript containing all pertinent information about the courses and the awarding of the degree, including an indication that the degree was awarded in cooperation with the other institution or institutions. The cooperating institutions similarly will indicate on the student's academic record that the degree was awarded by West Virginia University on a specified date.

- G. Credit/no-credit grades in course work taken at Marshall University or the West Virginia College of Graduate Studies will be entered on the student's academic record at West Virginia University and will be treated like the grades of "S" (Satisfactory) and "U" (Unsatisfactory). The student's grade-point average (GPA) therefore will be calculated by ignoring courses with a grade of "credit" and by treating a "no-credit" grade as a "U."
- H. If a cooperative doctoral student has incomplete course work or grades during the student's final term, the appropriate administrator at the cooperating institution (the Dean of the Graduate School at Marshall University and the Dean of the Faculty at the West Virginia College of Graduate Studies) will notify the dean of the appropriate school or college at West Virginia University when the student has completed the required courses at the cooperating institution and will request that the student's final transcript be forwarded to West Virginia University.
- I. Candidacy examinations and defense of the dissertation are requirements of all doctoral programs. These may be conducted on the campus of West Virginia University or on the campus of one of the cooperating institutions. The defense must be open to the public, and appropriate publicity must be given to ensure that this requirement is met. All members of the student's dissertation committee (or one or more persons who are approved as substitute members) must attend the defense. Before the student can be approved for graduation, the Library of West Virginia University must receive two unbound copies of the dissertation.
- J. Cooperative doctoral students must meet all graduation requirements established by West Virginia University. These include registration in the semester in which the student expects to graduate and payment of the graduation fee.
- K. Degrees in the program will be conferred by West Virginia University on the dates of its regular commencement exercises (in December, May, and August). The degree, however, may be presented at the commencement exercises of a cooperating institution by a representative of West Virginia University, who will be invited to participate in the commencement exercises.
- L. The following examples of style will be followed in the wording of diplomas:
 - (1) For the Ed.D. in Educational Administration: West Virginia University, in cooperation with Marshall University and the

College of Graduate Studies. Know all persons by these presents that the West Virginia Board of Regents, upon the recommendation of the faculty of the College of Human Resources and Education, has conferred upon (name of candidate) the degree of Doctor of Education, etc.

- (2) For the Ph.D. in Bio-Medical Science: West Virginia University, in cooperation with Marshall University. Know all persons by these presents that the West Virginia Board of Regents, upon the recommendation of the faculty of the College of Medicine, has conferred upon (name of candidate) the degree of Doctor of Philosophy, etc.

IV. Implementation Appeal Committee:

A sub-committee of the Board of Regents' Academic Affairs Advisory Committee will seek to address problems that may arise in implementing these guidelines. This Sub-Committee on Cooperative Doctoral Programs will consist of the chief academic officer of Marshall University, the West Virginia College of Graduate Studies, and West Virginia University and will be chaired by the Vice Chancellor for Academic Affairs.

Approved by the West Virginia Board of Regents
March 8, 1983

APPENDIX B

GUIDELINES FOR TRANSFERRING FROM PRE-ENGINEERING TO BACCALAUREATE ENGINEERING PROGRAMS

I. Introduction:

- A. At its meeting June 8, 1982, the West Virginia Board of Regents directed the two institutions with baccalaureate programs in engineering to cooperate with Marshall University to ensure articulation and transfer of all qualified students from Marshall University's pre-engineering program to a baccalaureate program.
- B. Consistent with Board of Regents' Policy Bulletin No. 17 and other policies relating to the transfer of students among institutions in the Board's state system of higher education, the following policies and practices have been developed to guide the transfer of students from approved two-year pre-engineering programs to baccalaureate degree programs in engineering.
- C. The parties to this agreement are:
 - 1. West Virginia University and West Virginia Institute of Technology (the "receiving institutions");
 - 2. Marshall University, Bluefield State College, Shepherd College, Parkersburg Community College, and Potomac State College of West Virginia (the "sending institutions"); and
 - 3. Any other sending institution which may be approved by the Board of Regents to offer a two-year pre-engineering transfer program and to become party to this agreement.

WEST VIRGINIA UNIVERSITY



IN COOPERATION WITH
MARSHALL UNIVERSITY
AND
THE COLLEGE OF GRADUATE STUDIES

KNOW ALL PERSONS BY THESE PRESENTS
THAT THE WEST VIRGINIA BOARD OF REGENTS
UPON THE RECOMMENDATION OF THE FACULTY
OF THE COLLEGE OF HUMAN RESOURCES AND EDUCATION
HAS CONFERRED UPON

THE DEGREE OF

WITH ALL THE RIGHTS, HONORS AND PRIVILEGES THEREUNTO
APPERTAINING. WITNESS THE SEAL OF THE UNIVERSITY
AND THE SIGNATURES OF ITS DULY AUTHORIZED OFFICERS
HEREUNTO AFFIXED THIS EIGHTEENTH DAY OF MAY,
NINETEEN HUNDRED EIGHTY.

Gene A. Budig

PRESIDENT OF THE UNIVERSITY

G. L. D... ..

PRESIDENT, WEST VIRGINIA BOARD OF REGENTS

DEAN OF THE COLLEGE

Ben G. M... ..

CHANCELLOR, WEST VIRGINIA BOARD OF REGENTS

II. Policies and Practices for the Transfer Process:

- A. Any student (1) who is a resident of West Virginia, (2) who is admitted to a sending institution with either a minimum high school grade-point average (GPA) of 3.0 or a Standard ACT mathematics score of 24 or higher, and (3) who maintains a GPA of 2.0 or higher during the equivalent of four terms (64 credit hours) at a sending institution will be assured admission into a baccalaureate program in engineering at a receiving institution, provided the student has satisfactorily completed all prerequisite courses. Qualified students who have completed fewer than 64 credit hours at a sending institution will be considered for admission to a baccalaureate engineering program at a receiving institution on a case-by-case basis.
- B. Any student (1) who is not a resident of West Virginia, (2) who has earned either a minimum high-school GPA of 3.4 or a Standard ACT mathematics score of 28 or higher, and (3) who maintains a GPA of 2.0 or higher during the equivalent of four terms (64 credit hours) at a sending institution will be assured admission into a baccalaureate program in engineering at a receiving institution, provided the student has satisfactorily completed all prerequisite courses. Qualified students who have completed fewer than 64 credit hours at a sending institution will be considered for admission to a baccalaureate engineering program at a receiving institution on a case-by-case basis.
- C. Any student who does not qualify under A(2) or B(2) above, but who nonetheless is admitted to a pre-engineering transfer program at a sending institution, must be informed in writing that there is no assurance that he or she will be admitted to a baccalaureate program in engineering at a receiving institution. Moreover, such a student will not be assured of consideration for transfer to a receiving institution unless the student has achieved a Standard ACT mathematics score of 18 or higher and has maintained a GPA of 3.0 or higher during the equivalent of four terms (64 credit hours) at a sending institution. In addition, the student must have completed (1) at least one year of appropriate college-level mathematics and (2) at least one year of appropriate college-level chemistry or physics with an average of 2.5 or higher in each of the mathematics and chemistry or physics areas. Students who do not meet the minimum transfer requirements, but who demonstrate special aptitude for engineering studies, may request admission to a baccalaureate program in engineering at a receiving institution by written petition to the appropriate administrator at the receiving institution.
- D. Each party to this agreement will share with all other parties details of its curricula in pre-engineering and baccalaureate engineering, including course syllabi. Although identical courses, content, and requirements are not expected among the several institutions, the faculty at each institution should ensure sufficient complementarity of course offerings so that the student will not lose course credits or need to repeat

courses in the process of transferring into a baccalaureate engineering program.

- E. During the first semester of each academic year, each sending institution should notify the two receiving institutions of the number of transfer students that may be expected for the second semester, the summer session, and the first semester of the next academic year. Such communication should contribute to informed planning for resources and allow for adequate adjustments in other admissions decisions for each fall term.
- F. Each sending and receiving institution should include in its college catalog and in other appropriate materials a statement of the conditions and expectations for pre-engineering transfer students, so that there is no implied contractual obligation that is not understood by the student.
- G. Although these guidelines are designed to accommodate students who wish to transfer into a baccalaureate engineering program from an approved two-year pre-engineering program, differences in the range and scope of offerings at each institution cannot assure that a student will be able to complete the baccalaureate degree in all fields of engineering within a four-year period. A student transferring to a receiving institution may be required to complete additional courses in later semesters or summer sessions to satisfy the requirements of a baccalaureate degree program. Moreover, because of the specialized nature of the curricula, in Aerospace Engineering, Chemical Engineering, Electrical Engineering, and Industrial Engineering, students intending to major in these fields may need more than four years to complete a bachelor's program.
- H. Any student who is admitted by transfer from a pre-engineering program at a sending institution will be treated by the receiving institution like the receiving institution's regular returning students. Access to student housing and other privileges at the receiving institution will be controlled by the usual offices, in accordance with the institution's standard practices.
- I. All pre-engineering students at a sending institution will have an opportunity annually, and on an individual basis, to consult with academic advisors from the receiving institutions to ensure adequate articulation of engineering program requirements.

III. Additional Considerations:

- A. Admission to baccalaureate engineering programs in certain high-demand, limited enrollment fields (for example, Chemical Engineering and Electrical Engineering) will be subject to such limitations on laboratory facilities and available equipment as may exist at the receiving institution. In these instances, the receiving institution may invite qualified applicants to select another field (for example, Civil Engineering).
- B. All parties to this agreement will review its provisions every two years, and modifications reached by consensus will take effect following two years' written notification to current and prospective

students in pre-engineering transfer programs at the sending institutions.

Approved by the West Virginia Board of Regents
May 3, 1983

ADMINISTRATIVE BULLETIN NO. 24

June 7, 1983

GUIDELINES FOR HONORARY DEGREES

Any public college or university which proposes to award honorary degrees shall develop criteria and procedures for the nomination of persons to receive such degrees and shall have those criteria and procedures approved by the Board of Regents. The criteria, procedures, and subsequent amendments shall be developed through consultation among the administration of the institution and the appropriate faculty councils, and such criteria and procedures and any subsequent amendments must be submitted by the President of the institution to the Board of Regents by October 15 for approval. These criteria and procedures shall be consistent with the following guidelines:

1. A committee or body representative of the institution's constituencies shall be designated to solicit and review nominations for honorary degrees from members and friends of the institution.
2. The committee's recommendations shall be received and considered by the President and Board of Advisors prior to their submission to the Board of Regents.
3. Degrees which could be confused with earned degrees shall not be awarded.
4. The Board of Regents must approve each nominee for an honorary degree prior to the nominee's official notification. The nominations must be accompanied by a clear statement of the degree being awarded and the reasons therefor. All recommendations must be received by the Board no later than March 1 of the year in which the degree is proposed to be awarded.
5. As an alternative to awarding honorary degrees, institutions are encouraged to award medals or citations.

ADMINISTRATIVE BULLETIN NO. 25

May 9, 1984
Replacing August 31, 1983

PROCEDURES REGARDING THE PROMULGATION OF INSTITUTIONAL RULES AND REGULATIONS GOVERNING THE SPEED, FLOW, AND PARKING OF VEHICLES ON THE CAMPUSES OF PUBLIC COLLEGES AND UNIVERSITIES LOCATED IN WEST VIRGINIA

- I. In accordance with the provisions of Chapter 18, Article 26, Section 26 of the **West Virginia Code**, each public institution of higher education located in **West Virginia** shall promulgate rules and regulations relating to the speed, flow and parking of vehicles on campus roads, driveways and parking facilities or areas in the manner prescribed in Chapter 29a of the **West Virginia Code** and when so promulgated these rules

and regulations shall have the force and effect of law. These parking rules and regulations shall be developed in accordance with the provisions of Chapter 18, Article 26, Section 26 of the **West Virginia Code** and copies of said rules and regulations shall be filed with the Chancellor of the West Virginia Board of Regents.

- II. As a minimum, the published institutional rules and regulations shall provide for the following:

A. **Regulation and Control of Vehicles.** Each institution shall:

1. Conspicuously post parking rules and penalties for violations in each parking facility or area (including the availability of temporary parking permits and where they may be obtained).
2. Conspicuously post signs governing the speed and flow of traffic and parking along each campus road and driveway and penalties for violations.
3. Issue a citation to offenders and direct their appearance before a designated institutional official within ten days of the citation or before a magistrate or municipal judge after ten days.

B. **Civil and Criminal Penalties:** Penalties shall be imposed in the following manner:

1. Persons appearing before the designated institutional official within ten days of the offense shall be subject to a civil penalty of not more than \$10.00. All money derived from civil penalties shall be deposited in a special fund in the State Treasury and credited to the college or university at which the penalty was paid.
2. All persons failing to appear before a designated institutional official within ten days, and all persons pleading not guilty, shall be referred to the jurisdiction of a magistrate or municipal judge.
3. The designated official of the institution presiding over cases shall keep records as specified in Chapter 18, Article 26, Section 26 of the **West Virginia Code**.

C. **Vehicle Removal.** Each institution shall establish regulations which provide that:

1. Vehicles parked in violation of posted regulations and which substantially impede the flow of traffic or endanger the health and safety of persons on the campus may be removed by towing or otherwise to a designated area owned or controlled by the college or university. Once towed, the vehicle may be rendered immovable by use of locking wheel blocks or other device not damaging to the vehicle.
2. The institution shall pay for the cost of removing and storing the vehicle and shall have a right to reimbursement from the owner.
3. The institution may have a lien on the vehicle and retain possession of it until payment of costs by the owner.

XV.

REGENTS' CENTER FOR EDUCATION AND RESEARCH WITH INDUSTRY INTERIM OPERATING POLICY AND GUIDELINES

Revised May 29, 1984; approved by the West Virginia Board of Regents, July 10, 1984. The following comment by Chancellor Leon H. Ginsberg (memo 7/10/84) is pertinent: "The guidelines are just that; guidelines which are acceptable to the Board. They are not mandated by the Board. Each college and university is responsible for developing its own policies."

1. Purposes

The principles and purposes of the CERI are specified in the attached Board of Regents' resolution of March 8, 1983. CERI is intended as an information clearinghouse and facilitator of mutually-beneficial partnerships between public and private sectors. Arrangements for research or instructional services are made directly between the institutions of higher education and the corporations, and should be conducted within the structure of the faculty member's institution. Since each institution manages such projects differently, institutional guidelines should be followed. The following are intended to guide policy development at public colleges and universities in refining their own policies.

2. Collaborative Research, Service, and Instruction

Collaboration with business and industry in basic and applied research, service, and instructional programs is to be encouraged. It contributes to the development of the people of West Virginia, improves the competitiveness of private sector enterprises, fosters technology transfer and information flow, and these lead to advancing the economic development of the State. New and varied experiences contribute to the development of faculty and programs. Collaborative efforts enrich the educational experience of students, and encourage new clientele to become students. The following policies are intended to advance the above goals. They are also intended to ensure that State statutes and regulations are followed, that academic principles are not compromised, that the well-being of the institutions is enhanced, and that the academic, professional and financial interests of faculty and students are protected. This is the foundation for a productive partnership.

3. Acceptance of Grants and External Funds

Acceptance of grants and funds from sources external to State appropriations to the Board of Regents is subject to the conditions and review process specified in Board of Regents' Policy Bulletin No. 28.

4. Management of Funds

Grant or contract funds from any source become subject to all of the Board of Regents' expending and reporting procedures upon acceptance by the institution, and must be handled as required by State law.

The policies and regulations which apply to all awards accepted by the institution are those set forth in institutional policies or Board of Regents' regulations. Thus, appointment procedures, expenditure of funds, employment conditions, travel, use of consultants, and related matters fall under the normal policies, rules, and regulations by which the institution operates. All payments in compensation of activity

arranged through CERI must be to the institution or to the Board of Regents.

As a State Agency, the Board of Regents and the institutions in its system of higher education shall comply with all State and Federal laws and regulations. As State employees, faculty and staff shall not enter into arrangements which violate State laws or regulations.

5. Conflict of Interest

It will be deemed a conflict of interest for any full-time employee of the institution (or for a corporation or association of which such an employee, or his or her spouse, or child under twenty-one years of age, or any combination thereof, who owns or own a majority of the stock of interest) to furnish to the institution any goods, services, or any other thing, and to receive therefor any remuneration other than the employees' contracted salary or wages, except as may be approved by the president of the institution. (Nothing in this policy is to be construed to apply to (1) any work written, or thing invented independently by such employee; (2) services performed for external sponsors by such an employee within the institution's consulting time policy where the funds to pay for such services are not provided to the institution through a grant form, or a contract or other arrangement with, some outside agency.) When accepting funding for research, consulting or other activities, information of any equity holdings, administrative position, patents or other rights, or favored position must be disclosed. With regard to government-sponsored research, the joint statement of the Council of the American Association of University Professors and the American Council on Education, "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities," should be used as guidance.

6. Indirect Costs

An equitable and appropriate overhead rate should be charged on all externally sponsored research, services, consulting or instructional activity. The exact rates and procedures followed shall normally be those established by institutional policy, and are often identical with those negotiated with appropriate Federal agencies. The rates may be increased by mutual consent among the parties to accommodate institutional costs that are difficult to establish by direct costing methods. All identifiable direct costs must be recovered from external sponsors except where, by written agreement, direct costs are paid as part of cooperative research efforts.

7. Responsibility for Results

Individual faculty members hold ultimate responsibility for the results of their research. Use of the institution's name should be for identification purposes only. The findings or recommendations of research should not be identified as the position of the institution, of the Board of Regents, or of the State of West Virginia, but solely that of the author or investigator.

8. Consulting Through Personal Services Agreements

Individuals are not precluded from entering directly into individual consulting agreements, which were independently arranged, subject to conditions specified by institutional policy and Policy Bulletin No. 36, Section 3.

One working day per week (within a 5-day week) may normally be used for consulting for organizations other than the institution, unless such activities interfere with the adequate performance of academic duties. The administrators of each institution shall establish a program of periodic review of outside services of appointees to guide faculty members. Use of institutional equipment or other resources requires prior approval by the institution and reimbursement for associated direct costs. Faculty are encouraged to perform such work under institutional auspices.

9. Patent Policy for CERI Projects

Patent Policy will be governed by practices established at each institution, or for inter-institutional efforts, by the policies of one of the parties, or by mutual agreement, may be those of West Virginia University. All patents derived from inventions conceived or reduced to practice by personnel at the institutions shall belong to the respective institution and not to the Board of Regents. Corporate sponsors may be given nonexclusive royalty-free rights to patents developed from research if substantial financial support is provided by them. In each case, a patent agreement must be negotiated with each sponsor which does not conflict with State and Federal law, and recognizes the relative proportion of investment by each sponsor in a discovery. Requests for an exclusive license or shared ownership of patents must be approved by the Board of Regents. If one or more corporate sponsor(s) request that a patent be secured, the sponsor must pay all associated costs to secure and protect the patent, and may then be provided an exclusive license and pay fair royalties to the institution.

Although the individual faculty or staff member has an equity in any patentable discovery or invention, regardless of the source of funds supporting the experimental work, those activities undertaken through externally-sponsored grants and contracts may be constrained by the terms and conditions of the agreement with the sponsor. Any invention or patentable discovery made by a faculty or staff member with all or a portion of the time, facilities, and/or resources provided by the institution from any source, gives the institution equity in the invention or discovery. In such cases, the invention or discovery should be used and controlled in ways to produce the greatest benefit to the institution and the public.

A faculty or staff member who makes a discovery or invention outside his or her regular duties, on his or her own time, at his or her own expense, and without the use of institutional facilities, is entitled to full ownership of it. Regardless of the question of equity, the institutions will assist any staff member, so far as possible, in evaluating inventions and discoveries and, if advisable, in patenting them.

10. Use of Human Subjects

There is an obligation to protect human subjects as part of all research activities, funded or nonfunded. The obligation applies to every member of an institution's faculty, staff, and student body conducting studies which involve human subjects. In case of students (including interns and residents), the supervising faculty or staff member is responsible for seeing that a study is approved or exempted by the appropriate institutional review board for the protection of human subjects before the use of any human subjects in the study, and for supervising the conduct of the research.

The institutional review board for the protection of human subjects provides direction in assuring the rights of individuals serving as research subjects by establishing and maintaining a set of guiding principles designed to elicit the highest professional standards in dealings with subjects, and by independently reviewing projects which involve human subjects in order to ensure that proper standards are met and that procedures do not infringe upon the safety, health, and welfare of the subjects.

11. Protection of Proprietary Information and Publication Rights

Information provided by a for-profit corporation may be protected by development of a written agreement in each case. However, it is important to publish results of research to advance knowledge consistent with the best practices of higher education. Publication of results may be withheld for a maximum period of six months, if required for the filing of a patent application, provided that a sponsoring company makes a written request for such a delay within thirty (30) days of mailing to the company. Researchers are responsible for determining in advance whether any patent or commercial product mentioned in a publication requires prior consent by the sponsoring corporation. In addition, the right of prior review and comment by the sponsor may be required in a written contract. Protection of proprietary information is the primary responsibility of the faculty, staff, and students involved, and they must be party to, and sign concurrence with, any such agreement.

12. Contractual Training and Development Programs

- (a) Faculty. Participation of faculty members and staff as teachers in externally-funded programs on or off campus may be arranged as part of their regular full-time workload. Where faculty members do not have available time, assignments may be on an overload basis, and are made first to regularly employed faculty members of the host or other higher education institutions, and then to other qualified personnel.
- (b) Credits. Every provision shall be made to ensure that the quality of off-campus classes offered for credit is commensurate with the quality of those offered on campus. Furthermore, the policies for such credit work are to be compatible with standards and policies of the North Central Association of Colleges and the accrediting agencies for the professions.
- (c) Television Teaching. Board of Regents' Policy Bulletin No. 48, adopted January 4, 1977, summarizes the rights and responsibilities of those involved in television instruction.

13. Compensation of Full-Time Faculty from Non-State Sponsors if Arranged by CERI

- (a) Policies of each college or university regarding release time for research, consulting, public service, and other related matters are set by the president of the institution within guidelines established by the Board of Regents. If outside employment or service interferes with the performance of the regular institutional duties of the appointee (faculty member, administrator, or staff), the institution has the right to make such

adjustments in the compensation paid to such appointee as are warranted by the services lost to the institution.

- (b) When Federal sponsorship is involved, compliance with various Federal regulations, such as OMB A-21 and other related guidelines, is reaffirmed.
- (c) Faculty may request release from a course on a term-by-term basis to devote additional effort to research, consulting, or public service. As a minimum, the replacement cost of part-time faculty (or overload to others) must be met by external sources. Approval by the president is required.
- (d) Faculty may request overload (6th day) payment from external sources consistent with existing policy on a term-by-term basis, subject to approval of the funding agency and president. The overload payment should represent at least 20% of weekly salary of the faculty member for a full sixth day of work.
- (e) At times the development of an externally-funded course (on- or off-campus) requires new and unusual efforts in its preparation, and it is clear that these efforts will not bear a direct or long-term relationship to the regular instructional program of the college involved. With approval by the president concerning the relationship and rates, the faculty involved in the development may be compensated accordingly from contract funds for course development work.
- (f) Base academic year salary rates for faculty may be influenced by success in research and public service and by a continuing pattern of external support; when feasible, an appropriate portion of salary should be supported by external sources, not solely by the institution.
- (g) Faculty may be compensated at no less than their calendar daily rate for short-term consulting work funded from external sources at rates approved by the president of his or her institution.
- (h) Any special compensation to the faculty may not be less than the daily rate charged to a Federal agency. It may, however, be more, if approved by the president of the institution.
- (i) Faculty may be compensated through their institution for summer research or public service efforts at a weekly rate of at least 1/36 of the base academic year salary, not to exceed two and a half months of full-time income for the summer.
- (j) Ordinarily, faculty who accept leaves yet remain on campus for research or public service purposes are encouraged to teach one course to sustain the quality of the university's instructional programs.
- (k) Faculty will be expected to seek means to involve students in research efforts, both to contribute to the education and experience of the student, and to provide financial support for students. The integrity of the academic process and protection of the interests of the students must be assured.
- (l) Recipients of research support who are on nine-month contracts may be compensated from external sources during the summer months. Recipients on twelve-month contracts and, during a regular semester, recipients on nine-months contracts are permitted to undertake such research

by an appropriate adjustment of their contractual duties to the institution. Salary increments from grant or contract funds are not permitted without approval by the president.

14. Other Conditions

- (a) In arranging consulting agreements with business and industry, institutions are encouraged to charge rates that are comparable with those charged by private organizations that provide similar services.
- (b) Institutions and the Board of Regents expressly disclaim any warranties, express or implied, as to the conduct of the research project or its findings, or as to the accuracy of the results or their utility, merchantability, or fitness for any purpose.
- (c) In the case of any inventions licensed to the sponsor as a result of the research, the burden is placed on the sponsor to indemnify and hold harmless the institution, or the Board of Regents, and officers, agents, and employees from any liability arising out of the manufacture, use, or sale of products covered by the license(s) and suffered by the sponsor or by users of purchasers of such projects.
- (d) There will be a clear contractual understanding concerning any limitations on use of the name, trademark, logo, or other identifying marks of the institution or the Board of Regents, and of the names of researchers, students, or staff, for advertising or promotional purposes.