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The Greenbook

Academic Affairs

Summer 1989

The Greenbook, Faculty Handbook, 1989-1990

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T H E
GREENBOOK

MARSHALL
UNIVERSITY
1989 1990

Marshall University

The Greenbook

FACULTY HANDBOOK

August 1989

Editor
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Professor, Instructional Technology and Library Science



OFFICE OF THE PRESIDENT
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It is with great pleasure that we can provide you with a copy of the updated *Greenbook* for 1989-90.

The *Greenbook* is intended to serve as a source of information and guidance in the operation of the University, and to define and clarify the roles of the various memberships on campus. It is vital that this book be accurate and current at all times.

With this in mind, I would like to thank Dr. Mervin Tyson and Dr. Walter Felty for having undertaken this responsibility over the past years. Their commitment was evident and their work monumental.

For the past two years, under the able leadership and hard work of Dr. Virginia Plumley, you will notice a number of changes in the format, sequencing and additions to the document. Those of us who have ever had this responsibility can appreciate the time and effort it takes to be successful.

I hope the *Greenbook* will accomplish the service it was intended to provide with efficiency and clarity.

Dr. Dale F. Nitzschke
President

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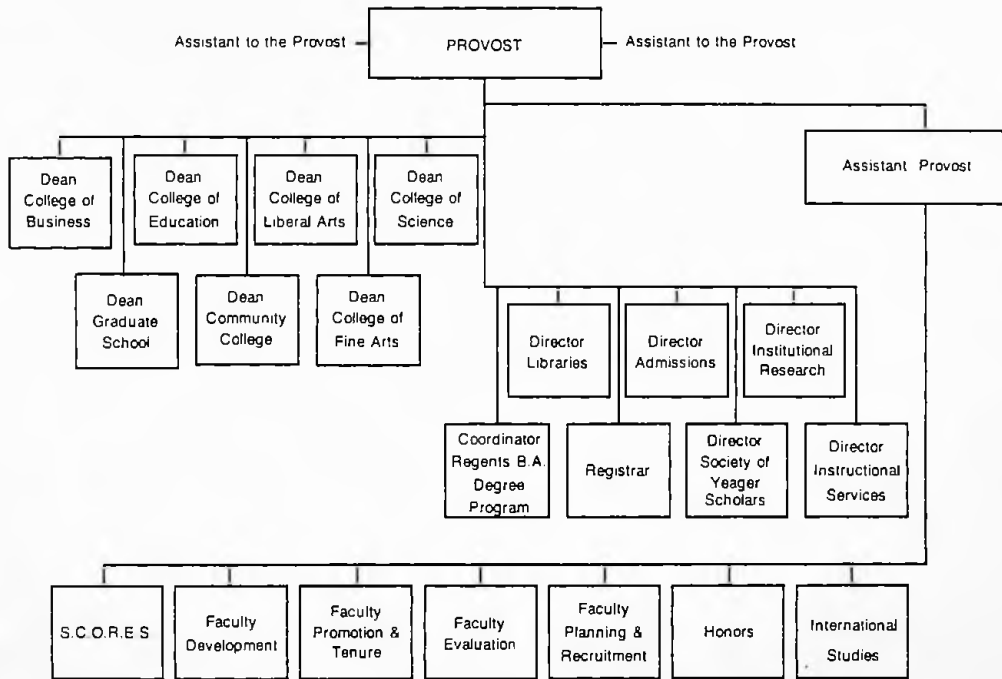
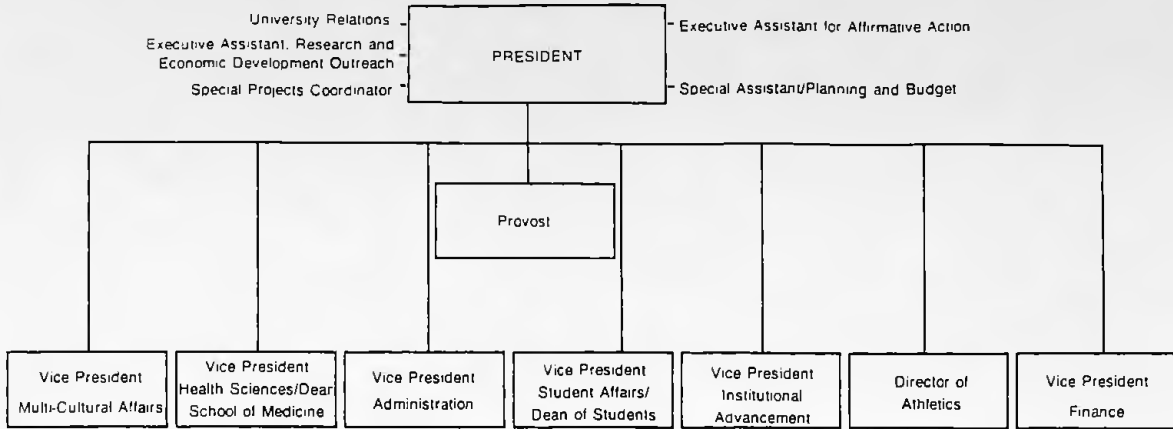
FOREWORD

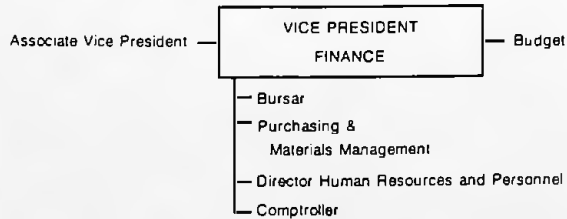
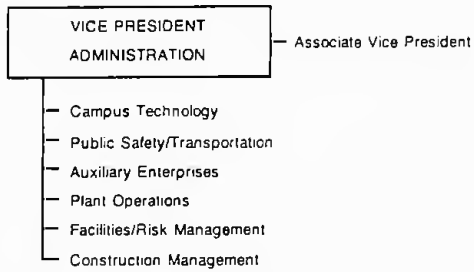
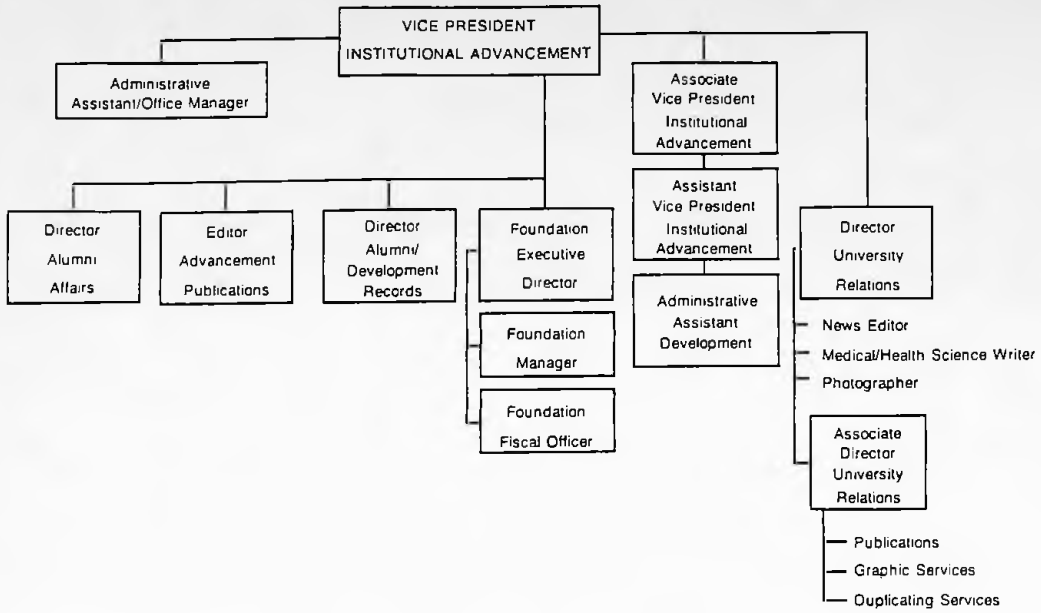
The *Greenbook* has undergone major revisions that make it more readable and easier to locate information. Essentially, the *Greenbook* provides a variety of information for use by faculty. There is also information that may be of interest to the administration and staff that is handled in a cursory manner.

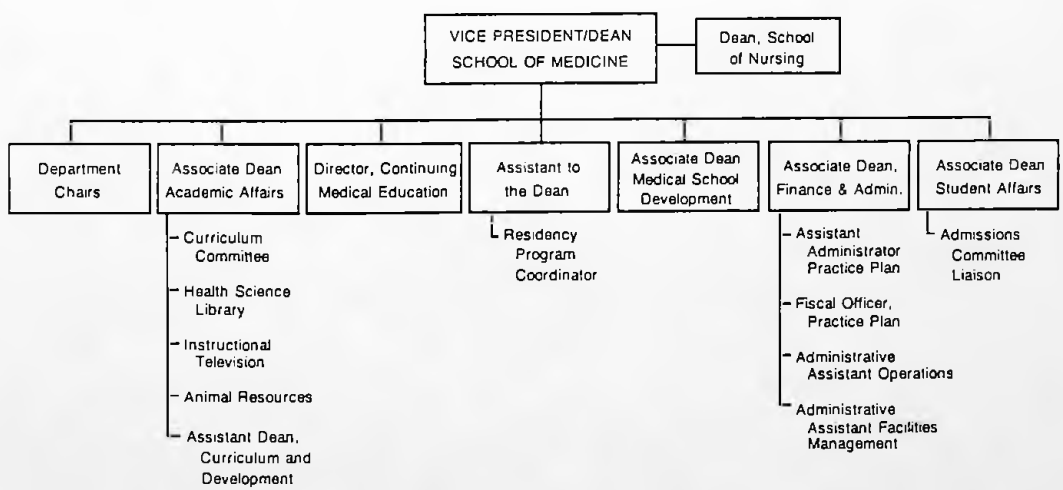
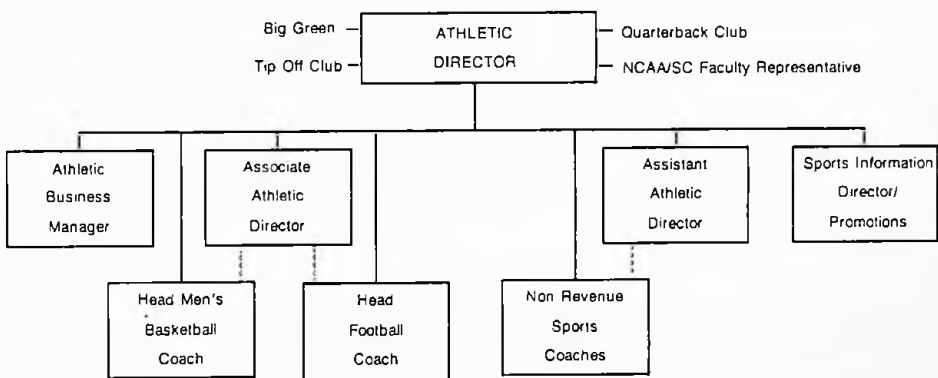
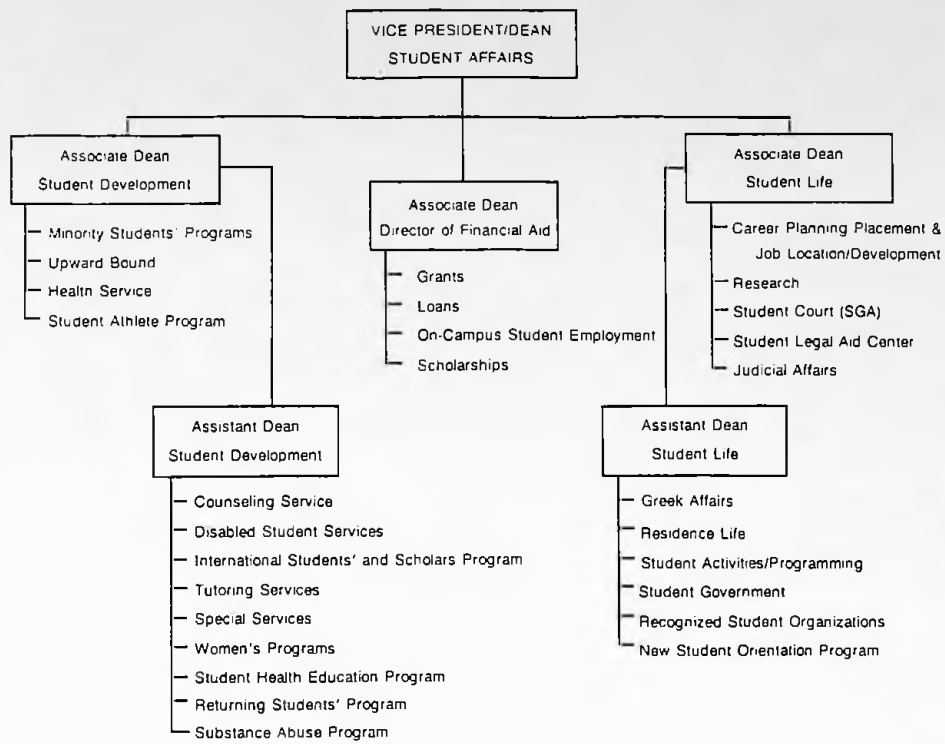
The University of West Virginia Board of Trustees (BOT) assumed jurisdiction of Marshall University on July 1, 1989. With this authority, they have a number of policy bulletins that guide each institution of higher education in the state. The bulletins are printed in Chapter XII, page 56. Where directed by the BOT, Marshall has interpreted the policy bulletins which are referenced with our interpretations. All interpretations are faculty generated with administrative input.

The layout of the *Greenbook* is simple to follow, and a Table of Contents and Index have been added this year to assist you in locating information.

Alan B. Gould
Provost







INSTITUTIONAL GOVERNANCE

UNIVERSITY OF WEST VIRGINIA BOARD OF TRUSTEES

Marshall University is a tax-supported institution under the jurisdiction of the University of West Virginia Board of Trustees. On July 1, 1989, the Board of Trustees assumed jurisdiction over West Virginia University including West Virginia University at Parkersburg, Potomac State College of West Virginia University and West Virginia University School of Medicine; Marshall University including the Marshall University School of Medicine; the University of West Virginia College of Graduate Studies; and the West Virginia School of Osteopathic Medicine.

Transfer of powers, duties, property, obligations, etc., of prior governing boards to the board of trustees and board of directors.

All powers, duties and authorities transferred to the board of regents pursuant to former provisions of chapter eighteen of the West Virginia code are hereby transferred to the governing boards created in this chapter and shall be exercised and performed by the governing boards as such powers, duties and authorities may apply to each governing board and to institutions under its jurisdiction.

Title to all property previously transferred to or vested in the board of regents formerly existing under the provisions of chapter eighteen of this code are hereby transferred to such governing board as those titles may apply to property which is appropriately under the jurisdiction of that governing board. Property transferred to or vested in the board of regents shall include (1) all property vested in the board of governors of West Virginia University and transferred to and vested in the West Virginia board of regents; (2) all property acquired in the name of the state board of control or the West Virginia board of education and used by or for the state colleges and universities and transferred to and vested in the West Virginia board of regents; and (3) all property acquired in the name of the state commission on higher education and transferred to and vested in the West Virginia board of regents.

Each valid agreement and obligation previously transferred to or vested in the board of regents formerly existing under the provisions of chapter eighteen of this code is hereby transferred to the governing boards as those agreements and obligations may apply to each governing board and to institutions under its jurisdiction. Valid agreements and obligations transferred to the board of regents shall include (1) each valid agreement and obligation of the board of governors of West Virginia University transferred to and deemed the agreement and obligation of the West Virginia board of regents; (2) each valid agreement and obligation of the state board of education with respect to the state colleges and universities transferred to and deemed the agreement and obligation of the West Virginia board of regents; and (3) each valid agreement and obligation of the state commission on higher education transferred to and deemed

the agreement and obligation of the West Virginia board of regents.

All orders, resolutions and rules adopted or promulgated by the board of regents and in effect immediately prior to the first day of July, one thousand nine hundred eighty-nine, are hereby transferred to the governing boards as those orders, resolutions and rules may apply to each governing board and to institutions under its jurisdiction and shall continue in effect and shall be deemed the orders, resolutions and rules of the respective governing boards until rescinded, revised, altered or amended by the appropriate governing board in the manner and to the extent authorized and permitted by law. Such orders, resolutions and rules shall include (1) those adopted or promulgated by the board of governors of West Virginia University and in effect immediately prior to the first day of July, one thousand nine hundred sixty-nine, unless and until rescinded, revised, altered or amended by the board of regents in the manner and to the extent authorized and permitted by law; (2) those respecting state colleges and universities adopted or promulgated by the WV Board of Education and in effect immediately prior to the first day of July, one thousand nine hundred sixty-nine, unless and until rescinded, revised, altered or amended by the board of regents in the manner and to the extent authorized and permitted by law; and (3) those adopted or promulgated by the state commission on higher education and in effect immediately prior to the first day of July, one thousand nine hundred sixty-nine, unless and until rescinded, revised, altered or amended by the board of regents in the manner and to the extent authorized and permitted by law.

As to any title, agreement, obligation, order, resolution, rule or any other matter about which there is some uncertainty, misunderstanding or question regarding the applicability to one or both of the governing boards, the matter shall be summarized in writing and sent to the secretary of education and the arts, who shall make a determination regarding such matter within thirty days of receipt thereof.

Rules or provisions of law which refer to other provisions of law which were repealed, rendered inoperative, or superseded by the provisions of this section shall remain in full force and effect to such extent as may still be applicable to higher education and may be so interpreted. Such references include, but are not limited to, references to sections and prior enactments of article twenty-six, chapter eighteen of this code and code provisions relating to retirement, health insurance, grievance procedures, purchasing, student loans and savings plans. Any determination which needs to be made regarding applicability of any provision of law shall first be made by the secretary of education and the arts.

Prior transfer of powers, etc., to board of regents; board of regents abolished

All the powers, duties and authorities which the board of governors of West Virginia University, previously established

by article eleven of chapter eighteen of the code or by any other provisions of law may have had immediately prior to the first day of July, one thousand nine hundred sixty-nine, shall be the powers, duties and authorities of the West Virginia board of regents until the first day of July, one thousand nine hundred eighty-nine. Until such date, all of the policies and affairs of West Virginia University shall be determined, controlled, supervised and managed by the West Virginia board of regents, who shall exercise and perform all such powers, duties and authorities.

All powers, duties and authorities which the West Virginia board of education may have had with respect to state colleges and universities immediately prior to the first day of July, one thousand nine hundred sixty-nine, shall be the powers, duties and authorities of the West Virginia board of regents until the first day of July, one thousand nine hundred eighty-nine. Until such date, all of the policies and affairs of the state colleges and universities shall be determined, controlled, supervised and managed by the West Virginia board of regents, who shall exercise and perform all such powers, duties and authorities: *Provided*, That the standards for education of teachers and teacher preparation programs at the state colleges and universities shall continue to be under the general direction and control of the West Virginia board of education, and the West Virginia board of education shall have sole authority to continue, as authorized by section six, article two, chapter eighteen of this code, to enter into agreements with county boards of education for the use of the public schools to give prospective teachers teaching experience.

All powers, duties and authorities vested in the state commission on higher education by previous provisions of chapter eighteen of this code or by any other provisions of law shall be the powers, duties and authorities of the West Virginia board of regents until the first day of July, one thousand nine hundred eighty-nine. Until such date, all of the powers, duties, and authorities of the state commission on higher education shall be exercised and performed by the West Virginia board of regents.

The board of regents shall be abolished on the first day of July, one thousand nine hundred eighty-nine.

For complete information concerning the powers and duties of the board of trustees, please refer to Senate Bill 420, Chapter 18B filed in the office of the President of Marshall University.

~~SECRETARY OF EDUCATION AND THE ARTS~~

The Secretary of Education and the Arts is responsible for the coordination of policies and purposes of the state university system and the state college system and shall provide for and facilitate sufficient interaction between the governing boards, and between the governing boards and the state board of education, to assure appropriate mission and program coordination and cooperation among (1) the state university system, (2) the state college system, exclusive of the community colleges, (3) the community colleges and community college components of four-year institutions, if any, and (4) the vocational-technical centers in the state, recognizing the inherent differences in the missions and capabilities of these four categories of institution.

~~GOVERNANCE HISTORY~~

For twenty years, between July 1, 1969 and 1989, Marshall

University was governed by the Board of Regents (BOR). The responsibilities of the Board of Trustees differ from those of the Board of Regents, in that the BOR governed all institutions of higher education in West Virginia. The BOR exercised responsibilities for the general determination, control, supervision, management of the financial, business, and educational policies and affairs of all state colleges and universities.

Prior to the establishment of the BOR in 1969, Marshall University was governed by the West Virginia Board of Education. The responsibilities of the BOR differed from those of the West Virginia Board of Education in that 1) the Board of Education governed all institutions of higher education in the state except for West Virginia University and Potomac State College; 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 BOR was 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 which, in turn, submitted it to the Board of Public Works to be included in the Board of Public Works Budget Request, whereas the BOR budget request was submitted to the Governor as a composite of all state colleges and universities.

1.4.1 —

Change

— II. —

ORGANIZATION OF THE UNIVERSITY

THE UNIVERSITY OF WEST VIRGINIA BOARD OF TRUSTEES

The University of West Virginia Board of Trustees has jurisdiction over West Virginia University including West Virginia University at Parkersburg, Potomac State College of West Virginia University and the West Virginia University School of Medicine; Marshall University including the Marshall University School of Medicine; the University of West Virginia College of Graduate Studies; and the West Virginia School of Osteopathic Medicine.

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 Board of Trustees. 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.

EXECUTIVE ASSISTANT TO THE PRESIDENT FOR RESEARCH AND ECONOMIC DEVELOPMENT OUTREACH

The Executive Assistant to the President has university-wide responsibility for research administration, research and economic development; federal, state and corporate relations; university-industry partnerships; working with the deans to identify faculty research needs and possible sources of funding; promoting research locally, regionally, nationally employing Marshall graduate and undergraduate faculty and students as well as the University's research and economic development entities; community development via consulting, needs assessment, and technical assistance projects with state, county and municipal governments and private sector business and industry; institutional interdisciplinary projects and program development; assisting with the development, interaction and integration of existing, new and expanded research; working with faculty and research staff on patents and intellectual property issues; working with business and industry, in conjunction with faculty, on technology transfer and other technological issues.

~~PROVOST~~

changed:
The Provost, chief academic officer of the university, is responsible for all instructional programs. The Provost reports directly to the President and acts for the President in his absence. Reporting to the Provost are the Deans of the six undergraduate colleges, the Dean of the Graduate School, and the directors of the Regents B.A. Degree Program, Libraries,

Institutional Research and Admissions and Records.

The Provost 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 Provost 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 outside the formal classroom. The Vice President is assisted by two associate deans. Programs and services include the following: Counseling Services, Special Services (such as tutoring, reading improvement, and study skills and time management), Disabled Student Services, International Students' Programs, Minority Students' Programs, Women's Programs, Health Education, Upward Bound (a high school program for low-income potential college students), Financial Assistance, Career Planning and Placement, Judicial Affairs, Residence Life, Student Activities, Student Government, Student Legal Aid, Greek Affairs, Orientation, and Student Affairs Research.

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

VICE PRESIDENT FOR ADMINISTRATION

The Vice President reports directly to the President and serves as a member of the President's Cabinet. The Vice President is responsible for the administration of support services of the university, including auxiliary services, campus technology, plant operations, facilities and risk management, construction management, and public safety/transportation.

VICE PRESIDENT FOR FINANCE

The Vice President reports directly to the President and serves as a member of the President's Cabinet. As the chief financial officer, the Vice President is responsible for financial and business affairs of the university, including preparation and coordination of the institution's operating budget, financial reporting, human resources and personnel purchasing and materials management, and bursar and comptroller functions.

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 INSTITUTIONAL ADVANCEMENT

The Vice President for Institutional Advancement reports directly to the President, serves as a member of the President's Cabinet, and is Executive Director of The Marshall University Foundation, Inc. The Vice President is responsible for leadership and management of external communications programs and promoting institutional advancement among external constituencies, including development efforts, alumni affairs, and university relations.

VICE PRESIDENT FOR MULTICULTURAL AFFAIRS

The Vice President reports directly to the President and serves as a member of the President's Cabinet. The Vice President will work cooperatively with all members and constituencies of the University community to create and enhance a campus environment that promotes personal growth, learning and achievement by the elimination of all forms, vestiges and manifestations of bigotry and intolerance in order that all members of the University can utilize and develop to the fullest possible extent their talents and abilities. The Vice President is responsible for strengthening the role of minorities on campus by developing programs in support of the academic, cultural and residential concerns of minority faculty, staff and students; and facilitating the academic, administrative and professional areas of the university in their efforts to attain established goals in minority recruitment. The Vice President will oversee programs, seminars, and activities that promote cultural diversity and ethnic pluralism, and establish effective and reciprocal relations with black alumni.

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 Provost.

DEAN OF THE GRADUATE SCHOOL

The dean of the Graduate School 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 Provost.

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 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 Provost.

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

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.

CONSTITUTION OF THE MARSHALL UNIVERSITY FACULTY

PREAMBLE

Universities striving for excellence historically and traditionally have enjoyed the autonomy and integrity necessary to accomplish their mission as institutions of higher learning committed to the search for and dissemination of knowledge and truth--and so it has been, and must continue to be, at Marshall University. It is recognized that the legal authority to guide and regulate the University is vested by the West Virginia Legislature in the Board of Trustees and the President of the University. It is further recognized that the Board of Trustees grants autonomy to the colleges and universities under its jurisdiction. As a corollary of academic freedom, the faculty has the major responsibility for guiding the scholarly pursuits of the University. To that end, this Constitution is established to facilitate meaningful communication throughout the academic community and to assist the President and Board of Trustees in the development of academic policies and procedures.

ARTICLE I--THE FACULTY

The Faculty is a legislative body of Marshall University and has the authority to concern itself with topics affecting the whole university. This authority is delegated to the Faculty Senate, which is the representative body duly elected by and from the Faculty. The Faculty Senate is empowered to act on behalf of the Faculty on questions and issues properly brought before it by the Faculty of any college, school, or component of the University.

ARTICLE II--THE FACULTY SENATE: PURPOSES--POWERS--FUNCTIONS

Section 1. The Faculty Senate shall take within its province any subject of interest to the faculty, the administration, and the student body. With respect to the general welfare of the University, the Senate shall serve as the major legislative, advisory, and review body of the faculty. It shall investigate, debate, and communicate to the faculty those matters deemed to be in the best interests of the University. Academic policy decisions, or matters construed to impinge on academic decisions shall be the primary responsibility of the Faculty Senate. The faculty may call a referendum upon any of the actions of the Senate. Actions of the Faculty Senate shall become policy of the institution unless for serious and compelling reasons the President rejects in writing such actions within fifteen working days following submission by the Senate. All measures receiving Presidential approval or which are not specifically rejected by the President shall be considered binding subject to the final approval, if necessary, of the Board of Trustees.

Section 2. Legislative Function. As the faculty legislative body the Faculty Senate shall exercise authority over all matters that pertain to academic policies of the University,

including instruction, research, and continuing education. Affairs of the University which directly and primarily affect the faculty include, but are not limited to, determination of curricula; standards of admission and selection; retention and transfer of students; scholarships and honors; requirements for the granting of degrees; candidates for honorary degrees; and instructional standards throughout the University; and matters of faculty welfare.

The Faculty Senate shall be responsible for developing policy with regard to major issues which affect the institution, such as change in the mission of the University, addition or deletion of programs, contracts with government agencies, and public questions which affect the role of the institution or endanger the principle of academic freedom. The Senate shall be responsible for maintaining communications between the faculty and the administration, the student body and the staff. It shall establish rules and procedures for standing committees and shall be responsible for overseeing the election of Senate members. All standing committee actions, with the specific exceptions detailed in this Constitution, shall be subject to review, amendment, approval or rejection by the Faculty Senate.

Section 3. Advisory Function. The Faculty Senate shall serve in an advisory capacity to the University community and administration. Matters which directly or indirectly affect the general welfare of the institution include, but are not limited to, student life, such as standards of conduct, living conditions, organizations, intercollegiate athletics, and participation in extracurricular activities; the academic calendar; and University convocations, lectures, press releases, and radio and television broadcasts.

The Senate shall be available to advise the Board of Trustees on the appointment of the President and to advise the President on the appointment of University-wide administrative officials. It shall advise the administration on policies with respect to the preparation of the annual budget and its allocation to operational units; equipment and physical facilities; official University and student publications; the academic structure and governance system; and the mission, goals, and objectives of the University.

Section 4. Review Function. The Faculty Senate shall be empowered to review all policies and to formulate recommendations with respect to the general welfare of the University. Matters directly affecting the faculty include, but are not limited to, academic freedom, tenure and promotions; appointments, reappointments and dismissals; teaching loads; salary schedules or other compensation or benefits; and policies governing stability of employment, retirement, and sabbatical or other leaves.

The Senate shall also be empowered to review programs of research, experimentation, and instruction; grading systems and trends; instructional evaluation; and policies and administration of the University libraries. It shall review the academic conduct of students, including means for handling infractions. The Senate shall be responsible for the investigation and

conducting of hearings on grievances from members of the faculty and student body, except for those covered by the various Board of Trustees policy bulletins or those under the jurisdiction of other committees: it shall report the findings and make recommendations to the appropriate parties.

Section 5. Provisions of the Senate. The Senate shall be provided with an appropriate budget, office space, adequate secretarial support, and release time for the Senate President.

ARTICLE III--MEMBERSHIP AND ELECTION

Section 1. The Senate shall consist of one (1) senator for each academic unit, unless otherwise specified, plus one (1) senator for each thirteen (13) full-time faculty members, plus one (1) additional member if the number of full-time faculty in a unit exceeds a multiple of thirteen by seven (7) or more. The term "academic unit" is defined as the Colleges or Schools of Business, Community College, Education, Fine Arts, Liberal Arts, Medicine, Nursing, and Science; and the Marshall University Libraries. Individual constituency numbers for calculating representation shall be based upon the numbers of full-time faculty presented in every third year to the Executive Committee of the Faculty Senate on the first working day in February by the Office of Institutional Research and Planning in collaboration with the Provost and the Vice President for Health Sciences.

Section 2. All faculty involved in apportionment calculations shall hold the rank of instructor or above and shall devote at least one-half of their time to teaching, scholarly research, or closely related duties. Eligible librarians shall hold a professional librarian's degree or the equivalent. All such faculty shall be eligible for election to office. Part-time faculty, adjunct faculty, and those designated as "clinical" or "research" in their faculty titles shall not be considered as faculty members for the purpose of this document and organization. For the purposes of determining voting and serving on the Senate the above description shall apply. Those holding the titles of President, Vice President, Assistant/Associate Vice President, Dean, Assistant/Associate Dean, and Director of Libraries shall be ineligible to serve on the Senate. The Executive Committee of the Faculty Senate is empowered to decide questions that arise concerning definition of faculty.

Section 3. In the initial implementation of this Constitution, the following representation will apply for each unit:

Unit	Number of Senators
Business	5
Community College	2
Education	7
Fine Arts	3
Liberal Arts	10
Medicine	9
Nursing	2
Science	6
Libraries	2

The faculty within each unit will determine how Senate seats will be apportioned within that unit.

Section 4. The term of office for a senator shall be four (4) years. Senators can serve no more than two (2) consecutive terms.

Section 5. Elections for senators shall occur annually in the spring, with the names of the new senators submitted by the Dean of each unit to the President of the Senate by April 1. Each unit shall conduct its own election according to the

by-laws of that unit, providing that all voting shall be by secret ballot. Initial implementation of this Constitution shall require the election within each unit of Senate members for staggered terms. Faculty members in each unit will determine how their senator's terms will be staggered.

Section 6. If a senator misses more than three (3) regular meetings in any academic year, his/her seat will be declared vacant by the Senate President, who will immediately report the vacancy to the Dean of the appropriate unit. Within two weeks the Dean or Director shall call for nominations and the election of a faculty member to fill the vacated seat.

Section 7. Temporary senators will be elected by a unit if a seat vacated for one academic year or less due to leaves of absence, sabbaticals, incapacity or other reason. If a senator will be unable to fulfill his/her responsibilities and duties to the Senate for longer than one academic year, he/she must resign. Temporary senators will have all the privileges of Senate membership, though they can serve no longer than one academic year.

ARTICLE IV--MEETINGS

Section 1. The Faculty Senate shall meet once monthly during the regular academic year. Other meetings may be called by the Senate President. Special sessions of the Senate will be called at the request of ten (10) or more faculty members. Special sessions will be held not more than one (1) week from the date they are called. The responsibility for notifying senators and faculty members of special sessions shall rest with the Senate President who shall use the most appropriate means available to fulfill this obligation. A written announcement of the agenda, time and place of every regularly scheduled Senate meeting shall be sent to each senator one week in advance of the meeting. The same notice, with the exception of special sessions, shall be placed in the **University Newsletter** one week before a Senate meeting.

Section 2. A quorum shall be a simple majority (50% plus one) of the Senate members.

Section 3. A voice vote will be conducted on actions requiring a vote. At the request of any senator for a division of the Senate, a roll call vote will be taken and recorded by the Senate Secretary.

Section 4. Minutes. The minutes of Faculty Senate meetings shall be distributed to each Senator and the University President within five (5) working days after each meeting. After being approved by the University President, the minutes will be sent to each dean and faculty member, and presidents of both the Student Government Association and Graduate Student Association. The approved minutes will also be sent to University Relations for publication in the **University Newsletter**.

Section 5. Rules of Procedure. The parliamentary authority of the Senate shall be the latest edition of **Robert's Rules of Order**.

Section 6. All Senate meetings are open to the public. If any student, administrator or non-Senate faculty member wishes to speak to an issue, he/she will be recognized and allowed to speak briefly. If any non-senator wishes to speak for a longer period of time, he/she should request agenda time prior to the meeting.

ARTICLE V--ADOPTION AND AMENDMENT

Section 1. This Constitution shall be adopted when approved

by a simple majority of the secret ballots cast by the faculty as defined in the current Constitution of the Marshall University Faculty. Upon adoption by the faculty this Constitution shall be made a part of the Marshall University **Greenbook** which shall contain the Senate By-Laws, official policies, procedures, and other information pertinent to the University's operation and internal government.

Section 2. An amendment to the Constitution may be proposed by ten (10) percent of the faculty or by a majority vote of the Senate. All proposed amendments must be submitted to the faculty for its approval. The ratification of an amendment requires the approval of a simple majority of those voting, which must be at least one-third (1/3) of the eligible faculty.

Section 3. Any proposed amendment shall be distributed to every member of the faculty at least two weeks before a regular or special meeting of the faculty, at which the amendment will be discussed. Opportunity for debate shall be provided for every proposed amendment.

ARTICLE VI--STANDING COMMITTEES

Section 1. The Marshall University Faculty Senate System shall include, in addition to the Senate itself, Standing Committees. One of these is designated the Executive Committee of the Faculty Senate and shall function as part of the Senate. The other committees work in cooperation with, but are distinctly separate from the Senate. With the exception of the Executive Committee the membership, officers, and relationships of the Standing Committees to the Senate are as follows:

Section 2. Membership. The membership of Standing Committees, unless otherwise specified, shall include one Senator appointed by the Executive Committee of the Faculty Senate to serve a two-year term. This may be renewed for one additional consecutive term. Other membership shall consist of one member elected by the faculties of each academic unit. One undergraduate student, appointed by the Student Government Association; and one graduate student, appointed by the Graduate Student Association, will also serve with exceptions as noted. This shall be the voting membership of the committees. Ex officio, non-voting members will be designated according to each committee's nature and functions. The length of faculty membership on committees shall be four (4) years. Faculty members may serve no more than two consecutive terms on any one Standing Committee, and may not serve on any two Standing Committees simultaneously.

Section 3. Officers. Officers of the Standing Committees will be a chair and a recording secretary. The chairs of the committees and the recording secretaries will be elected by the voting members of their standing committees. The terms of office shall be one (1) year, and may be renewed up to a maximum of four (4) successive terms (i.e., four years). The chair is responsible for establishing the committee's agenda with the assistance of the recording secretary; presiding over committee meetings; and reporting committee actions to the full Senate. The chair shall also notify all committee members of the Senate's response to committee actions. The chair, with the assistance of the recording secretary shall prepare an annual report on the committee's work at the end of the academic year and this will be submitted to the Executive Committee for publication. The recording secretary will also be responsible for keeping the minutes of all committee meetings; for accurately recording and reporting votes of the committee; and for assisting the committee chair in the preparation and submission of

the committee's annual report.

Section 4. Committee-Senate Relationship. Standing Committees shall meet of their own accord; or when requested to by the Senate President, the Executive Committee, or the full Senate. All actions, with the exceptions as noted, taken by Standing Committees shall be subject to final review and approval by the full Senate. In the event the Senate does not concur with committee actions, full and detailed rationale must be provided in writing.

Section 5. The Executive Committee.

- A. **The Executive Committee** shall serve as the executive branch of the Marshall University Faculty Senate. It shall function in leadership and advisory capacity, but shall not legislate.
- B. **Membership.** One (1) Senator representing each academic unit of the university, elected by the full Senate, shall serve. These units are: The Colleges of Business, Fine Arts, Education, Liberal Arts, Science; the Schools of Nursing, and Medicine; the Community College; and the Marshall University Libraries. Hence the total number of elected members shall be nine (9). In addition, ex officio, non-voting membership shall consist of the faculty representatives to the Advisory Council of Faculty to the Board of Trustees, and the Marshall University Institutional Board of Advisors. The President of the University shall also serve as an ex officio, non-voting member of this committee
- C. **Officers.** The officers of the Senate shall be the officers of the Executive Committee. These shall be the President, Vice President, and Recording Secretary of the Senate. They shall be nominated and elected by the full Senate by secret ballot at a special spring meeting of the newly constituted Senate (i.e., those who will comprise the Senate during the next academic year). Terms of office shall be two (2) years. No officers may serve two consecutive terms in their respective positions. No two officers shall be from the same academic unit at any time.
- D. **Other members.** All other voting members of the Executive Committee shall be nominated and elected by the full Senate at the same special spring meeting of the newly constituted Senate, after the election of officers. The terms of office shall be two (2) years. No member of the Executive Committee may serve more than two consecutive terms. Non-officers shall be selected so as to represent those academic units not represented by the officers.
- E. **Powers and Functions.** The President shall preside over Faculty Senate meetings; preside over general faculty meetings; preside over Executive Committee meetings; establish the agenda for Executive Committee meetings in cooperation with other officers; confer with the University President and other officially designated bodies as the faculty representative to the President's Cabinet. The Vice President shall assume all duties and responsibilities in the absence of the President; assist the President in establishing the agenda for Executive Committee meetings. The Recording Secretary shall serve as secretary to the general faculty, serve as secretary to the Executive Committee; assist the President and Vice President in establishing the agenda for Executive Committee meetings.

The Executive Committee appoints Senate representatives to all other standing committees; appoints a parliamentarian for Senate and Faculty meetings; creates special committees and appoints such committee chairs; receives reports of ad hoc committees for review and action either by standing committees or by the full Senate, receives reports from university-wide search committees for information and review; sets agenda for the Senate and sends on items for consideration and legislation; sets agenda for general faculty meetings; submits requests for consideration of business presented by faculty members. Any request bearing the signatures and names of ten (10) or more full-time faculty members, or five (5) or more Senators shall be transmitted automatically to the appropriate Senate bodies for consideration, except in those cases where deliberation is already guaranteed by policies of the University of West Virginia Board of Trustees. Such requests for agenda items must be considered within two meetings. Requests for consideration bearing fewer than ten (10) signatures and names of full-time faculty, or fewer than five (5) signature and names of Senators shall be considered at the discretion of the Executive Committee except in those cases where deliberation is already guaranteed by policies of the University of West Virginia Board of Trustees. The Executive Committee furthermore resolves jurisdictional disputes among committees; oversees and coordinates the preparation and distribution of annual standing committee reports and an annual Faculty Senate report; coordinates the Faculty role in the **Greenbook** revision; and the Executive Committee shall act for the full Senate during periods when the Senate is unable to meet. All actions taken by the Executive Committee must be subsequently approved by the full Senate at its next meeting to remain in force. The Executive Committee may not legislate; only the full Senate may do that.

- F. **Restrictions.** Members of the Executive Committee are automatically barred from serving on any other standing committee of the Faculty Senate except as ex-officio, non-voting members as provided by the Faculty Constitution. Executive Committee members may, however, be appointed to serve on ad hoc or search committees.

Section 6. Academic Planning Committee

- A. **Powers and Functions.** The Academic Planning Committee shall serve as the major faculty agency for initiating, approving, and coordinating all plans and policies relating to the structure, organization, and operation of the University in all academic areas. It shall be the function of the Academic Planning Committee to coordinate activities of college and/or school planning committees and to review and act upon their proposals; to recommend to the University Deans, Provost, Vice President for Health Sciences, and President for possible transmittal to the Board of Trustees; to respond, when appropriate, to the Board of Trustees; to coordinate and implement Board of Trustees policies, to review, in cooperation with administrative officials, policies for the recruitment admission, registration, retention, and dismissal of students; and to encourage and supervise the development of new delivery systems of instruction.
- B. **Membership.** Committee membership shall be consistent with that of all regular standing committees. Ex-

officio non-voting members shall be the Provost, the Dean of each college or school, the Director of Planning, and the Director of Institutional Research. The president of the university shall appoint two members from the community who are not currently faculty, or students at the university each of whom will serve two years as ex officio, non-voting members of the Academic Planning Committee and can be appointed for one additional term.

Section 7. Academic Standards and Curricula Review Committee

- A. **Powers and Functions.** The Academic Standards and Curricula Review Committee shall assume the principal responsibility for maintaining academic standards in the University. It shall be the function of the Academic Standards and Curricula Review Committee to assist undergraduate college and/or school curriculum committees in their activities; to approve or reject course and program requests from the appropriate academic units offering university credit; undergraduate colleges and/or school; to revise current academic standards or devise new ones; to oversee all academic student programs; to coordinate international student programs and process undergraduate student grade appeals.
- B. **Membership.** Committee membership shall include one representative from each academic unit having undergraduate programs, one representative from the Marshall University Libraries, and one senator representing an academic unit having undergraduate programs appointed by the Executive Committee. One undergraduate student shall be appointed by the Student Government Association. Ex officio non-voting members shall be the Provost and the Dean of each undergraduate college or school.

Section 8. Athletic Committee

- A. **Powers and Functions.** This committee shall consider policies relating to the maintenance and development of the intercollegiate athletic program, eligibility of athletes, budgets, and athletic staff personnel. It will 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. It will be responsible for determining the eligibility of requirements for athletic competition in compliance with NCAA, conference affiliation, and Marshall University scholastic standards. It will evaluate and approve the Athletic Department budget in terms of its suitability to both short term and long term objectives and priorities of the Athletic Department and Marshall University. 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.
- B. **Membership.** Committee membership shall be consistent with that of all regular standing committees. Voting membership shall also include the faculty representative to the NCAA and the Head of the Division of Health, Physical Education and Recreation. Ex officio, non-voting members of this committee shall

be the Vice President for Financial Affairs, the Vice President for Student Affairs, the Athletic Director, one (1) representative from the Big Green Scholarship Foundation, and one (1) alumni representative.

Section 9. Budget and Appropriations Committee

A. **Powers and Functions.** The Budget and Appropriations Committee shall consider policy matters that determine the budget and its expenditure. The committee shall review the annual budget submitted by the Provost to assure its general conformity with the university's mission statement and other priorities established by the institution. The committee may recommend items for consideration in other institutional budgets. The chair of the Budget and Appropriations Committee shall serve under the University President on the President's Budget Advisory Committee.

B. **Membership.** Committee membership shall be consistent with that of all regular standing committees excluding representation from the Medical School. Ex officio members will be the Provost and the Vice President for Financial Affairs.

Section 10. Faculty Personnel Committee

A. **Powers and Functions.** At the request of the University President or Faculty Senate, using appropriate BOR Policy Bulletins and the AAUP 1982 Recommended Institutional Regulations on Academic Freedom and Tenure as guidelines, the committee shall write, alter, or re-write policies relating to academic rank, salary, tenure, promotion, teaching and non-teaching load, retirement, sabbatical and other leaves, distribution of summer term teaching and other matters which affect the well-being of faculty. The Faculty Personnel Committee shall study and evaluate policies and procedures relating to the hiring of faculty which includes a yearly review of salaries. The committee shall act as an advisory panel for all faculty members initiating grievances in accord with Policy Bulletin 36. The committee shall address all faculty grievances except those involving dismissal (under Section 10), termination due to reduction or discontinuance of an existing program (under Section 11), termination due to financial exigency (under Section 12), or a faculty member desiring to appeal a decision of the President on nonretention (Section 8), or promotion (Section 5). The committee shall refer to the Hearing Committee those grievances involving a number of persons.

Chapter 29B. Freedom of Information of the West Virginia code provides that, "Every person has a right to inspect or copy any public record for a public body in this state, except as otherwise expressly provided by section four of this article." Under **Exceptions** in section four the code reads, "Information of a personal nature such as that kept in a personal, medical or similar file, if the public disclosure thereof would constitute an unreasonable invasion of privacy..." When the committee handles matters of a personal nature, it will not share its findings with the full Senate. Hence, in this function it remains exempt from those conditions outlined under section entitled "Committee-Senate Relationship" in this document.

B. **Membership.** Committee membership shall be con-

sistent with that of all regular standing committees **excluding** undergraduate and graduate student representatives. The representative to the Advisory Council of Faculty to the Board of Trustees serves as an ex officio, non-voting member of the Faculty Personnel Committee.

Section 11. Graduate Committee

A. **Powers and Functions.** The Graduate Committee shall be a policy-making advisory body concerned with providing a means of establishing and maintaining basic standards and requirements for graduate programs conducted in the various departments and colleges. It shall determine Graduate faculty status; recommend new courses and program and new graduate degrees; study and review the entire graduate program periodically; encourage research and creative productivity; consider recommendations concerning policy from the Graduate faculty; legislate concerning standards and procedures with reference to theses and types and conduct of examinations; promote the advancement and improvement of graduate study at Marshall University in all appropriate ways; and process graduate student grade appeals.

B. **Membership.** Each unit having graduate programs shall elect one member. All members must hold full graduate status. One senator holding full graduate status shall be appointed by the executive committee. One graduate student shall be appointed by the Graduate Student Organization. The ex officio non-voting members shall be the Dean of the Graduate School and the Provost and Health Sciences.

C. Given the uniqueness of the **Graduate Committee**, a conference committee, composed of an equal number of members from the Senate and the Graduate Committee, not to exceed the sum of six, shall be appointed by the presiding officers of each body to resolve disagreements between the Senate and the Graduate Committee. The action of the conference committee shall be reported to the full Senate within fifteen working days. The Senate must either approve or reject, with cause, the conference report. If the Senate rejects the report, a majority of either the Graduate Committee or the Senate may request that the matter be adjudicated by the President of Marshall University who will be informed of all previous deliberations and recommendations.

Section 12. The Library Committee

A. **Powers and Functions.** The Library Committee shall advise the Director of Libraries on matters of library policy; review the administration of the libraries; carry out studies relating to library functions; and serve as a liaison between the faculty at large, the Faculty Senate, and the university libraries.

B. **Membership.** Committee membership shall be consistent with that of all regular standing committees. Ex officio, non-voting membership shall be the Director of University Libraries. The following Library personnel are non-voting ex officio members of the Library Committee: Head of Technical Services, Head of Public Services, Curator, Music Librarian, and Health Sciences Librarian.

Section 13. Physical Facilities and Planning Committee

A. **Powers and Functions.** The Physical Facilities and

Planning 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 in accordance with the University's mission statement; to prepare recommendations for capital outlay requests for each legislative session; to make and enforce, if necessary, campus traffic regulations; and to perform such duties as the President of the University and/or the Faculty Senate may assign.

Membership. Committee membership shall be consistent with that of all regular standing committees. The ex officio non-voting member shall be the Vice President for Support Services.

Section 14. Publications Committee

A. **Powers and Functions.** This committee shall be concerned with policies relating to university and student publications. It will examine and approve periodically the annual budget for each student publication, and 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.

B. **Membership.** Committee membership shall be consistent with that of all regular standing committees. The ex officio, non-voting member shall be the Director of University Relations.

Section 15. Research Committee

A. **Powers and Functions.** The Research Committee shall be concerned with the promotion of faculty research, publications, and other creative activities. It shall aid the appropriate administrators in the search for funds, and advise the Dean of the Graduate School in administering available funds. The Committee shall act as a review board for University-funded research proposals.

B. **Membership.** Committee membership shall be consistent with that of all regular standing committees. Ex officio non-voting members shall be the Vice President for Institutional Advancement, the Provost, the Vice President for Health Services, and the Dean of the Graduate School.

Section 16. Student Conduct and Welfare Committee

A. **Powers and Functions.** The Student Conduct and Welfare Committee is concerned with the responsibility for the general and specific well-being of students. It shall be the function of the committee to consider and recommend policies relating to the coordination and regulation of student organizations, social events, and other related activities; academic conduct of students; and advisory and counseling programs, health services, financial aid, including loans and scholarships, student housing, orientation and new student programs, and student development programs. It shall also strive to protect the rights of students. It is the responsibility of the committee to maintain and improve an atmosphere conducive to the pursuit of academic goals.

B. **Membership.** Committee membership shall be consistent with that of all regular standing committees. Voting membership shall also include five (5) additional undergraduate members, appointed by Student

Government Association, and one (1) additional graduate student appointed by the Graduate Student Association. The Vice President/Dean for Student Affairs will be an ex officio, non-voting member of the committee.

Section 17. University Functions Committee

A. **Powers and Functions.** This Committee will have responsibilities in the areas of commencement and honorary degrees, faculty service, and public relations. The Committee shall be concerned with policies relating to commencement activities, selection of candidates for honorary degrees, and presidential convocations and inaugurations. The Committee's recommendations in these matters shall be transmitted to the full Faculty Senate for review and approval. This committee shall also attend to matters relating to official university faculty social functions and nonacademic welfare of the faculty. It will assist the President of the University upon request in entertaining University guests and in helping at other social functions. It will collect an annual contribution from the faculty and administration officers to defray costs of expressions of sympathy, congratulations, and so forth. It will assist in the planning and sponsorship of an annual faculty party or dinner to honor those who retire and who have served for twenty-five years. This Committee shall also consider matters relating to public relations. In this function it will assist the University President in any appropriate way to represent the University to the community at large.

B. **Membership.** Committee membership shall be consistent with that of all regular standing committees. Ex officio, non-voting members of this committee shall be the Vice President for Support Services, the Provost, the Vice President for Financial Affairs, and the Director of University Relations.

Section 18. Legislative Affairs Committee

A. **Powers and Functions.** This Committee will develop an annual faculty legislative agenda in general consultation with, but independent of other constituencies on this campus. The Committee will serve as the liaison with the faculty on all legislative matters and report to the full Faculty Senate on a regular basis regarding all actions contemplated or required in executing its responsibilities. This Committee will publish (in timely fashion) information regarding legislative issues. The Committee will disseminate information on upcoming elections and referenda that pertain to issues affecting the welfare of public higher education. The Committee will promote the faculty legislative agenda with the legislative and executive branches of the state government. This Committee will not engage in partisan politics of any kind. This Committee will not endorse candidates for office. This Committee will not take stands on issues unrelated to the welfare of public higher education.

B. **Membership.** Committee membership shall be consistent with that of all other regular standing committees with the exception that student representatives will be non-voting members of the Committee. Another ex officio, non-voting member of this Committee shall be the Faculty Representative to the Board of Trustees' Advisory Council of Faculty. The Committee Chair shall serve as liaison to any university-wide

legislative committee (e.g., the President's Legislative Affairs Committee).

ARTICLE VII--POWERS OF THE FACULTY

Section 1. The Faculty of Marshall University, acting as a body, shall retain final authority over policies governing the Faculty Senate and the Faculty. Recognizing the powers it has entrusted to the Faculty Senate, it shall not act in a capricious or arbitrary manner regarding actions and legislation undertaken by the Faculty Senate.

Section 2. Meetings. There will be at least two meetings of the general Faculty per year. Under the emergency powers of the Faculty there may be additional faculty meetings not later than ten (10) days from the time they are requested. The Faculty Senate will call for faculty meetings upon the petition of ten percent of the full-time faculty. The Faculty Senate may call for a meeting of the Faculty at the request of 2/3 of the voting Senate members present. The Executive Committee of the Faculty Senate may call for an emergency meeting of the Faculty. The University President may call for a meeting of the Faculty.

Section 3. Officers. The officers of the Faculty Senate shall preside and function at meetings of the Faculty.

Section 4. The Faculty's actions are of the highest order. In case of any conflict in actions of the Faculty and the Faculty Senate, the Faculty shall prevail. However, to override Faculty Senate actions there must be the approval of a simple majority of the Faculty voting, with 1/3 of the Faculty participating in the vote.

Section 5. Either the Faculty or the Faculty Senate may present referenda for the Faculty to consider and vote on. The voting process shall be the same as outlined in Section 4.

ARTICLE VIII--BY-LAWS

The Senate may by majority vote establish by-laws, not inconsistent with this Constitution, governing the conduct of the business of the Senate and of the standing committees and any other matters that may be within its competence.

BY-LAW #1 - The Secretary of the Faculty Senate, who is also the Secretary of Faculty, will oversee the composition, duplication, distribution, collection, tabulation, and reporting of all university-wide balloting. She/he will follow these procedural guidelines.

1. The ballot will be typed, duplicated and distributed to all faculty by the Faculty Senate Secretary. An accurate number of ballots will be sent to Department Heads who in turn will distribute them to all voting members of their faculty.

If a faculty member does not receive a ballot he/she should contact the faculty Senate Office in Northcott immediately.

2. Ballots may be cast by either.

a. Depositing them in the ballot box in the Academic Vice President's office in Old Main (with faculty signing their names on a list located beside the box), or

b. Placing the ballot in a sealed envelope addressed to the Provost, putting the word BALLOT on the outside of the envelope and legibly signing one's name to the outside of the envelope. (The teller will use procedures to insure a secret ballot). Do not use "campus mail" envelopes.

3. The ballot box will be picked up by the Faculty Senate Secretary, after the balloting is finished. It will be sealed and taken to the Faculty Senate Office where ballots will be tabulated.
 - a. Tellers or counters will be selected at random by the Faculty Senate Secretary from members of university colleges and schools. On controversial issues, parties with opposing views may be asked to count ballots.
 - b. Two (2) to four (4) people will be selected as tellers or counters at the discretion of the Faculty Senate Secretary. The number of counters will depend on the length of the ballot.
 - c. A time for tabulation will be selected by the Faculty Secretary along with the selected counters.
 - d. Parties with a vested interest in the election may observe the counting and tabulation in a non-disruptive, non-interruptive manner.
 - e. After the counting and tabulation is finished, the results will be recorded and certified by the Faculty Senate Secretary. All ballots and paper work on the election will be retained for a semester in the Faculty Senate Office in case of an election results challenge.
4. The results of the election will be sent to the MU Newsletter, and the Secretary of the Faculty Senate will notify by mail those people winning the election.

By-Law #2: Article VI, Section 10 A of the Faculty Constitution advises the Faculty Personnel Committee as follows: "When the Committee handles matters of a confidential nature, it will not share its findings with the full Senate."

This admonition also applies to all Standing Committees who at some time might find themselves discussing matters and making motions of a confidential nature.

The Standing Committee will report the discussions and any motions to the Senate President; however, the Senate President is not obligated to present these motions to the Senate full Senate.

Passed October 29, 1987

By-Law #3 - If a member of standing committee misses more than three (3) regular meetings in any academic year, his/her seat may be declared vacant by the chairperson of that committee, who will immediately report the vacancy to the Senate President and the Dean or Director of the appropriate unit. Within two weeks the Dean or Director shall call for nominations and the election of a faculty member to fill the vacated seat. The Dean will then report in writing to the Committee Chair and to the Senate President the name of the new committee member.

Passed October 29, 1987

By-Law #4 - That when faculty members are named as acting or interim administrators they be temporarily replaced on standing committees or in the Senate for the length of time that they serve in the administrative capacity.

Passed August 4, 1988

By-Law #5 - That the turn-over time of the Faculty Senate President, standing committee officers and Marshall Institutional Board of Advisors faculty representative will be at the beginning of the Fall semester although they are elected in the Spring.

Passed August 4, 1988

By-Law #6 - Once a recommendation is submitted to the University President from the Faculty Senate, it must be considered *in toto* for his/her approval. If any one part is not acceptable, the entire recommendation must be returned to the Faculty Senate along with an explanation for its disapproval. The Senate then has the responsibility to determine subsequent action with regard to its disposition.

By-Law #7 - When vacancies occur on standing committees, colleges have the option of shifting committee members to find the most appropriate members for that committee.

Passed September 8, 1988

FACULTY SENATE POLICY STATEMENTS

Recommendation from the Library passed by the Senate Nov. 17, 1987:

The Faculty Senate should have input into any reduction of the budget.

Recommendation from Academic Planning Committee passed by the Senate Oct. 19, 1987:

The Senate does not approve of prearranged, administrative decisions regarding academic matters.

Recommendation passed by the Senate Feb. 29, 1988:

Faculty appointments to university-wide search committees should be appointed by the President of the Faculty Senate.

Recommendation passed by the Senate May 10, 1988:

The Following changes shall be made in the Faculty Constitution:

On page 10, Section 4 will become 4A. Insert B and C as follows:

B. Quorum Requirements in Standing Faculty Committees. A quorum shall consist of a simple majority (50% plus one) of the voting members.

C. Rules of Procedures for Standing Committees. The parliamentary authority of the standing committees shall be the latest edition of **Robert's Rules of Order**.

On page 7, Section 2, insert "voting." It will read: A quorum shall be a simple majority (50% plus one) of the voting Senate members.

Recommendation from the Executive Committee passed August 30, 1988:

When vacancies occur on standing committees, colleges have the option of shifting committee members to find the most appropriate members for that committee.

IV.

FACULTY PERSONNEL POLICIES

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. 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.

CONDITIONS OF APPOINTMENT

A. **Full-time Appointments to the Faculty** (See Policy Bulletin 36.3)

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 provost or the vice president for health sciences. 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** (See Policy Bulletin 36.3)

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.

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 provost or the vice president for health sciences.

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, the latter will be considered for comparable compensation. The competence is to be determined by the chairperson of the department in consultation with other members of the department with equal or higher rank.

4. The provost or the vice president for health sciences 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**

(This section 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.")

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 provost or vice president for health sciences 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.
 4. A faculty member with a full-time appointment who serves in a college or university administrative capacity and returns to a teaching assignment shall be paid the amount received in his/her last teaching year plus any Board of Trustee mandated increments granted other faculty during the individual's service as an administrator. However, service in an administrative position by a probationary faculty member shall not be credited as experience toward tenure.
- D. **Joint Appointments** (See Policy Bulletin 36.5)
- 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, provost or vice president for health sciences 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.

ACADEMIC RANKS AND CRITERIA FOR PROMOTION

(See Policy Bulletin 36.6)

A. Faculty Ranks

Full-time faculty appointed to tenured or probationary positions shall hold one of the following ranks: instructor, assistant professor, associate professor or professor.

Temporary full-time faculty appointees shall hold similar ranks, but designated as visiting, research, clinical, extension, adjunct or school of medicine; as applicable to describe the connection or function. Other temporary ranks may also be used in accordance with Board of Trustees Policy Bulletin 36. All faculty with tenured, probationary or temporary positions in the rank of instructor or above shall be subject to the policies.

B. Promotion in Rank

Promotion in rank is a reward for achievement. It is based on the professional qualifications of a faculty member, including performance specific to the candidate's contractual responsibilities and duties. Major faculty responsibilities and duties include teaching and advising, scholarly and creative activities, service to the university, and professional service to the community. Individual colleges are responsible for determining the relative importance of the various faculty functions for purposes of personnel decisions. Colleges should provide flexibility in the weighing of such functions in order to accommodate a range of departments, disciplinary specialties and individuals with varying assignments.

The specific areas in which faculty are evaluated for promotion include the following:

1. **Teaching and advising:** command of disciplinary knowledge and methodology; effectiveness of classroom performance; advising load and effectiveness of academic advising; effectiveness in assessing student learning; rapport with students; contributions to curricular development; instructional development of faculty colleagues, etc.
2. **Scholarly and creative activities:** number, quality and importance of publications and creative productions; memberships and contributions to professional societies; professional growth and development; scholarly

presentations and creative performances; contributions to the professional development and achievement of colleagues, etc.

3. **Service to the university:** contributions within the department/division, within the college, or university-wide; contributions to official student organizations or other university-related organizations; other work in behalf of the student body, faculty, staff or administration of the university.
4. **Service to the community:** service on a compensated or *pro bono* basis to governments, to educational, business or civic organizations, or to the public. (Such service could include applied research, consultation, technical assistance, special forms of instruction, clinical work and performance). Involvement as an official representative of Marshall University, or units thereof, in activities of governments and of educational, business or civic organizations.

For purposes of promotion, as well as other personnel decisions, all relevant faculty activities should be subject to objective qualitative evaluations. Whenever possible, evaluations should be based on multiple sources of evidence. Teaching should be subject to evaluations by students and peers. The latter may visit a class or classes, or examine and evaluate course materials such as syllabi, textbooks and examinations. For a scholarly publication or presentation, critical appraisals from scholars in the same field might be solicited. For public service qualitative assessment should be solicited from those associated with the service activity or affected by the service outside the university. Colleges are encouraged to refine and clarify these guidelines and to develop specific performance standards for application to their faculty. All college policies and guidelines relating to the promotion process, including the determination of appropriateness of the degree to the teaching field, which is to be made by the dean of the college, must meet or exceed the policies as specified in this chapter and shall be reviewed and approved for consistency with university and Board of Trustees policies by the Faculty Personnel Committee and the provost or, where appropriate, the vice president for health sciences.

C. Requirements for the Rank of Instructor

1. Except as noted below, the entry-level rank of instructor requires that a candidate shall have earned a master's degree at a regionally-accredited college or university, with a major appropriate to the teaching field.
2. In certain special areas in which professional achievement is of unusual importance, or in which personnel holding higher degrees are not available, the bachelor's degree or its equivalent may meet the minimum for the rank of instructor.
3. A candidate must show promise as an effective university teacher.

D. Requirements for the Rank of Assistant Professor

1. Except as noted below, the rank of assistant professor requires that a candidate shall have earned a master's degree at a regionally-accredited college or university, with a major appropriate to the teaching field, and at least fifteen semester credit hours in courses appropriate to the teaching field beyond the master's degree.
2. In certain special areas in which professional achievement is of unusual importance, or in which personnel holding higher degrees are not available, the master's

degree or its academic equivalent may meet the minimum requirement for the rank of assistant professor.

3. A candidate must have had at least three years experience as a full-time faculty member at a regionally-accredited college or university, or other experience deemed as equivalent by the dean of the college, or an earned terminal degree from a regionally-accredited university with a major appropriate to the teaching field.
4. A candidate with teaching experience must have demonstrated his or her teaching effectiveness and must show promise as an effective faculty member in other major areas of responsibility. Candidates without prior teaching experience must show promise as an effective teacher and as an effective faculty member in other areas of responsibility.

E. Requirements for the Rank of Associate Professor

1. A candidate must have earned the master's degree at a regionally-accredited college or university, with a major appropriate to the teaching field, and at least thirty semester credit hours in courses appropriate to the teaching field beyond the master's degree toward the terminal degree.
2. A candidate without an appropriate terminal degree must have had at least seven years' experience as a full-time faculty member of which at least four years must be at the assistant professor rank at a regionally-accredited college or university, or other experience deemed as equivalent by the dean of the college. A candidate with an earned terminal degree with a major appropriate to the teaching field must have had at least four years of experience at the rank of assistant professor as a full-time faculty member at a regionally-accredited college or university or other experience deemed as equivalent by the dean of the college.
3. A candidate may not be promoted from the rank of assistant professor to the rank of associate professor unless he or she has been granted tenure by Marshall University. Promotion and tenure may be awarded concurrently. Temporary full-time faculty need not meet the tenure requirement for promotion.
4. A candidate must have demonstrated effective performance and achievement in all of his or her major areas of responsibility, and he or she must have demonstrated excellence in either teaching and advising or in scholarly and creative activities.

F. Requirements for the Rank of Professor.

1. A candidate must have earned the terminal degree in a major appropriate to the teaching field from a regionally-accredited university.
2. A candidate must have had at least four years of experience in the rank of associate professor at a regionally-accredited college or university.
3. A candidate in a tenure-track position may not be promoted from the rank of associate professor to the rank of professor unless he or she has been granted tenure by Marshall University. Temporary full-time faculty need not meet the tenure requirement for promotion.
4. A candidate must have demonstrated effective performance in all of his or her major areas of responsibility, and he or she must have demonstrated excellence in two or more such areas, including either teaching and advising or scholarly and creative activities.

THE PROMOTION PROCESS

A. Annual Consideration for Promotion

All persons with the rank of instructor, assistant professor or associate professor who teach in one academic year at least one class in the university and who are employed full-time are entitled to annual consideration for promotion to a higher rank, provided that they have met minimal levels of educational attainment and years of faculty experience by the time the promotion would take effect.

B. Promotion Process

1. Each college or equivalent unit will develop written procedures and performance criteria for implementing the promotion guidelines in Board of Trustees Policy Bulletin 36. College promotion procedures must be approved by the dean in consultation with the faculty, approved for consistency with university and Board of Trustees policies by the Faculty Personnel Committee and the provost or, where appropriate the vice president for health sciences.
2. Each faculty member is responsible for initiating his or her application for promotion. However, a chairperson/division head or an intradepartmental promotion committee may initiate a proposal for the promotion of any member of the department or division. Proposals for the promotion of a chairperson/division head may be initiated by himself or herself, by an intradepartmental committee or by the college dean.
3. A candidate for promotion will submit an application by the established departmental deadline to the chairperson/division head, who will forward it to an intradepartmental promotion committee. If the candidate holds graduate or associate graduate faculty status, the chairperson/division head will notify the graduate dean of the application, giving him or her an opportunity to provide to the departmental committee any information that he or she may have bearing upon the promotion. No items may be added or deleted from the application after this point. The committee will prepare a written recommendation with respect to the qualifications of the candidate for promotion and submit it with the candidate's application to the chairperson/division head.
4. Beginning with departmental committee level and continuing thereafter through each step of the decision-making process, the candidate shall be informed in writing of any recommendation to deny promotion.
5. The chairperson/division head will prepare a written recommendation with respect to the qualifications of the candidate for promotion and submit it along with all other materials received from the candidate and from the intradepartmental committee to the college dean by January 1.
6. The dean will submit all applications and recommendations to a college level promotion and tenure committee (or its equivalent). The committee will evaluate each candidate for promotion and submit a written recommendation for each candidate, along with all materials received, to the dean.
7. Upon receipt of recommendations by the college promotion and tenure committee, the dean will prepare a written recommendation for each candidate. The dean will submit his or her recommendations and those of the college committee, the chairperson/division heads

- and intradepartmental committees along with all materials received to the provost, or where appropriate, the vice president for health sciences by February 15.
8. The provost or, where appropriate, the vice president of health sciences will prepare a written recommendation for each candidate and submit it together with all of the recommendations and application materials received from the deans to the president by March 8.
 9. Promotion will result from action by the president at the conclusion of the promotion process. The president will prepare a list of those promoted and send an informational copy to the chairperson of the Faculty Personnel Committee by March 15.
 10. The president will inform by letter all candidates for promotion of his or her decision by March 15. An applicant denied promotion will be provided a statement of reasons for the action by this date. All application materials will be returned to each candidate at this time.
 11. The entire promotion process must adhere to the university's time guidelines and conclude no later than March 15.
 12. An applicant denied promotion by the president may file a grievance in accord with the grievance procedure in Policy Bulletin 36, Section 14. Alternatively, an applicant denied promotion may file a grievance under provisions of the West Virginia Code, Chapter 18, Article 29, Sections 1-9. Copies of the statutory grievance procedure and the rules and regulations of the Education Employees Grievance Board are available in the Personnel Office.
 13. A faculty member may withdraw his or her application for promotion at any time during the promotion process.
 14. None of the above procedures shall preclude the use of other appropriate forms for evaluation in the promotion process.
 15. All application materials and promotion decisions and deliberations shall be considered confidential except for circumstances in which a legal need-to-know basis has been established.
 16. No person, including the applicant, may present information in person to promotion committees.

TENURE, PROBATION, AND TENURE REQUIREMENTS

(See Policy Bulletin 36, 8 and 9)

A. Definition of Tenure and Probation

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 or reduction or discontinuance of a program.
2. When a full-time faculty member is appointed on other than a temporary or tenured basis the appointment shall be probationary. The conditions which govern a probationary appointment are in accordance with Board of Trustees Policy Bulletin 36, Section 9.

B. Tenure Requirements

1. Tenure shall not be granted automatically, or for years of service, but shall result from a process of peer review and culminate in action by the president. The grant of tenure shall be based on a two-fold determination:

- a. That the candidate is professionally qualified;
 - b. That the university has a continuing need for a faculty member with the particular qualifications and competencies of the candidate. This determination shall be in accordance with the provisions of Policy Bulletin 36, Section 8.2.
2. The professional qualifications of a candidate for tenure will be evaluated on the basis of the guidelines which pertain to promotion.
 3. The grant of tenure requires that a candidate must have demonstrated effective performance and achievement in all of his or her major areas of responsibility. Additionally, the candidate must have demonstrated excellence in either teaching and advising or in scholarly and creative activities.
 4. Tenure may be granted only to faculty who hold the rank of assistant professor or above. Promotion and tenure may be granted concurrently.
 5. The maximum period of probation shall not exceed seven years. Before completing the sixth year of a probationary appointment, a nontenured faculty member shall be given written notice of tenure, or shall be offered a one-year terminal contract of employment.
 6. 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.

A faculty member wishing to count years on a temporary appointment as part of the probationary period must make such a request at the time of initial appointment to a tenure-track position. The request should be initiated through the department chair and should flow through appropriate channels. Requests made after this time will be denied. If no request is made, the years on the temporary appointment will not be counted as part of the probationary period.

The original hiring agreement should state that the faculty member being employed for a tenure track position has the option of requesting that his/her temporary service be counted toward promotion and tenure or not. If the option is exercised, the faculty member must be cautioned that his/her years of temporary service will be evaluated by the same criteria as tenure-track service.

This policy shall not be applied retroactively and those faculty currently on probationary appointments who have previous years of service as temporary faculty members and wish to make such a request have until the end of the current academic year to do so.

7. The above provisions for tenure do not apply to persons who have appointments as full-time administrators or staff members.

THE TENURE PROCESS

A. Notification of Probationary Faculty

At the time of initial appointment, the department chairperson will notify in writing each probationary faculty member of the requirements and guidelines for tenure, including any which apply specifically within the faculty member's department. The faculty member will acknowledge in writing receipt of this notification. Lack of acknowledgement is not grounds for dismissal, nor is it reason for appealing a denial of tenure.

B. The Tenure Process

1. Each college or equivalent unit will develop written procedures and performance criteria for implementing the tenure requirements in Board of Trustees Policy Bulletin 36, Section 8. College tenure procedures and criteria must be approved by the dean in consultation with the faculty, approved for consistency with university and Board of Trustees policies by the Faculty Personnel Committee and the provost, or, where appropriate, the vice president for health sciences.
2. Each faculty member will have the primary responsibility for initiating his or her application for tenure. However, the department chairperson or an intradepartmental committee may initiate a recommendation for tenure.
3. Unless demonstrated extraordinary circumstances prevent an application during the sixth year of a faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a one-year terminal contract of appointment.
4. A candidate for tenure will submit an application by the established departmental deadline to the chairperson/division head, who will forward it to an intradepartmental tenure committee. If the candidate holds graduate or associate graduate faculty status, the chairperson/division head will notify the graduate dean of the application, giving him or her an opportunity to provide to the departmental committee any information that he or she may have bearing upon tenure. No items may be added to or deleted from the application after this point. The committee will prepare a written recommendation with respect to the qualifications of the candidate for tenure and submit it with the candidate's application to the chairperson/division head.
5. Beginning with the departmental committee level and continuing thereafter through each step of the decision-making process, the candidate shall be informed in writing of any recommendation to deny tenure.
6. The chairperson/division head will prepare a written recommendation with respect to the qualifications of the candidate for tenure and submit it along with all other materials received from the candidate and from the intradepartmental committee to the college dean by January 1.
7. The dean will submit all applications and recommendations to a college level promotion and tenure committee (or its equivalent). The committee will evaluate each candidate for tenure and submit a written recommendation for each candidate, along with all material received, to the dean.
8. Upon receipt of recommendations by the college promotion and tenure committee, the dean will prepare a written recommendation for each candidate. The dean will submit his or her recommendations and those of the college committee, the chairpersons/division heads and intradepartmental committees to the provost or, where appropriate, the vice president for health sciences by February 15.
9. The provost or, where appropriate, the vice president for health sciences will prepare a written recommendation for each candidate and submit it together with all the recommendations received from the deans to the president by March 8.
10. Tenure decisions will result from action by the

president at the conclusion of the tenure process. The president will prepare a list of those granted tenure and send an informational copy to the chairperson of the Faculty Personnel Committee by March 15.

11. The president will inform by letter all candidates for tenure of his or her decision by March 15. An applicant denied tenure will be notified via certified mail. All application materials will be returned to each candidate at this time.
12. The entire tenure process must adhere to university time guidelines and conclude no later than March 15.
13. All application materials and tenure decisions shall be considered confidential except in circumstances in which a legal "need-to-know" basis has been established.
14. No person, including the applicant may present information in person to tenure committees.
15. An applicant denied tenure may request a statement of reasons from the president according to the provisions of Board of Trustees Policy Bulletin 36, Section 9.
16. An applicant denied tenure by the president may file a grievance in accord with the grievance procedure of Policy Bulletin 36, Section 14. Alternatively, an applicant denied tenure may file a grievance under provisions of West Virginia Code, Chapter 18, Article 19, Section 1-9. Copies of this grievance procedure and the rules and regulations of the Education Employees Grievance Board are available in the Personnel Office.

--Passed by the Faculty Senate May 24, 1989

DISMISSAL FOR CAUSE OF TENURED FACULTY

A. **Causes for Dismissal** (See Policy Bulletin No. 36, 11).

B. **Notice of Dismissal for Cause.** (See Policy Bulletin No. 36, 11.2)

GRIEVANCE PROCEDURE

Procedures for hearing faculty grievances are established in Board of Trustees 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 14.

Grievances involving other matters affecting the wellbeing 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 16. Under Section 16, grievances are subject to three levels of review. At Marshall University, four levels are recognized.

1. **Level one:** Within 60 days of the date that a faculty member knows, or with reasonable care should have known, the facts which give rise to his or her grievance, the faculty member shall 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, within ten working days of receipt of the decision by the academic dean, the faculty member should forward to the provost, or where appropriate, to the vice president for health sciences a copy of the grievance, along with the dean's response and supporting documents.
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 provost, or where appropriate, vice president for health sciences. 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 provost, or where appropriate, vice president for health sciences. 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.

INSTITUTIONAL HEARINGS

All policies and procedures relating to Institutional Hearings shall be governed by the Institutional Hearing Panel Policy and Procedures Manual which shall be available through the President's office, the Faculty Senate, or the Academic Deans.

1. Composition of the Panel

The IHP shall consist of 30 tenured and probationary faculty members, representative of the various academic ranks. Elections to positions of the IHP will occur annually in the fall semester. Each member of the IHP will be elected to a two (2) year term, with one-half of the positions elected each year. IHP members may be re-elected.

IHP members will be selected by academic ranks according to the following formula: ten (10) full professors, ten (10) associate professors, eight (8) assistant professors and two (2) instructors. A reappointment of the composition of the IHP shall occur every leap year to reflect the number of faculty at each academic rank.

2. Training of Panel members

Every fall, as soon as possible after the selection of the hearing panel members, a training program will be conducted under the auspices of the University President and the President of the Faculty Senate. Training sessions will be scheduled for two hours, to be followed by dinner provided by the University.

Prior to the scheduled date for the training session, each panel member will be provided with a copy of the Marshall University Institutional Hearing Panel Policy and Procedures Manual. Within the parameters established by this manual, training will include a review of procedures for organizing and conducting hearings, as well as information on grievants' rights, report writing, and other issues pertaining to evidence.

All faculty members serving their first term of the Institutional Hearing Panel must participate in a training session during the first fall term following their election. Panelists serving during subsequent years must participate in a training session at least every two years. Under no circumstances will a faculty member serve on an Institutional Hearing Committee unless he/she has received training during the previous two years.

The Institutional Hearing Committee (IHC)

1. General Procedures

Any faculty member who wishes to exercise his/her right under Policy Bulletin 36, 14. 2. to appeal a presidential decision on dismissal, termination, tenure or promotion, must initiate the hearing process. The faculty member begins the appeal process by requesting from the President a statement of the reasons for the decision. This request MUST be in writing and be sent within TEN working days of the receipt of notification of the decision being appealed. Within TEN working days after receiving the request, the President shall provide the faculty member, by certified mail, with a statement of reasons. This statement of reasons is only for the purpose of informing the faculty member of the reasons for the specific decision(s) being appealed, and is not the statement of reasons referred to in the West Virginia Code 18. 26. 8c. Upon receipt of this statement of reasons, the faculty member may request a hearing before an Institutional Hearing Committee. If a faculty member wishes to request a hearing date prior to the subsequent fall term, he/she must make this request within TEN (10) working days of receipt of the statement of reasons.

2. Selection of the Committee

The IHC shall consist of five faculty members selected according to the following procedure: Within

fifteen (15) working days of the receipt of a request for a hearing, the President shall select nine (9) faculty members from the IHP according to the rotation procedure specified in the IHP Policy and Procedures Manual. The grievant will strike four (4) names and return the list to the President within fifteen (15) working days. The remaining five faculty members will be the IHC.

3. Convening the Committee

The President shall promptly notify, in writing, the five (5) members of the IHC and shall appoint a temporary chair who shall convene an organizational meeting at which a chairperson will be elected, the date for the hearing will be determined and the IHC will review such matters as may be pertinent to the fair, impartial and expeditious disposition of the appeal.

4. The Hearing Process

The committee chairperson is chosen by the members of the IHC and is responsible for carrying out all organizational aspects of the hearing as specified in the IHP Policy and Procedures Manual.

Except for such simple announcements as may be required, covering time of the hearing and similar matters, public statements about the hearing by any involved party should be avoided.

5. Record of Proceedings: Final Disposition

a. Final report

(1) The final report(s), including if appropriate both a majority and a minority report, will be completed as soon as possible after the hearing.

(2) Copies of the report(s), signed by all committee members, shall be forwarded to both the President and the grievant.

(3) The form of the report will follow the format which is described in the IHP Policy and Procedures Manual.

b. Tapes of committee proceedings

(1) The original tape of the hearing will be forwarded to the President along with the final report.

(2) The original tape shall be kept on file in the President's office. The President will provide a copy of the tape to the grievant at no charge upon the grievant's request.

(3) A written copy of the proceedings will be provided by the President at the request of the grievant, the cost of the transcript to be shared equally by the grievant and the institution.

Confidentiality Policy

The evidence, testimony, deliberations, and decisions of Institutional Hearing Committees are considered to be confidential. Release of IHC reports is the prerogative of the grievant and/or the University President. IHC members must refrain from disclosing the report or the testimony, evidence, and deliberations for any purpose which is not relevant to the grievant's case.

All information, both materials and testimony, which the IHC deems relevant to the grievance must be made available to the Hearing Committee if the nature of the grievance or the ensuing testimony or evidence requires it, notwithstanding the confidentiality statements in the Greenbook (1989) regarding the Promotion Process and the Tenure Process. This may

include, but is not limited to, tenure and promotion deliberations and reports of the department and/or college, administrative evaluations of faculty, and applications for tenure and/or promotion submitted by other faculty (third parties).

Recognizing third parties' rights to privacy, the IHC must respond selectively to each request from the grievant to have the IHC consider specific third party materials. Access to materials pertaining, wholly or in part, to third parties must be based on probable cause. Such third party materials shall not be requested by the IHC nor made available to the grievant solely for purposes of discovery.

After examining third party material, the IHC will decide which portions, if any, are relevant to the grievance. Relevant portions will be included in the committee's evidence (exhibits) and will be available to the grievant. The remainder will be disregarded, and the grievant will be denied access to it.

Appeal to the Board of Trustees (See Policy Bulletin No. 36, 15)

PLAN FOR MEETING FINANCIAL EXIGENCY

(See Policy Bulletin 36, 13)

A. 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 Trustees. 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 Trustees has mandated (Policy Bulletin 36: 13. 1):

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 Trustees 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 provost and deans and the Staff Council.

B. 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 decision 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.

C. Procedure for Responding to a Financial Exigency

If the West Virginia Board of Trustees 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:

1. One level member from each college or school of equal level*
2. Chairperson of the Faculty Personnel Committee
3. Chairperson of the Budget and Appropriations Committee
4. Chairperson of the Academic Standards and Curricular Review Committee
5. President of the Faculty Senate
6. Deans of all colleges and schools, including the Dean of Graduate School
7. Vice President for Finance
8. Provost, or where appropriate, Vice President for Health Sciences

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 heads, 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 Trustees Policy Bulletin 36.12.1

Appeal processes will follow established Marshall University and West Virginia Board of Trustees

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 Trustees, December 2, 1982.

Sabbatical Leave (See Board of Trustees Policy Bulletin No. 10)

Two forms must be completed by any applicant wishing to be considered for a sabbatical leave: "Sabbatical Leave Request" and "Sabbatical Leave Agreement." Both are to be secured from the appropriate college academic dean. Interested faculty should also determine if the particular college has additional guidelines and secure a copy of any which exist.

Note that the "Sabbatical Leave Request" has two parts. The first part is for information that goes to the Board of Trustees. The second page contains information and the routing procedure for university use.

Pay particular attention to the order of approval (routing), recognizing that it is the Board of Trustees which grants sabbaticals.

Marshall University Policy on Termination of Faculty Due to Program Reduction or Discontinuance (See Policy Bulletin 36, 12)

I. Criteria for personnel decisions upon reduction or discontinuance of Programs.

Once the decision to reduce faculty within a specific program or department is final, the head of the affected department or program, in consultation with and with the approval of department member(s), will determine which particular faculty member(s) must be terminated.

There are several overriding principles to which the University must adhere when personnel reduction is necessary. First, program reduction must never be used for the sole purpose of removing an individual from a program because of job performance or personality conflicts. Second, the University is committed both morally and legally to affirmative action. All reasonable steps possible will be taken to maintain a faculty of racial, sexual and ethnic diversity. Strict adherence to a seniority rule in reduction, for example, would have a debilitating effect on minorities and women. And third, but perhaps most importantly, any reduced program must remain academically viable. The value of each faculty member to the viability of the

program must be considered. Should there be redundancy of faculty expertise among the tenured faculty while untenured faculty possess unique and essential capabilities for the successful fulfillment of the program, then the decision to retain the untenured faculty with less seniority will be considered.

A. Given these considerations, the following guidelines will be applied, in sequence, to achieve the necessary reduction in personnel within an affected program:

1. Nonreplacement or vacant position vacancies due to attrition or retirement.
2. Reduction or elimination of graduate teaching assistantships.
3. Removal or reduction of part-time faculty considering seniority.
4. Qualified faculty will be urged to consider the option of early retirement.
5. Non-tenured faculty may be reduced in the following order:
 - a) non-tenure track positions considering seniority
 - b) tenure-track positions considering seniority.
6. Reduction in tenured positions considering seniority.

As an alternative to the above, the affected department or program may propose a plan for fractional appointments instead of the release of any faculty member. Such a plan may be recommended to the president only if all faculty members in the unit who are to participate agree to the plan. Such plans are to be time limited and are subject to annual consideration.

Faculty who are dismissed as a result of program reduction have the right to appeal (BOR Policy Bulletin 36).

II. Assistance to faculty affected by Program Change

A. The University will make every reasonable effort to place affected faculty in order positions within the University for which they are qualified at a salary comparable to their present salary. The determination shall be made by the department or unit where the vacancy exists. The department with the vacancy shall be prohibited from filling any vacancies until or unless it demonstrates that affected faculty members are not academically suitable for those vacancies. Since tenure is granted by the University, an individual has tenure within the University rather than a particular department. In order to meet the needs of a specific department, the affected faculty member may receive a one-year temporary appointment that is related to the individual's academic training and background. This position may be instructional or noninstructional. The conditions shall be explicit and put in writing at the time of the transfer. If the position is temporary or less than full-time, the qualified faculty member may accept or refuse the position without in any way altering or affecting his/her rights as established in this article. Persons who decline offers of full-time re-employment waive all rights of reassignment as established in this article.

B. If the employing unit requires additional training for the faculty member, the University shall provide financial and other support, including if necessary, leave

with full pay, which will be negotiable between the employing department and faculty. The two parties will also negotiate a reasonable length of retraining.

- C. Should faculty for whom positions cannot be found within the University so desire, Marshall University will request consideration by other West Virginia Board of Regent's higher education institutions for employment in suitable positions.
- D. Should an affected faculty member desire to seek employment outside the institution and/or Board of Trustees System, letters from appropriate administrators and President will be written expressly stating that termination due to program change does not imply a negative judgment about the individual's performance. Copies of the letters will be maintained in University files.
- E. The Provosts, or where appropriate, the Vice President for Health Sciences will assist the faculty member at University expense in efforts to find suitable placement by sending letters that explain the circumstances of the termination and professional resumes to other institutions.
- F. Each faculty member who has been given notice of termination will be granted release from the current contract upon request.
- G. If suitable employment cannot be found through steps A-F, then time for retraining will be offered to tenured faculty. During this terminal year of appointment, faculty will retain full salary for the express purpose of retraining. The University will be required to meet staffing needs of a department while a faculty member is involved in retraining.
- H. Faculty terminated as a result of program change will be offered the right of first refusal if the program is reinstated or expanded within three years. Recall rights and rehiring preference shall be in accordance with the following provisions:
 1. When a vacant position is to be filled, terminated faculty members who are eligible for the position shall be offered re-employment in inverse order of their termination from the system. If two or more faculty members were terminated at the same time, then that person with the greater seniority shall have priority for recall. If they have equal seniority then the person with the greater length of tenured service in the university shall have priority for recall.
 2. Persons offered re-employment must accept such offer within fifteen (15) working days after such offer.
 3. Persons who decline such offers of re-employment waive all rights of recall as established in this article and shall have their names removed from the "recall list."
 4. Faculty members who are recalled shall be re-employed at former academic rank, at the current salary for their previous rank and years service. They shall retain their previously earned tenure rights and sabbatical leave rights.
- I. Early Retirement Options

The Faculty Personnel Committee strongly recommends that Marshall University develop an early retirement option for faculty members who have served the

University for a required number of years. Recognizing that such an option would probably be made available to all faculty and thus its impact would far transcend the specific dilemma arising from the need to terminate faculty due to reduction or discontinuance of an academic program, the Faculty Personnel Committee has concluded that it lacks the technical expertise necessary to create a policy on an early retirement. The Committee urges the administration to convene those who do have the necessary knowledge to investigate the viability of an early retirement option for faculty at Marshall University.

III. Impact on Students

A. Undergraduate Students

Even when a program is being reduced or discontinued, Marshall University has an obligation to all students in that program to provide adequate course offerings and quality instruction to ensure that those students can complete their chosen major. However, when a degree program is scheduled for termination, no new majors or minors will be admitted. Students enrolled as majors or minors will be informed by the Registrar in writing of the program change decision during the semester in which it is made and of the existence of these guidelines:

1. Enrolled students will have time to complete their major as a full-time student. A program that requires four years to complete will be phased out over four years so that students engaged in completing a major may do so.
2. If the terminated program has specialized courses that do not interfere with the person's ability to complete the major, the student will be advised of the date of termination of such courses and of the need to complete or select other courses to fulfill degree requirements.
3. Students minoring in the program will be encouraged to complete their coursework within two years after the decision or to consider changing their minor. Academic advising will be advisable and students will be apprised in writing of such a service.
4. Students will be given academic advising for expeditious course selection to meet time requirements or credit and program transfer to other majors within the University.
5. Students will be assisted in transferring to colleges or universities that offer a similar program. When the student requests, both the department and the University will provide a letter to other institutions indicating that programmatic change necessitated the transfer. Other programs will be brought to the student's attention as will possibilities for financial aid.

B. Graduate Students

In the case of a program change that terminates a graduate degree program, enrolled students will have the right to complete the program within the time outlined in graduate or departmental bulletins. In no case will that time exceed four years for masters' degrees and seven years for doctorates. Whenever possible, courses will be phased out sequentially and students will be informed of the sequence.

No new masters or doctoral students will be

admitted after the decision to terminate.

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 Board of Trustees Policy Bulletin No. 18.

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, color, sex, sexual orientation, religion, age, handicap, or national origin.

This nondiscrimination policy also applies to all educational programs and activities covered under Title IX, which prohibits sex discrimination in higher education.

Equal employment opportunity is the condition whereby all employment processes and circumstances operate to afford equal opportunity to all individuals irrespective of non-merit principles such as race, color, sex, age, religion, national origin, ancestry, handicap or sexual orientation.

Affirmative action is the process through which equal employment opportunity is realized. It is the comprehensive term for all the programs in which the university actively participates to attain status of equal employment opportunity. Equal employment opportunity is the law. Effective affirmative action is the means for fulfilling lawful responsibility. It is a shared concern. Affirmative action permeates the total fabric of employment practices and sound management principles and policies. Minority affiliation are defined as including, Black/Negro - not of Hispanic origin, Hispanic, American Indian or Alaskan native, or Asian or Pacific Islander.

Marshall University also neither affiliates with nor grants recognition to any individual, group, or organization having policies that discriminate on the basis of race, color, sex, sexual orientation, 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, 206 Old Main, Marshall University, Huntington, WV 25755, Telephone (304) 696-6522.

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, sexual orientation, 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 Trustees 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. Marshall University strives to provide educational opportunities for minorities and women in the undergraduate and graduate student bodies which reflect the interests, individual merit and availability of such individuals. The university insures equality of opportunity to and treatment in all areas related to student admissions, instruction, employment, placement, accommodations, financial assistance programs and other services.
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, national origin or sexual orientation 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 gender who are presently underrepresented 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 to sources of qualified female 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, national origin, or sexual orientation, 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, national origin, or sexual orientation.

C. Implementation of the Program

1. To implement this program, the President has designated the Affirmative Action Officer as responsible for overseeing Equal Employment Opportunity for the university. However, each Dean, Director, or unit heads have the immediate day-to-day responsibility of promoting and carrying out Marshall's Affirmative Action Policy in their respective areas. They are responsible for setting the tone and creating an environment for positive change and results within the affirmative action arena. Consequently, they must involve and require active participation of those who serve as chairpersons, managers and supervisors, so that all parties are kept abreast of the status of activities and the progress that has been made. These measures guarantee success of the program and, most importantly insure equality and equal employment.
2. 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 with assistance and support from the Deans, Directors and Unit Heads.
 - 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. Propose changes in personnel 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 the Assistant Dean for Student Affairs 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 696-6522 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.

MARSHALL UNIVERSITY POLICY FOR FACULTY WITH CONFIRMED HTLVIII INFECTION AND/OR AIDS

In considering adoption of a policy concerning HTLVIII infection and/or AIDS among members of the faculty of Marshall University, the following facts should be kept in mind.

Discovery that an individual has HTLVIII infection is most likely to be inadvertent and by the following means:

1. Current attempts to donate blood to the American Red Cross or other agencies.
2. The "Look-Back" Program of the Red Cross to detect HTLVIII-positive individuals among past donors.
3. An individual recognizing that he or she is in a "high-risk" group seeks medical attention for specific testing for HTLVIII.

Recognizing that the current tests for detection of HTLVIII are not totally reliable (with the ELISA test, false positives occur at a frequency of 1:10) the following guidelines should be considered for members of the faculty who are determined to be positive for HTLVIII.

1. Strict confidentiality should be maintained at all times.
2. Individuals determined to be positive for HTLVIII virus by a screen-test should be examined by an Infectious Disease Specialist Physician.
 - a. The Infectious Disease Specialist Physician will examine the person and order any further test required to confirm the diagnosis of HTLVIII infection and to ascertain the presence or absence of clinical evidence of AIDS.
 - b. Individuals confirmed to be positive for HTLVIII should seek counseling as to their personal risk status for developing AIDS and/or for potential transmission of HTLVIII to others.
3. The individual will be responsible for any cost of medical examinations, laboratory tests, and treatment not covered by regular health insurance policy or policies.
4. Should unusual circumstances arise requiring quarantine of the individual, such a decision should be made by appropriate Public Health Officials.
5. All decisions with regard to assumption of the responsibilities of a faculty member, continuation of salary, extension of sick leave, and comparable matters are administrative and would be considered under established guidelines for other illnesses.

V.

FISCAL INFORMATION

EMPLOYEE SERVICES AND BENEFITS

EMPLOYMENT

The President of Marshall University is authorized by the Board of Trustees 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 Department of Human Resources/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 Department of Human Resources/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, and a \$10,000 life and accidental death and dismemberment benefits.

Effective 7-1-88, for the first year of employment the employee contributes 30% of the total premium; the second year, 20% of the total premium; the third year and every year thereafter, 10% of the total premium.

Option life insurance is also available to the employee as well as life insurance for the employee's family.

Detailed information is available in the Office of Human Resources/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 Department of Human Resources/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 Department of Human Resources/Personnel. Information concerning the Workmen's Compensation Program will be provided by the Department of Human Resources/Personnel.

SOCIAL SECURITY

Marshall University provides Social Security matching funds for all eligible employees. Details are available in the Payroll Division, Comptroller Office.

UNEMPLOYMENT INSURANCE BENEFITS

Marshall University pays the premiums to cover Unemployment Insurance Benefits for all eligible employees. Details are available in the Department of Human Resources/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.

See University of West Virginia Board of Trustees Policy Bulletin No. 35 for:

ANNUAL LEAVE

MILITARY LEAVE

LEAVE OF ABSENCE WITHOUT PAY

SICK AND EMERGENCY LEAVE

WITNESS AND JURY LEAVE

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, Higher Education Resources, and Faculty Improvement 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.

WAIVER OF REGULAR STUDENT FEES FOR COURSES WITH THIRD-PARTY SPONSORS

Whenever the cost of any institute, workshop, special course, or other educational program is wholly financed by a grant from any federal agency or from any foundation, corporation, or other association or person, except for indirect costs of administration and other overhead expenses, such as the cost of providing classrooms and other facilities, the governing board of the state educational institution administering such program shall have the authority to excuse all students enrolled in such program from payment of tuition, registration, and other enrollment fees. (Section 5, Article 24, Chapter 18, W. Va. Code)

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 Office of the Comptroller/Payroll Division will issue time cards semi-monthly to employers. All time cards must be signed by the supervisor and returned to the Office of the Comptroller/Payroll Division 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 department where employed.

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

Marshall University maintains a centralized Purchasing and Materials Management Office to assist faculty and staff with the acquisition of goods and services, to include their purchase, receipt, and delivery. The department is also responsible for the inventory of all equipment purchased by the University.

The West Virginia State Code vests the Board of Trustees with the authority to effect purchases and acquire materials, supplies, equipment, services, and printing for the State's colleges and universities. Authority is also given to the Board to set purchasing policy and prepare rules and regulations. Marshall University's Purchasing Department adheres to the BOR Purchasing Regulations. In accordance with these regulations, the President of the University appoints the Chief Procurement Office (Director of Purchasing & Materials Management). He is

responsible for the procurement of goods and services for Marshall University.

The University's procurement officers are the only individuals authorized to effect purchases, agreements, or contracts for Marshall University within the BOT Purchasing Guidelines. Faculty and staff outside of Purchasing may not obligate University funds, regardless of source. Purchases made without prior approval of a procurement officer are unauthorized purchases and become the personal responsibility of the person making the purchase. Contracts and agreements are included, too; for the Attorney General, the Audit Division, and the Department of Finance and Administration only accept purchasing documents signed by procurement officers. Only University procurement officers may issue confirming orders to vendors.

West Virginia State law requires that all expenditures be made within the limits of available appropriations and funds relating to expenditure schedules and quarterly allotments. Also, it is required that funds be encumbered in advance of any purchase, agreement, or contract. Estimates are encouraged.

All funds deposited with the University, regardless of source, are University funds and must be managed in accordance with University policy.

Equipment, supplies, services, and printing are requested on the appropriate purchasing forms which are available through the Bookstore. Each request originated by faculty or staff must contain sufficient information to complete the procurement cycle. 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 Trustees 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, 1819 Fifth Avenue, 696-6406.

TRAVEL REGULATIONS

Effective Date: November 1, 1986 (Rev: 11-3-86)

(Issued by the Governor of West Virginia, September 25, 1986. 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 authorized persons traveling on business for the State of West Virginia, as well as State employees, as authorized by Chapter 12, Article 3, Section 11 of the West Virginia Code, 1931, as amended. These regulations are designed to insure fairness in the application and administration of travel expense reimbursement. An employee traveling on state business is expected to exercise the same care in incurring expenses as a prudent person traveling for personal

reasons. Travel on business should be conducted at a minimum cost for achieving the success of the mission. All expenditures shall be within the budgetary allowances for the department for which the trip is taken. It shall be the responsibility of the head of all departments, agencies, and commissions to insure compliance with these regulations. Any questions regarding travel should be directed to the State Travel Management Office.

Travel Management Office

A State Travel Management Office has been established in the Department of Finance and Administration. The State Travel Coordinator will be responsible for overseeing the operations of the Travel Management Office. It is the responsibility of the Travel Management Office to authorize travel, reduce and control travel related costs, increase efficiency, and oversee vendor performance. The State Travel Management Office will be the contract administrator for National Travel Service and American Express, or their successors. Services provided through the Travel Management Program are beneficial to the state, as well as the individual traveling on state business.

American Express Corporate Cards

The State of West Virginia has entered into an agreement with the American Express Travel Related Services Company, Inc., that provides for state employees to be issued American Express Corporate Cards for in- and out-of-state business travel expenses. State employees who make one or more trips per year or who spend over \$500 on business related travel expenses should apply for an individually billed state charge card. Eligible employees will receive the American Express Corporate Card free of charge. Employees will be billed by American Express at their home address. All business expenses should be charged to the American Express Corporate Card whenever possible. This is to be used for state business expenses only. Personal use of this card will result in loss of the use of the card. Card member application and information folders will be provided to traveling state employees.

National Travel Service

The State of West Virginia is consolidating all its commercial air travel with one travel agency. All commercial air travel and car rental must be booked through National Travel Service, as well as charter aircraft unless lower prices are available from another source. Whenever possible lodging accommodations should also be made through National Travel Service.

Transportation

Airline and other Common Carrier Travel:

All commercial air travel reservations must be made through National Travel Service. Tickets purchased from any other sources will not be reimbursed. Consistent with reasonable business planning, air travel accommodations will be booked at the lowest available fare. National Travel is required to offer you the lowest available fare; failure on their part to do so will result in their paying the difference between the lowest available fare and the fare rendered. If the lowest available fare is inconsistent with reasonable business planning and the traveler turns down the fare the traveler's explanation will appear on the monthly departmental travel management report issued to the State Travel Management Office. Travelers should be advised to make their air travel reservations as far in advance as possible to attain the lowest fares. Travelers may not specify particular airlines to accumulate mileage on promotional plans such

as frequent flyer programs.

In cases where a traveler has paid for a ticket(s) for travel by airline or other common carrier, the passenger coupon signed by the traveler must be attached to the expense account.

In cases where a ticket for travel by airline or other common carrier is being billed directly to the State, the passenger coupon signed by the traveler and a copy of the invoice must be attached to the traveler's expense account to reflect the mode of travel, but the amount is not to be included in the detail of the expense account. The employee travel expense account and the invoice for direct billing should be submitted together for payment.

Changes in Travel Arrangements:

When changes in travel planning require either cancellation or revision of airline tickets, National Travel is to be notified as soon as possible so that the necessary changes can be made. Changes made enroute due to circumstances beyond the control of the traveler that do not require fare changes can normally be handled directly with the airline involved (at the ticket counter).

Extended Travel:

Where the employee elects to achieve a lower overall trip cost through the use of restricted discounted airfares by extending the trip for a certain duration to cover specific travel days at the beginning or end of a trip, the state will reimburse travel expenses for this extension when such "extra" expenses (lodging, meals, other transportation costs, etc.) do not exceed the amount of saving realized from the discounted airfare.

Personal/Business Travel:

When personal travel is combined with business travel, the employee will be reimbursed for the lowest available fare for only the business portion of the trip, with the amount determined by National Travel Service. Details of personal travel must be identified separately on the travel request form.

Trip Insurance:

Any purchase of flight or luggage insurance is a personal expense and is not reimbursable. National Travel provides \$150,000 of flight insurance and American Express provides \$100,000 of travel accident insurance.

State Aircraft:

Use of state owned aircraft is still encouraged and arrangements for use of State aircraft may be made by telephoning the Aviation Division of the Department of Finance and Administration. Comparative cost evaluations should be made by agency travel personnel.

Charter Air Travel:

Use of chartered aircraft must be approved in advance by the Travel Management Office. Persons or groups scheduling use of charter aircraft must utilize National Travel Service unless lower prices are available from another source. In the event that the price is lower from another source, documentation showing the prices must be submitted to the Travel Management Office when requesting approval of the use of such charter aircraft.

Persons wishing to pilot privately-owned or rental aircraft while traveling on state business must obtain prior approval in writing from the Travel Management Office. A total cost reim-

bursement calculation must be determined and approved prior to the trip departure.

Written approval for use of charter, privately owned or rental aircraft from the Travel Management Office must accompany transmittals for payment.

Personal Automobile:

Reimbursement for the use of an employee's personal car in connection with State business will be at the rate of twenty cents (\$0.20) 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.

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% of the total of his work effort for the State. If the employee has one location where over 25% 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 Travel Management Office. 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.

Automobile vs. Air Travel:

In cases where a state employee chooses to drive rather than fly on state business, his reimbursement for such travel will be based upon actual in-transit expense (mileage, hotels, and meal charges, etc) not to exceed an amount equal to the lowest available air fare, plus local transportation to and from the airport. This rate will be determined by calling National Travel Service.

State Automobiles:

Pursuant to the provisions of West Virginia Code §6-7-8, only state law enforcement officials, and those specifically enumerated therein, have the authority to use, and permit and allow or disallow their designated employees to use state automobiles to travel from their residences to their workplace and return. Arrangements for use of State owned automobiles must be made through the Transportation Division of the Department of Finance and Administration, in accordance with the rules and regulations of the Transportation Division.

Monthly or Permanent Basis - Requests for the assignment of vehicles on a permanent or fixed period basis will be submitted to the Transportation Division on Form TD-2. The requesting agency will be notified by the Transportation Division of action taken on each request.

Daily or Trip Basis - In the Charleston area vehicles may be requested for temporary use on a daily or trip basis by calling the Dispatcher's Office. To substantiate the request for the vehicle, Form TD-3, in quadruplicate shall be presented to the Dispatcher at the Central Motor Pool at the time the vehicle is assigned.

Out-of-State Travel - Central Motor Pool cars may be used for out-of-state travel, but it should be determined by the agency if the use of public transportation would be more economical. Permission to use a State vehicle for out-of-state travel does not supercede any permission that may have to be obtained from the Travel Management Office pertaining to out-of-state travel.

Car Rental:

Cars may be rented by employees when other means of transportation are unavailable, more costly, or impractical. All automobile rentals must be approved by the Travel Management Office and must be made through National Travel Service. The use of a rented car must be justified as an economical need on the travel request form and not as a matter of personal convenience. Compact cars are to be rented unless the size of the group or equipment to be transported make them impractical. Use of other than a compact car must be specifically approved in advance on the travel request form. Employees are requested to fill the gas tank before returning the car unless the car rental company policy mandates otherwise. The employee will be reimbursed for the exact cost of gasoline to refill the tank. Filling the gas tank will avoid a costly gasoline surcharge. Car rental contracts, invoices, and gasoline receipts must be submitted with expense accounts. Personal Accident Insurance, as well as Collision Damage Waiver, are reimbursable by the state.

Other Transportation Costs:

The cost of taxis, buses, subway, car fare, to and from places of business, hotel, airports, or railroad stations in connection with business activities are reimbursable. Other transportation costs, such as toll bridge and turnpike charges, parking fees, and garage storage charges are also reimbursable. Parking fees and garage charges must be substantiated by receipt unless a parking meter is used. All other expenses should be substantiated by receipts whenever possible.

Lodging

Lodging reservations should be made through National Travel Service whenever possible. National Travel Service has negotiated rates with individuals traveling on state business are eligible to use. 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, in an amount not to exceed one hundred dollars (\$100.00) per night (including tax).

In cases of double occupancy by two State employees, each shall be reimbursed only 50% of the total roomcharge on their respective expense account. In case of double occupancy, where one of the occupants is not on state business, hotel reimbursement will be on the basis of the least expensive available single rate. No reimbursement will be made for laundry or valet charges, tips or gratuities, or personal telephone calls.

State employees shall be allowed reimbursement at the rate of ten dollars (\$10.00) per night plus the charge for the campsite when using a privately-owned trailer or motorhome for official state travel. Receipt from campsite must be attached to expense account.

Direct Billing

Direct billing to the State will be restricted to instances involving lodging and dining facilities on the approved list where employees are unable to use their American Express Card. When direct billing is used for lodging and dining facilities a

voucher must be used. The following are the prescribed guidelines for use of the voucher.

1. The board and lodging voucher (WV-94) shall be used by all agencies, departments, boards and commissions.
2. Employees utilizing the voucher will be responsible for proper completion and processing of the form. **Under no circumstances shall a vendor be allowed to maintain and complete the voucher form.** (No vouchers are to be mailed by the vendor to the State.)
3. Reimbursement ceilings for meals and lodging, as set by these regulations, are not to be exceeded.
4. In instances where the voucher will be utilized in conjunction with the travel expense account form, each form must bear their appropriate portion of the expenses incurred. Both the voucher and the travel expense account must be processed for payment together. All authorized expenses incurred on the voucher must be indicated but not listed on the travel expense account form. (This is to prevent confusion in the encumbrance and auditing process.)
5. The spending unit should develop its own system of administrative control of the voucher system.

The following are procedures for completion and distribution of the vouchers:

1. All expenses and required information should be indicated in the appropriate space provided.
2. Proper totals must be entered in the appropriate spaces.
3. Employees must review the charges contained on the voucher before signing on the appropriate signature line.
4. Employees must state their social security number on the voucher in the appropriate space.
5. The completed voucher must then be signed by a representative of the hotel, motel or restaurant where the expenses were incurred.
6. The last copy of the voucher is to be left with the vendor for his records.
7. The invoice of the vendor for the expenses incurred and the original and all remaining copies of the voucher must be returned to the spending unit by the employee.
8. The original and all remaining copies of the voucher must be approved by the spending unit in the appropriate space.
9. The voucher and accompanying invoice must be processed for payment at the same time as the travel expense account, if the travel expense account is being utilized.

Baggage Charges

Baggage charges will be reimbursed on an incurred basis for the day of arrival and the day of departure, not to exceed a total of 5% of the daily room rate.

Meal Allowances

Meal allowance costs will be limited to twenty dollars (\$20.00) per day for in-state travel, and twenty-five dollars (\$25.00) per day for out-of-state travel. Employees traveling on an extended trip (a trip involving overnight travel) shall be reimbursed the full meal allowance of \$20.00 per day for in-state travel or \$25.00 per day for out-of-state travel except for days of departure and return. Departure from home before 7 A.M. entitles the traveler to the full meal allowance; departure before noon entitles the traveler to lunch and dinner; while departure before 6 P.M. entitles the traveler to dinner. On the return trip arrival before 7 A.M. entitles the traveler to no meal allowance; arrival before noon entitles the traveler to breakfast only; arrival before 6 P.M. entitles the traveler to breakfast and

lunch; while arrival after 6 P.M. entitles the traveler to the full meal allowance. The employee should state on the travel expense account form arrival and departure times.

DAY OF DEPARTURE

If departure is . . .
prior to 7:00 a.m. - full allowance
prior to 12:00 noon - lunch & dinner
prior to 6:00 p.m. - dinner only

DAY OF RETURN

If return is . . .
prior to 7:00 a.m. - no meal allowance
prior to 12:00 noon - breakfast only
prior to 6:00 p.m. - breakfast & lunch
after 6:00 p.m. - full allowance

The following meal allowances are to be used in determining the amount of reimbursement to individuals traveling on state business when the full meal allowance cannot be claimed: five dollars (\$5.00) for breakfast, five dollars (\$5.00) for lunch, ten dollars (\$10.00) for dinner in-state, fifteen dollars (\$15.00) for dinner out-of-state.

When meals are provided in registration fees the employee should indicate on his expense account what meals were covered and adjust the meal allowance accordingly. Meals are allowed when lodging is listed as "gratis" or "no charge" but it must be noted on the expense account that no charge was made for lodging.

For an employee to qualify for any reimbursement of expenses other than transportation expenses, he must be away from home overnight. There are three exceptions to this requirement for in-state or out-of-state travel:

1. An employee traveling on state business for the day only (not overnight) will be reimbursed for meal expenses as follows:
 - (a) When an employee must leave two hours before his normal workday commences, he shall be reimbursed five dollars (\$5.00).
 - (b) When an employee must return two hours after his normal workday concludes, he shall be reimbursed ten dollars (\$10.00) for in-state travel and fifteen dollars (\$15.00) for out-of-state travel.
 - (c) When an employee must leave two hours before his normal workday commences and returns two hours after his normal workday concludes, he shall be reimbursed fifteen dollars (\$15.00) for in-state travel and twenty dollars (\$20.00) for out-of-state travel.
 - (d) In all other cases when an employee must work two hours in excess of his normal workday, he shall be reimbursed five dollars (\$5.00).
2. Meals will be permitted for officers, counselors and hospital employees when transporting clients, prisoners or patients when documented by receipt.
3. When no overnight lodging is involved, Board and Commission Members shall be reimbursed actual meals expenses (not to exceed meal allowances) for in-state travel and out-of-state travel in the performance of their duties.

Registration Fees

Registration fees at conferences and/or seminars 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. The employee shall not receive any additional allowance for lodging or food that has been included in registration fees.

Duplicate Reimbursements

Notwithstanding any provision of these rules and regulations to the contrary, no reimbursement will be made 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 reimbursement will be made 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.

Travel Authorization

Travel Requiring Agency Approval Only:

There is no requirement for advance approval for in-state travel by the Travel Management Office, however, this approval must be obtained at the agency level. There is no requirement for advance approval from the Travel Management Office for out-of-state travel if it is to a location within fifty (50) miles of the border of West Virginia, when only ground conveyance is used. All travel expenses incurred in accordance with these regulations shall be reported on the out-of-state Travel Expense Account form. Such report shall be attached to the transmittal when submitted for payment.

Travel Requiring Approval by the State Travel Management Office:

Advance approval from the Travel Management Office for out-of-state travel except as noted above must be requested on the out-of-state travel requisition no later than fifteen (15) days prior to the trip regardless of the source of funding.

In emergency situations where the fifteen (15) day requirement cannot be met, the traveler or business office personnel may telephone the Travel Management Office for approval, providing justification as to why the fifteen (15) day requirement should be waived. The out-of-state travel requisition must then be submitted to the Travel Management Office for written approval stating that verbal approval was granted, the name of the person granting the verbal approval, and the date the verbal approval was granted. Under no circumstances should out-of-state travel requiring approval of the Travel Management Office be taken without approval.

Estimated expenses while traveling should be itemized on the out-of-state travel requisition. Such previously approved requests for out-of-state travel and the out-of-state travel expense account form must be attached to the transmittal when submitted for payment.

A separate attached letter of justification must be provided to the Travel Management Office under the following situations:

1. Out-of-state travel when more than two persons from the same spending unit are requesting approval to travel. When approval is requested for additional travelers where authorization has already been given for two travelers, this must be stated in the justification letter regardless of the source of funding.
2. Travel for events having a registration fee in excess of \$200.00 per registrant.
3. Travel outside the United States.
4. Travel requiring the use of chartered or private aircraft.
5. Attendance at meetings and events involving lodging at the Greenbrier Hotel.

6. Automobile rental.
7. Lodging in excess of \$100.00 per night (tax included).

Supplemental Requests

Employees traveling out-of-state whose expenses exceeded the amount initially approved must submit a revised out-of-state travel requisition requesting approval for reimbursement of only the additional expenses, clearly stating why the additional expenses were incurred. A supplemental request must also be submitted when travel dates exceed those originally approved, with an explanation provided as to why the change in dates. The word "supplemental" must be written across the top of the form. A copy of the original approved requisition must be submitted with the supplemental. Reimbursement will not take place until the supplemental form has been approved.

Temporary Space and Hospitality

Advance approval must be obtained for hospitality events by submitting a completed Request for Hospitality Services Form at least fifteen (15) days prior to the event to the Travel Management Office.

Advance Allowance

An agency or department head may approve an advance allowance for out-of-state travel, in an amount not to exceed fifty dollars (\$50) for each day of travel on an extended trip. In cases where registration fees exceed \$100.00, the advance allowance may also include the registration fee, provided such registration fee cannot be charged to the American Express Card. The transmittal for the advance allowance must be cleared against the related expenses within thirty (30) days of the last day of travel. The department head will be responsible for ascertaining that such allowance and related expense reports are cleared within thirty (30) days. No such allowance will be approved for in-state travel.

Expense Accounts

The standard forms, the Out-of-State Travel Expense Account forms and the In-State Travel Expense Account form, 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. Itemized receipts must accompany the report and must 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. As no employee, except department heads, may approve his own expense account, all expense accounts must be signed by the employee and approved by his department head or designee. Approval of expense accounts is more than a formality. Approval indicates that expenses submitted for reimbursement have been reviewed and found to comply with state policies regarding authorized travel expenses.

Employees shall be responsible for turning in all travel expenses and receipts to their agency business office within three (3) working days from trip return date on extended trips. It is the responsibility of the agency business department to prepare and send employees expense accounts (both in-state and out-of-state) with necessary attachments and receipts to the Travel Management Office within eight (8) working days from employee return trip date. A Note must be attached to the front

of the transmittal on all travel expense reimbursements involving supplemental approval. Out-of-State Travel Expense Accounts, when submitted for payment, must be accompanied by a previously approved, signed Request for Out-of-State Travel form. A copy of all travel expense accounts must be submitted to the Travel Management Office.

Exceptions

As in the case of any regulations, there are certainly areas left uncovered. Any questions regarding the interpretation of these regulations and state travel policies must be directed to the State Travel Coordinator for resolution. Any request for an exception to these rules must be accompanied by a letter to the State Travel Coordinator explaining the need for such exception. 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.

Board and/or commission members appointed by the Governor shall also be governed by these regulations, as will persons performing contractual work for the State. 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, except in situations in which the witness is compensated pursuant to the provisions of Chapter 62, Article 5, Section 1 (§62-5-1) and Chapter 59, Article 1, Section 16 (§59-1-16) of the West Virginia Code, 1931, as amended.

VI.

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 Standards and Curricular Review 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 Standards and Curricular Review Committee. The Academic Standards and Curricular Review Committee may send it to the Curriculum Subcommittee of the Academic Standards and Curricular Review 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 Standards and Curricular Review 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 examination day is the last day of classes. No exceptions to the schedule are permitted except those approved by the faculty member's academic dean.

ACADEMIC FORGIVENESS POLICY

The academic forgiveness policy allows academic forgiveness of D and F grades for purposes of calculating the grade-point average (GPA) required for graduation. This policy is designed to assist students who previously left college with low grades and will be implemented, provided certain conditions are satisfied, where the D and F repeat rule is not applicable.

The student wishing forgiveness must not have been enrolled on a full-time basis or on a part-time basis for more than 12 credit hours at any higher education institution for a period of five consecutive calendar years prior to the request for academic forgiveness. Only D and F grades received prior to the five-year non-enrollment period may be disregarded for GPA calculation.

In order to receive a degree or certificate, the student must complete at least 24 additional credit hours through actual coursework from Marshall University after the non-enrollment period, earn at least a 2.0 GPA on all work attempted after the non-enrollment period and satisfy all degree or certificate requirements. Grades disregarded for GPA computation will remain on the student's permanent record.

This policy pertains only to the calculation of the GPA required for graduation and does not pertain to GPA calculated for special academic recognition (such as graduating with honors) or to requirements for professional certification which may be within the province of licensure boards, external agencies, or the West Virginia Board of Education. The Board of Regents Bachelor of Arts Program is governed by a different forgiveness policy.

To implement this policy, the student must submit a written request to the Dean of the College in which the student plans to earn a degree or certificate. This request must identify the non-enrollment period and the courses and grades which the student wishes to be deleted from the GPA calculation. The Dean can accept, modify, or reject the student's request and will provide the student with the justification for modification or rejection upon request.

Students who do not normally qualify for readmission because of a low GPA will, if their request for forgiveness is approved, be readmitted and placed on academic probation.

The decision of forgiveness must be made anew whenever the student changes program, department, college, or institution.

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.

GRADE COMPLAINT

It is the responsibility of any administrator (including a department chair or division head) who receives a student complaint about a faculty member (other than a grade appeal or sexual harassment charge, for which there are formal, specified procedures) to discuss the complaint and any proposed response with that faculty member prior to initiating any course of action related to the complaint.

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

For the latest interpretation of the Board of Trustees Policy Bulletin 60, Academic Rights and Responsibilities of Students, please refer to the latest edition of the Undergraduate and Graduate Catalogs.

VII.

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 undergraduate catalog.

VIII.

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, SHIPPING, INVENTORY CONTROL

The Purchasing Department includes a materials management function. As such, the Department has responsibility for the receipt of goods, the delivery of supplies and equipment, and the inventory control of all equipment owned by the University.

The Department of Purchasing and Materials Management operates receiving departments in the Sorrell Maintenance Building and the Medical Education Building. The Receiving Department for the School of Medicine also operates a scientific stockroom of chemicals and laboratory supplies. It is for the exclusive use of departments in the medical school. In addition, the Receiving Department on the main campus operates a delivery service. The objective of this service is to deliver supplies and equipment, which have been received against a purchase order, to the requesting department within one to two days of receipt. In order to maintain this level of service, it is not practical to pick up materials for departments and deliver them to other locations on campus. Personal packages shipped to the University to the attention of an individual are the sole responsibility of the individual. Security and delivery are not provided by the receiving departments, for State Supported resources may not be used for private purposes. Before you call Receiving to check on the status of a shipment, please call the vendor and confirm that the material has been shipped. Also, be prepared to give Receiving the appropriate purchase order number.

When supplies and equipment are received at the University, receiving personnel prepare receiving reports to report the receipt of material to Accounting in order to effect payment of the invoice. For this reason, it is extremely important that all deliveries of goods come through Receiving. Customer pick up and limited charge orders are the exception.

The Receiving departments at the University coordinate the shipment of all outbound goods. Overnight express deliveries of letters and packages are offered through UPS, Federal Express, and Purolator. This service is provided at a lower rate through Receiving than the department could achieve by itself. Shipping costs are charged back to the department at the end of the month. Letters and packages must be taken by the department to Receiving before 3:30 p.m. since the carriers require one hour notice for same day pickup. If a department chooses not to use this discounted service, it must obtain a purchase order in advance to pay the shipping charges. Estimates are acceptable.

If equipment is being shipped to a vendor for repair or

simply being returned, the department must prepare a purchase order in advance to cover the shipping charges. Packing or crating of equipment is the department's responsibility. However, Plant Operations may be able to assist you. They can also deliver the equipment to Receiving for shipment from the University. A purchase order is not required for shipments via UPS.

All equipment purchased by the University and the Foundation is tagged as University property. Items costing more than \$100 and having a useful life of one year or more are considered equipment for inventory purposes. The security of University equipment is the responsibility of the department possessing physical control. Ultimately it is the department head who is responsible. If equipment is moved from one room or department to another, the department head must notify Receiving to update inventory records. Yearly, the department head is expected to validate a listing of equipment charged to the department. Once every three years, a physical inventory is conducted by Receiving Department personnel.

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

The University maintains an office supplies stockroom in the Bookstore. Requests for supplies should be made to the Bookstore on forms provided for that purpose. Telephone 696-2456.

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 Trustees 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 Conference and Facility Office (MSC 1W31, 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 Conference Manager (OM 213, 696-3125).

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

Gymnasiums, fields, Memorial track, Henderson arena, Fairfield Stadium, tennis courts and the pools are assigned by the Conference Manager (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 cannot 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 Conference Office (OM 213, 696-3125):

Gullickson Hall

- Main Gym (124)
- Gymnastics Room (210)
- Pool
- Locker Room

Henderson Center

- Arena
- Natorium
- 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 facilities, a completed Facility Reservation Form signed by the organization's advisor and president must be submitted to the Conference Office at least two weeks prior to the desired date of use. Attendance by the organization's advisor is required.

The Conference Manager 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 Board of Trustees as outlined in the Marshall University **Student Handbook** and/or the **Greenbook** (Faculty Handbook).

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

4. Neither Marshall University nor the Board of Trustees 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 Conference Manager as he/she deems advisable.

5. No signs are to be posted upon University premises without prior written approval of the Conference Manager. Materials such as nails, hooks, adhesive fasteners, tacks or screws are prohibited. The Conference Manager 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, sexual orientation, 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 Conference Manager.

3. No engine, motor, or other machinery shall be erected on the premises without prior written approval of the Conference Manager. 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 Conference Manager 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 Conference Manager. 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 ($\frac{1}{4}$) 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 Board of Trustees 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 Conference Manager 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 Board of Trustees 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 Board of Trustees 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 ($1\frac{1}{2}$) 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 ($\frac{1}{2}$) 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 future. With that possibility in mind, Marshall University has adopted 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 ALL employees will be expected to report to work.

Individual employees, for whom it is appropriate, 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 President will notify the media by 7:00 a.m. of suspended classes for that day. A separate announcement will be made later in the day in regard to classes scheduled to begin at 4:00 p.m. or later.

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 and Administrative Services.

Application forms for parking permits may be obtained through the Office of Public Safety, Traffic and Parking Section, 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, 696-3002.

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

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. 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 Standards and Curricular Review 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 Provost.

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 for semester in which the termination is effective must be filed with the department chairperson, library books must be returned, keys must be returned, **Greenbook** must be returned to the Provost, 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 Provost 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 Provost 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 Trustees)

SELLING ON CAMPUS

The University prohibits unauthorized solicitation, or the distribution of material for that purpose, during an employee's work time. Work time is defined as any time when the soliciting employee or the employee being solicited is supposed to be at work.

Unauthorized solicitation or sales by employees or by external organizations to Marshall University employees and/or the general public on University property is prohibited.*

The following procedures **MUST BE FOLLOWED** by all solicitors:

1. Any product which requires payroll deduction must have state approval. Contact the Attorney General's office to receive proper authorization.
2. Employees are **NOT** to be interrupted at the worksite during their worktime.
 - a) Employees may receive 2 fifteen-minute breaks per day, but are mandated to remain at their worksite during that time.
 - b) Employees receive a one-hour lunch period.
3. Authorized solicitation or sales are allowed in the Memorial Student Center. Solicitors are advised to reserve space in the Memorial Student Center during the lunch hour to contact employees.
 - a) Call 696-6472 or 696-3125 to reserve a table in the rotunda or a room upstairs.
 - b) The fee for this reservation is \$25.00 per day.
 - c) A room reserved from 11:00-1:30 will catch most people during their various lunch schedules.
 - d) It is recommended that reservations be made for Monday and Tuesday or Wednesday and Thursday, to reach people with differing academic schedules.

Employees may be informed of a solicitor's presence on campus as follows:

1. Solicitors must use United States mail.
 - a) Faculty/Staff directories may be purchased at the Bookstore in the Memorial Student Center for \$1.00.
 - b) For only those faculty/staff members with unlisted addresses in the directory, campus mail may be used to contact them.
2. Place an advertisement in The Parthenon, the student newspaper.
 - a) Contact The Parthenon at 696-3346 to place an ad.
 - b) The cost of the ad will be paid by the solicitor. Prices will vary depending on size and type of ad.
3. Submit a brief article for "Campus Connection," the monthly employee newsletter distributed by the Department of Human Resources/Personnel.
 - a) Maximum allowable length of article is 2 short paragraphs.
 - b) Deadline for submission is the 15th of each month.
 - c) Send to: Campus Connection, Department of Human Resources/Personnel, 207 Old Main.
 - d) Publication of an article does not constitute endorsement of a program or product. Human Resources/Personnel reserves the right to edit, correct, or omit information.
4. Brochures may be left in the Human Resources/Personnel display case.

Additional Rules and Regulations:

1. Human Resources/Personnel will not endorse programs or products. Companies selling insurance or other benefits are

not permitted to direct employee inquiries to the Marshall University Benefits Coordinator. The value of any programs or products will not be discussed or critiqued by Human Resources/Personnel.

2. All policies or follow-up information must be sent to the employee's home address. Human Resources/Personnel will not be responsible for the distribution of items and campus mail may not be used.
3. No placards or free-standing signs may be hung on campus or University property.
4. Questions regarding this policy should be directed to: Director of Human Resources/Personnel, 696-2597.
5. Violators of this policy will be escorted off campus by Campus Security.

*Unauthorized sales or solicitation may include collection of money, political campaigning, solicitation of subscriptions, or the sale of merchandise, e.g., housewares, cosmetics, food tickets, raffles, etc. Unauthorized solicitation and/or sales by employees during working hours is strictly prohibited.

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 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 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 Board of Trustees Policy Bulletin No. 6.

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 Provost, 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 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 FOR FACULTY, STAFF AND STUDENTS

I. General Policy

Sexual harassment perpetrated by any faculty, staff and/or student against any member of the aforementioned groups

is prohibited at Marshall University. It is a violation of Title VII of the 1964 Civil Rights Act as Amended and Title IX of the Education Amendments of 1972.

II. Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment occurs when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education.
- B. Submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting that individual.
- C. Such conduct has the purpose or effect of interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive working or educational environment.

III. Unacceptable Behaviors

Sexual harassment undermines the integrity of the workplace, research, learning and teaching environments. It is unsolicited, non-reciprocal behavior which includes: graffiti, verbal abuse, rape, leering or ogling, physical assault, sexist remarks regarding the victim's clothing or body and general sexist jokes, comments, or pictures, patting, pinching or brushing up against the victim's body suggestions/demands for sexual favors in return for grades, hiring, promotion or tenure.

Each alleged incident/complaint of sexual harassment will be reviewed and evaluated on a case-by-case basis by the Affirmative Action Office.

IV. Grievance Procedure

Anyone who believes that she or he has been subjected to sexual harassment should contact the Affirmative Action Office (206 Old Main, 696-6522). The administration encourages students, faculty members, administrators, etc. to pursue the matter through the procedures described below. At his or her option, the grievant may choose to pursue only the informal procedure, only the formal procedure, or may seek resolution under the informal procedure first and then if unsatisfied, pursue the formal process.

All issues/information evaluated during and after informal or formal review of sexual harassment incidents/complaints will be held **strictly confidential**. **Breach of confidentiality by the Affirmative Action Officer, the grievance panel or Marshall University administrators is a serious offense and subject to appropriate sanctions at the discretion of the President.**

A. Sexual Harassment Grievance Panel

The Sexual Harassment Grievance Panel is comprised of eighteen (18) individuals who have expressed interest in serving on sexual harassment grievance committees. Prior to serving on a Grievance Committee, each individual must receive training in sexual harassment investigations.

Of the eighteen members, six shall be faculty members (selected by the President of Faculty Senate), six shall be students (selected by the Student Body President), and six shall be staff (selected by the President of Staff Council). All employees who are not faculty are considered staff for the purposes of this policy. A committee of three (3) individuals chosen by the Affirmative Action Officer from each of the subgroups

(faculty, student and staff) will review or investigate the incident or complaint.

Initially, two of the six members appointed by each of the above entities shall serve one year, two shall serve two years and two shall serve three years. Thereafter, all terms shall be for three years with a total of six members appointed each year, two by the President of the Faculty Senate, two by the President of Staff Council, and two by the Student Body President. The names of the individual members of the Sexual Harassment Grievance Panel are available from the Affirmative Action Office.

All members of the grievance panel will treat as **confidential** to the extent permitted by law, the information that is disclosed to them in their capacity as panel members although records of the panel may be made available for **confidential review** by the responsible committee or administrator in any resulting disciplinary or complaint procedure arising out of the same incident.

B. Informal Procedure

Complaints may be pursued informally through consultation with the Affirmative Action Officer, or a member of the Sexual Harassment Grievance Panel. When informally pursued, no written complaints are required although the alleged harasser will receive written notification of a review in progress.

Although the grievant may choose a person to act as her or his representative, all members of the Sexual Harassment Grievance Panel are available for informal resolution. The representative will, at the request of the grievant, meet with the alleged harasser to attempt a resolution of the situation. In addition, the representative may assist the grievant in other attempts at informal resolution which are appropriate under the circumstances and act as a confidant and/or advisor. If a member of the Sexual Harassment Grievance Panel acts as a representative under this section, that member will be excluded from selection on the investigatory committee under the formal procedure.

At the conclusion of the informal procedure the representative(s) shall report the results of the findings to the Affirmative Action Officer who shall decide if the grievance has been resolved or merits further investigations.

C. Formal Procedure

The formal procedure is invoked by the filing of a written complaint with the Affirmative Action Office or when evidence from the informal procedure warrants a formal investigation. The complaint shall be filed upon forms available from the office. A copy of the complaint will be delivered by Certified Mail from the Affirmative Action Office to the alleged harasser within five (5) working days.

An investigatory committee consisting of a member from each of the three constituencies will be selected by the Affirmative Action Officer at random from the Sexual Harassment Grievance Panel. Prior to the investigation, either grievant or accused may request that a committee member be excused for cause (bias, interest, relationship to one party, etc.). Any member excused shall be replaced by a person of the same constituency by random selection.

In the interest of timely resolution, the grievance shall be investigated within twenty (20) working days after a formal complaint is delivered to the accused harasser. In the event of extenuating circumstances (determined by the Affirmative Action Officer), this period may be extended as reasonable under the circumstances. Each party has the right to seek counsel and/or representation.

Within five (5) working days following the conclusion of the investigation, the investigatory committee shall submit a written recommendation based on the evidence and recommend an appropriate sanction, if any, to the Affirmative Action Officer, the President and one of the following:

1. if the alleged harasser is a student, to the Vice President of Student Affairs or designee,
2. if the alleged harasser is a faculty member, to the Provost or Vice President for Health Sciences or designee and
3. if the alleged harasser is a staff member, to the Vice President to whom the staff member reports or designee.

The written decision of the investigatory committee shall include the nature of the complaint, a summary of the relevant evidence, a recommendation based on the evidence, and a recommendation of an appropriate sanction, if any.

Thereafter, either party unsatisfied with the decision may appeal to the University President or designee within twenty (20) working days. The decision of the President shall be rendered within five (5) working days and shall be final. However, any and all victims have the right to file a charge of discrimination based on sexual harassment with the appropriate local, state or federal agency. For additional information contact the Affirmative Action Office.

V. Sanctions

Any administrator, faculty or staff person who sexually harasses another will be subject to the following appropriate disciplinary action at the discretion of the President:

- a) verbal or written warning/reprimand documented in their files,
- b) negative evaluation,
- c) suspension, and/or
- d) termination.

VI. Statute of Limitations

Anyone who believes he or she has been sexually harassed must present a formal complaint within one (1) year of the alleged sexual harassment incident(s).

VII. Dissemination

Deans, directors, and department heads will disseminate this policy and anti-sexual harassment posters and brochures to faculty, staff, and students at Marshall University on a regular basis. Workshops and seminars will be held periodically highlighting issues of sexual harassment.

VIII. Retaliation or Reprisal

Faculty members, students, staff members and administrators who request a review/investigation in accordance with the outlined policy and procedures may expect a fair review/investigation without fear of further harassment or retaliation. Any retaliatory action of any kind taken against 1) the grievant as a result of his/her seeking redress under these procedures, 2) students or employees cooperating in

the review/investigation, or 3) Grievance Panel members are prohibited and shall be regarded as a separate and distinct grievable matter.

MARSHALL UNIVERSITY GUIDELINES FOR HANDLING NEPOTISM

University policy does not permit employment of an individual in an area where one has control over a relative's supervision, salary, or promotion, which is defined as nepotism.

Purpose

These guidelines are established to insure fair and equal treatment of employees and applicants while eliminating situations which create potential for favoritism or unnecessary hardship. While the University recognizes that the employment of relatives within an organization creates a potential for favoritism, the University is also aware that a rule excluding relatives of current employees from employment may deprive the University of qualified, capable employees.

Enforcement

Any individual affected by an alleged nepotistic situation may pursue the matter by presenting the circumstances to Director of Personnel for informal negotiation. If not resolved, the individual may file a grievance under the appropriate Policy Bulletin (Staff: Policy Bulletin -52; Faculty: Policy Bulletin -36) or under W.Va. Code Section 18-29-1 et seq.

Implementation

- A. The term "family member" as used in these guidelines is defined by the following relationships:
 1. By Blood: parent, child, grandparent, grandchild, brother, sister, half-sister, half-brother, uncle, aunt, nephew, niece, first cousin.
 2. By Marriage: husband, wife, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, uncle, aunt, nephew, niece.
- B. It shall be a violation of these guidelines and of University policy for an employee to supervise a family member or to initiate or participate in institutional decisions involving direct benefit to a family member. A nonexclusive list of impermissible involvement includes decisions on initial appointment, retention, promotion, salary, evaluation, leaves of absence, and scheduling of work assignments.
- C. If a nepotistic situation occurs and is not otherwise resolved, the supervisor having control over both family members shall take prompt measures to rectify the circumstances. While resolution of each case will be handled on an individual basis, it is the policy of the University that nepotistic circumstances will be resolved by reassignment of the family member having less seniority to a comparable area of employment within the University if at all possible.
- D. Under no circumstances shall a nepotistic circumstance continue unremedied longer than one year following identification of the situation.
- E. No employee or prospective employee shall be discriminated against because a family member is employed by the University. The University is not opposed to the employment of more than one family member except under circumstances where an employee would supervise a family member.

IX.

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. University office supplies must be purchased from the bookstore.

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 Trustees 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.

Campus Connection: The Department of Human Resources/Personnel publishes a monthly newsletter which is individually addressed to all permanent employees. It contains information on policies and procedures, benefits, training and development, and general employee news.

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 Conference and Facilities Office, Room 1W31.

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 Old Main Copy Center, Old Main 14B, 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 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 intercollegiate tennis matches and scheduled practices. The intramural tennis schedule as posted is next, with recreational tennis for students, faculty and administration given consideration thereafter.

All players are required to wear tennis shoes.

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

Student Health Service (SHS) is provided by John Marshall Medical Services, Inc., an affiliate of the University's School of Medicine. The clinic is located at 1801 Sixth Avenue, one block southeast of the main campus, and is open from 8:00 a.m. to 5:00 p.m. Monday through Friday. The clinic is closed on Saturday, Sunday, and holidays. After 5:00 p.m. Monday through Friday, all students in need of health care must go to Cabell Huntington Hospital (CHH) Immediate Care Unit, 1340 Hal Greer Boulevard. After 8:00 p.m. on Monday through Friday and on Saturday, Sunday, and holidays, all care at the Immediate Care Unit will be considered for validation as "Emergency Care".

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.

SPEECH AND HEARING CENTER

The Marshall University Speech and Hearing Center, located on the first floor of Smith Hall, provides diagnostic and therapeutic services for speech, language and/or hearing disorders to persons of all ages. Fees are waived for full-time Marshall University faculty, staff, students, and members of their immediate families. The Speech and Hearing Center functions to provide clinical services for communication disorders to the community and clinical experience for students pursuing undergraduate and graduate degrees in Speech Pathology and Audiology. To schedule an appointment, or for further information, call 696-3640.

WPBY-TV

Operated by the West Virginia Educational Broadcasting Authority, this noncommercial television station broadcasts public affairs, educational, cultural, and entertainment programs on Channel 33. Main offices are located at the Communications Building on the Marshall University campus, Huntington, and production facilities are located at the Communications Building and at Nitro, West Virginia. WPBY is able to exchange programs live with WNPB, Morgantown, and WSWP, Beckley, through a state-operated interconnection system. WPBY carries local, statewide, PBS, national, and regionally syndicated programs.

INSTRUCTIONAL TELEVISION SERVICES

ITV Services provides support to the University Community by offering a variety of video services.

Instructionally, ITVS serves the teaching faculty by providing programming direct to classrooms via a six channel campus cable system. A library of over 2,000 programs suitable for college-level instruction is available to faculty. Some have been produced in campus studios, some have been previously broadcast on public television, and some have been purchased and donated by other departments within the University.

ITVS also provides two-way, interactive telecommunication, including interconnects with cable, microwave, and satellite uplink systems. This enables delivery of off-campus classes, and furthers the University outreach by reception of regional and national teleconferencing.

ITVS provides a skilled staff and high-quality equipment to produce and record videotaped materials suitable for a wide variety of professional and instructional purposes. Additionally, ITV Services is engaged in general service to the University in promotion, economic development and student recruitment.

Regular hours are 8:00 a.m. to 4:30 p.m. weekdays, and evenings and weekends by special arrangement. Information and assistance can be obtained by calling 696-3150.

ACTIVITIES

ATHLETIC EVENTS

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

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. Programs shall be designed to give a good cross-section of the performing arts, with careful quality control in what is presented.

The Artists Series offers programs in four separate divisions: Baxter Series, Mount Series, Forum Series, and the Young Concert Artists Series - as well as a number of Special Events and Summer Programs. Additionally, a number of workshops, seminars, master classes, and residencies are scheduled with visiting artists.

Season memberships are offered to the general public for all four divisions of the Artists Series in the Spring. Tickets to individual events are distributed to students with M.U. I.D. and Activity Card three weeks prior to each event; tickets to individual events are sold to the general public two weeks prior to each event, providing tickets remain after student pick-up occurs. University employees and students without Activity Cards may purchase individual event tickets to the Forum Series, Mount Series, Young Concert Artists Series and specified Special Events and Summer Programs at a 50% discount.

For further information, contact the 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 non-alumni and alumni, are encouraged to become "active" members of the Alumni Association. Non-alumni are welcomed as "Friends of Marshall." The Association encourages campus-wide participation and invites faculty and staff to take part in all activities. Effective January 1, 1987, the dues structure, which originated in 1972, was eliminated. All graduates or attendees of Marshall are members of the Alumni Association, but to be an "active" member one must make an annual contribution to the Marshall University Foundation, Inc. The membership year is from July 1 through June 30 to coincide with the fiscal year. Life memberships are available to anyone making a \$300.00 contribution and will receive special recognition. All faculty and staff members are requested to notify the Office of Alumni Affairs of addresses and information regarding Marshall alumni.

X.

GRADUATE FACULTY MEMBERSHIP

GRADUATE FACULTY MEMBERSHIP

I. Full Members

A. Functions

1. Full members of the graduate faculty can chair or direct graduate student committees and research at the Master's level.
2. Full members can serve on any graduate degree committees (examination and thesis).
3. Full members can be elected or appointed to Graduate Committee.
4. Full members can teach and have responsibility for graduate level courses.

B. Minimum Criteria for Appointment

1. Full members must hold appointments in tenure track positions.
2. Full members must hold a research oriented terminal degree (thesis or dissertation) or an appropriate professional degree. Alternatively, they should have demonstrated equivalent scholarly or creative achievement and have attained the rank of assistant professor.
3. Full members must have departmental responsibilities in the graduate program during the term of their membership (six years).
4. Full members must present evidence of continuing scholarly research or creative activity. Evidence can include: papers published; research grant proposals submitted to extramural agencies; presentations at state, regional, or national meetings; presentations and performance of artistic work; professional consulting; and/or other professional contributions.

C. Additional Criteria for Full Members to Supervise Doctoral Students at Marshall University

The following criteria must be met by all graduate faculty seeking to supervise and teach students in doctoral programs. These are minimum requirements which must be met independently of requirements of cooperative degree programs. Faculty who meet these criteria and, if appropriate, those of cooperative degree programs will be accorded the privilege of acting as chairpersons of doctoral student committees, directing doctoral student research, and teaching doctoral level courses (numbered 700-899).

1. Full members in doctoral programs must hold a research oriented terminal degree (thesis or dissertation). Alternatively, when a faculty member has demonstrated outstanding scholarly or creative achievement and has attained the rank of associate professor, he or she will be eligible for inclusion in doctoral programs.
2. Full members in doctoral programs must present evidence of continuing scholarly research or

creative activity. Evidence of scholarly activities must include significant contributions in some of the following: publication in major peer-reviewed journals, publication of books and book chapters, publication in highly respected periodicals, invited and/or competitively selected presentations of scholarly work at regional, national or international meetings, and/or presentation and performance of artistic work at professionally recognized events.

II. Associate Members

A. Functions

Associate members can function as full members with the following exceptions:

1. Associate members cannot chair or direct graduate student committees or research, but can serve on those committees.
2. Associate members cannot serve as members of Graduate Committee.
3. Associate members may serve for a period of two years. Renewal of appointment may be granted by the Graduate Committee upon application.

B. Minimum Criteria for Appointment

1. Associate members must hold a Master's degree and they should have completed course work beyond that degree.
2. There must be evidence of research, scholarly activity, advanced graduate level work or equivalent professional accomplishments.
3. Associate members must have departmental responsibilities in the graduate program during the term of their membership (two years).

III. Exceptions

The following individuals must meet the same criteria as other faculty members for review, approval, and continuation as graduate faculty.

- A. Faculty holding temporary appointments may be awarded appropriate graduate faculty status for the term of their appointment. This category includes only those faculty designated visiting, clinical research, or adjunct.
- B. Emeritus faculty members may remain on the graduate faculty, subject to review.
- C. Off-campus professionals willing to participate in graduate education may be acceptable as associate graduate faculty.
- D. Individuals holding faculty appointments in institutions participating in cooperative graduate programs may be awarded graduate faculty status.
- E. The Dean of the Graduate School may appoint a new faculty member as an associate member of the graduate faculty upon receipt of proper written application without approval of the Graduate Committee. Approval

for this appointment must be obtained at the next regularly scheduled Graduate Committee meeting.

- F. Administrators desiring to be members of the graduate faculty must submit their credentials for review and approval by the Graduate Committee.
 - G. Individuals seeking exceptions to these policies must submit a written petition to the Graduate Committee.
- IV. **Review, Approval, and Continuation as Graduate Faculty**

A. A major function of the Graduate Committee is to approve new members of the graduate faculty and to determine the criteria for graduate faculty membership. Therefore, Graduate Committee will undertake a mandatory review of present graduate faculty using the above Minimum Criteria for Appointment three years after the date of approval of these policies by the Committee and the President. This three year grace period should provide sufficient time for all faculty to meet the Minimum Criteria for appointment. Present graduate faculty members who wish to maintain their status beyond the date for mandatory review must request that they be evaluated for initial membership. Without such a request, loss of status will be automatic at the termination of the three year grace period. A faculty member who is able to meet these requirements at an earlier date within the three year grace period should request that he/she be evaluated for initial membership as soon as possible.

B. Policies described herein will apply immediately to all new applications for graduate faculty status or a change in current levels of membership.

C. Application for Graduate Faculty Membership or Continuation of Membership--

So that fair and effective review of faculty and specific departmental or collegiate requirements for their graduate programs may be met, proper written application should include:

1. The applicant's current **curriculum vitae**.
2. Information bearing on each minimum criteria for appointment.
3. Written recommendation by the department chairperson and appropriate Dean.
4. Any additional information the applicant wishes to submit.
5. Applications should be directed to the Dean of the Graduate School for review and approval (or disapproval) by the Graduate Committee.
6. Appeals regarding initial appointment or continuation as a graduate faculty shall be handled through grievance procedures identified in Policy Bulletin 36.

D. Continuation as Graduate Faculty

Periodically the Graduate Committee will review members of the graduate faculty. The review of an individual must be accompanied by a decision to continue or discontinue his or her current level of membership. For full members, this decision must be made every sixth year corresponding to the review process. For associate members, this decision must be made every two years. The Dean of the Graduate School will initiate review of individual graduate faculty for continuation and submit the faculty member's written application to the Graduate Committee for

for evaluation. A faculty member whose graduate faculty membership is changed will be permitted to complete current responsibilities but may not assume new responsibilities. Changes in status are to be reported by the Dean to the appropriate Vice-President.

Students are not to be affected by the re-evaluation of faculty members. Once a graduate committee has been established for a student, it will not be necessary to alter it because of a change in status for one of the faculty members on the committee.

XI.

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
University of West Virginia Board of Trustees
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

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
University of Maryland, College Park

Architecture

Bachelor of Architecture
University of Tennessee

Architecture and Environmental Design, Other

Building Science and Management
Bachelor of Science
Clemson University, South Carolina

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
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

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

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

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
 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

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

Architecture
 Master of Architecture
 University of Houston, University Park, Texas

Architecture
 Master of Architecture
 University of Virginia

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

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
 Master of Business Administration
 Doctor of Business Administration
 University of Tennessee

Business Administration
 Doctor of Business Administration

Virginia Commonwealth University

Ceramic Engineering
 Master of Engineering
 Master of Science
 Clemson University

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

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 and Regional Planning
 Master of City and Regional Planning
 Clemson University, South Carolina

City Planning
 Master of City Planning
 Georgia Institute of Technology

Classics
 Master of Arts
 University of Virginia

Classics
 Master of Arts
 University of Mississippi

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 Southwestern Louisiana

Computer Science
 Doctor of Philosophy
 University of Maryland, College Park

Creating Writing
 Master of Fine Arts
 University of Virginia

Creative Writing
 Master of Fine Arts
 University of Arkansas

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

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

Environmental Health
 Master of Science in Environmental Health
 University of Alabama, Birmingham

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

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 Health Administration
 University of Florida

Home Economics
 Doctor of Philosophy
 Florida State University

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
 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
 Doctor of Philosophy
 University of Arkansas
 Labor 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
 Doctor 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
 University of Georgia
 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
 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
 Nursing
 Master of Science (Psychiatric)
 Georgia State University
 Nursing
 Master of Science (Critical Care)
 University of Texas - Houston
 Nursing
 Master of Science (Family Nurse Practitioner)
 Georgia State University
 Nursing
 Master of Science (Gerontological Nursing)
 University of Texas - Houston
 Nursing
 Master of Science (High-Risk Perinatal)
 University of Texas - Houston
 Nursing
 Master of Science (Nurse Anesthesia)
 University of Texas - Houston
 Nursing
 Master of Science
 University of Alabama at Birmingham
 Nursing
 Doctor of Philosophy
 University of Kentucky
 Nursing
 Doctor of Science in Nursing
 University of Alabama in Birmingham
 Nursing
 Doctor of Philosophy
 University of Maryland, Baltimore City
 Nursing
 Doctor of Philosophy
 University of Texas - Austin
 Nursing
 Doctor of Philosophy
 University of Virginia
 Nursing - Mental Health/Psychiatric
 Master of Science
 University of Virginia
 Nursing - Nursing Education Component
 Master of Science
 University of Kentucky
 Nursing - Rural Clinician
 Master of Science
 Murray State University
 Occupational Therapy
 Master of Arts
 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
 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
 Doctor of Philosophy
 University of Tennessee, Knoxville
 Physical Therapy
 Master of Science
 University of Alabama in Birmingham
 Physical Therapy
 Master of Science
 Doctor of Philosophy
 Texas Woman's University
 Physiological Optics
 Master of Science
 Doctor of Philosophy
 University of Alabama in Birmingham
 Planning
 Master of Science in Planning
 University of Tennessee
 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 Policy and Social Work
 Doctor of Philosophy
 Virginia Commonwealth University
 Social Work
 Doctor of Philosophy
 University of Maryland-Baltimore
 Social Work
 Doctor of Philosophy
 University of Tennessee-Knoxville
 Social Work
 Doctor of Social Work
 University of Alabama
 Social Work
 Doctor of Philosophy
 Florida State University
 Special Education
 Master of Science
 University of Tennessee-Knoxville
 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 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
 Doctor of Philosophy
 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

XII.

POLICY BULLETINS OF THE UNIVERSITY WEST VIRGINIA BOARD OF TRUSTEES (Effective July 1, 1989)

POLICY BULLETIN NO. 1

November 17, 1970

With the distribution of Policy Bulletin No. 1, the Board of Trustees 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 Board of Trustees 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
Board of Trustees policy effective July 1, 1989

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 Trustees 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 Trustees.

Adopted: West Virginia Board of Regents
January 12, 1971
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 3

September 13, 1983

BROADCAST ADVERTISING

Effective this date, commercial advertising time on all Board of Trustees' 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 4

April 7, 1971

POLICY REGARDING THE APPROVAL OF NEW ACADEMIC PROGRAMS

WHEREAS the Board of Trustees 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 Trustees 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 Trustees 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 Trustees 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
Board of Trustees policy effective July 1, 1989

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
Board of Trustees policy effective July 1, 1989

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 Trustees 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 Trustees in the case of the gift of a building.

Adopted: West Virginia Board of Regents
June 8, 1971
Board of Trustees policy effective July 1, 1989

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
Board of Trustees policy effective July 1, 1989

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 Trustees, 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 Trustees' policies, rules, regulations and procedures.

Adopted: West Virginia Board of Regents
March 2, 1982
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 9

April 17, 1987

POLICY REGARDING SEXUAL HARASSMENT

Section 1. General

1.1 Scope - This interpretative policy defines sexual harassment, provides guidelines for filing sexual harassment complaints and explains what action will be taken against those found to have engaged in sexual harassment.

1.2 Authority - A policy statement issued by the Office for Civil Rights of the U.S. Department of Education's interpretation of Title IX of the Education Amendments of 1972 and Equal Employment Opportunity Commission (EEOC) interpretative guidelines issued in March, 1980.

1.3 Filing Date - April 17, 1987

1.4 Effective Date - May 17, 1987

Section 2. Sexual Harassment Policy

2.1 It is the policy of the West Virginia Board of Trustees to maintain a work and educational environment free from all forms of sexual harassment of any employee, applicant for employment, or student. Sexual harassment in any manner or form is expressly prohibited. It is the responsibility of all colleges and universities and the Board of Regent' Central Office to provide educational opportunities to create this free environment and to take immediate and appropriate corrective action when sexual harassment is reported or becomes known. Supervisors at every level are of primary importance in the implementation and enforcement of this policy.

Section 3. Sexual Harassment Definition

3.1 Sexual harassment is intended to be defined consistent with EEOC and United States Department of Education guidelines. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

3.1.1 Submission to such conduct is an explicit or implicit condition of employment.

3.1.2 Submission to or rejection of such conduct is used as the basis for employment decisions or:

3.1.3 Such conduct has the purpose or effect of:

3.1.3.1 Unreasonably interfering with an individual's work or educational performance, or:

3.1.3.2 Creating an intimidating, hostile or offensive work or educational environment.

Section 4. Filing of Complaints

4.1 Each institution and the Board of Trustees' Central Office shall designate a formal grievance procedure for the handling of sexual harassment complaints. Each campus shall designate a liaison person(s) who shall receive training in facilitating the proper resolution of complaints with the authority to investigate and report to the President.

Section 5. Employees

5.1 Any employee who feels he or she is being sexually harassed should contact his or her immediate supervisor. If this is not appropriate, employees should report such alleged misconduct to other designated personnel within that organization. Supervisors are to make every effort to ensure that such problems are resolved promptly and effectively.

Section 6. Students

6.1 Any student who feels he or she is being harassed should contact the appropriate dean or other designated person of the university or college where he or she is a student.

Section 7. Action to be Taken Against Perpetrators

7.1 Any supervisor, agent, or other employee who is found, after appropriate investigation, to have engaged in the sexual harassment of another employee or a student will be subject to appropriate sanctions depending on the circumstances, up to and including termination.

Adopted: West Virginia Board of Regents
April 6, 1987

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 10

West Virginia Interpretive Rules

West Virginia Board of Trustees

Chapter 18-26

Series III

SABBATICAL LEAVE

May 7, 1985

SECTION I. GENERAL

1.01 Scope — That the West Virginia Board of Trustees, 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 Trustees 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 Trustees, 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 11

West Virginia Procedural Rules West Virginia Board of Trustees Chapter 18-26 Series I - General

POLICY REGARDING PROGRAM REVIEW

Section 1. General

1.1 Scope - This rule establishes the policy on review of academic programs.

1.2 Authority - West Virginia Code Chapter 18-26-8

1.3 Filing Date - August 18, 1988

1.4 Effective Date - September 15, 1988

1.5 Repeal of Former Rule - Revises and replaces Policy Bulletin No. 11 dated December 1, 1982.

Section 2. Introduction

2.1 Basis of Program Review Process.

2.1.1 Chapter 18, Article 26, Section 8 of the West Virginia Code requires that the Board of Trustees "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.

2.1.2 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.

Section 3. Assumptions used in developing the review process.

3.1 Program review is most effective when it is conducted on a regular cycle, and when some indicators are examined on an annual basis.

3.2 Program review is a collaborative process which includes both Board of Trustees' staff and institutional personnel at every stage.

3.3 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.

3.4 The review process should be independent of any accreditation procedure, but may build upon accreditation self-studies and evaluations when they are illuminating.

3.5 The program review process must be accomplished within the limits of available staff and resources.

3.6 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 Trustees planning efforts.

3.7 A readily available computerized data base should be available to support the program review process.

Section 4. Program review levels.

4.1 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 Trustees (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.

4.1.1 Annual Audit - The purpose of the annual audit by the staff of the Board of Trustees 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 Trustees that specific programs may require further review.

4.1.2 Program Review by the Board of Trustees - The purpose of the Board of Trustees' 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.

4.1.3 Institutional personnel, external consultants, and the staff of the Board of Trustees 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 Trustees 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.

4.1.3.1 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.

4.1.3.2 Adequacy - The institution should assess the quality of the program. A valuable (but not the sole) criteria 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.

4.1.3.3 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 should also be addressed.

4.1.3.4 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.

4.1.4 Special Program Review - The Board of Trustees 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.

Section 5. Criteria and standards for evaluation.

5.1 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, and to assist the Board in the review process, the Chancellor of the Board of Trustees will appoint the following program review committees from among nominations by the president. (See Table 1 for the membership of each committee.) On June 1 of each year the Chancellor shall notify the president of each institution of the representatives on these committees and offer the opportunity to renominate existing members or nominate new members.

5.1.1 Associate Degree Committee - This committee will consist of representatives of the community colleges and the community college components, and branch colleges and Board staff. The committee will review associate degree programs, vocational programs, and related certificates.

5.1.2 Baccalaureate Degree Committee - This committee will consist of representatives of the two universities, the four-year colleges, one of the community colleges, 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.

5.1.3 Graduate and Professional Degree Committee - This committee will consist of representatives of the two universities and the two graduate colleges, and Board staff.

5.2 Because approximately twenty 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 5.1.1, 5.1.2, and 5.1.3 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 are developed, appropriate advisory councils and committees should be consulted and invited to comment prior to application of the measures.

Section 6. Possible outcomes.

6.1 Institutional Recommendation - The Board of Trustees' five-year cycle of program review will result in a recommendation by the institution for action relative to each program under review. The Institution is clearly obligated to recommend continuation or discontinuation for each program reviewed. If recommending continuation, the institution should state what it intends:

6.1.1 Continuation of the program at the current level of

TABLE I
MEMBERSHIP OF PROGRAM REVIEW COMMITTEES

Program Review Appeals Committee	Associate Degree Committee (Associate Degree Programs, Vocational Programs, and related Certificates)	Baccalaureate Degree Committee (Bachelor's Degree Programs and Associated Certificates)	Graduate and Professional Degree Committee (Master's, Doctoral, and First Professional Degree Programs)
16 - One representative from each college and university (representatives on the Academic Advisory Committee. 1 - Vice Chancellor for Academic Affairs (Chair)	3 - Community Colleges 1 - Potomac State College of West Virginia University 7 - One representative from each institution having community college components 1 - Director of Community College and Vocational Education (Chair)	2 - Marshall University 2 - West Virginia University 8 - Four-year Colleges 1 - Community College 1 - Director of Planning (Chair)	2 - Marshall University 4 - West Virginia University 2 - West Virginia College of Graduate Studies 1 - West Virginia School of Osteopathic Medicine 1 - Vice Chancellor for Academic Affairs (Chair)
17	12	14	10

activity, with or without specific action;

6.1.2 Continuation of the program at a reduced level of activity (e.g., reducing the range of optional tracks) or other corrective action;

6.1.3 Identification of the program for further development; or

6.1.4 Development of a cooperative program with another institution, or sharing of courses, facilities, faculty, and the like.

6.1.5 If it recommends discontinuance of the program, then the provisions of Administrative Bulletin No. 23 will apply.

6.1.6 For each program, the institution will provide a brief rationale for the observations, evaluation, and recommendation. These should include concerns and achievements of the program. The institution may also recognize this as a program of excellence and provide narrative. The institution will also make all supporting documentation available to the Board upon request.

6.2 Committee Recommendation - The appropriate Program Review Committee, along with Board staff, will review the recommendation from the institution and will develop a recommendation for action. Outside consultants may be used 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.

6.2.1 The Committee may make recommendations that go beyond those above. They may deal with a statewide perspective regarding needs. The Committee may request additional

information and may recommend continuance on a provisional basis and request progress reports.

6.3 Appeals Committee and the Appeals Process - Any disagreement between a final recommendation of a program review committee and the recommendation of the institution may be appealed to the Program Review Appeals Committee which will be comprised of members of the Academic Affairs Advisory Committee. The Program Review Appeals Committee shall provide a written statement of its decision to the institutions.

6.3.1 The decision of the Appeals Committee may be appealed to the Board of Trustees.

6.3.2 The procedures for an appeal are explained in greater detail in Appendix A of this Policy Bulletin.

Adopted August 25, 1971

Revised December 1, 1982

Revised June 7, 1988

Board of Trustees policy effective July 1, 1989

West Virginia Board of Trustees
West Virginia Procedural Rule
Chapter 18-26
Series I - General

POLICY BULLETIN NO. 11 - APPENDIX

TITLE: APPENDIX A - GUIDELINES FOR CONDUCTING

PROGRAM EVALUATIONS

Section 1. Introduction

1.1 The following guidelines have been developed through a consultative process. The guidelines were reviewed by 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. The guidelines were also reviewed by other appropriate advisory councils and committees and the Board of Trustees.

1.2 In approving these guidelines, the Board of Trustees reiterates two principles which are stated in Policy Bulletin No. 11:

1.2.1 Program review is a collaborative process which includes both Board staff and institutional personnel at every stage, and

1.2.2 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 self-studies and evaluations.

Section 2. Procedures to be followed in evaluating programs.

2.1 The process of program review will include:

2.1.1 Submission of the appropriate "Institutional Program Evaluation Report" for each program under review during a given year:

2.1.2 A review of "Institutional Program Evaluation Report" by a process determined by the appropriate degree-level committee; and

2.1.3 An optional use of consultants following the committee's review.

2.2 Criteria and standards for program evaluation:

2.2.1 Each degree-level committee will propose the criteria and the issues to be addressed by institutions which offer programs at the particular degree level. These criteria and issues will be specified in an "Institutional Program Evaluation Report" form.

2.2.2 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. The report shall include the signature of the person preparing the report, the chief academic officer, and the president.

2.3 Institutional review and recommendation:

2.3.1 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 will be reported to the institution using the attached forms. These data will be provided to the institution by September 1 of the year in which programs will be evaluated. These data should be included in the institution's evaluation report. The institution shall have an opportunity to correct or amend the data provided.

2.3.2 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 (Section 6) the institution will recommend one of a number of possible actions with respect to each program under review.

2.3.3 Institutional program review reports should be submitted to the Board of Trustees by January 15 of the year in which programs are being evaluated.

2.4 Staff analysis and committee review:

2.4.1 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 all or portions of the various reports, and the Board staff's analysis of each report. This information will be provided to the respective degree-level committees by March 1.

2.4.2 The degree-level committee will review the Board staffs' analyses and will provide a recommendation on each program to the institutional presidents by April 1. Presidents will send copies to the academic vice president, department chairperson and/or dean, and the affected program faculty. The president or his designee shall consult in a timely fashion with affected faculty and administration in subsequent discussions relative to those reports requiring corrective action.

2.4.3 If there is no agreement between the institution's recommendation and the committee's recommendation, 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 thirty days. To assist in this phase of the review process, the Board staff (in consultation with the institution) may employ outside consultants, who may conduct institutional consultants, who may conduct institutional follow-up visits.

2.4.4 If additional information is not provided within thirty days the decision of the committee shall be considered final. Within twenty days after receiving the additional information, the degree-level committee shall provide the institution with written notification of its final recommendation.

2.4.5 If the institution does not concur with the committee's final recommendation, the institution, within ten days, may request that the recommendations be reviewed by the Program Review Appeals Committee. The Program Review Appeals Committee shall provide the institution with written notification of its decision within thirty days. Notwithstanding an appeal by the institution, the decision of the Appeals Committee shall be final.

2.4.6 If the institution does not concur with the Appeals Committee decision, the institution, within ten days, may appeal the decision to the Board of Trustees.

2.4.7 When a recommendation to terminate or suspend a program becomes final, the institution shall submit the information required under the provisions of Administrative Bulletin No. 23 for Board review and action.

2.5 Additional considerations:

2.5.1 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 Trustees.

2.5.2 The three "Institutional Program Evaluation Report" forms referred to in these guidelines may be revised, as necessary, by the appropriate degree-level 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.

2.5.3 The Board of Trustees' staff should be consulted for assistance in interpreting these guidelines and the "Institutional

FIVE-YEAR SUMMARY OF DEGREE PRODUCTIVITY OF PROGRAMS UNDER REVIEW (last Five Years) _____

LEVEL OF PROGRAM	DEGREE	TITLE OF PROGRAM	NUMBER OF DEGREES AWARDED					Total
			(Year 1)	(Year 2)	(Year 3)	(Year 4)	(Year 5)	

Program Evaluation Report" forms.

2.5.4 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.

Adopted December 6, 1983
 Revised September 11, 1984
 Revised June 7, 1988
 Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 12

April 17, 1987

POLICY REGARDING EMPLOYMENT OF ALIENS

Section 1. General

1.1 Scope - The West Virginia Board of Trustees prohibits the hiring of illegal aliens and will require all applicants for employment to present proof of applicant's identity and authorization for employment.

1.2 Authority - Immigration and Reform Control Act of 1986. Public Law 99-603.

1.3 Filing Date - April 17, 1987

1.4 Effective Date - May 17, 1987

Section 2. Alien Employment Control Purposes

2.1 The purpose of this policy is to comply with the Federal Government's efforts to stem the flow of illegal aliens into the United States and to provide an opportunity for a large group of unauthorized aliens already here to obtain legal status.

Section 3. Alien Employment Control Policy

3.1 It is unlawful to hire any person knowing that that person is an illegal alien.

3.2 Before the hiring, the person's identity and eligibility to be employed must be verified.

Section 4. Alien Employment Control Procedures

4.1 All job applicants must fill out and sign a government form I-9, providing biographical information and attesting that the worker is a citizen or an alien authorized to work in this country.

4.2 Applicants may provide, and the employing institution may request, verification of identity and eligibility for employment.

4.3 The verification records are to be made available for inspection by officers of the Immigration and Naturalization Service of the Department of Labor.

Section 5. Penalties for Violation of Alien Employment Control Policy

5.1 Violators of the ban on hiring and recruiting persons known to be illegal aliens are to be penalized on a graduated scale for the number of instances of noncompliance. In addition to being ordered to cease violations, a civil penalty will be assessed.

5.2 The falsification of a verification statement or the fraudulent misuse of an immigration document may result in fines, imprisonment or both.

Adopted: West Virginia Board of Regents
 April 6, 1987
 Board of Trustees policy effective July 1, 1989

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 rulings or departments requesting new services, legal opinions, or policy rulings or interpretations associated with the state system of higher education or any state institution of higher education, shall be made by the Board of Trustees 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 Trustees 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
Board of Trustees policy effective July 1, 1989

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
Board of Trustees policy effective July 1, 1989

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 Trustees 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 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, 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 North-west 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 Trustees" (or "approval by the Board of Trustees") 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 Trustees" (or "approved by the Board of Trustees") 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 Board of Trustees to participate in the process leading to such institutional accreditation, shall be approved by the Board of Trustees 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 Trustees 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 Trustees. 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 I. B herein, may be granted provisional approval by the Board of Trustees 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 Trustees, presenting evidence of satisfactory progress toward institutional accreditation. Upon receipt of evidence of institutional accreditation, the Board of Trustees 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 Trustees. 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 Trustees. 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 Trustees.

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 Trustees 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 Trustees 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 Trustees 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 I. B herein may apply for approval by the Board of Trustees 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 Trustees 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 Trustees 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 Trustees, 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 Trustees.

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 Board of Trustees 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 Board of Trustees 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 Trustees 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 Trustees. Comments and recommendations from the staff of the Board of Trustees 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 Trustees 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 Trustees 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 Trustees. 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 Trustees is so notified prior to planned implementation of the new or additional program.

B. Any higher educational institution which is not institu-

tionally accredited by an institutional accreditation agency identified in Section I. B above, but which is approved by the Board of Trustees to award degrees, may request approval to offer new or additional degree programs in West Virginia by submitting an application to the Board of Trustees, at least 120 calendar days prior to planned implementation, requesting that the program or programs be incorporated into the 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 Trustees. In addition, the institution shall be required to keep the Board of Trustees 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 Trustees 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
Board of Trustees policy effective July 1, 1989

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 Trustees 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 Trustees 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 Trustees).
 - 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 Trustees through the Chancellor.

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

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

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

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

Adopted: West Virginia Board of Regents
October 8, 1971

Board of Trustees policy effective July 1, 1989

**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 Board of Trustees 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 Trustees 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

REVISED POLICY BULLETIN NO. 18

Revised February 2, 1982

REVISED POLICY REGARDING RETIREMENT OF BOARD OF TRUSTEES' EMPLOYEES

BE IT RESOLVED. That all employees of the University of West Virginia Board of Trustees 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
Board of Trustees policy effective July 1, 1989

SUMMARY OF MAJOR FEATURES

Policy Bulletin Number 18
(Retirement)

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

1. **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.
2. Payroll personnel on each campus must be instructed to adjust payroll procedures to effect this action.
3. **Individual** contributions to TIAA/CREF Retirement Annuities should be permitted to continue until the time of

- 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 Board of Trustees 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 Trustees' 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:
 - (a) An average of "C" on previous work attempted and the required grade point average for admission to a particular program.
 - (b) The completion of 36 or more additional hours of credit, in residence, regardless of the number of hours transferable.
 - (c) 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
Board of Trustees policy effective July 1, 1989

- actual retirement.
4. 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 Board of Trustees.
 5. 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.
 6. Employees may still be required to retire below age 70 for reasons other than age.
 7. 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.
 8. 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.
 9. There is no provision in policy for the extension of employment beyond age 70.
 10. 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.

Revised April 17, 1987

Section 1. General

1.1 Scope - This interpretative policy removes, with certain exceptions, the mandatory retirement age of Board of Trustees employees.

1.2 Authority - Age Discrimination in Employment Amendments of 1986, revising parts of 29 U.S.C. 623-631.

1.3 Filing Date - April 17, 1987

1.4 Effective Date - May 17, 1987 specified below, of the Board of Trustees as of January 1, 1987 and those employed subsequently shall no longer be subject to mandatory retirement at the conclusion of the academic year or fiscal year contract period during which they reach their 70th birthday.

1.5 Amendment Former Rule - Revises and Replaces Policy Bulletin No. 18 dated December 11, 1984.

Section 2. Retirement Policy of Board of Trustees Employees

2.1 All employees, with the exception of those specified below, of the University of West Virginia Board of Trustees as of January 1, 1987 and those employed subsequently shall no longer be subject to mandatory retirement at the conclusion of the academic year or fiscal year contract period during which they reach their 70th birthday.

2.2 Faculty members with tenure, as defined by the Age Discrimination in Employment Amendments of 1986, shall be retired at the conclusion of the academic year or fiscal year contract period during which they reach their 70th birthday. In the event such persons shall reach age 70 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 (6) months after the date on which such person attains age 70. This Section shall be applicable to all faculty members with tenure through December 31, 1993.

2.3 Executives and those serving in high policy-making position shall be retired at age 65, if the following two requirements are met:

2.3.1 He/she served in that position for at least two (2) years immediately preceding his/her retirement.

2.3.2 He/she is entitled to an annual retirement benefit of a least \$44,000, per the requirements of the Age Discrimination in Employment Amendments of 1986.*

*Exceptions to mandatory retirement at age 65 may be granted under special circumstances and with formal approval by the Board of Trustees on a year to year basis.

Adopted: West Virginia Board of Regents
April 6, 1987

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 19

January 11, 1972

POLICY REGARDING ACQUISITION, RENOVATION OR IMPROVEMENT OF PHYSICAL FACILITIES

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

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

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

Adopted: West Virginia Board of Regents
January 11, 1972

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 20

December 14, 1985

POLICY REGARDING GRADE-POINT AVERAGE REQUIRED FOR ASSOCIATE AND BACCALAUREATE DEGREES

Section 0. General

0.01 Scope - Policy regarding grade-point average required for Associate and Baccalaureate degrees.

0.02 Authority - West Virginia Code 18-26-8

0.03 Filing Date - January 21, 1986

0.04 Effective Date - December 14, 1985

0.05 Repeal of Former Rule - Revises and replaces Policy Bulletin No. 20 dated February 8, 1972.

Section 1. Grade-point Average Required for Graduation

(applies to all West Virginia public colleges and universities)

1.1 Quality points are based on the following point values for each semester hour of credit: "A"-4; "B"-3; "C"-2; "D"-1; and "F"-0. The grade point average to be computed for graduation purposes (not necessarily each semester) shall be based upon all work for which the student has registered with the following exceptions:

- 1.1.1 Courses with grades of "W" and "WP".
- 1.1.2 Courses in remedial and/or developmental education.
- 1.1.3 Courses taken on a Credit/No Credit, Pass/Fail, or Satisfactory/Unsatisfactory basis where a passing grade is earned.
- 1.1.4 Courses taken on an audit basis.
- 1.1.5 Courses which have been repeated under the "D/F Repeat Provisions" of this policy.
- 1.1.6 Courses which are covered under the "Discretionary Academic Forgiveness Provisions" of this policy.

Section 2. D and F Repeat Provisions (applies to all West Virginia Public Colleges and Universities)

2.1 If a student earns a grade of "D" or "F" (including failures due to regular and/or irregular withdrawal) on any course taken no later than the semester or summer term during which the student attempts the sixtieth semester hour, and if that student 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/her grade point average. The original grade shall not be deleted from the student's record.

Section 3. Discretionary Academic Forgiveness Provisions

3.1 For purposes of grade-point average required for graduation public colleges and universities shall have discretionary authority to establish academic forgiveness in addition to the "D/F" repeat provisions. However, institutionally established provisions must be consistent with this policy. If institutions elect to disregard prior "D" and/or failing grades, such action must accommodate the following minimal conditions

- 3.1.1 Students must not have been enrolled in college on a full-time basis during any semester or term in the last four consecutive years.
- 3.1.2 Only grades for courses taken at least four years prior to the request for academic forgiveness may be disregarded for grade-point average computation.
- 3.1.3 In cases where grades may be disregarded for grade-point average computation, these grades shall not be deleted from the student's permanent record.
- 3.1.4 In instances where students request and gain academic forgiveness from one college or university and then transfer to another institution, the receiving institution is not bound by the prior institution's decision to disregard grades for grade-point computations.

3.2 The provisions included herein shall be considered as minimum standards for extending Academic Forgiveness Provisions. Consistent with institutional policies and mission, individual colleges and universities may impose more stringent provisions in the area of disregarding prior grades for grade point average computation for graduation.

3.3 Institutional policies regarding academic forgiveness for grade-point average computation shall be stated in the institutional catalog. In addition to providing information on the manner in which such provisions may be applied at that institution, the catalog and/or such other publications as are appropriate

shall inform students that academic forgiveness extended by one institution may or may not be recognized by other institutions to which the student may transfer.

Section 4. Application Only to Graduation Requirements

4.1 Institutional officials shall make clear to students the fact that this regulation pertains only to graduation requirements and not to such requirements for professional certification which may be within the province of licensure boards, external agencies, or the West Virginia Board of Education.

Section 5. Compatibility With Policy Bulletin No. 60

5.1 Nothing in this policy shall interfere with provisions of Board of Trustees' Policy Bulletin No. 60.

Adopted: West Virginia Board of Regents
December 14, 1985
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 21

April 11, 1972

POLICY REGARDING ELEMENTARY AND SECONDARY TEACHING SCHOLARSHIPS

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

WHEREAS, A revision of scholarship policies is being undertaken by the Board of Trustees 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 University of West Virginia Board of Trustees 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 Trustees 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 Trustees Undergraduate Scholarships as long as they meet the statutory and institutional requirements for Board of Trustees Undergraduate Scholarships.

Adopted: West Virginia Board of Regents
April 11, 1972
Board of Trustees policy effective July 1, 1989

**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 Board of Trustees 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 Trustees 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 University of West Virginia Board of Trustees 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
Board of Trustees policy effective July 1, 1989

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 Board of Trustees 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 25

September 12, 1972

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

BE IT RESOLVED. That inasmuch as the Board of Trustees 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 26

July 10, 1987

POLICY REGARDING HOLIDAYS

SECTION 1. General

- 1.1 Scope - Policy regarding holidays in the public colleges and universities of West Virginia.
- 1.2 Authority - West Virginia Code 18-24-1
- 1.3 Filing Date - July 15, 1987
- 1.4 Effective Date - August 14, 1987

SECTION 2. Granting Power

- 2.1 The Board of Trustees hereby directs that the President of each college or university shall determine the holidays

which will be observed by the employees of that institution.

SECTION 3. Number of Holidays

3.1 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 (Chapter 2, Article 2, Section 1). Days taken shall include Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day.

SECTION 4. Half Holidays

4.1 Half holidays shall be counted as half-days in computing the total number of holidays.

SECTION 5. Schedules

5.1 Holiday schedules are to be established and used on a fiscal year basis.

Adopted: West Virginia Board of Regents
July 10, 1987
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 27

As Revised June 8, 1976

POLICY REGARDING NEW ACADEMIC PROGRAMS

WHEREAS, It is essential that the Board of Trustees 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 Trustees has defined and formalized the procedure for the approval of new academic programs.

NOW THEREFORE BE IT RESOLVED, That the Board of Trustees 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 28

As Revised June 12, 1984

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

RESOLVED, That the Board of Trustees 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 Trustees resources beyond the scheduled completion of the project must be submitted for approval by the Board of Trustees 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 Trustees' 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 Trustees 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 Trustees' 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 Trustees 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

Board of Trustees policy effective July 1, 1989

*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 Board of Trustees 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 English Composition, Natural Sciences, Humanities, Social Sciences and History, and Mathematics.

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 Academic Affairs Advisory Committee shall review these regulations periodically.

Adopted: West Virginia Board of Regents
October 3, 1972
Revised: December 4, 1979; November 8, 1983;
June 1, 1986
Board of Trustees policy effective July 1, 1989

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

Board of Trustees policy effective July 1, 1989

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.
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, hard-bound 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:

- a. Government documents which do not meet the definition of a volume as outlined above;
- b. College and university catalogs;
- c. Fragmentary or loose map collections;
- d. Pamphlets, clippings, unbound newspapers, loose music scores, paintings, prints, phonograph records, and tape recordings;
- e. 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;
- f. Telephone books, trade catalogs and other ephemeral materials.

Include:

- a. Prints or plates in portfolio;
 - b. Each copy of these which are retained;
 - c. 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;
 - d. Juvenile books if they are cataloged or accessed;
 - e. 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 hard-bound 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 semi-permanent 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 gener-

ally 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, hard-bound 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 Board of Trustees, 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 Trustees (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 Board of Trustees 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
 Board of Trustees policy effective July 1, 1989

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
 Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 34

April 8, 1986

POLICY REGARDING RESIDENCY CLASSIFICATION OF STUDENTS FOR ADMISSION AND FEE PURPOSES

Section 0. General

- 0.01 Scope - Policy regarding residency classification of students for admission and fee purposes.
- 0.02 Authority - **West Virginia Code 18-24-1**

- 0.03 Filing Date - May 1, 1986
- 0.04 Effective Date - June 1, 1986
- 0.05 Repeal of Former Rule - Revises and Replaces Policy Bulletin No. 3 dated February 2, 1971 and Policy Bulletin No. 34, October 2, 1981

Section 1. Classification for Admission and Fee Purposes

1.1 Students enrolling in a West Virginia public institution of higher education shall be assigned a residency status for admission, tuition and fee purposes by the institutional officer designated by the President. In determining residency classification, the issue is essentially one of domicile. In general, the domicile of the person is that person's true, fixed, permanent home and place of habitation. 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 is deemed necessary to establish the domicile of a student. The burden of establishing domicile for admission, tuition, and fee purposes is upon the student.

1.2 If there is a question as to domicile, 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 domicile shall be subject to institutional disciplinary action and will be charged the nonresident fee for each academic term theretofore attended.

1.3 The previous determination of a student's domiciliary status by one institution is not conclusive or binding when subsequently considered by another institution; however, assuming no change of facts the prior judgment should be given strong consideration in the interest of consistency. Out-of-state students being assessed resident tuition and fees as a result of a reciprocity agreement may not transfer said reciprocity status to another public institution in West Virginia.

Section 2. Residence Determined by Domicile

2.1 Domicile within the State means adoption of the State as the fixed permanent home and involves personal presence within the State with no intent on the part of the applicant or, in the case of a 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 domicile 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 presence within the State prior to the date of registration, provided that such twelve months' presence is not primarily for the purpose or attendance at any institution of higher education in West Virginia. Establishment of West Virginia domicile with less than twelve months' presence prior to the date of registration must be supported by evidence of positive and unequivocal action. In determining domicile, institutional officials should give consideration to such factors as the ownership or lease of a permanently occupied home in West Virginia, full-time employment within the State, paying West Virginia property tax, filing West Virginia income tax returns, registering of motor vehicles in West Virginia, possessing a valid West Virginia driver's license, and marriage to a person already domiciled in West Virginia. 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 domicile 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.

Section 3. Dependency Status

3.1 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 domicile as that of the parent(s) or legal guardian. In the event the parents are divorced or legally separated, the dependent student takes the domicile 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 an in-state student maintains that classification as long as the enrollment is continuous and that student does not attain independence and establish domicile in another state.

3.2 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 domicile in this State for admission or fee payment purposes.

Section 4. Change of Residence

4.1 A person who has been classified as an out-of-state student 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 2 above. The change in classification, if deemed to be warranted, shall be effective for the academic term or semester next following the date of the application for reclassification.

Section 5. Military

5.1 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 an in-state student for the purposes 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, 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 in-state students for tuition and fee purposes.

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

Section 6. Aliens

6.1 An alien who is in the United States on a resident visa or who has filed a petition for naturalization in the naturaliza-

tion court, and who has established a bona fide domicile in West Virginia as defined in Section 2 may be eligible for in-state residency classification, provided that person is in the State for purposes other than to attempt to qualify for residency status as a student. Political refugees admitted into the United States for an indefinite period of time and without restriction on the maintenance of a foreign domicile may be eligible for an in-state classification as defined in Section 2. Any person holding a student or other temporary visa cannot be classified as an in-state student.

Section 7. Former Domicile

7.1 A person who was formerly domiciled in the State of West Virginia and who would have been eligible for an in-state residency classification at the time of his/her departure from the state may be immediately eligible for classification as a West Virginia resident provided such person returns to West Virginia within a one year period of time and satisfies the conditions of Section 2 regarding proof of domicile and intent to remain permanently in West Virginia.

Section 8. Appeal Process

8.1 The decisions of the designated institutional officer charged with the determination of residency 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 Board of Trustees in accord with such procedures as may be prescribed from time to time by the Board.

Adopted: West Virginia Board of Regents
April 8, 1986
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 35

April 17, 1987

POLICY REGARDING ANNUAL LEAVE

Section 1. General

1.1 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.

1.2 Authority - West Virginia Code 18-26-8

1.3 Filing Date - April 17, 1987

1.4 Effective Date - May 17, 1987

1.5 Repeal of Former Rule - Revises and Replaces Policy Bulletin No. 35 dated December, 1986.

Section 2. Leave Entitlement

2.1 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 3. Leave Policy Option

3.1 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 elect-

ing 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 4. Annual Leave

4.1 It is the desire of the Board of Trustees that employees of the Board shall earn annual leave with the length of leave based on the level of position, responsibility, service, and other factors.

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

4.2.1. Non-classified employees 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.

4.2.2. Faculty on less than 12 month appointments have their holidays scheduled in accordance with the approved academic calendar, and as such, do not accrue annual leave days.

4.2.3. All other full-time, regular employees in classified positions shall be eligible for annual leave with pay on the following basis 4.2.3.1 Less than 5 years' service: 1.25 days per month;

4.2.3.2. 5-10 years' service: 1.50 days per month;

4.2.3.3. 10-15 years' service: 1.75 days per month;

4.2.3.4. 15 or more years' service: 2.00 days per month.

4.2.4. 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.

4.2.5. Term of service described in 4.2.3 above shall be total service and does not require continuous service to fulfill the required term.

4.2.6. Non-faculty employees working at least one-half time (1040 hours) on a regular and continuing basis, but less than full-time, shall accumulate annual leave on a pro-rata basis.

4.2.7. Annual leave shall not be accorded emergency or short-term employees or students employed on a part-time basis.

4.2.8. A holiday occurring during an employee's leave period shall not be considered as a day of leave.

4.2.9. 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.

4.2.10. An employee is entitled to accumulated leave at termination of service, but in no case may this exceed the limits set in 4.2.9 above. Leave time may not be earned during a terminal leave period.

4.2.11. Annual appointment periods of 9 months or more shall be credited for 1 year of service for annual leave calculation purposes.

Section 5. Other Conditions

5.1. 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.

5.2. 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.

5.3. 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.

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

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

5.6. Annual leave may be transferred from other agencies of state government to Board of Trustees 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 6. Military Leave

6.1. 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 provision 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 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 for 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 7. Leave of Absence Without Pay

7.1. 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.

7.2. 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.

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

7.4. 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 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 8. Sick and Emergency Leave

8.1. Eligibility and Allowance - All full-time employees of the Board of Trustees and employees who work more than one-half time on 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. Faculty on nine-month appointments do not accrue sick leave days. Arrangements can be made for coverage of classes or other duties.

8.2. Sick leave with pay may be accumulated without limit.

8.3. 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, grand-mother, grandfather, granddaughter, grandson, stepmother, stepfather, stepchildren, or others considered to be members of the household and living under the same roof.

8.4. 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.

8.5. 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 ensure adequate protection.

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

8.7. 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.

8.8. 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 Workers' Compensation benefits for which adjudged eligible.

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

8.11. Accumulated sick leave may be transferred with an employee from other agencies of West Virginia where eligibility exists for PEIB. Certification of the balance which existed in the losing 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 agency.

8.12. 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. 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.

8.14. 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 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. The maximum charge against sick leave will be 260 work days per confinement, at which time disability retirement should be considered.

Section 9. Witness and Jury Leave

9.1. Upon the application in writing, a permanent, probationary, provisional, or temporary employee of the Board of Trustees may be granted leave as indicated hereinafter in this section. Annual leave will not be considered an absence from duty.

9.2. 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.

9.3. 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 an absence from duty.

9.4. 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 10. Leave Records to be Maintained by Each Institution

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

April 6, 1987

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 36: MATTERS RELATING TO FACULTY

(Please see Chapter IV for Marshall University's interpretation and application of this Policy Bulletin.)

April 23, 1987

Section 1. General

1.1 Scope - Policy regarding Academic Freedom and Responsibility Appointment, Promotions, 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.

1.2 Authority - West Virginia Code 18-26-8

1.3 Filing Date - April 23, 1987

1.4 Effective Date - May 22, 1987

1.5 Repeal of Former Rule - Revises and Replaces Policy Bulletin No. 36 dated December 9, 1985.

Section 2. Academic Freedom

2.1 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 Board of Trustees 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.

2.2 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.

2.3 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 represen-

tative 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.

Section 3. Appointment of Faculty

3.1 The faculty at any institution under the jurisdiction of the Board of Trustees shall be those appointees of the institution's President as reported to the Board of Trustees. 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.

3.2 Faculty fall into one of the three following classifications:

3.2.1 Tenured: Those faculty members who have attained the tenure status by official action of the Board or President and reported to the Board.

3.2.2 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.

3.2.3 Temporary: Those faculty members who have not been appointed in a probationary or tenured status. Their appointments may be full-time or part-time.

3.3 Faculty appointed to tenured or probationary positions at any institution shall be appointed in one of the following ranks:

3.3.1 Professor

3.3.2 Associate Professor

3.3.3 Assistant Professor

3.3.4 Instructor

3.4 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.

3.5 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 Trustees.

3.6 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 persons 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 not entitled to the protections provided by this Policy Bulletin.

3.7 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:

3.7.1 Any of the faculty ranks, but designated visiting, research clinical, extension or adjunct, as applicable to describe the connection or function;

3.7.2 Temporary lecturer;

3.7.3 Assistant, designated as graduate, research, clinical, or adjunct, as applicable to describe the connection or function.

3.8 Temporary full-time faculty appointments may be used only if one or more of the following conditions prevail:

3.8.1 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.

3.8.2 The appointment is for the temporary replacement of an individual on sabbatical or other leave of absence. Such appointments outside probationary status may not exceed three years, and are subject to annual renewal.

3.8.3 The appointment is for the purpose of filling an essential teaching post immediately, pending a permanent appointment through a regular search and screening process. Such appointments outside probationary status may not exceed three years and are subject to annual renewal.

3.8.4 The appointee is beyond retirement age, according to Board of Trustees' policy.

3.8.5 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 to be so notified at the time of the appointment. Such appointments outside probationary status may not exceed three years.

3.8.6 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.

3.9 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 Trustees.

3.10 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 Trustees, or supplementary actions thereto, as provided by law.

3.11 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.

Section 4. Faculty--Types and Conditions of Appointment

4.1 Full-time appointments to the faculty of an institution, other than those classified as temporary, shall be either tenured or probationary.

4.2 All temporary appointments, as defined in Section 3, 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.

4.3 The appointment of a person to a full-time position at an institution is made subject to the following conditions:

4.3.1 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.

4.3.2 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.

4.4 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.

Section 5. Joint Appointments

5.1 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.

5.2 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 consent of the faculty member.

5.3 Full-time faculty members appointed under joint or contractual appointments shall continue to be considered full-time employees of the "home institution."

Section 6. Promotion in Rank

6.1 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:

6.1.1 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.

6.1.2 There shall be demonstrated evidence that, in the process of making evaluations for promotion, 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.

6.1.3 There shall be no practice of granting promotion routinely or because of length of service, or of denying promotion capriciously.

6.1.4 The institution shall provide copies of its general guidelines and criteria for promotion to the Board of Trustees and shall make available such guidelines and criteria to its faculty.

6.2 Promotion should not be granted automatically, but shall result from action by the President of the institution following

consultation with the appropriate academic units.

Section 7. Faculty Resignations

7.1 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.

Section 8. Tenure

8.1 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 institutions.

8.2 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 Trustees' control.

8.3 Tenure shall not be granted automatically, or for years or service, but shall result from action by the President of the institution following consultation with appropriate academic units.

8.4 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 the rank of Assistant Professor or above.

Section 9. Probationary Status

9.1 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 Trustees, the appointment shall be probationary.

9.2 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 15 days following receipt of the Board of Trustees' budgetary allocations and guidelines.

9.3 The maximum period of probation shall not exceed seven years. Before completing the sixth year of a probationary appointment, any non-tenured 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 Trustees.

9.4 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 non-reappointment 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.

9.5 After the decision regarding retention has been made by a President, he or she will 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:

9.5.1 Not later than March 1 of the first academic year of service:

9.5.2 Not later than December 15 of the second academic year of service:

9.5.3 At least one year before the expiration of an appointment after two or more years of service in the institution.

9.6 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.

9.7 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 14. The request for a statement or reasons shall be in writing and mailed to the President within ten days of receipt 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.

9.8 Following the receipt of the summary, findings, and recommendation of the institutional hearing committee in accordance with Section 14, 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 or 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 Trustees 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.

Section 10. Faculty Evaluation

10.1 All faculty, except tenured faculty, shall receive a yearly written evaluation of performance directly related to responsibilities as defined by the institution.

10.2 Tenured faculty shall be similarly evaluated at least every third year.

10.3 Evaluation procedures shall be developed at the institutional level, and a copy sent to the Board of Trustees and filed in the Central Office. Such procedures must be multidimensional and include criteria such as peer evaluations, student evaluations, and evaluations by immediate supervisors.

Section 11. Dismissal

11.1 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:

11.1.1 Demonstrated incompetence or dishonesty in the performance of professional duties;

11.1.2 Personal conduct which substantially impairs the individual's fulfillment of institutional responsibilities;

11.1.3 Insubordination by refusal to abide by legitimate reasonable directions of administrators or of the Board of Trustees;

11.1.4 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; and

11.1.5 Substantial and manifest neglect of duty.

11.2 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:

11.2.1 Full and complete statements of the charge or charges relied upon;

11.2.2 A description of the appeal process available to the faculty member; and

11.2.3 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 Trustees.

11.3 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 14 of this policy or a hearing examiner, as provided in Section 15 of this policy. If the faculty member fails to file a timely answer, the notice of dismissal shall be final.

Section 12. Termination Due to Reduction or Discontinuance of an Existing Program

12.1 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.

12.2 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 Trustees prior to implementation.

12.3 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.

12.4 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 14.

12.5 The dates of formal notification for tenured and probationary faculty shall be those specified in Section 8(e).

Section 13. Termination Due to Financial Exigency

13.1 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 Trustees. 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 Trustees prior to implementation.

13.2 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:

13.2.1 A delineation of the rationale used by the Board of Trustees for the determination of a financial exigency;

13.2.2 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

13.2.3 A description of the appeal process available to the faculty member.

13.3 Answer and Service: Within ten days of the date of receipt of the termination notice, the faculty member may file a written appeal to the Board of Trustees, in accordance with Section 15.

13.4 To the extent financially feasible, the dates of formal notification for tenured and probationary faculty shall be those specified in Section 9.

Section 14. Hearings

14.1 Grievance Procedure Options: A faculty member shall have the option of filing grievances (1) in accordance with the provisions of Sections 14, 15, and 16 of this Policy Bulletin, or (2) in accordance with the provisions of Chapter Eighteen, Article Twenty-nine of the **Code of West Virginia**. Copies of the **Code** sections are available in the office of the President at each institution.

14.2 Hearings Under Board Policy: If the faculty member wishes to proceed with a hearing pursuant to the Board of Trustees' policies (rather than 18-29-1 et. seq. of the **West Virginia Code**), Sections 14, 15, or 16 of this policy may apply.

14.3 Institutional Hearing: In order to assure a fair and impartial hearing, a dismissed (under Section 11) or terminated (under Section 12) faculty member, or a faculty member desiring to appeal a decision of the President on nonretention (Section 9) or promotion (Section 6) shall receive a written notice of the hearing process as hereinafter provided and may avail himself or herself of the following hearing procedure:

14.4.1 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. 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:

14.4.1a The President shall, within 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 15 days. If for any reason the faculty member fails to strike, the President shall, within 15 days, strike a sufficient number to reduce the members to five, who shall constitute the institutional Hearing Committee.

14.4.1b The President shall promptly notify the five 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.

14.4.1c The chairperson shall give notice by certified mail to the concerned persons of the time and place for hearing the charge or appeal within 30 days of the date of notice thereof.

14.4.2 The hearing shall be conducted as follows:

14.4.2a 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.

14.4.2b The hearing will be conducted with as little delay as possible.

14.4.2c The faculty member shall have the right to have an advisor or legal counsel at the faculty member's expense.

14.4.2d Witnesses will be examined under oath in the manner and form and in the order designated by the committee.

14.4.2e 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.

14.4.2f Testimony shall be recorded.

14.4.2g 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.

14.4.2h 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 Trustees under the procedures set forth in Section 15.

Section 15. Appeal to the Board of Trustees

15.1 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 for 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 Trustees 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.

15.2 Such appeal shall be *de novo*, and a record of such appeal shall be made as prescribed herein.

15.3 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.

15.4 The Chancellor shall notify the Board of Trustees 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 Trustees, 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.

15.5 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.

15.6 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.

15.7 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.

15.8 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.

15.9 If a faculty member desires to appeal the recommendation of the hearing examiner, the faculty member must file an appeal with the Board of Trustees within ten days after receipt of the recommendation of the hearing examiner. The appeal filed with the Board of Trustees 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.

15.10 The Board of Trustees shall submit its decision in writing to the faculty member and the President of the institution within 45 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 75 days.

15.11 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.

Section 16. Faculty Grievance Procedure for Matters Not Otherwise Addressed in This Policy Bulletin

16.1 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 or being resolved by administrative action shall be resolved at the earliest possible stage.

16.1.1 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.

16.1.2 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 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 a decision within 15 days of receipt of the report from the level one administrator.

16.1.3 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.

16.1.4 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
April 6, 1987

Board of Trustees policy effective July 1, 1989

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STAFF GRIEVANCE PROCEDURE

This section may be followed for grievance procedures in lieu of Board of Trustees processes, such as Policy Bulletins No. 36, 52, and related regulations. This is a summary of the basic provisions; the complete policy is available at the Office of The President and/or Personnel.

ARTICLE 29. GRIEVANCE PROCEDURE.

18-29-1 Legislative purpose and intent.

The purpose of this article is to provide a procedure for employees of the board of trustees...and their employer or agents of the employer to reach solutions to problems which arise between them within the scope of their respective employment relationships...

18-29-3 Grievance procedure generally.

- (a) A grievance must be filed within the times specified in section four of this article and shall be processed as rapidly as possible. The number of days indicated at each level...shall be considered as the maximum number of days allowed and if a decision is not rendered at any level within the prescribed time limits the grievant may appeal to the next level: **Provided**, that the specified time limits may be extended by mutual written agreement and shall be extended whenever a grievant is not working because of such circumstances as provided for...
- (c) The grievant may file the grievance at the level vested with authority to grant the requested relief if each lower administrative level agrees in writing thereto.
- (d) An employee may withdraw a grievance at any time by notice, in writing, to the level wherein the grievance is then current.
- (f) An employee may have the assistance of one or more fellow employees, an employee organization representative or representatives, legal counsel or any other person in the preparation and presentation of the grievance. At the request of the grievant, such person or persons may be present at any step of the procedure.
- (g) If a grievance is filed which cannot be resolved within the time limits set forth in section four of this article prior to the end of the employment term, the time limit set forth in said section shall be reduced as agreed to in writing by both parties so that the grievance procedure may be concluded within ten days following the end of the employment term or an otherwise reasonable time.
- (h) No reprisals of any kind shall be taken by any employer or agent of the employer against any interested party, or any other participant in the grievance procedure by reason

of such participation.

- (i) ...decisions rendered at all levels of the grievance procedure shall be dated, shall be in writing setting forth the decision or decisions and the reasons therefor, and shall be transmitted within the time prescribed to the grievant and any representative named in the grievance. If the grievant is denied the relief sought, the decision shall include the name of the individual at the next level to whom appeal may be made.
- (j) Once a grievance has been filed, supportive or corroborative evidence may be presented at any conference or hearing...If the grievance evaluator rules that the evidence renders it a different grievance, the party offering the evidence may withdraw same, the parties may consent to such evidence, or the grievance evaluator may decide to hear the evidence or rule that the grievant must file a new grievance.
- (l) Forms for filing grievances, giving notice, taking appeals, making reports and recommendations, and all other necessary documents shall be made available by the immediate supervisor to any employee upon request. Such forms shall include information as prescribed by the board. The grievant shall have access to the institution's equipment for purposes of preparing grievance documents subject to the reasonable rules of the employer governing the use of such equipment.
- (m) ...all conferences and hearings pursuant to this article shall be conducted in private except that, upon the grievant's request, conferences and hearings at levels two and three shall be public.
- (o) Grievances processed on work time shall not result in any reduction in salary, wages, rate of pay or other benefits of the employee and shall be counted as time worked.
- (q) No less than one year following resolution of a grievance at any level, the grievant may by request in writing have removed any record of the grievance from any file kept by the employer.
- (r) All grievance forms and reports shall be kept in a file separate from the personnel file of the employee and shall not become a part of such personnel file, but shall remain confidential except by mutual written agreement of the parties.
- (t) Any chief administrator or governing board of an institution in which a grievance was filed may appeal such decision...

18-29-4. Procedural levels and procedure at each level.

- (a) Level one.
 - (1) Before a grievance is filed and within fifteen days following the occurrence of the event upon which the grievance is based, or within fifteen days of the date on which the event became known to the grievant or within fifteen days of the most recent occurrence of a continuing practice giving rise to a grievance, the grievant or the designated representative shall schedule a conference with the immediate supervisor to discuss the nature of the grievance and the action, redress or other remedy sought.

The conference with the immediate supervisor concerning the grievance shall be conducted within three days of the request therefor, and any discussion shall be by the grievant in the grievant's own behalf or by both the grievant and the designated representative.

- (2) The immediate supervisor shall respond to the grievance within two days of the conference.
 - (3) Within ten days of receipt of the response from the immediate supervisor following the informal conference, a written grievance may be filed with said supervisor by the grievant or the designated representative on a form furnished by the employer or agent.
 - (4) The immediate supervisor shall state the decision to such filed grievance within five days after the grievance is filed.
- (b) Level two.

Within five days of receiving the decision of the immediate supervisor, the grievant may appeal the decision to the chief administrator and such administrator or his or her designee shall conduct a hearing in accordance with section six of this article within five days of receiving the appeal and shall issue a written decision within five days of such hearing. Such decision may affirm, modify or reverse the decision appealed from.
 - (c) Level three.

Except as to faculty and classified employees of the board or trustees or any state institution of higher education who shall have the option to proceed directly to level four, within five days of receiving the decision of the chief administrator, the grievant may appeal the decision to the governing board of the institution.
 - (d) Level four.
 - (1) If the grievant is not satisfied with the action taken by the governing board, within five days of the written decision the grievant may request, in writing, on a form furnished by the employer, that the grievance be submitted to a hearing examiner as provided for in section five of this article, such hearing to be conducted in accordance with section six of this article within ten days following the request therefor **Provided, however,** that such hearing may be held within thirty days following the request, or within such time as mutually agreed upon by the parties, if the hearing examiner gives reasonable cause, in writing, to as to the necessity for such delay.
 - (2) Within thirty days following the hearing, the hearing examiner shall render a decision in writing to all parties setting forth findings and conclusions on the issues submitted. Subject to the provisions of section seven of this article, the decision of the hearing examiner shall be final upon the parties and shall be enforceable in circuit court.

18-29-5. Education employees grievance board; hearing examiners.

- (a) There is hereby created and shall be an education employees grievance board which shall consist of three members...

The board is hereby authorized and required to administer the grievance procedure at level four as provided for in section four of this article and shall employ at least two full-time hearing examiners on an annual basis...
- (b) Hearing examiners are hereby authorized and shall have the power to consolidate grievances, allocate costs among the parties in accordance with section eight of this article, subpoena witnesses and documents ...provide such relief as is seemed fair and equitable...and such other powers as will provide for the effective resolution of grievances...

18-29-6. Hearings generally.

The chief administrator or his or her designee, the governing board or the hearing examiner shall conduct all hearings in an impartial manner and shall ensure that all parties are accorded procedural and substantive due process. All parties shall have an opportunity to present evidence and argument with respect to the matters and issues involved, to cross examine and to rebut evidence. Notice of a hearing shall be sent to all parties and their named representatives and shall include the date, time and place of the hearing.

The institution that is party to the grievance shall produce prior to such hearing any documents, not privileged, and which are relevant to the subject matter involved in the pending grievance, that has been requested by the grievant in writing....

All the testimony and evidence at any hearing shall be recorded by mechanical means, and all recorded testimony and evidence at such hearing shall be transcribed and certified at the request of any party to the institution or board....

Formal rules of evidence shall not be applied, but parties shall be bound by the rules of privilege recognized by law.

18-29-7. Enforcement and reviewability

The decision of the hearing examiner shall be final upon the parties and shall be enforceable in circuit court: **Provided**, That either party may appeal to the circuit court of the county in which the grievance occurred...Such appeal shall be filed in the circuit court...within thirty days of receipt of the hearing examiner's decision....

18-29-8. Allocation of costs.

Any expenses incurred relative to the grievance procedure at levels one through three shall be borne by the party incurring such expenses.

18-29-9. Mandamus proceeding.

Any institution failing to comply with the provisions of this article may be compelled to do so by mandamus proceeding and shall be liable to any party prevailing against the institution for court costs and attorney fees, as determined and established by the court.

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 Admission 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 Trustees 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 Trustees 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 Trustees August 15,

1971, providing appeals to the Trustees 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 Trustees on the issue of residency shall be referred to the Board of Trustees' Committee on Appeals.

Adopted: West Virginia Board of Regents
May 1, 1974

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 38

May 1, 1974

POLICY REGARDING REDESIGNATION OF BOARD OF TRUSTEES' 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

Board of Trustees policy effective July 7, 1989

POLICY BULLETIN NO. 39

June 2, 1987

POLICY REGARDING MEASLES AND RUBELLA IMMUNIZATION

Section 1. General

1.1 Scope - These rules promulgate policy and procedures regarding the requirement for measles and rubella immunization of students enrolled in colleges and universities of the State System of Higher Education.

1.2 Authority - **West Virginia Code 18-26-8**

1.3 Filing Date - June 9, 1987

1.4 Effective Date - July 10, 1987

Section 2. Background

2.1 Vaccine preventable diseases (VPD's) have declined dramatically during the past 20 years as a cause of morbidity and mortality in the United States. While these declines have been dramatic, significant morbidity and some mortality from these VPDs persist. College-aged students remain particularly susceptible to measles and rubella and these diseases continue to be associated with outbreaks on college campuses. During the recent past, there have been numerous outbreaks on college campuses in the United States and some deaths have occurred on an out-of-state college campus. In view of these circumstances, the West Virginia State Director of Health requests that proof of valid measles and rubella immunization be an enrollment

requirement for students enrolling in West Virginia state colleges and universities. In the interest of student health, the Board of Trustees, at the request of and in collaboration with the West Virginia Department of Health, establishes the following immunization policy with regard to measles and rubella.

Section 3. Purpose

3.1 The primary purpose of a mandatory measles and rubella immunization requirement for college and university students is to prevent the introduction and spread of these vaccine preventable diseases among students in state colleges and universities. Accordingly, these regulations require proof of immunity as a requirement for enrollment in the state institutions of higher education. The Admissions Officers shall administer the requirement as an aspect of the enrollment and registration process for their respective institutions.

Section 4. Immunization Requirement

4.1 All students of the State System of Higher Education under the jurisdiction of the Board of Trustees who were born after January 1, 1957, except those exempted by this policy statement, shall be required to provide proof of immunity to measles and rubella. To facilitate the implementation of this policy, the student shall be requested to provide proof of immunity on or before the date of enrollment. The student shall have proof of immunity by the following semester or will not be permitted to enroll in classes. See Section 8 - Enforcement.

4.2 In lieu of an immunization record signed by a physician, this requirement is satisfied if a college or university receives an official copy of the permanent health record with report of immunization transmitted to it from a high school located in West Virginia.

4.3 Immunity to measles and rubella is defined as follows:

4.3.1 Measles

4.3.1.1 The person was born before January 1, 1957; therefore, the person is considered exempt; or

4.3.1.2 Measles vaccine was administered to the person after 1967 and was given after one year of age; or

4.3.1.3 The person presents a report of immune titer or a positive antibody test proving immunity.

4.3.1.4 The person presents a history of having had the disease signed by a physician.

4.3.2 Rubella

4.3.2.1 The rubella vaccine was given after one year of age; or

4.3.2.2 The person presents a report of immune titer or a positive antibody test.

4.3.2.3 History of disease **IS NOT** acceptable.

Section 5. Applicability

5.1 This immunization requirement applies to all undergraduate students who are enrolling for the first time in a state college or university who are classified as full time students. It also applies to all part-time newly enrolled students (those enrolled in fewer than 12 semester hours of coursework) who will be or are residing in college residence halls.

5.2 This immunization requirement also applies to undergraduate students who transfer in from out-of-state, regardless of undergraduate grade level.

5.3 This proof of immunity shall be required beginning with the spring semester of the 1987-88 school year commencing on or about January 1, 1988.

Section 6. Exemptions

6.1 The student may be exempted from proof of immunity or from the requirement to receive measles or rubella vaccine for three reasons: Medical, religious, and student enrollment classification.

6.2 Medical exemption - Students presenting a statement from a licensed physician which certifies that the immunization is or may be detrimental to a person's health shall be exempt.

6.3 Religious exemption - If the bona fide religious beliefs of the student are contrary to these immunization requirements, the student shall be exempt. Upon submission of a written, signed and notarized statement of the bona fide religious beliefs and opposition to the immunization requirements, the person may attend college without proof of immunity. (See sample statement form at Appendix C.)

6.4 Student classification - Part-time students (those enrolled in fewer than 12 credit hours of course work) not residing in college or university residence halls and undergraduate students enrolled in off-campus programs are exempt.

Section 7. Documentation

7.1 The acceptable proof of compliance would be a document which has been filled out and signed by a licensed physician. The document should include the month, day, and year the vaccine was administered.

7.2 Acceptable proof may also be provided by the West Virginia high school attended. If a college or university receives an official copy of a student's health record with report of immunization transmitted to the college from a high school located in West Virginia, this requirement is satisfied.

Section 8. Enforcement

8.1 The student shall be required to present proof of immunity on or before the date of enrollment to the Admissions Officer.

8.2 If a certificate of immunization is not received on or before the date of enrollment, the college or university shall present a notice of deficiency to the student. The student must have the required proof of immunity on or before the date of enrollment for the **next semester** or the student shall not be permitted to attend the school until the required immunization, proof of immunity, or documentation of approved exemption has been provided.

Section 9. Obtaining the Report of Immunity

9.1 The student shall be informed of this requirement by the Admissions Officer of the state colleges and universities as an aspect of the enrollment process.

9.2 The student and the institution should make reasonable effort to obtain proof of immunity from:

9.2.1 The family physician or from appropriate records signed by a physician or other community health provider.

9.2.2 The West Virginia high school attended. The health record with report of immunization from any high school in West Virginia shall be accepted as proof of immunization.

9.3 The college or university should advise the student to request that the student's West Virginia high school health record be transmitted to the institution of higher education at the time that the high school transmits the final official transcript of grades to the college. The institution should also com-

municate with West Virginia high schools for this health record as it does to obtain official transcripts of grades.

Section 10. Obtaining and Administering Immunizations

10.1 Students who are unable to provide proof of immunity may obtain the immunization free of charge.

10.2 The West Virginia Department of Health and county health agencies in cooperation with state colleges and universities will provide the immunizations free of charge.

10.2.1 Students may obtain the required immunization free of charge at any county health agency which administers immunizations. County Health Agencies are listed in Appendix D.

10.2.2 The State Health Department will also provide vaccine to college student health centers free of charge upon request of the institution. Thus, those institutions wishing to provide this service may do so.

10.2.3 Only those student health centers with a physician in attendance may administer these vaccines. If vaccines are to be administered, the college student health center must assure that the student is advised of appropriate medical contraindications to the immunizations. The student health physical should provide the medical exemption statement when appropriate.

Section 11. Records and Reports

11.1 The college or university shall maintain on file immunization records for all persons not exempted from this requirement for immunity to measles and rubella. These records shall be open to examination by the State Department of Health during normal business hours.

11.2 When a person transfers to another college or university within the state system of higher education, the transferring institution shall, upon appropriate request, send a copy of the person's immunization record at no cost to the college or university to which the person has transferred.

11.3 The college or university shall file an immunization report with the Board of Trustees by November 15 of each year for the fall semester and by March 15 of each year for the spring semester. This report provides a statistical summary of the immunization status of new college enrollees. See Format at Appendix A.

11.4 The West Virginia Department of Health has agreed upon request to provide college student health centers with official health and immunization records for the purpose of recording immunizations which they might administer.

11.5 The West Virginia Department of Health will also provide the information document at Appendix B for use in this immunization program.

Adopted: West Virginia Board of Regents
June 2, 1987
Board of Trustees policy effective July 1, 1989

Note: the various appendices listed are available for examination, if needed, at the Office of Admissions or the health service providing the immunizations, depending upon the specific appendix.

POLICY BULLETIN NO. 40

Replaced by Policy Bulletin No. 59, September 13, 1983.

POLICY BULLETIN NO. 42 May 6, 1975; Amended July 8, 1975

POLICY REGARDING ALCHOLIC 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 Trustees 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
Board of Trustees policy effective July 1, 1989

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

June 3, 1986

POLICY REGARDING STANDARDS AND PROCEDURES FOR UNDERGRADUATE INSTITUTIONAL ADMISSION POLICIES

Section 0. General

0.01 Scope - Policy regarding standards and procedures for undergraduate institutional admission policies.

0.02 Authority - **West Virginia Code 18-26-8**

0.03 Filing Date - July 10, 1986

0.04 Effective Date - June 3, 1986

0.05 Repeal of Former Rule - Revises and Replaces Policy Bulletin No. 44 dated June 11, 1985.

Section 1. Statement of Principles

1.1 It is the intent of the Board of Trustees 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.

1.2 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 Trustees 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 2. Basic Admissions Standards

2.1 As a means of ensuring a reasonable chance of success in the educational programs for which students seek admission and or making the most productive use of Federal, State, and community resources institutional admissions policies shall incorporate the following basic standards:

2.2 Regular admission to community colleges, community college components at four-year institutions, and branch campuses of two-year and four-year institutions is open to any person who has a high school diploma or meets General Educational Development (GED) requirements.

2.3 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.

2.4 Students who meet General Educational Development (GED) requirements or have a high school diploma and an overall grade-point average (GPA) 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. Students will normally be expected to sit for the ACT. However, in instances where students have taken the Scholastic Aptitude Test (SAT); these scores may be substituted for the ACT. A minimum combined verbal/math score of 680 on the SAT will be required for regular admission. These students will not be required to take the ACT at a later time.

2.5 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 (Years)	Required Units
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
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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.

2.6 Institutions are authorized to employ the following exemptions to the above unit requirements:

2.6.1 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).

2.6.2 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.

2.7 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 applicant into specific programs.

2.8 Students seeking transfer admission to a State college or university must be academically 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.

2.9 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 Trustees' Policy Bulletin No. 57.

2.10 An institution may admit students on a non-degree basis. By definition, such students are not seeking and/or not eligible to pursue a certificate or degree at the institution.

2.11 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 specific date.

Section 3. Institutional Admissions Procedures

3.1 High school transcripts are required to be on file for each incoming freshman who is registered in an undergraduate certificate or degree program and who has graduated from high school within five years. Such transcripts shall be on file with the institution prior to the end of the first semester of the student's attendance.

3.2 Students desiring to enroll on a degree-seeking basis at the State colleges or universities who do not meet the 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.

3.3 Students who substitute SAT scores for ACT scores will not be required to take the ACT at a later time. Institutions will convert the SAT scores to ACT equivalents by using an appropriate conversion chart (refer to Board of Trustees' Administrative Bulletin No. 5).

3.4 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.

3.5 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.

3.6 Transfer students must supply the institution with official transcripts reflecting all previous college work prior to admission.

3.7 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:

3.7.1 Records of traditional academic performance relative to the specific educational program to which the student seeks entry.

3.7.2 Record of non-traditional learning experiences.

3.7.3 Standardized examinations relative to the requirements of the program to which the student seeks entry.

3.7.4 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.

3.7.5 Recommendations and reports of interviews.

3.7.6 Health records may be required after admission into the institution.

Section 4. Institutional Admissions Policies

4.1 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.

4.2 While it is not the policy of the Board to exclude non-residents 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.

4.3 All institutional admissions policies shall be submitted to the Board for evaluation in terms of their compatibility with stated Board of Trustees' 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.

4.4 All institutional admissions policies shall be consistent with existing Board of Trustees' policies and applicable State and Federal regulations regarding nondiscrimination.

4.5 Subject to Board of Trustees' 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 6. Implementation Date

6.1 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

June 3, 1986

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 45

June 8, 1976

POLICY REGARDING UNIVERSITY OF WEST VIRGINIA BOARD OF TRUSTEES 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 Board of Trustees 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

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 46

October 5, 1976

POLICY FOR INTERINSTITUTIONAL COOPERATION AND SHARING BETWEEN PUBLIC AND PRIVATE HIGHER EDUCATION IN WEST VIRGINIA

The University of West Virginia Board of Trustees 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 Board of Trustees 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 Trustees' 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 Trustees 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 Board of Trustees 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 Board of Trustees 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

Board of Trustees policy effective July 1, 1989

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 Trustees) is authorized to execute, on behalf of the Board of Trustees, 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
Board of Trustees policy effective July 1, 1989

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 release 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
Board of Trustees policy effective July 1, 1989

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 University of West Virginia Board of Trustees, 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.
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

Board of Trustees policy effective July 1, 1989

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).

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 Board of Trustees, 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 Board of Trustees' Policy Bulletin No. 32.

Except as may be specifically so allocated or approved by the Board of Trustees, 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 51

September 12, 1978

POLICY REGARDING FULL-TIME EMPLOYEE DEFINITION

To be classified as a full-time employee of the Board of Trustees, 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 Trustees' 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 52

November 5, 1985

(Replaces Policy Bulletin No. 52 dated July 10, 1984)

CLASSIFIED EMPLOYEE GRIEVANCE PROCEDURE

Section I. Filing Option

1.01 A staff member shall have the option of filing grievances (1) in accordance with the provisions of this policy bulletin or (2) in accordance with the provisions of Chapter 18, Article 29, of the Code of West Virginia. Copies of the Code are available in the office of the President at each institution.

Section II. Definition of Work Week

2.01 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.

Section III. Grievance Procedures

3.01 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.

3.01.1 **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.

3.02 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.

3.02.1 **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.

3.03 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.

3.03.1 **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.

3.03.1a The institution's president or his/her designee.

3.03.1b 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 become the committee chairperson.

3.03.1c 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).

3.04 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.

3.05 Following the appeal hearing, a written recommendation with all supporting documents will be sent to the president within ten work days. The President will render a written decision within ten work days from the receipt of this recommendation. A copy of the decision will be sent to both parties involved in the grievance.

Section IV. Additional Procedures and Definitions

4.01 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.

4.02 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.

4.03 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.

4.04 An aggrieved employee may have another employee assist him/her in the grievance procedure. The assisting employee cannot be an attorney.

4.05 Grievance issues must be those that are work related matters.

4.06 The aggrieved employee should stipulate in his/her initial appeal what redress is sought.

4.07 The relief sought must be within the capability of the institution to grant.

4.08 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 Trustees.

4.09 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.

4.10 No reprisals of any kind shall be taken by the Board of Trustees, 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 members of the hearing panel.

4.11 For the purpose of this policy, the definition of work day is the usual work day schedule of the grievant.

4.12 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

November 5, 1985

Board of Trustees policy effective July 1, 1989

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

Board of Trustees policy effective July 1, 1989

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 Board of Trustees 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 Trustees 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 Trustees 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 accounts of the institutions.

B. By Campus Groups for Non-traditional Programs (State Employee)

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 Trustees, 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 Board of Trustees 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 Regents

September 10, 1982

Revised: June 12, 1984

Board of Trustees policy effective July 1, 1989

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, RESPONSIBILITIES, 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 Board of Trustees 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 Trustees, 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 Trustees — The University of West Virginia Board of Trustees.

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 Trustees 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 Trustees or through some other officer to the Board of Trustees, 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 Trustees.

2.04 Property — Any property, whether owned, rented, or otherwise held or used by the Board of Trustees, 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees and the institution.

3.01 Freedom of Expression and Assembly — The student enjoys the essential freedoms of scholarship and inquiry central 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 Trustees 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 Trustees.

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 Trustees 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 Trustees 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 Trustees 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 institutional 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 Trustees. 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 Trustees; 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 Trustees.

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 Trustees, 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 Trustees, 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 Trustees, shall develop, promulgate, and use disciplinary regulations and channels at each institution not inconsistent with the policies, rules, and regulations of the Board of Trustees.

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 Trustees.

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 Trustees.

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 Trustees, 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 Trustees 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 Trustees, 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 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 Trustees, 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 Trustees; 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 Trustees. 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 Trustees 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 Trustees.

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 of 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 Trustees — The Board of Trustees 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 Trustees may require.

In disciplinary cases where the institutional sanction is expulsion, the Board of Trustees 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 Trustees 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 Trustees. A written petition of appeal must be filed with the Chancellor of the Board of Trustees within fifteen days of the institutional President's decision. If the Board of Trustees determined 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 Trustees 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 Trustees.

In reviewing student appeals involving the sanction of expulsion, the Board of Trustees 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 Trustees 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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 58

May 3, 1983

POLICY REGARDING THE ESTABLISHMENT OF THE BOARD OF TRUSTEES ANATOMICAL BOARD

RESOLVED, That the Board of Trustees hereby adopts a "Policy Regarding the Establishment of the Board of Trustees a "Policy Regarding the Establishment of the Board of Trustees 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 Trustees, 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 University of West Virginia Board of Trustees, effective May 31, 1983. This legislation authorizes the Board of Trustees to conduct the functions specified or to appoint a Board of Trustees 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 transfer-

ring the powers and duties of the West Virginia Anatomical Board to the Board of Trustees.

- 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 Trustees 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 Board of Trustees regarding the Anatomical Board.

II. The Board of Trustees Anatomical Board

The University of West Virginia Board of Trustees, operating within its authority, hereby establishes the "Board of Trustees 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 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 Trustees shall appoint members to the Anatomical Board as prescribed in Section 18-26-8d of the Code. The Board of Trustees 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 appoint its members to the offices created.
3. Members shall serve at the pleasure of the Board of Trustees 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 Trustees and shall request the appointment of an appropriate person to fill vacancy. A member may be removed from the Anatomical Board only by action of the University of West Virginia Board of Trustees.

- 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 Trustees' regulations.
- C. Budget
1. The Board of Trustees 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 Trustees 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 Board of Trustees 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 Trustees 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 Trustees 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 Board of Trustees 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 University of West Virginia Board of Trustees 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 Board of Trustees.
2. The Anatomical Board shall submit to the Board of Trustees an annual report of major actions taken, issues discussed, transactions accomplished, and recommendations requiring action by the Board of Trustees.

Adopted: West Virginia Board of Regents
May 3, 1983

Board of Trustees policy effective July 1, 1989

APPENDIX A

POLICY BULLETIN NO. 58

**THE BOARD OF TRUSTEES 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 Trustees Anatomical Board. The Board of Trustees 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 Trustees Anatomical Board apply to the use of all bodies, whether requisitioned by the Board of Trustees 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 Trustees 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 Trustees 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 of

individual for scientific study must be channeled through the Board of Trustees 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 Trustees 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 country, 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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 Trustees 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

Trustees Anatomical Board.

Approved by the Board of Regents
May 3, 1983

Adopted by the Board of Regents Anatomical
Board, May 31, 1983
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN 59

September 13, 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 Board of Trustees 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 Trustees.
- c. The salary of a President is set by the Board of Trustees 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 Trustees' 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 Board of Trustees 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 Trustees 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 Trustees 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 Trustees.
- 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 Trustees 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 Trustees' policy, statutory and regulatory provisions, and sound academic principles.
- i. Undertaking assignments requested by the Board of Trustees.

With regard to (e) above, the President of each college and university under the governance of the University of West Virginia Board of Trustees 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 Trustees.

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 person-

nel, 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 University of West Virginia Board of Trustees. 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 Trustees. This performance evaluation shall be conducted every fourth year and shall utilize institutional personnel, institutional boards of advisors, Board of Trustees' 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 Trustees' 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 consistent 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 Trustees. 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 Trustees 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 Trustees.
- 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 Trustees, 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 Trustees. 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 Trustees. These summaries shall be shared with the Board as a part of the Performance Evaluation conducted every fourth year.

5. TRUSTEES' 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 Trustees' Professorship may be awarded to a President who has served at least five years as President of an institution under the governance of the Board of Trustees and has been recommended by the Chancellor. The terms and conditions of appointments of Trustees' Professors shall be the same as for all other tenured full professors, consistent with Board of Trustees' Policy Bulletin No. 36. If a Trustees' 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 Trustees' 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 Trustees' 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 Trustees' Professor may be supplemented from non-State sources, with prior approval of the Board of Trustees.
- (2) For purposes of preparing for his or her duties as a Trustees' 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 Trustees 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 Trustees 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

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 60

April 8, 1986

POLICY REGARDING ACADEMIC RIGHTS AND RESPONSIBILITIES OF STUDENTS

Section 0. General

0.01 Scope - Policy regarding academic rights and responsibilities of students.

0.02 Authority - West Virginia Code 18-26-8

0.03 Filing Date - May 1, 1986

0.04 Effective Date - June 1, 1986

0.05 Revises and Replaces Existing Section 7 of Policy

Section 1. Academic Rights and Responsibilities of Students

1.1 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.

1.2 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.

Section 2. Academic Rights

2.1 Concomitant with the academic standards and responsibilities established pursuant to Section 1, each student shall have the following academic rights:

2.1.1 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.

2.1.2 Each student shall have the right to have any academic penalty, as set out in Section 4.2 below and more specifically defined by his/her institution, reviewed.

2.1.3 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.).

2.1.4 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 3. Application of Policy to Students

3.1 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 one 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 Trustees or the institution.

3.2 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 1.1. 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 4. Academic Requirements and Consequences of Failure to Meet Requirements

4.1 The institution and its constituent colleges and schools shall define and promulgate the academic requirements, criteria and standards as set out in Section 1.1 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.

4.2 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 1.1 may be subject to one or more of the following penalties:

4.2.1 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.

4.2.2 Academic probation as determined and defined by the institution and its constituent colleges and schools.

4.2.3 Academic suspension as determined and defined by the institution and its constituent colleges and schools.

4.3 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.

4.4 A student may appeal any penalty according to the procedures in Sections 5 and 6 below. Each institution and its constituent colleges and schools shall determine and specify the point at which penalties, excluding those specified in Section 4.2.1 may be imposed. Each instructor determines the point at which the penalties specified in Section 4.2.1 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 condition(s) leading to imposition of these penalties and thereby have them removed.

Section 5. Appeals

5.1 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 4.2 above.

5.2 Additional procedures may include but not be limited to:

5.2.1 Appeals of a grade penalty or exclusion from class,

5.2.2 Appeals of final course grades,

- 5.2.3 Appeals of imposition of academic probation.
- 5.2.4 Appeals of imposition of academic suspension.
- 5.2.5 Appeals of dismissal from undergraduate programs.
- 5.2.6 Appeals of dismissal from graduate programs.
- 5.2.7 Appeals of dismissal from professional degree programs.

5.2.8 Appeals of dismissal from the institution.

5.3 Policies and procedures relating to appeals of academic penalties shall be governed by due process and shall include, as a minimum:

5.3.1 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.

5.3.2 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 judgment 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.

5.3.3 An opportunity for the student to appeal the decision or judgment of faculty members through the established institutional appeals procedure within thirty calendar days after written notice of the decision or judgment.

5.3.4 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 judgment.

5.3.5 The decision of the president or his/her designee regarding an academic appeal is final.

Section 6. Appeals Procedure for Academic Dismissal

6.1 - The appeal will be subject to the following conditions:

6.1.1 The appeal must be filed within thirty calendar days after written notice of the decision.

6.1.2 The appeal to the appropriate academic officer or appeals committee is not adversarial in nature; the formal rules of evidence do not apply.

6.1.3 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.

6.1.4 Witnesses may be called by any of the parties involved.

6.1.5 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.

6.1.6 The decision of the president or his/her designee regarding academic dismissal is final.

Section 7. Publication

7.1 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

April 8, 1986

Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 61

June 11, 1985

POLICY REGARDING THE AWARDING 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. AWARDING 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) engaged in serious misconduct warranting substantial disciplinary penalty, or (iv) voluntarily withdraws from athletic participation for

- 5.2.3 Appeals of imposition of academic probation.
- 5.2.4 Appeals of imposition of academic suspension.
- 5.2.5 Appeals of dismissal from undergraduate programs.
- 5.2.6 Appeals of dismissal from graduate programs.
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5.3.2 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 judgment 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.

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Adopted: West Virginia Board of Regents

April 8, 1986

Board of Trustees policy effective July 1, 1989

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June 11, 1985

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SECTION I. GENERAL

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

1.03 Filing Date - June 11, 1985

1.04 Effective Date - August 10, 1985

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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) engaged in serious misconduct warranting substantial disciplinary penalty, or (iv) voluntarily withdraws from athletic participation for

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
Board of Trustees policy effective July 1, 1989

POLICY BULLETIN NO. 62

June 11, 1985

POLICY REGARDING PERSONNEL ADMINISTRATION FOR BOARD OF TRUSTEES EMPLOYEES

SECTION I. GENERAL

- 1.01 Scope —Policy regarding personnel administration for Board of Trustees employees
- 1.02 Authority —W.Va. Code 18-26-8
- 1.03 Filing Date —April 16, 1987
- 1.04 Effective Date —May 15, 1987

SECTION II. COMPENSATION/PAY CALCULATIONS

- 2.1 When salary increases are calculated, and rounding is involved, the policy is to round up.
- 2.2 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.
- 2.3 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.
- 2.4 Holidays to be observed under provisions of Policy Bulletin No. 26 are to be calculated and used on a calendar year basis.
- 2.5 Base pay is calculated on a thirty-seven and one-half hour workweek.
- 2.6 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

- 3.1 There are two types of compensatory time off.
 - 3.1.1 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 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.

3.1.2 Employees required to work in excess of their regular daily work schedule. When a non-exempt employee is required to work more than the employee's regular daily work schedule, that employee may be given compensatory time off as follows:

3.1.2.1 If compensatory time off can be granted and used before the end of that employee's regularly scheduled workweek the employee may be given compensatory time off equal to the actual hours worked beyond the employee's regularly scheduled workday. Such compensatory time off is calculated at the straight time rate for up to 40 hours per week.

3.1.2.2 If compensatory time off cannot be used before the end of the employee's regularly scheduled workweek and the employee works more than 40 hours during the workweek in which the compensatory time is earned, compensatory time off may be given at the rate of one and one-half (1-1/2) times the number of hours actually worked.

3.2 Compensatory time must be used within a reasonable period of time not to exceed 60 calendar days from the date is earned. The employee may accrue not more than 37-1/2 compensatory hours based on time actually worked and shall be paid overtime compensation in cash for any additional overtime hours worked. Use of such compensatory time must be scheduled with the employee's supervisor so as not to disrupt the operation of the institution or work unit.

3.3 Only non-exempt positions qualify for compensatory time off. While the decision as to whether overtime must be worked is the supervisor's, the decision as to whether an employee will receive overtime pay or compensatory time off for time worked in excess of 40 hours must be by mutual agreement between the supervisor and the employee prior to performance of the work.

SECTION IV —WORKWEEK

4.1 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 recordkeeping 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

5.1 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

6.1 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:

6.1.1 Materials which were gathered with the employee's prior agreement to forfeit his/her right of access such as some references.

6.2 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.

6.3 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

7.1 It is the exclusive responsibility of 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

8.1 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.

8.2 Emergency Situations — In the event that an emergency exists, the president, in conjunction with local or state public safety officials, has the authority to comply with the emergency situation and close the institution. Such a declaration will be transmitted to the Chancellor of the Board of Trustees. The president, working with public safety officials, will determine when the emergency condition no longer exists. Should an employee be required to work by the president or his designee during a declared emergency, the time worked shall be considered as extra work and will entitle the employee to be compensated at the rate of time and one-half for the hours worked. The decision as to whether an employee will receive overtime pay or compensatory time off for emergency work must be by mutual agreement between the supervisor and the employee. Work time lost by any employee during a declared emergency will be considered regular work time for pay purposes and will not require that the time be charged to annual leave nor will there be a requirement that the time be made up.

8.3 Absences from work due to weather conditions other

than during a declared emergency 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

9.1 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.

9.2 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

10.1 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 Trustees. 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

11.1 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.

11.2 Offers of employment shall be at the entry rate for the grade of a position. Exceptions may be authorized only by Board of Trustees staff. Offers of employment at rates which exceed the entry rate are invalid unless the policy for exceptions is followed. Criteria for exceptions include:

11.2.1 Qualifications of the candidate.

11.2.2 Number of applicants for a position.

11.2.3 Number of interviews.

11.2.4 Number of qualified applicants identified.

- 11.2.5 Number of offers of employment.
- 11.2.6 Length of the recruiting campaign.
- 11.2.7 Cost of the recruiting campaign.
- 11.2.8 Length of time the position was vacant.
- 11.2.9 Urgency to fill the position.
- 11.2.10 Market conditions for that job.
- 11.2.11 The rationale underlying the difference between the entry rate and the salary you wish to offer.
- 11.2.12 Past practices.
- 11.3 Each test shall have justification

SECTION XII. PROMOTION

12.1 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.

12.2 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 exists.

12.3 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

13.1 An increase of the classification level of an existing position.

13.2 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 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

14.1 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.

14.2 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.

14.3 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

15.1 A decrease of the classification level of an existing position.

15.2 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.

15.3 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

16.1 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.

16.2 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

17.1 A person who was involuntarily separated due to lay-off in a specific position at a Board of Trustees' 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.

17.2 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

18.1 Exempt - A position which is not covered by the minimum wage and overtime provisions of the Fair Labor Standards Act. (See Employee Handbook)

18.2 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

Revised: July 11, 1986

Revised: April 6, 1987

POLICY BULLETIN NO. 64

May 3, 1988

POLICY REGARDING FACULTY DEVELOPMENT

SECTION 1. GENERAL

1.1 Scope - Policy regarding establishment of a statewide faculty development policy for the University of West Virginia Board of Trustees higher education faculty.

1.2 Authority - West Virginia Code 18-26-30.

1.3 Filing Date - June 17, 1988

1.4 Effective Date - July 18, 1988

1.5 Replaces Administrative Bulletin No. 26 dated December 13, 1985.

SECTION 2. PURPOSES OF FACULTY DEVELOPMENT

2.1 Teaching, expanding knowledge and creativity, and devoting knowledge to public service are the primary goals of West Virginia's public colleges and universities. These goals are achieved primarily by and through college and university faculty. Therefore, the efforts of the Board of Trustees and each institution in supporting, developing, and renewing the faculty members directly involved in helping West Virginians learn are vitally important to accomplishing the mission and goals of institutions of higher education.

2.2 The Board of Trustees recognizes the general and specific benefits derived from efforts to improve faculty members professorial and professional effectiveness. Students of our public colleges and universities rely on current, knowledgeable, and relevant instruction and benefit from research that improves teaching skill and knowledge. The people and economy of West Virginia benefit from new applications of a knowledge and technology that enable more and better jobs, a higher standard of living, and enhanced knowledge and quality of life. Faculties and individual faculty members benefit from being able to teach, acquire new knowledge, serve public needs, and perform institutional and professional roles more effectively. Our institutions of higher learning benefit from enhanced capacity and flexibility to carry out their missions in an era where it is more practical to enhance or renew skills and knowledge of existing faculty members.

2.3 Therefore, the Board of Trustees affirms the unique, integral contribution of faculty members to the mission of higher education: teaching, producing scholarly work that contributes to knowledge and creativity, and serving public and institutional needs. The Board further recognizes through its policy and actions that the knowledge and skills of faculties and individual faculty members need to be developed, maintained, supported, and renewed, and that the primary responsibility for accomplishing these ends resides at the institutional level.

SECTION 3. DEFINITION OF FACULTY DEVELOPMENT

3.1 Faculty development includes all activities designed to improve faculty performance in all aspects of their professional lives: as teachers stimulating and guiding student learning as scholars, advisers, designers and evaluators of academic programs and courses, academic leaders, contributors to public service, participants in institutional decisions, and in other

faculty roles for achieving their college or university's mission. Recognized beneficial components of faculty development include instructional development, curriculum development, professional scholarly and creative development, personal development, and organizational development.

3.2 Examples of valid, tangible faculty development activities include, but are not limited to: sabbatical or academic leaves to complete a doctorate, expand existing knowledge, learn a new field needed in the curriculum, or achieve other purposes; workshops for improving faculty teaching skills; workshops and internships to enhance faculty roles in academic leadership; seed money grants that enable faculty to pursue larger, external grants or contracts; projects to improve student advising or assessment of student learning; summer grants or summer mini-sabbaticals to develop a needed new program or course, conduct research on teaching, or accomplish other beneficial aims; attendance at academic conferences and meetings; and programs to better orient faculty members and improve their skills.

SECTION 4. FACULTY ELIGIBILITY AND PARTICIPATION

4.1 Eligibility - Any person who is a full-time or part-time faculty member of any West Virginia public college or university is eligible for faculty development as determined by each college or university in accordance with Board of Trustees policy. Full-time faculty members, including division and department chairpersons, are eligible to apply for all faculty development activities. Part-time faculty members are eligible to apply for all faculty development activities and awards except sabbatical leaves, leaves without pay, and mini-grants. In supporting faculty development for full-time or part-time faculty members, factors to be considered include the potential benefits and costs to the institution, the academic program, and the faculty member.

4.2 Participation - As noted elsewhere in this Policy Bulletin, faculty members are responsible for improving their professional effectiveness, and public colleges and universities are responsible for encouraging and motivating faculty members to participate in faculty development activities.

SECTION 5. BOARD OF TRUSTEES: ROLES AND RESPONSIBILITIES

5.1 Policy and Support Roles - The Board of Trustees shall, after appropriate consultation with those groups affected:

5.1.1 Establish system-wide direction, priorities, and plans for faculty development.

5.1.2 Serve as a clearinghouse of information on programs, conferences, fellowships, materials, research, and other matters relevant to faculty development.

5.1.3 Establish, encourage, and support disciplinary, interdisciplinary, administrative, and other consortia or cooperative relationships among West Virginia public colleges and universities and between:

5.1.3.1 Other colleges and universities inside and outside West Virginia;

5.1.3.2 The West Virginia Department of Education and the public schools;

5.1.3.3 Businesses;

5.1.3.4 Governments.

5.1.4 Sponsor and support statewide and regional confer-

and workshops on faculty development on a regular basis.

5.1.5 Sponsor or facilitate faculty exchange programs promoting intrastate, interstate, and international faculty exchanges.

5.1.6 Establish and support mechanisms for promoting faculty mobility within and among West Virginia public colleges and universities.

5.1.7 Assist West Virginia public colleges and universities in establishing, upgrading, evaluating, or refining their faculty development programs, and in developing techniques and procedures for assessing the effectiveness of faculty development programs.

5.2 Financial Roles - The Board of Trustees should, after appropriate consultation with those groups affected:

5.2.1 Seek funds from private and government sources for faculty development.

5.2.2 Include a line-item in its proposed budget request for faculty development.

5.2.3 Designate a portion of its funds each year for faculty development.

5.2.4 Encourage each public college and university to develop funds to support faculty development through reallocation of existing campus resources and/or through institutional collection and retention of HERF fees or faculty improvement fees.

SECTION 6. COLLEGE OR UNIVERSITY: ROLE AND RESPONSIBILITIES

6.1 Governance Roles - The President, in consultation with the faculty of each public college and university, shall establish institutional policy on faculty development consistent with this Policy Bulletin by December 31, 1988.

6.1.1 The President, in consultation with the faculty shall establish a Faculty Development Program that is functioning and operating by that same date. Institutions may have a separate program for faculty development or a professional development program combining faculty development with other professional development according to the institution's needs and resources. If a college or university provides a combined professional development program, the appropriate groups representing the participants shall be consulted and involved in creating and operating that program. Through these Faculty Development or Professional Development Programs institutions shall conduct in-house faculty and professional development activities. Cooperation with the Faculty Development Programs of other colleges and universities is also encouraged. Colleges and universities are responsible for assessing faculty development needs and for utilizing a variety of development activities appropriate to their mission to meet the development needs of less experienced probationary faculty and experienced, tenured faculty. Colleges and universities should strive for a balance of individual-oriented and group-oriented development activities to achieve a well-functioning program, and should periodically evaluate the results of their program.

6.1.2 The President and the Chief Academic Officers at each public college and university have the responsibility to exert leadership and support for faculty development since such administrative support is instrumental to achieving the personal and institutional benefits of faculty development.

6.1.3 The President, in consultation with the faculty of each public college or university, should establish appropriate organizational structures, procedures, standards, and criteria for operating and assessing a Faculty Development Program. These structures may include a Faculty Development Commit-

tee, Professional Development Committee, Faculty Development Coordinator, and other structures appropriate to the mission, size, and needs of the institution.

6.2 Financial Roles - Research and experience show that faculty development is most effective when dependable, consistent funding enables proper planning and implementation of development programs. In order to achieve continuity of financial support for faculty development, each public college or university should establish a benchmark level of financial commitment to faculty development which the college or university should meet or surpass each year. This level can be expressed as a percentage of its Educational and General expenditures or by some other appropriate measure. The level of financial effort should be appropriate to the college's or university's mission and needs, and should be adjusted biennially to reflect changes in mission and needs.

6.2.1 Each public college or university has the responsibility to pursue funding for faculty development, including applying for such faculty development grants or funds as the Board of Trustees may provide, pursuing other government or private grants or contracts, reallocating existing campus resources, or allocating funds from the institutional collection and retention of HERF or faculty improvement fees.

6.2.2 Each public college or university has the responsibility for providing financial and logistical support to operate its Faculty Development Program, including providing office space, administrative, clerical, and other necessary support.

6.2.3 Each public college or university is expected to establish a campus faculty leave fund to hire temporary replacements for faculty on leave.

SECTION 7. INDIVIDUAL FACULTY MEMBER: ROLES AND RESPONSIBILITIES

7.1 Faculty members, in accordance with the best traditions of higher education, have a responsibility to improve their effectiveness in carrying out their professional roles.

7.2 Applicants for faculty development awards shall complete a faculty development plan, if required by their college or university, for eligibility for faculty development project awards.

7.3 Applicants for faculty development may be asked to submit to their college or university a detailed plan of activity to be followed.

7.4 In accepting award of a faculty development proposal, the person shall sign a statement indicating awareness of and agreement to all the conditions specified in the proposal. Faculty members are responsible for using award funds for the legitimate purposes specified in their plan agreement.

7.5 Where the college or university deems appropriate, a faculty member shall file with the president or the president's designee a written final report of development activities, results, and anticipated benefits to the faculty member and institution. A written final report may not be appropriate for all development projects.

7.6 Faculty members engaging in development activities are responsible for sharing their new learning or skills with other colleagues via publication, report, seminar, workshop, tutoring, or other appropriate ways of communicating among professionals.

SECTION 8. FUNDING

8.1 Funding for faculty development activities may come

appropriated funds, government grants or contracts, private grants or contracts, or institutionally collected and retained HERF fees or faculty improvement fees.

8.2 Board of Trustees and institutional faculty development programs, grants, and activities are subject to availability of appropriated and other funds for those purposes. As noted before, the Board of Trustees and public colleges and universities have the responsibility for making a good faith effort to ensure that adequate funding is available.

SECTION 9. AUTHORIZED EXPENDITURES

9.1 Compensation to Individuals - Funds allocated for faculty development may be used to compensate or pay expenses for faculty members who are pursuing additional academic study or training, engaging in scholarship or other creative activity, pursuing teaching and instructional improvement, serving as faculty development coordinator, or performing other responsibilities consistent with Board of Trustees and institutional policy or to compensate other individuals to allow faculty members to pursue development activities on released time.

9.2 Institutional Support - Permissible support activities include, but are not limited to, providing for office space and administrative support for faculty development programs; and providing equipment and materials necessary for improving teaching, conducting research, or pursuing other valid development activities.

9.3 All expenditures must be consistent with Board of Trustees and institutional policy and regulations.

Approved: May 3, 1988
Board of Trustees policy effective July 1, 1989

XIII

UNIVERSITY OF WEST VIRGINIA BOARD OF TRUSTEES

SELECTED ADMINISTRATIVE BULLETINS RELATED TO THE FACULTY

(The complete file of Administrative Bulletins is kept in the Provost 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 Trustees 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, 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 Trustees 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__)
<u>Number of students served through course offerings of the program:</u>					
Headcount	_____	_____	_____	_____	_____
FTE	_____	_____	_____	_____	_____
Number of credit hours generated by courses within the program:	_____	_____	_____	_____	_____
Number of credit hours generated by majors in the program:	_____	_____	_____	_____	_____
<u>Number of majors:</u>					
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 Trustees.
- 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 Trustees.
- 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 Trustees. 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 those present that the Board of Trustees, 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 University of West Virginia Board of Trustees, 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 Trustees' 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

Board of Trustees policy effective July 1, 1989

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 Trustees' 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 Trustees to offer a two-year pre-engineering transfer program and to become party to this agreement.

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,

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.

Howe A. Budig

PRESIDENT OF THE UNIVERSITY

G. E. Jones

PRESIDENT, WEST VIRGINIA BOARD OF REGENTS

Ben V. Minter

CHANCELLOR, WEST VIRGINIA BOARD OF REGENTS

DEAN OF THE COLLEGE

- (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
Board of Trustees policy effective July 1, 1989
- 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 Trustees. 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 Trustees 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 Trustees.
3. Degrees which could be confused with earned degrees shall not be awarded.
4. The Board of Trustees 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 University of West Virginia Board of Trustees.
- 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 (includ-

- ing 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.

XIV.

TRUSTEES' 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 Trustees' 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 Trustees is subject to the conditions and review process specified in Board of Trustees' Policy Bulletin No. 28.

4. Management of Funds

Grant or contract funds from any source become subject to all of the Board of Trustees' 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 Trustees' 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 Trustees.

As a State Agency, the Board of Trustees 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 Trustees, 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 Trustees. 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 Trustees. 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 Trustees' 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 Trustees. 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-month 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 Trustees 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 Trustees, 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 Trustees, and of the names of researchers, students, or staff, for advertising or promotional purposes.

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