



WEST VIRGINIA STATE
UNIVERSITY

2024 – 2025 Faculty Handbook

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Equal Opportunity/Affirmative Action

West Virginia State University is an Equal Opportunity/Affirmative Action institution. No person shall be denied admission to educational programs, activities or employment on the basis of any legally protected status, or be subjected to prohibited discrimination involving, but not limited to, such factors as race, color, creed, religion, national or ethnic origin, marital status, citizenship, sex, sexual orientation, gender identity or expression, age, disability, or protected veteran status.

This policy extends to all West Virginia State University activities related to the management of its educational, employment, financial business, and other affairs.

Introduction

(Revised June, 2024)

The West Virginia State University Faculty Handbook is published annually by the Academic Affairs Office and is intended to provide faculty with important details about the University and its policies, procedures, and support services. It contains information about personnel policies (e.g., retention, promotion, and tenure) and faculty roles and responsibilities (including policies specifically recommended by the Faculty Senate and/or the Faculty and subsequently approved by the Academic Affairs Office) as well as appropriate documents that relate directly to the university faculty. Because it is updated yearly, however, it is not intended to be an inclusive document. Other university policies are published in the Institutional Policy Procedures Manual, which is on file in the Academic Affairs Office and in the offices of all college deans.

In order to more clearly delineate policies and procedures specifically developed by the faculty and Faculty Senate as well as administrative policies and procedures from descriptive portions of the Handbook, this edition of the Handbook prints all policies and procedures in boldface and underlines new or revised text.

The information contained in the Handbook is provided for the convenience of members of the West Virginia State University community. Although the policies, procedures and descriptions cover a wide variety of subjects, readers should be aware that there are other important policies and procedures specific to the University's colleges, departments, and other academic and nonacademic units that should be consulted as the need arises.

The Faculty Handbook cannot and is not intended to address all circumstances related to the faculty member's role in the University nor is the information contained in the Handbook intended to constitute an express or implied contract of employment with the University.

Similarly, in an institution as complex as the University, policies and procedures are regularly in the process of review and revision. West Virginia State University expressly reserves the right to amend its policies and procedures from time-to-time as it determines to be in the best interest of the University. Such amendments, as well as any new policies deemed to be in the University's interest, will be effective as of the date of their enactment unless the action itself specifies a different effective date.

For updates on the current state higher education policies, please consult the West Virginia Higher Education Policy Commission website at wvhepc.com. For updates on the West Virginia State University Board of Governors Policies, consult the West Virginia State University Board of Governors website at wvstateu.edu/administration/board-governors.aspx.

History of West Virginia State University

(Revised June 2024)

Founded in 1891, West Virginia State University (WVSU) has entered its second century of service. A historically black institution, WVSU has its origins with federal legislation known as the Second Morrill Act passed by the U.S. Congress in 1890. The Act provided that no land grant institution of higher education could enjoy the benefits of federal funds provided by the Act unless adequate provision was made for the education of black and white students. At the time, West Virginia University, a land grant institution, had been in existence for more than two decades. Therefore, to ensure federal funds for West Virginia University, the West Virginia Legislature enacted legislation to create a new land grant institution in Kanawha County for black students. The Legislation was signed on March 17, 1891 by Governor Fleming. March 17 is celebrated annually on the campus as Founder's Day.

The new institution was known initially as West Virginia Colored Institute. Land was purchased by the state and the first building erected of red brick and stone was a three-story structure costing \$9,456. During its first year, the primary purpose of the institute was to teach agriculture, horticulture, mechanical arts, and domestic science. Teacher training was added the second year and has remained an important emphasis throughout the school's history. In the early years, students came to school by train or by packet boats on the Kanawha River and were primarily residential students.

In 1915, the name was changed to West Virginia Collegiate Institute. While training was offered in subjects such as agriculture, blacksmithing, brick laying and plastering, dress making, and millinery, there was an increased emphasis on music, military instruction, mathematics, literary subjects, and science. The first college degrees were awarded in 1919. The institution was first accredited by the North Central Association of Colleges and Secondary Schools in 1927 and has remained accredited to the present.

In 1929, the legislature changed the name of the institution to West Virginia State College (WVSC). Throughout the decades, the institution has grown under the dynamic leadership of talented administrators and faculty, and from the 1920's onward, it has been recognized nationally as one of the premier institutions in the education of black students.

In 1954, when the U.S. Supreme Court in *Brown vs. Board of Education* ruled that segregated schools were unconstitutional, WVSC had an enrollment of 837 students. Within the next few years, the enrollment increased dramatically and WVSC transformed into a racially integrated institution. It gained nationwide recognition as a "living laboratory of human relations." Today, as a university, WVSU maintains its reputation for academic excellence, and its racially and generationally diverse student body continues to be a model for human relations.

In 1978, the Community College Division was added to administer a variety of associate degrees and Continuing Education and Community Service programs. In fall 2004, the WV State Community & Technical College became an independently accredited institution, administratively linked to West Virginia State University, and in 2010, the former WVSCTC became the Kanawha Valley Community and Technical College; currently it is an institution completely separate from the University.

The college achieved a significant milestone in 2003 when it received approval from the Higher Learning Commission of the North Central Association of Colleges and Secondary Schools to offer graduate programs for the first time. Two masters-level programs (i.e., Biotechnology and Media Studies) were implemented in 2003; now the Graduate Programs include 7 different Masters degrees with at least one program in each of the four colleges. On April 7, 2004, Governor Bob Wise signed Senate Bill 448 that changed the institution name to West Virginia State University. The West Virginia Higher Education Policy Commission had conferred on West Virginia State College university status on December 5, 2003.

On September 1, 2023 the University achieved another major milestone. The Higher Learning Commission of the North Central Association of Colleges and Secondary Schools granted approval for the University to offer the first Doctoral degree. The Doctorate in Educational Leadership enrolled the first cohort of students in May 2024.

West Virginia State alumni can be found in positions of leadership and public trust throughout West Virginia, most other states, and some foreign countries. Future graduates will join alumni well-grounded in the liberal arts, skilled in their chosen occupations or professions, and sensitive to and appreciative of people of all races and ethnic backgrounds.

Mission Statement

(Revised May 2023)

Mission

West Virginia State University is a diverse, 1890 land-grant institution that advances knowledge through access and opportunity, innovative teaching and learning, interdisciplinary research, and impactful service. Our learners are equipped to meet the economic and social needs of the state, region, and nation, and contribute solutions to complex global challenges.

Vision

West Virginia State University is a doctoral land-grant university, grounded in its HBCU heritage of inclusivity while focused on building nationally-recognized programs that inspire student success and facilitate innovative research that drives West Virginia forward.

Core Values

Student-centeredness — We put students first in everything we do.

Inclusion — We create a climate where all can bring their whole and authentic selves.

Excellence — We strive for a Gold Standard in all we do and say.

Integrity — We commit to ethical behavior and full transparency with ourselves and our stakeholders.

Accountability — We take responsibility for our actions individually and collectively.

Creativity — We draw inspiration from collaborating with others and create space for curiosity and imagination.

Resilience — We are agile, adapt to change, and rise above adversity.

Section A. Organizational Structure

Higher Education Policy Commission and Institutional Board of Governors

(Revised August, 2002)

The West Virginia Higher Education Policy Commission (HEPC) is responsible for the development and articulation of a public policy agenda for higher education in West Virginia. The Commission employs a Chancellor who serves as its chief executive officer.

Under the current higher education organizational structure, each state college and university has an Institutional Board of Governors. West Virginia State University's Board of Governors is comprised of twelve persons, including a full-time member of the faculty, a student, and a staff member. The Governor appoints nine lay members to this Board.

In fulfilling its obligations, the Board and the Commission have an appointed professional staff. Staff members serve higher education in areas of curriculum and management, which reflect the organization and development of higher education in the state. The Commission offices are located at 1740 Union Carbide Drive, South Charleston, WV 25303.

The President

(Revised August, 2006)

The Higher Education Policy Commission delegates to the West Virginia State University Board of Governors and the President of West Virginia State University the authority to administer the University's educational and business activities in accordance with HEPC policies and the laws of the State of West Virginia.

Provost and Vice President for Academic Affairs

(Revised August, 2012)

The Provost and Vice President for Academic Affairs is answerable to the President on matters related to academic programs and general coordination of academic-related activities. The instructional and academic support for students through the organization of colleges, departments, offices, and programs are major responsibilities. The major duty is the coordination of efforts leading to the successful retention and graduation of all students. The Provost and Vice President for Academic Affairs functions with administrators for services to students, staff, and faculty for advising, retention, and finance. Further assistance is provided through the Deans' Council, Academic Affairs Council, and the Council of Academic Leaders.

College Deans

(Revised August, 2005)

West Virginia State University utilizes a college structure for its academic programs. There are four colleges: Arts and Humanities, Business and Social Sciences, Natural Sciences and

Mathematics, and Professional Studies. Each College has a dean, recommended by The Provost and Vice President for Academic Affairs and appointed by the President. The College Dean serves at the will and pleasure of the President and can be relieved of duties at his/her discretion. College deans provide leadership for and give general direction to their colleges. They serve as liaisons between their colleges and the Academic Affairs Office and work closely (as the Deans Council) with The Provost and Vice President for Academic Affairs in formulating and working for objectives that give the college a unique identity and yet serve the university's total academic program. They evaluate the work of the faculty and give written reports regarding retention, promotion and tenure to the Vice President of Academic Affairs and appropriate faculty standing committees. They prepare an annual report on college progress for the year and make recommendations concerning future needs and plans. **Appendix F: Responsibilities of College Deans** outlines specific responsibilities of deans.

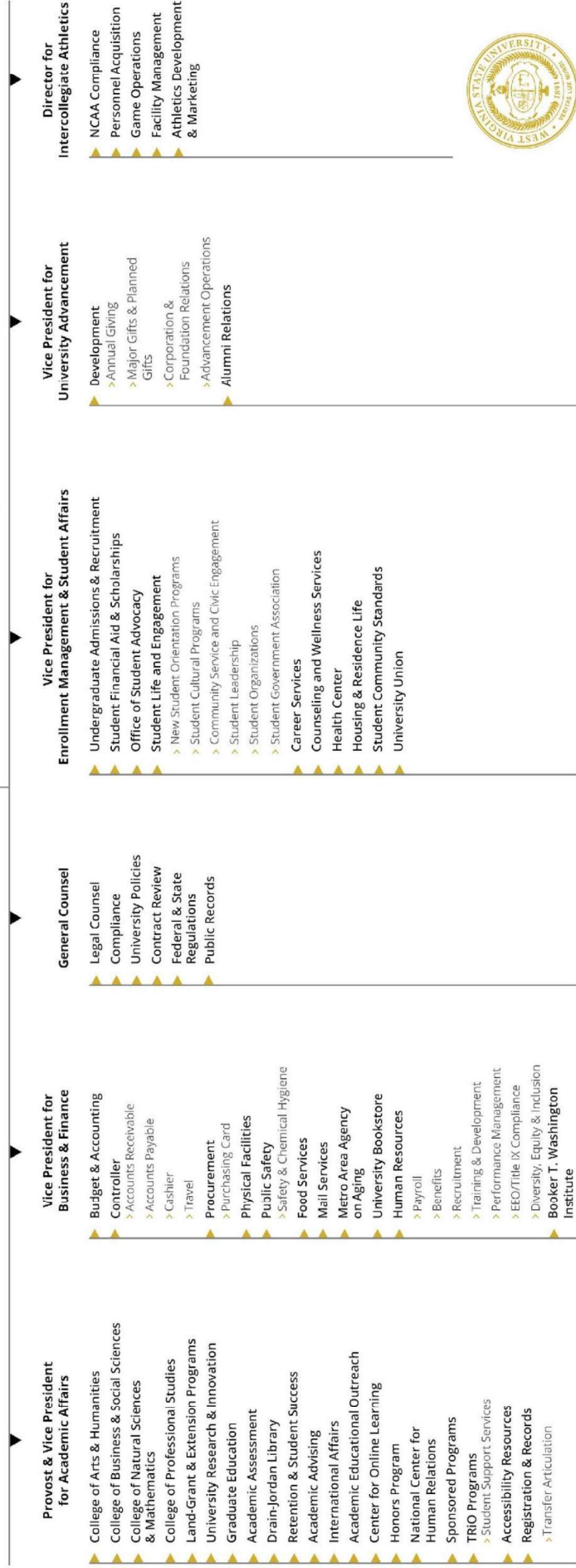
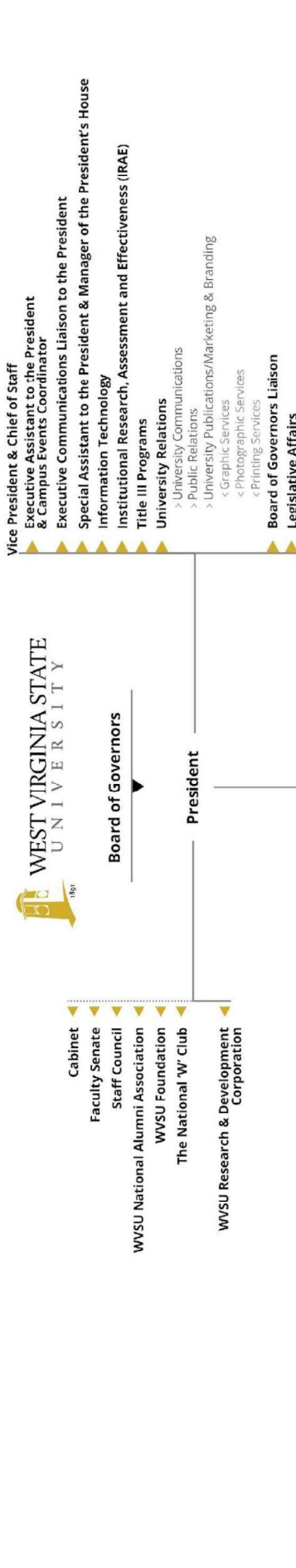
Department Chairs

(Revised August, 2011)

It is the responsibility of department chairs to provide leadership, vision, and coherency in relation to department faculty, programs, and students who major or otherwise take courses in the department. The chair assumes general responsibility for the health, welfare, and morale of the department. The chair is both the administrative officer of the department and the focus of leadership within the department. They evaluate the work of the faculty of their departments (both tenured and non-tenured; full-time, part-time, term and temporary) and give written reports regarding retention, promotion and tenure to their deans, the Vice President of Academic Affairs and appropriate standing committees. They prepare an annual report on departmental progress for the year and make recommendations concerning future needs and plans of their departments. Specific responsibilities of department chairs are outlined in **Appendix G: Responsibilities of Department Chairs**. Deans evaluate department chairs using the evaluation form included in **Appendix H: College Dean's Evaluation of Department Chairs**.

In most cases, departments recommend a department chair to The Provost and Vice President for Academic Affairs through a voting process overseen by the Faculty Senate (see **Appendix I: Policy Governing the Selection of Department Chairpersons**). The Provost appoints department chairs after the departmental faculty makes a recommendation in accordance with the Policy Governing the Selection of Department Chairpersons found within this handbook. Departmental recommendations occur every three years, unless a vacancy occurs during a chairperson's term. The chair's appointments may be renewable; the Provost may appoint a new person. The Department Chair serves at the will and pleasure of the Provost and can be relieved of duties at his/her discretion.

Institutional and Organizational Chart



Administrative Organization Chart
..... Coordination or advisory relationship

Section B. Faculty Governance

(Revised August, 2011)

Faculty Senate

The Faculty Senate is the governing body of the West Virginia State University faculty. It serves in an advisory role, reporting directly to the President of WVSU. The four colleges within the university elect representatives to the Senate as do the Librarians and Counselors and the Gus R. Douglass Institute. Faculty Senate rules, policies, and procedures are described in detail in the Faculty Senate Constitution and Bylaws (see **Nepotism** (August 2017)) for a detailed description of each standing committee. In addition to the Senate standing committees, the University has also established many campus-wide committees with various purposes and functions).

Faculty Senate Committees

(Revised May 2023)

The Faculty Senate has established various standing committees to carry out the functions and responsibilities of the faculty. These committees are:

- **Executive Committee** - Facilitates the business of the Senate by considering various matters, which fall within the jurisdiction of the Senate and referring items to appropriate committees, groups, or persons for actions and recommendations.
- **Educational Policies Committee** - Reviews the university curriculum, approves curriculum changes, and formulates academic policies.
- **Program Review Committee** - Reviews and evaluates the University's academic programs on a regular basis as mandated by the University's Board of Governors.
- **Faculty Personnel Committee** - Monitors and reviews faculty evaluation policies and procedures, oversees Committees on Retention and Promotion and Tenure.
- **Retention Committee** - Makes recommendations to the Provost and Vice President for Academic Affairs on retention on all full-time tenure-track and temporary faculty.
- **Promotion and Tenure Committee** - Makes recommendations to the Provost and Vice President for Academic Affairs on all applications from faculty members applying for promotion and/or tenure.
- **Research and Faculty Development Committee** - Evaluates faculty research proposals and makes recommendations regarding funding, screens research sabbaticals applications and makes recommendations to the Provost and Vice President for Academic Affairs.
- **Library Committee** - Makes recommendations regarding the functioning of the library and library resources to the Director of Library Services.

- **Cultural Activities and Educational Assemblies Committee** - Plans, organizes and develops artist series activities, convocations, guest speaker events, and other educational assemblies.
- **Constitution, Bylaws and Handbook Committee** - Reviews and makes recommendations regarding the Faculty Senate Constitution and Bylaws and the Faculty Handbook.
- **Teacher Education Committee** - Examines and evaluates teacher-training programs, makes recommendations regarding changes in these programs.
- **Academic Appeals Committee** - Hears student grade appeals, cases of academic dishonesty and appeals of academic suspension and makes recommendations to The Provost and Vice President for Academic Affairs.
- **Faculty Grievance Committee** - Serves (at the President's request) as a hearing committee for faculty appealing personnel decisions.
- **Faculty Scholarship Committee** - Oversees the administration and awarding of scholarships from the Faculty Scholarship Fund.
- **General Education Committee** - Oversees the University's general education curriculum.
- **Honors Program Committee** - Oversees the honors program of the University.
- **Instructional and Academic Technology Committee** - Oversees the planning, selection, and administration of instructional and academic technology
- **Faculty Athletic Committee** - Acts as an advisory role to the President and Provost in matters pertaining to intercollegiate athletics.

Graduate Studies Council

(Revised June 2024)

The Graduate Studies Council (GSC) is the organ of faculty governance for graduate programs of study at West Virginia State University. The West Virginia State University GSC consists of elected members of the WVSU Graduate Faculty and *ex officio* members. In addition to its role in shared governance, the GSC serves in an advisory role to the Graduate Program Coordinators, Provost, and College Deans to ensure the integrity of graduate studies. The GSC is an advisory council to the Office of Provost and Vice President of Academic Affairs. All meetings of the Graduate Faculty are presided over by the Chair or his/her designee.

Section C. Faculty Personnel Policies & Procedures

Knowledge/Use of Regulations

Faculty members are expected to be knowledgeable of all regulations and policies governing academic activities at West Virginia State University and to abide by them. These policies and regulations are contained in such documents as this Handbook, the University Catalog and its supplements, the Faculty Development Handbook, and the Institutional Policies and Procedures Manual, on file in the office of each college dean.

Faculty Appointments

(Revised August, 2012)

Full-time faculty appointments are made in accordance with Title 133 Procedural Rule WV HEPC Series 9, which is reproduced in full in **Appendix C: Title 133 Procedural Rule – Academic Freedom, Professional Responsibility, Promotion, and Tenure**. Faculty should read this document carefully and refer to it regarding all personnel matters.

Faculty at West Virginia State University fall into one of the following classifications: tenured, tenure-track, librarian track, term, and non-tenure-track (formerly referred to as “temporary”). These classifications are described in detail in Title 133 Procedural Rule WV HEPC Series 9, Section 3 reproduced in **Appendix C: Title 133 Procedural Rule – Academic Freedom, Professional Responsibility, Promotion, and Tenure** of this handbook.

All persons appointed to the faculty of West Virginia State University are expected to hold, at the minimum, a master's degree from a regionally accredited institution. However, in emergency situations and in the instance of highly talented and experienced persons in certain professional and technical areas, someone without a master's may be considered with appropriate written justification. Honorary degrees and those awarded from non-accredited institutions are not generally recognized for employment purposes.

Tenured and tenure-track faculty will be notified annually of the beginning and ending dates of the academic year. Any faculty with a change in their appointment status will be notified of the change. (For example: promotion, tenure, change in responsibilities, etc.) Non-tenure track and term faculty will be notified annually of their appointment status.

Guidelines for Search/Hiring Faculty

Detailed guidelines for the search and hiring of faculty are included in **Appendix E: Guidelines for Search/Hiring Faculty at West Virginia State University**.

Notice of Appointment

(Revised August, 2012)

When a Notice of Appointment is issued, it contains the following elements:

- Title of the position and the rank;
- Salary;
- Dates corresponding to the months of annual employment;
- The agreement that the newly appointed faculty member will abide by the policies and procedures outlined in the Faculty Handbook;
- The department/program to which the faculty member is assigned.

Faculty Teaching Load

(Revised August, 2017)

While an equal faculty workload is unrealistic and unattainable, it is expected that every department and every faculty member will make a serious effort to bear a reasonable share. A typical undergraduate teaching load is regarded as 12 credit hours each semester and is assigned by the Department Chair. (Term Faculty members will be expected to teach a course load equaling 15 credit hours each semester.) Faculty teaching graduate courses generally have a 9-credit course load. On occasion, some faculty may be asked or volunteer to teach a heavier load in order to handle small classes, independent study projects, or classes by arrangement. Some departments and colleges “bank” overload hours and provide release time for faculty in subsequent semesters. In the arena of online teaching, no faculty may teach more than two WEB 100 or WEB 80 online courses, or a combination thereof, in a given semester without the consent of the Provost and Vice President for Academic Affairs. The remaining two classes on the faculty load may not be more than WEB 50 in delivery method and must meet in person at least once per week. To meet unexpected student demand or when part-time faculty are not available, a faculty member may be asked to teach an overload. Faculty members are normally paid for these overloads. The Provost and Vice President for Academic Affairs must approve these arrangements in advance.

Academic Freedom

(Revised August, 2002) (From Title 133 Procedural Rule, Series 9)

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 instruction, research, extension service, and other professional duties. Activity for pecuniary return that interferes with one’s obligations to the institution should be based upon an understanding, reached before the work is performed, with the university administration. 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 university, they shall be free from institutional censorship or discipline.

The concept of academic freedom is accompanied by an equally important concept of academic responsibility. The faculty member at West Virginia State University is a citizen, a member of a learned profession, and a representative of the University. 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 has the responsibility of contributing to institutional and departmental missions in teaching, research, and service as defined by the University. 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 University.

In addition to meeting the primary responsibilities of addressing the University's mission in teaching, research, and service as defined by the institution, all faculty have an obligation to foster the quality, viability, and necessity of their programs. The financial stability of a program and recruitment of an adequate number of students depend in part on the faculty. The common goal of quality must be nurtured and responsibility for it shared by all. Integrity, objectivity, and service to the purposes and the mission of the University are expected.

Faculty interests and skills change, disciplines evolve, and new professions or fields of study emerge. All faculty members are responsible for remaining current in their disciplines. All are encouraged to explore opportunities for further developing a versatile range of knowledge and skills that are important to the University. Through individual initiative and faculty development programs, faculty members are encouraged to grow in competency in their own disciplines and strengthen their interests in related fields.

As members of an academic community, faculty members also are expected to participate in decisions concerning programs and in program-review processes.

Types of Faculty Appointments and Faculty Evaluation Procedures

(Revised August, 2005)

According to HEPC Series 9, "All faculty shall receive a yearly written evaluation of performance directly related to duties and responsibilities." The following policies and procedures outline the specific evaluation components that are currently in place for WVSU faculty in the various types of faculty appointments. In order to comply with HEPC Series 9, ALL faculty must prepare a self-report so that their supervisors can base their evaluations

on tangible evidence supporting three criteria that are used in faculty evaluations (teaching, scholarly activities, and service) and which are described more fully in this section of the Handbook.

Tenure Track Faculty

A written evaluation of all Tenure Track Faculty members (directly related to responsibilities defined by the institution) is made annually utilizing five components: department chair's evaluation, dean's evaluation, student evaluation, peer evaluation (carried out by faculty standing committees), and self-report. Chairs and deans in gathering data for their evaluations of tenure-track faculty routinely use in-class observations and reviews of instructional materials. Copies of each form used in this five-part evaluation system may be found in Appendices I through M.

Student evaluations are conducted every semester in all classes taught by all faculty, including those who are part-time and non-tenure-track. A sample student evaluation form is included in **Appendix N: Student Evaluation Form**.

Student evaluations are returned to the faculty member via the department chair. Each year, tenure-track faculty (and tenured faculty seeking merit and/or promotion) prepare a personnel portfolio for the evaluation process. This portfolio contains a self-report, copies of student evaluation summary sheets, all previous letters from the Retention and/or Promotion/Tenure Committees, relevant instructional materials (examples of syllabi, exams, etc.) and other appropriate information. Copies of the chair's evaluation, the dean's evaluation, and the portfolio are forwarded to the Faculty Personnel Committee, which forwards the materials to either the Retention Committee or the Promotion/Tenure Committee. After review by the appropriate committee, the materials along with the committee's recommendation are forwarded to The Provost and Vice President for Academic Affairs who makes recommendations to the President on matters pertaining to reappointment, promotion, and tenure. The procedures for merit are included in this section of the handbook.

Library Track Faculty

WVSU's professional librarians are designated as library-track faculty members. Library-track faculty are not eligible for tenure.

Non-Tenure Track Faculty

Non-tenure-track faculty members are faculty who have not been appointed in a tenure-track, clinical-track, librarian-track, term, or tenured status. Their appointment may be full-time or part-time, as determined by the university. Non tenure-track faculty may also include

faculty equivalents or academic professionals, whose primary duties are non-instructional, but who may hold a secondary appointment that is instructional in character. No number of non-tenure-track appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty.

A written evaluation of all non-tenure-track faculty is made annually. The evaluation is completed by the department chair and submitted to The Provost and Vice President for Academic Affairs or the college dean. The evaluation is completed whether or not the faculty member is expected to be employed for the next academic year and, therefore, can be kept on file for future reference. Evaluation material should include a self-report and supporting documents in a portfolio. The portfolio should include the self-report, class observations, reviews of instructional materials, summaries of student evaluations, and any other relevant material as requested by the department chair or dean.

Term Faculty

(Revised August, 2008)

Term Faculty members are faculty who have been appointed as instructional faculty for a specified term as defined by the university. The appointment can be full-time or part-time, as determined by the university. While a full-time term faculty member is eligible to receive reappointment to additional terms, no single term may exceed three years. No number of term appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty. Term faculty are evaluated in the same manner as non-tenure track faculty (see C above).

Tenured Faculty

Tenured faculty also receive a yearly written evaluation of performance directly related to responsibilities as defined by the university. These evaluations utilize procedures which are multidimensional and include criteria such as peer evaluations, student evaluations, and evaluations by immediate supervisors. Chairs and/or deans in gathering data for their evaluations of tenured faculty routinely use in-class observations and reviews of instructional materials. Department chairs are responsible for completing the "Teaching Excellence" section of the Department Chair's Evaluation of Faculty form (Items #1-10). These evaluations are utilized for merit and are sent to deans. Chairs are also encouraged to write narrative evaluations on tenured faculty. Deans are responsible for evaluating department chairs.

Research Faculty Appointments

(Revised November 2018)

Research faculty is faculty who have been appointed as tenured or tenure-track research faculty in an academic department wherein teaching is not their primary area of

responsibility. The process for evaluation of research tenured or tenure-track faculty is the same as that for tenured or tenure-track faculty.

Evaluation Criteria/Procedures for Instructional Faculty

(Revised August, 2003)

There are three general criteria for the evaluation of faculty members:

Teaching Excellence

Teaching excellence is the most important of the three criteria, and excellence in other areas cannot compensate for a deficiency in teaching. An excellent teacher is one whose work is characterized by commitment to subject, to student, and to constant improvement in teaching. The excellent teacher is well organized, has a thorough and demonstrable knowledge of the field and recent developments therein, and is able to communicate knowledge systematically, coherently, and enthusiastically. Such a teacher is actively concerned with the intellectual development of students, challenges their abilities, encourages their questions, welcomes diversity of opinion from them, and is considerate and fair in all dealings with them, seeking always to increase their capacity to think critically and independently. Finally, the excellent teacher welcomes and profits from constructive criticism.

Faculty members are also expected to be accessible to students. This will be evaluated based on adherence to appropriate office hours, participation in advising and/or orientation, involvement in student clubs, and other ways of making oneself available to students.

Students and peers who serve on the retention and/or promotion and tenure committees evaluate teaching. Measurement tools and strategies include observation of classes, examination of syllabi and supplementary materials, scores from student evaluations, and review of faculty self-reports. Excellence will be determined by an overall performance on qualitative and quantitative measures that is above average for West Virginia State University faculty.

Scholarly Activities

Scholarly activities fall into three basic categories: research/creative activities, recognized activity in professional and/or learned societies, and professional growth.

1. **Research/Creative Activities:** Research is broadly defined as the organized, deliberate efforts to collect, analyze, and evaluate information. This may be accomplished through a variety of methods including, but not limited to, the historic method, the survey method, the field study, and the experimental method.

2. Research should result in a tangible product such as a peer-reviewed journal article, book, proceedings abstract, presentation at a professional conference, or some other verifiable contribution to the discipline.
3. Studies in the areas of art, music, theatre, film, etc. may involve research activities as described above. These disciplines are often characterized by creative endeavors such as the composition of a musical score or the production of a film that are considered to be scholarly activities that contribute to the discipline.
4. **Recognized Activity in Professional and/or Learned Societies:** Most academic disciplines are affiliated with one or more professional societies or organizations on a national, regional and/or state level. Activities within these societies that are considered significant include chairing a panel, acting as a respondent on a panel, working as an officer or board member and/or working as a conference or convention organizer.
5. **Professional Growth:** Assessment of professional growth involves a judgment based on concrete experience and evidence. Some indications of professional growth include the following:
 - An appropriate degree and/or continuing study.
 - Participation in conferences.
 - Presentation on a discipline-related topic
 - Other indications of potential for growth, such as development of courses that could lead to further research.

Service to the University and Community

Valued service to the University and community may take many forms:

- Active participation in university governance, especially faculty committees and meetings.
- Helpful and generally supportive relations with faculty colleagues, so as to enhance the results achieved in departments and other academic programs.
- Academic advising of students.
- Recruitment of students.
- Active advising of university honor societies and/or other student organizations.
- Active participation in various programs of university life outside the classroom such as art, music, theatre, recreation, athletics, lectures, convocations, etc.
- Service outside the institution that promotes the University such as contributions to business, industry, government, education, and the health care field, and to the cultural enrichment of the community. Community service activities and memberships not directly related to the faculty member's discipline do not satisfy this standard.

In addition to these examples, faculty are expected to: (a) cooperate and collaborate with colleagues in meeting departmental and university needs; (b) participate with colleagues in decision-making processes within the departments, schools, university committees, and other aspects of faculty governance; and (c) fulfill the faculty responsibilities described in Section E of the Faculty Handbook.

Evaluation Criteria/Procedures for Research Faculty

(Revised November 2018)

All faculty at West Virginia State University are expected to demonstrate excellence in teaching, scholarly activities and service to the University and Community. While scholarly activities comprise research and creative activities, recognized activity in professional and/or learned societies, and professional growth, faculty with research appointments will be expected to devote the designated portion of their time toward research. Faculty with research appointments will be evaluated based on their appointment split as negotiated by the faculty member, department chair, dean, and provost during their appointment or hiring.

Teaching Excellence

While teaching excellence is the most important criterion for the evaluation of faculty with standard appointments, faculty members appointed in full time research positions with partial teaching duties are expected to devote the designated majority of their time and effort toward research. Research faculty may demonstrate excellence in teaching through their activities in the classroom with such measurement tools as observation of classes, examination of syllabi and supplementary materials, scores from student evaluations, and review of faculty self-reports. Excellence will be determined by an overall performance on qualitative and quantitative measures that is above average for West Virginia State University faculty. Research faculty may also demonstrate excellence in teaching by mentoring graduate and undergraduate students with research projects or other scholarly endeavors. Such activities should result in tangible student achievements such as public scholarly presentations, peer-reviewed publications, and graduate theses or projects.

Scholarly Activities

Scholarly activities fall into three basic categories: research/creative activities, recognized activity in professional and/or learned societies, and professional growth.

1. **Research/Creative Activities:** Research is broadly defined as the organized, deliberate efforts to collect, analyze, and evaluate information. This may be accomplished through a variety of methods including, but not limited to, the historic method, the survey method, the field study, and the experimental method.
2. Research faculty may demonstrate excellence in research through their publications in peer reviewed journals, funded grants, patents, crop varieties/ registered pre-

breeding lines, book/ book chapters, proceedings, abstracts, presentations at professional conferences, or some other verifiable contributions to the discipline.

3. **Recognized Activity in Professional and/or Learned Societies:** Most academic disciplines are affiliated with one or more professional societies or organizations on a national, regional and/or state level. Activities within these societies that are considered significant include chairing a panel, acting as a respondent on a panel, working as an officer or board member and/or working as a conference or convention organizer.
4. **Professional Growth:** Assessment of professional growth involves a judgment based on concrete experience and evidence. Some indications of professional growth include the following:
 - An appropriate degree and/or continuing study.
 - Participation in conferences.
 - Presentation on a discipline-related topic
 - Other indications of the potential for growth, such as the development of courses that could lead to further research.

Service to the University and Community

Valued service to the University and community may take many forms:

- Active participation in university governance, especially faculty committees and meetings.
- Helpful and generally supportive relations with faculty colleagues, so as to enhance the results achieved in departments and other academic programs.
- Academic advising of students.
- Recruitment of students.
- Active advising of university honor societies and/or other student organizations.
- Active participation in various programs of university life outside the classroom such as art, music, theater, recreation, athletics, lectures, convocations, etc.
- Service outside the institution that promotes the University such as contributions to business, industry, government, education, and the health care field, and to the cultural enrichment of the community. Community service activities and memberships not directly related to the faculty member's discipline do not satisfy this standard.
- Service to the discipline such as serving as a peer reviewer for a journal or editorial contributions.

In addition to these examples, faculty are expected to: (a) cooperate and collaborate with colleagues in meeting departmental and university needs; (b) participate with colleagues in decision-making processes within the departments, schools, university committees, and

other aspects of faculty governance; and (c) fulfill the faculty responsibilities described in Section E of the Faculty Handbook.

Retention, promotion and tenure promotion Procedures

Retention, promotion and tenure (including third year pre-tenure review) procedures are the same for faculty with research appointments as for faculty with standard appointments including the salary increases.

Retention

(Revised August, 2012) (See also Title 133 Procedural Rule, Series 9, Section 10)

Tenure-track faculty members requesting retention as well as non-tenure track faculty file self-reports and supporting portfolios with their department chairs each year. A calendar indicating dates and deadlines is distributed to all faculty in the fall semester by the Faculty Personnel Committee. The portfolio should include a self-report, summary sheets of student evaluations; in-class observation forms; examples of scholarship and research, and instructional materials. The department chair reviews these materials and submits the portfolio along with a written evaluation and recommendation to the appropriate dean. The faculty member receives a copy of this recommendation.

The dean reviews the portfolios of tenure-track faculty and makes a written recommendation (copied to the faculty member and the department chair) to the Committee on Retention. The Committee may also request more information, observe the faculty member's teaching, interview the candidate and interview other faculty members during its evaluation process. The Committee evaluates the faculty member and notifies the faculty member of its recommendation (with a copy to both the department chair and dean). This recommendation includes the committee's evaluation of the faculty member's strengths and weaknesses and suggestions for improvement. Progress towards tenure is also addressed in the Committee's recommendation. All documents are then forwarded to The Provost and Vice President for Academic Affairs who then makes a retention recommendation to the President for final action.

Non-tenure track faculty also complete self-reports and submit them to their department chairs. Chairs evaluate non-tenure track faculty using the Department Chair's Evaluation of Faculty form and send these forms on to the appropriate dean.

After the decision regarding retention or non-retention for the ensuing year has been made, the tenure-track faculty member shall be sent written notification of the decision by the University president; the faculty member who is not retained shall be notified of the decision by letter postmarked no later than March 1. Notice of non-retention shall be mailed "Certified Mail-Return Receipt Requested." Appeals of non-retention decisions may be made in

accordance to procedures set out in W.Va. Code § 29-6A. This section of the Code is included in **Appendix D: W.Va. Code § 29-6-C Grievance Procedure for State Employees** and is cited in Title 133 Procedural Rule, Series 9, Section 15. The University may also provide alternative procedures to those set out in WV Code §29-6A for the resolution of conflicts.

Third Year Pre-Tenure Review

(Revised August, 2002)

The third year pre-tenure review serves the purpose of informing tenure-track faculty of their performance with regard to tenure requirements; at the same time, it also serves as a basis for a recommendation for retention or non-retention past the fourth year of employment. For faculty recommended for retention, the pre-tenure review provides constructive criticism, if necessary, and guidelines for achieving tenure. The review serves as an occasion for candid and future-oriented assessment of a faculty member's performance.

Procedures:

- By September 15 of each year, candidates for the third-year review are notified and asked to assemble and submit materials by the date specified for such submission on the current Faculty Personnel Committee calendar.
- Submissions should include copies of previous annual reviews and materials required for tenure review as specified in Section C-11 under "Tenure."
- All materials will be reviewed by a Department or College Review Committee comprised of tenured faculty. This Committee shall be appointed by the college dean.
- The third-year review will replace the retention portfolio for that year.
- The Departmental and/or College Review Committee forwards the portfolio together with their written assessment of the materials to the department chair, who then makes a written assessment and provides a copy of this assessment to the faculty member under consideration for the third-year review.
- The portfolio and all written reports are then forwarded to the Dean, who will discuss them with the faculty member and who will also make a written evaluation and recommendation. The candidate is then given an opportunity to add a written response to the report, if she or he wishes to do so.
- All materials are then submitted to the Committee on Retention.

Candidates are informed that a positive third year pre-tenure review does not guarantee promotion and/or tenure. However, this review becomes a part of the faculty member's portfolio and should be submitted with the tenure/promotion materials when the faculty member applies for tenure/promotion.

Promotion

(Revised August, 2011) (See also Title 133 Procedural Rule, Series 9, Section 7)

Promotion is seen as the recognition of achievement of a faculty member at West Virginia State University. Applications for promotion generally will be considered once each academic year. Faculty members requesting promotion initiate the process by filing their application and supporting portfolio with the department chair; a copy of the letter of application is also filed with the dean of their college, the Provost and Vice President for Academic Affairs and the Chair of the Faculty Personnel Committee. In the case of a department chair applying for promotion, the letter of application is filed with the dean of his/her College, the Provost and Vice President for Academic Affairs, and the chair of the Faculty Personnel Committee.

The department chair reviews these materials, and submits the portfolio along with a written recommendation to the dean. The faculty member is to receive a copy of the chair's recommendation at the same time the portfolio is forwarded to the dean. The dean also reviews the portfolio and submits the portfolio along with a written recommendation to the Promotion and Tenure committee. A copy of the dean's written recommendation is sent to the applicant and to the department chair.

In addition to reviewing the applicant's portfolio and letters from the chair and the dean, the Committee may also request more information, observe the faculty member's teaching, interview the candidate and interview other faculty members during its evaluation process.

The Promotion and Tenure committee notifies the faculty member of its recommendation in writing and provides a copy of its recommendation to both the department chair and the dean. The committee then forwards all documents to the Provost and Vice President for Academic Affairs. After consideration, the Provost and Vice President for Academic Affairs then transmits his or her recommendation to the President for final action. A letter outlining the action will be sent to the faculty member from the office of the Provost and Vice President for Academic Affairs.

In the event the person applying for promotion is a dean, the portfolio initially will be sent to the chair of the department of the dean's academic appointment. The portfolio, together with the chair's recommendation, will then be sent to the academic Deans' Council (excluding the applicant) to serve as the second level of review. The Deans' Council's recommendation together with the portfolio will be sent to the Provost and Vice President for Academic Affairs for consideration for promotion.

The applicant's portfolio should include evidence of the required number of years of service and should not be limited to the self-report. It should include summary sheets of student

evaluations, in-class observation reports, examples of scholarship, research, and a review of instructional materials as well as examples of instructional materials. A strong portfolio for promotion at any rank shall contain demonstrated evidence of “excellent” teaching in a full-time appointment, as demonstrated by evaluations from the college dean, department chair, peers (e.g., prior review from retention, promotion and tenure committees, third-year pre-tenure review), students, and continuing achievement in scholarly activities and service to the University and/or the community. All areas must be addressed and performed in adherence to professional standards of conduct. See Evaluation Criteria/Procedures, Section 8 for more detail.

Promotion to Assistant Professor

For promotion to Assistant Professor, the candidate must meet the following additional criteria: a minimum of 24 semester hours or 36 quarter hours beyond the master’s degree. These must be in the field appropriate to the faculty member’s teaching assignment. The applicant must have evidence of at least three years of “excellent” teaching in a full time appointment as demonstrated by evaluations from the college dean, department chair, peers (e.g., prior reviews from retention, promotion and tenure committees, third year pre-tenure review), and students.

Promotion to Associate Professor for Instructional Faculty

For promotion to Associate Professor, the candidate must meet the following criteria: terminal degree in a field appropriate to the faculty member’s appointment plus a minimum of five years of teaching in a full-time appointment in higher education, three of which must be “excellent” teaching experience at West Virginia State University. To be promoted a candidate must additionally have three years of excellent rating in either service or distinguished scholarship and three years or satisfactory rating in the remaining category. All of these rating should be while the candidate was at the rank of Assistant professor.

Or

48 hours past the master’s degree in a field appropriate to the faculty member’s appointment or completion of all course work except research required in a terminal degree program in a field appropriate to the faculty member’s appointment, adherence to professional standards of conduct, accessibility to students, plus five years of teaching in a full-time appointment in higher education, three of which must be “excellent” teaching experience at West Virginia State University. To be promoted a candidate must additional have three years of excellent rating in either service or distinguished scholarship and three years or satisfactory rating in the remaining category. All of these rating should be while the candidate was at the rank of Assistant professor.

Promotion to Associate Professor for Research Faculty

For promotion to Associate Professor, the candidate must meet the following criteria: terminal degree in a field appropriate to the faculty member's appointment plus a minimum of five years of Research in a full-time appointment in higher education, three of which must be "excellent" rating in research experience at West Virginia State University. To be promoted a candidate must additionally have three years of excellent rating in either service or teaching and three years of satisfactory rating in the remaining category. All of these rating should be while the candidate was at the rank of Assistant professor.

Or

48 hours past the master's degree in a field appropriate to the faculty member's appointment or completion of all course work except research required in a terminal degree program in a field appropriate to the faculty member's appointment, adherence to professional standards of conduct, accessibility to students, plus five years of teaching in a full-time appointment in higher education, three of which must be "excellent" teaching experience at West Virginia State University. To be promoted a candidate must additionally have three years of excellent rating in either service or teaching and three years of satisfactory rating in the remaining category. All of these rating should be while the candidate was at the rank of Assistant professor.

Promotion to Professor for Instructional Faculty

For promotion to Professor, the candidate must have met the following additional criteria: terminal degree in a field appropriate to the faculty member's appointment, plus five years of teaching in a full-time appointment at the rank of Associate Professor, three of which must be "excellent" teaching experience at West Virginia State University. To be promoted a candidate must additionally have three years of excellent rating in either service or distinguished scholarship and three years or satisfactory rating in the remaining category. All of these rating should be while the candidate was at the rank of Associate professor.

Promotion to Professor for Research Faculty

For promotion to Professor, the candidate must have met the following additional criteria: terminal degree in a field appropriate to the faculty member's appointment, plus five years of teaching in a full-time appointment at the rank of Associate Professor, three of which must be "excellent" teaching experience at West Virginia State University. To be promoted a candidate must additionally have three years of excellent rating in either service or teaching and three years of satisfactory rating in the remaining category. All of these rating should be while the candidate was at the rank of Associate professor.

Appeals of promotion decisions may be made in accordance to procedures set out in WV Code § 18-29. This section of the code is included in **Appendix D: W.Va. Code § 29-6-C**

Grievance Procedure for State Employees in this handbook and is summarized in Title 133 Procedural Rule, Series 9, Section 15. The University may also provide alternative procedures to those set out in WV Code § 29-6A for the resolution of conflicts.

Note: *If the candidate applies for promotion and retention at the same time, portfolios should be prepared for the Promotion and Tenure Committee and for the Retention Committee.*

Tenure

(Revised August, 2006)

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. In making tenure decisions, careful consideration is given to the tenure profile of the University, projected enrollment patterns, staffing needs of the institution, current and projected mission of each department/college, specific academic competence of the faculty member, and preservation of opportunities for infusion of new talent. West Virginia State University, while not maintaining tenure quotas, is mindful of the dangers of losing internal flexibility and institutional accountability because of an overly tenured faculty. Tenure is not granted automatically, or for years of service, but as a result from action of the President of the University following consultation with appropriate academic units.

Tenure may be achieved in two ways: (1) it may be granted by the President at the time that the initial appointment is made; or (2) it may be achieved after a faculty member has taught 1-6 years in a tenure track position at the University and is recommended for tenure by the appropriate bodies. The recommendations are made to The Provost and Vice President for Academic Affairs who, in turn, makes recommendations to the President. Early tenure recommendations (i.e., before the sixth year of tenure track service) are rare and made only in extraordinary circumstances. A consideration of early tenure is stipulated in writing at the time of the initial appointment to the faculty.

Full-time faculty members appointed on other than non-tenure-track (temporary), term, or tenured basis are considered tenure-track. Tenure-track status shall not exceed seven years. Before completing the sixth year of a tenure-track appointment, non-tenured faculty members are given written notice of tenure, or offered a one-year written terminal contract of employment. Decisions regarding the granting of tenure are normally made in May of each year. Faculty appointed at times other than the beginning of the academic year may elect to

have those periods of appointment greater than half an academic year, considered as full year for tenure purposes only. Tenure-track appointments for one half an academic year or less may not be considered time in tenure-track status.

Faculty members wishing to apply for tenure initiate the process by filing their applications and supporting portfolios with the department chair. A copy of the cover letter is sent to the college dean, the Chair of the Faculty Personnel Committee and The Provost and Vice President for Academic Affairs.

A strong portfolio for tenure shall contain demonstrated evidence that tenure is based upon teaching excellence; accessibility to students; adherence to professional standards of conduct; experience in higher education and at the institution; possession of the earned doctorate or the highest earned degree appropriate to the teaching field (granted by a regionally accredited institution) or special competence that is deemed to be equivalent to such academic credentials; and continuing achievement in scholarly activities and service to the university and community. The portfolio should include evidence of the required number of years of service and should not be limited to the self-report. It should speak to activities during the entire probationary period rather than the one-year prior to the application for tenure. See Evaluation Criteria/Procedures for more detail.

The department chair reviews these materials, and submits the portfolio along with a written recommendation to the dean. The faculty member is to receive a copy of the chair's recommendation at the same time the portfolio is forwarded to the dean. The dean also reviews the portfolio and makes a written recommendation (copy to the faculty member and department chair) to the committee on Promotion and Tenure. The committee may also request more information, observe the faculty member's teaching, interview the candidate and interview other faculty members during its evaluation process. The committee notifies the faculty member of its recommendation (with a copy to both the department chair and dean) and forwards all documents to the Provost and Vice President for Academic Affairs who then transmits a recommendation to the President for final action.

Appeals of tenure decisions may be made in accordance to procedures set out in W.Va. Code § 18-29. This section of the Code is included in **Appendix D: W.Va. Code § 29-6-C Grievance Procedure for State Employees** in this Handbook and is summarized in Title 133 Procedural Rule, Series 9, Section 15. The University may also provide alternative procedures to those set out in WV Code §29-6A for the resolution of conflicts.

Merit

(Revised August, 2014)

In 2001, the West Virginia State University Board of Governors adopted a salary policy, effective October 1, 2001, in compliance with that recommended by the Chancellor to the Higher Education Policy Commission. With regard to faculty, that policy reads:

- A. Faculty shall be compensated based on the salary goals established in the campus compact. A pool of funds equaling a percentage of the base salaries of full-time faculty, in addition to funds for promotion, will be created to determine the amount of increase faculty receive.
- B. Salary increases may be based on a combination of merit, market, and equity until the salary goal has been achieved for any particular year.
- C. Once the goal has been achieved, but not later than FY 2005, all or a substantial part of faculty salary increases shall be based on merit. This standard is in compliance with the Higher Education Policy Commission Salary Guidelines approved on June 29, 2001 and distributed by the Chancellor in a July 6, 2001 memorandum.

In response to this policy, the Faculty Senate and the Academic Affairs Office developed a plan for the distribution of merit salary increases and the faculty of each academic college developed the definition of meritorious performance. We currently use the tool approved by the Faculty Senate to evaluate merit.

Note: *Merit is not automatic; faculty must apply for merit by submitting self-reports.*

Sabbatical Leave

(Revised August, 2005)

Tenured faculty members who are completing their sixth year of full-time employment at West Virginia State University are eligible to apply for a sabbatical leave. The granting of such leave is contingent upon the availability of funds, the instructional needs of the university, and the plan of study that the faculty member advances.

The privilege of a sabbatical carries with it the obligation to return for a full year of service upon completion of the leave. Sabbatical leaves may be granted for three major purposes:

- A. Study toward a doctoral degree;
- B. Study that will provide one with academic preparation in a new area seen as important to the present and future needs of the institution;
- C. Project oriented non-degree activities embracing study and/or research, preferably on a post-doctoral level and preferably in one's field.

Of these three purposes, "A" and "B" will be given priority consideration. These requests must be endorsed by department chairs and deans and forwarded to the Provost and Vice President for Academic Affairs by March 1. Requests for project-oriented sabbatical leaves must be endorsed by deans and department chairs and sent to the Research Committee of the Faculty Senate (with a copy to the Provost and Vice President for Academic Affairs) for their review by February 15. The Committee will forward a ranked list to the Provost and Vice President for Academic Affairs for further consideration.

The Provost and Vice President for Academic Affairs must receive all requests for sabbatical leave by March 1 of the year before the beginning of the academic year for which the leave is requested. The Provost and Vice President for Academic Affairs will review all requests for sabbatical leaves and makes a recommendation to the President.

The University reserves the right to deny a request for a sabbatical leave if it does not seem to be in the best interest of the institution.

Faculty members who are granted a sabbatical leave receive one-half of their annual salary for two semesters or, in special circumstances, full salary for one semester.

Before the expiration of a sabbatical, the person on leave must file a letter requesting a continuance without pay or indicating the intent to return to faculty duties at the time specified in the sabbatical request. The letter must be filed in accordance with the following schedule:

- Continuance-by March 15
- Return from a one-semester sabbatical taken during the second semester of an academic year-by March 15
- Return from a one-semester sabbatical taken during the first semester of an academic year-by November 15

A request for continuance will not be automatically granted, but will be evaluated in accordance with institutional need and the reason that the request is being made. For more detailed information on sabbaticals, consult the West Virginia State University Board of Governor's Policy on Faculty Sabbaticals, which is included in **Appendix U: BOG Policy # 31 - Sabbatical Leave Policy**.

Leave Without Pay

Leave without pay may be granted by the President for a specified period of time for reasons of illness, study, or pursuit of other professional growth opportunities. See Institutional Policy B-6-3.1 in **Appendix O: Institutional Policy # B-6-3-1 (Leave without Pay)**.

Leave for Consulting/Technical Assistance

Faculty members at West Virginia State University are generally allowed two days per month subject to the approval of the immediate supervisor. All full time faculty are required to complete the “Outside Services Review Form” annually and return to the **Academic Affairs Office**. This form is reproduced in **Appendix P: Outside Services Review Form**.

This review is conducted in October of each year and covers formal employment relationships, self-employment, and consultant agreements. If changes in outside employment occur at any time during the academic year subsequent to the completion of the form, faculty members are asked to inform the Academic Affairs Office by letter.

Faculty members may request leave to serve as consultants in their respective areas of expertise, or to participate as members of accrediting teams for educational and professional organizations, social agencies, and designated populations. All requests for such leave shall be limited to not more than two days, subject to the endorsement of deans and department chairs and the approval of The Provost and Vice President for Academic Affairs. Approval for more than the stipulated two days must come from the President. See Institutional Policy # B-6-6.0 in **Appendix Q: Institutional Policy # B-6-6-0 (Outside Consulting)**.

Administrative Absence

Professional or administrative absence may be granted to faculty for the purpose of attending conferences, seminars, or for the purpose of attending workshops related to their work assignment. See Institutional Policy # B-6-3.1 in **Appendix O: Institutional Policy # B-6-31 (Leave without Pay)**.

Dismissal

(Revised August, 2002)

Dismissal of a faculty member can only occur within the regulations established by Title 133 Procedural Rule, Series 9 of the West Virginia Higher Education Policy Commission, reprinted in **Appendix C: Title 133 Procedural Rule – Academic Freedom, Professional Responsibility, Promotion, and Tenure**.

Retirement/Resignation

There is no mandated retirement age for West Virginia State University faculty. Faculty planning to resign their appointments or retire must give written notice at the earliest opportunity in order to permit the institution adequate time to select replacements. Professional courtesy dictates that notification of resignation or retirement be given by March 1 of each academic year.

Faculty Post Retirement Employment Plan (F-PREP)

(Revised May, 2023)

The retirement of quality tenured faculty represents a significant knowledge loss to the academic environment of a University or university. This F-PREP is intended to mitigate the abrupt loss of these learned and experienced teachers. The plan also preserves financial resources since a retiring professor's last contract would likely pay for both his/her F-PREP contract plus a major portion of the contract of a newly hired full-time faculty member.

This program establishes a uniform post retirement employment plan which encourages eligible full-time tenured faculty to contract part-time faculty duties with West Virginia State University following retirement. The plan contemplates actual retirement and annual reemployment of participating faculty on a part-time basis (six hours of teaching per semester) for a limited period (up to three years). The program is completely voluntary and is available when agreed to and entered into by a mutual written agreement between an eligible faculty member and West Virginia State University.

Eligibility (F-PREP)

A full-time member of the faculty is eligible to apply for participation in an F-PREP contract upon retirement from the University under the following conditions:

- Must be a full-time member of the WVSU faculty and tenured.
- Completed a minimum of ten (10) years of service at West Virginia State University.
- Attained at least the rank of Associate Professor at WVSU.
- Have an academic recommendation from the Department Chair and the Vice President for Academic Affairs.
- Retired from West Virginia State University at least six weeks prior to the start of an academic year.

Tenured faculty employed in full-time administrative positions are also eligible to apply for FPREP contracts upon retirement from the University but only to resume part-time instructional duties in their area(s) of expertise or to assume an equivalent special assignment or project designated by the President.

Selection

The awarding of an F-PREP contract is not automatic but shall depend on conditions prevailing in the University at the time. F-PREP contracts shall only be issued at the discretion of and upon final approval of the President. Conditions such as financial exigencies, lack of need, and program changes may result in non-approval of initial requests or non-renewal of existing FPREP contracts. At the end of an approved F-PREP annual contract, the employee will have no vested employment rights with the University. At the end of any semester, an F-PREP employee may opt to terminate his or her employment with

the University without penalty. F-PREP employees may not accept assignments greater than six hours of teaching per semester (or twelve hours over two semesters) or the equivalent special assignment or project.

The President of the University may extend the three-year period of eligibility for up to six years but only in the circumstance that suitable full-time faculty cannot be found for the affected assignment.

Compensation and Benefits

The plan contemplates the annual reemployment of participating retired faculty on a part-time basis of six hours equivalent per semester for a limited period of three years. Annual reemployment will depend upon University academic needs and budget availability. Annual FPREP compensation for two semesters, six hours of teaching each semester or a total of twelve hours over two semesters, would be \$30,000.00 annually. F-PREP faculty will be paid at the same time intervals as regular full-time faculty employees.

The University will not provide any employment benefits in addition to the contract salary except for the payment of required employer social security and workman's compensation costs.

There is no provision for raises, merit pay, cost of living, or any other modification of salary during the three years of potential F-PREP contracts for a retired employee.

Obligations of the F-PREP Faculty Member

A retired faculty member who accepts an F-PREP contract agrees to professionally perform the faculty responsibilities of teaching face-to-face courses, maintaining office hours on campus (at least five hours per week), grade reporting, and mentoring within the academic discipline or perform other special assignments or projects designated by the President. Requests to teach courses online require approval of the Vice President for Academic Affairs. F-PREP faculty will serve under the direction of the appropriate Dean, Department Chair, or President and will be subject to professional employment expectations outlined by the University and the WV Higher Education Policy Commission.

Obligations of the University

West Virginia State University will provide the F-PREP faculty with office and support services commensurate with the F-PREP assignment.

Leaving West Virginia State University

Before leaving campus, faculty must meet certain responsibilities:

1. Deliver a letter of resignation, retirement, etc. to the President through the Vice President for Academic Affairs.
2. Receive a “check-out sheet” from the Office of Human Resources for signatures.
3. Submit the following to the Department Chair:
 - a. Class records (grade books) (copy of electronic grade book)
 - b. Course outlines
 - c. Desk copies of textbooks belonging to the Department
 - d. Advisee folders and records
 - e. Instructions about any “I” grades pending
 - f. Keys to offices, buildings, files, etc.
 - g. Computer equipment and software
 - h. Any other materials belonging to the Department
4. Submit all web course materials to the Center for Online Learning. Courses are the property of West Virginia State University
5. Submit all grades to the Registrar
6. Return all books, materials, etc. to the University Library/Instructional Technology Center
7. Complete necessary forms at the Payroll Office
8. Make arrangements concerning your e-mail account

As an assurance of the fulfillment of these responsibilities, the last salary check will be held until the completion of these duties.

Appeals/Grievances

(Revised August, 2004)

Higher Education employees now fall under the Education and State Employees Grievance Board, WV Code § 29-6A1 et seq. These procedures are summarized and reprinted in **Appendix D: W.Va. Code § 29-6-C Grievance Procedure for State Employees**. The University may also provide alternative procedures to those set out in WV Code §29-6A for the resolution of conflicts.

Emeritus Faculty

(Revised May, 2023)

Emeritus status for retired faculty is an honorary designation given to those individuals whose contributions to West Virginia State University were meritorious and exceeded the requirements of job description and employment. Because of their significant contributions, faculty emeriti are entitled to privileges reserved primarily for those who earn this honored designation. The University’s policy on emeritus faculty is included in **Appendix HH: Policy for Emeritus Status for Retired Faculty and Administrators**.

Section D. Faculty Benefits and Retirement

Salary Payments

(Revised May 2023)

The University issues paychecks bi-weekly, each month. Faculty members are paid in 26 installments, over 12 months. Faculty members may also elect the direct deposit option in order to have their paychecks deposited directly in their bank accounts by the West Virginia State Auditor's Office.

Before the initial payroll can be processed for a new faculty member, he/she must submit signed W-4 and IT-104 forms to the Payroll Office.

Mandatory Payroll Deductions

Mandatory payroll deductions at West Virginia State University include the following:

- Federal Income Tax Withholding
- State Income Tax Withholding
- Social Security or Federal Insurance Contributions Act (FICA)
- Retirement

Optional Payroll Deductions

(Revised August, 2011)

Optional payroll deductions at West Virginia State University include the following:

- WV Public Employees Credit Union
- Medical, Life & Accidental Death and Dismemberment Coverage administered through the WV Public Employees Insurance Agency (PEIA).
- Various Supplemental Insurance deductions
- The West Virginia State University Foundation
- Mountaineer Flexible Benefits - Dental, Vision, Disability, Flexible Spending Account (i.e., medical expenses/dependent day care expenses)
- The Payroll Office will provide information regarding forms and procedures. If a faculty member is in a "no pay" status for any period, no automatic deductions can be made. Special arrangements must be made to continue health insurance, etc.

Annual Increment Pay

(Revised May 2023)

Faculty members are provided increment pay (payable on July of each year) based upon years of service. The current rate is \$60 for each year of service; however, payments do not commence for new hires until three years of service have been accumulated as of June 30. This benefit and the amount are subject to change by action of the West Virginia Legislature.

Insurance

(Revised May 2023)

You should always direct any questions you may have regarding insurance terms and coverage to the West Virginia State University Human Resources Office.

Hospitalization, Health, Accident Insurance

(Revised May 2023)

All full-time faculty members at West Virginia State University may participate in the Public Employee Insurance Association (PEIA) or The Health Plan (Health Management Organizations known as (HMO's). These plans all include hospitalization and major medical insurance with optional family coverage. Premiums are based on salary and the plan selected. Faculty may pay additional premiums for dependents he/she elects to cover under the plan. Other benefits available include optional dental and vision insurance and tax-free medical spending and dependent care accounts. The Human Resources Office has complete information regarding plan coverage, deductibles, etc.

Terminating Employee Health Insurance Privileges/COBRA

(Revised May 2023)

Pursuant to PEIA's coverage, a policyholder who resigns from employment will continue their health insurance privileges until the end of the month of resignation. If the employee is terminated from employment involuntarily or through reduction of work-force they may continue coverage for three additional months after the end of the month in which employment ends. The employer must continue to pay the employer's share of the premium during these three months.

If an employee is discharged for misconduct and chooses to contest the charge, he or she may extend coverage for up to three months while available administrative remedies are pursued. If the discharge is upheld, the former employee must reimburse the employer's share of the premium cost for the extended coverage for the former employee.

Federal law adopted the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). COBRA mandates employers to offer continuation of group health insurance to employees and dependents who are scheduled to lose coverage for up to 18 months. Health coverage may continue under COBRA, but the separated employee will be responsible for the entire premium. In the case of employee terminations, the law requires the employer to notify the plan administrator within 30 days after the employee's termination of employment.

Life Insurance Program

(Revised May 2023)

Faculty members who enroll are covered by a basic life insurance plan at no cost. The amount of coverage is \$10,000. Additional term life insurance is available for faculty members and

their dependents at low premiums. Contact the Human Resources Office for further information.

Long-Term Disability Insurance

(Revised May 2023)

Faculty members are eligible for long-term disability the first day of the month after the date of hire. After six months of disability, faculty members receive 60 percent of their salary minus social security benefits. Faculty wishing to apply for long-term disability insurance should do so during their first month of employment through the Human Resources Office.

Sick and Annual Leave

(Revised May 2023)

Faculty members on nine-month appointments do not accumulate sick or annual leave. Faculty members on 12-month appointments accumulate annual leave at the rate of two days per month and sick leave at the rate of 1.5 days per month.

Those 12-month faculty wishing to take sick or annual leave must submit a request for leave using the online leave management system for approval by the Provost and Vice President for Academic Affairs or his/her designee. Twelve-month faculty may only take annual leave during periods when the University is not in session.

Retirement Program

(Revised May 2023)

West Virginia State University participates with Teachers Insurance and Annuity Association (TIAA/CREF). The agreement specifies that West Virginia State University will contribute an amount equal to six percent of the faculty member's regular salary to the retirement program. Participation is mandatory. The contribution is fully vested in the name of the person and deposited bi-weekly. Some continuing employees may belong to the West Virginia State Teacher Retirement System (STRS). Retirement benefits are based on years of service and salary average. Under STRS, employees contribute 6 percent of their salary. The University's contribution is 15 percent effective FY 2000.

Unemployment

(Revised May 2023)

West Virginia State University participates in the West Virginia Unemployment Compensation Program. Eligibility for benefits is determined by the Employment Security Commission.

Workers' Compensation

(Revised May 2023)

Encova protects against financial loss resulting from on-the-job injuries and illnesses incurred while working, except those resulting from mischief, drunkenness, drug use, or other forms of misconduct. Encova pays claims involving medical, hospital and related bills; disability; loss of body parts, such as arm or leg; death; and dependent benefits. West Virginia State University pays into Encova on a monthly basis for each employee. A copy of the Encova claim form is available at the Human Resources Office.

Reporting of Accidents and Physical Injuries

(Revised May 2023)

Any faculty member who is injured on the campus of West Virginia State University in the performance of any work-related duties must report the incident to his/her supervisor immediately and to the Human Resources Office within 24 hours of the incident, using the WVSU Personal Accident/Injury Form. A sample form is included in this handbook in **Appendix X: WVSU Personal Accident/Injury Report Form**. The report must be completed whether or not the employee is seeking medical treatment. Faculty who witness accidents or injuries should call Human Resources at 304-766-3152 or Public Safety 304-766-3353. Call 911 for serious emergencies.

Any employee injured on the job and in need of medical attention should first check with the treatment provider to ensure that worker's compensation insurance is accepted in order to ensure prompt processing of the claim. If any employee receives treatment from a provider that does not participate in workers' compensation insurance the employee is expected to pay for services rendered.

Drug-Free Workplace

West Virginia State University is required by the Drug-Free Workplace Act of 1988 to notify all employees that the unlawful manufacture, sale, distribution, possession or use of a controlled substance in or on any premises or property owned or controlled by the University is prohibited. A controlled substance is any substance so defined by federal or state statute or regulations.

Any toleration of the unlawful use of drugs by students, faculty or staff is inconsistent with the University's mission. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on campus is strictly prohibited and will subject the violator to the strictest penalties available under the disciplinary policies of the University.

Section E. Faculty Responsibilities/Policies

Course Syllabi

(Revised May 2023)

Every faculty member is required to develop a syllabus for each course taught. These syllabi should be placed on file in the departmental office and given to each student in class within the first week of the semester. Among the items to be included in the syllabus are:

- Course title, department, number, and section of the course;
- Name, email address, office hours, department/office phone number;
- Faculty teaching online courses should specify hours when they will be available online for virtual student meetings and discussions;
- Title, author and publication information of textbook;
- List of collateral readings or other materials to be used in the class;
- Course description;
- Course objectives;
- Student outcomes;
- Attendance policy;
- Course requirements (e.g., papers, exams, quizzes, field trips, etc.);
- Tentative course outline with assignments;
- Class policies and procedures, including grading methods, attendance/tardiness policy, (including percentage weight of various components of class work), examinations (method of grading and frequency), make-up policy (for assignments, exams, etc.), policy on plagiarism, etc.;
- Date and time of final examination.

In online courses, syllabi should include everything listed above as well as the following:

- specific guidance for students regarding class communication including preferred method of contact as well as instructor's response times for emails and assignment feedback;
- explanation of where to find links to disability services for online students, library services, and netiquette guidelines;
- specific minimum technology requirements for the specific course;
- clear explanation of where students should access course content in the learning management system as well as assignments; and
- clear statement of prerequisite knowledge required in terms of skills and course work.

Additionally, course syllabi should conform to the requirements mandated by appropriate accrediting agencies.

Course Subject Matter

(Revised August, 2001)

The subject matter taught should be in accordance with the catalog description and syllabus, which has been approved through the University's formal academic approval process.

Textbooks/Supplementary Readings

Most courses will require a textbook. Those faculty members who do not require textbooks in their classes are expected to develop thorough plans which detail how the educational goals and objectives of the class will be achieved and what experiences will be utilized in lieu of textbooks. These plans will be filed with the department chair and attached to the syllabus. Further details on the use and ordering of textbooks can be found in **Appendix R: Textbook Policy** of this handbook.

Class Meetings

A faculty member is expected to meet the regularly scheduled classes as indicated in the course schedule and to hold these classes for the time noted.

Absence from Class or from Assigned Responsibilities

*(Revised August, 2004) (See also **Appendix S: Faculty Absence from Classes.**)*

Faculty members who for any reason must be away from class or from their assigned responsibilities must notify their department chairs. If possible, this notification should be well in advance in order that instruction can be uninterrupted. Faculty absence forms included in **Appendix S: Faculty Absence from Classes** and available in all department offices must be filed with department chairs when an absence occurs.

Note: *Department chairs must approve requests for absences and arrangements for the coverage of missed classes or assigned responsibilities in advance.*

In the event of temporary absence or short-term illness, colleagues often cover classes. If the illness or absence is extended, more permanent arrangements must be made.

Inclement Weather

(Revised May 2023)

West Virginia State University rarely closes because of inclement weather. When it does close, a notification will be place announced indicating closure. Announcements will also be made on local radio and television stations, or you may call (304)766-3000 for detailed operational hours. Unless the University is officially closed, faculty members are expected to hold classes as scheduled. For more information on the University's inclement weather policy, see **Appendix V: Inclement Weather Policy**.

Office Hours

(Revised May 2023)

Full-time faculty members are expected to maintain five office hours per week, distributed to include convenient times for consultation with both day and evening students. The schedule of office hours should be posted on the doors of faculty offices and filed with department chairs. Faculty members teaching online courses (i.e., Web100 or Web80) are expected to list specific times they will be available for online chats or discussion forums with students. Faculty members who teach online should also provide one hour each week for online office hours through Google Classroom (or equivalent online venues) and this hour should be posted within the online course. Online office hours can be held in tandem with regular office hours if the instructor spends the designated hour in his/her campus office.

Field Trips

Faculty who wish to incorporate field trips in courses are expected to indicate on the course syllabus the date and purpose of each trip and how it is related to the course objectives. Detailed written information regarding any planned field trip must also be provided to the student and to the department chair and dean at least two weeks prior to the date of the trip. The plan must include the destination, date and time of departure, mode of transportation, trip itinerary, room and board accommodations, costs, and the date and time of the return. A list of the students participating must be filed in the office of The Provost and Vice President for Academic Affairs (see **Appendix T: Field Trip Clearance.**)

Grade Reports and Proof of Attendance

(Revised May 2023)

Attendance must be reported for every student, on every roster, for every course reference number. Class types, such as in-person, online, self-study, and internships, will all be reported following the same schedule. Additionally, attendance must be reported for undergraduate, graduate, post-graduate, early enrollment, collaborative, transient and non-degree seeking students.

Attendance and grade information is provided to the Office of Retention and Student Success and the Office of Financial Aid for regulatory and retention purposes.

At four intervals during the semester, faculty submit student attendance and/or advisory grades using MyState. Attendance must be verified for every enrolled student, including but not limited to in person, online, undergraduate, graduate, cooperative, internships, and early enrollment.

Faculty enter grades and attendance as follows:

FIRST WEEK REPORTING FULL TERM AND 1ST 8 WEEK COURSES:

On or before the deadline published in the Academic Calendar, faculty enter the date each student last attended class. For online courses, this is represented by date of last participation. If a student never attended or participated in class, faculty enter a grade of “Q” and leave the date field blank. No grades are entered during this reporting.

IN MYSTATE:

Select “Mid-Term Grades”. Enter the date each student last attended/participated in your class in the MM/DD/YYYY format and leave the grade field blank. If a student never attended your class, enter a grade of Q and leave the date field blank. Disregard the “Last Attend Date” column.

**POA1-Did the student establish attendance or participation? Yes: Provide Last Date of Attendance/Participation/Contact. No: Q

FOUR WEEK REPORTING FULL TERM/MID-TERM 1ST 8 WEEK COURSES:

On or before the deadline published in the Academic Calendar, faculty enter the last date attended for each student. For online courses, this is represented by date of last participation. In addition, faculty must report the appropriate grade for each student. For students who never attended or participated in class, faculty enter a grade of “Q” and leave the date blank.

IN MYSTATE:

Select “Mid-Term Grades”. Enter the appropriate grade for each student. If a student never attended your class, enter a grade of Q and leave the date field blank. For all other students, the actual last date of attendance should be reported in the “Last Attend Date” column.

**POA2- Did the student establish attendance or participation? Yes: Provide Last Date of Attendance/Participation/Contact and enter grade A-F. No: Q

MID-TERM REPORTING FULL TERM/FINAL GRADES FOR 1ST 8 WEEK COURSES/FIRST WEEK REPORTING FOR 2ND 8 WEEK COURSES:

The midterm grading deadline is published in the academic calendar. During this reporting, faculty enter the last date attended for each student. For online courses, this is represented by date of last participation. In addition, faculty must enter the appropriate grade for each student.

IN MYSTATE:

Select "Mid-Term Grades". Enter the appropriate grade for each student. Enter the date each student last attended your class in the MM/DD/YYYY format. If a student never attended, enter a grade of Q and leave the date field blank. Disregard the "Last Attend Date" column.

**POA3 Full Term- Did the student establish attendance or participation? Yes: Provide Last Date of Attendance/Participation/Contact and enter grade A-F. No: Q

**POA3 Final Grades-Enter the appropriate final grade for each student. If a student receives a "F," enter the date the student last attended or participated in class. No date later than the last day of class for the corresponding part-of-term, excluding finals week, should be entered.

**POA3 Second 8 Weeks First Reporting- Did the student establish attendance or participation? Yes: Provide Last Date of Attendance/Participation/Contact. No: Q

FINAL GRADES REPORTING FULL TERM AND 2ND 8 WEEK COURSES:

The final grading deadline is published in the academic calendar. During this final reporting, faculty enter the appropriate final grade for each student. If a student receives a "F," faculty enter the date the student last attended or participated in class. No date later than the last day of class for the corresponding part-of-term, excluding finals week, should be entered. A final grade of "Q" should ONLY be used for 2ND 8 week courses for students who never attended.

IN MYSTATE:

Select "Final Grades". Enter the appropriate grade for each student. If a student receives an "F", enter the date they last attended your class in the MM/DD/YYYY format. No date later than the last day of class for the corresponding part-of-term, excluding finals week, should be entered. A final grade of Q should ONLY be used for late start part-of-term courses for students who never attended.

**POA4 Final Grades-Enter the appropriate final grade for each student. If a student receives a "F," enter the date the student last attended or participated in class. No date later than the last day of class for the corresponding part-of-term, excluding finals week, should be entered.

Final Examinations

(Revised August, 2014)

Faculty members may not change the date and time of their final examinations without prior approval of the dean of the college. Faculty members are urged to ensure that the final

examination or evaluation plan be consistent with the subject matter, objectives, and scope of the course. The final examination or its alternative should provide an opportunity for the student to demonstrate mastery of the subject matter and standards of the course.

Any policies imposed by faculty members regarding missed examinations, tardiness to an examination, or other unusual circumstances are to specified in the course syllabus.

Final Grade Challenges

(Revised August, 2007)

The University's policy on student grade appeals is published in the University Catalog. All faculty members should be familiar with this policy. Faculty members should be aware that students do have the right to challenge their final grades and that the process includes strict timelines and reporting procedures.

Procedure for Changing Grades

(Revised August, 2002)

Every effort should be taken to secure accurate and complete grade records in reporting to the Registrar. Under unusual circumstances, an instructor may change a grade after the grade reports have been filed by completing a special grade change form provided by the Registration and Records Office. Department chairs and college deans must approve and sign this form, before forwarding it to the Registration and Records Office.

Academic Integrity

(May 2005)

The faculty policy on academic integrity (including definitions of plagiarism and other forms of academic dishonesty) is included in **Appendix Y: Faculty Policy on Academic Integrity**.

Academic Advising

All faculty members are expected to advise students. Advisees will be assigned to faculty members by name. They may either be majors in the faculty member's department, non-matriculating students, or undecided students. If the advisees are of the latter two types, advisors are urged to handle advising evenhandedly and not to recruit students into their major.

Academic advising may be of several types:

Academic Counseling

This type of advising generally occurs at periods other than registration or prior to pre-registration because of the time needed to work with each student. During these sessions,

advisors should assist students in problem solving and long term planning of their academic programs. When necessary, referral to university support services should be made.

Aid in Scheduling Classes

This type of advising focuses on program requirements, appropriateness of class choices, credit hour load, etc. Advisors are expected to review and sign schedule worksheets and student data sheets prior to registration for each semester.

Withdrawal Counseling

Throughout the semester, students may wish to withdraw from a single class or from the University totally. Students are expected to notify their advisors when they withdraw in order that they might be aware of program changes being made by their advisees and of any university-based difficulties that the student has encountered.

Summer Advising

Special summer advisors are available to work with freshmen and transfer students who will be enrolling in the fall. Advisors meet with students one-on-one or by phone and review program requirements, academic policies and procedures, and general information about the University.

Travel

(Revised August, 2002)

All faculty members who travel on university business must notify department chairs of the intent to be away from campus prior to the date of the expected absence. Prior notification will permit the University to verify the purpose of travel for insurance or workman's compensation claims or reimbursement requests.

For special purpose travel to attend meetings, workshops, or seminars; to chaperone students, etc., notification should be given on a trip-by-trip basis. For continuing travel such as that required for the supervision of students, blanket notification is sufficient; however, the actual dates of the travel should be supportable by logs or other documentation.

Travel to meetings or other activities scheduled during holidays, on weekends, or during any period when the University is not in session must have prior approval. Otherwise, the University takes no responsibility for the travel and will not verify that it was undertaken for the conduct of university business.

Notification of intent to travel does not mean that faculty will be reimbursed for expenses. Faculty members who travel within the state in the performance of their duties (e.g., supervising student teachers or other field placements, or representing the university at

meetings, etc.) may request reimbursement at the approved state rates. Prior approval for travel must be received and appropriate documents and receipts must support the claim for reimbursement.

The Faculty Development Handbook lists several types of funds available for faculty travel. The handbook also includes sample travel request forms, information on reimbursement, deadlines, etc. When travel requires a faculty member to be absent from class, adequate preparation for class coverage must be made. The department chair must approve these plans in advance.

Faculty members who wish to sponsor trips outside the United States should request permission of the Provost and Vice President for Academic Affairs to organize such trips. The written request should include a general outline of the proposed itinerary, approximate dates, mode of travel, cost, and other details. Such trips are normally to be scheduled during vacation time and are not to take faculty or students away from class. Detailed written information regarding the approved foreign travel must be provided for each student to the department chair and dean at least two weeks prior to departure. This must include the final trip itinerary, list of participants, emergency contact phone numbers, room accommodations, and costs. A Foreign Trip clearance form is included in this handbook in **Appendix Z: Foreign Trip Clearance Form**.

Commencement and Academic Regalia

(Revised August, 2014)

Commencement occurs in May and December. All faculty members must participate in both commencements unless excused by the Provost and Vice President for Academic Affairs. Faculty members are required to wear the appropriate academic regalia for both commencements. It is the responsibility of each faculty member to secure his or her own academic regalia.

Work in Offices after Hours and Weekends

Faculty members who are in their offices or in any campus facilities outside regular hours of operation are asked to notify public safety at (304) 766-3353 or (304) 766-3181 of arrival and departure times.

Parting Obligations

(Revised May 2023)

At the conclusion of his/her employment at the University, each faculty member should:

- Secure written clearance of obligation from the library, the audio-visual center, university inventory, information technology, and his/her academic unit;
- Report all grades to the Registrar;

- File all record books, semester exams, and departmental material with the department chair;
- Remove all personal effects from his/her office, filing cabinets, and building;
- Complete a work order with information technology to clean office computer of all personal files and special passwords;
- Return keys to the department chair;
- Leave his/her forwarding mailing address, personal e-mail address, and telephone numbers with the department chair, dean, and Provost and Vice President for Academic Affairs.
- Give any unreturned course assignments to the Department Chair in case of grade appeals submitted the following semester.

Note: *University e-mail and MyState accounts will be closed when a faculty member is no longer on the payroll and the deadline for student grade appeals is reached*

Section F. Academic Support Services

Faculty Development

West Virginia State University actively encourages and promotes the professional development of its faculty members. Several types of grants to faculty members have been established to support faculty development in the areas of research, instruction, international study, curriculum development, and administrative development. Specific policies and procedures regarding faculty development programs are included in the Faculty Development Handbook published yearly by the Academic Affairs Office.

Cooperative Education

(Revised May 2023)

Cooperative Education is a program through which students may earn elective academic credit and a salary working at a part or full-time job. Students in any major who meet the GPA and credit hour requirements are eligible to participate. The program aims to match a student with an employer in a field related to the student's major and career goals. Many co-op students find permanent employment with the same or a similar employer following graduation. While most co-op placements are local and part-time, some are with national businesses and federal agencies at sites throughout the country and are full-time for the period of a semester or a summer. A student working in a current position may receive elective credit for that position. However, the position has to be certified. In order to earn the academic credit, there must be significant new learning at the job site during the semester. All co-op students are required to complete specific assignments as part of this course. The cooperative education program is designed to enhance economic development by providing students with opportunities for practical experience at a work site and to provide businesses, agencies, and institutions with skilled and professional employees. For more information, please visit the following [website](#).

Center for Online Learning

(Revised May 2023)

The mission of the Center for Online Learning (COL) at West Virginia State University is to assist faculty members to use those educational technologies that help support their teaching and enhance the learning and retention of their students.

The strategic functions and key operational focus of the COL, derived from its mission, include the following four primary focus areas:

1. Administering and managing the University learning management system, WVSU Online, and providing technical training and support to faculty and students;

2. Providing training and support in effective design and delivery of online courses as well as promoting the best practices in these areas;
3. Promoting and facilitating the implementation of the WVSU Online and Distance Education Policy for online courses at the University and assisting the faculty in conducting self-reviews of online courses; and
4. Reviewing and reporting on developments in educational technology.
5. Providing consultation on the selection of academic computer hardware and software as it relates to online learning.

Administration and Support for West Virginia State University Online

One of the primary functions of the Center involves the administration of the University's current learning management system (LMS). WVSU Online is managed by the Center's staff and is hosted externally by OpenLMS (eThink) who provides 24/7 server administration and maintenance at its state-of-the-art data center. Technical support for the LMS for faculty and students can be obtained by calling the COL during standard business hours (304-766-3300) or via email (col@wvstateu.edu), the preferred method.

Instructional Design: Training and Support

The Center also offers training on course setup and use of West Virginia State University Online both in large group and one-on-one sessions at the Faculty Training Lab in Wallace 222. The Faculty Training Lab is also open for drop-ins at assigned times during the week. Faculty can sign-up for training sessions, when offered, or access links to self-paced tutorials and other resources on the Faculty Resources page of the [COL Website](#).

The Center also formally offers instructional design services to faculty. Working with faculty, the Center can assist with and provide ideas regarding instructional design, material development, quality standards, etc. Instructional design services will focus primarily on asynchronous online courses and will expand as staffing and time allow.

Course Quality Initiative

(Revised May 2023)

WVSU is committed to quality online education. As such online courses must pass a two-part quality assurance process: (1) a content readiness check prior to being published for student access and (2) an internal quality review for each live offering of the course. Details regarding this process are available in the Online and Distance Education Policy and on the [COL website](#).

- [The Center's Website](#)
- [Faculty Resources](#)

The University Library

(Revised May 2023)

Drain-Jordan Library (<http://library.wvstateu.edu/>) has been at the center of the academic mission of the West Virginia State University since 1951. Its purpose is to provide information literacy and lifelong learning skills, and to continuously support an evolving university mission. The library enables a culture of growth and success by building and supporting pathways to the discovery and creation of new knowledge.

Co-Educators for Information Literacy and Learning

The Library liaisons at Drain-Jordan work together with faculty, students, and staff in research activities in all modalities. Librarians are purposefully situated in the research and information lifecycle to provide print and electronic collections and other resources, as well as knowledge of new and innovative tools and services designed to help our students embrace scholarly work. The Library is committed to partnering with faculty and students to enhance WVSU learning outcomes.

Impart Lifelong Learning Skills

Working collaboratively with the faculty, the Library provides tailored learning experiences that will position our students as future thought leaders prepared for a lifetime of learning. The Drain-Jordan Library offers an information literacy program designed to prepare undergraduate, graduate, and working professionals for academic/career success in all disciplines.

Evolving Environments for an Evolving Mission

The Drain-Jordan Library is focused on incorporating the best of physical and digital environments that are conducive to academic work. Maintaining a focus on inclusive workspaces for individuals and groups, we empower students who are new to scholarly enquiry while we support the work of more experienced learners and faculty, with an eye to demonstrating our commitment to and impact on the university mission.

Faculty members are encouraged to use the Drain-Jordan Library and to foster their students' learning by supplementing classroom activities with reading and research assignments in the library. To optimize the library experience, please contact the reference librarian to insure that pertinent information is in the library and in sufficient amount to satisfy the requirements of the assignment. The most efficient means of doing so is to submit your class syllabus to the library prior to the start of the semester. Librarians can also be helpful in coordinating meaningful assignments.

The library faculty teach students, individually or in groups, to use standard research methodologies and introduce them to the proper use of resources such as catalogs, electronic

databases, and internet search engines. They can provide in-depth information on topics such as plagiarism and the use of proper citation formats and schema. See Library Instruction and Information Literacy, below.

Library Instruction and Information Literacy

Another major service provided by the Library faculty is teaching library orientation classes and research instruction or "information literacy instruction." Studies indicate that students who are library literate are better equipped to handle information in college, in their everyday lives, and in continuing their research in other academic libraries.

Librarians offer a variety of instruction to introduce faculty and students to the Library's resources, including basic demonstrations in using the online catalog, online periodical databases, library resource guides and government resources. Most instruction includes hands-on practice in database searching in the Library Learning Center. Additionally, librarians are available to conduct instruction in your classroom.

Reference Services

The Reference Department assists students, staff, and faculty with their reference and research needs all hours that the library is open. Limited technical support with library computers and software is also available. Reference assistance is available in person or by calling the Reference Desk at (304) 766-3135. Additionally, the Reference Department provides information via email and Text-A-Librarian services, accessible on the library's website. Email responses are prompt; texting service is completely interactive when a librarian is on duty.

The Reference collection includes current print materials (including some government documents) to support the academic programs of the University. Electronic reference books make portions of it continually accessible. The Reference Room also contains the following special collections: Benin, Paradise Film Institute, and (circulating) Oversized Books. Reference materials circulate to faculty only, for 24 hours.

eLearners and Distance Education Learners Services

(August, 2014)

Drain-Jordan Library services for our eLearners and Distance Learners and Faculty are designed to meet a wide range of informational, instructional, and user needs, and does provide direct user access to library personnel. The following, although not necessarily exhaustive, are essential service delivery methods:

- a library user instruction program designed to instill independent and effective information literacy skills while specifically meeting the learner support needs of the distance learning community;
- access to reserve materials in accordance with copyright fair use policies or permissions;
- adequate service hours for optimum user access;
- online instructional and informational services in formats accessible to the greatest number of people, including those with disabilities;
- collaboration with the Information Technology department as a coordinate point of access to having assistance with and instruction “for help with PC hardware and software issues, network outages, report requests or telephone problems.”
- consultation services;
- promotion of library services to the distance learning community, including documented and updated policies, guidelines and forms for Library service procedures and access to information resources;
- prompt delivery to users of items obtained from the library’s collections, or through interlibrary loan agreement via a physical document delivery service or electronic delivery system;
- reciprocal or contractual borrowing, or interlibrary loan services applying the fair use of copyrighted materials;
- reference assistance; and
- reliable, rapid, secure access to online resources.

The Collections

The Drain-Jordan Library currently owns over 150,000 volumes. Material may be located through the use of the library’s online catalog (linked from the library home page). Electronic texts represented in the catalog may be accessed 24/7. The library provides over 12,000 unique periodical titles available through database and individual subscriptions in both online and tangible formats. For access to these subscriptions and a complete list of availability, please consult the library’s webpage at library.wvstateu.edu. Faculty may check out print periodicals for a 24-hour loan period.

The library has also served as a selective depository for Federal Government Documents since 1907. Most of the depository collection is interfiled with the rest of the book/reference collections and is searchable through the library online catalog.

Collection Development

Faculty contributes to the library’s collection development by suggesting items for purchase. Suggested items are first submitted to their department chairs who then turn in the orders

to the library. Collection development encompasses all formats such as books, eBooks, periodicals, DVDs, etc.

Borrowing Privileges

All faculty have borrowing privileges with your valid faculty ID card. Due dates may vary, but all library materials are due at the end of the semester. Faculty members may check out Reference items and periodicals for 24 hours. If library materials become overdue, borrowing privileges will be blocked until all materials are returned. Faculty are responsible for all items checked out and for all costs involved in processing/replacing lost or damaged materials.

Reserves

Faculty wishing to place items on reserve should contact the Circulation Department (304) 766-3116. Faculty are asked to submit reserve materials for processing at least two weeks before the items are assigned to students. Forms for placing items on reserve are available online at library.wvstateu.edu under the “About Us” link. Click on “Policies, Guidelines and Forms.” Reserve forms are also available at the Circulation Desk. Please contact the Circulation Department if items are to remain on Reserve beyond the current semester. Otherwise, items placed on reserve must be picked up by the end of the semester. Items not picked up or designated for ongoing reserve will be mailed to the faculty member’s campus address.

Interlibrary Loan

Books and journal articles not available in the Drain-Jordan Library may be requested from other libraries through the interlibrary loan (ILL) service. Interlibrary loan request forms are available in the library handouts section near the Circulation Desk and online at <http://library.wvstateu.edu/illloan.html>. ILL forms can be submitted online or turned in at the Circulation Desk or the Reference Desk. The Library presently absorbs all reasonable costs for borrowing and copying materials from other libraries. If the cost is too expensive, the patron is contacted by ILL staff before proceeding further. Failure to return items by the lending library’s due date can hinder the library’s access to ILL services and the patron will accrue fines from the lending institution.

Archives

Located on the ground floor in room 2, the West Virginia State University Archives houses materials concerning African Americans in West Virginia, the history of African American higher education, regional history, and history of the University, its alumni and staff. These materials include monographs, university documents and records, manuscript materials,

photographs, sound recordings, videos, and maps. Archives hours are 8:30-4:00 Monday through Friday. After hours appointments may be made by calling (304) 766-3023.

Instructional Materials Center

The Instructional Materials Center (IMC), located on the second floor of the Drain-Jordan Library, offers a selection of K-12 teaching materials and resources to the University community and the area. The collection includes a variety of textbooks, juvenile literature (including Caldecott, Newbery and Coretta Scott King Award Winning Books), magazines, posters, photographs, puppets, and teaching kits. Patrons may use the Ellison Die Cut machine to produce perfectly cut shapes and letters for various projects. There are also a comb-binding machine and laminating services available for reports. Lamination orders are usually available in 24 hours. Binding and lamination services are subject to a cost-recovery fee. The IMC is open during regular library hours.

Technology

The Faculty Center for Excellence in Teaching (FACET) room provides an area for faculty to meet and collaborate on ways to improve teaching methods. The FACET room is located on the ground floor in room 39 of the library and consists of nine internet-ready computers plus an instructor's computer complete with a projection and screen system. To use the FACET room, please call the reference desk at (304) 766-3135 for information.

The library has nearly 100 desktop computers for use by University students and faculty. They are configured with standard Microsoft and OpenOffice software to use with internet, email, and standard productivity applications. In addition, there are two desktop computers configured with software to meet Americans with Disabilities Act needs.

The library has black and white and color printing capability. In addition, there are several scanners located throughout the lobby computer area. To scan, print or email from microform, there are two computers with microform scanners – one is in the lobby area and the other is in the periodicals area. A copier is also available on the first floor of the library. Printing and copying costs are 10¢ per page. To print in color from the library computers is 50¢ per page.

Please visit the library [website](#) for library hours.

Educational Technology Center

(Revised May 2023)

The Educational Technology Center (ETC), a division of WVSU's College of Arts and Humanities, is located in the Thomas W. Cole, Jr. Complex. The ETC is a telecommunication facility that maintains and supports video production for television, live television

production, film production, animation production, and the use of nonlinear editing systems for students in the Communications and Media Studies programs. The ETC also provides technical support for the campus audio and television production courses. The ETC can also assist the faculty of WVSU by serving as a video conversion resource center and studio. Faculty wishing to utilize the services of the Educational Technology Center should call (304) 766-4179.

Audiovisual Services

(Revised August, 2012)

Information Technology provides media equipment such as VCR's, monitors, tape players and overhead projectors to faculty for instructional purposes. AV equipment can be reserved utilizing the Information Technology Service Request form located on MyState (i.e., mystate.wvstatu.edu). The form must be submitted 24 hours in advance of requested delivery; the equipment available is limited. The COL and its AV equipment are located on the first floor of Hamblin Hall, telephone extension (304) 766-3261.

Computer Labs

(Revised June 2024)

The Computer Center is located on the first floor of Hamblin Hall. This unit is responsible for the coordination of all computing functions on campus. Several specialized instructional computer labs are located throughout campus including:

- Art Computer Graphics/Digital Music Lab – D206
- Business and Economics – B308A
- Center for Online Learning – W222
- Chemistry Computer Classroom/lab – H312
- Communications & Media Studies Digital Video Lab – B216
- Computer Science Computer Lab – W831, W723 and W431
- Cybersecurity – W420
- Education Computer Lab – W623
- English Computer Lab – A316
- Foreign Language Lab – A214
- Internet Access Lab – Wilson Student Union 127
- Library – Group Study Room
- Mathematics Computer Lab – W733 and W830
- Music Lab – D210
- TRIO Program Computer Lab – W225

In addition to these specialized labs, general-access computer labs are located in the library and the student union. Most of the campus computer labs have an assigned manager who is

responsible for the operation of the lab and coordinates repair problems with Information Technology. Any office or department that has need of computer repair should contact the Information Technology at (304) 766-3261.

FAX Service

While many academic and administrative offices have a FAX line, the FAX machine in the Academic Affairs Office is available for faculty wishing to send or receive electronic facsimiles. The FAX number is (304) 766-4127.

Section G. University Support Services

University Advancement

(Revised August, 2012)

This administrative area of the University is under the supervision of the Vice President for University Advancement. The area includes

- Alumni Relations
- Annual Giving
- Major Gift
- Planned Giving
- Corporation and Foundation Relations

University Relations and Operations

(Revised June 2024)

This administrative area is under the supervision of the Vice President and Chief of Staff. The area includes:

- University and Legislative Affairs
- Information Technology
- Institutional Research and Effectiveness
- University Communications
- Public Relations
- University Publications/Marketing and Branding
- Graphic Services
- Photographic Services
- Printing Services
- Videography Services

West Virginia State University Land-Grant Programs

(Revised May 2023)

Land-grant institutions were established under the provisions of the Morrill Acts (i.e., Land-Grant Acts) of 1862 and 1890. West Virginia State University was designated by the United States Congress and the State of West Virginia as an 1890 Land-Grant Institution under the Second Morrill Act. These schools were created to provide instruction in agriculture, the mechanical arts, English language, and the various branches of mathematical, physical, natural, and economic science: to the black citizens of the state where these students had no access to other institutions of higher education. West Virginia was one of the six original states to establish a new land-grant college under state control and West Virginia State University was the first 1890 land-grant institution to be accredited. The University faithfully met its duties to the citizens of West Virginia as a land-grant college in an outstanding

manner. However, on October 23, 1956, the State Board of Education voted to surrender the land-grant status of West Virginia State University.

After more than 40 years of alumni and legislative effort to regain land-grant status, West Virginia State had its full land-grant status restored on August 4, 1999. In the following year on March 17, 2000, President Hazo W. Carter, Jr. established the Department of Land-Grant Programs as the University's lead administrative area responsible for carrying out the University's land-grant mission.

The Department of Land-Grant Programs was initially placed under the auspices of the Planning and Advancement administrative area. In October 2001, the Department of Land-Grant Programs was renamed the Division of Agricultural, Consumer, Environmental, and Outreach Programs (ACEOP). On January 1, 2006 ACEOP further evolved and was renamed the Gus R. Douglass Land-Grant Institute for Agriculture, Consumer, Environmental, and Outreach Programs in honor of Dr. Gus R. Douglass, West Virginia Commissioner of Agriculture, who was an integral supporter of the University's quest to regain its land-grant status.

Currently, the Douglass Institute resides within the Agricultural Research and Extension administrative area and is comprised of three programmatic divisions: the West Virginia State University Agricultural and Environmental Research Station, the West Virginia State University Extension Service, and the Center for the Advancement of Science Technology, Education and Mathematics (CASTEM).

"The mission of the Gus R. Douglass Institute is to aid in the academic, technological, economic, and social advancement of the State of West Virginia by identifying resources and programs pertinent to the progression and dissemination of knowledge and services by way of research, teaching and extension." The 1890 Land-Grant system, historically, has a primary mission to devote attention to those citizens with greater social and economic disadvantages.

For more information on the University's agricultural research and extension programs call 304-766-4290 or visit <https://wvstateu.edu/research/gus-r-douglass-land-grant-institute.aspx#>

Health Center

(Revised June 2024)

FamilyCare Health Centers is available on the campus of West Virginia State University. FamilyCare offers an array of quality comprehensive services to patients seeking primary care, women's health, and family planning. Most insurance is accepted; including WV

Medicaid, Medicare, PEIA, CHIP, and Tricare. The Center has a sliding fee scale based on income. FamilyCare is located in the Wilson Student Union, Room 004 (bottom level next to the fitness center/game room) and is open Monday - Friday 9:00 am - 4:00 pm. The center is closed daily from noon - 12:45 pm and the first Wednesday of every month at 1:00 pm.

Career Services

(Revised May 2023)

The Office of Career Services makes available comprehensive and inclusive career and employment services, including the areas of career counseling, job search assistance and career development.

Career Counseling.

Career Counseling assists students with academic and career decisions through self-evaluation, career exploration and research, and the development of personal and professional goals. This is achieved through the following services: individual career counseling, career inventories and personality assessments, computerized career guidance systems and an online career library. A career counselor is available for individual appointments and all services are confidential.

Job Search Skills.

(Revised May 2023)

Staff assists students seeking employment through referrals, job fairs, and access to hundreds of employers with jobs and internships. To access these opportunities students will need to log in and activate their Handshake account (www.wvstateu.joinhandshake.com). The link can also be found on the office [website](#). A career counselor is available, by appointment, for individual assistance with resume development, interviewing skills and job search strategies. Other online resources are available by clicking [here](#). In addition, instructional publications and handouts are available in 108 Wallace Hall. Students receiving College Work Study funds are placed in work sites both on and off campus through this office. The Federal College Work Study Program is a form of financial aid that provides the opportunity to earn more than minimum wage working on campus or at a community service site. Students interested in this program must first request work-study in the Office of Student Financial Aid and Scholarships.

Career Development.

The Yellow Jacket College to Career Program will provide students with skills and preparation to succeed in finding their passion and in developing a road map for future career success.

Counseling and Wellness Services

(Revised June 2024)

The Counseling and Wellness Services department provides numerous programs to the University. Located on the first floor of Sullivan Hall East, the department provides Mental Health Services; Collegiate Recovery, Education & Wellness programming; and the Yellow Jackets on the Move! health and wellness initiative. Faculty should refer students experiencing academic, social, emotional, or mental health difficulties. Referrals can be made via email at toledoke@wvstateu.edu or by calling (304) 766-3168. There is no fee for any services for registered students.

Mental Health Services

Provides counseling for personal concerns, including anxiety, adjustment to college, depression, stress, misuse or abuse of alcohol or other drugs and other issues. Referrals to area agencies and practitioners are made for those who need more specialized or long-term care. We help students address and resolve personal issues so that they can make the most of their educational opportunities at West Virginia State University.

Faculty should refer students experiencing social, emotional, or mental health concerns. Referrals can be made via ACHIEVE or e-mail at counseling@wvstateu.edu or by calling (304) 766-3168. There is no fee for any services for registered students.

Collegiate Recovery Community

The WVSU Collegiate Recovery Community (CRC) provides support to students who are in recovery from substance use. We are dedicated to providing academic, wellness, and peer support to students who are in recovery or who are considering recovery. Through individual support, education, social engagement, and campus advocacy, we aim to create an inclusive environment and supportive community to help students succeed. The CRC is located at 107 Sullivan Hall, East.

The Food Pantry

Provides non-perishable food, hygiene products, and school supplies to current WVSU students who are experiencing food insecurity. Students can contact us by email at foodpantry@wvstateu.edu, or (304) 766-3168.

Disability and Accessibility Resources

(Revised June 2024)

The Disability and Accessibility Resources unit is responsible for handling all disability related matters for the institution. The unit consists of three main components, Student Accessibility Resources (SAR), Workplace Accessibility Program, and the Steps-2-Success program. The unit handles accessibility and accommodation requests from students, faculty, staff, and the general public. It is responsible for ensuring the overall compliance of the

institution with the applicable federal and state mandates related to individuals with disabilities.

Student Accommodations

Faculty will be notified of students who have been approved for accommodations. At the time the student is found eligible or when the student registers with SAR for the semester, the Director of Disability and Accessibility Resources will provide the student a copy of the Course Accessibility Implementation Plan. In order to facilitate a student's use of accommodations in a particular course, the student should schedule a meeting with the faculty member as early in the semester as possible to discuss their approved accommodations. If a student waits to meet, or chooses not to pursue this step with the faculty, the faculty may not be able to effectively implement a student's accommodations. The student should pre-fill the form before meeting with the faculty members by:

1. completing the course and faculty information
2. checking off any approved accommodations the student intends to request including the section regarding recording, if this is an approved accommodation.

During the meeting, the student and faculty member review the Course Accessibility Implementation Plan, complete the note taking and test sections, if applicable, and both sign the form indicating the meeting has taken place. At this point it is expected that the faculty will implement the approved accommodations in the course. The student should return a copy of the completed and signed form which will be maintained in their file. If faculty members or the student have any questions or concerns regarding the implementation of the student's accommodations, the student and/or the faculty member should contact the Director of Disability and Accessibility Resources by phone (304-766-3083), email (ada@wvstateu.edu), or in person (117 Sullivan Hall East).

Accommodation Obligation

For students with disabilities, faculty are obligated to provide accommodations that have been approved by the Director of Disability and Accessibility Resources as outlined on the Course Accessibility Implementation Plan. There may be times when an accommodation is approved that a faculty member believes may compromise academic integrity, create a fundamental alteration, pose a direct threat to others or present as an undue burden for the course and/or program and alternatives need to be considered. Faculty may not unilaterally deny or modify approved accommodations nor are students required to negotiate with faculty about the provision of accommodations that have been approved by SAR. If a faculty member receives an accommodation form and doesn't understand or agree with the accommodation, it is the faculty member's professional and legal responsibility to contact the Director of Disability and Accessibility Resources to discuss the issue. Faculty should

contact the Director to discuss their concerns and initiate a review of the accommodation in question in a timely manner. Pending the resolution of any dispute by the faculty member regarding an accommodation, the accommodation will be provided to the student.

The decision to deny an accommodation will not be taken lightly. Institutions have found themselves in legal trouble for devoting insufficient thought to the conclusion that a requested accommodation should be denied. Failure to provide a reasonable accommodation to a student with a disability is a violation of law. In accordance with the decision from *Wong v. Regents of the University of California*, while the student has the burden of proof on identifying accommodations; the burden shifts to the university to demonstrate an accommodation is unreasonable or the student is not qualified despite accommodation.

Faculty Accommodations

Faculty who require accommodations related to their employment will make their request through the Disability and Accessibility Resources' Workplace Accommodation Program. The Director of Disability and Accessibility Resources has been designated as the Disability Program Manager (DPM) to oversee the Workplace Accessibility Program for employees throughout the institution.

All requests for reasonable accommodation will be handled by the DPM. The DPM will request and evaluate medical information to support the need for accommodation. Only the DPM may request and review medical information from the requester and/or the appropriate health professional. All medical information will be maintained with appropriate confidentiality within the Workplace Accessibility Program.

If you are an employee in need of an adjustment or change to your employment position for a reason related to your own disability inform the staff of Disability and Accessibility Resources by:

1. Completing the Request for Accommodation form online.
2. Signing the upper portion and then having your healthcare provider complete the Accommodation Request Medical Certification.
3. Submitting/Returning the medical certification form to Disability and Accessibility Resources for review. The medical certification can be submitted securely online by using the link for Online Documentation Submission, via email, mailed to the DAR office or dropped off in-person.

If the DPM determines that an accommodation may be necessary for the employee to engage in the essential duties of their position, a meeting with immediate supervisors and administrators will be arranged to discuss the reasonableness of implementing the requested accommodation in light of the functional limitations the employee is experiencing.

I.D. Cards

(Revised May 2023)

The Office of Student Accounts (OSA) located at 117 Ferrell Hall issues photographic identification cards to faculty members. These cards can be used for admission WVSU sporting events, WVSU Library, and access to WVSU Buildings and Rooms with future security upgrades. A fee will be charged for any ID Card replacements.

Campus Parking

(Revised May 2024)

On-campus parking is available in several locations. The University Police Department (UPD) publishes information regarding parking in "Traffic and Parking" located on the WVSU website. All vehicles must be registered with the University and must bear a valid parking sticker obtained from the Office of Student Accounts (OSA) located in 117 Ferrell Hall. Arrangements for temporary parking permits for guest speakers, etc., can be made by contacting the Office of Student Accounts at 304-766-3141 or Public Safety at (304) 766-3353. You can also visit 117 Ferrell Hall to make these requests.

Campus Security

(Revised June 2024)

The University Police Department maintains a cadre of uniformed, certified law enforcement officers to ensure the safety and security of students, faculty and staff, and campus equipment, facilities, and grounds. The University Police Department is located at the Ferrell House. Officers are on duty 24 hours a day and may be reached by calling (304) 766-3353 during working hours and (304) 766-3181 after hours.

University Publications

(Revised August 2012)

University Publications writes, designs, and produces printed and electronic materials and media for the University.

Physical Facilities

(Revised June 2024)

Much of the responsibility for the proper appearance and functioning of the University's facilities rests with this unit. Minor renovations, grounds, utilities, building cleanliness, and the oversight of most building projects are within its scope of activities.

The Physical Facilities Department maintains a 24-hour Work Control Center, which is a major hub for work activities and emergency communications. Conditions creating safety hazards, damage to buildings, light bulb replacement, HVAC problems, or interruption of normal operations should be reported to the Work Control Center. Requests for academic building renovation and improvements, relocation of offices and procurement of door keys must be approved by the Vice President for Academic Affairs. Physical Facilities can be reached at 304-766-3181. To submit a work order, please email facilities-helpdesk@wvstateu.edu with detailed information, or you may submit a *TrackIt* request at <https://trackit.wvstateu.edu/trackit>. *TrackIt* allows for a more efficient and effective way for Physical Facilities to address any repair needs in a proficient and productive manner.

Purchasing

(Revised June 2024)

University regulations require that purchasing must be done through the Fiscal Affairs office using proper purchase requisition forms or purchasing cards. Under no circumstances should faculty order any items on their own. Bills for indebtedness incurred as the result of individual actions will be referred, for payment, to the person who made the purchase. Purchasing cards (P-Cards) issued by the West Virginia State Auditor's Office with specified transaction limits are available for departments and academic units for expenditures. A request for a P-Card can be made through the Fiscal Affairs office. Contact your department chair, program director or the Fiscal Affairs office for further information.

Mail

(Revised August, 2004)

Campus mail is delivered and picked up from designated university offices twice daily. Located in the Physical Facilities building, the Mail Center is responsible for the transmittal of interdepartmental and U.S. Mail. Special regulations regarding rates, insurance, etc. are available in departmental offices. Since mailings can be expensive, it is suggested that faculty check with the Mail Center for bulk mailing suggestions.

Telephone Services

(Revised March, 2023)

Telephones are assigned to faculty in offices. The physical telephones are not to be moved between offices or buildings for E911 reasons. International calling may require special permission.

Duplicating Services

(Revised May 2023)

Copy machines are conveniently located throughout the campus. Check with college administrative assistants for instructions.

Printing Services

(Revised May 2023)

General printing (i.e., binding, color copying, books, brochures, and other services) for the university is done by the Office of Printing Services, located in Jones Hall. Requests for printing are submitted at Printing Services website found at wvsuprinting.com. Orders must be signed by the unit chair, and assigned an account number for tracking purposes. You will need to have a banner code number to charge when submitting your order and costs for printing will be charged back to each department using the banner code. For personal work, you may setup a personal account and pay with a credit card.

University-owned Vehicles

(Revised May 2023)

The University owns a limited number of vehicles that may be utilized for travel. Persons who drive them must be employed or officially associated by or with the University, must possess a valid West Virginia Operator's Permit, and must complete the BRIM Driver Safety test. University drivers must also complete the Safety Skills online training. The Campus safety officer is the contact for the training. Environmental Health and Safety can be reached at 304-766-4060. Information regarding these vehicles may be obtained by calling Physical Facilities at (304) 766-3256 or (304) 766-3181. There are also larger vehicles available that have commercial drivers' license requirements. The policy on Use of University-Owned Vehicles is included in **Appendix AA: Vehicle Utilization Policy**. For further information regarding the BRIM test, contact Fiscal Affairs at (304) 766-3241.

Convocations and Cultural Activities

(Revised August, 2012)

Each year the University sponsors various convocations, seminars, book reviews and events in the visual and performing arts. Faculty members are invited and encouraged to attend. A schedule of events sponsored by the University is published each semester.

Sports and Recreational Facilities

(Revised May, 2023)

The University invites the faculty to use the tennis courts, track, fitness center and other recreational facilities. Inquiries regarding the fitness center, which is located in the Wilson University Union, should be directed to the Student Activities Office at (304) 766-3288. Information requests on all other athletics facilities should be directed to the Department of Athletics at extension (304) 766-3165.

Athletics

(Revised May, 2023)

The University encourages all faculty to attend athletic events. To encourage this all faculty, have free admissions to home sporting events. Faculty should treat classes that students

miss due to competing and representing the University at one of these events as an excused absence as determined under the University Board of Governors Policy number 69.

Employee Housing

(Revised June 2024)

Located at the south end of the campus are pet-free university-owned homes with potential availability for rent to full-time staff and faculty members. Charges are payroll-deducted. Persons interested in making an application for residency in one of the homes should contact the Business & Finance Office via employeehousing@wvstateu.edu. Note: There is a finite length of time for rental of university-owned homes.

Facility Usage

(Revised June 2024)

As a service to the community, the University sometimes permits its facilities to be utilized for meetings and other events. Information regarding reservations can be obtained from the respective Building Coordinator. Under no circumstances are faculty or staff members to make facilities available to organizations or individuals without prior notification and approval. In addition, sponsorship and adequate liability insurance coverage must be provided prior to approval. There are some facilities that can be rented to external individuals and groups by referencing the Campus Events Coordinator or external reservation request form at <https://www.wvstateu.edu/forms/space-request-form.aspx>.

University Food Services

(Revised August, 2004)

Faculty members are invited to use the facilities of the University Food Services. Amenities available include a cafeteria, food court and banquet facilities. Inquiries concerning the hours of operation and available services should be made to the Director of Food Services at (304) 766-3358 or under the “Students – Dining Services” link on the WVSU homepage.

Office of Sponsored Programs

(Revised June 2024)

The Office of Sponsored Programs (OSP) at West Virginia State University (WVSU) supports all staff, faculty, and administration in the pursuit of externally sponsored endeavors to further our mission of Research, Teaching and Public Service.

How Team OSP Assists Faculty

Team OSP assists individuals with searching for funding opportunities, coordinates the solicitation and administration of grants, contracts, cooperative agreements and other externally sponsored awards on behalf of WVSU. While each team member has their individual responsibilities, it is common for each staff member to lend a hand in the other areas in order to provide seamless customer service for the WVSU family.

To assist WVSU Teammates that are new to applying for grants or experienced grantees that want to expand their funding, Team OSP can help anyone search for potential grant funding opportunities. PIVOT-RP is a funding opportunity database that the University subscribes to that contains funding opportunities from government and private sources. They can assist anyone with a WVSU email address sign up for an account to build a profile to find collaborators, save grant funding opportunity searches, track grant funding opportunities, and set up funding alerts on thousands of opportunities.

Team OSP also conducts group and individual trainings about Internal OSP guidelines and processes; grant application components; and provides guidance and oversight on applying for grant opportunities and managing grant awards; and serve as liaisons to granting agencies. Behind the scenes it manages organizational grant compliance, facilitates the implementation of new policies and procedures related to the Office of Sponsored Programs; manages the University's grants database, and assembles internal grant information requests from PIs, departments, divisions, colleges and administration.

Pre-Award Grant Services

Team OSP does not write grant applications. Instead they help Principal Investigators (PIs) initiate grant proposals; create a checklist utilized during proposal submission; dissect the details of grant application instructions; talk through grant program goals and objectives that create a narrative and a budget that includes calculations and words that illustrate how the program will utilize each grant dollar requested; advise on mandatory cost-sharing and the requirements of letters of commitment or support; coordinate the internal approval timeline; facilitate the creation of electronic grant application accounts; walk through the submission process with PIs; review draft documents; conduct the final review of grant applications for internal approval; implement internal approval by signing authorities; and execute the submission of letters of intent and grant applications.

It is the PI's responsibility to ensure that all their internal deadlines are met so that submission can occur on time. If internal deadlines are not met, Team OSP cannot guarantee that submission can be completed before the grant application submission deadline.

Post Award Grant Services

After grant proposals are submitted, the application will go through an evaluation process within the funding agency, which can last several days or months. Post Award services begin upon notice of an Award from sponsoring agencies. The Post Award Phase of a grant continues throughout the life cycle of the award and closeout. Team OSP oversees Time and Effort Reporting; Responsible Conduct of Research Training; assists PIs with IRB

Certification Confirmation; the interpretation or negotiation of award terms and conditions; facilitates authorizations that may be required before starting work on a grant project as well as award modifications including no cost-extensions or budget amendments; and coordinates site visits from funding agencies. They process, monitor, and close out sub awards; monitor grant reporting; and document grant closeout.

OSP falls under the auspices of the Research and Development Corporation.

Section H. Institutional Policies

Key Control

(Revised August, 2008)

The Provost and Vice President for Academic Affairs is responsible for requesting from physical facilities all keys in their respective academic areas. A faculty member who needs a key should so advise his/her department chair or program director who will prepare a written request that will be sent to the appropriate college dean for initialing and transmission to the Provost and Vice President for Academic Affairs. When the key has been cut, arrangements will be made through the dean and/or department chair/program coordinator for the faculty member to sign for it.

Under no circumstances should keys be given to students or any persons who are not employees of the University. Upon terminating service to the University, all keys should be returned to the appropriate department or college.

Smoking

(Revised August, 2004)

West Virginia State University is committed to providing, to the extent possible, a smoke-free environment in all campus facilities. Smoking of tobacco or other similar products is prohibited inside all buildings and motor vehicles owned, leased, or otherwise operated by the University.

Examples of areas in which smoking is prohibited includes classrooms, auditoriums, laboratories, libraries, hallways, elevators, lounges, multi-person work areas, waiting rooms, health center, conference center, indoor athletic facilities, the bookstore, residence halls, and university-owned vehicles. Faculty housing is excluded. Non-compliance with the smoking policy should be reported to the employee's immediate supervisor and could result in disciplinary action.

Children in Classes

(Revised August, 2011)

West Virginia State University encourages nontraditional students to seek higher education. Further, the University employs a diverse staff, many of whom have special needs. These students, faculty and staff often have many responsibilities involving home, work, school, and children that at times can affect attendance at the last minute.

In the event that an emergency child supervision situation occurs, the University recommends the following in regard to child visitation in classrooms, office areas, or campus

grounds. These procedures are designed to avoid disturbance of the regular activities of students, faculty, and staff and yet to provide for the safety of a child needing supervision:

- The presence of children in the classroom requires prior approval of the instructor. Children are not to attend classes with parents on a regular basis;
- The presence of children in the workplace requires prior permission of the supervisor. Employees are not to bring children to the workplace on a regular basis;
- Children are not to be left unattended in hallways, public areas, buildings, or University grounds.

Faculty and students should address questions regarding the interpretation of these policies to the Associate Vice President for Academic Affairs and by staff members to the Vice President for Business and Finance.

Finally, it should be noted that while the University is willing to accommodate the reasonable needs of a diverse staff and student body, the primary responsibility for the arrangements permitting regular work and class attendance lies with the individual employee or student.

Student Misbehavior

(Revised May 2023)

Policies on student misbehavior and disruption in the classroom are included in both the University Catalog and the Student Handbook. Suggested guidelines (revised in 2023) for faculty are reprinted in **Appendix BB: Guidelines for Dealing with Disruptions and/or Misbehavior in the Classroom**. Information on professional liability coverage is included in **Appendix CC: Professional Liability Coverage**.

Sexual Harassment

(Revised August, 2007)

West Virginia State University has the commitment to provide every student and employee with an environment that is not only conducive to working and learning but, is free of any conditions that would negate that commitment. West Virginia State University expressly prohibits:

- A. Any student or employee from subjecting another person to unwanted verbal and/or physical sexual attention;
- B. Any student or employee in a position of authority or able to control or affect another person's job, academic career, grades or emotional well-being from attempting to, or coercing any individual into sexual relations;
- C. Any student or employee in a position of authority, or is able to control or affect another person's job, academic career, grades or emotional well-being from creating or imposing any punitive measures or conditions upon individuals who refuse or report such unwanted verbal and/or physical sexual attention;

Any student or employee of the University who, after a thorough investigation, has been found to have subjected an individual to sexual harassment and/or attempts to prevent the reporting of such incidence shall be subject to severance from his/her relationship with the University.

A copy of WVSU BOG Policy # 14 (Sexual Harassment) is included in **Appendix EE: WVSU BOG Policy # 14 - Sexual Harassment**. A copy of the WVSU complaint procedures for harassment/discrimination is included in **Appendix FF: Complaint Procedures for Harassment/Discrimination** and in other handbooks on campus. Students should seek assistance from the Office of Student Affairs; WVSU employees needing more information should contact Human Resources at (304) 7663156.

Non-Fraternization within the Workplace

(Revised July, 2015)

Whereas, the University strongly discourages workplace romantic and intimate relationships, we endeavor to maintain a balance towards regulating appropriate professional workplace behavior and faculty, staff, and student's rights of privacy outside the workplace and educational setting.

When workplace relationships have legal implications and/or impacts overall conditions of employment at the University, i.e. favoritism, issues of inequity and fairness, such relationships shall be deemed inappropriate and prohibited. Any and all workplace relationships are subject to the policies and rules and regulations of the State of West Virginia, Higher Education Policy Commission, Board of Governors, and West Virginia State University.

Relationships may be defined as faculty/staff to student, student to faculty/staff, and faculty/staff to faculty/staff.

- When romantic and intimate relationships develop between faculty/staff and student(s), the relationship must be reported to the Provost and Vice President for Academic Affairs (for faculty) or the Director of Human Resources (for staff) immediately to allow the University to take appropriate measures.
- When romantic and intimate relationships develop between faculty and staff, where one staff members has supervisory authority over the other, such relationships must be reported immediately to the Director of Human Resources to allow the University to take appropriate measures.
- Faculty and staff are prohibited from having romantic and intimate relationships with students where direct or indirect authority exists, which could impact the student's education opportunity and outcomes.

Faculty and staff who fail to report workplace relationships, as cited above, are subject to disciplinary action, up to and including termination.

Classroom and Laboratory Safety

(Revised May 2023)

West Virginia State University is committed to providing a safe work and study environment. Because we are educators, it is important that we practice safety rules and procedures so that our students may learn by example. To that end, it is the responsibility of each member of the University academic community to ensure the safety of himself, herself, students and others. This is particularly true of department staff and faculty who work with chemicals that might be harmful or with equipment that might cause injury. Faculty and staff are asked to be sure that:

- A. The dangers of working with harmful items are fully explained to students.
- B. Safety precautions are taught. Laboratory courses are also assigned to students in the WVSU Learning Management System.
- C. Emergency procedures are developed, printed and clearly communicated to all who work with dangerous items.
- D. Safety Data Sheets are on file and readily available whenever hazardous materials are used in the classroom, laboratory or studio.
- E. All safety equipment is in place and is in good working condition.
- F. Any person injured in class is taken to the Family Care Health Center, no matter how slight the injury seems to be. Call Family Care Health Center at (304) 766-3323 so that initial treatment, assessment, and a recommendation can be made if the situation allows. Dial 9-911 for an ambulance if the condition of the individual(s) warrants immediate health care.
- G. There must be immediate notification of accidents to University Police, Human Resources and the Safety Compliance/Chemical Hygiene Office. An accident report (see **Appendix X: Accident Report Form**) is filed with the University Police Department, Human Resources and the Safety Compliance Office within 24 hours after the accident has occurred.
- H. Mishaps with equipment or hazardous materials are reported to the Chemical Hygiene Officer, department chair and appropriate dean so that corrective action can be taken.
- I. Injured persons unable to walk to health services are transported by campus police who are available at (304) 766-3353 or contact emergency service at 9-911.
- J. Hazardous materials are to be disposed of properly in accordance with federal and state regulations. Hazardous materials disposal requests are made to the Office of Safety Compliance and Chemical Hygiene for appropriate disposal.

Faculty should familiarize themselves with the existing documents describing precautions necessary to make the workplace a safer environment. Faculty and staff should complete assigned safety trainings in the WVSU Learning Management System.

An important part of the West Virginia State University commitment to a safe workplace is the WVSU Emergency Response Guide/Safety Manual.

Emergency Response Plan

(Revised May 2023)

There is a comprehensive Emergency Response Plan for the University. The plan may be activated in the event of environmental situations that potentially affect the safety of the campus citizenry. In almost all instances, grouping of persons in designated shelter areas is the safest and proper response. This point cannot be emphasized enough. There is considerable safety associated with staying inside buildings with windows closed and air circulating systems shut down to protect against outside air. The Emergency Procedure/Safety Manual can be accessed at <https://www.wvstateu.edu/wvsu/media/Academics/Emergency-Procedures-Guide-Oct-16-2012.pdf>

For the most extreme cases, the plan does allow for the evacuation of campus occupants to a safer location as a precautionary measure.

When the siren sounds for a continuous three minutes, faculty, staff, and students are to “shelter in place” in designated areas referenced in the WVSU Emergency Response Plan. (One exception: the siren is usually tested at noon on the last Wednesday of every month.)

Unannounced and announced drills are held throughout the year to familiarize faculty, staff, and students with the Emergency Response Plan. Every faculty member should read the Plan (published in a booklet and available from the WVSU Public Safety Department) and thoroughly understand it in order to be ready to react to an emergency. More Emergency Services information can be found on the WVSU [website](#) under the Administration drop-down menu.

Environmental Regulations West Virginia State University is committed to providing a safe study and work environment. To minimize the risk of harm to students, faculty, and staff, the University complies, in full, with all applicable local, state, and federal environmental laws and regulations. The complete policy on Environmental Regulations is included in **Appendix GG: Environmental Regulations Policy**.

Campus Self-Defense Act

(Revised June 2024)

On July 1, 2024, the Campus Self-Defense Act took effect at colleges and universities in West Virginia. This new law was passed by the West Virginia Legislature in 2023, and allows a person to carry a concealed pistol or revolver on the grounds of an institution of higher education, with some exceptions, if that person has a current and valid license to carry a concealed deadly weapon.

The efforts of the Campus Safety Task Force are too ensuring WVSU complies with the Campus Self-Defense Act, while keeping the safety of the entire campus community in mind. Faculty will notice some changes on campus as new signage goes up on buildings where firearms are restricted, or restricted under certain circumstances. Faculty will notice signs for sole occupancy offices where firearms may be prohibited, and will continue to receive additional information from the University Police Department. In addition, a website has been created for information related to the Campus Self-Defense Act where FAQ's and other relevant information can be found.

The website can be accessed at www.wvstateu.edu/campusselfdefenseact. If there are questions or clarification needed on any part of the Campus Self-Defense Act please contact the University Police Department at (304) 766-3353

Institutional Review Board

(Revised June 2024)

The West Virginia State University Institutional Review Board (IRB) was reconstituted in 2003 to review all research activities involving human and animal subjects carried out by faculty, staff, and students at WVSU. The purpose of this IRB is to safeguard the rights and welfare of all people who participate in research. WVSU supports responsible experimentation that promises to increase knowledge and understanding and encourages the highest ethical standards among University researchers. Questions regarding IRB can be directed to the Associate Provost or the Office of Sponsored Programs. The full policy and application form— and definitions of these terms—can be found in **Appendix II: West Virginia State University Institutional Review Board Policies**.

Nepotism

(Revised June 2024)

The West Virginia State Ethics Commission defines *nepotism* as “favoritism shown or patronage granted in employment or working conditions by a public official or public employee to relatives or persons with whom the public official or public employee resides.” West Virginia State University (WVSU) policy is that no family member may interpret policy and procedures or make work-related decisions regarding hiring, promotion, salary

compensation level, job assignment, performance evaluation, discipline, termination, or any other issue affecting the employment and working conditions of their relative or a person with whom he or she resides.

For more on this, refer to the **West Virginia State Ethics Commission Overview of Nepotism and the WVSU Nepotism Agreement in Appendix JJ.**

Appendix A: Faculty Senate Constitution and Bylaws

BYLAWS TO THE CONSTITUTION OF THE WEST VIRGINIA STATE UNIVERSITY FACULTY

ARTICLE I: MEETINGS

A. Meetings of the General Faculty:

1. Regular meetings of the WVSU Faculty shall be held four times a year.
2. Special meetings of the faculty may be called under these conditions:
 - a. Upon the call of the Senate, at which time the Chair of the Senate shall preside.
 - b. Upon the call of the Chair of the Senate within two weeks of receiving a written request signed by 20% of the electorate to take up the matter(s) included in the faculty petition.
3. At both regular and special meetings, the Secretary of the Senate shall keep a systematic record of the proceedings, which shall be distributed to the faculty
4. Quorum: A majority of the total full-time membership of the faculty shall constitute a quorum. Meetings shall be open to the public and the news media.
5. Notwithstanding any provision of these Bylaws, the President may from time to time convene meetings of the Faculty upon his/her call. These meetings called by the President are not deemed regular or special meetings of the West Virginia State University Faculty.
6. At the first General Faculty Meeting of each semester the Senate Chair shall pay tribute to those West Virginia State University faculty who passed away since the beginning of the previous semester.

B. Meetings of the Senate:

1. The Senate shall meet regularly once a month during the academic year; it shall keep a systematic record of its proceedings. A digest of these records shall regularly be provided to all faculty members. The complete records shall be made available to all members of the University upon request.
2. Special meetings of the Senate may be called under these conditions:
 - a. They may be called by the Chair of the Senate at the Chair's discretion.
 - b. They shall be called by the Chair upon written petition of 20% of the Senate membership.
 - c. They shall be called by the Chair upon written petition of 20% of the electorate.
3. The agenda of each regular meeting shall be distributed to the members of the Senate and to the entire faculty by the Secretary at least three days prior to the meeting.
4. Written notice of each special meeting and its agenda shall be distributed to the members of the Senate by the Secretary at least three days prior to the meeting, unless the Chair or Vice Chair, with the concurrence of a majority of the Executive

Committee, decides that the urgency of the occasion will not permit the usual three-day notice; in a meeting called under this provision, notice shall be given as far in advance as possible and action shall require an absolute majority of the membership of the Senate.

5. The meetings of the Senate shall be open to all members of the University community, the public, and the news media.

C. Terms Defined:

The word "college" used herein shall refer to the academically related areas of the university, including: Arts and Humanities, Business and Social Sciences, Natural Sciences and Mathematics, and Professional Studies. The word "Division" used herein shall refer to the academically-related area of the university, namely Librarians and Counselors. The term shall relate to and identify the areas in which general elections will be held.

ARTICLE II: ELECTIONS

A. Senate:

1. The members of the four colleges, and the Librarians and Counselors shall elect members of the Senate and Senate Alternates during the first week of March. The names of the elected members shall be submitted to the Senate and the general faculty. Newly elected Senators and Senate Alternates shall take office at an appropriate time during the regular Senate meeting in May, after which the newly constituted membership of the Senate will elect those of its officers who are to be elected, namely Chair, Vice Chair, Secretary, and Historian.
2. Each elected Senator shall be elected for a three (3) year term except for the first election. The first election shall be divided so as to have at least 1/3 of the Senators elected for one year terms, 1/3 for two-year terms, and 1/3 for three-year terms. The Executive Committee shall determine the specific terms for the first election. Senate alternates shall be elected for one-year terms. No Senator shall serve more than two (2) consecutive terms or more than seven (7) consecutive years.
3. The Senate alternate shall be the nominee receiving the next highest vote at the college or division elections. In cases where there is only one nominee, an alternate shall be elected.
4. The faculty shall elect, by its April meeting, a representative to the Advisory Council of Faculty and a representative to the Institutional Board of Governors. College deans may not serve as a representative to either body. The representative is eligible for re-election. The term of office is two years.

West Virginia Code Chapter 18B-2A-1.d.2 provides for re-election of the representative to the Board of Governors for up to three additional two-year terms for a maximum of eight consecutive years. West Virginia Code (Chapter 18B-6-2) does not specify any term limit for the representative to the Advisory Council of Faculty.

B. Committees:

The faculty shall establish such operational committees as are needed to carry out the function and responsibilities of the faculty. All actions of faculty committees shall be subject to review by the Senate. All committee meetings shall be open to the public, with the exception of the Faculty Personnel Committee during the times it meets in executive session.

1. Committee members shall be elected during the fall faculty orientation.
2. The Chair of the Senate shall preside at the meeting at which elections are held.
3. Elections shall be by plurality vote of the faculty members present and voting at the regular meeting of the faculty.
4. Voting shall be by secret ballot.
5. All committee meetings shall be open to the public, with the exception of the Executive Session of the Faculty Personnel Committee, Retention Committee and Promotion and Tenure Committee. Such executive sessions are considered closed because matters relating to individual faculty members are under consideration.
6. Chairs of all committees shall use the following report structure:
 - a. name of Chair and members of the committee
 - b. times met and attendance of members
 - c. actions taken by the committee
 - d. recommendations of the committee
 - e. unfinished tasks
7. Calendar for standing committee reports.

February: Program Review, Library, Cultural Activities, Faculty Athletic, EPC, ACF, and BOG

March: Research and Faculty Development, Academic Appeals, EPC, ACF, and BOG

April: Teacher Education, Constitution and Bylaws, Faculty Personnel, EPC, ACF, and BOG

May: Educational Policies, Promotion and Tenure, Retention, ACF, and BOG

September: Faculty Scholarship, General Education, ACF, and BOG

October: Honors, EPC, ACF, and BOG

November: Instructional and Academic Technology, EPC, ACF, and BOG

ACF = Advisory Council of Faculty
BOG = Board of Governors
EPC = Educational Policies Committee

ARTICLE III: COMMITTEE MEMBERSHIP and ORGANIZATION

A. Membership and length of term:

1. Faculty members, excluding members of the Senate, shall not serve on more than three standing committees except where membership is automatic by virtue of a Faculty member's rank or position. Members of the Senate shall serve on no more than two (2) Faculty Committees, other than the Executive, except that a Senate member may hold membership on a particular committee as designated elsewhere in the Bylaws, e.g., the Cultural Activities and Educational Assemblies Committee.
2. The Faculty Senate shall establish the terms of office for the first election to ensure proper rotation and continuity.
3. The term of office for all members of the faculty elected to standing committees shall begin upon election. The Vice Chair-of the Senate shall designate a member to call the first meeting to elect a chair. The name of the chair shall be sent to the Vice Chair-of the Faculty Senate by the Monday after Labor Day.
4. Student members of faculty committees shall be appointed to one-year terms, beginning September 1st.
5. The term of service for elected faculty members on the Educational Policies Committee, the Faculty Personnel Committee, the Honors Committee, the Retention Committee, the Promotion and Tenure Committee, the Faculty Scholarship Committee, the Program Review Committee, Faculty Athletic Committee, Instructional and Academic Technology Committee, and the Academic Appeals Committee shall be three (3) years. All other committee members shall be elected for two (2) year terms
6. The term of service for an *ex officio* member of any committee shall expire when that person ceases to hold the office by which he/she automatically serves on a standing committee.
7. No faculty member shall serve more than two consecutive terms on any one standing committee.

ARTICLE IV: PARLIAMENTARY AUTHORITY

Roberts Rules of Order, current edition, and this Constitution shall be the authority on all questions of Parliamentary law and proceedings. The Parliamentarian shall interpret the

rules and Constitution at the request of any member, and the rulings of the Parliamentarian shall be binding unless over-ruled by majority vote of those present and voting.

ARTICLE V: COMMITTEES

A. FACULTY STANDING COMMITTEES:

1. The Standing Committees of the West Virginia State University Faculty shall be as follows:

a. **EDUCATIONAL POLICIES COMMITTEE:** It shall be the function of this committee to periodically review the curriculum of the University regarding program and course change requests and to verify that submitted proposals are consistent with the University's academic policies and procedures. The Committee's recommendations shall be submitted to the Faculty Senate for its approval at its next monthly meeting. This committee shall elect four members from its body, for one year terms, to a group that shall be called "the subcommittee." This subcommittee is to recommend approval or disapproval of routine changes in the curriculum and the catalog. All recommendations of the subcommittee shall be presented, discussed, and voted on by members of the Educational Policies Committee at each monthly meeting. This subcommittee will consist of four (4) members elected for one-year terms. The Educational Policies Committee shall set forth procedures for conducting subcommittee elections. All actions of the subcommittee are subject to review by the Educational Policies Committee.

The Educational Policies Committee shall consist of one (1) faculty member from each College, elected by that College, and one (1) *ex officio* member from the library faculty, six (6) faculty elected at large, and two (2) students to be appointed under procedures specified by the Student Government Association. The Provost / Vice President for Academic Affairs, the University Registrar, and the Chair of the General Education Committee shall serve as non-voting, *ex officio* members of this committee. Elections and appointments to the committee shall be completed before the end of the spring semester. Three-year terms.

The chair of this committee reports to Faculty Senate at the Senate's October, November, February, March, April and May meetings.

b. **PROGRAM REVIEW COMMITTEE:** It shall be the function of this committee to establish program review criteria for the university, to review and evaluate the University's academic programs on a regular basis and to make recommendations regarding these programs to the Provost / Vice President for Academic Affairs, via the Senate. This committee shall implement those reviews mandated by the Institutional Board of Governors.

This committee shall consist of four (4) members elected at large, plus two (2) faculty appointed by the Senate after consultation with the Provost / Vice President for Academic Affairs, plus one student. The Provost / Vice President for Academic Affairs, the and the University Academic Program Coordinator shall serve as non-voting, *ex officio* members of this committee. Elections and appointments to the committee shall be by the end of the spring semester. Three-year terms.

The chair of this committee reports to Faculty Senate at the Senate's February meeting.

c. **FACULTY PERSONNEL COMMITTEE:** It shall be the function of this committee to monitor the faculty evaluation process, oversee the procedural actions of the Retention and the Promotion and Tenure Committees, and periodically review the procedures and instruments for faculty evaluation.

This committee shall consist of five (5) faculty elected at large, excluding Librarians and Counselors, none of whom may serve on the Retention or the Promotion and Tenure Committees, and the Director of the Center for On-Line Learning shall serve as an *ex-officio*, non-voting member. The committee shall set the calendar for the following year before the end of the spring semester. Three-year terms.

The chair of this committee reports to Faculty Senate at the Senate's April meeting.

d. **RETENTION COMMITTEE:** The Retention Committee makes recommendations on all full-time probationary faculty. The department chairs gather self-reports, any available student evaluations, information from other faculty in the department and their own classroom observation reports and evaluations for each probationary faculty. These documents are then forwarded to the College Deans who add their evaluations and in turn, forward the documents to the Retention Committee. The committee is guided in its recommendations by the WVSU Policy on Retention and the timetable for notification of retention prescribed by HEPC Title 133, Procedural Rule Series 9. The committee may also request more information, observe the faculty members' teaching, and interview the Faculty members in question, as well as others. All tenure-track Faculty reviewed by the committee receive in writing a report of the committee's recommendation. The committee then forwards all documents pertaining to the Faculty, including its recommendation, to the Provost / Vice President for Academic Affairs, who will inform the President. Appeals of retention decisions are heard as mandated in Sections 15 and 16 of HEPC Title 133, Procedural Rule Series 9.

The Retention Committee is composed of nine (9) tenured faculty, two from each college and one at-large member, all elected in the fall Senate committee elections and for staggered three year terms. Department Chairs and college Deans are ineligible for election to the Retention Committee. Three-year terms.

By September 15 of each year, faculty in the third year of a tenure track appointment are notified and asked to assemble for submission materials for the third year Pre-Tenure Review as specified for such submission by the current Faculty Personnel Committee calendar. A Departmental or College Review Committee shall be appointed by the college Dean and will follow the process under the Third Year Pre-Tenure Review under Section C of the West Virginia State University Faculty Handbook. All materials are then submitted to the Retention Committee, which will follow the standard procedure for forwarding documents.

The chair of this committee reports to Faculty Senate at the Senate's May meeting.

e. PROMOTION and TENURE COMMITTEE: The Promotion and Tenure Committee makes recommendations on all applications from faculty members for promotion and tenure. The faculty member begins the process by notifying in writing his or her department Chair; a copy of the letter of application is also filed with the Dean of the faculty member's college, the Vice President for Academic Affairs, the Chair of the Faculty Personnel Committee, and the Chair of the Promotion and Tenure Committee. The faculty member provides his or her Chair with a portfolio and all evidence of the criteria for promotion and tenure set forth in HEPC Title 133, Procedural Rule Series 9 and WVSU policies. The department Chair reviews these materials, includes an evaluation and classroom observation report, information from other faculty in the department and makes a recommendation. The Chair notifies the faculty member of this recommendation. All documents are forwarded to the college Dean, who includes an evaluation and makes a recommendation. The college Dean notifies the faculty member of this recommendation. All documents are forwarded to the Promotion and Tenure Committee. The committee is guided in its recommendations by HEPC Title 133, Procedural Rule Series 9 and the WVSU criteria set forth in its policies. The committee may also request more information, observe the Faculty member's teaching, interview the candidate and interview other faculty members. The committee notifies the faculty member of its recommendation. The committee then forwards all documents pertaining to the faculty, including its recommendation, to the Vice President for Academic Affairs, who will inform the President. Appeals of promotion and tenure decisions are heard as mandated by HEPC Title 133, Procedural Rule Series 9 Sections 15 and 16.

The Promotion and Tenure Committee is composed of six (6) tenured faculty, one from each academic college and two at-large members, all elected in the fall Senate elections and for staggered three year terms. Department Chairs and college Deans are ineligible for election to the Promotion and Tenure Committee. Members of the committee who are applying for promotion shall step down from the committee during the academic year in which they make their application. The Executive Committee of the Faculty Senate will ask the senior Senator from the member's college to conduct a special election to elect a tenured faculty member to serve as an interim committee member for that year. When the academic year concludes the original members will return to the committee to serve the remainder of their terms of office. The chair of this committee reports to Faculty Senate at the Senate's May meeting.

f. **EXECUTIVE COMMITTEE:** It shall be the function of this committee to consider such matters as fall within the jurisdiction of the Senate. The committee shall serve as an expediting group by referring items to the appropriate group or person for recommendations and/or action and thus shall include a specific deadline for receipt of a report on the subject. It shall provide the Secretary with the agenda to be distributed to the Senate, and instruct the Secretary to request the presence of such non-Senate personnel as may be needed to facilitate the business of the Senate.

The Executive Committee shall consist of the Chair, Vice Chair, Secretary, and Historian of the Senate, the faculty representative to the Advisory Council of Faculty and to the Board of Governors of West Virginia State University, and two (2) additional members-at-large to be elected by the faculty. Members-at-large of the Executive Committee shall be elected for a two-year term with no member-at-large serving more than two (2) consecutive terms, excluding unexpired terms. At-large members of the Executive Committee attend Faculty Senate meetings in a non-voting capacity. At-large Executive Committee members are eligible to serve on one Standing Committee of the Faculty Senate. Senators may not be elected at large to the Executive Committee. The Senate Chair of the previous academic year shall serve as an *ex officio*, non-voting member of the committee.

g. **RESEARCH and FACULTY DEVELOPMENT COMMITTEE:** It shall be the function of this committee to explore opportunities for research funds; to stimulate educational research plans and proposals from the faculty; to screen research proposals; and to make awards from its annual funds for research. It shall also be its function to encourage faculty growth and development by acquainting faculty with educational opportunities, screening requests for sabbaticals, and recommending faculty for sabbatical leave to the Provost/Vice President for Academic Affairs.

This committee shall consist of four (4) faculty members elected at large, and one (1) non-voting advisory member from GRDI who shall be appointed by the Vice President and Dean and Director of Agricultural Research and Extension and shall serve for one year. The Vice President and Dean and Director of Agricultural Research and Extension shall serve as an *ex officio*, non-voting member. Two-year terms.

The chair of this committee reports to Faculty Senate at the Senate's March meeting.

h. **LIBRARY COMMITTEE:** It shall be the function of this committee to assist the Library in making library resources available to the University and shall make recommendations to the Director of Library Services and the Senate on the best possible functioning of the Library.

This committee shall consist of the Director of Library Services as an *ex officio* member, five (5) faculty members, one elected from Librarian and Counseling, one from each College, plus one (1) student, and an appointed, nonvoting advisory member from GRDI who shall be appointed by the Vice President and Dean and Director of Agricultural Research and Extension and shall serve for one year. Two-year terms.

The chair of this committee reports to Faculty Senate at the Senate's February meeting.

i. **CULTURAL ACTIVITIES and EDUCATIONAL ASSEMBLIES COMMITTEE:** It shall be the function of this committee to plan, organize and develop programs for the university educational assemblies, and to be responsible for the presentation each year of the Artists Series programs and other programs for the University.

This committee shall consist of four (4) faculty, one elected from each college; six (6) faculty elected at large; the Program Coordinator of Student Life and Engagement; two (2) student members appointed by the Program Coordinator of Student Life and Engagement; four (4) student members, one appointed by each college Dean; *ex officio* (non-voting) members are the General Education Coordinator, a representative from the Office of the Provost, the Gallery Director, the Theater Facilities Manager, and a representative from the Office of University Advancement. Two-year terms.

The chair of this committee reports to Faculty Senate at the Senate's February meeting.

j. **CONSTITUTION, BYLAWS and FACULTY HANDBOOK COMMITTEE:** It shall be the function of this committee to periodically review the Constitution and Bylaws, and the Faculty Handbook, and recommend to the Senate such changes that are, in its judgment, desirable. It shall report to the Senate its recommendations with respect to any proposed amendments to the Constitution, Bylaws, or Handbook submitted in writing, signed by the originators and referred to the committee by the Senate or the Senate Executive Committee.

It shall consist of one (1) representative from each college plus one (1) elected faculty member-at-large. The Chair of the committee shall be an *ex officio* member of the Faculty Senate and may be called upon by the Senate Executive Committee as needed. Two-year terms.

The chair of this committee reports to Faculty Senate at the Senate's April meeting.

k. **TEACHER EDUCATION COMMITTEE:** It shall be the function of this committee to examine and evaluate present teaching programs and to provide leadership in planning modifications of present programs and recommending new programs. Recommendations concerning curricula shall be sent to the Educational Policies Committee for approval and forwarded to the Senate.

This committee shall consist of the Chair of the Department of Education, five (5) elected faculty members, one elected from-Library and Counseling, one (1) from each college, and two (2) students, one of whom shall be elected by the students in the Department of Education. Two-year terms.

The chair of this committee reports to Faculty Senate at the Senate's April meeting.

l. **ACADEMIC APPEALS COMMITTEE:** It shall be the function of this committee to hear grade appeals, to hear cases of academic dishonesty, to hear appeals of academic suspension, to hear appeals of dismissal from a program of the University and to carry out other duties in accordance with the academic appeals procedures as stated in the WVSU Catalog.

This committee shall consist of three (3) faculty members elected at large (one of whom will serve as chair), two (2) alternates (to serve in the event of challenges to regular members), and two (2) students and one alternate (all selected by Student Government). Three-year terms.

The chair of this committee reports to Faculty Senate at the Senate's March meeting.

m. **FACULTY GRIEVANCE COMMITTEE:** It shall be the function of this committee to provide the President with an appropriate hearing committee in institutional-level grievance/conflict cases involving faculty members.

The committee is composed of three members from each of the institution's four academic ranks. One additional member shall be elected from the faculty at large. Neither members of the Faculty Personnel Committee nor members of the Retention Committee or Promotion and Tenure Committees shall serve on this committee. The entire committee of thirteen faculty members shall be elected annually. In the event of a vacancy for any cause, the Faculty Senate shall appoint a replacement to fill the vacancy.

If the President elects to utilize the Grievance Committee in instances where faculty members elect the institutional-level grievance process, the following procedures are recommended: The President shall furnish a list of nine members from the committee to the faculty grievant, who shall then strike four members and return the list to the President within fifteen days. The President shall then notify the selected members of the committee in writing, who will be responsible to elect a chair from among their number, hold a hearing in accordance with proper procedures, and forward their decision to the President and the faculty member within fifteen days.

n. **FACULTY SCHOLARSHIP COMMITTEE:** It shall be the function of this committee to oversee the administration and awarding of scholarships from the Faculty Scholarship Fund, in accordance with the policy adopted by the Faculty Senate.

The committee shall consist of five (5) members elected to three-year terms. The terms shall be set so that two of the members' terms will end each year. The membership shall consist of one (1) faculty member elected by the faculty of each of the colleges of the University. Three-year terms.

The chair of this committee reports to Faculty Senate at the Senate's September meeting.

p. **GENERAL EDUCATION COMMITTEE:** The responsibility of the General Education Committee is to oversee the general education core curriculum, presenting proposals for revising it, and evaluating proposals from other faculty or departments/colleges, with reference to the common learning objectives and the component learning objectives. Second, the committee will assist the Chair (who is appointed by the Provost / Vice President for Academic Affairs) in administering the program of assessment of student learning in the

general education core curriculum. Third, each academic year the committee shall select a “book of the year” to foster interdisciplinary dialogue within the academic intellectual community. Fourth, the committee shall work with the Coordinator of International Studies and relevant faculty to support the interdisciplinary minors in (a) African and African-American Studies, (b) Women’s Studies, and (c) International Studies.

In addition to the standing chair, who shall be the Coordinator of General Education, the Committee’s membership will consist of two representatives elected from each college of the University, and one representative from the division of Librarians/Counselors. Two at-large representatives will be elected at the general faculty meeting in August and a student will be elected by the Student Government Association to serve on the committee. The University Academic Program Coordinator will serve *ex officio* on the committee. Two-year terms.

The chair of this committee reports to Faculty Senate at the Senate’s September meeting.

q. HONORS PROGRAM COMMITTEE: The responsibility of the Honors Program Committee is to assist the Honors Program Director in oversight of the Honors Program of the University. Duties include evaluation of courses proposed for the Honors Program, recruitment of qualified students for the program, and coordination with Honors Advisors within the individual Colleges.

In addition to the standing Chair, who shall be the Director of the Honors Program (appointed by the Provost / Vice President for Academic Affairs), the committee’s membership will consist of: one (1) representative from each college of the University, appointed by the Faculty Senate Executive Committee in consultation with the Director. These individuals shall serve as the faculty liaison for the Honors Program to their individual Colleges. These individuals shall serve three-year terms: four (4) at-large members elected by the faculty. This individual shall serve a two-year term: one (1) Honors Program student. *Ex officio*, non-voting members are the Assistant Provost, University Registrar and the Director of Admissions.

The chair of this committee reports to Faculty Senate at the Senate’s October meeting.

r. INSTRUCTIONAL and ACADEMIC TECHNOLOGY COMMITTEE: It shall be the function of this committee to oversee the planning, selection and administration of the instructional and academic technology (hardware, software and services) used in both face-to-face and online classroom instruction by the faculty or the academic departments.

The committee shall consist of five (5) members elected to three-year terms as follows: one (1) faculty member from each college elected by the faculty of that college, one (1) faculty member from the Library, and one (1) faculty member elected at large. The Provost, the Vice President for Finance, the Director of Instructional Technology and the Director of the Center for Online Learning shall serve as *ex officio*, non-voting members.

The chair of this committee reports to Faculty Senate at the Senate's November meeting.

s. FACULTY ATHLETIC COMMITTEE: The Faculty Athletic Committee is comprised of faculty, staff, and students, and acts in an advisory role to the President of the University and the University Provost in matters pertaining to intercollegiate athletics. The Faculty Athletic Committee will review the following area pertaining to athletics: governance and commitment to rules and compliance; academic integrity; fiscal integrity; commitment to equity; and student-athlete welfare.

The Faculty Athletic Committee will consist of the following membership: one (1) elected faculty member from each College, one (1) elected at-large member of the WVSU Faculty, the NCAA Faculty Athletic Representative (FAR) who shall be the chair of the committee, the NCAA Compliance Officer, a member of the Staff Council, and a student athlete. A member of the coaching staff will be an *ex-officio*, voting member, and a member of the "W" Club will serve as an *ex-officio*, non-voting member. The WVSU Athletic Director will be an *ex-officio*, non-voting member of the committee. Terms are three (3) years. The committee Chair will report to the Senate at the Senate's February meeting.

2. All standing committees of the West Virginia State University Faculty shall elect a chair by their final meeting of the spring semester. If a chair cannot be elected or if no one will accept the position, the Faculty Senate shall appoint a convener from the current members of the committee no later than August 31st.

3. The Senate will appoint a Senator to each of its standing committees who will serve as a nonvoting member of that committee. This Senator will act as a liaison between the committee and the Senate.

ARTICLE VI: AMENDMENTS

A. Any Senate member may propose an amendment to these bylaws by submitting the proposed amendment at a regular meeting of the Senate. Any full-time faculty member may

propose an amendment to these Bylaws by submitting the proposed amendment in writing to the Secretary of the Senate.

B. Upon approval of the majority of the Senate present and voting at a regular meeting, the proposed amendment will be sent to the Constitution, Bylaws, and Faculty Handbook Committee, which shall re-word or reorganize, without substantive change, such portions as are necessary to conform to the standard format. The Constitution, Bylaws, and Faculty Handbook Committee shall then send its recommendation on the proposed amendment to the Senate. The proposed amendment will become effective upon approval of the majority of the Senate present and voting at a regular meeting.

ARTICLE VII: WHO SHALL ADDRESS the FACULTY and the SENATE

The Faculty or Senate may be addressed by administrative officers of the University, by the members of the general electorate, by students and by representatives of the University Staff upon request to the Executive Committee.

ARTICLE VIII: VACANCIES on COMMITTEES and in the SENATE

A. In the event that faculty vacancies occur on standing committees, the Executive Committee shall either direct the unrepresented college to hold an election for replacement which shall be conducted by the senior senator or shall proceed as follows:

1. The Executive Committee shall call to the attention of the Senate vacancies on standing committees.
2. The Senate shall appoint members to fill those vacancies until the next faculty election at which time they shall be filled by regular means.
3. Procedures for filling vacancies will be facilitated by moving to the individual with the next highest number of votes received during the fall election, who is both eligible and available. When and if the fall election list is exhausted, the Senate Chair will appoint individuals who are both eligible and available in order to fill vacancies.

B. Vacancies in the Senate:

1. If a Senator fails to attend three consecutive regularly scheduled meetings, the Senate may by majority vote, expel the member and declare the seat vacant.
2. The Chair of the Senate shall appoint a member of the electorate. This person should have qualifications, which are similar to those of the previous occupant.

ARTICLE IX: POLICY FILE

- A. All permanent policies and regulations adopted by the Senate and approved by the President shall be brought together in a central location. They shall be compiled and included in the Policy File. The first part of the Policy File shall be the Senate Constitution and Bylaws; the remainder shall consist of special adopted codes and other regulations and procedural matters of general interest to the faculty at large.
- B. A subcommittee appointed by and responsible to the Constitution and Bylaws Committee shall review such additions and changes as are adopted by the Senate and approved by the President for the Policy File, and shall re-word or reorganize, without substantive change, such portions as are necessary to conform to the standard format of the file.
- C. The Policy File, which shall include the Senate Constitution and Bylaws, shall be called the Faculty Handbook and shall be distributed to all members of the faculty and all administrative officers. Revision of this publication shall be made in accordance with changes made in the Policy File and shall be the responsibility of the Constitution and Bylaws Committee.

Appendix B: WVSU Graduate Studies Governance: Constitution

West Virginia State University
Graduate Studies Governance: Constitution
April 2024

Article I: Name and Background

The Graduate Studies Council (GSC) is the organ of faculty governance for graduate programs of study at West Virginia State University. The West Virginia State University GSC consists of elected members of the WVSU Graduate Faculty and *ex officio* members. In addition to its role in shared governance, the GSC serves in an advisory role to the Graduate Program Coordinators, Provost, and College Deans to ensure the integrity of graduate studies. The GSC is an advisory council to the Office of Provost and Vice President of Academic Affairs. All meetings of the Graduate Faculty are presided over by the Chair or his/her designee.

Article II: GSC Responsibilities

The GSC advocates for graduate education at West Virginia State University in addition to ensuring quality. The Council reviews proposals for new graduate programs and policies, evaluates substantive revisions in graduate program structure, coordinates program reviews, maintains the roster of Graduate Faculty membership, and considers matters affecting graduate education. Responsibility for administration of the Graduate Faculty policies and regulations, resolving problems of interpretation of these rules, and the recommending of University-wide graduate academic standards is vested in the Graduate Studies Council. The Graduate Studies Council makes recommendations in matters such as:

- New graduate programs;
- Graduate courses and curricula,
- Graduate admission standards;
- Designation of graduate faculty members; and
- Graduate programs' review and assessment.

Article III: GSC members

Membership of GSC is derived from three categories:

- A. *Program Coordinators*. Program Coordinators are appointed by the Provost and bear the responsibility for leadership of a graduate program(s). Program Coordinators are members of the GSC.

- B. *Graduate Faculty.* Each graduate program elects one full graduate faculty member (defined in Article IV) as its GSC representative (in addition to the Program Coordinators). In addition, one full graduate faculty member will be elected as an At-Large member of GSC.
- C. *Ex-officio.* The President, Provost, College Deans, University Registrar, Director of Admissions, Academic Program Assessment Coordinator, Director of Financial Aid, Director of Library Services, Director of International Student Affairs, and President of the Graduate Student Association serve as non-voting, ex-officio members of the GSC.

Article IV: Graduate Faculty Membership

All University faculty members who have an appropriate degree/qualifications as determined by the program of study will perform Graduate Faculty functions. Recommendations for membership in the Graduate Faculty come from the individual graduate programs to the GSC. The GSC then reviews these applications and makes recommendations to the Provost. The Provost will then issue decision letters based on the recommendations and the resumes of the nominees. Members of the Graduate Faculty may teach graduate-level courses, serve on GSC committees, advise graduate students, direct dissertations/theses, and serve on dissertation/thesis committees. Graduate Faculty Members are expected to engage actively in the university's graduate program and to pursue professional activities consistent with that engagement. The following levels of Graduate Faculty membership are recognized:

- A. *Ex officio.* The President of the University, the Provost and Vice President for Academic Affairs, and the College Deans hold *ex officio* membership on the Graduate Faculty.
- B. *Full.* Unless special circumstances exist, full members of the WVSU Graduate Faculty are individuals who hold a terminal degree in a relevant area of study and are members of the WVSU faculty. Individuals may hold Full membership for a five-year term and can be reappointed to subsequent terms upon the Program Coordinator's recommendation. Full Graduate Faculty Members have voting rights.
- C. *Associate.* Unless special circumstances exist, individuals who hold a terminal degree in a relevant area of study may be appointed to Associate Graduate Faculty status. These faculty are eligible to teach graduate-level courses and serve on

dissertation/thesis committees but shall not chair a dissertation/thesis committee or serve as a primary advisor for a graduate student. Individuals may hold Associate membership for a five-year term but can be reappointed to subsequent terms upon the Program Coordinator's recommendation. Associate members have no voting rights.

D. Assistant. Assistant members of the Graduate Faculty are eligible to teach graduate-level courses. Individuals may hold Assistant membership for a five-year term but can be reappointed to subsequent terms upon the Program Coordinator's recommendation. Assistant members neither serve on dissertation/thesis committees nor as primary advisors for graduate students, and have no voting rights.

Article V: Duties and Responsibilities of the Graduate Faculty.

The Graduate Faculty determines policy on matters concerning graduate programs, except as specified by the WVSU governing board and/or university administration. The duties and responsibilities of membership on the Graduate faculty include:

- Electing members of the GSC;
- Teaching graduate-level courses and seminars;
- Advising graduate students;
- Supervising/guiding graduate student scholarship to its completion;
- Serving on graduate dissertations/theses committees;
- Remaining current and actively productive in terms of scholarship and/or creative endeavors;
- Participating in the formulation of graduate curricula and policy; and
- Serving on GSC committees.

Article VI: Duties and Responsibilities of the GSC Chair.

The GSC Chair is elected by the Graduate Studies Committee for a 2-year term. A Chair can be reappointed for no more than three consecutive terms (maximum of six years). The Chair must be a Full Graduate Faculty member. The Chair serves as a liaison between the GSC and the University Provost. The duties and responsibilities of the GSC Chair include:

- Appointing a vice Chair of GSC to perform Chair's duties in his/her absence (the vice Chair must also hold a Full Graduate Faculty Status);
- Giving notice of the GSC meetings at least one week before the meeting;
- Presiding over the GSC meetings;

- Calling special GSC meetings if needed;
- Preparing and sharing the agenda for GSC meetings;
- Collecting and disseminating the required documentation;
- Running GSC elections;
- Appointing ad-hoc committees;
- Casting a vote to break a tie;
- Keeping record of the GSC proceedings, including meeting minutes, updated roster of the graduate faculty, etc.;
- Reporting to the WVSU Faculty Senate as mandated; and
- Serving as a member of the WVSU Faculty Senate's Executive Committee (ex officio, non-voting).

Article VII: Duties and Responsibilities of Graduate Program Coordinators.

The key administrative level for graduate education at WVSU is the Graduate Program Coordinator. Graduate Program Coordinators will work with College Deans and program faculty to:

- lead program recruitment efforts;
- manage graduate program admissions;
- coordinate graduate student advising;
- maintain graduate program records;
- process graduate student appeals; and
- coordinate annual program review and assessment.

Article VIII: Duties of the GSC.

Keys duties of the WVSU GSC include:

- Review of graduate programs. The GSC assists the Provost in conducting reviews of all graduate programs. Following completion of its evaluation of program review documents, the GSC may recommend to the Provost appropriate actions, including (1) continuation of the program; (2) continuation of the program with requested corrective actions or follow-up information; (3) program suspension; (4) program termination; etc.
- Evaluation of proposals for new graduate programs. Upon request of the Provost, the GSC reviews and makes recommendations on new graduate and certificate program proposals.

- Review of program curriculum and curriculum changes. The GSC reviews and makes recommendations to the Provost regarding proposals for new courses or changes in the existing curriculum.
- Review of the Graduate Faculty membership. The GSC receives applications for Graduate Faculty status from Program Coordinators and forwards its recommendations for appointment to the Provost.

The Graduate Studies Council shall meet at least two times per semester. The GSC Chair may call special meetings. Notice of all meetings shall be given at least seven (7) days in advance to all voting and *ex-officio* members of the Council. A quorum of the University Graduate Studies Council shall consist of a majority of the voting members. The Chair will vote only to break a tie. Electronic voting is permissible if the majority of the voting members concur. Any member of the University community may make a request to the Chair to attend a GSC meeting. Conversely, the GSC may request attendance of the same. Agendas and minutes of the GSC meetings shall be made available to all members of the Council, the College Deans, and all Graduate Faculty.

Article IX: Subcommittees of Graduate Studies Committee

Graduate Studies Council has the authority to develop subcommittees consisting of GSC members and graduate faculty as a whole to accomplish the mission of the Council. The subcommittees can be either standing or ad hoc, depending on the needs of the Council. Standing committees of the Council include:

Program Assessment and Review Committee – The role of this committee is to evaluate the University’s graduate academic programs and make recommendations to GSC. This committee shall implement the reviews mandated by the WVSU Board of Governors. Program Assessment and Review Committee will consist of three members, including two graduate program coordinators and one at-large full graduate faculty member. These three members will be elected by the graduate faculty with voting power. The University Academic Program Assessment Coordinator will be an *ex-officio* (non-voting) member of this committee.

Article X: Elections

All elections should be conducted at the last GSC meeting in the Spring semester of the academic year. All elections are completed on a majority basis of those in attendance at the meeting.

Article XI: Amending Graduate Studies Governance

Amendments to the structure of the governance of graduate programs must initiate from the Graduate Studies Council. Upon a passing vote (majority of GSC members present), the proposed amendment is forwarded to the full Graduate Faculty for vote. The amendment is adopted upon a majority vote of the Graduate Faculty. Recordkeeping of the approved changes is the responsibility of the Chair of the Graduate Studies Council.

**Appendix C: Title 133 Procedural Rule – Academic Freedom,
Professional Responsibility, Promotion, and Tenure**

TITLE 133
PROCEDURAL RULE
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION
SERIES 9
TITLE: ACADEMIC FREEDOM, PROFESSIONAL RESPONSIBILITY,
PROMOTION, AND TENURE

Title 133, Procedural Rule WV Higher Education Policies Commission Series 9 (Academic Freedom, Professional Responsibility, Promotion and Tenure) can be accessed at the following web site: <https://www.wvhepc.edu/wp-content/uploads/2020/02/133-9final.pdf>

It is also copied below. Please note that it may not be formatted properly because of difficulties in translating PDF files to MS-Word.

SECTION 1. GENERAL

1.1. Scope - This policy relates to academic freedom and responsibility, appointment, promotion, tenure, non-reappointment or dismissal of faculty, and grievance procedures for matters pertaining to faculty. The policy sets forth the major elements which need to be incorporated by institutional Boards of Governors as they formulate institutional policy relating to faculty issues. Each Board of Governors shall develop a policy on faculty matters for its institution as set forth in this Higher Education Policy Commission statement and shall file its policy with the Chancellor.

1.2. Authority — W. Va. Code §18B-1-6, 18B-1B-4, and 18B-7-4

1.3. Filing Date — August 20, 2007

1.4. Effective Date — September 20, 2007

1.5. Modification of Existing Rule: Title 133-9 Procedural Rule of the West Virginia Higher Education Policy Commission

SECTION 2. ACADEMIC FREEDOM AND PROFESSIONAL RESPONSIBILITY. 2.1. Academic freedom at public institutions of higher education in West Virginia under the jurisdiction of the Higher Education Policy Commission is necessary to enable the institutions to perform their societal obligation as established by the Legislature. The Commission recognizes that the vigilant protection of constitutional freedoms is nowhere more vital than in the

institutions 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 instruction, research, extension service, and other professional duties. Activity for pecuniary return that interferes with one's obligations to the institution should be based upon an understanding, reached before the work is performed, with the authorities of the institution. 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 institution, 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 public institution of higher education in West Virginia is a citizen, a member of a learned profession, and a representative of an educational institution. As such, a faculty member, together with all other members of the academic community, has the responsibility for protecting, defending, and promoting individual academic freedom for all members of the community. The faculty member has the responsibility of contributing to institutional and departmental missions in teaching, research, and service as defined by the institution. The faculty member is responsible also as a teacher for striving to speak with accuracy and with respect for the similar rights and responsibilities of others. In speaking only as an individual or for a limited group, the faculty member should not imply or claim to be a spokesperson for the institution in which he or she holds an appointment.

2.4. In addition to meeting the primary responsibilities of addressing institutional missions in teaching, research, and service as defined by the institution, all faculty have an obligation to foster the quality, viability, and necessity of their programs. The financial stability of a program and recruitment of an adequate number of students depend in part on the faculty. The common goal of quality must be nurtured and responsibility for it shared by all. Integrity, objectivity, and service to the purposes and missions of the institution are expected.

2.5 Faculty interests and skills change, disciplines evolve, and new professions or fields of study emerge. All faculty members are responsible for remaining current in their disciplines. All are encouraged to explore opportunities for further developing a versatile range of knowledge and skills that are important to the institution. Through individual initiative and faculty development programs, faculty members are encouraged to grow in competency in their own disciplines and strengthen their interests in related fields.

2.6 As members of an academic community, faculty members also are expected to participate in decisions concerning programs and in program-review processes.

SECTION 3 FACULTY: RANKS AND DEFINITIONS.

3.1. The faculty at any state institution of higher education shall be those appointees of the institution's designee. The faculty are those so designated by the institution and may include, but are not limited to, such professional personnel as librarians, faculty equivalents, academic professionals, and those involved in off-campus academic activities.

3.2. Faculty may fall into one of the following classifications:

3.2.1. Tenured: Those faculty members who have attained tenure status as determined by the institution. Normally, tenured appointments are full-time (1.00 FTE or the equivalent, as determined by the institution) for the academic year.

3.2.1.1. Under special circumstances, if requested by the faculty member and approved, a full-time tenured appointment may be converted to a part-time tenured appointment for a specified time period, normally not to exceed one calendar year. At the conclusion of the approved time period or an approved extension thereof, the faculty member will return to a full-time tenured appointment or, if the faculty member chooses not to return to a full-time tenured appointment, the faculty member's employment will cease. This section does not apply to actions associated with phased retirement programs.

3.2.2. Tenure-Track: Those faculty members who have been appointed on a full-time (1.00 FTE or the equivalent, as determined by the institution) basis and have been designated as being in a tenure-track position.

3.2.2.1. Under special circumstances, if requested by the faculty member and approved, a full-time tenure-track appointment may be converted to a part-time tenure-track appointment for a specified time period, normally not to exceed one calendar year. At the conclusion of the approved time period or extension thereof, the faculty member will return to a full-time tenure-track appointment or, if the faculty member chooses not to return

to a full-time tenure-track appointment, the faculty member's employment will cease. Time spent in a part-time tenure-track appointment will not normally apply to the calculation of the years of service for the purposes of tenure nor will it result in any de facto award of tenure.

3.2.3. Clinical-Track: Those faculty members who have been appointed and have been designated as being in a clinical-track position. Their appointment may be full time (1.00 FTE or the equivalent, as determined by the institution) or part-time.

3.2.4. Librarian-Track: Those faculty members who have been appointed and have been designated as being in a librarian-track position. Their appointment may be full-time (1.00 FTE or the equivalent, as determined by the institution) or part-time.

3.2.5. Term: Those faculty members at universities and other four-year institutions and who have been appointed as instructional faculty for a specified term as defined by the institution. The appointment shall be full-time (1.00 FTE or the equivalent, as determined by the institution) or part-time. While a full-time term faculty member is eligible to receive reappointment to additional terms, no single term may exceed three years. No number of term appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty. Such full-time appointments will not exceed ten percent of the total number of full-time faculty at the institution.

3.2.6. Non-tenure-Track: Those faculty members who have not been appointed in a tenure-track, clinical-track, librarian-track, term, or tenured status. Their appointment may be full-time (1.00 FTE or the equivalent, as determined by the institution) or part-time. Non-tenure-track faculty may also include faculty equivalents or academic professionals, whose primary duties are non-instructional, but who may hold a secondary appointment that is instructional in character. No number of Non-tenure-track appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty.

3.3. Faculty appointed to tenured, tenure-track, or term 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; or

3.3.4. Instructor

3.4. Faculty appointed to clinical-track positions at any institution may be appointed to one of the following ranks:

3.4.1. Professor, with the designation of School of Medicine (SM), School of Dentistry (SD), or School of Nursing (SN);

3.4.2. Associate Professor, with the designation of School of Medicine (SM), School of Dentistry (SD), or School of Nursing (SN);

3.4.3. Assistant Professor, with the designation of School of Medicine (SM), School of Dentistry (SD), or School of Nursing (SN); or

3.4.4. Instructor, with the designation of School of Medicine (SM), School of Dentistry (SD), or School of Nursing (SN)

3.5. Faculty appointed to librarian-track positions at any institution may be appointed to one of the following ranks:

3.5.1. Librarian or Professor/Librarian;

3.5.2. Associate Librarian or Associate Professor/Librarian;

3.5.3. Assistant Librarian or Assistant Professor/Librarian; or

3.5.4. Staff Librarian or Instructor/Librarian

3.6. Clinical-track, librarian-track, and term faculty hold appointments that are not subject to consideration for tenure, regardless of the number, nature, or time accumulated in such appointments. Clinical-track, librarian-track, and term faculty appointments are 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.

3.7. Additional ranks are permitted at West Virginia University and West Virginia State College through the use of the title prefix designation "extension;" such additional ranks are

excluded from and in addition to those ranks covered by the provisions of the West Virginia Code.

3.8. Other appropriate titles which more accurately indicate the nature of the position may be used.

3.9. Persons assigned full-time or part-time to administrative or staff duties at any institution may be appointed to, or may retain, one of the foregoing faculty ranks in addition to any administrative or staff title, following consultation with appropriate academic units. Such persons will be informed in writing at the time of the appointment whether the faculty rank is as a tenured, tenure-track, clinical-track, librarian-track, term, or non-tenure-track member of the faculty. Administrative or staff personnel who are not appointed to a faculty position are not faculty and therefore are not entitled to the protections provided by this policy.

3.10. Clinical-track, librarian-track, term, and Non-tenure-track faculty at all institutions hold non-tenurable 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. These appointments are for a specified period of time as set forth in the notice of appointment. Since the faculty member thus appointed is not on the tenure track, the notice provisions set out in Section 10.5 below do not apply.

3.11. Non-tenure-track appointments shall have one of the following titles:

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

3.11.2. Lecturer or senior lecturer;

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

3.12. Non-tenure-track full-time (1.00 FTE or the equivalent, as determined by the institution) faculty appointments may be used only if one or more of the following conditions prevail:

3.12.1. 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.

- 3.12.2. The appointment is for the temporary replacement of an individual on sabbatical or other leave of absence. Such appointments are outside tenure-track status, are subject to annual renewal, and normally may not exceed three years.
- 3.12.3. 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 are outside tenure-track status, are subject to annual renewal, and normally may not exceed three years.
- 3.12.4. 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 are outside tenure-track status, are subject to annual renewal, and normally may not exceed six years.
- 3.12.5. The appointee is granted a primary appointment as an administrator or to perform other non-instructional 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.
- 3.12.6. Appointment or reappointment to a Non-tenure-track full-time faculty position shall create no right or expectation of continued appointment beyond the one-year period of appointment or reappointment.

3.13. The institution shall make all tenured, tenure-track, clinical-track, librarian-track, term, and Non-tenure-track appointments after consultation with appropriate faculty and other collegiate units.

3.14. Every faculty contract at any institution shall be for one fiscal year, or part thereof, in accordance with and in compliance with the annual budget of the institution, or supplementary actions thereto, as provided by law.

3.15. Every such contract shall be in writing, and a copy of the document shall be furnished to the person appointed. Such document shall contain the terms and conditions of the appointment, as delineated in Section 17 of this policy.

SECTION 4. FACULTY: TYPES AND CONDITIONS OF APPOINTMENT.

4.1. Full-time appointments to the faculty of an institution, other than those designated as clinical-track, librarian-track, term, or Non-tenure-track, shall be either tenured or tenure track.

4.2. All clinical-track, librarian-track, term, and other Non-tenure-track appointments, as defined in Section 3 of this policy shall be neither tenured or tenure-track, 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 any 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, except the practice of medicine or dentistry which are restricted below in subsection 4.3.2. shall not be restricted unless such activities or employment interfere with the adequate performance of institutional duties. The institution expects its faculty to give full professional effort to assignments of teaching, research and service. It is, therefore, considered inappropriate to engage in gainful employment outside the institution that is incompatible with the faculty member's contractual commitment to the institution. Moreover, it is considered inappropriate to transact personal business from one's institutional office when it interferes with institutional duties and responsibilities. The institution shall establish a program of periodic review of outside services of appointees to guide faculty members.

4.3.2. Full-time faculty appointments assigned to respective dental or medical schools will render dental and medical patient services only at facilities affiliated with their assigned institution, or at such other locations or facilities as may be authorized in their annual notice of appointment, or as otherwise approved in writing by the institution.

4.3.2.1. Fees for professional patient related services rendered by full time medical and dental faculty appointees shall be billed, collected and expended in accordance with the bylaws of the faculty practice plan for their respective institution, or through such other billing and collection mechanism as may be provided for in the faculty member's annual notice of appointment, or as otherwise approved in writing by the institution.

4.3.2.2. Fees for professional services not directly related to patient services including, but not limited to, royalties, honoraria, legal actions where no patient services have been rendered, or other such similar sources as may be approved in writing by the institution are permitted as individual income to the individual faculty member.

4.3.3. If outside employment or service interferes with the performance of the regular institutional duties and responsibilities of the appointee, the institution has a right to (a) require the appointee to cease such outside employment or service which interferes with institutional duties and responsibilities of the appointee, (b) 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, or (c) dismiss for cause as set out in Section 12 below.

4.3.4. Institutions may permit and encourage a reasonable amount of personal professional activity, such as consulting, by a faculty member outside the faculty member's duties and responsibilities of employment by and for the institution, provided such activity: (1) further develops the faculty member professionally and (2) does not interfere with duties and responsibilities to the institution.

4.4. If the status of a faculty member changes from Non-tenure-track, clinical-track, librarian track, or term to tenure-track, the time spent at the institution may, at the discretion of the institution, be counted as part of the tenure-track period.

SECTION 5. JOINT INSTITUTIONAL APPOINTMENTS.

5.1. Faculty members may be appointed to perform academic duties at two or more public institutions of higher education in West Virginia, whose 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 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. EMERITUS STATUS.

6.1. Emeritus status is an honorary title that may be awarded to a retiring faculty member or administrator for extended meritorious service. Each institution shall establish a policy regarding emeritus status and file the policy with the Policy Commission. There is no salary or emolument attached to the status other than such privileges as the institution may wish to extend.

SECTION 7. PROMOTION IN RANK.

7.1. Within the following framework, each institution shall establish, in cooperation with the faculty or duly-elected representatives of the faculty, guidelines and criteria for promotion in rank for tenured, tenure-track, clinical-track, librarian-track, term, and non-tenure track faculty:

7.1.1. 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 institutions might be: excellence in teaching; publications and research; professional and scholarly activities and recognition; accessibility to students; adherence to professional standards of conduct; effective service to the institution, college, or department; significant service to the community; experience in higher education and at the institution; possession of the earned doctorate, special competence, or the highest earned degree appropriate to the teaching field; 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.

7.1.2. There shall be demonstrated evidence that, in the process of making evaluations for promotions, there is participation of persons from several different groups, such as: peers from within and without the particular unit of the institution, supervisory administrative personnel such as the department/division chairperson and the dean, and students.

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

7.1.4. The institution shall provide copies of its institutional guidelines and criteria for promotion to the Policy Commission and shall make available such guidelines and criteria to its faculty.

7.2. Promotion shall not be granted automatically, but shall result from action by the institution, following consultation with the appropriate academic units.

SECTION 8. FACULTY RESIGNATIONS.

8.1. A faculty member desiring to terminate an existing appointment during or at the end of the academic year, or to decline re-appointment, shall give notice in writing at the earliest opportunity. Professional ethics dictate due consideration of the institution's need to have a full complement of faculty throughout the academic year.

SECTION 9. TENURE.

9.1. 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 duties and responsibilities. Tenure applies to those faculty members who qualify for it and is a means of making the 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; publications and research; professional and scholarly activity and recognition; accessibility to students; adherence to professional standards of conduct; effective service to the institution, college and department; significant service to the community; experience in higher education and at the institution; possession of the earned doctorate, special competence, or the highest earned degree appropriate to the teaching field; continued professional growth; and service to the people of the State of West Virginia. Ultimate authority regarding the application of guidelines and criteria relating to tenure shall rest with the institution.

9.2. 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 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.

9.3. For community and technical colleges, in order to be fully responsive to the changing needs of their students and clients, the goal in the appointment of faculty is to limit the number of tenured and tenure-track faculty to no more than twenty percent of full-time faculty employed by the respective community and technical college.

9.3.1. At community and technical colleges, full-time term faculty are eligible for reappointment, although no number of appointments shall create any presumption of the right to appointment as tenure-track or tenured faculty. A single appointment shall not exceed three years.

9.3.2. The employment standing of tenured and tenure-track faculty holding appointments at each of the community and technical colleges at the time of the implementation of this policy shall not be affected.

9.4. Tenure shall not be granted automatically, or solely because of length of service, but shall result from action by the institution, following consultation with appropriate academic units.

9.5. Tenure may be granted at the time of the appointment by the institution, following consultation with appropriate academic units.

9.6. Tenure may be attained only by faculty who hold the rank of Assistant Professor or above.

9.7. A faculty member who has been granted tenure shall receive yearly renewals of appointment unless dismissed or terminated for reasons set out in Sections 12, 13, or 14 below.

SECTION 10. TENURE-TRACK STATUS.

10.1. When a full-time faculty member is appointed on other than a clinical-track, librarian-track, term, or non-tenured-track or tenured basis, the appointment shall be tenure-track.

10.2. During the tenure-track period, the terms and conditions of every reappointment shall be stated in writing, with a copy of the agreement furnished to the individual concerned.

10.3. The maximum period of tenure-track status normally shall not exceed seven years. Before completing the penultimate year (the "critical year") of a tenure-track 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 tenure-track 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 Policy Commission.

10.3.1. Institutions may establish policies to accommodate unusual situations, such policies to be approved by the Governing Board and reported to the Policy Commission.

10.4. During the tenure-track 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 tenure track 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 non-retention or dismissal shall be provided promptly to the faculty member upon request.

10.5. For those appointed on or before March 8, 2003 after the decision regarding retention or non-retention for the ensuing year has been made by the institution's president or designee, the tenure-track faculty member shall be notified in writing of the decision:

10.5.1. By letter postmarked and mailed no later than December 15 of the second academic year of service; and

10.5.2. By letter postmarked and mailed at least one year before the expiration of an appointment after two or more years of service in the institution.

10.6 For those appointed after March 8, 2003, after the decision regarding retention or non-retention for the ensuing year has been made by the institution's president or designee, the tenure-track faculty member shall be notified in writing of the decision by letter postmarked and mailed no later than March 1.

10.7 Notice of non-retention shall be mailed "Certified Mail-Return Receipt Requested."

10.8 Failure to provide timely notice of non-retention to tenure-track faculty would lead to the offer of renewal of appointment for an additional year, but would not prejudice further continuation after that additional year.

10.9 Faculty appointed at times other than the beginning of the academic year may choose to have those periods of appointment equal to or greater than half an academic year considered as a full year for tenure purposes only. Tenure-track appointments for less than half an academic year may not be considered time in probationary status.

10.10 Following receipt of the notice of non-retention, the faculty member may appeal such non-retention decision by requesting a statement of reasons and then filing a grievance as provided in Section 15 of this policy. The request for a statement of reasons shall be in writing and mailed to the president or designee within ten working days of receipt of the notice of non-retention.

SECTION 11. FACULTY EVALUATION.

11.1. All faculty shall receive a yearly written evaluation of performance directly related to duties and responsibilities as defined by the institution.

11.2. Evaluation procedures shall be developed at the institutional level, and a copy sent to the Policy Commission 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 12. DISMISSAL.

12.1. 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:

12.1.1. Demonstrated incompetence or dishonesty in the performance of professional duties, including but not limited to academic misconduct;

12.1.2. Conduct which directly and substantially impairs the individual's fulfillment of institutional responsibilities, including but not limited to verified instances of sexual harassment, or of racial, gender-related, or other discriminatory practices;

12.1.3. Insubordination by refusal to abide by legitimate reasonable directions of administrators;

12.1.4. Physical or mental disability for which no reasonable accommodation can be made, and which makes the faculty member unable, within a reasonable degree of medical certainty and by reasonably determined medical opinion, to perform assigned duties;

12.1.5. Substantial and manifest neglect of duty; and

12.1.6. Failure to return at the end of a leave of absence.

12.2. Notice of Dismissal for Cause: The institution shall initiate proceedings by giving the faculty member a written dismissal notice by certified mail, return receipt requested, which dismissal notice shall contain:

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

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

12.3. Prior to giving the faculty member a written dismissal notice, the institution shall notify the faculty member of the intent to give the written dismissal notice, the reasons for the dismissal, and the effective date of the dismissal. The faculty member shall have an opportunity to meet with the institutional designee prior to the effective date to refute the charges.

12.4. Faculty who refuse to sign or execute an offered annual contract or notice of appointment or reappointment by the date indicated by the institution for its execution, or who fail to undertake the duties under such document at a reasonable time, shall be deemed to have abandoned their employment with the institution and any rights to tenure or future appointment. Faculty objecting to terms of such a document do not waive their objections to such terms by signing or executing the document.

SECTION 13. TERMINATION BECAUSE OF REDUCTION OR DISCONTINUANCE OF AN EXISTING PROGRAM.

13.1. A tenured or tenure-track faculty member's appointment may be terminated because of the reduction or discontinuance of an existing program at the institution as a result of a review of the program, in accordance with the appropriate rule 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 institution shall make every effort to extend first refusal to the faculty member so terminated.

13.1.1. Every effort should be made to reassign an individual to instructional or non-instructional duties commensurate with the faculty member's training and experience, and offers of release time or leaves of absence should be made to enable such persons to acquire capabilities in areas in which their services would be required by the institution. Faculty development programs and funds should be used to facilitate such reassignments.

13.2. 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, approved by the governing board, and reported to the Policy Commission prior to implementation. Institutions should utilize appropriate program change policies.

13.3. Notice of non-retention Because of Program Reduction or Discontinuance: The institution shall initiate proceedings by giving a faculty member written notice of such non retention by certified mail, return receipt requested.

13.4. The dates of formal notification for tenured and tenure-track faculty shall be those specified in Section 10 of this policy.

SECTION 14. TERMINATION DUE TO FINANCIAL EXIGENCY.

14.1. 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 institution's Governing Board. Institutional plans for meeting a financial exigency shall be developed through a collaborative assessment by representatives of administration and faculty, approved by the governing board, and reported to the Policy Commission prior to implementation. Institutions should utilize appropriate program change policies.

14.2. Notice of Termination Due to Financial Exigency: The institution shall initiate proceedings by giving the faculty member written notice of termination by certified mail, return receipt requested, which notice shall contain:

14.2.1. A delineation of the rationale used for the determination of a financial exigency;

14.2.2. 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

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

14.3. To the extent financially feasible, the dates of formal notification for tenured and tenure track faculty shall be those specified in Section 10 of this policy.

SECTION 15. FACULTY GRIEVANCE PROCEDURE.

15.1. A faculty member wishing to grieve or appeal any action of the institution or Governing Board may utilize the procedures set out in W. Va. Code '6C-2.

SECTION 16. INFORMAL PROCEDURES FOR CONFLICT RESOLUTION.

16.1. Each institution may provide alternative procedures to those set out in West Virginia Code '6C-2 for the resolution of conflicts.

SECTION 17. NOTIFICATION OF TERMS AND CONDITIONS OF FACULTY APPOINTMENTS

17.1. Institutions have a large measure of flexibility in determining the form and style whereby faculty are notified each year of the terms of their appointment. When an initial appointment is made, however, or when the conditions of the appointment change, it is crucial that the faculty member be fully informed of the terms and conditions of employment. While a formal contract may not be necessary each year, the institution may choose one of several means of notifying faculty about their appointments: a personal letter, a formal contract, or a combination of a letter with a standard contract attached.

17.1.1. Institutions may offer each year to their full-time term faculty contracts of up to three years duration, subject to the conditions stated in Sections 3, 4 and 9 of this policy.

17.2. The letter of appointment or contract should state the following:

17.2.1. That the appointment (to the specified position) is offered in accordance with the provisions of institutional policy, and (if applicable) of the institution's faculty handbook or other publication.

17.2.2. That the appointment is tenured, tenure-track, clinical-track, librarian track, term, or Non-tenure-track as defined in this policy.

17.2.3. That the rank (in case of a tenured, clinical-track, term, or tenure-track appointment) is Professor, Associate Professor, Assistant Professor, or Instructor, including a clinical-track designation, as appropriate, or

17.2.4. That the rank (in case of a librarian-track appointment) is Librarian or Professor/Librarian, Associate Librarian or Associate Professor/Librarian, Assistant Librarian or Assistant Professor/Librarian, or Staff Librarian or Instructor/Librarian.

17.2.5. That the appointment is full-time (1.00 FTE or the equivalent, as determined by the institution) or part-time with the FTE identified.

17.2.6. That it is a terminal contract (whenever appropriate).

17.2.7. That it is a joint appointment with another institution (whenever appropriate), with the home institution specified.

17.2.8. The beginning and ending dates of the appointment.

17.2.9. For tenure-track appointments, the academic year in which tenure must be awarded (the "critical year").

17.2.10. The total salary for the appointment.

17.2.11. That, consistent with the provisions of this policy, employment is subject to the fulfillment of the duties and responsibilities of the position.

17.2.12. That the specific assignments of the position will be determined by the institution.

17.2.13. That any special conditions which are included in the appointment be made a part of the contract only if they are signed by the faculty member and the designated representative of the institution.

17.2.14. That acceptance of the appointment will be specified by the faculty member's signing, dating, and returning a copy of the letter or contract to the designated representative of the institution within a reasonable time, which should be specified.

17.3. Renewal letters, or letters that simply inform the faculty member of a change in salary, need not contain all of the information listed above, but it is appropriate to refer to the earlier letter or contract.

**Appendix D: W.Va. Code § 29-6-C Grievance Procedure for State
Employees**

W. VA. CODE § 29-6-C
GRIEVANCE PROCEDURE FOR STATE EMPLOYEES.
(Effective June 6, 2008)
Chapter 6C. Public Employees.

ARTICLE 2. WEST VIRGINIA PUBLIC EMPLOYEES GRIEVANCE PROCEDURE.

§6C-2-1. Purpose.

- (a) The purpose of this article is to provide a procedure for the resolution of employment grievances raised by the public employees of the State of West Virginia, except as otherwise excluded in this article.
- (b) Resolving grievances in a fair, efficient, cost-effective and consistent manner will maintain good employee morale, enhance employee job performance and better serve the citizens of the State of West Virginia.
- (c) Nothing in this article prohibits the informal disposition of grievances by stipulation or settlement agreed to in writing by the parties, nor the exercise of any hearing right provided in chapter eighteen or eighteen-a of this code. Parties to grievances shall at all times act in good faith and make every possible effort to resolve disputes at the lowest level of the grievance procedure.
- (d) Effective July 1, 2007, any reference in this code to the education grievance procedure, the state grievance procedure, article twenty-nine, chapter eighteen of this code or article six-a, chapter twenty-nine of this code, or any subsection thereof, shall be considered to refer to the appropriate grievance procedure pursuant to this article.

§6C-2-2. Definitions.

For the purpose of this article and article three of this chapter:

- (a) "Board" means the West Virginia Public Employees Grievance Board created in article three of this chapter.
- (b) "Chief administrator" means, in the appropriate context, the commissioner, chancellor, director, president, secretary or head of any state department, board, commission, agency, state institution of higher education, commission or council, the state superintendent, the county superintendent, the executive director of a regional educational service agency or the director of a multicounty vocational center who is

vested with the authority to resolve a grievance. A "chief administrator" includes a designee, with the authority delegated by the chief administrator, appointed to handle any aspect of the grievance procedure as established by this article.

- (c) "Days" means working days exclusive of Saturday, Sunday, official holidays and any day in which the employee's workplace is legally closed under the authority of the chief administrator due to weather or other cause provided for by statute, rule, policy or practice.
- (d) "Discrimination" means any differences in the treatment of similarly situated employees, unless the differences are related to the actual job responsibilities of the employees or are agreed to in writing by the employees.
- (e) (1) "Employee" means any person hired for permanent employment by an employer for a probationary, full- or part-time position.
(2) A substitute education employee is considered an "employee" only on matters related to days worked or when there is a violation, misapplication or misinterpretation of a statute, policy, rule or written agreement relating to the substitute.
(3) "Employee" does not mean a member of the West Virginia State Police employed pursuant to article two, chapter fifteen of this code, but does include civilian employees hired by the superintendent of the State Police. "Employee" does not mean an employee of a Constitutional officer unless he or she is covered under the civil service system, an employee of the Legislature or a patient or inmate employed by a state institution.
- (f) "Employee organization" means an employee advocacy organization with employee members that has filed with the board the name, address, chief officer and membership criteria of the organization.
- (g) "Employer" means a state agency, department, board, commission, college, university, institution, State Board of Education, Department of Education, county board of education, regional educational service agency or multicounty vocational center, or agent thereof, using the services of an employee as defined in this section.
- (h) "Favoritism" means unfair treatment of an employee as demonstrated by preferential, exceptional or advantageous treatment of a similarly situated employee unless the treatment is related to the actual job responsibilities of the employee or is agreed to in writing by the employee.

- (i) (1) "Grievance" means a claim by an employee alleging a violation, a misapplication or a misinterpretation of the statutes, policies, rules or written agreements applicable to the employee including:
- (i) Any violation, misapplication or misinterpretation regarding compensation, hours, terms and conditions of employment, employment status or discrimination;
 - (ii) Any discriminatory or otherwise aggrieved application of unwritten policies or practices of his or her employer;
 - (iii) Any specifically identified incident of harassment;
 - (iv) Any specifically identified incident of favoritism; or
 - (v) Any action, policy or practice constituting a substantial detriment to or interference with the effective job performance of the employee or the health and safety of the employee.
- (2) "Grievance" does not mean any pension matter or other issue relating to public employees insurance in accordance with article sixteen, chapter five of this code, retirement or any other matter in which the authority to act is not vested with the employer.
- (j) "Grievance proceeding", "proceeding" or the plural means a conference, level one hearing, mediation, private mediation, private arbitration or level three hearing, or any combination, unless the context clearly indicates otherwise.
- (k) "Grievant" means an employee or group of similarly situated employees filing a grievance.
- (l) "Harassment" means repeated or continual disturbance, irritation or annoyance of an employee that is contrary to the behavior expected by law, policy and profession.
- (m) "Party", or the plural, means the grievant, intervenor, employer and the Director of the Division of Personnel or his or her designee, for state government employee grievances. The Division of Personnel shall not be a party to grievances involving higher education employees.
- (n) "Representative" means any employee organization, fellow employee, attorney or other person designated by the grievant or intervenor as his or her representative and may not include a supervisor who evaluates the grievant.

- (o) "Reprisal" means the retaliation of an employer toward a grievant, witness, representative or any other participant in the grievance procedure either for an alleged injury itself or any lawful attempt to redress it.

§6C-2-3. Grievance procedure generally.

(a) Time limits. --

- (1) An employee shall file a grievance within the time limits specified in this article.
- (2) The specified time limits may be extended to a date certain by mutual written agreement and shall be extended whenever a grievant is not working because of accident, sickness, death in the immediate family or other cause for which the grievant has approved leave from employment.

(b) Default. --

- (1) The grievant prevails by default if a required response is not made by the employer within the time limits established in this article, unless the employer is prevented from doing so directly as a result of injury, illness or a justified delay not caused by negligence or intent to delay the grievance process.
- (2) Within ten days of the default, the grievant may file with the chief administrator a written notice of intent to proceed directly to the next level or to enforce the default. If the chief administrator objects to the default, then the chief administrator may, within five days of the filing of the notice of intent, request a hearing before an administrative law judge for the purpose of stating a defense to the default, as permitted by subdivision (1) of this subsection, or showing that the remedy requested by the prevailing grievant is contrary to law or contrary to proper and available remedies. In making a determination regarding the remedy, the administrative law judge shall determine whether the remedy is proper, available and not contrary to law.
- (3) If the administrative law judge finds that the employer has a defense to the default as permitted by subdivision (1) of this subsection or that the remedy is contrary to law or not proper or available at law, the administrative law judge may deny the default or modify the remedy to be granted to comply with the law or otherwise make the grievant whole.

(c) Defenses and limitations. –

- (1) Untimeliness. -- Any assertion that the filing of the grievance at level one was untimely shall be made at or before level two.
- (2) Back pay. -- When it is a proper remedy, back pay may only be granted for one year prior to the filing of a grievance, unless the grievant shows, by a preponderance of the evidence, that the employer acted in bad faith in concealing the facts giving rise to the claim for back pay, in which case an eighteen-month limitation on back pay applies.
- (3) Statutory defense. -- If a party intends to assert the application of any statute, policy, rule or written agreement as a defense at any level, then a copy of the materials shall be forwarded to all parties.

(d) Withdrawal and reinstatement of grievance. -- An employee may withdraw a grievance at any time by filing a written notice of withdrawal with the chief administrator or the administrative law judge. The grievance may not be reinstated by the grievant unless reinstatement is granted by the chief administrator or the administrative law judge. If more than one employee is named as a grievant, the withdrawal of one employee does not prejudice the rights of any other employee named in the grievance.

(e) Consolidation and groups of similarly situated employees. –

- (1) Grievances may be consolidated at any level by agreement of all parties or at the discretion of the chief administrator or administrative law judge.
- (2) Class actions are not permitted. However, a grievance may be filed by one or more employees on behalf of a group of similarly situated employees. Any similarly situated employee shall complete a grievance form stating his or her intent to join the group of similarly situated employees. Only one employee filing a grievance on behalf of similarly situated employees shall be required to participate in the conference or level one hearing.

(f) Intervention. -- Upon a timely request, any employee may intervene and become a party to a grievance at any level when the employee demonstrates that the disposition of the action may substantially and adversely affect his or her rights or property and that his or her interest is not adequately represented by the existing parties.

(g) Representation and disciplinary action. –

(1) An employee may designate a representative who may be present at any step of the procedure as well as at any meeting that is held with the employee for the purpose of discussing or considering disciplinary action.

(2) An employee may not be compelled to testify against himself or herself in a disciplinary grievance hearing.

(h) Reprisal. -- No reprisal or retaliation of any kind may be taken by an employer against a grievant or any other participant in a grievance proceeding by reason of his or her participation. Reprisal or retaliation constitutes a grievance and any person held responsible is subject to disciplinary action for insubordination.

(i) Improper classification. -- A supervisor or administrator responsible for a willful act of bad faith toward an employee or who intentionally works an employee out of classification may be subject to disciplinary action, including demotion or discharge.

(j) Forms. -- The board shall create the forms for filing grievances, giving notice, taking appeals, making reports and recommendations and all other necessary documents and provide them to chief administrators to make available to any employee upon request.

(k) Discovery. -- The parties are entitled to copies of all material submitted to the chief administrator or the administrative law judge by any party.

(l) Notice. -- Reasonable notice of a proceeding shall be sent at least five days prior to the proceeding to all parties and their representatives and shall include the date, time and place of the proceeding. If an employer causes a proceeding to be postponed without adequate notice to employees who are scheduled to appear during their normal work day, the employees may not suffer any loss in pay for work time lost.

(m) Record. -- Conferences are not required to be recorded, but all documents admitted and the decision, agreement or report become part of the record. All the testimony at a level one and level three hearing shall be recorded by mechanical means and a copy of the recording provided to any party upon request. The board is responsible for paying for and promptly providing a certified transcript of a level three hearing to the court for a mandamus or appellate proceeding.

(n) Grievance decisions and reports. --

(1) Any party may propose findings of fact and conclusions of law within twenty days of an arbitration or a level three hearing.

(2) A decision, agreement or report shall be dated, in writing, setting forth the reasons for the decision or outcome and transmitted to the parties and, in a private arbitration, to the board, within the time limits prescribed. If the grievance is not resolved, the written decision or report shall include the address and procedure to appeal to the next level.

(o) Scheduling. -- All proceedings shall be scheduled during regular work hours in a convenient location accessible to all parties in accommodation to the parties' normal operations and work schedules. By agreement of the parties, a proceeding may be scheduled at any time or any place. Disagreements shall be decided by the administrative law judge.

(p) Attendance and preparation. –

(1) The grievant, witnesses and an employee representative shall be granted reasonable and necessary time off during working hours to attend grievance proceedings without loss of pay and without charge to annual or compensatory leave credits.

(2) In addition to actual time spent attending grievance proceedings, the grievant and an employee representative shall be granted time off during working hours, not to exceed four hours per grievance, for the preparation of the grievance without loss of pay and without charge to annual or compensatory leave credits. However, the first responsibility of any employee is the work assigned to the employee. An employee may not allow grievance preparation and representation activities to seriously affect the overall productivity of the employee.

(3) The grievant and an employee representative shall have access to the employer's equipment for purposes of preparing grievance documents subject to the reasonable rules of the employer governing the use of the equipment for nonwork purposes.

(4) Disagreements regarding preparation time shall be decided by the administrative law judge.

(q) Grievance files. –

(1) All grievance forms decisions, agreements and reports shall be kept in a file separate from the personnel file of the employee and may not become a part of the personnel file, but shall remain confidential except by mutual written agreement of the parties.

(2) The grievant may file a written request to have the grievant's identity removed from any files kept by the employer one year following the conclusion of the grievance.

(r) Number of grievances. -- The number of grievances filed against an employer by an employee is not, per se, an indication of the employer's or the employee's job performance.

(s) Procedures and rules. -- The board shall prescribe rules and procedures in compliance with this article, article three of this chapter and the state Administrative Procedures Act under chapter twenty-nine-a of this code for all proceedings relating to the grievance procedure.

§6C-2-4. Grievance procedural levels.

(a) Level one: Chief administrator. --

(1) Within fifteen days following the occurrence of the event upon which the grievance is based, or within fifteen days of the date upon which the event became known to the employee, or within fifteen days of the most recent occurrence of a continuing practice giving rise to a grievance, an employee may file a written grievance with the chief administrator stating the nature of the grievance and the relief requested and request either a conference or a hearing. The employee shall also file a copy of the grievance with the board. State government employees shall further file a copy of the grievance with the Director of the Division of Personnel.

(2) Conference. -- The chief administrator shall hold a conference within ten days of receiving the grievance. A conference is a private, informal meeting between the grievant and the chief administrator to discuss the issues raised by the grievance, exchange information and attempt to resolve the grievance. The chief administrator may permit other employees and witnesses to attend and participate in a conference to reach a resolution. The chief administrator shall issue a written decision within fifteen days of the conference.

(3) Level one hearing. -- The chief administrator shall hold a level one hearing within fifteen days of receiving the grievance. A level one hearing is a recorded proceeding conducted in private in which the grievant is entitled to be heard and to present evidence; the formal rules of evidence and procedure do not apply, but the parties are bound by the rules of privilege recognized by law. The parties may present and cross-examine witnesses and produce documents, but the number of witnesses, motions and other procedural matters may be limited by the chief administrator. The chief

administrator shall issue a written decision within fifteen days of the level one hearing.

- (4) An employee may proceed directly to level three upon the agreement of the parties or when the grievant has been discharged, suspended without pay or demoted or reclassified resulting in a loss of compensation or benefits. Level one and level two proceedings are waived in these matters.

(b) Level two: Alternative dispute resolution. --

- (1) Within ten days of receiving an adverse written decision at level one, the grievant shall file a written request for mediation, private mediation or private arbitration.
- (2) Mediation. -- The board shall schedule the mediation between the parties within twenty days of the request. Mediation shall be conducted by an administrative law judge pursuant to standard mediation practices and board procedures at no cost to the parties. Parties may be represented and shall have the authority to resolve the dispute. The report of the mediation shall be documented in writing within fifteen days. Agreements are binding and enforceable in this state by a writ of mandamus.
- (3) Private mediation. -- The parties may agree in writing to retain their choice of a private mediator and share the cost. The mediator shall schedule the mediation within twenty days of the written request and shall follow standard mediation practices and any applicable board procedures. Parties may be represented and shall have the authority to resolve the dispute. The report of the mediation shall be documented in writing within fifteen days. Agreements are binding and enforceable in this state by a writ of mandamus.
- (4) Private arbitration. -- The parties may agree, in writing, to retain their choice of a private arbitrator and share the cost. The arbitrator shall schedule the arbitration within twenty days of the written request and shall follow standard arbitration practices and any applicable board procedures. The arbitrator shall render a decision in writing to all parties, setting forth findings of fact and conclusions of law on the issues submitted within thirty days following the arbitration. An arbitration decision is binding and enforceable in this state by a writ of mandamus. The arbitrator shall inform the board, in writing, of the decision within ten days.

(c) Level three hearing. --

- (1) Within ten days of receiving a written report stating that level two was unsuccessful, the grievant may file a written appeal with the employer and the board requesting a level three hearing on the grievance. State government employees shall further file a copy of the grievance with the Director of the Division of Personnel.
- (2) The administrative law judge shall conduct all proceedings in an impartial manner and shall ensure that all parties are accorded procedural and substantive due process.
- (3) The administrative law judge shall schedule the level three hearing and any other proceedings or deadlines within a reasonable time in consultation with the parties. The location of the hearing and whether the hearing is to be made public are at the discretion of the administrative law judge.
- (4) The administrative law judge may issue subpoenas for witnesses, limit witnesses, administer oaths and exercise other powers granted by rule or law.
- (5) Within thirty days following the hearing or the receipt of the proposed findings of fact and conclusions of law, the administrative law judge shall render a decision in writing to all parties setting forth findings of fact and conclusions of law on the issues submitted.
- (6) The administrative law judge may make a determination of bad faith and, in extreme instances, allocate the cost of the hearing to the party found to be acting in bad faith. The allocation of costs shall be based on the relative ability of the party to pay the costs.

§6C-2-5. Enforcement and appeal.

(a) The decision of the administrative law judge is final upon the parties and is enforceable in the circuit court of Kanawha County.

(b) A party may appeal the decision of the administrative law judge on the grounds that the decision:

- (1) Is contrary to law or a lawfully adopted rule or written policy of the employer;
- (2) Exceeds the administrative law judge's statutory authority;
- (3) Is the result of fraud or deceit;
- (4) Is clearly wrong in view of the reliable, probative and substantial evidence on the whole record; or

(5) Is arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(c) A party shall file the appeal in the circuit court of Kanawha County within thirty days of receipt of the administrative law judge's decision. The decision of the administrative law judge is not automatically stayed upon the filing of an appeal, but a stay may be granted by the circuit court upon a separate motion for a stay.

(d) The court shall review the entire record that was before the administrative law judge, and the court may hear oral arguments and require written briefs. The court may reverse, vacate or modify the decision of the administrative law judge, or may remand the grievance to the administrative law judge or the chief administrator for further proceedings.

§6C-2-6. Allocation of expenses and attorney's fees.

(a) Any expenses incurred relative to the grievance procedure at levels one, two or three shall be borne by the party incurring the expenses.

(b) In the event a grievant or employer appeals an adverse level three decision to the circuit court of Kanawha County, or an adverse circuit court decision to the Supreme Court of Appeals of West Virginia, and the grievant substantially prevails upon the appeal, the grievant may recover from the employer court costs and reasonable attorney's fees for the appeal to be set by the court.

§6C-2-7. Mandamus proceeding.

Any employer failing to comply with the provisions of this article may be compelled to do so by a mandamus proceeding and may be liable to a prevailing party for court costs and reasonable attorney's fees to be set by the court.

§6C-2-8. Employee organizations may not be compelled to disclose certain communications; exceptions.

(a) Except as otherwise provided in this section, an employee organization or an agent of an employee organization may not be compelled to disclose any communication or information the employee organization or agent received or acquired in confidence from a public employee, while the employee organization or agent was acting in a representative capacity concerning a public employee grievance or an investigation of a potential public employee grievance, regardless of whether the public employee is a member of the employee

organization: Provided, That the confidentiality established under this section does not apply to written communications between the employee and the employee organization.

(b) (1) The confidentiality established under this section applies only to the extent that the communication or information is germane to a grievance or potential grievance of the employee.

(2) The confidentiality established under this subsection continues after termination of:

(A) The employee's employment; or

(B) The representative relationship of the employee organization or its agent with the public employee.

(3) The confidentiality established under this subsection protects the communication or information received or acquired by the employee organization or its agent, but does not protect the employee from being compelled to disclose, to the extent provided by law, the facts underlying the communication or information.

(c) The protection for confidential communications provided by this section only extends to proceedings under the public employees grievance procedure. Nothing in this section may be construed to extend the confidentiality to circuit court proceedings or other proceedings outside of the public employees grievance procedure.

(d) An employee organization or its agent shall disclose to the employer as soon as possible a communication or information described in subsection (a) of this section to the extent the employee organization or its agent reasonably believes:

(1) It is necessary to prevent certain death or substantial bodily harm.

(2) It is necessary to prevent the employee from committing a crime, fraud or any act that is reasonably certain to result in substantial injury to the financial interests or property of another or to rectify or mitigate any such action after it has occurred;

(3) The communication or information constitutes an admission that the employee has committed a crime; or

(4) It is necessary to comply with a court order or other law.

(e) An employee organization or its agent may disclose a communication or information described in subsection (a) of this section in order to:

- (1) Secure legal advice about the compliance of the employee organization or its agent with a court order or other law;
- (2) Establish a claim or defense on behalf of the employee organization or its agent in a controversy between the employee and the employee organization or its agent;
- (3) Establish a defense to a criminal charge or civil claim against the employee organization or its agent based on conduct in which the employee was involved; or
- (4) Respond to allegations in any proceeding concerning the performance of professional duties by the employee organization or its agent on behalf of the employee.

(f) An employee organization or its agent may disclose a communication or information described in subsection (a) of this section, without regard to whether the disclosure is made within the public employees grievance procedure, in the following circumstances:

- (1) The employee organization has obtained the express written or oral consent of the employee;
- (2) The employee has, by other act or conduct, waived the confidentiality of the communication or information; or
- (3) The employee is deceased or has been adjudicated incompetent by a court of competent jurisdiction and the employee organization has obtained the written or oral consent of the personal representative of the employee's estate or of the employee's guardian.

(g) If there is a conflict between the application of this section and any federal or state labor law, the provisions of the federal or other state law shall control.

Note: Grievance forms are available on the state grievance board's website:

<http://pegboard.state.wv.us/Forms/Grievance Form.pdf>

<http://pegboard.state.wv.us/Forms/Intervention Form.pdf>

<http://pegboard.state.wv.us/Forms/Mediation Agreement Form.pdf>

Appendix E: Guidelines for Search/Hiring Faculty at West Virginia State University

**GUIDELINES FOR SEARCH/HIRING FACULTY
AT WEST VIRGINIA STATE UNIVERSITY**
(revised June 2024)

The following guidelines have been established to assist departments and programs in hiring faculty members. It is understood that only the President of the University and the Vice President for Academic Affairs/Provost can make offers of employment to faculty through the form of a written contract or a letter of appointment. Search committees (as well as department chairs and deans) recommend candidates for appointment but do not hire faculty. All substantive communication between candidates and the University should be conducted by the search committee chair or their designee.

As soon as a position becomes available or a vacancy is anticipated, the department chair, in consultation with the appropriate dean and the Provost, will determine if a search will be initiated. If a positive decision is made, a search committee should be established from within the department with at least one member from outside the department. The department chair, in consultation with the appropriate college dean, will select the committee, with notification to the Vice President for Academic Affairs/Provost. The department chair is responsible for the day-to-day administration of the search.

Ideally, all searches should begin the fall semester prior to the time that the anticipated vacancy will occur. Every effort should be made to complete the hiring process before the end of the spring semester.

A position announcement should be drafted by the department chair in consultation with the search committee and the college dean and approved by the Vice President for Academic Affairs/Provost. At this time, approximate appointment rank and salary range will be determined by the Vice President for Academic Affairs. The establishment of faculty rank should be directed by the criteria for promotion to various ranks, outlined in this Handbook in Section 8. The position announcement should be published with all deliberate speed in nationally recognized job bulletins such as HigherEdJobs.com. The position can also be advertised in journals of the discipline, locally, or other positions at the department's discretion and provided there is funding in the department/college budget. Additional advertisements should be consistent with the University's policy on affirmative action and equal opportunity employment. Letters announcing the vacancy may be sent to universities known to produce strong candidates, to department chairs at other institutions, and to agencies which screen candidates within the discipline. Whenever possible, prospective candidates are interviewed at regional or national meetings.

After the closing deadline, the search committee should submit a list of three to five names to the department chair, who then may conduct telephone interviews. After consultation with the dean, final candidates (2 – 3) should be brought to campus as budgets allow. Any prospective candidate who is to be considered for a campus interview should have a complete portfolio including written letters of recommendation and transcripts on file with the search committee. The on-campus interview should consist of a presentation(s) by the candidate, interviews with the faculty, department chair, dean, students (if possible), and with the Vice President for Academic Affairs/Provost.

After the interview process is completed, the search committee and department chair/program director make recommendations for hiring to the appropriate dean. The dean makes a recommendation to the Vice President for Academic Affairs/Provost. The Vice President for Academic Affairs/Provost makes a recommendation to the President or can elect to re-open the search.

All applications should be sent to Human Resources through the jobs@wvstateu.edu email address and will automatically be notified of the receipt of the of all candidates' application materials. After the search is completed, it is the hiring College Dean's responsibility for notifying candidates who are no longer being considered.

These procedures may have to be modified during the summer months when faculty are not present. Even though faculty may not be employed by the University during the summer, it is the responsibility of chairs to keep faculty informed of the progress of the search and to involve them as much as possible.

WEST VIRGINIA STATE UNIVERSITY
OFFICE OF ACADEMIC AFFAIRS
GUIDELINES FOR FACULTY CANDIDATE INTERVIEWS

PUBLIC CONVEYANCE TRAVEL: The candidate shall purchase his/her own ticket preferably using National Travel Service; the candidate will be reimbursed for the cost of the ticket if they come for the interview. The ticket should be obtained at least 14 days in advance to reduce its cost. The National Travel fee will be reimbursed as will the cost of one checked bag. The Dean should check the prevailing cost of tickets and give the candidate a maximum target for reimbursement of the cost of the ticket, based on the prevailing costs obtained. A general rule is to try to limit the cost of travel to under \$750.

If the candidate prefers to drive his/her own vehicle to Institute, WV for the interview, and if the cost of driving is not significantly greater than the cost of using a public conveyance, the mileage will be reimbursed at the prevailing State of WV mileage rate at the time of the travel. If the driving distance exceeds the cost of commercial transportation, then the candidate will only be reimbursed for mileage in the amount of commercial travel.

REIMBURSEMENT FOR COST OF MEALS FOR THOSE ACCOMPANYING CANDIDATES:

Reimbursement for the cost of meals of faculty who accompany faculty candidates for meals shall be reimbursed at a total maximum for all who attend as follows:

Breakfast \$20

Lunch \$35

Dinner \$30

The cost of the candidate's meal will be paid by the candidate and entered on the travel expense reimbursement form.

LODGING: The preferred motels to use are Sleep Inn and Holiday Inn in Cross Lanes. The Department can book the room, obtain a confirmation number for the reservation, and report it to the Director of Purchasing, who will arrange for payment from that office.

FORMS FOR REPORTING:

By the candidate: State of West Virginia Travel Settlement Form properly completed, signed by the candidate, the Department Chair, the Dean, the Office of Academic Affairs, and the Vice President for Business & Finance.

By faculty accompanying the candidate for meals: A receipt for the cost of the meal(s) must accompany the Employment Reimbursement Request form. The form must include the names of those for whom meals were purchased. The form is signed by the faculty member to be reimbursed, the Department Chair, and the Dean and submitted to the Office of Academic Affairs.

VPAA-AA 7/12

Appendix F: Responsibilities of College Deans

WEST VIRGINIA STATE UNIVERSITY
ROLE AND RESPONSIBILITIES OF COLLEGE DEANS
(REVISED May 2023)

The College Dean is the chief academic officer for his or her college, with programmatic, managerial, and fiscal responsibilities for the departments, programs and personnel within their college. They are managers of college resources, representatives of their college to the rest of the University, and representatives of the University leadership to the faculty, staff and students of their college. Deans also represent their college and the University to external entities. The College Deans are recommended by the Vice President for Academic Affairs and are appointed by the President. They report to the Vice President for Academic Affairs.

The responsibilities of College deans include:

A. MEETINGS: The College Dean

1. Plans and convenes college meetings on a regular basis (minimum of two meetings per semester – usually the Deans meet prior to meetings that begin each semester to develop consistent agendas);
2. Meets regularly with department chairs within the college and reports activities to the Vice President for Academic Affairs weekly;
3. Meets with the other academic deans on a regular basis. The Deans Council meets biweekly;
4. Meets with the Academic Affairs Council (monthly) and prepares written reports on college activities.
5. Attends Board of Governors meetings as necessary.

B. PERSONNEL: The College Dean:

1. Oversees all college hiring searches and makes recommendations for hiring;
2. Makes recommendations for promotion, tenure, and retention;
3. Makes recommendations for faculty merit and salary adjustments, if funds are available for such adjustments;
4. Assigns course release time for faculty, when appropriate, in conjunction with Academic Affairs;
5. Develops long term staffing recommendations for faculty and support staff;
6. Oversees that department chairpersons and faculty exercise their professional responsibilities;

7. Encourages professional development of staff and faculty;
8. With Department chair, recommends part-time faculty for all departments in the college.

C. EVALUATION: The College Dean:

1. Develops an evaluation schedule for all faculty including non-tenured faculty and those seeking promotion and tenure;
2. Conducts the independent evaluations of faculty when appropriate utilizing the appropriate University evaluation instruments;
3. Monitors with department chairs the performance of administrative details of teaching, i.e., giving final exams as scheduled, keeping office hours, ordering textbooks on schedule, meeting classes on time and for the full length of time, etc.;
4. Conducts evaluations of department chairpersons in the fulfillment of their duties as department chairs and submit written reports to the Vice President for Academic Affairs;

D. CURRICULUM: The College Dean

1. Monitors department curriculum to ensure routine review/planning. This review should include proposing new courses, changing special topics courses to courses in the curriculum, and eliminating courses no longer offered on a regular basis;
2. Approves proposed curriculum changes by signing (or not signing) the EPC form(s);
3. Approves special topic courses offered by departments, along with syllabi, prior to submission to the EPC;
4. Evaluates curricular implications of grant proposals and signs off on grant proposal forms.

E. PROGRAM REVIEW: The College Dean

1. Advises department chairpersons in carrying out program review;
2. Reviews program review document prior to its final submission to Program Review Committee;
3. Monitors implementation of activities developed to strengthen programs;
4. Attends Board of Governors meetings when Program Review documents from the college are being reviewed.

F. SCHEDULING: The College Dean:

1. Receives and reviews departmental schedules and makes adjustments when required;
2. Monitors development of long range departmental scheduling;
3. Monitors class enrollments and makes changes (including cancelling classes with low enrollment) when needed;

G. GENERAL ADMINISTRATION: The College Dean:

1. Provides advice and counsel to the Vice President for Academic Affairs as a member of the Deans Council;
2. Provides creative leadership to the staff, faculty and department chairs in the college;
3. Prepares an annual summary of departmental reports and submits to the Vice President for Academic Affairs before June 30.
4. Works with department chairs to develop quarterly strategies that are consistent with the goals and objectives for the college as stated in the Academic Strategic Plan;
5. Manages college registration activities including overloading classes, adding sections, assigning faculty advisors, conducting new student orientation, etc.;
6. Adjudicates grade challenges in compliance with the University catalog; makes grade appeal recommendations to the Vice President for Academic Affairs when necessary;
7. Oversees grant proposal development and implementation;
8. Receives and approves departmental book orders; submits book orders to the bookstore;
9. Compiles information for revising the University catalog and College Bulletin;
10. Develops/makes recommendations on academic policies;
11. Addresses student complaints;
12. Makes decisions regarding student registration such as grade changes, incompletes, course substitutions, etc.;
13. Compiles and completes monthly "college achievements" form and sends to VPAA.

H. BUDGET: The College Dean:

1. Receives budget requests from departments;
2. Compiles departmental requests, prepare annual College budget and submit it to the Office of the VPAA;
3. Compiles Title III and other federal program requests from departments and units within the College;
4. Determines allocation of funds among department; this includes state-allocated funds that are used for departmental supplies budgets.
5. Evaluates and approves faculty travel requests in accordance with university policies.
6. Receives periodic budget printouts for distribution to departments;
7. Signs off on budget “pre-approval” forms and sends to Academic Affairs.
8. Monitors departmental expenditures to ensure compliance with budgets;
9. Signs off on monthly purchasing card reconciliation forms for all college faculty and staff with purchasing cards.
10. Manages all appropriated College funds (including state-appropriated funds, course fee accounts, Title III Travel funds, etc.);
11. Oversees expenditures of all College grant funds.

I. EARLY ENROLLMENT: The College Dean:

1. Assign Faculty Liaisons for Early Enrollment Instructors
2. Approve/Deny Early Enrollment Instructor Applications
3. Review and approve textbooks for dual credit courses
4. Attend Early Enrollment Events as requested

Appendix G: Responsibilities of Department Chairs

WEST VIRGINIA STATE UNIVERSITY
ROLE AND RESPONSIBILITIES OF DEPARTMENT CHAIRS
(REVISED May 2023)

According to the Faculty Handbook, department chairs provide leadership, vision, and coherency in relation to department faculty, department programs, and students who major or otherwise take courses in the department. The chair assumes general responsibility for the health, welfare, and morale of the department. The chair is both the administrative officer of the department and the focus of leadership within the department. They evaluate the work of the faculty of their departments (both tenured and non-tenured; full-time, part-time, and temporary) and give written reports regarding retention, promotion and tenure to their deans, the Vice President of Academic Affairs and appropriate standing committees. They prepare an annual report on departmental progress for the year and make recommendations concerning future needs and plans of their departments.

In most cases, departments recommend a department chair to the Vice President for Academic Affairs through a voting process overseen by the Faculty Senate. (This process is outlined in **Appendix I, Institutional Policy # 3** of the Faculty Handbook.) The President appoints department chairs after the Vice President for Academic Affairs makes a recommendation. Departmental recommendations are made every three years, unless a vacancy occurs during a chairperson's term. While chair's appointments may be renewable, the President may, from time to time, appoint new persons to that position.

SPECIFIC RESPONSIBILITIES

A. LEADERSHIP: The Department Chair

1. Assumes a positive and active role as a citizen and representative of the WVSU academic community;
2. Participates in professional organizations, professional development activities, and public service activities and encourages faculty and staff to do likewise;
3. Encourages the development of grant proposal;
4. Establishes and supports student organizations and honorary societies for the enhancement of the educational programs and the professional and social development of enrolled students;
5. Encourages faculty participation on committees and in university activities;
6. Encourages professional development of faculty and staff;

7. Prepares and submits required reports including the annual department report in a timely manner with appropriate documentation;
8. Holds department meetings regularly and sends minutes and schedules of meetings to the Dean, Academic Vice President and President's office;
9. Attends administrative meetings called by the Dean and Academic Vice President.

B. BUDGET: The Department Chair

1. Makes budget needs and fund requests known to college dean;
2. Manages all department-related budgets fairly and prudently, including grant funds, lab fee accounts, supplies, library, etc.;
3. Reviews budgetary implications of grant applications.

C. PERSONNEL: The Department Chair

1. In consultation with Dean, develops specifications for position vacancies, including salary, rank and type of appointment;
2. In consultation with the Dean, appoints and oversees departmental search committees;
3. Works with Dean to determine long-term staffing needs of department;
4. Consults with dean and recommends course release time for faculty, when appropriate;
5. Supervises faculty in the exercise of their professional responsibilities and assigns mentors for new faculty;
6. Manages assessment and online programs;
7. Recruits, recommends, mentors, and assigns part-time faculty;
8. Supervises departmental support staff;
9. Manages the recruitment, training and assignments of students serving as lab assistants and in other capacities;
10. Evaluates full-time and part-time faculty in accordance with Faculty Handbook policies and procedures and the FPC Calendar;
11. Evaluates support staff in accordance with Human Resources Office requests;
12. Manages the administration of the student evaluation process by assigning evaluations to be conducted.

D. CURRICULUM: The Department Chair

1. Provides leadership to the department in curriculum development;

2. Consults with Dean about proposed curriculum changes;
3. Prepares materials for submission to EPC;
4. Annually reviews the College Catalog to insure accuracy of courses, program requirements and faculty listings and submit updates as necessary;
5. Reviews curriculum implications of grant proposals;
6. Periodically assesses, in consultation with the dean, the need to plan, develop, and implement new degree programs and concentrations;
7. Administers or assigns the review of portfolios for the Regents Bachelor of Arts Degree;
8. Develops and maintains articulation agreements and cooperative arrangements with other educational and community organizations;
9. Administers or assigns internship and/or other departmental field experiences.

E. PROGRAM REVIEW AND ASSESSMENT: The Department Chair

1. Regularly collects and reviews data about the department to note where modifications and actions are needed;
2. Confers with the Dean about the status of programs;
3. Administers or assigns curricular and program assessment activities;
4. Writes the self-studies, prepares for the on-campus and visiting groups that conduct evaluation of degree programs, and in general monitors compliance with accreditation standards;
5. Develops activities to strengthen programs where needed;
6. Administers or assigns the conduct of longitudinal studies, particularly those relative to retention, and graduate follow-up on employment satisfaction with the relevance of the College's educational programs;
7. Prepares Program Review document for review by the Dean and submission to WVSU Program Review Committee.

F. SCHEDULING/REGISTRATION/ADMINISTRATION: The Department Chair

1. Makes teaching assignments;
2. Develops multiple year schedule of course offerings;
3. Develops class schedules that meet the needs of the university and its students;
4. Coordinates with the Dean departmental orientation and registration activities, including faculty assignments;
5. Develops and submits textbook orders in a timely manner;
6. Handles grade challenges and other student complaints appropriately;

7. Recommends action on routine student registration requests such as grade changes, requests for incompletes, course substitutions, etc.;
8. Plans and manages departmental advising program;
9. Creates (if necessary), maintains, and regularly updates student advising files;
10. Evaluates student progress toward graduation and makes appropriate recommendations to the Dean.

G. Early Enrollment: The Department Chair

1. Assign Faculty Liaisons for Early Enrollment Instructors
2. Approve/Deny Early Enrollment Instructor Applications
3. Review and approve textbooks for dual credit courses
4. Review and approve course alignment for dual credit courses
5. Attend Early Enrollment Events as requested

Appendix H: College Dean's Evaluation of Department Chairs

College Dean's Evaluation of Department Chairs

(6/30/06)

Chairperson's Name: _____

Department: _____

Date: _____

The West Virginia State University Handbook specifies the responsibilities of Academic Department Chairpersons. The following is an evaluation instrument, which is based upon those responsibilities. Chairs are encouraged to submit documentation which would assist Deans in their evaluation.

1 = poor 2 = fair 3 = adequate 4 = good 5 = outstanding

A. Leadership

Assumes a positive and active role as a citizen and representative of WVSU

Participates on committees and in university activities

Participates in professional organizations, professional development activities, and public service activities

Encourages the development of grant proposals

Encourages faculty participation on committees and in university activities

Encourages the professional development of faculty and staff

Establishes/supports student organizations and honorary societies for the enhancement of the educational programs and professional and social development of enrolled students

Prepares and submits required reports in a timely manner and with appropriate documentation

Holds department meetings regularly and sends minutes to the Dean, Academic Vice President and the President's office

Attends administrative meetings called by the Dean and Academic Vice President.

B. Budget

Makes budget needs and funds requests known to college dean

Manages all department-related budgets fairly and prudently, including grant funds, lab fee accounts, supplies, library, etc.

Reviews budgetary implications of grant applications

C. Personnel

Consults with the Dean to develop specifications for position vacancies, including salary, rank and type of appointment

Consults with the Dean to determine the long-term staffing needs of the department

Consults with the Dean to propose course reductions

Appoints and oversees departmental search committees

Supervises faculty in the exercise of their professional responsibilities

Recruits, recommends, trains and assigns part-time faculty

Supervises departmental support staff

Manages the recruitment, training and assignments of students serving as lab assistants and in other capacities

Evaluates full and part-time faculty in accordance with the WVSU Faculty Handbook and the FPC calendar

Manages the administration of the student evaluation process

D. Curriculum

Consults with the Dean about proposed curriculum changes

Consults with the dean to periodically assess the need to plan, develop, and implement new degree programs and concentrations

Provides leadership to the department in curriculum development

Prepares materials for submission to EPC

Reviews the University catalog annually to insure accuracy of courses, program requirements, and faculty listings, and submits updates as necessary
Reviews curriculum/staffing implications of grant proposals

Administers or assigns the review of portfolios for the Regents Bachelor of Arts Degree

Develops and maintains articulation agreements and cooperative arrangements with other educational and community organizations

Administers or assigns internship and/or other departmental field experiences

E. Program Review and Assessment

Collects and reviews data about the department regularly to note where modification action is needed

Confers with Dean about the status of programs

Administers or assigns curricular and program assessment activities

Prepares for the on-campus and visiting groups that conduct evaluation of degree programs, writes the self-studies, and in general, maintains accreditation efforts where appropriate

Develops activities to strengthen programs where needed

Administers or assigns longitudinal studies, particularly those relative to retention, and graduate follow-up on employment satisfaction with the relevance of the college's educational programs

Prepares Program Review document for submission to the WVSU Program Review Committee.

F. Scheduling/Registration/Advising

Assigns faculty teaching schedules

Develops multiple year schedule of course offerings

Develops class schedules that meet the needs of the university and its students

Manages departmental orientation and registration activities, including faculty assignments

Develops and submits textbook orders in a timely manner

Handles grade appeals and other student complaints appropriately

Plans and manages departmental student advising program Creates (when necessary), maintains and updates student files.

Overall Assessment of Chairperson's performance of duties. Please provide comments and/or Suggestions for Improvement:

Appendix I: Policy Governing the Selection of Department Chairpersons

WEST VIRGINIA STATE UNIVERSITY
Institute, WV 25112
POLICY BULLETIN NO. 3

POLICY GOVERNING THE SELECTION OF DEPARTMENT CHAIRPERSONS

I. GENERAL

When there are department composed of three (3) or more full-time members, the members of the department shall meet to recommend a member of the department to serve as chair. This recommendation will be made to the Vice President for Academic Affairs and to the University President. The department may recommend the incumbent for re-appointment, but it is the policy of the University to encourage rotation. This policy should give opportunity for the development of new ideas and new approaches to departmental problems and should permit those who were chairs to devote more time to scholarly pursuits.

II. ELIGIBILITY REQUIREMENTS

A. To serve as chair:

1. One must be a full-time faculty member of the department.
2. One should provide a reasonable degree of certainty that, if selected, she/he will serve for three (3) years.

B. To participate in the recommendation procedure:

1. One must be a full-time faculty member of the department, possessing the rank of instructor or above.
2. If a faculty member who cannot attend and wishes to vote, they must notify the Faculty Senate Chair of their proxy.

III. TERM OF OFFICE

- A. The recommended term of office of a newly elected chair will be for three (3) years with the exception of unusual cases such as the merger of departments, a leave of absence, extended illness, retirement or resignation.
- B. In the event of an absence of more than one (1) semester, the position of department chair will be declared vacant and filled according to Section V.
- C. The absent chair shall be relieved of all chair and authority in the department.

IV. RECOMMENDATION PROCEDURES

- A. At the end of each fall semester the Executive Committee of the Senate is notified by the Vice President for Academic Affairs of those departments where the chair's appointment is due to end. The Executive Committee will in turn notify each

department chair. Terms for chairs typically begin August 15 of the next fall semester.

- B. Incumbent chairs of the departments concerned will arrange to conduct a departmental election meeting by the third week in February, and provide, in writing, at least three (3) week's notice to departmental members and the Executive Committee. Results of the election shall be sent by the presiding officer to the Vice President for Academic Affairs, the University President and the Executive Committee of the Senate.
- C. It is the responsibility of all eligible faculty members to contact their respective departments and determine whether or not their department is required to meet. (See Section IV-A above.) Each eligible faculty member unable to attend the meeting must ensure that, prior to the above scheduled meeting date, a person be properly appointed to cast an absentee ballot.
- D. The presiding officer for the above meeting will be chosen by the Executive Committee of the Faculty Senate upon request of the department chair. Prior to the scheduled meeting, it is the responsibility of the presiding officer to obtain an accurate roster of eligible faculty members currently assigned to the department. This roster should be provided by the Vice President for Academic Affairs and will be mailed to departmental members to allow for challenges prior to the election meeting.

The procedures for the election meeting:

1. The presiding officer, using the aforementioned roster, ensures that all attendees are eligible to participate and that a quorum is present. Persons to cast absentee ballots must be identified at this time. If a quorum (attendees and persons to cast absentee ballots) is not achieved, the meeting will be adjourned. In this case, it is the position of the faculty that the Vice President for Academic Affairs should provide a recommendation to the University President.
2. The presiding officer then asks for nominations from the floor and develops a slate of candidates.
3. Once the slate of candidates is completed, the presiding officer asks the participants to make their choice and write the name on a secret ballot. Ballots are issued on the basis of one per participant and one per person designated to cast an absentee ballot.
4. The presiding officer then collects and counts the ballots. If there is a tie between two or more candidates for the highest number of votes, a run-off selection process will be accomplished using only those candidates.
5. After the ballots have been counted in the run-off, the presiding officer shall announce the results and adjourn the meeting.
6. The final responsibility of the presiding officer is to provide a written report to the Vice President for Academic Affairs, the University President and the Executive Committee of the Senate.

V. FILLING VACANCIES

In the event of an absence of the department chair of more than one semester, the incumbent, if available, or the runner-up in the last election will arrange to hold a departmental meeting no earlier than thirty (30) calendar days and no later than forty-five (45) calendar days after the identification of such an absence. Written notification of the date, time, and place of the meeting must be furnished to all eligible departmental members. The meeting will be conducted in accordance with Section IV with the following additions:

- A. The presiding officer must ensure that all members were indeed informed of the election meeting. She/he will require that each eligible member sign a statement acknowledging notification of the scheduled meeting. These statements must be obtained by the presiding officer no later than one (1) week prior to the scheduled meeting. The presiding officer will then be required to compare the statements with the eligibility list. For those members from whom statements were not received, the presiding officer will again attempt to contact them and confirm their knowledge of the meeting.
- B. When the meeting convenes, the presiding officer must ensure that all eligible members, not present, have accomplished one of the following:

Designated a person to cast an absentee ballot.

Provided a signed statement acknowledging notification of the meeting.

If, however, neither of the above was accomplished by each absent member, those members present will select another meeting date, time and place no earlier than two (2) weeks after the above meeting. The presiding officer will again attempt to notify the absent members. No additional notification will be required for those members present at the first meeting.

- A. At the second meeting, if required, it will be assumed that all efforts have been exhausted to notify each eligible member.
- B. Once a quorum has been established, the next order of business in meetings held to fill vacancies will be to determine the term of office. The department will decide either to:
 - 1. Recommend a temporary chair to cover the designated vacancy.
 - 2. Recommend an acting chair to serve out the unexpired term.
 - 3. Declare a vacancy and provide a recommendation for a new three (3) year term.

After the term of office has been established, the meeting will proceed in accordance with Section IV-E of this Policy Bulletin.

VI. A COPY OF THIS POLICY BULLETIN SHALL BE FURNISHED TO EACH FACULTY MEMBER EMPLOYED BY WEST VIRGINIA STATE UNIVERSITY.

Appendix J - Faculty Annual Self Report & Chair's Evaluation Form

Faculty Annual Self Report & Chair's Evaluation Form

General Instructions

- Every full-time faculty member (except instructor rank) must submit a self-report every year.
- Procedure: A faculty member completes the form, self-evaluates, and submits it to the chair. The chair evaluates, fills in the scores on the first page, and signs the form. The faculty member reviews the chair's evaluation and signs the form (at this point, the faculty member may add a one-page response sheet) and returns it to the chair who forwards it to the College Dean. The Dean evaluates, signs the form, and shares a copy with the faculty member and the department chair. Before the Dean signs, he or she may solicit information from the department chair and/or the faculty member if needed.
- Deadlines:
 - October 1 – Faculty members submit the self-report to the department chair
 - November 15 – Chairs forward the evaluations to College Deans
 - January 15 – Deans complete evaluations
(Please note that the evaluations which are part of personnel action (retention, promotion, or tenure), might have to follow a slightly different schedule, as determined by FPC calendar)
- Attachments required
 - A copy of faculty member's Class Observation (by chair or designee) report.
 - A copy of faculty member's student evaluations summary sheet (for the Fall and Spring semesters).
 - Copy of identifying information for activities in Research and Creative Activities (details in the form).

West Virginia State University
Faculty Self-Report and Evaluation form AY__ - __

Important: This form covers activities from August 1 to July 31 of the previous academic year.

Faculty: _____

Department: _____

College: _____

Current Rank: _____

Previous promotion (start semester, if applicable): Fall,

Tenured (start semester, if applicable): Fall,

Please do not enter the scores. The College Dean will enter the scores after completing the evaluation.

CATEGORIES	TEACHING	RESEARCH	SERVICE
SCORE			
RATING			

 CHAIR'S SIGNATURE¹ DATE

 FACULTY MEMBER'S SIGNATURE² DATE

 DEAN'S SIGNATURE³ DATE

Annual Evaluation Criteria:

CATEGORIES/RATING	MARGINAL	SATISFACTORY	EXCELLENT
TEACHING	13-24	25-31	32-39
RESEARCH	0-9	10-19	20+
SERVICE	0-14	15-24	25+

¹ A copy of the signed form should be given to the faculty member.

² The signature indicates that the faculty member has received and reviewed the evaluation. If the faculty member does not agree with the evaluations (either by the chair or by the dean), he/she must add a response sheet.

³ A copy of the signed form should be given to the faculty member and department chair.

PART-I: TEACHING

For faculty member: Self-evaluate and complete the Teaching self-reflection portion at the end of this section.

For chair/program coordinator: Please evaluate by selecting an appropriate box for each of the categories.

	Categories for Teaching (and Instructional Practices)	Self eval. score	Chair eval. score
T1	<p>Considerate and fair in dealings with all students – from syllabi / course materials.</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor’s criteria for grading and evaluating are unclear.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor’s criteria for grading and evaluating are consistently clear.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) In addition to satisfactory, instructor shares scoring criteria for key assignments in syllabus/ handouts.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member’s evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member’s evaluation. See my justification below.</p>		
T2	<p>Considerate and fair in dealings with all students – from observation / student evaluation</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor interacts with students in a way that is usually professional, but may reflect inconsistencies in communication and professional demeanor with students.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor interacts with students in a way that is consistently professional and demonstrates respect.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) In addition to satisfactory, student evaluations/reports document evidence of respect and caring.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member’s evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member’s evaluation. See my justification below.</p>		
T3	<p>Well organized – from syllabi / course materials</p> <hr/>		

	<p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor's syllabi do not show evidence of planning and does not include categories suggested in the WVSU Faculty Handbook.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor creates effective syllabi using the categories suggested in the WVSU Faculty Handbook depicting evidence of planning and preparation.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) In addition to satisfactory, the syllabi are exceptionally comprehensive and clearly outlines course expectations.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>T4</p>	<p>Communication with students/from Student Evaluations of Faculty</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor does not return student work in a timely manner or provide instructional feedback.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor typically returns student work in a timely manner and communicates understanding of content knowledge.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) The instructor consistently returns student work in a timely manner, communicates content knowledge, and provides instructional feedback.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>T5</p>	<p>Communication with students/from Classroom Evaluation</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor gives assignments with minimal explanation.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor explains directions and procedures clearly and in sequential order.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) In addition to satisfactory, the instructor communicates directions and procedures verbally and in writing and also considers students' ability levels,</p>		

	<p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
T6	<p>Continual improvement in teaching – Professional Development</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor rarely or never engages in professional development opportunities. <input type="checkbox"/> (Satisfactory: 2 pts.) The instructor participates in professional development activities sometimes. <input type="checkbox"/> (Excellent: 3 pts.) The instructor participates in professional development activities regularly.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
T7	<p>Continual improvement in teaching – Reflection from Self Report</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor rarely or never reflects on results from existing classroom strategies. <input type="checkbox"/> (Satisfactory: 2 pts.) The instructor reflects on results from existing classroom strategies regularly. <input type="checkbox"/> (Excellent: 3 pts.) The instructor reflects on results from existing classroom strategies and makes relevant adjustments (including adopting new strategies) for an improvement in teaching regularly.</p> <p>Faculty member: Please self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		

<p>T8</p>	<p>Welcomes and profits from constructive feedback</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor resists constructive feedback on instructional performance.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor welcomes feedback from both colleagues and supervisors.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) The instructor seeks and applies feedback from both colleagues and supervisors through professional collaboration.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice, if you would like, but please note that an Excellent rating MUST be accompanied by justification)</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>T9</p>	<p>Recognition of Teaching Excellence</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (1 pt.) Excellence is recognized at the university level.</p> <p><input type="checkbox"/> (2 pts.) Excellence is recognized at the state or regional level.</p> <p><input type="checkbox"/> (3 pts.) In addition to satisfactory, excellence is nationally recognized.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice, if you would like, but an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>T10</p>	<p>Establishes a culture for learning/through classroom observation</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor does not consistently provide students with the opportunity to ask questions and rarely tolerates diversity of opinion.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor provides students with the option of asking questions and sharing their opinions and at times accepts diversity of opinion.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) The instructor encourages questions from students and welcomes diversity of opinion.</p>		

	<p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>T11</p>	<p>Concerned with the ability of students to apply knowledge, theory, and skills</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor rarely designs tasks and/or projects aimed to improving students' abilities to apply knowledge, theory, or skills learned in class. <input type="checkbox"/> (Satisfactory: 2 pts.) The instructor sometimes designs tasks and/or projects aimed to improving students' abilities to apply knowledge, theory, or skills learned in class. <input type="checkbox"/> (Excellent: 3 pts.) The instructor always designs tasks and/or projects aimed to improving students' abilities to apply knowledge, theory, or skills learned in class.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>T12</p>	<p>Involves students in the professional activities of the discipline</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor rarely offers students the opportunity to participate in professional activities and/or research projects beyond what is required in the curriculum. <input type="checkbox"/> (Satisfactory: 2 pts.) The instructor sometimes offers students the opportunity to participate in professional activities and/or research projects beyond what is required in the curriculum. <input type="checkbox"/> (Excellent: 3 pts.) The instructor routinely involves students in professional activities and/or research projects beyond what is required in the curriculum.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		

T13	<p>Communication with Students</p> <hr/> <p>Rate the faculty member by checking the most appropriate of the following boxes.</p> <p><input type="checkbox"/> (Marginal: 1 pt.) The instructor informs students of office hours but rarely maintains them; infrequently uses the faculty referral system.</p> <p><input type="checkbox"/> (Satisfactory: 2 pts.) The instructor informs students of office hours and is consistently available for students within those hours and occasionally utilizes the faculty referral system.</p> <p><input type="checkbox"/> (Excellent: 3 pts.) The instructor informs students of office hours and encourages their use and is flexible about making appointments with students outside of office hours; consistently utilizes the faculty referral system.</p> <p>Faculty member: Self-evaluate and provide a rationale (100 words max.) for your choice of one or two, if you would like, but please note that an Excellent rating MUST be accompanied by justification.</p> <hr/> <p>Chair/Evaluator:</p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
	Total Points		

PART-II: RESEARCH (*Scholarly and Creative Work*)

For faculty member: Please provide a list of activities (**and attach the requested materials**) for each of the Research Categories, self-evaluate, and complete the Research self-reflection portion at the end of this section. The activities in this part (R1 – R10) must be in faculty member’s discipline (or profession).

For Chair/Evaluator: Please verify the provided information and evaluate.

	Categories for Research (Scholarly and Creative Work)	Self eval. score	Self eval. score
R1	<p>Publication/creative work (original research) in a refereed (peer-reviewed) journal</p> <p><input type="checkbox"/> (10 pts.) The faculty member has a publication in a refereed (peer-reviewed) journal. <input type="checkbox"/> (18 pts.) The faculty member has two publications in refereed (peer-reviewed) journals. <input type="checkbox"/> (25 pts.) The faculty member has more than two publications in refereed (peer-reviewed) journals.</p> <p>Faculty member: Please provide a list of activities for this category and self-evaluate. Required attachment: The title page(s) of your journal publication(s). (Generally, the title page is the first page of the journal print and contains the title, the names of the author(s), and journal information in footnote)</p> <hr/> <p>Chair/Evaluator: Please verify the provided information.</p> <p><input type="checkbox"/> - I agree with the faculty member’s evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member’s evaluation. See my justification below.</p>		
R2	<p>Other publication/creative work in a refereed (peer-reviewed) journal (letters, comments, article or book review etc.)</p> <p><input type="checkbox"/> (4 pts.) The faculty member has a publication in a refereed (peer-reviewed) journal. <input type="checkbox"/> (7 pts.) The faculty member has two publications in refereed (peer-reviewed) journals. <input type="checkbox"/> (10 pts.) The faculty member has more than two publications in refereed (peer-reviewed) journals.</p> <p>Faculty member: Please provide a list of activities for this category and self-evaluate. Required attachment: A copy of your published work.</p> <hr/> <p>Chair/Evaluator: Please verify the provided information.</p> <p><input type="checkbox"/> - I agree with the faculty member’s evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member’s evaluation. See my justification below.</p>		
R3	<p>Non-refereed (scholarly) publication/creative work (in non-refereed journals, magazines, newspapers etc.)</p> <p><input type="checkbox"/> (2 pts.) The faculty member has a publication in a non-refereed journal or similar.</p>		

	<p><input type="checkbox"/> (4 pts.) The faculty member has two publications in non-refereed journals or similar. <input type="checkbox"/> (6 pts.) The faculty member has more than two publications in in non-refereed journals or similar.</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> Required attachment: <i>A copy of your published work.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
R4	<p>Book (Author or co-author of a published book related to the academic field)</p> <p><input type="checkbox"/> (5 pts.) The faculty member has authored or coauthored a chapter of a published book. <input type="checkbox"/> (10 pts.) The faculty member has authored or coauthored multiple chapters of a published book. <input type="checkbox"/> (20 pts.) The faculty member has authored or coauthored a complete published book.</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> Required attachment: <i>A copy of the front matter (pages containing title, author's name, copyright information, preface etc.) and table of contents of the printed book. If authoring some chapter(s), please include a copy of the first page of the chapter.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
R5	<p>PI or Co-PI on a funded grant (external, national level; each calculated per annum⁴)</p> <p><input type="checkbox"/> (4 pts.) The faculty member is PI or Co-PI on a funded grant(s) totaling less than \$10,000 per annum. <input type="checkbox"/> (8 pts.) The faculty member is PI or Co-PI on a funded grant(s) totaling from \$10,000 to \$50,000 per annum. <input type="checkbox"/> (10 pts.) The faculty member is PI or Co-PI on a funded grant(s) totaling more than \$50,000 per annum.</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> Required attachment: <i>The award letter(s) from the awarding agency containing all the identifying information (amount, period of performance etc.)</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		

⁴ Divide the total award amount by the period of performance (rounded to the nearest year). Use 1 year for all the awards with less than one-year period of performance.

<p>R6</p>	<p>PI or Co-PI on a funded grant (external, state/regional level; each calculated per annum⁴)</p> <p><input type="checkbox"/> (4 pts.) The faculty member is PI or Co-PI on a funded grant(s) totaling less than \$10,000 per annum.</p> <p><input type="checkbox"/> (6 pts.) The faculty member is PI or Co-PI on a funded grant(s) totaling from \$10,000 to \$50,000 per annum.</p> <p><input type="checkbox"/> (8 pts.) The faculty member is PI or Co-PI on a funded grant(s) totaling more than \$50,000 per annum.</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> Required attachment: <i>The award letter(s) from the awarding agency containing all the identifying information (amount, period of performance etc.)</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>R7</p>	<p>PI or Co-PI on a funded grant or award (internal; each calculated per annum⁴)</p> <p><input type="checkbox"/> (2 pts.) The faculty member is PI or Co-PI on an award(s) totaling less than \$3,000 per annum.</p> <p><input type="checkbox"/> (3 pts.) The faculty member is PI or Co-PI on an award(s) totaling from \$3,000 to \$6,000 per annum.</p> <p><input type="checkbox"/> (4 pts.) The faculty member is PI or Co-PI on an award(s) totaling more than \$6,000 per annum.</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> Required attachment: <i>Copy of the award letter containing all the identifying information (amount, period of performance etc.)</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>R8</p>	<p>PI or Co-PI on a Grant not funded</p> <p><input type="checkbox"/> (1 pt.) The faculty member is PI or Co-PI on an unfunded internal grant.</p> <p><input type="checkbox"/> (2 pts.) The faculty member is PI or Co-PI on an unfunded external grant.</p> <p><input type="checkbox"/> (3 pts.) The faculty member is PI or Co-PI on multiple unfunded external grant(s).</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> Required attachment: <i>A copy of the rejection letter(s) from the appropriate body(ies).</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		

<p><u>R9</u></p>	<p>Published proceedings and/or presentation of scholarship in an academic conference (Studies in the area of music, art, or theatre may include performances such as concerts, art exhibits, plays, etc.)</p> <p><input type="checkbox"/> (3 pts.) The faculty member has presented at an academic conference and/or has published in a conference proceedings (only regional or local). <input type="checkbox"/> (5 pts.) The faculty member has presented at an academic conference and/or has published in a conference proceedings (national or international). <input type="checkbox"/> (8 pts.) The faculty member has presented at academic conferences and/or has published in a conference proceedings multiple times (national or international).</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> <u>Required attachment:</u> <i>A copy of the conference program including the presentation schedule and abstract.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p><u>R10</u></p>	<p>Scholarly/creative work submitted but not accepted for publication.</p> <p><input type="checkbox"/> (1 pt.) The faculty member submitted a scholarly article or creative work to a state or regional publication. <input type="checkbox"/> (2 pts.) The faculty member submitted a scholarly article to a national or international publication. <input type="checkbox"/> (3 pts.) The faculty member submitted multiple scholarly articles or creative works to publications.</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> <u>Required attachment:</u> <i>A copy of the rejection letter(s) from the appropriate body(ies).</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p><u>R11</u></p>	<p>Journal (peer-reviewed) Service (as a referee or Editorial Board)</p> <p><input type="checkbox"/> (3 pts.) The faculty member has refereed a paper for a peer-reviewed journal. <input type="checkbox"/> (5 pts.) The faculty member has refereed multiple papers for peer-reviewed journal(s). <input type="checkbox"/> (8 pts.) The faculty member has served on the editorial board of a peer-reviewed journal.</p> <p>Faculty member: <i>Please provide a list of activities for this category and self-evaluate.</i> <u>Required attachment:</u> <i>If served as a referee, attach a copy of the review request(s) from the Journal. If served on the editorial board, attach a copy of the front matter (initial pages) of the journal including the list of the editorial board members.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p>		

	<input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
R12	<p>Other significant professional research activities not covered above</p> <input type="checkbox"/> (2 pts.) One activity. <input type="checkbox"/> (4 pts.) Two activities. <input type="checkbox"/> (5 pts.) More than two activities. <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <hr/> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
	Total Points		

PART-III: SERVICE

For faculty member: Please self-evaluate (select ONLY one appropriate box) by providing a list of activities for each of the Service Categories and complete the Service self-reflection portion at the end of this section.

For chair/program coordinator: Please verify the provided information and evaluate.

	Categories for Professional Service (Activities not directly related to the faculty member's discipline can't be used in any of the categories in this section.)	Self eval. score	Chair eval. score
S1	<p>Attendance at professional conference and workshops</p> <p><input type="checkbox"/> (1 pt.) The faculty member has attended local conference(s). <input type="checkbox"/> (2 pts.) The faculty member has attended a state or regional conference(s). <input type="checkbox"/> (3 pts.) The faculty member has attended a national or international conference(s).</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
S2	<p>Service as a grant reviewer for outside agencies</p> <p><input type="checkbox"/> (2 pts.) The faculty member has served as a grant reviewer for only regional program(s)/agency(ies). <input type="checkbox"/> (4 pts.) The faculty member has served as a grant reviewer for a national (or international) program/agency. <input type="checkbox"/> (6 pts.) The faculty member has served as a grant reviewer for multiple national (or international) programs/agencies.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
S3	<p>Membership in a professional society or organization</p> <p><input type="checkbox"/> (1 pt.) The faculty member is a member of a professional society or organization. <input type="checkbox"/> (2 pts.) The faculty member is a member of multiple professional society(ies) or organization(s). <input type="checkbox"/> (3 pts.) The faculty member is an officer of a professional society or organization.</p>		

	<p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
S4	<p>Service as a panelist for a professional organization or a learned society</p> <p><input type="checkbox"/> (1 pts.) The faculty member has served only as a panelist for a professional organization or a learned society. <input type="checkbox"/> (2 pts.) The faculty member has served (multiple times) only as a panelist for a professional organization and/or learned society. <input type="checkbox"/> (3 pts.) The faculty member has served and chaired or served as chair of a panel for a professional organization or a learned society.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
S5	<p>Service as an officer or board member for a professional organization/learned society (Can't use an activity for both S3 and S5)</p> <p><input type="checkbox"/> (2 pts.) The faculty member has served on board for a professional organization (as a member only). <input type="checkbox"/> (4 pts.) The faculty member has served on boards for multiple professional organizations (as a member only). <input type="checkbox"/> (5 pts.) The faculty member has served as an officer of a board for a professional organization.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
S6	<p>Working as a conference, convention, or competition organizer</p> <p><input type="checkbox"/> (1 pt.) The faculty member has helped organizing conference, convention, and/or competition. <input type="checkbox"/> (3 pts.) The faculty member has served as an organizer of a conference, convention, or competition.</p>		

	<input type="checkbox"/> (5 pts.) The faculty member has served as an organizer of multiple conferences, conventions, or competitions. Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i> <hr/> Chair/Evaluator: <i>Please verify the provided information.</i> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
S7	Serving on a regional or national accrediting team <input type="checkbox"/> (2 pts.) The faculty member has served on an accrediting team. <input type="checkbox"/> (4 pts.) The faculty member has served on two accrediting teams. <input type="checkbox"/> (5 pts.) The faculty member has served on more than two accrediting teams. Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i> <hr/> Chair/Evaluator: <i>Please verify the provided information.</i> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
S8	Guiding (as research advisor) students on approved research or creative projects <u>which result in student presentations</u> at a symposium, conference, or exhibition <input type="checkbox"/> (3 pt.) The faculty member has served as research advisor to a student. <input type="checkbox"/> (6 pts.) The faculty member has served as research advisor to two students. <input type="checkbox"/> (9 pts.) The faculty member has served as research advisor to more than two students. Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i> <hr/> Chair/Evaluator: <i>Please verify the provided information.</i> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
S9	Teaching course (<u>uncompensated</u>) by special arrangement (in addition to the regular teaching load) <input type="checkbox"/> (3 pts.) The faculty member has taught a class by special arrangement. <input type="checkbox"/> (6 pts.) The faculty member has taught two classes by special arrangement. <input type="checkbox"/> (9 pts.) The faculty member has taught more than two classes by special arrangement. Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i>		

	<p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <hr/> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
S10	<p>Serving on a thesis (honors or graduate) committee</p> <input type="checkbox"/> (1 pt.) The faculty member has served on one thesis committee. <input type="checkbox"/> (2 pts.) The faculty member has served on two thesis committees. <input type="checkbox"/> (3 pts.) The faculty member has served on more than two thesis committees. <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <hr/> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
S11	<p>Honors or awards recognizing service related to faculty member's academic discipline</p> <input type="checkbox"/> (2 pts.) The faculty member has been recognized by a local group/organization. <input type="checkbox"/> (4 pts.) The faculty member has been recognized by a regional group/organization. <input type="checkbox"/> (6 pts.) The faculty member has been recognized by a national group/organization. <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <hr/> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
S12	<p>Other significant professional service activities not covered above</p> <input type="checkbox"/> (2 pts.) One activity. <input type="checkbox"/> (4 pts.) Two activities. <input type="checkbox"/> (5 pts.) More than two activities. <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <hr/> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		

S13	<p>Serving on WVSU faculty senate OR chairing a University committee (faculty senate standing or specially appointed etc.)</p> <p><input type="checkbox"/> (3 pts.) The faculty member has served on WVSU faculty senate. <input type="checkbox"/> (4 pts.) The faculty member has served as chair of a faculty senate standing or specially appoint University committee. <input type="checkbox"/> (6 pts.) The faculty member has served as an officer of WVSU faculty senate.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
S14	<p>Serving on University committee(s) (faculty senate standing or specially appointed etc.) (Can't use a committee from previous category)</p> <p><input type="checkbox"/> (2 pts.) The faculty member has served on one committee. <input type="checkbox"/> (3 pts.) The faculty member has served on two committees. <input type="checkbox"/> (4 pts.) The faculty member has served on more than two committees.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
S15	<p>Serving on College or Departmental committees</p> <p><input type="checkbox"/> (1 pts.) The faculty member has served on one committee. <input type="checkbox"/> (2 pts.) The faculty member has served on two committees. <input type="checkbox"/> (3 pts.) The faculty member has served on more than two committees.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		

<p>S16</p>	<p>Advising of honor societies or other student organizations</p> <p><input type="checkbox"/> (2 pts.) The faculty member has served as an advisor to one honor society or student organization.</p> <p><input type="checkbox"/> (3 pts.) The faculty member has served as an advisor to multiple honor societies and/or student organizations.</p> <p><input type="checkbox"/> (5 pts.) The faculty member has served as an advisor to an honor society or student organization (or its chapter) whose accomplishments have been recognized regionally or nationally.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>S17</p>	<p>Active participation in University sanctioned recruiting activities (First Fridays, mini-State days etc.)</p> <p><input type="checkbox"/> (1 pt.) The faculty member has taken part only in on-campus recruiting activities.</p> <p><input type="checkbox"/> (2 pts.) The faculty member has taken part in off-campus recruiting activities only.</p> <p><input type="checkbox"/> (3 pts.) The faculty member has taken part in both on- and off-campus recruiting activities.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>S18</p>	<p>Academic Advising</p> <p><input type="checkbox"/> (2 pts.) The faculty member serves as academic advisor to 1-10 students.</p> <p><input type="checkbox"/> (4 pts.) The faculty member serves as academic advisor to 11-25 students.</p> <p><input type="checkbox"/> (6 pts.) The faculty member serves as academic advisor to more than 25 students.</p> <p>Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i></p> <hr/> <p>Chair/Evaluator: <i>Please verify the provided information.</i></p> <p><input type="checkbox"/> - I agree with the faculty member's evaluation for this category.</p> <p><input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.</p>		
<p>S19</p>	<p>Other service activities (not in faculty member's discipline; e.g. community service and outreach activities)</p>		

	<input type="checkbox"/> (2 pts.) One activity. <input type="checkbox"/> (4 pts.) Two activities. <input type="checkbox"/> (5 pts.) More than two activities. Faculty member: <i>Please provide a list of activities (with sufficient details) for this category and self-evaluate.</i> <hr/> Chair/Evaluator: <i>Please verify the provided information.</i> <input type="checkbox"/> - I agree with the faculty member's evaluation for this category. <input type="checkbox"/> - I do not agree with the faculty member's evaluation. See my justification below.		
	Total Points		

Service self-reflection: (maximum one page)

Identify Strengths in Service

Identify areas of Improvement in Service

Appendix K: Classroom Observation Forms



WEST VIRGINIA STATE
UNIVERSITY

Find *Your* Passion.

**WEST VIRGINIA STATE UNIVERSITY
FACULTY PRE-OBSERVATION**

Faculty Member _____

Observer _____

Class _____

Department – Course (Title, Number, & Section)

Meeting Time

Students on Roster

1. Lesson Objectives/Assessments: Identify the objectives and goals for the class. If applicable, identify assessments used as well.

2. Instructional Methods: Identify the instructional methods you will use.

3. Further Information: Provide any information that an observer should know or be aware of regarding the students or the class. (e.g. Are student modifications necessary?)



WEST VIRGINIA STATE
UNIVERSITY

Find *Your* Passion.

**WEST VIRGINIA STATE UNIVERSITY
FACULTY OBSERVATION**

Faculty Member _____

Observer _____

Class _____

Department – Course (Title, Number, & Section)

Meeting Time

Students on Roster

- 1. Learning Goals and/or Objectives:** Discuss with the instructor the objectives and/or goals for the class.
- 2. Instructional Methods:** List the instructional method(s) used in class.
- 3. Effectiveness:** Were the instruction methods effective? (e.g., students were interested, attentive, challenged, and understood the objectives of the session.)
- 4. Preparation:** (Statement of objectives, provision of instructional resources or materials, evidence of planning and scholarship, and organization of class for lesson/activity):

5. **Learning Environment:** Describe the culture of learning established by the instructor.

6. **Student Interaction:** Describe the instructor's interactions with students, focusing especially on the communication between the instructor and students:

7. **Communication:** Describe the teacher's ability to communicate (e.g., voice quality, articulation, enthusiasm, expression, clarity, mannerisms).

8. **Rate:** Rate the overall effectiveness of this class session, considering the observations noted for the items above. (Circle one number with one being the least effective and ten being the most effective):

1 2 3 4 5 6 7 8 9 10

Substantiate in a written summary of the overall effectiveness rating selected

9. **Additional Comments:** (Attach a separate sheet if preferred)

10. **Instructor's Response:** Provide any comments you wish to make in response to this report. (Attach a separate sheet if preferred)

Observer's Signature

Date

Instructor's Signature

Date

**The signature does not indicate agreement with the observation report. It simply indicates that the instructor received and reviewed it.*

Appendix L: Faculty Annual Plan

**WEST VIRGINIA STATE UNIVERSITY
FACULTY ANNUAL PLAN**

AY 2024-25

Faculty Member:

Reviewed by Department Chair Name Date

I. Identify specific goals in the following areas for the upcoming academic year and strategies to be used to accomplish them.

Goals	Strategies to Accomplish these goals
<u>Teaching and Instruction Practices</u>	
<u>Research & Scholarly Activities</u>	
<u>Service</u>	
<u>Additional</u>	

II. Identify how you will assess your accomplishments.

III. Identify instructional resources needed, if any.

Return this form to your Department Chair by September 15th.

Appendix M: Review of Instructional Materials Form

REVIEW OF INSTRUCTIONAL MATERIALS

Department – Course & Section # - Title

Date

Instructor

Evaluator

(At a minimum, the Evaluator should examine the course syllabus, a sample of course examinations, a sample of course handouts, and the course text.)

SYLLABUS: (Does it follow the guidelines from the Faculty Handbook? Additional comments.)

QUIZZES AND EXAMINATIONS (Comment on appropriateness to course and level of students)

HANDOUTS (comment on usefulness for topic)

TEXTBOOK (Comment on appropriateness of text for course)

OTHER (Lab Manuals, Computer software, etc.)

Evaluator's Signature

Date

Appendix N: Student Evaluation Form



WEST VIRGINIA STATE
UNIVERSITY

Student Evaluation of Instruction

Semester

Year

Course Index Number			
0	0	0	0
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9

MARKING INSTRUCTIONS

- Use a No. 2 pencil only.
- Do not use ink, ballpoint, or felt tip pens.
- Make solid marks that fill the circle completely.
- Erase cleanly any marks you wish to change.
- Make no stray marks on this form.
- Do not fold, tear, or mutilate this form.



Indicate your ratings of the instructor's performance in this class by responding to items 1–14 on a scale from **1 (Strongly Disagree)** to **5 (Strongly Agree)**.

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1. The instructor offers a variety of methods of delivery of information.	①	②	③	④	⑤
2. The instructor offers various ways for students to demonstrate knowledge of content.	①	②	③	④	⑤
3. The instructor is concerned with learning interests of the students.	①	②	③	④	⑤
4. The instructor orders the learning activities and content in a way that is easy to follow.	①	②	③	④	⑤
5. The instructor helps students connect the course content with real-world applications.	①	②	③	④	⑤
6. The instructor asks questions that encourage students to think more deeply about the content.	①	②	③	④	⑤
7. The instructor facilitates a classroom of active engagement that encourages all students to participate.	①	②	③	④	⑤
8. The instructor presents and explains the material in a clear and understandable manner.	①	②	③	④	⑤
9. The instructor provides timely feedback that extends my learning.	①	②	③	④	⑤
10. The instructor regularly evaluates and communicates my progress in a timely way.	①	②	③	④	⑤
11. The instructor grades my work based on course outcomes and specific assignment objectives.	①	②	③	④	⑤
12. The instructor cares about my academic progress.	①	②	③	④	⑤
13. The instructor behaves respectfully and professionally.	①	②	③	④	⑤
14. The instructor is approachable when students have questions and/or concerns.	①	②	③	④	⑤

1. This is the first time I have had this instructor for any class.

- Yes
- No

2. My class standing is

- freshman (0–30 credit hours completed)
- sophomore (31–60 credit hours completed)
- junior (61–90 credit hours completed)
- senior (over 90 credit hours completed)

3. I took this course because it was

- required of all students
- required for my major/minor
- required for some other reason
- an elective

4. In this course I expect to receive a grade of

- A
- B
- C
- D
- F

5. For this course, my average weekly preparation time outside of class is approximately

- 10 or more hours
- 7–9 hours
- 4–6 hours
- 1–3 hours
- less than 1 hour

6. This semester I have contacted my instructor outside class.

- 4 or more times
- 3 times
- twice
- once
- never

COMMENTS:

Appendix O: Institutional Policy # B-6-3-1 (Leave without Pay)

West Virginia State University
Administrative Policies
Section: B Personnel
No.: B-6-3.1

Subject: Professional/Administrative Leave for

Faculty/Staff General Provisions:

The Granting of administrative or professional absence is not an obligation; rather, it is a training technique to be employed for the benefit of the University.

Requests for such absences may be denied if, in the opinion of the respective unit heads, they are not in the best interest of the West Virginia State University.

While no suggestion should be communicated to thwart the development of a particular faculty or staff member, unit heads are expected to minimize the possibility of concentrating all absences among a few select employees.

It shall be the responsibility of the Vice President for Academic Affairs and the Vice President for Administrative Affairs to determine whether absences of employees under their supervision are to be awarded under the provisions of this policy.

Appendix P: Outside Services Review Form

**WEST VIRGINIA STATE UNIVERSITY
OUTSIDE SERVICES REVIEW FORM**

AY 20__

ARE YOU EMPLOYED ONLY BY WEST VIRGINIA STATE UNIVERSITY? YES/NO

IF YOUR ANSWER TO THE ABOVE QUESTION IS NO, PLEASE SUPPLY THE FOLLOWING INFORMATION:

(OTHER EMPLOYER'S NAME AND ADDRESS)

(POSITION)

APPROXIMATE NUMBER OF HOURS PER WEEK

2. Are you presently a paid professional at someplace other than WVSU? Yes _____ No _____

If your response is Yes, please explain the nature of the professional service(s), the individual or group which engages your services(s), and the number of hours per week (or month) that you regularly spend in this service.

3. Are you self-employed? Yes _____ No _____

If the answer is Yes, please explain the nature of your self-employment and approximate number of hours per week you spend in this occupation. _____

(Printed Name)

(Signature)

(Department)

(Title)

(Date)

Appendix Q: Institutional Policy # B-6-6-0 (Outside Consulting)

WEST VIRGINIA STATE UNIVERSITY
Administrative Policies
Section: B Personnel
No.: B-6-6.0

Subject: Granting Time for Consulting and Technical Assistance in Education and Related Fields.

General:

It is the policy of West Virginia State University to encourage its faculty and staff to serve as consultants in their respective areas of expertise, to participate as members of accrediting teams for educational and professional organizations, social agencies, and designated populations. The University considers such participation beneficial to the professional development of the faculty and/or staff members involved, and an effective instrumentality for extending services to meet critical educational, technical, and social needs.

1. All requests shall be limited to not more than two days per month, subject to the approval of the immediate supervisor. Approval for more than the stipulated two (2) days must come from the President of the University.
2. Requests should be submitted to the immediate supervisor at least three (3) weeks in advance of the date the consultation or technical assistance is to take place.
3. Both the person requesting the leave time and the person granting approval are jointly responsible for insuring and protecting the program area of the University from which the leave is to be granted.
4. Prior approval and clearance from the immediate supervisor is necessary before time may be granted under the provisions of this policy.
5. A strict accounting of all time granted under the provisions of this policy must be made to the President of the University by respective unit heads at the end of the academic year.

**Nothing in this policy is meant to preclude the requirement of individuals to honor the conditions of employment.

Appendix R: Textbook Policy

**ADMINISTRATIVE POLICIES AND PROCEDURES
ON THE USE AND ORDERING OF TEXTBOOKS****

(revised, 8/07)

1. Wherever there are multiple sections of classes, the same textbook(s) shall be utilized and shall be cooperatively selected by the instructors concerned.*
2. A textbook should be used at least two (2) academic years before being changed. (Textbooks will not be changed at mid-year.)
3. Textbooks shall be regularly reviewed to determine if they are still current. The same edition of a textbook should not be used for more than five (5) years.
4. Department chairs shall place textbook orders with deans two (2) weeks after the class schedules for the fall, spring, and summer terms have been approved by the appropriate dean or at other specific deadlines established by the Office of Academic Affairs.
5. The faculty member must supply all pertinent data in order that precise textbook orders can be developed.
6. A faculty member who is employed after textbooks have been ordered must use the textbook that has been ordered for the class.
7. A faculty member who replaces another faculty member in a class must use the textbook that has been ordered for the class.
8. Department chairpersons or their designated representatives will order desk copies of textbooks for new faculty.
9. Continuing faculty are responsible for ordering their own desk copies of textbooks.
10. All transactions with the bookstore will be handled through deans.
11. Instructors not using texts must still complete textbook forms for those classes. Write "no text" on the form.
12. Those faculty who wish to use textbooks authored by them must comply with section 2.4.3 of the Board of Governors Policy 58.

* Departments wishing to select different textbooks for multiple section classes must have approval of the College dean.

Appendix S: Faculty Absence from Classes

STATEMENT RE:
ABSENCE OF FACULTY FROM CLASSES AND OTHER ASSIGNED
RESPONSIBILITIES

The first obligation that all faculty at West Virginia State University have is to meet their classes (or their other assigned responsibilities) on time and to teach them.

If one must be away from classes, the chairperson should be notified in sufficient time to permit other arrangements to be made. The most acceptable arrangement is to have the class covered by another faculty member. Under no circumstances should a class simply be allowed to wait for an instructor who never appears and from whom no word concerning class cancellation ever comes.

If at any time the chairperson feels that the instructor's absences are excessive, corrective action should be taken.

ACCEPTABLE REASONS FOR ABSENCE FROM CLASS

1. Personal illness.
2. Family illness.
3. Disaster (fire, flood, etc).
4. Death in immediate family.
5. Uncontrollable circumstances.
6. Jury duty.
7. Professional meetings.
8. Field trips.
9. Fulfillment of professional obligations (e.g., service on NCATE teams, etc).

**WEST VIRGINIA STATE UNIVERSITY
FACULTY ABSENCE FORM**

Department of _____

I (will be/was) absent from _____
(class/classes/responsibilities)

On _____ due to _____
(date/dates) (reason)

I am notifying or have notified _____

with the following arrangements for my class(es):

Printed Name of Faculty Member

Signature of Faculty Member

Date

Signature of Department Chair

Date

Approved ____ **Not Approved** ____

Appendix T: Field Trip Clearance

WEST VIRGINIA STATE UNIVERSITY FIELD TRIP CLEARANCE

CLASS OR ACADEMIC ORGANIZATION _____

DEPARTMENT _____ INSTRUCTOR _____

DATE(S) OF TRIP _____

DESTINATION _____

PURPOSE OF TRIP _____

STUDENTS TAKING TRIP:

	name	address	phone
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

Instructor's Signature _____ Date _____ Department Chair's Signature _____ Date _____
(Use additional forms as necessary)

ACADEMIC AFFAIRS ADMINISTRATIVE MEMORANDUM #1

SUBJECT: FIELD TRIPS

1. All faculty members who require student participation in a field trip as a part of the academic obligations of a class must list it on the syllabus. All relevant information concerning the trip must be included, i.e., cost, date(s), destination, length of time that the trip will take, and objectives.
2. Financial support for field trips is not assured. Requests for funds may be made in advance, however, and are subject to the same constraints as are other travel requests.
3. At least two weeks before the trip is to take place, a field trip clearance form is to be filed with the Office of the Vice President for Academic Affairs.

Appendix U: BOG Policy # 31 - Sabbatical Leave Policy

WEST VIRGINIA STATE BOARD OF GOVERNORS
West Virginia State University
BOG # 31

Title: Sabbatical Leave

Section 1. General

- 1.1 Scope: This policy specifies the eligibility, conditions, compensation, and obligations regarding the granting of sabbatical leave for faculty members.
- 1.2 Authority; West Virginia Codes §18B-1-6, 18B-7-2 and 18B-1-9.
- 1.3 Repeals and replaces Series 10, Title 133 dated August 9, 1992.
- 1.4 Effective Date: May 25, 2005.

Section 2. Purpose

- 2.1 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 institution;
- 2.2 The privilege of a sabbatical carries with it the obligation to return for a full year of service upon completion of the leave;
- 2.3 Sabbatical leave may be granted for three major purposes:
 - a) Study toward a doctoral degree;
 - b) Study that will provide one with academic preparation in a new area seen as important to the present and future needs of each institution;
 - c) Project oriented non-degree activities embracing study and/or research, preferably on a post-doctoral level and preferably in one's field;
- 2.3.1 Of these three purposes, "a" and "b" will be given priority consideration.

Section 3. Eligibility

- 3.1 Tenured faculty who are completing their sixth year of full-time employment at West Virginia State University are eligible to apply for a sabbatical leave;
 - 3.1.1 The granting of such leave is contingent upon the availability of funds, the instructional needs of each institution, and the plan of study that the faculty member advances.
 - 3.1.2 After completing a sabbatical leave, a faculty member shall not again be eligible until the seventh subsequent year of full-time employment.

- 3.1.3 Separate summer school employment shall not be considered toward eligibility for sabbatical leave.

Section 4. Procedures

- 4.1 The granting of sabbatical leave is not automatic, but shall depend on the merits of the request and on conditions prevailing within each institution at the time.
- 4.2 Sabbatical leave will be granted by the President, who will make an annual report to the Board of Governors summarizing the number of sabbatical leaves granted during the previous year, the disciplines of the faculty members, and whether the leaves were for full salary for no more than half the contract period or for half salary for no more than the full contract period;
- 4.3 Requests for sabbaticals must be endorsed by department chairs and/or deans and forwarded to the Vice President for Academic Affairs by March 1.
 - 4.3.1 Requests for project-oriented sabbatical leaves must be endorsed by department chairs and/or deans and sent to the Research Committee of the Faculty Senate (with a copy to the Vice President for Academic Affairs for his/her review by February 15;
 - 4.3.1.1 The Committee will forward a ranked list to the Vice President for Academic Affairs (WVSU) for further consideration.
- 4.4 The Vice President for Academic Affairs must receive all requests for sabbatical leave by March 1 of the year before the beginning of the academic year for which the leave is requested;
 - 4.4.1 The Vice President for Academic Affairs (WVSU) will review all requests for sabbatical leaves and makes a recommendation to the President;
 - 4.4.2 The institution reserves the right to deny a request for a sabbatical leave if it does not seem to be in the best interest of the institution.
- 4.5 Before the expiration of a sabbatical, the person on leave must file a letter requesting a continuance without pay or indicating the intent to return to faculty duties at the time specified in the sabbatical request;
 - 4.5.1 The letter must be filed in accordance with the following schedule:
 - Continuance--by March 15;
 - Return from a one-semester sabbatical taken during the second semester of an academic year--by March 15;
 - Return from a one-semester sabbatical taken during the first semester of an academic year--by November 15;
 - 4.5.2 A request for continuance will not be automatically granted but will be evaluated in accordance with institutional need and the reason that the request is being made.

Section 5. Compensation

- 5.1 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;
- 5.1.1 If a faculty member's salary is not paid wholly from state funds, the President shall so inform the Board of Governors in his/her annual report on sabbatical leaves.

Section 6. Obligations of the Faculty Member

- 6.1 An applicant for a sabbatical leave shall submit to the President in writing a detailed plan of activity which he/she proposes to follow;
- 6.2 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;
- 6.3 While on sabbatical leave, a faculty member may not accept enumerative employment without the written consent of the President, or his/her designee;
- 6.3.1 Fellowships, grants, assistantships, and similar stipends shall not be considered remunerative employment;
- 6.4 Upon completion of a sabbatical leave, a faculty member shall file with the relevant President a written report of his/her scholarly activities while on leave;
- 6.5 A faculty member is obligated to return for a full contract 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 7. Obligations of the Institution

- 7.1 A faculty member's institutional position, status, and rank shall not be adversely affected solely by his/her absence while on sabbatical leave.

Appendix V: Inclement Weather Policy

West Virginia State University
Inclement Weather Policy
(Revised May 2023)

The safety of our campus community is a priority. During an inclement weather event, the university may notify students (See note below), faculty, staff, and other employees that it is under any 1 of 3 adverse weather plans. The plan helps guide university operations, employee work schedules, and how employees should record their time for that day. These announcements will be made as early as possible to allow for alternate plans to be made.

Please read, understand, and act in accordance with these inclement weather codes.

Code A: Normal Operations

All employees are expected to report to work at their regularly scheduled time. There is no delay or closure.

Code B: Delayed Opening

Only essential employees are required to report to work at their regularly scheduled time. Non-essential employees will abide by the delay of the university.

In the event of a delayed opening, any classes that has a start time that is before the announced delayed opening time period will be cancelled for the day. Students will not be expected to report to class to start the lecture after the delay is over.

Code C: Closure

Only essential employees are required to report to work at their regularly scheduled time. Non-essential employees do not report to work.

In the event of a campus closure all in person classes for the day are cancelled. This includes laboratory work, night classes, and research activities. Students will not be required to show up for co-curricular activities on days the campus is closed due to inclement weather. If students are having issues with internet connectivity and cannot take part in an online course (Web100 or Web 80), they should notify the faculty member as soon as safely possible to make special arrangements to make up any missed work.

Faculty are not permitted to shift to an online format to lecture in the case of a delay or closure. On days that involve a delay, faculty are encouraged (whenever reasonable) to offer a hybrid lecture to students who cannot get to campus safely.

If you have questions, please contact the Department of Human Resources for University Functions or Academic Affairs as it relates to classroom questions.

**Emergency Notification System: To ensure you receive timely notification of an inclement weather event, make certain you are registered in the university's emergency notification system. This multi-platform notification system communicates important safety messages through voice as well as written notifications.

To do this, sign into MyState and click on the Personal Information tab on the MyState home page. Then click on Update Immediate Contact Information for campus warning system to add additional contact information.

Appendix W: Policy on Faculty Illness

West Virginia State University
POLICY ON FACULTY ILLNESS

1. Faculty members who are unable to meet classes because of illness should notify Department Chairpersons of the impending absence. If the Department Chairperson is unavailable, notification should be made to the College dean's office or to the Office of Academic Affairs.

2. Whenever possible colleagues will cover classes for ill faculty members.

Appendix X: Accident Report Form

File Number: _____

WVSU Personal Accident/Injury Report

Employee Information:

Injured Party's Full Name: _____

Address: _____ SSN: _____

_____ DOB: _____

_____ Telephone: _____

_____ SEX: Female _____ Male _____

Date Hired: _____

Marital Status: _____

Injured Party's Status: _____ Student _____ Student Worker _____ Visitor _____ Work Study
_____ Faculty/Staff _____ Full Time _____ Part time

Job Title (if any): _____

Information About Injury/Disease:

Date of Injury/Exposure: _____ Time: _____

Date Employer Notified of Injury or Exposure _____

Supervisor to Whom Injury was Reported: _____

If Injury was Fatal, Date of Death: _____

Address/Location of Injury: _____

Department: _____ Instructor: _____

WVSU owned Property: Yes _____ No _____

Type of Injury: _____

Body Part(s) injured: _____

How did the injury occur? (be specific) _____

Was injured party taken to Health Center: _____ Yes _____ No

Was injured party taken to hospital: _____ Yes _____ No

If so, by whom: Will make own arrangements? _____

Name of Hospital: _____

Was Medical Treatment refused? Yes _____ No _____

Witness Information: (Name address and telephone number)

Submitted by

Title:

Submission date and time:

Report Submitted to:

Human Resources: _____

University Police Department: _____

Safety Compliance Office: _____

Has a BRIM Report Been Completed? _____

Appendix Y: Faculty Policy on Academic Integrity

FACULTY POLICY ON ACADEMIC INTEGRITY

Academic Integrity Policy

We of the academic community respect the right to pursue knowledge and are committed to the highest standards of academic integrity. In a dynamic academic environment, ideas and findings are discussed, evaluated and disseminated. Although controversy has arisen concerning authorship and ownership of ideas and information available on the Internet and from other electronic sources, we believe that trust and honesty are essential in the use of all borrowed material. We expect all participants in our academic community to uphold standards of academic integrity.

Definition of Academic Dishonesty*

1. Cheating means giving to or receiving from any unauthorized source any kind of unauthorized material or assistance that will affect one's academic standing, or any attempts to do so.
2. Plagiarism means using the language, ideas, structure, laboratory findings, data, computer programs, information from electronic sources, or examination answers produced by someone else and presenting it as one's own, or any attempts to do so.
3. Falsification means making or attempting to make untrue or misleading statements, oral or written, in regard to one's academic work. Examples include forging of official documents and signatures, altering official documents, altering classroom documents, or gaining unauthorized access to electronically or conventionally stored information.

* Faculty syllabi may contain further descriptions and stipulations regarding academic dishonesty.

Procedures and Penalties for Cases of Academic Dishonesty

- I. An instructor may meet informally with a student who the instructor believes is guilty of a minor case of academic dishonesty such as copying someone else's homework. The case may be resolved by warning the student of potential penalties if another infraction occurs.

- II. In cases of more serious or repeated acts of academic dishonesty, the instructor must confront the student with the charge and evidence in writing within six weeks after the instructor becomes aware of the incident. At the same time the department chair will also be notified in writing. In the case of a student believed to have cheated or attempted to cheat on a test, the student must be confronted before leaving the classroom vicinity if possible. The incident must be written up within a six weeks of the incident's occurrence.
- III. If the student admits guilt, penalties will be decided upon by the instructor in consultation with the department chair. Penalties ranging from redoing the assignment, to a failure for the assignment/test, to a failure for the course are possible. The dean will be informed of the decision and penalties.
- IV. When penalties are assigned, the incident will go on file in the Office of Academic Affairs until such time as the student graduates or leaves the school. Three items in a student's file could mean dismissal from the University, a decision to be made by the Vice President for Academic Affairs and the Deans' Council. A department may exercise its discretion to have the student removed as a major in that department.
- V. If the student appeals the charge, the student must respond in writing to it within a two weeks time after receiving the charge in writing. The response must be sent to the faculty member involved, department chair, and dean. Within two weeks' time of receiving the student's response, the department chair will meet with the student, faculty member, and dean to resolve the issue.
- VI. If the case cannot be resolved by this meeting, it will be forwarded within two weeks' time in writing by the dean to the Vice President for Academic Affairs, who may resolve it or determine that it be forwarded within a week's time (seven days) to the Academic Appeals Committee.
- VII. Procedure for Academic Appeals Committee
 - A. Within 48 hours of receiving the case, the Academic Appeals Committee shall present to the faculty member and student a written statement containing the following:
 1. A notification that a hearing will be held
 2. Time, date and place of the hearing, no later than a week (seven days) after the case has been received

3. The names of the persons on the Academic Appeals Committee who will hear the case
 4. A declaration of the charges and the range of possible penalties.
- B. The student and the faculty member will have the right to remove one person each from the Academic Appeals Committee.
 - C. During the time the hearing is in process, the student is permitted to remain in the classroom pending the outcome of the hearing.
 - D. The outcome of the hearing will be communicated in writing to the student, faculty member, dean, and Vice-President for Academic Affairs within 48 hours after it has been decided.
 - E. If the student is not satisfied with the decision, he or she may appeal to the President of the University, whose decision is final.

Note: If the course is offered by the Community and Technical College, the initial appeal by the student should be to the faculty member, program director and dean of the Community and Technical College. The penalties and procedures to be followed are determined by the Community and Technical College.

Approved by Faculty Senate, May 19, 2005

Appendix Z: Foreign Trip Clearance Form

Appendix AA: Vehicle Utilization Policy

WEST VIRGINIA STATE UNIVERSITY
Administrative Procedures

Section: P Physical Facilities Effective: 5/16/94 No: P-3-4.0

Chapter: 3 Motor Pool Vehicles Supersedes: Prior Procedures

Subject: Obtaining Use of a Vehicle

General: The College maintains a motor pool to accommodate program needs and requirements as well as to enable employees to carry out the business of the institution.

1. Individuals, departments or units needing to reserve a College-owned vehicle should telephone or visit the Motor Pool to ascertain that a vehicle is, or will be available.
2. Vehicles will be issued pursuant to the College's Priority Policy (see D-6-2.0-3) which gives priority to certain College needs and then on a first-come/first-served basis.
3. The requestor should fill in the Request for Use of College-owned Vehicle form and make certain the information complete.
4. The Request for Use form must then be approved by the appropriate Unit Supervisor and then by either the Vice President for Administrative Affairs or the Director of Fiscal Affairs.
5. The requestor should then transmit (or hand carry) properly approved Request or Use form to the supervisor of the Motor Pool for scheduling of the vehicle.

WEST VIRGINIA STATE UNIVERSITY
Administrative Procedures

Section: P Physical Facilities Effective: 5/16/94 No: P-3-5.0

Chapter: 3 Motor Pool Supersedes: Prior Procedures

Subject: Request for Use of University-Owned Vehicles

General: The Request for Use of University-Owned Vehicle form is to be used by all University employees to reserve a University-owned Vehicle for official use. The form will serve as a data base on Vehicle operation costs/mileage/performance for state and Federal reports.

1. Enter the date the request form is filled out. Enter the date and time that the vehicle will need to be picked up at the Motor Pool compound and the date and time the vehicle is to be returned to the Motor Pool compound.
2. Enter the number of authorized persons who will travel as passengers in the University-owned vehicle.
3. Enter the name or destination of the trip and the total one-way mileage from the Motor Pool compound to the point of destination.
4. Enter the purpose of the trip, i.e., recruiting, workshop, seminar, or other descriptive phrase.
5. Enter the name of the individual who is making the request.
6. Forward the form to the Department or Unit supervisor for approval and signature.
7. Enter the name(s) of the person(s) listed as the "driver(s) of record."
8. Enter the driver's license number and the state in which the license was issued. Include a copy of the license if it is not already on file with Physical Facilities.
9. Forward the form to either the Vice President of Administration or the Director of Fiscal Affairs for approval and signature.
10. When the Request Form has been properly filled out and contains all needed signatures, the requestor shall transmit (or hand carry) the form to the supervisor of the Motor Pool.
11. When the vehicle is assigned, reserved or issued, the supervisor of the Motor Pool will affix his/her signature and date of the issuance of the vehicle.
12. The supervisor of the Motor Pool and/or a designee will ascertain that the Vehicle Operator's Log is located in the glove compartment of the vehicle and that the driver is fully aware of his or her responsibility to maintain the log while the vehicle is in his/her possession.

**Appendix BB: Guidelines for Dealing with Disruptions and/or
Misbehavior in the Classroom**

DEALING WITH DISRUPTIONS AND/OR MISBEHAVIOR
IN AN ACADEMIC SETTING:
A GUIDE FOR FACULTY
(Revised May 2023)

Misbehavior or disruptions in the classroom or other academic setting are possibilities that no faculty member looks forward to. However, this kind of student conduct is, at times, a reality at West Virginia State University. It is the responsibility and the right of all faculty members to make a professional judgment whether or not specific conduct in the classroom constitutes academic misbehavior. There are steps that you can take to deal with such conduct and proactively prepare for such an incident should it arise.

1. Inform your students.

Faculty need to state, in writing (in the syllabus), your expectations of your students with regard to conduct in the classroom. You might let them know how the University defines academic misbehavior and what the consequences are for such conduct. Discuss with students and explain to them your own particular expectation with regard to their behavior in the class.

2. What is Misbehavior in an Academic Setting?

Our institutional policy defines misbehavior in an academic setting as instances, which defy ordinary means of classroom control. This may include (but is not limited to) disorderly conduct (fights, assaults or battery, public disturbances, including verbal abuse and/or profanity), destruction of institutional or placement agency property, or disruption – defined as interference with any institutional activity, interference with the rights of any member of the institutional community; injury or threats of injury to any member of the institutional community.

The WVSU Student Handbook has categorized specific types of behavior that can result in various sanctions. These behaviors include: (a) public use of abusive or obscene language; (b) disrespect toward a university faculty or staff member or administrator (treats a university faculty staff, or administrator with contempt or is disrespectful in language or deportment); (c) unauthorized occupancy of university facilities or buildings, (d) interference with the rights of students, faculty, staff, and administration to gain access to any University facility for the purpose of attending classes, going to work, participating in interviews and conferences, or any other authorized purpose; (e) interference with the orderly operations of the University by destruction of property, breach of the peace, physical obstruction or coercion, or by noise, tumult, or other forms of disturbance; (f) disorderly conduct or lewd, indecent, or obscene conduct of expression on University owned or controlled property or at University sponsored or supervised functions; and (g) failure to

comply with the directions of University officials, police, and other law enforcement officers acting in performance of their duties. Sanctions for these behaviors may range from probation to expulsion from the University.

Students that demonstrate violations such as those previously mentioned, should be referred to the Dean of Students.

1. What to do when misbehavior or classroom disruption occurs?

If, in a faculty member's judgment, misbehavior or classroom disruption has occurred, the following guidelines may be followed:

- a. Inform the student verbally that his/her behavior constitutes misbehavior in an academic setting and that continuation of such conduct may result in serious consequences, including (but not limited to) conduct probation, exclusion from class (if the student is in your class) or even expulsion from the University. Refer him/her to the policy on academic misbehavior printed in the University Catalog, the student conduct code printed in the *West Virginia State University Student Handbook*. Confront the student specifically and as objectively and unemotionally as possible.
- b. Document this incident by writing down the time and nature of the occurrence. You may wish to inform your department chairperson or program director of the incident.
- c. If the behavior persists, either in the same class session (or time period) or in a subsequent class session, you may ask the student to leave the classroom or wherever the misbehavior is occurring. Again, inform them specifically and as objectively and unemotionally as possible. If the student is in your class, you should refer him or her to the appeal process in the University Catalog.
- d. If the student refuses to leave, you should immediately leave the room, go to the nearest phone and call Security at 766-3353 and request that the student be removed. (If no one from Security is available, call Work Control at 766-3181 and report the incident to them.) If, however, in your judgment, the student represents a clear and present danger, dismiss the class immediately and then notify Security. Do not attempt to interact with the student.
- e. Document this second occurrence by writing a letter to your department chair or program director notifying him/her of the actions taken and the reasons why. *Also: complete the Incident Report Form for Faculty Involved in a Confrontation with an Adversarial Student (See Appendix DD) and file it with your department chair with a copy to the dean, VPAA, and the Department of Public Safety.*

- f. If the student chooses to appeal, he/she must first contact you (the instructor) and follow the appeal process as outlined in the University Catalog.

Cares Team

A disruptive student may also be referred to the Cares Team (formally known as the Behavior Intervention Team/BIT). The purpose of the Cares Team is to: Gather information to assess situations involving students who display concerning or disruptive behaviors, recommend appropriate intervention strategies or disciplinary actions, connect students with needed campus and community resources, and coordinate follow-up to ensure the support was deployed effectively, centralize collection of concerning student behaviors. “Connect the dots” of actions involving one student that various faculty, staff, and/or students may be concerned about, and disseminate relevant information to the University Police Department.

A student should be referred to the Cares Team if the student exemplifies behaviors or threats (direct or implied) that may entail risk of harm to self or others, including but not limited to: self-injurious behavior/suicidal thoughts or attempts, aggression toward others, bullying, stalking, and hazing, erratic behavior (including online activities), that disrupt the normal proceedings of students, staff, faculty, or community, including but not limited to: weapons on campus, significant inappropriate disruption to the community, disturbing electronic media postings, inappropriate behavior in which safety is compromised, belief that an individual’s emotional well-being is deteriorating or at significant risk, and/or substance abuse or a mental health concern resulting in the need for medical intervention.

Click [here](#) to access the Cares Team referral link.

The most important advice in the whole process is: Document, document, document. In the appeal process, what you’ve written down is of the utmost importance; equally important is the following of all necessary due process steps as outlined in institutional and WV-HEPC policies.

Appendix CC: Professional Liability Coverage

PROFESSIONAL LIABILITY COVERAGE

(Revised May 2023)

I. What protection exists if you are sued personally while acting in your capacity as a representative of the University?

- A. West Virginia State University is required by law to have a Comprehensive Liability Policy. This policy details coverage for employees, volunteer workers, officials, executive officers, commissioners, directors, faculty members and student teachers acting within the scope of their duties who become legally obligated to pay for a claim against them which arises out of any actual or alleged act or breach of duty.
- B. It is important to note that the policy does not cover intentionally committed fraudulent, dishonest, or criminal acts.
- C. The coverage in the policy is limited to civil cases.
- D. The actual coverage under the policy will be determined after a claim is filed and all relevant information is thoroughly reviewed.
- E. In the event that a faculty member is served directly with a civil complaint, the faculty member should immediately notify the Vice President for Academic Affairs who will immediately notify the Office of Legal Affairs.
- F. The Office of Legal Affairs will file the appropriate insurance claim.

II. What is the correct procedure to follow if you are involved in a confrontational situation with an adversarial student as a result of acting in your capacity as a representative of the University?

- A. Faculty should file a detailed incident report form with:
 - 1) The Chair
 - 2) The Dean
 - 3) The Office of Academic Affairs
 - 4) The Office of Public Safety
- B. Faculty who find themselves in a confrontational situation with an adversarial student are urged to follow the procedures outlined in Appendix BB (revised 2003) of the WVSU Faculty Handbook regarding disruptions and/or academic misbehavior in an academic setting.

III. Faculty are reminded that they may purchase personal professional liability insurance through AAUP and other sources.

**Appendix DD: Incident Report Form for Faculty Involved in a
Confrontational Incident with an Adversarial Student**

**WEST VIRGINIA STATE UNIVERSITY
INCIDENT REPORT FORM
FOR FACULTY INVOLVED IN A CONFRONTATIONAL INCIDENT
WITH AN ADVERSARIAL STUDENT**

Name of Faculty: _____

Department: _____

Date Filed: _____

Date of Incident: _____ **Time:** _____

Location: _____

Name of Student: _____ **Student A number:** _____

Names of witnesses and contact information: _____

Please use the back of this form or attach additional pages for the following:

1. Factual description of the incident:
2. Assistance Requested [e.g. personal briefing on your rights and responsibilities, further investigation etc]:

A copy of this form should be filed with the Chair of your department, the Dean, the Vice-President for Academic Affairs, and Public Safety.

Signature of Faculty Member

Date

Appendix EE: WVSU BOG Policy # 14 - Sexual Harassment

WEST VIRGINIA STATE UNIVERSITY BOARD OF GOVERNORS
West Virginia State University BOG Policy #14

Policy and Procedures on Unlawful Discrimination and Harassment, Sexual Harassment, Grievance Procedures, Child Abuse and Neglect Reporting and Relationships.

Section 1. General.

- 1.1. Scope: This policy addresses unlawful protected class discrimination, harassment, sexual harassment, domestic misconduct, stalking and hazing by individuals based on protected class, retaliation, child abuse and neglect reporting and certain relationships at West Virginia State University.
- 1.2. Authority: West Virginia Code § 18B-1-6
- 1.3. Application: This policy shall apply to the entire West Virginia State University community and campus.
- 1.4. Effective Date: February 4, 2021.
- 1.5. This policy amends repeals and replaces Board of Governors Policy 14, Sexual Harassment October 22, 2020.

Section 2. Overview.

- 2.1. West Virginia State University (University or WVSU) is committed to providing a working and learning environment free from unlawful discrimination and harassment. This Policy sets forth how discrimination, harassment, sexual harassment, stalking and hazing by individuals based on protected class status, domestic misconduct sexual exploitation, retaliation, child abuse and neglect reporting and certain relationships will be addressed by the University, including sexual harassment prohibited by Title IX and discrimination and harassment prohibited by Title VII.

Section 3. Definitions.

The phrases and words as used in this policy shall have the meanings set forth below:

- 3.1. "Actual Knowledge" means notice of Title IX Sexual Harassment to THE UNIVERSITY's Title IX Coordinator or any Official with Authority. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge for the purposes of Title IX Sexual Harassment. This standard is not met for Title IX Sexual Harassment when the only official of THE UNIVERSITY with actual knowledge is the accused individual and/or Respondent. The mere ability or obligation to report Title IX

Sexual Harassment or to inform an individual about how to report sexual harassment, or having been trained to do so, does not qualify an individual as an Official with Authority.

- 3.2. "Confidential Reporting Resource" means professional, licensed counselors and pastoral counselors who provide mental health counseling (including those who act in that role under the supervision of a licensed counselor).
- 3.3. "Consensual Relationship" means a mutually acceptable romantic, amorous, dating, or sexual relationship between individuals.
- 3.4. "Education Program or Activity" includes locations, events, or circumstances over which the University exercises substantial control over both the accused and the alleged victim and the context in which the sexual harassment occurs including but not limited to employment, employment benefits, academic, extracurricular and athletic programs. Education program or activity also includes any building owned or controlled by a Student organization that is officially recognized by the University.
- 3.5. "Faculty" means all faculty classifications as defined in West Virginia Higher Education Policy Commission, Procedural Rule Title 133 Series 9, Academic Freedom, Professional Responsibility, Promotion, and Tenure.
- 3.6. "Formal Complaint" means any writing, electronic submission (such as by electronic mail, facsimile or through an online portal provided for this purpose by the University) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person submitting the writing and requesting an investigation by the University. At the time of filing of a formal Complaint, a Complainant must be participating in or attempting to participate in a University Education Program or Activity.

- 3.7. “Member of the University Community” means (i) an individual engaged in any University activity or program, whether on or off campus; (ii) any individual lawfully on University property; (iii) any individual that is a University Student, Faculty, Staff Employee, University official, University volunteer, or a University visitor; and (iv) any vendor or contractor, including that vendor’s or contractor’s Staff Employees and independent contractors, who are working on campus.
- 3.8. “Official with Authority” means a Staff Employee of the University explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the University. The mere ability or obligation to report discrimination, harassment or retaliation or to inform an individual about how to report discrimination, harassment, retaliation or having been trained to do so, does not qualify an individual as an Official with Authority. For Title IX Sexual Harassment, imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute notice and the notice standard is not met when the only official of the University with notice or knowledge is the accused individual and/or Respondent. The Title IX Coordinator will maintain a list of employees designated as Officials with Authority which will be available in that office and online at: <https://www.wvstateu.edu/about/title-ix.aspx>
- 3.9. “On the Basis of Sex” or “Based on Sex” means gender, gender identity, including transgender status, sexual orientation and/or stereotypical notions of what is female/feminine versus male/masculine or a failure to conform to those gender stereotypes.
- 3.10. “President” means the President of West Virginia State University or his or her designee.
- 3.11. “Protected Class” means groups protected from discrimination by law or by this policy. Various State and Federal laws prohibit unlawful discrimination and harassment of certain Protected Classes including but not limited to the following:
- USC 1324 et seq., (Immigration Reform and Control Act of 1986).
 - 20 USC 1681 et. seq (Title IX of the Education Amendments of 1972)
 - 29 USC 206(d) et seq., (Equal Pay Act of 1963, as amended).
 - 29 USC 621, et seq., (Age Discrimination in Employment Act of 1967, as amended).
 - 29 USC 701 et seq., (Rehabilitation Act of 1973).
 - 29 USC 791 et seq., (Rehabilitation Act of 1992).
 - West Virginia Code § 5.11.1, et seq. (West Virginia Human Rights Act)

- 38 USC 4301 et seq., (Uniform Services Employment and Re-employment Rights Act of 1994).
 - 42 USC 1981 et seq., (Civil Rights Act of 1991).
 - 42 USC 12101 et seq., (Americans with Disabilities Act of 1990-ADA).
 - 42 USCA 12101 et seq., (Americans with Disabilities Act Amendments Act of 2008).
 - 42 USC 2000e(k) (Pregnancy Discrimination Act of 1978).
 - 42 USC 2000d-2000d-7, (Civil Rights Remedies Equalization Act of 1986).
 - 42 USC 2000e et seq., (Title VII of the U.S. Civil Rights Act of 1964, as amended).
 - 42 USC 2000ff et seq., (Genetic Information Nondiscrimination Act of 2008-GINA).
- 3.12. “Reporting Party” means any individual that reports an incident of Prohibited Conduct to the Title IX Coordinator.
- 3.13. “Respondent” means an individual reported to be the perpetrator of Prohibited Conduct. “Sexual intercourse” means any act between persons involving penetration, however slight, of the female sex organ by the male sex organ or involving contact between the sex organs of one person and the mouth or anus of another person.
- 3.14. “Student” means an individual subject to the West Virginia State University Board of Governors Policy 21 (or its successor Rule), University Student Rights and Responsibilities Policy: Student Conduct.
- 3.15. “Staff Employee” means any Classified or Non-Classified Staff Employee, as defined in Board of Governors Policy 19, and any individual employed as a University Temporary Staff Employee or volunteer.
- 3.16. “Supportive Measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.
- 3.17. “Title IX” means Title IX of the Education Amendments of 1972. Title IX prohibits discrimination on the basis of sex in education programs or activities receiving federal financial assistance.
- 3.18. “Title VII” means Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e Title VII, SEC. 2000e- 2. [Section 703] which states in pertinent part it shall be an unlawful employment practice for an employer:

- (a) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

Section 4. Notice of Nondiscrimination.

- 4.1. Title IX of the Education Amendments of 1972 and other state and federal laws prohibit Unlawful discrimination on the basis of sex. In accordance with The West Virginia Higher Education Policy Commission (HEPC), and Board of Governors Policy #17, the University considers race, color, religion, sex/gender, national origin, ancestry, age, blindness, disability, pregnancy, genetic information, sexual orientation, gender identity, and veteran or military status or any other category that is protected under federal, state, or local anti- discrimination laws as protected characteristics and will not permit unlawful discrimination or harassment.
- 4.2. WVSU's Notice of Nondiscrimination will be made available to all applicants for admission and employment; Students; off-campus program participants; dual credit Students; parents or legal guardians of elementary and secondary school Students participating in a WVSU education program or activity; and Staff Employees. WVSU will provide all of the aforementioned individuals with either a copy of this policy and any reporting and complaint procedures enacted to implement this policy or will provide them with information on how to obtain a copy of either. Board of Governors Policy 17, Equal

Employment Opportunity and Affirmative Action Section 2.4.1 includes additional notice and posting requirements for the University's Equal Employment Opportunity and Affirmative Action statements. This Policy and Policy 17 are available in the Office of Human Resources, the Office of Enrollment Management and Student Affairs and online at:

<https://wvstateu.edu/about/administration/human-resources.aspx>

and

<https://wvstateu.edu/about/administration/>

Section 5. Title IX Coordinator and Equal Employment Opportunity Officer.

- 5.1. The President will appoint an employee as the Title IX Coordinator to coordinate the University's efforts to comply with its responsibilities under this Policy, Title IX and 34 C.F.R. Part 106 (2020). The duties of the Title IX Coordinator will be determined by the President or designee, will be consistent with 34 C.F.R. Part 106 (2020) and are set forth more fully in detail in Appendix A.
- 5.2. The President will appoint an employee as the Equal Employment Opportunity (EEO) Compliance Officer to coordinate the University's efforts to comply with this Policy, and State and Federal Equal Employment Opportunity laws. The duties of the EEO Compliance Officer will be determined by the President or designee.

Section 6. Prohibited Conduct.

- 6.1. Prohibited Conduct. The University prohibits Protected Class Discrimination and Harassment; Title IX Sexual Harassment, Sexual Exploitation, Domestic Misconduct, Stalking and Hazing based on Protected Class (collectively referred to as "Prohibited Conduct") by or against any Member of the University Community. Individuals engaging in Prohibited Conduct are subject to disciplinary action up to and including academic/employment suspension, expulsion and employment termination consistent with the procedures set forth in Appendix A.
- 6.2. Providing Materially False Information in Bad Faith. Knowingly providing materially false information in bad faith in a report, Formal Complaint or as part of the procedures set forth in Appendix A, including but not limited to providing materially false information, or testimony during the prehearing investigation, live hearing or at any stage of the formal or informal resolution process is prohibited. Individuals engaging in providing materially false information in bad faith are subject to disciplinary action up to and including academic/employment suspension, expulsion and employment termination consistent with the procedures set forth in Appendix A provided that a decision on responsibility alone is not enough to support an allegation an individual provided false information in bad faith.

Section 7. Jurisdiction.

- 7.1. Title IX Jurisdiction. Title IX applies to Title IX Sexual Harassment occurring against an individual in the United States. The University will respond promptly to Title IX

Sexual Harassment when the Title IX Coordinator or any Official with Authority has Actual Knowledge of the Title IX Sexual Harassment allegation. The University will address Title IX Sexual using the procedures set forth in Appendix A.

- 7.2. General Jurisdiction. General Jurisdiction applies to all other Prohibited Conduct occurring within an Education Program or Activity against an individual inside or outside the United States, regardless of citizenship, not covered by Title IX Jurisdiction. Jurisdiction extends to electronic discrimination and harassment if it occurs within an Education Program or Activity. Protected Class Discrimination and Harassment prohibited by Title VII falls under General Jurisdiction. Protected Class Discrimination, Harassment, Sexual Assault, Domestic Misconduct, Stalking and Hazing based on Protected Class Status and Sexual Exploitation occurring against an individual outside the United States, regardless of citizenship within an Education Program or Activity fall under General Jurisdiction. The University will address all Prohibited Conduct not included in Title IX Sexual Harassment Jurisdiction using the procedures set forth in Appendix A.
- 7.3. Conduct Occurring Outside an Education Program or Activity. Prohibited Conduct occurring outside the context of an Education Program or Activity against an individual inside or outside the United States may be addressed at the University's discretion under General Jurisdiction if it: (a) occurs off-campus and would unreasonably interfere with the Education or orderly operation of the University community, its mission, or its objectives as determined by a reasonable person; or (b) occurs off-campus and in light of all of the facts and circumstances, would endanger the health and safety of the University community; or (c) the conduct affects a substantial school/university interest. Prohibited Conduct occurring outside the context of an Education Program or Activity may also constitute misconduct under other University rules, regulations, policies or procedures and may at the University's discretion be addressed using those procedures or the procedures set forth in Appendix A.
- 7.4. Jurisdiction is further explained in Appendix A.

Section 8. Discrimination.

- 8.1. "Discrimination" is conduct based on Protected Class occurring within an Education Program or Activity against an individual inside or outside the United States, including but not limited to discrimination based on sex that is not Title IX Sexual Harassment, discrimination falling under Title VII, and is conduct that excludes an

individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in an Education Program or Activity.

- 8.1.a. Examples of Discrimination include, without limitation: (1) denying a person admission or employment based upon a protected characteristic, (2) denying pay increases, benefits, or promotions based on a protected characteristic, (3) subjecting a person to different academic standards or employment conditions because of a protected characteristic, or (4) failure and refusal to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities and/or to provide reasonable religious accommodations.
- 8.1.b. Discrimination does not, however, include programs or activities specifically exempt by law. See, e.g., 20 U.S.C. § 1681(a).
- 8.2. All Protected Class Discrimination, including Title IX Sexual Harassment, will be addressed using the procedures set forth in Appendix A.

Section 9. Harassment.

- 9.1. "Harassment" is a form of discrimination based on Protected Class occurring within an Education Program or Activity inside or outside the United States, including but not limited to harassment based on sex falling under Title VII and is conduct that creates a hostile environment. Harassment becomes unlawful where: (1) enduring the offensive conduct becomes a condition of continued employment or participation in an Education Program or Activity, or (2) the conduct is severe or pervasive enough to create a working, learning or living environment that a reasonable person would consider intimidating, hostile, or abusive.
- 9.2. Harassment may take various forms, including, but not limited to, name-calling, graphic or written/electronic statements (including the use of social media, text messages, e-mail, or other similar forms), offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work and/or Education performance or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not necessarily have to include intent to harm, be directed at a specific target, or involve repeated incidents. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct. In the

employment context, the harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-Staff Employee and may occur without economic injury to, or discharge of, the victim.

Section 10. Title IX Sexual Harassment.

10.1. Title IX Sexual Harassment is conduct within an Education Program or Activity, against a person in the United States, on the basis of sex, that satisfies one or more of the following:

10.1.a. Conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct that is carried out by a Faculty (Quid Pro Quo). Quid Pro Quo harassment constitutes per se harassment and does not require the elements of severity, pervasiveness, or objective offensiveness.

10.1.b. Unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an Education Program or Activity regardless of the intent to cause harm. Severity, pervasiveness, and objective offensiveness is evaluated in light of the known circumstances and depend on the facts of each situation, and is determined from the perspective of a reasonable person standing in the shoes of the Complainant. Unwelcome conduct so severe, pervasive, and objectively offensive that it denies a person equal Education opportunity is actionable sexual harassment regardless of the Respondent's intent to cause harm.

10.1.c. Sexual assault as defined by 20 U.S.C. 1092(f)(6)(A)(v) and Section 10 of this Policy.

10.1.d. Dating violence as defined in 34 U.S.C. 12291(a)(10) and Section 12 of this Policy.

10.1.e. Domestic violence as defined in 34 U.S.C. 12291(a)(8) and Section 12 of this Policy.

10.1.f. Stalking on the basis of sex as defined in 34 U.S.C. 12291(a)(30) and Section 13 of this Policy.

10.1.g. Sexual Exploitation to the extent the Sexual Exploitation meets the definition of Title IX Sexual Harassment.

10.2. All Title IX Sexual Harassment will be addressed using the procedures set forth in Appendix A.

Section 11. Sexual Assault.

11.1. Sexual assault is any offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation and includes all of the following:

11.1.a. Sex Offenses-Forcible - Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving Consent. Forcible sex offenses include the following:

11.1.b. Forcible Rape - The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving Consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

11.1.b.1. Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against that person's will where the victim is incapable of giving Consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

11.1.b.2. Sexual Assault With An Object - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving Consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

11.1.b.3. Forcible Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving Consent because of his/her youth or because of his/her temporary mental incapacity.

11.1.c. Non-Forcible Sex Offenses-Unlawful Non-Forcible Sexual Intercourse.

11.2.c.1. Incest - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

11.2.c.2. Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of Consent. In the State of West Virginia, it is illegal someone 18 or older

to have sex with a minor who is younger than 16 years old. See West Virginia Code § 61-8B-2(b)(2).

- 11.3. Sexual Assault constitutes per se harassment and does not require the elements of severity, pervasiveness, or objective offensiveness.

Section 12. Sexual Exploitation.

- 12.1. Sexual Exploitation means taking sexual advantage of another person without Consent.

- 12.1.a. Sexual advantage includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person; causing the prostitution of another person; recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts of another person; allowing third parties to observe private sexual acts; disclosing, causing to be disclosed or threatening to disclose, with the intent to harass, intimidate, threaten, humiliate, embarrass, or coerce, an image of another which shows the intimate parts of the depicted person or shows the depicted person engaged in sexually explicit conduct which was captured under circumstances where the person depicted had a reasonable expectation that the image would not be publicly disclosed; and engaging in voyeurism.

- 12.2. Sexual Exploitation that does not meet the definition of Title IX Sexual Harassment occurring within an Education Program or Activity, occurring against an individual regardless of citizenship inside or outside the United States, falls under the University's General Jurisdiction and will be addressed using the procedures set forth in Appendix A.

Section 13. Domestic Misconduct.

- 13.1. "Domestic Misconduct" means "Domestic Violence" and "Dating Violence" as defined below.

- 13.1.a. Domestic Violence" means Domestic Violence as defined under the Clery Act and W. Va. State law.

- 13.1.a.1. Under the Clery Act, Domestic Violence means a felony or misdemeanor crime of violence committed -- (A) By a current or former spouse or intimate partner of the

victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

13.1.a.2. Under W. Va. State law, "Domestic Violence" or "Abuse" means the occurrence of one or more of the following acts between Family or Household Members, as defined under W. Va. Code: (1) Intentionally making physical contact of an insulting or provoking nature or intentionally causing physical harm; (2) Attempting to commit a violent injury or committing an act causing reasonable apprehension of immediately receiving a violent injury; (3) Creating fear of physical harm by harassment, stalking, psychological abuse or threatening acts; (4) Committing either sexual assault or sexual abuse as defined in W. Va. Code; and (5) Holding, confining, detaining or abducting another person against that person's will.

13.1.a.3. For purposes of this subsection, "Family or Household Members" means persons who: (1) are or were married to each other; (2) are or were living together as spouses; (3) are or were sexual or intimate partners; (4) are or were dating: provided, that a casual acquaintance or ordinary fraternization between persons in a business or social context does not establish a dating relationship; (5) are or were residing together in the same household; (6) have a child in common regardless of whether they have ever married or lived together; or (7) have the relationships described in W. Va. Code § 48-27-204.

13.2. "Dating Violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. The view of the Complainant shall generally be controlling in determining whether such a relationship existed. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence, for purposes of this Policy, does not include emotional abuse.

13.3. Domestic Misconduct occurring within an Education Program or Activity against an individual outside the United States regardless of citizenship falls under the

University's General Jurisdiction and will be addressed using the procedures set forth in Appendix A.

12.4. Domestic Misconduct is per se harassment and does not require the elements of severity, pervasiveness, or objective offensiveness.

Section 14 Stalking.

14.1. "Stalking" means engaging in a Course of Conduct directed at a specific person that would cause a Reasonable Person to: (i) fear for his or her safety or the safety of others; or (ii) suffer Substantial Emotional Distress.

14.2. "Course of Conduct" for the purposes of Stalking means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

14.3. A "Reasonable Person," for purposes of Stalking, means a reasonable person under similar circumstances and with similar identities to the Complainant.

14.4. "Substantial Emotional Distress," for purposes of Stalking, means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

14.5. Stalking based on Protected Class occurring within an Education Program or Activity against a person outside the United States regardless of citizenship falls under the University's General Jurisdiction and will be addressed using the procedures set forth in Appendix A.

Section 15. Hazing by Individuals.

15.1. Hazing by an individual means to cause any action or situation which recklessly or intentionally endangers the mental or physical health or safety of another person or persons or causes another person or persons to destroy or remove public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization the members of which are primarily Students or alumni of an institution of higher education. The term includes, but is not limited to, acts of a physical nature, such as whipping, beating, branding,

required consumption of any food, liquor, drug, or other substance, or any other required physical activity which could reasonably be deemed to adversely affect the physical health and safety of the person or persons so treated, and includes any activity which would subject the person or persons so treated to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, required conduct which could result in extreme embarrassment, or any other required activity which could reasonably be deemed to adversely affect the mental health or dignity of the person or persons so treated, or any willful destruction or removal of public or private property. Bullying and verbal or written abuse may also constitute hazing.

- 15.2 The implied or expressed consent or willingness of a person or persons to hazing is not a defense to Hazing.
- 15.3 Hazing based on Protected Class occurring inside or outside the United States within an Education Program or Activity regardless of citizenship committed by an individual falls under the University's General Jurisdiction and will be addressed using the procedures set forth in Appendix A.
- 15.4 Hazing based on Protected Class committed by individuals is addressed using the procedures set forth in Appendix A. The procedure for reporting and filing complaints of Hazing based on Protected Class Status against recognized student organizations is addressed using the procedures set forth in the Student Conduct Code.

Section 16. Sexual Exploitation.

- 16.1. Sexual Exploitation is an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. Sexual exploitation may constitute Title IX or Title VII Sexual Harassment depending upon the severity and/or pervasiveness. Examples of Sexual Exploitation includes but are not limited to:
 - 16.1.a. Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
 - 16.1.b. Invasion of sexual privacy

- 16.1.c. Taking pictures, video, or audio recordings of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
- 16.1.d. Prostituting another person
- 16.1.e. Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection
- 16.1.f. Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
- 16.1.g. Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections
- 16.1.h. Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- 16.1.i. Knowingly soliciting an individual under the age of 16 for sexual activity
- 16.1.j. Engaging in sex trafficking
- 16.1.k. Creation, possession, or dissemination of child pornography
- 16.1.l. "Revenge posting" in which a person threatens to post -- or actually does post -- images, audio, or video of their partner participating in sexual activity without permission.
- 16.2. Sexual Exploitation that does meet the definition of Title IX Sexual Harassment occurring within an Education Program or Activity occurring against a person regardless of citizenship inside or outside the United States falls under the

University's General Jurisdiction and will be addressed using the procedures set forth in Appendix A.

Section 17. Retaliation.

- 17.1. Retaliation is prohibited by this Policy. No person may intimidate, threaten, coerce, or discriminate against any individual either in person, virtually, electronically or through a third-party for the purpose of interfering with any right or privilege secured by this Policy or Title IX or because the individual has made a report or filed a Formal Complaint, testified, assisted, or participated or refused to participate in any manner in the grievance procedures including but not limited to the informal resolution process, set forth in Appendix A.
- 17.2. Retaliation against any person requesting accommodations, or who engages in other protected activity is also prohibited.
- 17.3. Intimidation, threats, coercion, including charges against an individual for violations that do not involve Protected Class Discrimination and Harassment but arise out of the same facts or circumstances as a report or Formal Complaint of Protected Class Discrimination and Harassment including but not limited to Title IX Sexual Harassment, for the purpose of interfering with any right or privilege secured by this Policy and/or any other State or Federal anti-discrimination law including but not limited to Title IX, constitutes retaliation.
- 17.4. Retaliation may include, but is not limited to, interfering with the reporting of or the investigation of Prohibited Conduct, such as tampering with or destroying relevant evidence; intimidating, threatening or attempting to influence, in any way, the testimony or information of anyone who files a complaint, a witness or otherwise participates in the grievance procedures set forth in Appendix A and/or adverse any employment or educational actions based on the exercise of rights created by this Policy, Title IX or any other State or Federal anti-discrimination law.
- 17.5. Charging an individual with a violation for making a materially false statement in bad faith in accordance with Section 5.2 of this Policy does not constitute Retaliation prohibited by this section.
- 17.6. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation.

- 17.7. Adverse personnel, academic or other disciplinary action against a Staff Employee, Faculty or Student whose conduct or performance warrants such action for reasons unrelated to the reporting of Prohibited Conduct or other protected activity will not be considered Retaliation or a violation of this policy.
- 17.8. Retaliation reports and Formal Complaints are filed with the Title IX Coordinator and are investigated in accordance with the procedures set forth in Appendix A.

Section 18. Reporting and Grievance Procedures.

- 18.1. Any person may report Prohibited Conduct, including discrimination based on sex and Title IX Sexual Harassment, (whether or not the person reporting is the person alleged to be the victim of Prohibited Conduct regardless of the specific type), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator in Section 18 of this Policy.
- 18.2. The following university community members must report all incidents of discrimination or harassment based on disability when they receive a disclosure or become aware of information that would lead a reasonable person to believe that discrimination or harassment may have occurred. These individuals must report all known information as soon as practicable, but at most within 48 hours (2 workdays) of becoming aware of such information: 1. Any human resource professional; 2. Anyone who supervises faculty, staff, students, or volunteers; 3. Chair/director; and 4. Faculty member. Incidences of discrimination based on disability should be reported to the ADA Coordinator/504 Compliance Officer.
- 18.3. Any individual may make an anonymous report of Prohibited Conduct to the Title IX Coordinator, to law enforcement including the University Campus Police or to the United States Department of Education Office for Civil Rights without disclosing their name, without identifying the Respondent or accused, and/or without requesting any action. Because the accused individual is entitled to certain due process including but not limited to the right to confront the individual's accuser, the University's ability to address alleged misconduct reported by anonymous sources is significantly limited. The University's ability to respond to an anonymous report also may be limited

depending on the level of information available regarding the incident or individuals involved.

- 18.4. The University will adopt and publish grievance procedures that provide for the prompt and equitable resolution of reports and Formal Complaints made by Members of Campus Community alleging Prohibited Conduct including grievance procedures for reporting and filing Title IX Sexual Harassment Formal Complaints that comply with 34 C.F.R. Part 106 (2020), specifically 34 C.F.R. §§ 106.44, 106.45 (applicable to reports and Formal Complaints against employees and students) and that provide immediate and appropriate corrective action in response to harassment based on Protected Class including based on sex occurring in the workplace. The grievance procedures may include informal and formal resolution options, as applicable and allowed by law, and shall include Supportive Measures for reporting parties, Complainants and Respondents as applicable and required by law. The University's grievance procedures for all Protected Class discrimination and harassment including Title IX Sexual Harassment and Retaliation, are set forth in Exhibit A, Unlawful Discrimination and Harassment and Title IX Sexual Harassment Grievance Procedure.
- 18.4.a. For the purposes of Title IX Sexual Harassment, the University's response obligations under this Policy and the Appendix A procedures are not triggered until the Title IX Coordinator or an Official with Authority has Actual Knowledge of the alleged Title IX Sexual Harassment.
- 18.5. Prohibited Conduct may also constitute violations of criminal law. An individual may, but is not required, to report alleged criminal conduct to law enforcement. Any individual who wishes to report criminal conduct should call 9-1-1 in an emergency or contact law enforcement directly in non-emergency situations. The University encourages individuals to contact local law enforcement to report incidents of Prohibited Conduct that may also be crimes under criminal statutes. Reports to law enforcement made by alleged victims may be made in addition to reporting Prohibited Conduct in accordance with this Policy. Grievance procedures adopted in accordance with Section 7 may be carried out prior to, simultaneously with, or following off-campus civil or criminal law enforcement proceedings. Reporting Prohibited Conduct that may also constitute criminal conduct to law enforcement is not required to report Prohibited Conduct to the Coordinator. The outcome of law enforcement investigation or external criminal or civil proceeding is not determinative of whether an individual is responsible for violating this Policy.

18.6. External reports or complaints of Prohibited Conduct, including but not limited to Title IX Sexual Harassment may be made at any time by contacting external agencies responsible for enforcing Federal and State anti-discrimination laws.

18.5.a. The U.S. Department of Education's Office for Civil Rights (OCR) enforces several federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the United States Department of Education, including but not limited to, Title IX. Information about OCR, the laws it enforces and the OCR external complaint process is available by contacting:

Office for Civil Rights
U.S. Department of Education
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: 215-656-8541
FAX: 215-656-8605;
TDD: 877-521-2172
Email: OCR_Philadelphia@ed.gov
Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>

18.5.b. The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate or harass Staff Employees or applicants for employment on the basis of, among other things, sex. Information about the EEOC and its external complaint process is available online or by contacting:

United States Equal Employment Opportunity Commission
801 Market Street, Suite 1300
Philadelphia, PA 19107-3127
Telephone: 866-408-8075.
Fax: 215-440-2606
TTY: 800-669-6820
Website: <http://www.eeoc.gov/>

18.5.c. The West Virginia Human Rights Commission (WHRC) is responsible for enforcing the West Virginia Human Rights Act. Information about the WVHRC and its external complaint procedures is available online or by contacting:

West Virginia Human Rights Commission

1321 Plaza East, Room 108
Charleston, WV 25301
Phone: (304) 558-2616
Toll Free: (888) 676-5546
Fax: (304) 558-0085
<https://hrc.wv.gov/>

18.5.d. Employees may use the statutory grievance procedure to challenge adverse employment actions. Information about the statutory grievance procedure is available in the Human Resources Office or by contacting:

WV Public Employees Grievance Board
1701 5th Avenue
Suite 2
Charleston, WV 25387
Phone: 304-558-3361
Toll Free: 866-747-6743
Fax: 304-558-1106
wvgb@wv.gov

18.5.e. The State of West Virginia Equal Employment Opportunity Office (WV-EEEO) provides guidance to State employers and employees about discrimination and harassment. Information about the WV-EEEO and its complaint procedures is available online and by contacting:

State of West Virginia
Equal Employment Opportunity Office
1900 Kanawha Blvd., East
Building 5, Room A-125 Charleston, WV 25305
Phone: 304.558.0400
<https://eeo.wv.gov/Pages/aboutus.aspx>

Section 19. Duty to Report and Reporting Child Abuse or Neglect.

19.1. All Officials with Authority (OWA) who witness Prohibited Conduct including Title IX Sexual Harassment and Retaliation or who receive a verbal or written report of Title IX Sexual Harassment or other Prohibited Conduct including Retaliation are required notify the Title IX Coordinator of the Prohibited Conduct at:

Title IX Coordinator
217 Ferrell Hall
West Virginia State University
PO Box 1000
Institute, WV 25112
(304) 204-4018
titleixcoordinator2@wvstateu.edu

- 19.2. All other University Staff Employees and Faculty except any Staff Employee or Faculty designated as a Confidential Reporting Resource in accordance with Section VII of Appendix A and as defined in this policy who witness Prohibited Conduct including Title IX Sexual Harassment and Retaliation or who receive a verbal or written report of Title IX Sexual Harassment or other Prohibited Conduct including Retaliation are required to notify the Title IX Coordinator of the Prohibited Conduct using the contact information set forth in this policy. Notice of Title IX Sexual Harassment to individuals not designated as an "OWA does not constitute Actual Knowledge for the purposes of triggering the University's Title IX obligations.
- 19.3. Failure to notify the Coordinator as required by may result in disciplinary action up to and including termination of employment.
- 19.4. Any other Member of the University Community who has witnessed or is aware of any Prohibited Conduct is strongly encouraged to report any concerns to the Coordinator and should advise individuals of where to find this policy.
- 19.5. Staff Employees and Faculty may also be required to make a report in accordance with the University's Clery Act reporting procedures.
- 19.6. Staff and/or if applicable in accordance with State mandatory child abuse and sexual abuse reporting laws. The University's reporting requirements within this Policy do not supersede or exempt individuals from the requirements placed on individuals by law. West Virginia's mandatory child abuse and sexual abuse reporting obligations can currently be found at W. Va. Code §§ 49-2-801 to -814 (2017), which can be found at: <http://www.legis.state.wv.us/WVCODE/Code.cfm>.
- 19.7. Reporting Child Abuse or Neglect. West Virginia State University is committed to providing for protection of children on the University's premises or involved in University sponsored programs at all geographic locations.

19.7.a. If any Member of the University Community observes, or has reasonable cause to suspect, any type of Child Abuse or Neglect, including physical or Sexual Abuse, he or she must immediately report the circumstances to the Title IX Coordinator. "Child Abuse or Neglect" for the purposes of this section means Sexual Abuse, physical injury, mental or emotional injury, sale or attempted sale, negligent treatment or maltreatment of a child by an adult, any other act that endangers or attempts to endanger the health, safety, or well-being of a child, or anything else that is otherwise prohibited by a West Virginia law intended to protect children.

"Sexual Abuse" for the purpose of this section is a form of Child Abuse or Neglect and means any wrongful or otherwise illegal act that involves the sexual molestation or exploitation of child or is otherwise sexual in nature, whether physical injuries are sustained or not.

19.7.b. Under West Virginia state law, some individuals are considered Mandatory Reporters. Mandatory Reporters are required by West Virginia law to report any type of Child Abuse or Neglect, including physical or Sexual Abuse, in accordance with W. Va. Code §§ 49-2-801 to -814 (2017). In cases involving a Mandatory Reporter, reports of Child Abuse or Neglect should be immediately reported to each of the following:

*West Virginia Department of Health and Human Resources or by contacting the Child Abuse and Neglect Hotline (1-800-352-6513), seven days a week, twenty-four hours a day see also: <http://www.dhhr.wv.gov/bcf/Services/Pages/Centralized-Intake-for-Abuse-and-Neglect.aspx>;

*West Virginia State Police at 304-293-6400 (Crimes Against Children Unit);

*West Virginia State University Campus Police at (304) 766-3353 or other appropriate law enforcement agency; and

*If the Mandatory Reporter is a Member of the University Community, the Title IX Coordinator.

19.7.b.1. If the reporter feels making a report of sexual abuse will expose the reporter, the child, the reporter's children or other children in the subject's household to an increased threat of serious bodily injury, the individual may delay the report while the individual takes measure to remove themselves or the affected children from the

perceived threat of additional harm. The individual must make the report as soon as practical after the threat of harm has been reduced.

19.7.b.2. Upon receiving a report of Child Abuse or Neglect, the University's Title IX Coordinator shall take immediate action in order to protect children present on the University campus or participating in University sponsored programs.

19.7.c. Under West Virginia Code § 49-2-810 persons making a report in good faith are immune from civil or criminal liability.

19.7.c.1. The University's reporting requirements within this Policy do not supersede the requirements placed on individuals by law. West Virginia's mandatory reporting obligations can currently be found at W. Va. Code §§ 49-2-801 to -814 (2017), available online at: <http://www.legis.state.wv.us/WVCODE/Code.cfm>.

Section 20. Confidential Reporting Resources.

20.1. Members of the University Community who have experienced Prohibited Conduct seeking complete confidential assistance without sharing information and without making a report to the University may do so by speaking with a Confidential Reporting Resource.

20.2. A Confidential Reporting Resource is not required to report Prohibited Conduct including but not limited to Title IX Sexual Harassment to the University, not even to the Title IX Coordinator, without the individual's permission, unless otherwise required or permitted to do so by law.

20.3. Information about on- and off-campus Confidential Reporting Resources is available in Appendix A and is also available by contacting the Title IX Coordinator or designee.

Section 21. Relation to Board of Governors Policy 21, Social Justice, Policy 23, Student Rights and Responsibilities, the Student Conduct Code and Any Other Institution Policies or Procedures.

21.1. Conduct prohibited by this Policy (Prohibited Conduct) including but not limited to Title IX Sexual Harassment, hazing by individuals and stalking based on Protected Class status are also prohibited by other policies and procedures including but not limited to Board of Governors' policies 20 and 23, the Student Conduct Code and

various other Staff Employee, Faculty, and Student academic and athletic program handbooks and/or other policies and procedures.

- 21.2. The grievance procedure for the reporting, investigation and disposition of Prohibited Conduct including but not limited to unlawful discrimination and harassment based on Protected Class including but not limited to Title IX Sexual Harassment established in accordance with Appendix A is the only procedure used to address reports or complaints of Prohibited Conduct based on Protected Class.

Section 22. Consensual Relationships.

- 22.1. Consensual Relationships to which this Section applies are those romantic, intimate or sexual relationships where one of the parties has influence or control over another or is in a position to direct, grade, evaluate, or influence the academic progress or employment of a student or employee. WVSU is committed to maintaining a fair and professional working and learning environment free of conflicts of interest. Whether the Consensual Relationship is student/teacher or employee/employee, the working and academic relationship must be, and must remain, professional at all times. Romantic or sexual relationships where one of the parties is in a position to direct, grade, evaluate, or influence the academic progress or employment of a student or employee may create an appearance of impropriety, may raise issues of conflicts of interest, abuse of authority, or favoritism, with potential to adversely impact not only the persons involved in the Consensual Relationship but others who may see themselves as disadvantaged by the Consensual Relationship. Because of the real or perceived power imbalance that may exist, such a relationship may also raise questions about the mutuality of consent. Such situations may cast doubt on the objectivity and fairness of the workplace and learning environment, damage workplace morale and/or subject the University to legal liability all of which are contrary to the interests of the University. This section should be interpreted in accordance with the University's objective of preserving the integrity of the University's working and learning environment and the educational process.
- 22.2. Consensual Relationships in which one party maintains a direct supervisory or otherwise evaluative role over the other party are inherently problematic. Therefore, persons with direct supervisory or otherwise evaluative responsibilities who are involved in such relationships must bring these relationships to the timely attention of their supervisor. The parties involved in pre-existing Consensual Relationships must remain aware that such relationships could lead to circumstances that could result in Harassment, Discrimination, Domestic Misconduct and/or other Prohibited

Conduct. Additionally, others may perceive a person involved in the pre-existing Consensual Relationship as receiving favorable treatment in employment or education decisions.

22.3. Consensual Relationships involving Members of the University Community. The following provisions govern Consensual Relationships involving Members of the University Community where Members engage in a Consensual Relationship involving: (i) persons in inherently unequal and closely related employment positions at the University; (ii) employees within the same reporting line; or (iii) where one individual has influence or is in a position to direct, evaluate, or influence the employment of an employee the individuals involved in the Consensual Relationship

22.3.a. The supervisor shall notify the Human Resources Office of the reported Consensual Relationship.

22.3.b. Human Resources in Consultation with the Provost's Office if a Faculty is involved will attempt to implement a Mitigation Plan. The Mitigation Plan will:

22.3.b.1. Provide an alternative means for managing, supervising, teaching, evaluating and/or advising of the supervisee or otherwise mitigate the conflict of interest and the potential for exploitation or the appearance of exploitation or favoritism created by the Consensual Relationship;

22.3.b.2. Give priority to the interest of the subordinate;

22.3.b.3. Be in writing and signed by both parties to the Consensual Relationship;

22.3.b.4. Provide the individuals with notice of this Policy; and

22.3.b.5. Be reassessed by Human Resources in consultation with the Provost's Office if applicable on an annual basis (or sooner if circumstances warrant) by the parties, and the applicable department/unit for necessary modification.

22.3.c. If no suitable way to eliminate or mitigate the conflict is reasonably feasible, one or both individuals may be separated from employment with the University and/or any other relationship with the University (if either party is not an Employee) may be terminated.

22.3.d. Failing to disclose a Consensual Relationship or to Comply with a Mitigation Plan is prohibited and may result in disciplinary action up to and including termination of employment. Violations of this section will be addressed using Board of Governors Policy 19, Personnel Policy.

22.3.e. Any Member of the Campus Community who becomes aware of a violation of this section should report it to:

22.4. Relationships Involving Students. Members of the University Community are prohibited from or attempting to initiate, pursue, or engage in a relationship with a Student whom the individual evaluates advises, grades, or otherwise has control or influence over the academic progress of the Student.

22.4.a. Pre-existing Relationships Involving Students. Where there is a pre-existing Consensual Relationship with a Student, the Member of the University Community involved in the Relationship shall notify the immediate supervisor. The supervisor shall notify the Office of the Provost of the reported Consensual Relationship.

22.4.b. Human Resources in consultation with the Provost's Office and if necessary the Office of Enrollment Management and Student Affairs will attempt to implement a Mitigation Plan to eliminate or mitigate any conflict of interest or other educational or occupational interest. The Mitigation Plan will:

22.4.b.1. Provide an alternative means for managing, supervising, teaching, evaluating and/or advising of the Student or otherwise mitigate the existing conflict of interest and the potential for exploitation or the appearance of exploitation or favoritism created by the Consensual Relationship;

22.4.b.2. If a preexisting teacher/Student Consensual Relationship exists, provide instructions on avoiding any future conflict of interest and the potential for exploitation or appearance of exploitation or favoritism created by Consensual Relationship

22.4.b.3. Give priority to the interest of the Student;

22.4.b.4. Be in writing and signed by both parties to the Consensual Relationship;

22.4.b.5. Provide notice of this Policy; and

- 22.4.b.6. Be reassessed by Human Resources in consultation with the Enrollment Management and Student Affairs Office if applicable on an annual basis (or sooner if circumstances warrant) by the parties, and the applicable department/unit for necessary modification
- 23.4.c. If no suitable way to eliminate or mitigate the conflict is reasonably feasible, the Member of the University Community may be separated from employment with the University and/or any other relationship with the University may be terminated.
- 23.4.d. Failing to disclose a pre-existing Consensual Relationship with a Student or not complying with a Mitigation Plan is prohibited and may result in disciplinary action up to and including termination of employment or termination of any other relationship with the University.
- 23.4.e. Any Member of the University Community who is notified, or becomes aware of, an alleged violation of this section should timely report the violations to:

VP of Academic Affairs
131 Ferrell Hall
(304) 766-3148

Section 24. Academic Freedom and Freedom of Speech.

- 24.1. Free expression and academic freedom at the institution are necessary to enable the institution to reach its goals to engage Students in a challenging academic environment; excel in research, creative activity, and innovation in all disciplines; foster diversity and inclusion; advance international activity and global engagement; and enhance the well-being and the quality of life of the people of West Virginia.
- 24.2. While this Policy seeks to protect Members of the University Community from discrimination, harassment, sexual and domestic misconduct, certain consensual relationships, stalking, and retaliation, it should be read in conjunction with Board of Governor Rules regarding free expression and academic freedom.
- 24.3. Nothing in this policy requires the institution to restrict any rights that would otherwise be protected from government action by the First Amendment of the U.S. Constitution.

(b) national origin.

Section 25. Delegation and Amendments.

- 25.1. The President or President's designee may establish administrative procedures and/or forms to implement this policy including any additional grievance procedures for the reporting, investigation and disposition of complaints of Prohibited Conduct.
- 25.2 This Policy may be amended to change names, links to information and contact information without resorting to the rulemaking process.
- 25.3. Federal and State laws, rules and regulations change. Any portion of this Policy or the Appendix A procedures may be modified in practice to ensure the due process rights of the individuals involved are provided and to conform with any current Federal and State law, rules and regulations and guidance. Subject to the institution's rulemaking rule, the institution will change this Policy and Appendix A procedures to conform to the most current laws and regulations within a reasonable time of discovering the change.

Section 26. Policy Limitations.

- 26.1. Nothing in this policy should be construed to extend "Protected Class" status or give rise to a cause of action beyond that otherwise provided by law.

Section 27. Supercedes.

- 27.1. This policy and Appendix A, including but not limited to the grievance procedure and any record retention guidelines and schedules set forth in Appendix A, repeals and replaces Board of Governors Policy 14 [2015] and supersede all other University Protected Class unlawful discrimination and harassment, sexual harassment, and records retention policies and grievance procedures to the extent those policies, guidelines, schedules and procedures are inconsistent with this policy.

Appendix FF: Complaint Procedures for Harassment/Discrimination

West Virginia State University Harassment/Discrimination Complaint Procedures

A complainant may resolve an issue by telling the person making a remark or performing a behavior that, "this is not appreciated" or more directly, "No." Many issues are resolved at this level without formal intervention. This allows for communication problems to be dealt with in an expedient manner. If, however, the resolution is not satisfactory, the following two procedures are available to a complainant: Path I should be used when the immediate supervisor is not involved in the matter. Path II is for those situations where the supervisor is involved in the matter.

Path I: Complaint Procedures (Immediate Supervisor Not Involved)

A. Pre-Complaint Procedure:

1. If an employee (faculty/staff) or student has a question or complaint related to Affirmative Action, ADA, Sexual Harassment, Title IX or any other form of discrimination or harassment, the individual should begin by: talking to their supervisor, if staff; the department chair or college dean, if faculty; or in the case of a student, he/she may seek assistance from a counselor. (The supervisor will determine if a meeting of concerned parties is necessary or determine another appropriate action.)
2. It is expected that the problem will be resolved in this manner and the decision communicated to the complainant within five working days (exclusive of weekends and holidays) after the problem has been brought to the attention of supervisory personnel. The Affirmative Action Officer should be notified of the situation by the supervisor or counselor, yet shall not become involved at this stage. (If not viewed as a discrimination or harassment category of complaint, the appropriate student hearing committee or the regular grievance channels may be suggested by the counselor or supervisor as the next step.)

B. Complaint Procedure:

- a) If the complainant is dissatisfied with the decision of the faculty chair, supervisor or counselor, they then go to the appropriate Vice President or Dean with students going directly to the Vice President for Student Affairs. If the complainant is not satisfied with the determination made by the Vice President/Dean, he or she may appeal to the Affirmative Action Officer, or if

the issue is already with the Affirmative Action Officer, she/he will review the issue. Independent of whether the matter reached the Affirmative Action Officer through a Vice President/Dean or because the immediate supervisor is involved in the complaint, the Affirmative Action Officer will:

- a. examine the evidence and make a recommendation to the President for disposition of the case; or
- b-1. recommend to the President that an informal hearing be held by the Student Hearing Council or that a committee appointed by the President or designee for the purpose of reviewing the problem and formulating a recommendation for the President's consideration; or
- b-2. ask to have a review person or committee investigate the issue and make a recommendation to the President.
(The President will decide with the Affirmative Action Officer which option is most feasible.)
- c. The President will consider the recommendation brought by the Affirmative Action Officer after the investigation or hearing, or form an independent decision, which will be communicated by the President or the President's designee.

Appendix GG: Environmental Regulations Policy

WEST VIRGINIA STATE UNIVERSITY
Administrative Policies

Section: General

Effective: 1/26/95

No: C-4-12.0

Chapter: University Regulations

Supersedes:

Subject: Environmental Regulations Prior Policies

General: West Virginia State University is committed to providing a safe study and work environment to minimize the risk of harm to students, faculty, and staff, it is the stance of West Virginia State University to comply in full with the applicable environmental laws and regulations. Among many other areas, materials and the education of students, faculty, and staff relating to pertinent information about hazardous materials utilized in their study or work areas. The University commits itself to the following:

1. New faculty and staff will receive "Right to Know" training and Chemical Hygiene information as part of their orientation to the University.
2. Where applicable, continuing employees will receive "Right to Know" information and the "Chemical Hygiene Plan" information as part of periodic workshops held by their departments.
3. Work supervisors will instruct employees in their area regarding any need for special handling of hazardous materials (from acquisition to disposal) and supply Material Safety Data Sheets as required.
4. Master Chemical Lists will be located at various centralized areas such as Security, Work Control, Library, and Chemistry and Biology Departments; and Material Safety Data Sheets also will be available where needed to be used by students, faculty, and staff.
5. Regulations regarding the Electrical Safety Lockout Program will be followed as they relate to University activities.
6. Students are expected to follow laboratory safety instructions provided by their instructors. (Most instructors provide written, as well as oral, instructions.
7. New federal regulations regarding environmental safety will be implemented as applicable.

**Appendix HH: Policy for Emeritus Status for Retired Faculty and
Administrators**

POLICY FOR EMERITUS STATUS FOR RETIRED FACULTY AND ADMINISTRATORS

Established in accordance with Higher Education Policy Commission Procedural Rule 9 Section 6, this policy regarding emeritus status is filed with the West Virginia State University Board of Governors and the Higher Education Policy Commission.

Emeritus status for retired faculty is an honorary designation given to those individuals whose contributions to West Virginia State University were meritorious and exceeded the requirements of job description and employment. Because of their significant contributions, faculty emeriti are entitled to privileges reserved primarily for those who earn this honored designation.

Eligibility for membership in the emeritus program of West Virginia State University is determined by the following criteria and guidelines:

1. The retiring faculty member must be tenured and have held academic rank at West Virginia State University for at least fifteen years.
2. The faculty member must retire from active service according to the provisions of a retirement system approved by the Higher Education Policy Commission.
3. The faculty member must have made a significant contribution—beyond that generally associated with faculty duties—to the academic program and the University as a whole to be considered for emeritus status. Exemplary service may be demonstrated by such activities as scholarly achievements, excellence in teaching, research, and community service.
4. Faculty members who do not meet criteria 1 and 2 may receive the emeritus status if their contributions to West Virginia State University and the higher education community are so significant that they bring national or international recognition to themselves and the University.
5. Administrators (retired or retiring) who do not hold academic rank may be designated emeritus if such status is conferred upon them by the president of the University.

Nominations of retired or retiring baccalaureate faculty for the award of emeritus status may be made as follows:

- a currently employed baccalaureate faculty member may make the nomination to the appropriate department chair

- the department chair must forward the nomination package along with a recommendation to the college dean
- the college dean must forward the nomination package along with a recommendation to the Vice President for Academic Affairs.
- The Vice President for Academic Affairs will review the nominations and make recommendations not later than November 15 and April 15 of each year to the President, who may confer emeritus status.

A retired faculty member or administrator approved by the president for the honor of Emeritus status will retain his or her title at the time of retirement followed by *Emeritus*, examples of which are *Professor Emeritus*, *Associate Professor Emeritus*, *Assistant Professor Emeritus*, *Vice President Emeritus*.

In addition, the honored faculty member is entitled to the following rights and privileges:

1. To have faculty library, bookstore, student center, cultural, athletic, and recreational facilities privileges;
2. To receive a parking permit for one vehicle free of charge;
3. To receive a University identification card;
4. To attend as a nonvoting member meetings of the faculty and the Faculty Senate;
5. To attend home athletic contests free of charge;
6. To be on the University mailing list for regular faculty and alumni publications;
7. To participate in academic processions at commencement;
8. To receive a suitable citation;
9. To be listed in University publications, such as the University catalog; and

Approved: May 2023

Appendix II: West Virginia State University Institutional Review Board

WVSU-IRB

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West Virginia State University Institutional Review Board
Human Information and Application/Registration Forms Institutional
Assurance Concerning Research

I. GENERAL POLICIES AND RESPONSIBILITIES

All review of research activities involving human subjects covered by this policy shall be carried out by the WVSU-IRB following the procedures set forth in this policy.

A. UNIVERSITY COMMITMENTS

West Virginia State University is committed to safeguarding the rights and welfare of all people who participate in research conducted by University faculty, staff, and students. It is also committed to insuring humane care and use of animals in teaching and research. WVSU supports responsible experimentation that promises to increase knowledge and understanding and encourages the highest ethical standards among University researchers.

In addition to assuring compliance with the Department of Health and Human Services (DHHS) regulations 45 CFR 46, as specified in the Office for Protection from Research Risks (OPRR) 1983 report, *Protection of Human Subjects*, the University accepts responsibility for complying with Food and Drug Administration (FDA) regulations (21 CFR 56) and all other applicable state and local laws as they may relate to research covered by the DHHS policy. Categories of research exempted from this policy are those specifically listed in 45 CFR 46.101 (2) (B) 1 through 6. However, the WVSU-IRB requires all research involving human subjects—exempt or non-exempt—to be formally proposed and explained to the IRB.

B. GENERAL GOALS OF THE WVSU-IRB

The general goals of the WVSU-IRB are to protect the rights of human participants in research studies, including their rights to give informed consent and to have their safety protected from undue risk;

C. GENERAL CHARGE TO THE WVSU-IRB

The WVSU-IRB has the responsibility and authority to review and approve all research projects by WVSU faculty, staff, and students involving human

participants. It will approve only those experiments that conform to the professional standards as understood within the relevant discipline.

D. *RESPONSIBILITIES AND AUTHORITY OF THE WVSU-IRB*

- D.1. Review all new and ongoing projects involving human participants at convened WVSU-IRB meetings at which time the majority of the Board's membership constitutes a quorum, with a WVSU-IRB member whose concerns are primarily in non-scientific areas being included in the quorum. Voting on projects is limited to duly appointed Board members. Excluded from this process are those submissions whose researchers are requesting expedited review.
- D.2. Notify investigators and other signatories on the research proposal of the results of the WVSU-IRB review.
- D.3. Review projects on an annual basis or more frequently as deemed appropriate.
- D.4. Require that the informed consent procedure is in accordance with WVSU-IRB policy.
- D.5. Observe or have a third party observe the consent process and the research, when appropriate.
- D.6. Require written notification by investigators when changes in research activity are proposed.
- D.7. Require prompt reporting by investigators when unanticipated problems involving risks to participants occur.
- D.8. Suspend or terminate approval of research that has been associated with unexpected serious harm to participants or that is not being conducted in accordance with the WVSU-IRB's decisions. If questions arise concerning legal, moral, or ethical issues involved in research, the WVSU-IRB will meet to discuss the issues, using consultants from the research area or the University General counsel, and meet with the researcher, if possible, before suspension. The privacy rights of research subjects and WVSU students are of paramount importance.
- D.9. a. Report to the investigators and their appropriate supervisors (e.g., unit head, department chair, or dean) any suspension or termination of approved research, including the Faculty Senate's Research and Development Committee if that Committee was involved.

- D.9.b. Report to the Secretary of DHHS or any applicable funding agency—when the research activity is funded in whole or in part by a DHHS or other government agency grant, contract, or fellowship—regarding (1) serious or continuing noncompliance by investigators with the requirements and determinations of the WVSU-IRB, (2) suspension or termination of approved research that is not being conducted in accordance with the WVSU-IRB’s requirements, or (3) any unexpected serious harm to participants associated with research project.
- D.10. Advise investigators regarding specific problems associated with protocols involving human subjects.
- D.11. Contribute and refer to University guidelines to aid principal investigators in the preparation of their applications for approval of research involving human and animal participants.
- D.12. Maintain complete records.
- D.13. Interpret government and University policies pertaining to the protection of human research participants.
- D.14. Develop and publish University policies and procedures governing research involving human participants.
- D.15. Provide consultation through its Chair to any participant or principal investigator.
- D.16. Establish procedures for monitoring implementation of WVSU-IRB action.
- D.17. Maintain communication with Federal, State, and local agencies and institutions to insure that the WVSU-IRB procedures are current and consistent.
- D.18. Coordinate review of research carried out at off-campus sites.
- D.19. Report any changes in WVSU-IRB membership to the University President through the Board Chair.

E. *COMPOSITION OF THE WVSU-IRB*

The WVSU-IRB is sufficiently qualified through the experience, expertise, and diversity of its members, including sensitivity to community attitudes, to command respect for its advice in safeguarding the rights and welfare of research participants.

The WVSU-IRB shall be composed of at least eight members from the University, representing diverse backgrounds and possessing professional competence necessary to review the specific research activities assigned to it. The WVSU-IRB

shall include members of various genders, races, ages, WVSU- professions and departments. It is strongly recommended that at least one member have a background in social science, at least one member have a background in natural science, and at least one member whose primary expertise is in a non-scientific area. In addition, two additional members from the WVSU community are to be included who have no formal affiliation with the University. At any time, consultants may be sought, but these persons may not participate by vote in the WVSU- IRB actions.

Becoming a member shall occur as follows: The Chair of the Faculty Senate shall announce during a Senate meeting that one or more members are needed for the WVSU-IRB. Nominees can put their own names forward or be suggested (with their permission) by others. Potential members of the WVSU-IRB will be then reviewed by the Faculty Senate Executive Committee, then passed on to the University President, who shall appoint the member(s) for a three-year term. The WVSU- IRB shall elect its chair annually. For the purposes of continuity and rotation, initial members of the IRB shall serve staggered one-, two-, and three-year terms.

Responsibility and Authority of West Virginia State University

1. Legal assistance. All requests for legal assistance must be initiated with the University General Counsel. Upon review more specialized consultation or advice maybe sought by external parties, if needed.
2. Liabilities. The University is legally responsible for the acts and omissions of its investigators while acting in the course and scope of their University duties. In the event of a suit against investigators or members of the WVSU-IRB based on their actions in connection with a research activity involving human participants, the University would be obligated to assume their defense if the research project was approved by the WVSU-IRB in accordance with this policy.

It is assumed that a principal investigator has, or should have, knowledge of the applicable University policy requiring that every research activity placing human or animal participants at risk be reviewed by the WVSU-IRB. If an investigator fails to obtain such approval prior to involvement of human or animal participants, the investigator would be acting outside the scope of her/his duties, and the University would not be obligated to defend or indemnify the investigator if legal actions were initiated by a participant.

II. INFORMATION AND INSTRUCTIONS FOR FILING RESEARCH PARTICIPANT PROTECTION PROTOCOLS WITH THE WEST VIRGINIA STATE UNIVERSITY INSTITUTIONAL REVIEW BOARD

II.a. GENERAL INFORMATION

In accordance with Department of Health and Human Services regulations, West Virginia State University recognizes three categories of review for research involving human participants: full, exempt, and expedited. It is anticipated that most research activities carried out at WVSU will fall under the exempt and expedited review categories in that they involve relatively low-risk procedures. The following guidelines will allow the investigator to determine the appropriate application format.

The standard review criteria are used regardless of the risk level of the proposed study. It must be emphasized that WVSU-IRB review concerns research, and thus a project must be clearly defined. The nature of the procedures in the study defines the level of review required.

The following definitions are used by the WVSU-IRB when research projects involve human participants:

II.a.1 HUMAN PARTICIPANT means a living individual about whom an investigator (whether professional or student) conducting research:

- (i) Obtains information or biospecimens through intervention or interaction with the individual, and uses, studies, or analyzes the information or biospecimens; or
- (ii) Obtains, uses, studies, analyzes, or generates identifiable private information or identifiable biospecimens. (45 CFR 46.102)

II.a.2 RESEARCH a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. (In-class activities conducted by instructors are not automatically subject to WVSU-IRB review unless they constitute “research” as described herein.)

II.a.3 MINIMAL RISK. The term “minimal risk” means that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests. Using “minimal risk” as a goal, the WVSU-IRB will

use the “reasonable person standard” to compare the risks of research to those in the daily life of a typical person in the anticipated participant population.

II.a.4 WRITTEN, OR IN WRITING for purposes of this part, refers to writing on a tangible medium (*e.g.*, paper) or in an electronic format.

II.a.5 INTERACTION includes communication or interpersonal contact between investigator and subject.

II.a.6 PRIVATE INFORMATION includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information that has been provided for specific purposes by an individual and that the individual can reasonably expect will not be made public (*e.g.*, a medical record).

II.a.7 EVALUATIONS OF RISK IN RELATION TO BENEFITS. Risks to subjects are reasonable in relation to anticipated benefits, if any, to subjects, and the importance of the knowledge that may reasonably be expected to result. In evaluating risks and benefits, the WVSU-IRB will consider only those risks and benefits that may result from the research (as distinguished from risks and benefits of therapy subjects would receive even if not participating in the research). The WVSU-IRB will not consider possible long-range effects of applying knowledge gained in the research (for example, the possible effects of the research on public policy) as among those research risks that fall within the purview of its responsibility. (45 CFR 46.111(a)(2))

II.B. ACTIONS

Applying the criteria for IRB research review set forth in 45 CFR 46.111, the WVSU-IRB will review each proposal and take one of the following actions:

II.b.1. Approve the research. Although the research may involve some risk to the participants, the WVSU-IRB may find that the risk is minimal, and that the investigator has taken all practical steps to minimize the risk.

II.b.2 Withhold approval of the research with a request for resubmission of the protocol. This occurs when the WVSU-IRB believes that it has insufficient information to take action, or when it feels the research design contains flaws or characteristics that should be revised to reduce risks to participants. The WVSU-IRB may ask the investigator to provide for emergency back-up medical care, to take further steps to protect the confidentiality of the participants, or to develop a substitute procedure.

II.C INFORMED CONSENT

Except as provided in these documents, legally effective informed consent must be obtained from any research participant or the participant's legally authorized representative who, in the course of a research protocol, is exposed to the risk of physical, psychological, or social injury. Informed consent is defined as the knowing consent of an individual or their legally authorized representative so situated as to be able to exercise free power of choice without undue inducement or any element of force, fraud, deceit, duress, or other form of constraint or coercion. The term "participant" shall, where appropriate, mean the participant or the participant's legally authorized representative.

Legally effective informed consent includes at a minimum both the investigator's oral explanation of the research to the participant and the potential participant's expected involvement therein, as well as the investigator's response to any or all questions that the participant may have concerning the research protocol. In certain instances, this will be required documentation of consent using a WVSU-IRB approved consent form, which is signed by the investigator and by the participant.

Informed consent can be sought only under circumstances which

- provide the participant with sufficient opportunity to freely consider whether they wish to be involved in the research and
- minimize any possibility of coercion or undue influence.

In those research settings in which risk to participants may be increased by written records of their names, or in observational studies of naturally-occurring human interaction, the requirement of informed consent must nevertheless be met. The researcher must provide a written explanation to the WVSU-IRB of how the participants' rights to privacy and anonymity will be protected. It is strongly recommended that in such instances, investigators develop an information letter to be given to the participants. This letter should be submitted with the WVSU-IRB application, and it will be subject to committee review.

Any or all of the requirements for obtaining consent may be waived by the WVSU-IRB during its review of a proposal, but only under certain circumstances as specified in 45 CFR 46.101 (b).

The following guidelines are to be used when preparing a Consent Form:

- c.1. The consent form is to be written in narrative form and include all information the participant should know in making her/his decision whether to participate.
- c.2. Statements must be easily readable and understandable. Technical terminology and abbreviations are not to be used unless clearly defined.
- c.3. The consent form must be in the fluent language of the participant. However, translations of consent forms should not be done until the English-language version has been approved by the IRB. Furthermore, translations MUST either be done or verified by a qualified faculty member of the University or someone designated by that faculty member.
- c.4. All participants are to be given sufficient time to consider whether they wish to participate before signing the consent form.
- c.5. The investigator is reminded that the consent form is simply the written documentation of the consent process. Oral explanations are to be given to each prospective participant, and the participant is to be encouraged to ask questions.
- c.6. In reviewing research protocols and consent forms, WVSU-IRB members are particularly cognizant of research involving minors. All research involving minors must conform to the DHHS regulations, as stated in "Additional Protection for Children Involved as Subjects in Research" (45 CFR 46.401-409). The specific requirements are listed in Section II.d below.

II.D. RESEARCH INVOLVING MINOR PARTICIPANTS

The Department of Health and Human Services issued regulations, effective June 6, 1983, giving additional protection to children involved as participants in research. The regulations contained in "Additional Protection for Children Involved as Subjects in Research" (45 CFR 46.401-409) must be applied to all research involving minors which is reviewed by the WVSU-IRB.

A minor is a person under age 18 who does not have the legal authority to consent. Emancipated minors, whom the state gives the right to consent and contract as adults, are to be treated as adults. The regulations governing children in research dictate that investigators consider the age, maturity, and psychological state of the participating children and obtain the legal consent from the responsible parent or

guardian. If the legal consent is provided by the parent or guardian, in addition, the children's assent is required. Regulations define "assent" as the child's affirmative agreement to participate. Further, the regulations dictate that "mere failure to object should not, in the absence of affirmative agreement, be construed as assent."

The assent procedure may be represented by an assent form or by a prepared script of the explanation to be tendered by the investigator. The following areas must be addressed in the assent procedure, utilizing language appropriate to the child's age and/or developmental level:

- d.1. The rationale for asking the child to participate
- d.2. From the child's point of view, description of what is to occur
- d.3. The risk to the child
- d.4. The benefit to the child
- d.5. Identification of the researcher by name and telephone number in case questions should arise before and after participation
- d.6. A statement that the child has a choice to participate in or to withdraw from the research at any time without any negative consequences
- d.7. A statement that the child can retain a copy of the assent form
- d.8. Date and signature lines for the investigator and, if appropriate, for the child.

II.E. PROCEDURE FOR FULL REVIEW

Review of all IRB proposals will be conducted through the use of an electronic submission protocol. The faculty member submitting a proposal will need to acquire a username and password through the Office of Sponsored Programs. The Chair of the Committee or the Administrative Support Staff can create the login information. Once completed the proposal will automatically be sent to relevant administrators for approval. Once approved IRB will begin evaluation. A committee representative will evaluate the proposal to determine if it qualifies for Full, expedited, or exempt review. The review process will begin once that determination is made. Approval may take up to 3 weeks. Any missing paperwork, misunderstandings, or lack of clarity in the proposal can add to that review time. All investigators and other personnel in the proposal will need to complete the Responsible Conduct in Research training and attach the certificate of completion before the IRB evaluation will begin.

A written decision, with explanation where necessary, will be sent to the investigator and to the signatories on the application.

II.F. CATEGORIES OF HUMAN RESEARCH EXEMPT FROM FULL WVSU-IRB REVIEW:

In accordance with 45 CFR 46.104, the following research activities may be exempt from full review by the WVSU-IRB:

- f.1. Research, conducted in established or commonly accepted educational settings, that specifically involves normal educational practices that are not likely to adversely impact students' opportunity to learn required educational content or the assessment of educators who provide instruction. This includes most research on regular and special education instructional strategies, and research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.
- f.2. Research that only includes interactions involving educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior (including visual or auditory recording) if at least one of the following criteria is met:
 - a. The information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained, directly or through identifiers linked to the subjects.
 - b. Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation; or
 - c. The information obtained is recorded by the investigator in such a manner that the identity of the human subjects can readily be ascertained, directly or through identifiers linked to the subjects, and an IRB conducts a limited IRB review to make the determination required by §46.111(a)(7).
- f.3. Research involving benign behavioral interventions in conjunction with the collection of information from an adult subject through verbal or written responses (including data entry) or audiovisual recording if the subject prospectively agrees to the intervention and information collection and at least one of the following criteria is met:

- a. The information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained, directly or through identifiers linked to the subjects;
 - b. Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation; or
 - c. The information obtained is recorded by the investigator in such a manner that the identity of the human subjects can readily be ascertained, directly or through identifiers linked to the subjects, and an IRB conducts a limited IRB review to make the determination required by §46.111(a)(7).
 - (ii) For the purpose of this provision, benign behavioral interventions are brief in duration, harmless, painless, not physically invasive, not likely to have a significant adverse lasting impact on the subjects, and the investigator has no reason to think the subjects will find the interventions offensive or embarrassing. Provided all such criteria are met, examples of such benign behavioral interventions would include having the subjects play an online game, having them solve puzzles under various noise conditions, or having them decide how to allocate a nominal amount of received cash between themselves and someone else.
 - (iii) If the research involves deceiving the subjects regarding the nature or purposes of the research, this exemption is not applicable unless the subject authorizes the deception through a prospective agreement to participate in research in circumstances in which the subject is informed that he or she will be unaware of or misled regarding the nature or purposes of the research.
- f.4. Secondary research for which consent is not required: Secondary research uses of identifiable private information or identifiable biospecimens, if at least one of the following criteria is met:
- 1. (i) The identifiable private information or identifiable biospecimens are publicly available;
 - 2. (ii) Information, which may include information about biospecimens, is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained directly or through identifiers linked to the subjects, the

investigator does not contact the subjects, and the investigator will not re-identify subjects;

3. (iii) The research involves only information collection and analysis involving the investigator's use of identifiable health information when that use is regulated under 45 CFR parts 160 and 164, subparts A and E, for the purposes of "health care operations" or "research" as those terms are defined at 45 CFR 164.501 or for "public health activities and purposes" as described under 45 CFR 164.512(b); or
 4. (iv) The research is conducted by, or on behalf of, a Federal department or agency using government-generated or government-collected information obtained for nonresearch activities, if the research generates identifiable private information that is or will be maintained on information technology that is subject to and in compliance with section 208(b) of the E-Government Act of 2002, 44 U.S.C. 3501 note, if all of the identifiable private information collected, used, or generated as part of the activity will be maintained in systems of records subject to the Privacy Act of 1974, 5 U.S.C. 552a, and, if applicable, the information used in the research was collected subject to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 et seq.
- f.5. Research and demonstration projects that are conducted or supported by a Federal department or agency, or otherwise subject to the approval of department or agency heads (or the approval of the heads of bureaus or other subordinate agencies that have been delegated authority to conduct the research and demonstration projects), and that are designed to study, evaluate, improve, or otherwise examine public benefit or service programs, including procedures for obtaining benefits or services under those programs, possible changes in or alternatives to those programs or procedures, or possible changes in methods or levels of payment for benefits or services under those programs. Such projects include, but are not limited to, internal studies by Federal employees, and studies under contracts or consulting arrangements, cooperative agreements, or grants. Exempt projects also include waivers of otherwise mandatory requirements using authorities such as sections 1115 and 1115A of the Social Security Act, as amended.
- (i) Each Federal department or agency conducting or supporting the research and demonstration projects must establish, on a publicly accessible Federal Web site or in such other manner as the

department or agency head may determine, a list of the research and demonstration projects that the Federal department or agency conducts or supports under this provision. The research or demonstration project must be published on this list prior to commencing the research involving human subjects.

- f.6. Taste and food quality evaluation and consumer acceptance studies:
 - (i) If wholesome foods without additives are consumed, or
 - (ii) If a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.
- f.7. Storage or maintenance for secondary research for which broad consent is required: Storage or maintenance of identifiable private information or identifiable biospecimens for potential secondary research use if an IRB conducts a limited IRB review and makes the determinations required by §46.111(a)(8).
- f.8. Secondary research for which broad consent is required: Research involving the use of identifiable private information or identifiable biospecimens for secondary research use, if the following criteria are met:
 - (i) Broad consent for the storage, maintenance, and secondary research use of the identifiable private information or identifiable biospecimens was obtained in accordance with § 46.116(a)(1) through (4), (a)(6), and (d);
 - (ii) Documentation of informed consent or waiver of documentation of consent was obtained in accordance with § 46.117;
 - (iii) An IRB conducts a limited IRB review and makes the determination required by § 46.111(a)(7) and makes the determination that the research to be conducted is within the scope of the broad consent referenced in paragraph (d)(8)(i) of this section; and
 - (iv) The investigator does not include returning individual research results to subjects as part of the study plan. This provision does not prevent an investigator from abiding by any legal requirements to return individual research results.

II.G. CATEGORIES OF RESEARCH SUBJECT TO EXPEDITED REVIEW

In accordance with DHHS guidelines (63 FR 60364), research activities with human participants involving no more than minimal risk and involving one or

more of the following categories (carried out through standard methods) may be reviewed by the WVSU-IRB through an expedited review procedure:

- g.1. Clinical studies of drugs and medical devices only when condition (a) or (b) is met:
 - a. Research on drugs for which an investigation new drug application (21 CFR Part 312) is not required. (Note: Research on marketed drugs that significantly increases the risks or decreases the acceptability of the risks associated with the use of the product is not eligible for expedited review.)
 - b. Research on medical devices for which (i) an investigational device exemption application (21 CFR Part 812) is not required or (ii) the medical device is cleared/approved for marketing and the medical device is being used in accordance with its cleared/approved labeling.
- g.2. Collection of blood samples by finger stick, heel stick, ear stick, or venipuncture as follows:
 - a. From healthy, non-pregnant adults who weigh at least 110 pounds. For these subjects, the amount drawn may not exceed 550 ml in an 8-week period and collection may not occur more frequently than 2 times per week; or
 - b. From other adults and children, considering the age weight and health of the subjects, the collection procedure, the amount of blood to be collected, and the frequency with which it will be collected. For these subjects, the amount drawn may not exceed the lesser of 50 ml or 3 ml per kg in an 8-week period and collection may not occur more frequently than 2 times per week.
- g.3. Prospective collection of biological specimens for research purposes by non-invasive means. Examples:
 - (a) hair and nail clippings in a non-disfiguring manner;
 - (b) deciduous teeth at time of exfoliation or if routine patient care indicates a need for extraction;
 - (c) permanent teeth if routine patient care indicates a need for extraction;
 - (d) excreta and external secretions (including sweat);
 - (e) uncannulated saliva collected either in an unstimulated fashion or stimulated by chewing gumbase or wax or by applying a dilute citric solution to the tongue;
 - (f) placenta removed at delivery;

- (g) amniotic fluid obtained at the time of rupture of the membrane prior to or during labor;
 - (h) supra- and subgingival dental plaque and calculus, provided the collection procedure is not more invasive than routine prophylactic scaling of the teeth and
 - (i) the process is accomplished in accordance with accepted prophylactic techniques;
 - (j) mucosal and skin cells collected by buccal scraping or swab, skin swab, or mouth;
 - (k) sputum collected after saline mist nebulization.
- g.4. Collection of data through noninvasive procedures (not involving general anesthesia or sedation) routinely employed in clinical practice, excluding procedures involving x-rays or microwaves. Where medical devices are employed, they must be cleared/approved for marketing. (Studies intended to evaluate the safety and effectiveness of the medical device are not generally eligible for expedited review, including studies of cleared medical devices for new indications.) Examples:
- (a) physical sensors that are applied either to the surface of the body or at a distance and do not involve input of significant amounts of energy into the subject or an invasion of the subject's privacy;
 - (b) weighing or testing sensory acuity;
 - (c) magnetic resonance imaging;
 - (d) electrocardiography, electroencephalography, thermography, detection of naturally occurring radioactivity, electroretinography, ultrasound, diagnostic infrared imaging, doppler blood flow, and echocardiography;
 - (e) moderate exercise, muscular strength testing, body composition assessment, and flexibility testing where appropriate given the age, weight, and health of the individual.
- g.5. Research involving materials (data, documents, records, or specimens) that have been collected or will be collected solely for nonresearch purposes (such as medical treatment or diagnosis). (NOTE: Some research in this category may be exempt from the HHS regulations for the protection of human subjects 45 CFR 46.101(b)(4). This listing refers only to research that is *not* exempt.)
- g.6. Collection of data from voice, video, digital, or image recordings made for research purposes.
- g.7. Research on individual or group characteristics or behavior (including, but not limited to, research on perception, cognition, motivation, identity,

language, communication, cultural beliefs or practices, and social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies. (NOTE: Some research in this category may be exempt from the DHHS regulations for the protection of human subjects 45 CFR 46.101 (b)(2) and (b)(3). This listing refers only to research that is *not* exempt.)

- g.8. Continuing review of research previously approved by the convened IRB as follows:
 - a. Where (i) the research is permanently closed to the enrollment of new subjects; (ii) all subjects have completed all research-related interventions; and (iii) the research remains active only for long-term follow-up of subjects; or
 - b. Where no subjects have been enrolled and no additional risks have been identified; or
 - c. Where the remaining research activities are limited to data analysis.
- g.9. Continuing review of research, not conducted under an investigational new drug application or investigational device exemption where categories 2 through 8 do not apply, but the IRB has determined and documented at a convened meeting that the research involves no greater than minimal risk and no additional risks have been identified.

Appendix JJ: West Virginia State University Institutional Nepotism Policy

West Virginia Ethics Commission Overview of Nepotism

“Nepotism” means favoritism shown or patronage granted in employment or working conditions by a public official or public employee to relatives or persons with whom the public official or public employee resides.

A public official or public employee may not show favoritism or grant patronage in the employment or working conditions of his or her relative or a person with whom he or she resides. “Public official” and “public employee” as used to this section means all elected and appointed public officials and public employees, whether full- or part-time, in state, county, municipal governments and their respective boards, agencies, departments and commissions and in any other regional or local governmental agency, including county school boards.

The Ethics Act prohibits public officials and public employees from knowingly and intentionally using their office or the prestige of their office for their own private gain or the private gain of another person. Nepotism is one form of the use of office for private gain because if public officials or employees use their positions to give an unfair advantage to relatives or persons with whom the public official or employee resides, the primary benefit to such action is to the public official or employee or another person rather than to the public.

“Relative” means spouse, mother, father, sister, brother, son, daughter, grandmother, grandfather, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law or daughter-in-law.

A public agency, including its officials and employees, must administer the employment and working conditions of a relative of a public employee or a public official or a person with whom the public official or employee resides in an impartial manner. To the extent possible, a public official or public employee may not participate in decisions affecting the employment and working conditions of his or her relative or a person with whom he or she resides. If he or she is one of several people with the authority to make these decisions, others with authority shall make the decisions.

A public official or public employee may not directly supervise a relative or a person with whom he or she resides. This prohibition includes reviewing, auditing or evaluating work or taking part in discussions or making recommendations concerning employment, assignments, compensation, bonuses, benefits, discipline or related matters. This prohibition does not extend to matters affecting a class of five or more similarly situated employees.

If a public official or public employee must participate in decisions affecting the employment, working conditions or supervision of the public official or public employee's relative or a person with whom the public official or public employee resides, then:

- An independent third party shall be involved in the process. A public official or public employee may not use a subordinate for the independent third party unless it is an elected public official who may not lawfully delegate the powers of his or her office, e.g., county assessor or county clerk, and
- The public official or employee shall exercise his or her best objective judgment in making the decision, and be prepared to justify his or her decision.

A public official may not vote on matters affecting the employment or working conditions of a relative unless the relative is a member of a class of persons affected. A class shall consist of not fewer than five similarly situated persons. For a public official's recusal to be effective, he or she must excuse him or herself from participating in the discussion and decision-making process by physically removing him or herself from the room during the period, fully disclosing his or her interests and recusing him or herself from voting on the issue.

Certain county public officials and local board of education officials and employees are subject to the stricter limitations in W. Va. Code § 61-10-15. Other provisions in the Code or a public agency's own policies, rules, regulations, ordinances or charters may further limit or prohibit the hiring of a relative or a person with whom a public official or employee resides.

Agreement to Comply with Nepotism Policy

This agreement is to document compliance with the Faculty Handbook Nepotism policy. A copy of the policy is attached and has been read by all persons signing this agreement. **[Party #1]** is **[position]** in **[department]**. **[Party #2]** is **[position]** in **[department]**.

[Briefly describe how work intersects/where conflict of interest may arise]. [Briefly identify personal relationship (e.g., spouses, parent/child, etc.)]. The parties have consulted with the office of Academic affairs as provided for in the policy, and the parties have reached the following agreement:

1. **[Party]** will formally report to **[applicable responsible party name and/or position]**, although some day-to-day direction may be provided by **[Party]**, as appropriate. **[Applicable responsible party]** will handle all formal supervisory duties for **[Party]**, including performance evaluations, salary decisions, professional development opportunities, and expense reimbursement.
2. Neither party will participate in any formal or informal performance evaluation for the other or serve as a reference for each other.
3. Neither party will participate in the supervision or allocation of research or other programmatic funds to be used by the other.
4. Significant disputes, persistent disagreements, or conflicts of interest between **[Party #1]** and **[Party #2]** that affect the workplace and/or the academic environment will be addressed by **[applicable responsible party]**. Any concerns staff or faculty have with either party related to their work together will be presented to and addressed by **[applicable responsible party]**.
5. **[Party #1]** and **[Party #2]** agree to respect the separate nature of their personal and professional roles. For example:
 - a. They agree to make best efforts to keep their personal relationship from having a negative impact on the work and/or academic environment and on co-workers and/or students, including by maintaining appropriate boundaries in the workplace.
 - b. They agree to do their best to avoid any conflicts of interest. For example: **[Party #1]** and **[Party #2]** will take appropriate steps to avoid a conflict of interest if one is serving on a committee or participating in another group that is making decisions, including by vote, that has a personal impact on the other. In such situations, **[Party #1]** and **[Party #2]** should consult with **[applicable responsible party]** about the potential conflict and appropriate steps to avoid it.

6. If significant changes in their personal relationship occur that have an impact on the work and/or academic environments, **[Party #1]** and **[Party #2]** agree to consult with Human Resources and with the Office of Equal Opportunity and Affirmative Action, as needed.
7. **[Applicable responsible party]** is responsible for overseeing compliance with this agreement, monitoring its effectiveness, updating it as appropriate.
8. The parties' supervisor(s) and Academic Affairs, as well as Human resources, will receive a copy of this agreement, and a copy will be retained in the parties' personnel files. The signatories to this agreement and Human Resources, as applicable, have consulted about whether other people may need to be informed about this agreement.

[Party #1]	Date
[Party #2]	Date
[Applicable Responsible Party]	Date
Provost Office of Academic Affairs	Date