

WEST VIRGINIA STATE UNIVERSITY

FACULTY HANDBOOK



2011-2012

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EQUAL OPPORTUNITY/AFFIRMATIVE ACTION

WEST VIRGINIA STATE UNIVERSITY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION INSTITUTION AND DOES NOT DISCRIMINATE AGAINST ANY PERSON BECAUSE OF RACE, RELIGION, COLOR, NATIONAL ORIGIN, ANCESTRY, SEX, AGE, MARITAL STATUS, OR HANDICAP.

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, 8/11)

The West Virginia State University *Faculty Handbook* is published annually by the Office of Academic Affairs 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 (including 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 Office of Academic Affairs) 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 Office of Academic Affairs 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 WVSU 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 non-academic 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 state higher education policies, consult the West Virginia Higher Education website at: <http://www.hepc.wvnet.edu/resources/index.html?../menu.html&title.html&rulesandpolicies.html>

For updates on WVSU Board of Governors policies, consult the following website: <http://www.wvstateu.edu/administration/board-governors>

HISTORY OF WEST VIRGINIA STATE UNIVERSITY

(Revised 8/11)

Founded in 1891, West Virginia State University has entered its second century of service. An 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. 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 was 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. Priority continues to be given to planning and cooperating with business, industrial, governmental, labor union, educational, and professional leadership. 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 was renamed 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 (in Biotechnology and Media Studies) were implemented in 2003; a third masters-level program (in Law Enforcement and Administration) was added in 2011. On April 7, 2004, Governor Bob Wise signed Senate Bill 448 which 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.

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 September 23, 2010)

Founded in 1891, West Virginia State University is a public, land-grant, historically black college, which has evolved into a fully accessible, racially integrated, and multigenerational institution. The University, "a living laboratory of human relations," is a community of students, staff, and faculty committed to academic growth, service, and preservation of the racial and cultural diversity of the institution. Our mission is to meet higher education and economic development needs of the state and region through innovative teaching and applied research.

The undergraduate education at the University offers comprehensive and distinguished baccalaureate programs in business, liberal arts, professional studies, sciences, and social sciences. In addition, the University provides master's degrees and other opportunities for graduate education.

West Virginia State University offers encouragement and education through flexible course offerings in traditional classrooms, in non-traditional educational settings, and through distance learning technologies. With the goal of improving the quality of our students' lives, as well as the quality of life for West Virginia's citizens, the University forges mutually beneficial relationships with other educational institutions, businesses, cultural organizations, governmental agencies, and agricultural and extension partners.

The following values guide our decisions and behavior:

- academic excellence;
- academic freedom;

- advancement of knowledge through teaching, research, scholarship, creative endeavor, and community service;
- a core of student learning that includes effective communication, understanding and analysis of the interconnections of knowledge, and responsibility for one's own learning;
- lifelong growth, development, and achievement of our students;
- development of human capacities for integrity, compassion, and citizenship;
- our rich and diverse heritage;
- personal and professional development of our faculty and staff; and
- accountability through shared responsibility and continuous improvement.

West Virginia State University is a vibrant community in which those who work, teach, live, and learn do so in an environment that reflects the diversity of America. We take great pride in our accomplishments and envision building upon our baccalaureate and graduate offerings for excellence in teaching, research, and service.

SECTION A. ORGANIZATIONAL STRUCTURE

1. Higher Education Policy Commission and Institutional Board of Governors (Revised, 8/02)

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 for Higher Education 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 classified staff member. The Governor appoints nine lay members to this Board.

In fulfilling its obligations, the Board and the Commission are aided by an appointed professional staff, known as the Central Office. 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 1018 Kanawha Boulevard East, Charleston.

2. The President (revised, 8/06)

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.

3. Provost and Vice President for Academic Affairs (Revised, 8/11)

The Provost and Vice President for Academic Affairs is responsible for the overall leadership and general direction of the academic program and its endeavors from student recruitment through graduation. This includes instructional services in the colleges, departments, and academic units and all academic efforts throughout the university. The Assistant Vice President for Academic Affairs reports to the Vice President and the Vice President for Student Affairs reports to the Provost.

4. College Deans, (Revised, 8/05)

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 college dean, recommended by the Vice President for Academic Affairs and appointed by the President to four year terms. Such appointments are not permanent.

College deans provide leadership for and give general direction to their colleges. They

serve as liaisons between their colleges and the Office of Academic Affairs and work closely (as the Deans Council) with the 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. Specific responsibilities of deans are outlined in Appendix E in this Handbook.

5. Department Chairs (revised, 8/11)

It is the responsibility of department chairs to 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, 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 F in this Handbook. Department chairs are evaluated by deans; the evaluation form is included in Appendix G.

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 H, Institutional Policy # 3 in this 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.

6. Kanawha Valley Community and Technical College (KVCTC)

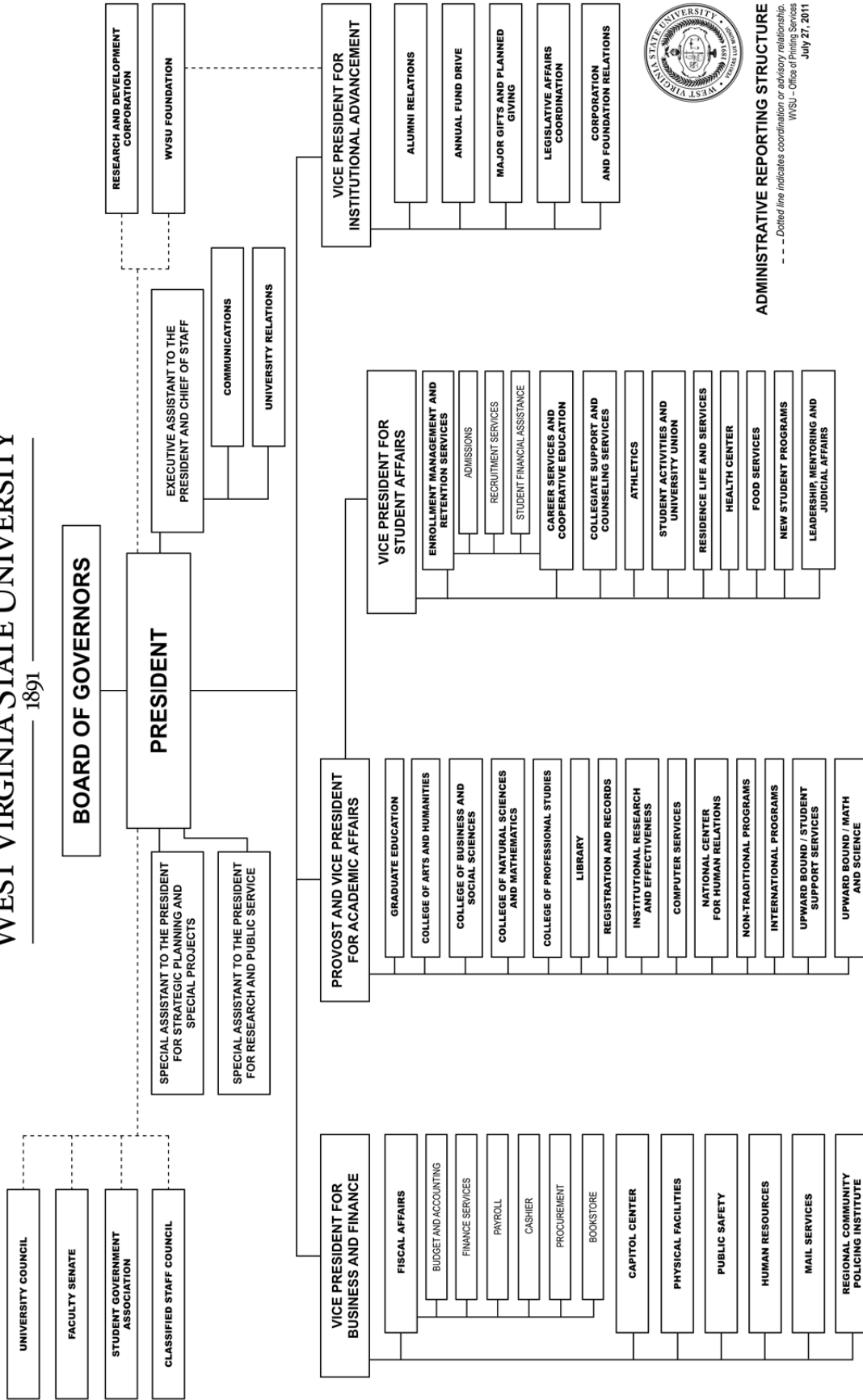
Kanawha Valley Community and Technical College is an independently accredited institution that currently shares space with the University. WVSU students who do not meet minimum scores on English or math placement instruments may take developmental classes as transient students at the KVCTC.

7. Institutional/Organizational Chart (See following page) (revised, 7/11)

The chart on the following page is the most recent organizational chart available.

WEST VIRGINIA STATE UNIVERSITY

1891



ADMINISTRATIVE REPORTING STRUCTURE
 --- Dotted line indicates coordination or advisory relationship.
 WVSU - Office of Printing Services
 July 27, 2011

SECTION B. FACULTY GOVERNANCE

1. Faculty Senate (revised, 8/11)

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 Appendix A).

2. Faculty Senate Committees (revised, 8/04)

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 Vice President for Academic Affairs on retention on all full-time tenure-track and temporary faculty.

Promotion and Tenure Committee -- Makes recommendations on to the 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 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 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.

More detailed descriptions of each standing committee can be found in the Faculty Senate Bylaws, included in Appendix A. In addition to the Senate standing committees, the University has also established many campus-wide committees with various purposes and functions. These committees include: the Budget Advisory Committee, Commencement Committee, Student Publication Committee, Enrollment Management Committee, Institutional Review Committee, Scholarship Committee, Fees Committee, Environmental Safety, Security and Parking Committee, Legislative Affairs Committee, etc.

SECTION C. FACULTY PERSONNEL POLICIES & PROCEDURES

1. 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.

2. Faculty Appointments (revised, 8/02)

Full-time faculty appointments are made in accordance with Title 133 Procedural Rule WV HEPC Series 9, which is reproduced in full in Appendix B. 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 B 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.

Continuing full-time faculty must be re-appointed each fiscal year if employment is to continue. New appointments and re-appointment may be for a nine or twelve-month period or a part thereof. Dates of appointment are determined by the University's academic calendar.

Notice of appointment is written in the form of a contract and contains the terms and conditions of employment. It is signed by the President and the appointee. A copy of the contract is retained by each party and filed in the Office of Academic Affairs.

3. Guidelines for Search/Hiring Faculty

Detailed guidelines for the search and hiring of faculty are included in Appendix D.

4. Notice of Appointment (revised, 8/10)

The Notice of Appointment contains the following elements:

- a. the title of the position and the rank;
- b. the salary;
- c. the dates corresponding to the months of annual employment;
- d. the agreement that the newly appointed faculty member will abide by the policies and procedures outlined in the Faculty Handbook;
- e. the department/program to which the faculty member is assigned.

5. Faculty Teaching Load (revised, 8/04)

While a completely 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. 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.

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 Vice President for Academic Affairs must approve these arrangements in advance.

6. Academic Freedom (From Title 133 Procedural Rule, Series 9) (revised, 8/02)

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.

7. Types of Faculty Appointments and Faculty Evaluation Procedures (revised, 8/05)

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.

A. 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 M.

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 Vice President for Academic Affairs who makes recommendations to the President on matters pertaining to re-appointment, promotion, and tenure. The procedures for merit are included in this section of the handbook.

B. Library track Faculty

WVSU's professional librarians are designated as library-track faculty members. Guidelines for evaluation and promotion are included in the *Librarian Faculty Handbook*. Library-track faculty are not eligible for tenure.

C. 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 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.

D. Term Faculty (8/08)

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).

E. 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.

8. Evaluation Criteria/Procedures (revised, 8/03)

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

A. 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 on the basis of 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.

B. 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.

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.

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.

2. **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.
3. **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.

C. Service to the University and Community

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

1. Active participation in university governance, especially faculty committees and meetings.
2. Helpful and generally supportive relations with faculty colleagues, so as to enhance the results achieved in departments and other academic programs.
3. Academic advising of students.
4. Recruitment of students.
5. Active advising of university honor societies and/or other student organizations.
6. Active participation in various programs of university life outside the classroom such as art, music, theatre, recreation, athletics, lectures, convocations, etc.
7. 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.

9. Retention (See also Title 133 Procedural Rule, Series 9, Section 10.) (revised, 6/07)

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 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; for faculty appointed on or before March 8, 2003 such notification must be postmarked and mailed no later than December 15 of the second year of service or at least one year before the expiration of an appointment after two or more years of service. For faculty appointed after March 8, 2003 after the decision regarding retention or non-retention for the ensuing year has been made, the faculty member shall be notified in writing of the decision by letter postmarked and mailed 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 C in this Handbook and is cited in Title 133 Procedural Rule, Series 9, Section 15. The University may also provide alternative procedures to those set out in W. Va. Code §29-6A for the resolution of conflicts.

10. Third Year Pre-Tenure Review (8/02)

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:

- A. 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.
- B. Submissions should include copies of previous annual reviews and materials required for tenure review as specified in Section C-11 under "Tenure."
- C. 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.
- D. The third-year review will replace the retention portfolio for that year.
- E. 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.
- F. 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.
- G. 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.

11. Promotion (See also Title 133 Procedural Rule, Series 9, Section 7.) (Revised, 8/11)

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 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 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 Vice President for Academic Affairs. After consideration, the Vice President then transmits his or her recommendation to the President for final action.

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 Dean's Council (excluding the applicant) to serve as the second level of review. The Deans Council recommendation together with the portfolio will be sent to the 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 twenty-four (24) semester hours or thirty-six (36) quarter hours beyond the Masters degree. These must be in the field appropriate to the faculty member's teaching assignment. The applicant must have evidence of at least three (3) 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 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 (5) years of teaching in a full-time appointment in higher education, three (3) of which must be "excellent" teaching experience at West Virginia State University

OR

Forty-eight (48) hours past the Masters 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 (5) years of teaching in a full-time appointment in higher education, three (3) of which must be "excellent" teaching experience at West Virginia State University.

PROMOTION TO PROFESSOR: 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 (5) years of teaching in a full-time appointment at the rank of associate professor, three (3) of which must be "excellent" teaching experience at West Virginia State University.

Appeals of promotion 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 C 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 W. Va. 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.

12. Tenure (revised, 8/2006)

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 as a result 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 appropriate bodies. The recommendations are made to the Vice President for Academic Affairs who, in turn, makes recommendations to the President. Early tenure recommendations (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) 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 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, Section 8 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 Vice President for Academic Affairs who then transmits his/her 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 C 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 W. Va. Code §29-6A for the resolution of conflicts.

13. Merit (revised, 8/11)

In 2001 the West Virginia State University Board of Governors adopted a salary policy, effective 10/01/01, 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 Office of Academic Affairs developed a plan for the distribution of merit salary increases and the faculty of each academic college developed the definition of meritorious performance. Although a common merit allocation instrument was in use between 2002 and 2009, that instrument is currently being revised by an Ad Hoc committee appointed by the VPAA and upon completion will be reviewed by the Faculty Senate. **Note: Merit is not automatic; faculty must apply for merit by submitting self-reports.**

14. **Sabbatical Leave** (revised, 8/05)

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. 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 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 Vice President for Academic Affairs) for their review by February 15. The Committee will forward a ranked list to the Vice President for Academic Affairs for further consideration.

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. The 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 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 T.

15. 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 N.

16. Leave for Consulting/Technical Assistance

Faculty at West Virginia State University are generally allowed one day per week for outside consulting without asking permission. All full time faculty are required to complete the "Outside Services Review Form" annually and return to the Office of Academic Affairs. This form is reproduced in Appendix O.

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 Office of Academic Affairs 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 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 P.)

17. 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 N)

18. Dismissal (Revised, 8/02)

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 full in Appendix B.

19. 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 1st.

20. Appeals/Grievances (Revised, 8/04)

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 C. The University may also provide alternative procedures to those set out in W. Va. Code §29-6A for the resolution of conflicts.

21. Emeritus Faculty (8/02)

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 GG.

SECTION D. FACULTY BENEFITS AND RETIREMENT

1. Salary Payments (revised, 8/08)

The University issues pay checks semi-monthly, either on the 15th and 30th of each month, or on the 16th and 31st of those months having thirty-one days. Faculty will be paid in 24 installments, paid over twelve months. Faculty may also elect the "direct deposit option" in order to have their paychecks deposited directly in their bank accounts by the WV 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.

2. Mandatory Payroll Deductions

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

- a. Federal Income Tax Withholding
- b. State Income Tax Withholding
- c. Social Security or Federal Insurance Contributions Act (FICA)
- d. Retirement

3. Optional Payroll Deductions (Revised, 8/11)

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

- a. WV Public Employees Credit Union
- b. Medical, Life & Accidental Death and Dismemberment Coverage administered through the WV Public Employees Insurance Agency (PEIA).
- c. Various Supplemental Insurance deductions
- d. United Way of Kanawha Valley
- e. WVSU Foundation
- f. Mountaineer Flexible Benefits - Dental, Vision, Disability, Flexible Spending Account (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 of time, no automatic deductions can be made. Special arrangements must be made to continue health insurance, etc.

4. Retirement Program (revised, 8/04)

West Virginia State University participates with Educators Money and Teachers Insurance and Annuity Association (TIAA) and College Retirement Equities Fund

(CREF) of New York in a retirement program for faculty. The agreement specifies that West Virginia State University will contribute an amount equal to six (6) per cent of the faculty member's regular salary to the retirement program. The contribution is fully vested in the name of the person and deposited semi-monthly. Each person indicates the portion to be invested in TIAA (fixed income investments) and the various CREF equity investments.

5. Life Insurance Program (revised, 8/04)

Faculty who enroll are covered by a basic life insurance plan at no cost. The amount of coverage is \$10,000 and is reduced to \$6,500 at age 65 and \$5,000 at age 70. Additional term life insurance is available for faculty and their dependents at low premiums. Contact the Payroll Office for further information.

6. Long-Term Disability Insurance (revised, 8/00)

Faculty are eligible for long-term disability insurance one month after date of hire, unless similar coverage has been in effect for at least 5 years (then, coverage is immediate). After 6 months of disability, faculty receive 60% 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 Payroll Office.

7. Hospitalization, Health, Accident Insurance (Revised, 8/00)

All full-time faculty members at West Virginia State University may participate in the Public Employee Insurance Association (PEIA) health plan or certain Health Management Organizations (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 Payroll Office has complete information regarding plan coverage, deductibles, etc.

8. Sick and Annual Leave

Faculty members on nine-month appointments do not accumulate sick or annual leave. Faculty on twelve-month appointments accumulate annual leave at the rate of two days per month; sick leave for twelve-month faculty is accumulated at the rate of 1.5 days per month.

Those twelve-month faculty wishing to take sick or annual leave must submit a "Request for Leave" using the on-line leave request system for approval by the Vice President for Academic Affairs. Twelve-month faculty may only take annual leave during periods when the University is not in session.

9. Reporting of Accidents and Physical Injuries (revised 8/11)

Any faculty member who is injured on the campus of West Virginia State University or in the performance of any work-related duties **must** report the incident to his/her department chair immediately and file a Workman's Compensation Accident Report with the Office of Public Safety within 24 hours of the event. These forms are available in the Public Safety Office. (A sample form is included in this handbook in Appendix W.) Faculty who witness accidents or injuries should call the Department of Public Safety at 304-766-3353 or 304-766-3181. Serious and/or life-threatening incidents should be called in to "911."

10. 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 would be 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 University disciplinary policies.

SECTION E. FACULTY RESPONSIBILITIES/POLICIES

1. Course Syllabi (revised, 8/06)

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 on-line courses should specify hours when they will be available on-line 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
- Course requirements (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.

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

2. Course Subject Matter (revised, 8/01)

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.

3. 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 will 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 Q of this handbook.

4. Meeting Classes

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

5. Absence from Class or from Assigned Responsibilities (See also Appendix R.) (revised, 8/04)

Faculty members who for any reason must be away from class or from their assigned responsibilities must notify their department chairs. If at all possible, this notification should be well in advance in order that instruction can be uninterrupted. Faculty absence forms (included in Appendix R 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.

6. Inclement Weather (8/07)

WV State University rarely closes because of inclement weather. When it does close, a notification will be placed on the WVSU website (www.wvstateu.edu) 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 U.

7. Office Hours

Full time faculty are expected to maintain ten (10) office hours per week, distributed so as 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 teaching on-line courses are expected to list specific times they will be available for on-line chats or discussion forums with students.

8. 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 (2) weeks prior to the date of the trip. The plan must include: the destination, date and

time of departure, mode of transportation, itinerary during the trip, 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 Vice President for Academic Affairs. (See Appendix S for the policy on field trips and a sample form to complete.)

9. Grading (revised, 8/05)

The grading system utilized at West Virginia State University is found in the University catalog. **Each faculty member is expected to include in each course syllabus the criteria upon which grades will be determined. Faculty members report grades on two occasions - advisory grades at the end of the seventh week of the semester and final grades at the end of the semester. Only advisory grades of "D" or "F" are reported. Grades for those students earning a "C" or better are not reported. Even if the faculty member has no grades of "D" or "F" to report, the electronic advisory grade form must be returned to the Registrar's office.**

Final grades for prospective graduates must be submitted to the Registrar within twenty-four (24) hours after the final examination is given and within forty-eight (48) hours for all other students. All faculty are issued PIN numbers and passwords to access the University's Banner Web system. This system allows faculty to access certain student and classroom records and to post their final (and mid-term advisory) grades via the Web. A copy of each final grade report (printed out after the grades are posted) is to be filed with the department chair.

Incomplete grades may be given if requested by the student. The proper form should be filled out by the instructor and approved by the department chair or program director. The form is then sent to the Office of Academic Affairs. Incomplete grades are to be given only in exceptional circumstances and only after the student has completed a significant part of the course with a passing grade. Requests for a grade of "Incomplete" ("I") should be initiated by the student. The deadline for completion of work to remove an "I" grade is set by the instructor and should not extend beyond the end of the following semester.

If a student withdraws from a class through the end of the tenth week, the student receives a grade of "W". Students cannot withdraw from a class after the tenth week without permission of a college dean.

10. Final Examinations

A final examination or appropriate evaluative instrument is to be given in each class at the time and place designated by the Office of the Vice President for Academic Affairs. Faculty may not change the date and time of their final examinations without prior approval of the Office of Academic Affairs. Faculty are urged to ensure that the final examination or evaluation plan be consistent with the subject matter and objectives and scope of the course. The final examination or its

alternative should provide an opportunity for the student to demonstrate his/her 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.

11. Final Grade Challenges (revised, 8/07)

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

12. Procedure for Changing Grades (revised, 8/02)

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 Registrar's Office. Department chairs and college deans must approve and sign this form, which is forwarded to the Office of Registration and Records.

13. Academic Integrity (5/2005)

The faculty policy on academic integrity (including definitions of plagiarism and other forms of academic dishonesty) is included in Appendix X.

14. Academic Advising

All faculty members are expected to advise students. Advisees will be assigned to instructors by name. They may either be majors in the instructor'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:

- a. 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.
- b. 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.

- c. **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.
- d. **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.

15. **Travel** (revised, 8/02)

All faculty 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 student interns, blanket notification is sufficient; however the actual dates of the travel should be supportable by office 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 their expenses. Faculty members who must travel in-state in the performance of their duties (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. See the Fiscal Affairs Office for further information.

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. These plans must be approved in advance by the department chair.

Faculty who wish to sponsor trips outside the United States should request permission of the 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 each student and the department chair and dean at least two (2) 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 Y.

16. Commencement/Academic Regalia (revised, 8/01)

Commencement is held twice yearly: May and December. All faculty are expected to participate in both commencements unless excused by the Vice President for Academic Affairs. Faculty are to be in academic regalia for both commencements. It is the responsibility of each faculty member to order their own academic regalia. Information on renting or purchasing caps and gowns can be provided by the Office of Academic Affairs or the Office of the Registrar.

17. Work in Offices after Hours and Weekends

Faculty members who are in their offices or in any campus facilities at other than regular hours of operation are asked to notify campus security (telephone 304-766-3353 or 304-766-3181) of arrival and departure.

18. Parting Obligations (revised, 8/05)

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

- Secure written clearance of obligation from the University Library, the audio-visual center, University Inventory, Computer Services 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 Computer Services 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 Vice President for Academic Affairs:

Please 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

1. Faculty Development

West Virginia State University has a comprehensive faculty development program, which actively encourages and promotes the professional development of its faculty. Several types of grants to faculty 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 Office of Academic Affairs.

2. Cooperative Education (revised, 8/08)

Cooperative Education is a program through which students may earn academic credit and a salary working at a part-time 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. In order to earn the academic credit for co-op there must be significant new learning at the job site during the semester, and the student is required to complete other specific assignments. 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 office website at <http://student.wvstateu.edu/cscoop/>.

3. Office of Institutional Research and Effectiveness (8/11)

The purpose of the Office of Institutional Research and Effectiveness (OIRE) is to support the academic mission of the University by coordinating campus-wide efforts to improve learning and teaching effectiveness through research, evaluation, and assessment and at classroom, departmental, and institutional levels. To accomplish this mission, OIRE is committed to fostering a meaningful and purposeful assessment culture that is faculty and staff driven and exists to enhance learning and teaching. This effort requires a successful integration of knowledge, skills, and attitudes from various domains such as learning, pedagogy, measurement, research, and evaluation. In order to support development in these areas, faculty and academic departments are offered various services and resources provide and supported by OIRE.

In the domains of learning and pedagogy, there are several activities available to departments and faculty such as assessment training, workshops, surveys, and seminars are provide for faculty and staff at their request. Many departments have attended

workshops on program assessment practices; however, faculty can obtain additional assessment and data related training upon request. Department faculty also have access to our learning, teaching, and assessment resources (e.g., books, abstracts developed by OIRE staff, literature reviews, etc.).

Faculty and departments can also find assistance in the areas of measurement and research. OIRE can assist departments in developing and validating comprehensive exams, choose the best standardized test or other assessment for a program or discipline, develop rubrics, gauge student satisfaction through focus groups, and create useful surveys and questionnaires in order to assess programs. Currently the OIRE administers and reports the results of two surveys: WVSU Graduate Exit Survey (GES) and Incoming Freshmen Survey nationally published by Cooperative Institutional Research Program (CIRP).

In addition to assisting with selection, development, and validation of assessment measures, the OIRE can assist departments in developing designs for research questions pertaining to learning, teaching, assessment, and accreditation. OIRE can also assist departments with interpreting and managing data. Once data for research questions are analyzed, we will work collaboratively with the department to make recommendations for change where appropriate. This process allows the data gathered from the measures to become information that are used for program improvement.

Departments can also obtain assistance during periods of program evaluation or specialized accreditation. Our newly adopted assessment data management system (LiveText) houses assessment data in one centralized location, allowing more interactive data search and retrieval as well as easy printing of useful assessment reports at the end of the evaluation cycles, which makes the assessment portion of these reviews more informative and less cumbersome.

Further inquiries concerning services or resources offered by the Office of Institutional Effectiveness, Research, and Assessment should be emailed to Dr. Barry Pelphrey (Director) at bpelphrey@wvstateu.edu. The Center's staff can also be reached by phone at 304-766-4186. OIRE is located on the second floor of the Campbell Conference Center.

4. Center for Instructional Technology ^(8/11)

The Center for Instructional Technology (CIT) mission is to assist faculty members at West Virginia State University (WVSU) use those educational technologies that help support their teaching and increase the learning and retention of their students.

CIT efforts fall into three categories:

1. Provide training and support to faculty and students for the campus learning management system, and other University licensed learning technologies
2. Review and report on developments in educational technology
3. Consult on the selection of academic computer hardware and software.

First, under training and support, the CIT offers faculty training workshops on WVSU's learning management system (LMS), and provides one-on-one training with instructors by appointment as time allows. The current LMS in use at WVSU is Blackboard Learning System CE 4 (usually still referred to as WebCT 4.1). WebCT 4.1 is hosted locally. During the course of the 2011-2012 academic year, WVSU will migrate to the Sakai LMS, hosted and supported externally by rSmart at a state-of-the-art data center.

To allow time for faculty to prepare/update their online content, WebCT course sites are created at least a month before the end of any current semester for every course offered at WVSU that has a "WEB" tag associated with it in the Banner student information system. A description of the WEB tags can be found at the bottom of the page at <http://cit.wvstateu.edu/online.html>

Students are loaded into their courses automatically at the start of the semester. CIT also works with instructors to combine sections into a single course shell if desired, and transfer content from previous semesters.

CIT also provides WebCT Helpdesk support for both faculty and students. In addition, the CIT licenses other campus-wide technologies such as the Turnitin plagiarism prevention service and the Respondus quiz and survey software that integrates with the LMS, and provides workshops on their use.

The faculty can take Sloan-C Online Workshops free of charge through the CIT's College Pass subscription, as well as gain access to the Premium areas related to online learning and blended courses on the Sloan-C main website.

Second, the CIT studies instructional technology trends, advances, best practices, and lessons learned as shared by the higher education community. The CIT then reports to faculty and administrators on those developments most likely to be of use to faculty and students at WVSU.

Third, the CIT works with the faculty and administrators, and the Computer Services Department to develop the specifications used for yearly purchases of computers for faculty and, as requested, helps develop specifications for computers in classrooms and labs. CIT also works with faculty to evaluate, select, and find the best prices for educational software.

CIT training resources include the CIT Faculty Training Lab in Wallace Hall 222, and the Advanced Projects area in Wallace 227. The CIT Lab is a 24-computer training facility; its primary use is for face-to-face faculty training workshops.

It cannot be scheduled as a classroom, but when its use as a faculty training facility allows, it can be scheduled to provide your students with orientations to WebCT or other learning technologies (such as *Turnitin*) that require computers and the Internet. When scheduling permits, it can also be used for the some or all of the 1 to 4 face-to-face meetings in WEB-80 classes.

The Advanced Projects area has several computers loaded with higher end multi-media development and editing programs that faculty can use to either develop a special media project or hone media development skills under the guidance of CIT staff. Use of this lab is by appointment.

For more information on what software is available on the Advanced Projects computers contact David Bennett, the CIT Operations Manager at davidb@wvstateu.edu or 304-766-3170.

For general help and information on the WVSU LMS, contact David Bennett or Daryl Grider. Contact information is below:

<u>Bennett, Mr. David</u>	<u>Grider, Dr. Daryl A</u>
<u>Instructional Technology Operations Mgr.</u>	<u>Director CIT</u>
<u>CIT Department</u>	<u>CIT Department</u>
<u>227 Wallace Hall</u>	<u>231 Wallace Hall</u>
<u>Ext.: 3170</u>	<u>Ext.: 5702</u>
<u>davidb@wvstateu.edu</u>	<u>griderda@wvstateu.edu</u>

To learn more about CIT services visit the CIT website at: <http://cit.wvstateu.edu/>.

5. Office of International Affairs (revised, 8/04)

The Office of International Affairs (OIA) was established in the fall of 1998, thanks to a grant from the United States Department of Education's Undergraduate International Studies and Foreign Language Program. Its mission is to serve WVSU in increasing and promoting global awareness at the WVSU campus and to serve as a resource and liaison between WVSU and the greater community. The International Studies (IS) program at WVSU, coordinated by the OIA, places its focus on the following: international exchange (international student recruitment and advising, study abroad programs, and faculty exchanges), curriculum development, research and service, and campus activities.

6. The University Library (revised, 8/11)

Drain-Jordan Library (<http://library.wvstateu.edu/index.html>) has been a center of educational activities on the West Virginia State University campus since 1951. Its purpose is to support the educational mission of the University by advocating the University's intellectual inquiries and scholarship. Some of Drain-Jordan's resources include books and journals (in both print and electronic formats), an electronic teaching lab, and a variety of technological and pedagogical tools.

Faculty members are encouraged to use the Drain-Jordan Library and to foster their students' information-seeking and discovery 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.

Borrowing Privileges

Please apply for borrowing privileges at the circulation desk. A valid faculty ID card, which will be activated as your library card, must be presented at the time of application. Faculty may check out books varying lengths of time, 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 on their library barcode 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 seven (7) days before the items are assigned to students. Forms for placing items on Reserve are available at the Circulation Desk or online at <http://library.wvstateu.edu/reserveroom/index.html> Please contact the Circulation Department if items are to remain on Reserve through the following semester. Otherwise, items placed on Reserve must be picked up by the end of the semester. Items not picked up or designated for on-going Reserve will be mailed to the faculty member's campus address.

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 "chat" Ask-A-Librarian services, accessible on the library's website from the homepage via the appropriate link or through <http://library.wvstateu.edu/askalibrarian.html> Email responses may take as long as 48 hours; chat service is completely interactive when a librarian is on duty.

The Reference collection includes current print materials (including 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 are not checked out to students. Faculty may check out reference materials for 24 hours. Please stop by the Reference Desk to do so.

Library Instruction and Information Literacy

Another major service provided by the Library faculty is the provision of orientation services and research instruction or “information literacy instruction” for your students. 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 indexes, library web pages and government resources. Librarians also prepare handouts and gather subject-related material for advanced classes. Most instruction classes include library tours and practice in database searching in the Library’s Electronic Teaching Center (ETC). Additionally, librarians conduct instruction from non-library classrooms. Faculty, students, and staff can find instruction information under the link *Scheduling Library Instruction Classes* <http://library.wvstateu.edu/BibliographicInstruction.html> from the library’s home page. Please schedule all classes meeting in the Library with the Instruction Librarian at least one week in advance. She may be reached at 304-766-3158.

The Collections

The Drain-Jordan Library currently owns over 200,000 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 subscribes to over 750 periodicals and provides access to full-text articles from online databases. A complete listing of all periodicals and their formats (microform, CD, online) is updated regularly and is available in the library and online (<http://library.wvstateu.edu/periodhl.html>). Faculty may check out paper periodicals for a 24-hour 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 catalog or the Library Periodical Holdings List.

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 (<http://library.wvstateu.edu/illloan.html>). ILL forms must be 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.

Collection Development

Faculty play a major role in developing and maintaining the strength of the library's collections. Faculty members and department chairs work with their library liaisons to develop relevant collections in their respective subject areas. Each department is usually given a library budget allocation for the academic year. Faculty recommend titles to their department chairs for purchase. They may also recommend titles to be purchased for the library's periodicals collection.

Archives

Located on the second floor, 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 11:00-3:00 Monday, Tuesday, Wednesday, and Friday, and 1:00-4:00 Thursday. After hours appointments may be made by calling 304-766-3218.

Instructional Materials Center

The Instructional Materials Center (IMC), located on the ground 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 include 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. Additionally, the Center has a Promethean ActivBoard similar to those currently used in West Virginia public school classrooms. The IMC and the ActivBoard may be reserved by faculty for instructional purposes by contacting the Instruction Librarian at ext. 3158. The IMC is open during regular library hours.

Equipment

The library has over 50 desktop and laptop computers for use by University students and faculty. They are configured with standard MS and OpenOffice software for use of the internet, email, and standard productivity applications. The library also has two

workstations and appropriate software for campus ADA needs. Laptop computers may be checked out with a University ID for in-house use only.

The library provides laser black and white and laser color printers networked for these systems. Additionally, the library has nine basic scanners and two microform scanners as a further service to our users. There are three copiers available in the lobby area; black and white computer printouts and photocopies are 10¢ per page; color computer printouts are 50¢ per page. Two typewriters, located in the second floor group study room, are also available for public use. Please check at the Reference Desk for access to the typewriters.

Library Hours: <http://library.wvstateu.edu/djlhours.html>

Normal library hours during the academic year are:

<u>Monday - Thursday</u>	<u>8:00 AM - 10:00 PM</u>
<u>Friday</u>	<u>8:00 AM - 5:00 PM</u>
<u>Saturday</u>	<u>10:00 AM - 5:00 PM</u>
<u>Sunday</u>	<u>1:00 PM - 9:00 PM</u>

Holiday and summer hours are listed on the Library's homepage and are posted at the Library's entrance. The Library's telephone number is 304-766-3116.

7. Educational Technology Center (formerly known as Ed-net) (revised, 8/10)

Educational Technology Center (ETC), a division of WVSU's College of Arts and Humanities, located in the Thomas W. Cole, Jr. Complex, is a telecommunication facility that maintains and supports podcasting and chat servers, an electronic classroom for two-way video conferencing, a telephone conferencing bridge and non-linear editing system for WVSU. The Cole Complex also houses, a television production studio, and film editing/animation room for students in the communications and media studies programs.

ETC provides technical support for the campus radio station and television production classes. Continuing education and staff faculty development are enhanced by the use of teleconferences, which are produced and distributed from the ETC facility.

ETC also assists the faculty of WVSU by serving as a video resource center. Faculty wishing to utilize the services of the Educational Technology Center should call 304-766-4171.

8. Audiovisual Services

Computer Services 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 AV web page at <http://www.wvstateu.edu/computer-services>. The Center and its AV equipment are located on the first floor of Hamblin Hall, telephone extension 304-766-3261.

9. Computer Services/Labs (revised, 8/11)

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:

- a. Business and Economics Lab - HH-119
- b. Chemistry Computer Classroom/Lab – H-312
- c. Communications & Media Studies Digital Video Lab – B-119
- d. Computer-assisted Writing Laboratory - A-315 & 316
- e. Education Computer Lab – W-623
- f. Fine Arts Computer Graphics/Digital Music Lab - D-212
- g. Internet Access Lab - 1st Floor, Hamblin Hall
- h. Math Lab - W-420 and W-723
- i. Media Studies Graduate Digital Video Lab – B-315
- j. Psychology/Social Work Computer Lab – W-930
- k. Social Sciences Computer Lab – HH 318

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 Computer Services. Any office or department that has need of computer repair should contact the Computer Services at 304-766-3261.

10. FAX Service

The FAX machine in the Office of Academic Affairs is available for faculty wishing to send or receive electronic facsimiles. The FAX number is 304-766-4127.

Other campus FAX machines are listed in the University's Staff Directory, published each semester.

11. Internet Access, Email & Faculty Web Pages (revised, 8/06)

Every building and practically every office on campus is wired to the campus computer network. All WVSU faculty have a computer on their desks which is Internet-capable. Email accounts are available to all WVSU faculty and staff and all currently enrolled students. These accounts allow for email and Internet browsing and include web page space. (Most faculty computers now include a pre-installed Ethernet card and Ethernet patch cables.) Additional computer account functionality can be arranged through Computer Services. Faculty can pick up an application from the bulletin board located next to Hamblin Hall Room 120.

West Virginia State University's web site address is <http://www.wvstateu.edu>. Most faculty email accounts can be addressed to name@wvstateu.edu. Many departments have already developed web pages and interactive sites for their students and faculty and more are expected online during the upcoming academic year. Class-related web pages are stored under separate accounts reserved for specific classes. For further information, contact your department chair or program director.

SECTION G. UNIVERSITY SUPPORT SERVICES

1. Planning and Advancement (revised, 8/11)

Planning and Advancement was created to coordinate the institutional planning process; strengthen instructional, research, and support functions by fostering grants, major gifts, and planned gifts; enhance the image of the University and its programs through a comprehensive public relations, news services, publications, and advertising program; coordinate Private resource giving/investments, institutional data collection, analysis, and reporting; and coordinate. [East Hall – 304-766-3020.]

Functions in Planning and Advancement include:

Advancement - oversees all philanthropic activities related to major individual donors, corporations, and foundations. Develops and coordinates plans for endowments, major donations, and planned giving as well as all institutional major fund raising initiatives (as a prime example: capital campaigns).

Alumni Relations – coordinates communication with Alumni Chapters and individual alumni.

Legislative Affairs – coordinates the University’s interaction with federal and state government.

2. West Virginia State University Land-Grant Programs (revised, 8/11)

Land-grant institutions were established under the provisions of the Morrill Acts (also known as Land-Grant Acts) of 1862 and 1890. West Virginia State College (WVSC) 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 higher education institutions.”

West Virginia was one of the six original states to establish a new land-grant college under state control and WVSU 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 and on March 5, 1957, instructed the state legislature to transfer personnel and expense funds to West Virginia University, the state’s 1860 Land-Grant Institution.

After nearly 50 years of alumni and legislative effort to regain land-grant status, on March 17, 2000 President Hazo W. Carter, Jr. established the Department of Land-Grant

programs as the University's lead land-grant administrative area responsible for carrying out the University's land-grant mission. The Department of land-grant programs was 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 the Division of Agricultural, Consumer, Environmental, and Outreach Programs (ACEOP) 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. The Institute is comprised of three programmatic divisions: West Virginia State University Extension (1890 Extension), West Virginia State University Agriculture and Environmental Research Station (1890 Research), and The Center for the Advancement of Science Technology, Education and Mathematics (CASTEM). There are also three support departments: Business and Finance (B&F), Communications, and Human Resources (HR). The Institute is now housed in the President's Office.

“The mission of the Division of Agricultural, Consumer, Environmental and Outreach Programs 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 economic challenges.

For more information on the Division of Agricultural, Consumer, Environmental, and Outreach Programs, call 304-766-4291 or email Land-Grant@wvstateu.edu.

3. The University Health Center (revised, 8/07)

The Health Center is located in the James C. Wilson University Union. Health Center services are available to all students enrolled in six (6) or more credit hours and have a current ID card. Students enrolled in less than six (6) hours, faculty, and staff members are seen on a minor emergency basis. The services are provided at no cost for on-campus treatments and medicines. The Center is open from 8:00 a.m. to 4:00 p.m., Monday through Friday. The university physician's clinic time is 12:30 p.m. on Monday, Tuesday, Thursday, and Friday. The nurse is on-call during the non-operating hours for emergencies only.

4. Career Services (revised, 8/08)

The Career Services and Cooperative Education Office makes available services in the areas of career counseling, assistance in finding part time employment, testing, and job search skills 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 on-line career library.

Student Employment. The staff assists students seeking employment through job referrals, job fairs and a current list of employment opportunities which can be found on the office website (<http://www.wvstateu.edu/cscoop/>). Students who are awarded Federal College Work-Study as part of their financial aid package will be placed at appropriate job assignments both on and off campus.

Testing Services. Students with strong academic backgrounds (ACT score 25+) or those interested in self study may want to accelerate their studies through the Standardized Testing Program. West Virginia State University through the College Level Examination Program (CLEP) and DSST program offers more than 50 standardized tests for which eligible students (who receive certain minimum scores) can receive academic credit. Information on ACT and the Praxis Series examinations is available along with resources on graduate and professional school tests.

Job Search Skills. The office assists students in developing resumes, interviewing skills and job search strategies. Online resources are available on the office website at <http://www.wvstateu.edu/cscoop/> as well as in room 216 Wallace Hall. A career counselor is available, by appointment, for individual assistance. On-campus interviews are also scheduled through the office.

For assistance students are encouraged to contact the Office of Career Services and Cooperative Education at 216 Wallace Hall, on the web at <http://www.wvstateu.edu/cscoop/> or by calling 304-766-3250.

5. Collegiate Support Services and Counseling Center (revised, 8/04)

The Collegiate Support and Counseling (CSC) unit provides numerous programs to the University. Located on the first floor of Sullivan Hall East (web site: <http://www.wvstateu.edu/collegiate-support-counseling>), the unit houses the offices of Disability Services, Multicultural Affairs and Ombudsman Services, Mental Health and Substance Abuse Counseling, and the Academic Assistance, which offers a peer-tutoring program and other academic development programs. Diagnostic testing is also available utilizing CSC's psychologist. Faculty should refer students experiencing academic, social, emotional, or mental health difficulties. Referrals can be made via e-mail at

toledo@wvstateu.edu or by calling 304-766-3168. There is no fee for any services provided by CSC.

6. I.D. Cards (revised, 8/05)

The Department of Public Safety (located in Wallace Hall) issues photographic identification cards to faculty members. These cards entitle them to admission to various campus sporting events and discounts from various local and national businesses. The ID cards are currently coded for use at the Library and Food Services.

7. Campus Parking

On-campus parking is available in several locations. The Department of Public Safety publishes information regarding parking in "Parking Rules and Regulations." All vehicles must be registered with the department and must bear a valid parking sticker (See Institutional Policy # D-3-2-0). Arrangements for temporary parking permits for guest speakers, etc., can be made by contacting Public Safety at 304-766-3353.

8. Campus Security

The University 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 Public Safety Office is located on the first floor of Wallace Hall. Officers are on duty twenty-four (24) hours a day and may be reached by calling 304-766-3353 during working hours and 304-766-3181 after hours.

9. Design Resources (revised, 8/10)

Communication Production designs and produces posters, flyers and lettering of various types. Brochures are also designed by the Center. Contact 304-204-4034 for further information.

10. Physical Facilities (revised, 8/08)

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.

Requests for routine maintenance and repairs should be communicated by work order to the Physical Facilities Work Control Center (304-766-3181) through the Building Coordinator. Requests for academic building renovation and improvements, relocation of offices and procurement of door keys must be approved by the Vice President of Academic Affairs. These requests can be submitted via a Work Order available from the Building Coordinator. Physical Facilities also has on-line Work Orders available. 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 (304-766-3181 or 304-766-3183) at Physical Facilities.

11. Purchasing (Revised, 8/05)

University regulations require that purchasing must be done through the Purchasing 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.

Special VISA purchase cards are now available for departments and academic units for expenditures under \$1,000. Contact your department chair or program director for further information.

12. Mail (revised, 8/04)

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 Department of Graphic Communications, the Mail Center, or Computer Services for bulk mailing suggestions.

13. Telephone Services (revised, 8/00)

Telephones are provided in every office for local calls or university-related long distance calls. Regulations regarding university-related long distance calls can be obtained from department chairs. Only business-related long distance calls are permitted.

14. Duplicating Services (revised, 8/08)

Copy machines are conveniently located throughout the campus. Check with departmental secretaries for instructions. Codes are needed to access copier; faculty may request personal codes by e-mailing the request to sharper11@wvstateu.edu.

15. Internet Services (8/10)

This service provides departments, offices, and areas with webpage creation and updates. Contact the Department of Computer Services at 304-766-3261 for further information.

16. Printing Services (8/04)

General printing (which includes binding, color copying, and other services) for the university is done by the Printing Services, located in Jones Hall. Requests for printing

are submitted on a special requisition form (available from Printing Services) which must be signed by the unit chair, assigned an account number for tracking purposes and submitted to Printing Services. Costs for printing will be charged back to each department.

17. University-owned Vehicles (revised, 8/11)

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. 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 Z. For further information regarding the BRIM test, contact Fiscal Affairs at 304-766-3241.

18. Convocations and Cultural Activities

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 in the Cultural Activities Events calendar.

19. Sports and Recreational Facilities (revised, 8/04)

The University invites the faculty to use the tennis courts, track, natatorium, fitness center and other recreational facilities. While the fitness center charges a membership fee, most other services are available to faculty without charge. Inquiries regarding the fitness center, which is located in the Wilson University Union, should be directed to the Office of Student Activities at telephone extension 3288. Information requests on all other facilities should be directed to the Department of Athletics at extension 304-766-3165.

20. Housing (revised, 8/11)

Located at the south end of the campus are university-owned homes that are available for rent to staff and faculty members. Charges are payroll-deducted on a monthly basis. Persons interested in making application for residency in one of the homes should contact Fiscal Affairs at 304-766-3241. Note: There is a finite length of time for rental of university-owned homes.

21. Facility Usage (revised, 8/11)

As a service to the community, the University sometimes permits its facilities to be utilized for meetings and other events. Information regarding costs and reservations can be obtained from Business & Finance at 304-766-3061, Student Activities at 304-766-3288, or calling the appropriate administrative office (depending on the facility being

requested). Under no circumstances are faculty or staff 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 by referencing the Events Scheduler quick link on the University web pages.

22. University Food Services (revised, 8/04)

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” link on the WVSU homepage.

23. Campbell Conference Center

The Campbell Conference Center is the site of various academic meetings and discussions and is reserved mainly for the use of faculty for academic functions. Requests to use the facility are made through the Office of Academic Affairs at 304-766-3145.

The Center may be used for informal meetings, seminars, and discussion groups of up to 25 persons, and for receptions of no more than 30-35 persons.

SECTION H. INSTITUTIONAL POLICIES

1. Key Control (revised, 8/08)

The Vice President for Academic Affairs is responsible for requesting from Physical Activities 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 which will be sent to the appropriate college dean for initialing and transmission to the Vice President for Academic Affairs. When the key has been cut, arrangements will be made through the dean or and department chair/program director for the faculty member to sign out 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.

2. Smoking (revised, 8/04)

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 of 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, and libraries, hallways, elevators, lounges, multi-person work areas, waiting rooms, health center, conference center, indoor athletic facilities, the bookstore, and 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.

3. Children in Classes (revised, 8/11)

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:

- 1. 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;**
- 2. 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;**
- 3. 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 Assistant Vice President for Academic Affairs and by staff members to the Vice President for Business & 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.

4. Student Misbehavior (revised, 8/03)

Policies on student misbehavior and disruption in the classroom are included in both the University Catalog and the Student Handbook ([The Buzz](#)). Suggested guidelines (revised in 2003) for faculty are reprinted in Appendix AA. Information on professional liability coverage is included in Appendix BB.

5. Sexual Harassment (revised, 8/07)

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 DD. A copy of the WVSU complaint procedures for harassment/discrimination is included in Appendix EE 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 304-766-3156.

6. Classroom/Laboratory Safety (revised, 8/01)

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 which 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.**
- C. Emergency procedures are developed, printed and clearly communicated to all who work with dangerous items.**
- D. Material 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 Health Center, no matter how slight the injury seems to be. Call the Health Center at 304-766-3323 so that initial treatment, assessment, and a recommendation can be made if the situation allows. Dial 911 for an ambulance if the condition of the individual(s) warrants immediate health care.**
- G. An accident report (See Appendix W) is filed with the Academic Affairs Office within twenty-four (24) hours after the accident has occurred. In addition, the Fiscal Affairs Office and the WVSU Department of Public Safety should be notified.**
- H. Mishaps with equipment or hazardous materials that do not involve injury**

are reported to the 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 Security (304-766-3353) or Emergency Service (# 9-911).

J. Hazardous materials are to be disposed of properly.

Faculty should familiarize themselves with the existing documents describing precautions necessary to make the workplace a safer environment.

An important part of the West Virginia State University commitment to a safe workplace is the WVSU Emergency Response Plan. Please find a summary of this plan below.

The Fire Marshall's codes for colleges and universities can be found in the Institutional Policies and Procedures Manual located in each dean's office, the Office of Academic Affairs and the Office of Business & Finance.

The West Virginia State University Hazard Communication Program Booklet entitled "Chemical Safety in the Workplace and Classroom" outlines the applicable provisions of environmental laws and regulations relative to the use and disposal of hazardous materials. A copy of this document may be found in the Office of Business & Finance and the Office of the College of Natural Sciences and Mathematics, H-101.

Faculty in the School of Natural Sciences and Mathematics are required to adhere to the laboratory safety policies, procedures, and tips found in the booklet entitled "Safety Program for Science Department." Other faculty may find this document helpful. This pamphlet may be obtained from the Office of the College of Natural Sciences and Mathematics, H-101.

7. Emergency Response Plan (revised, 8/11)

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 most safe 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.

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 situation. More Emergency Services information can be found on the WVSU web page (www.wvstateu.edu) under the Administration drop-down menu.

8. 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 FF.

9. Institutional Review Board (5/2005)

The West Virginia State University Institutional Review Board 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 as well as to insure the 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.

Typically a University-level IRB categorizes research proposals as “exempt,” “expedited,” and “subject to full review,” and the WVSU-IRB accepts these categories. However, the WVSU-IRB requires all research involving human or animal subjects to be formally proposed and explained to the IRB; in the application process researchers may request “exempt,” “expedited,” or “full review.” The full policy and application form—and definitions of these terms—can be found in Appendix HH.

Appendix A

**CONSTITUTION OF WEST VIRGINIA STATE UNIVERSITY
FACULTY**

CONSTITUTION OF THE WEST VIRGINIA STATE UNIVERSITY FACULTY

We, the members of the faculty of West Virginia State University, in order to establish an orderly process whereby the academically related groups of the University may share in the determination of educational policy so that the purposes of West Virginia State University may be fully realized, do hereby ordain and establish this constitution.

ARTICLE I: NAME

The name of this organization shall be the West Virginia State University Faculty and its governing body shall be termed the West Virginia State University Faculty Senate.

ARTICLE II: POWERS

The Senate shall be the delegate assembly of the faculty, through which the faculty shall normally exercise its powers, provided the Senate constitutes a quorum. Quorum is defined as "a simple majority of elected members of the Senate." (amended 4/1998) The Senate shall be vested with executive, legislative, and judicial powers necessary to act for the faculty. Upon written request signed by 20% of the electorate and submitted to the Chairperson, the faculty shall be convened with power to act as a legislative body. Its actions, which must be consistent with the rules specified in this Constitution and Bylaws, supersede any actions taken by the Faculty Senate. Upon receiving the written request of 20% of the electorate, the Chairperson shall call a meeting of the electorate within two weeks of the request.

ARTICLE III: DUTIES

The Senate shall be empowered to take action on the following matters of educational policy, subject to review by the faculty, and by the President as so provided hereinafter.

- A. It shall review established policies, consider new policies, and study matters of concern to the students and/or faculty members.
- B. It shall recommend in matters relating to educational policy, including admissions, curricula, and criteria for the granting of degrees. It shall analyze established and proposed policies of instructional standards and consider variations in policy in exceptional areas.
- C. It shall recommend procedures for the selection and retention of department chairpersons and other educational matters pertaining to the university.
- D. It shall advise the President in the recruitment, the appointment, promotion and tenure, and dismissal of faculty members.

- E. It shall advise the President in budgetary matters and programs concerning faculty welfare, including salaries, leaves, sabbaticals, and other fringe benefits.
- F. It shall provide the faculty with a digest of all Senate Meetings and Senate and Committee actions.
- G. It shall be responsible for the maintenance of adequate communication between the faculty and the administration. Any member of the faculty may request any member of the Senate to transmit to the Senate for discussion and possible action, topics coming under the jurisdiction of the Senate.
- H. It shall be responsible for the organization of Faculty Committees.

ARTICLE IV: ORGANIZATION AND MEMBERSHIP

- A. Ex-Officio Members: The following *ex-officio* members shall be non-voting members of the Senate: the Vice President of Academic Affairs, the President of the Student Body, the President of the University, and Dean of Academic Affairs (amended 3/2003), the chair of the Council of Classified Staff. (amended 11/2001)
- B. Elected Members
 - 1. All elected members of the Senate shall be full-time faculty members, including deans and department chairpersons, other members of the faculty who would normally qualify except for special temporary assignments, and full-time librarians and counselors. Members shall be eligible for reelection.
 - 2. For the purposes of division/college representation, the librarians and counselors shall be considered as a division. Each division/college shall elect its Senators. Every division/college shall be represented by at least two Senators. Each division/college shall elect an additional Senator for each 15 members above the number of 14; so that a division/college with 16 to 30 members will elect a third Senator, a division/college with 31-45 members will elect a fourth Senator, and so on. (amended 9/2003)
 - 3. One Senate alternate shall be elected from each division/college. Senate alternates may be called upon to serve during the summer school term and at any time when a quorum of regular senators cannot be assembled. Senate alternates may serve on Faculty Standing Committees.
 - 4. The Faculty Representatives to the Advisory Council of Faculty, and to the Institutional Board of Governors of West Virginia State University, shall be, by virtue of election to these positions, voting members of the Faculty Senate. (amended 5/2002)

ARTICLE V: ELECTORATE (amended 3/2003)

The electorate is comprised of full-time members of the faculty, including department chairs, deans, and other members of the faculty who would normally qualify except for special temporary assignments, and full-time librarians and counselors.

ARTICLE VI: ELECTION

Elections shall be conducted by the faculty according to procedures set forth in the Bylaws to this Constitution.

ARTICLE VII: OFFICERS OF THE SENATE

- A. The Chairperson of the Senate shall be an elected Senator and shall be the Faculty Chairperson; this Chairperson shall be elected annually by the majority of the elected Senators and shall preside at all meetings of the Senate.
- B. The Vice Chairperson of the Senate shall be an elected Senator, elected annually by the majority of the Senate. The Vice Chairperson of the Senate shall function as the Chairperson of the Senate in the event that the Chairperson shall be absent or for any reason is unable to fulfill his/her duties.
- C. The Secretary of the Senate shall be an elected Senator, elected annually by the majority of the Senate. The Secretary shall notify all Senators of all duly called Senate meetings. The Secretary shall cause to be transmitted to the President, the Vice President for Academic Affairs, and Dean of Academic Affairs (amended 3/2003), the Chair of the Council of Classified Staff (amended 11/2001), and to the faculty, a digest of all Senate meetings. The Secretary shall keep roll (amended 1/2002). The Secretary of the Senate shall forward all approved changes in the Constitution, Bylaws, and Handbook to the person responsible for editing and publishing the Handbook by June 15 of each year.” (proposed change by Faculty Senate 10/05/07)
- D. The Parliamentarian shall be appointed annually by the Executive Committee. The Parliamentarian shall advise the presiding officer on parliamentary procedure. The Historian shall be an elected Senator, elected annually by the majority of the Senate. The Historian will keep and maintain all Senate records and will update and record changes in the Constitution, Bylaws, and Handbook. The Historian shall be responsible for insuring the security and continuity of all Senate records.

ARTICLE VIII: AMENDMENTS

Amendments to this Constitution shall be proposed by a majority vote of the Senate, or by a written request signed by 10% of its electorate. Proposed amendments shall be submitted to the general faculty in writing. The Senate shall direct the Senate Executive Committee to conduct a written, mailed ballot vote of the faculty on all proposed amendments. An amendment is adopted by affirmative vote of a majority of those voting.

BYLAWS TO THE CONSTITUTION OF THE WEST VIRGINIA STATE UNIVERSITY FACULTY

ARTICLE I: MEETINGS

A. Meetings of the General Faculty: (amended 5/2006)

1. Regular meetings of the WVSU Faculty shall be held four times a year. (amended 4/1998)
2. Special meetings of the faculty may be called under these conditions:
 - a. Upon the call of the Senate, at which time the Chairperson of the Senate shall preside.
 - b. Upon the call of the Chairperson 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 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 Chairperson of the Senate at the Chairperson's discretion.
 - b. They shall be called by the Chairperson upon written petition of ten percent (10%) of the Senate membership.

- c. They shall be called by the Chairperson upon written petition of ten (10%) 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 Chairperson or Vice Chairperson, 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 the Librarians and Counselors. The term shall relate to and identify the areas in which general elections will be held. (amended 5/2005)

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. (amended 5/2005) 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 Chairperson, Vice Chairperson, Secretary, and Historian. (amended 4/2001)
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. (amended 3/2002)

3. The Senate alternate shall be the nominee receiving the next highest vote at the Library and Counselor/College 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 reelection. The term of office is two years.²* (amended 9/2006)

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 week of faculty orientation. (amended 4/1998)
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. (amended 9/2003)
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. Chairpersons of all committees shall use the following report structure (amended 11/1999):
 - 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

² * Senate Bill 703 sets a two-year term for the Advisory Council of Faculty representative and that representative is eligible for re-election. Article 6(b) Senate Bill 703 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. Article 2A(e).

7. Calendar for standing committee reports. (amended 02/2003)
 - February Program Review, Library, Cultural Activities
 - March Research and Development, Academic Appeals
 - April Teacher Education, Constitution & Bylaws, and Personnel
 - May Educational Policies, Promotion & Tenure and Retention
 - September Faculty Scholarship Committee and General Education

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 not serve on any Faculty Committee 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. (amended 12/2002)
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 on September 1st. The Vice Chairperson 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 Chairperson of the Faculty Senate by the Monday after Labor Day. (amended 9/1999)
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 Retention Committee, the Promotion and Tenure Committee, the Faculty Scholarship Committee, the Program Review 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: (amended 10/2006)

It shall be the function of this committee to periodically review the curriculum of the University regarding program and course change requests and to validate 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 Vice President for Academic Affairs, the Registrar, and the Chair of the General Education Committee shall serve as nonvoting, *ex-officio* members of this committee. (amended 10/05/07) Elections and appointments to the committee shall be completed before the end of the spring semester.

- b. PROGRAM REVIEW COMMITTEE: (amended 9/2006)

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 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 Vice President for Academic Affairs, plus one student. The Vice President for Academic Affairs, the Director of Planning and Advancement, and the Director of the Student Assessment Center 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.

c. FACULTY PERSONNEL COMMITTEE: (amended 10/2006)

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 Committee. The committee shall set the calendar for the following year before the end of the spring semester.

d. RETENTION COMMITTEE (amended 5/2005)

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 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 tenured faculty, two from each College and one at-large member, (amended 10/05/07) 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 (amended 9/3/04).

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.

e. PROMOTION AND TENURE COMMITTEE (amended 10/2005)

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. (amended 10/05/07) The faculty member provides his or her chair with a documented self-report 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 (amended 9/3/04). All tenure-track and temporary faculty as well as those faculty requesting promotion and tenure complete self-reports each academic year to be filed with the department chair.

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 (amended 10/2006).

f. EXECUTIVE COMMITTEE: (amended 9/2006)

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 Chairperson, Vice Chairperson, 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 members 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. They are not eligible to serve on other standing committees of the Faculty Senate. Senators may not be elected at large to the Executive Committee.

g. RESEARCH AND FACULTY DEVELOPMENT COMMITTEE: (amended 4/2004)

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 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 the Douglas Institute (formerly ACEOP) who shall be appointed by the Vice President for Planning and Advancement and shall serve for one year. The Vice President for Planning and Advancement shall serve as an *ex-officio*, non-voting member.

h. LIBRARY COMMITTEE: (amended 5/2005)

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 Resources and the Senate on the best possible functioning of the Library. This committee shall consist of the Director of the Library as an *ex-officio* member, six (6) faculty members, one elected from the Librarian and Counselor division, one from each College, plus one (1) student, and an appointed, nonvoting advisory member from the Douglas Institute (formerly ACEOP) who shall be appointed by the Vice President for Planning and Advancement and shall serve for one year.

i. CULTURAL ACTIVITIES AND EDUCATIONAL ASSEMBLIES
COMMITTEE: (amended 5/2005)

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 the Chairpersons of the Departments of Art, Communications, and Music, six (6) elected faculty members elected at large, and four (4) students, and a nonvoting advisory member from the Douglas Institute (formerly ACEOP) who shall be appointed by the Vice President for Planning and Advancement and shall serve for one year.

j. CONSTITUTION, BYLAWS AND HANDBOOK COMMITTEE: (amended 9/2006)

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.

k. TEACHER EDUCATION COMMITTEE: (amended 5/2005)

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 forwarding to the Senate. This committee shall consist of the Chairperson of the Department of Education, six (6) elected faculty members, one elected from the Librarians and Counselor Division, one from the CTC, one (1) from each College, and two (2) students, one of whom shall be elected by the students in the Department of Education.

l. ACADEMIC APPEALS COMMITTEE: (amended 9/2002)

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 chairperson), 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).

m. FACULTY GRIEVANCE COMMITTEE (amended 9/2002)

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 chairperson 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 (amended 5/2005)

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.

o. GRADUATE EDUCATION COMMITTEE (amended 10/2002) Committee abolished. (amended 11/2003)

p. GENERAL EDUCATION COMMITTEE (amended 5/2005)

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 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 Director of Student Assessment will serve *ex officio* on the Committee.

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 (amended 10/2006).
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. (amended 10/05/07)

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 Handbook committee, which shall reword or reorganize, without substantive change, such portions as are necessary to conform to the standard format. The Constitution, Bylaws, and 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 (amended 10/2006).

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. (amended 5/2005)

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 faculty 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 Chairperson will appoint individuals who are both eligible and available in order to fill vacancies. (amended 10/2006)
- 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 Chairperson 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 reword 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.

(as amended through 4/2010)

APPENDIX B

Title 133, Procedural Rule WV Higher Education Policies Commission Series 9 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.org/resources/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.

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

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 fulltime (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 fulltime 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, librariantrack, 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, which duties may include teaching, research, counseling, or other services. For administrative purposes, one institution shall be designated the faculty member's "home institution," which institution shall be responsible for granting promotions, raises in salary, and tenure: Provided, however, that when cause therefore shall occur, appropriate counseling, disciplinary action, and the like shall be the responsibility of the institution where the occurrence arose.

5.2. The conditions and the details of the faculty member's joint appointment, including the designation of the "home institution," and any other arrangements, shall be specified in the agreement between the faculty member and the 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 appointment 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 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 post-marked and mailed no later than December 15 of the second academic year of service; and

10.5.2. By letter post-marked 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 nonretention

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 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 nonretention 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 C

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 the first day of July, two thousand seven, 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.

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 D

**GUIDELINES FOR SEARCH/HIRING FACULTY
AT WEST VIRGINIA STATE UNIVERSITY**

GUIDELINES FOR SEARCH/HIRING FACULTY

AT WEST VIRGINIA STATE UNIVERSITY

(revised, 8/02)

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.

As soon as a position becomes available or a vacancy is anticipated, the department chair, in consultation with the appropriate dean and the Vice President for Academic Affairs or Provost of the Community Technical College, 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 or Community and Technical College Provost. 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 or journals of the discipline, *The Chronicle of Higher Education*, as well as locally. To ensure a significant presence of minority faculty, position announcements should be placed in national and regional publications targeted to minority readers (such as NAFEO publications and *Black Issues in Higher Education*) and sent to historically black colleges and universities. 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 five to ten names to the department chair, who then may conduct telephone interviews. After consultation with the dean, candidates should be brought to campus. 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 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.

Departments are responsible for acknowledging the receipt of all candidates' applications and, after the search is completed, 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.

Appendix E

RESPONSIBILITIES OF COLLEGE DEANS

WEST VIRGINIA STATE UNIVERSITY
ROLE AND RESPONSIBILITIES OF COLLEGE DEANS
REVISED JULY 2010

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 weekly;
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. Develops long term staffing recommendations for faculty and support staff;
5. Sees that department chairpersons and faculty exercise their professional responsibilities;

6. Encourages professional development of staff and faculty;
7. 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;

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.

G. 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.

Appendix F

RESPONSIBILITIES OF DEPARTMENT CHAIRS

WEST VIRGINIA STATE UNIVERSITY
ROLE AND RESPONSIBILITIES OF DEPARTMENT CHAIRS
REVISED JUNE 2007

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 H, 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. 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. Recruits, recommends, mentors, and assigns part-time faculty;
7. Supervises departmental support staff;
8. Manages the recruitment, training and assignments of students serving as lab assistants and in other capacities;
9. Evaluates full-time and part-time faculty in accordance with Faculty Handbook policies and procedures and the FPC Calendar;
10. Evaluates support staff in accordance with Human Resources Office requests;
11. 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.

Appendix G

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 H

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, serving in a tenure track position, possessing the rank of instructor or above.
2. If designated as a person to cast an absentee ballot, that member must meet the requirements as specified in II-B-1 and possess a notarized absentee document from a member who also meets the requirements as specified in II-B-1
3. Members on leave shall not participate in departmental elections for chair.

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.
- E. 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.

Adopted by Faculty Senate of West Virginia State University
December 10, 1979

APPENDIX I

SELF REPORT OUTLINE

WEST VIRGINIA STATE UNIVERSITY
INSTRUCTIONAL & PROFESSIONAL ACTIVITIES
SELF REPORT OUTLINE, 7/10/06

All full-time faculty (tenured, tenure-track and temporary) must develop a portfolio including, but not limited to the items listed on the following outline. *The self-report is utilized in the faculty evaluation process in order to make recommendations for retention, promotion, tenure, and merit salary increases.* **All items are to be documented and dated and must be restricted to the period specified below.** Turn these materials in to your Department Chairperson. The self-report is utilized as part of the evaluation process for merit salary increases, retention, promotion and tenure.

TIME PERIOD COVERED BY THIS REPORT: January 1, ___ to December 31, ___

IDENTIFYING INFORMATION

Name

Rank, Department and School

Personnel Action Requested (___ Merit ___ Retention ___ Promotion
___ Tenure)

Appointment Date

Degrees held, institution(s) awarding degrees, date, fields

Higher Education Teaching Experience

- a. Number of years at other institutions
- b. Number of years at WVSU (include 1st date of employment)

Other Professional Experience

Date(s) of promotions(s)

Date of tenure (if not tenured, date of eligibility)

Provide information and evidence for the following. Remember to include only activities restricted to the time period indicated on the first page.

TEACHING

In addition to responding to the items on the following pages, faculty are asked to provide a short narrative (along with supporting documentation, if appropriate) related

to each category under "Teaching Excellence" in the Chairperson's evaluation form.
Faculty are encouraged to address the following in their narrative:

Instructional Practices

- Considerate and fair in all dealings with students (For example: prepares clear criteria for grading; encourages/inspires all students; progressively develops student skills)
- Well organized (For example: returns student work promptly; communicates knowledge systematically, coherently; creates a syllabus with evidence of planning, course outcomes and student outcomes)
- Constant improvement in teaching (For example: attends training/workshops on pedagogy or educational technology; engages in discussion with colleagues; adopts new classroom strategies; assesses teaching effectiveness; learns from colleagues through activities such as team-teaching.)
- Welcomes and profits from constructive criticism (For example: seeks interaction with supervisors and colleagues regarding classroom performance; seeks and applies assessment data.)

Academic Discipline

- Thorough and demonstrable knowledge of the field and new developments therein (For example: is an active member of professional organization; attends professional conferences and/or scholarly events in discipline; keeps current by reading journals and newsletters, and incorporates current information and developments in the discipline into classroom instruction)
- Concerned with the intellectual development of students (For example: encourages student use of office hours; follows through on student learning via such activities as assessment of attending student presentations/performances; challenges their abilities; encourages their questions; welcomes diversity of opinion; mentors students; seeks ways to increase their capacity to think critically and independently and assesses effectiveness of such efforts; supports education of whole student through participation in General Education.)
- Concerned with the ability of students to apply knowledge, theory, and skills (For example: involves students in research or other creative activities; guides student research or other projects; involves students in field placements or internships; involves students in professional conferences, workshops, and/or seminars; creates work simulation projects and/or applications for students; assesses effectiveness of aforementioned projects; creates materials to encourage use of GE "skills" in major courses.)
- a. Class observations by Department Chair or Designee
 - b. Student Evaluations (Include copies of data summary sheets for each course taught since the last self report was filed as well as overall summary sheets)

Other teaching information

Syllabi of courses taught during evaluation period above (duplicates are not necessary)

Preparation of new class(es)

- a. for the college
- b. for a class you have never taught

Preparation of lab manuals, workbooks, etc.

Other (one may include items that show effective and innovative use of various instructional materials and teaching methods including instructional technology such as WebCT)

RESEARCH, PROFESSIONAL, AND CREATIVE ACTIVITIES

Graduate coursework

Attendance at professional workshops and meetings

Published article(s) in referred journals and/or creative work performed/presented in refereed/juried venue

Major (nationally distributed) research or creative endeavor (book, film, etc.)

Paper presentation or address at refereed conference or creative work presented at professional meeting or festival.

Grant Related Activities

- a. Successful grant application to non-WVSU source
- b. Unsuccessful grant application to non-WVSU source
- c. Service as a grant reviewer for outside agencies

Reviewer/Referee

- a. Published review of a book, journal article or performance in a refereed journal
- b. Service as a referee or reviewer for a conference or journal paper/article
- c. Published review of a book, journal article or performance in a non-refereed journal/newspaper or periodical.

Membership in a professional society or organization

Chairing a panel for a professional organization/learned society.

Serving on a panel (as a respondent or discussant) for a professional organization/learned society.

Service for a professional society

Serving as an officer, board member, and/or editorial board member for a professional organization/learned society.

Serving as an editor for a scholarly, refereed journal.

Working as a conference or convention organizer

Formal honors or awards recognizing professional, academic and creative work from national, regional or state professional organizations.

Serving on a regional or national accrediting team.

Supervision of student/research or creative project.

- a. Guiding the independent research or creative projects of undergraduate students
- b. Guiding the research or creative projects of undergraduate students which results in student presentations.
- c. Serving on a thesis committee.

SERVICE TO THE COLLEGE AND COMMUNITY

1. Active participation in college governance
2. Chairing or serving as an officer on faculty or college committees
3. Active participation in the academic life of the college (faculty lecture series, honor society presentations, etc.)
4. Active advising of college honor societies and/or other student organizations.
5. Active participation in college sanctioned recruiting activities
6. Academic Advising
7. Service outside the college that promotes the institution. (Note: Community service activities not directly related to the faculty member's discipline do not satisfy this standard.)
8. Cooperation and collaboration with colleagues in meeting departmental and college needs.
9. Honors or awards recognizing service related to faculty member's academic discipline
10. Student credit hours produced (fall and spring of calendar year).

NOTE: All faculty members are advised to refer to the WVSU Faculty Handbook for additional information. Applicants for Promotion* and/or Tenure should have at least the following in their portfolios:

Self Report Form with documentation

Current Curriculum Vitae

Evidence of three (3) years of "excellent" teaching experience including:

- a. student evaluation summary sheets
- b. classroom observations reports
- c. examples of teaching materials (syllabi, assignments, etc.)

Department Chair Evaluation

Documented achievement in at least three of the following:

- a. Professional Growth
- b. Research or Creative Activities
- c. Recognized activity in professional/learned societies
- d. Campus/Community service

Narrative rationale for personnel action requested

Other information as deemed appropriate.

* Faculty applying for promotion must specifically identify the areas they are utilizing for evaluation purposes

APPENDIX J

DEPARTMENT CHAIR'S EVALUATION OF FACULTY

**Department Chair's Faculty Evaluation, Part 1
For Retention, Promotion, Tenure, and/or Merit
8/06**

Faculty Name _____ Department _____ Date _____

A. TEACHING EXCELLENCE: Ratings

Directions: Rate the Faculty Member on the following items. Provide evidence/comments to substantiate the rating. Use the following ratings:

- 1 = Poor (needs extensive improvement)
- 2 = Below average (needs some improvement)
- 3 = Satisfactory (meets expectations)
- 4 = Above Average (exceeds expectations)
- 5 = Excellent (outstanding performance; ratings of excellent MUST be accompanied by extensive justification)

TEACHING EXCELLENCE: Categories

Instructional Practices

- (1) _____ Considerate and fair in all dealings with students (For example: prepares clear criteria for grading; encourages/inspires all students; progressively develops student skills)

Explanation for Rating and Suggestions for Improvement (if necessary): _____

- (2) _____ Well organized (For example: returns student work promptly; communicates knowledge systematically, coherently; creates a syllabus with evidence of planning, course outcomes and student outcomes)

Explanation for Rating and Suggestions for Improvement (if necessary): _____

- (3) _____ Constant improvement in teaching (For example: attends training/workshops on pedagogy or educational technology; engages in discussion with colleagues; adopts new classroom strategies; assesses teaching effectiveness; learns from colleagues through activities such as team-teaching.)

Explanation for Rating and Suggestions for Improvement (if necessary): _____

- (4) _____ Welcomes and profits from constructive criticism (For example: seeks interaction with supervisors and colleagues regarding classroom performance; seeks and applies assessment data.)

Explanation for Rating and Suggestions for Improvement (if necessary): _____

Academic Discipline

- (5) _____ Thorough and demonstrable knowledge of the field and new developments herein (For example: is an active member of professional organization; attends professional conferences and/or scholarly events in discipline; keeps current by reading journals and newsletters, and incorporates current information and developments in the discipline into classroom instruction)

Explanation for Rating and Suggestions for Improvement (if necessary): _____

Commitment to Student

- (6) _____ Concerned with the intellectual development of students (For example: encourages student use of office hours; follows through on student learning via such activities as assessment of attending student presentations/performances; challenges their abilities; encourages their questions; welcomes diversity of opinion; mentors students; seeks ways to increase their capacity to think critically and independently and assesses effectiveness of such efforts; supports education of whole student through participation in General Education.)

Explanation for Rating and Suggestions for Improvement (if necessary): _____

(7) _____ Concerned with the ability of students to apply knowledge, theory, and skills
(For example: involves students in research or other creative activities; guides student research or other projects; involves students in field placements or internships; involves students in professional conferences, workshops, and/or seminars; creates work simulation projects and/or applications for students; assesses effectiveness of aforementioned projects; creates materials to encourage use of GE “skills” in major courses.)

Explanation for Rating and Suggestions for Improvement (if necessary) _____

(8) _____ (SUM OF ITEMS 1-7) Overall evaluation of Faculty Members Instruction _____

B. TEACHING EXCELLENCE: Narrative on Student Evaluations

Directions: Discuss the faculty member’s student evaluation scores. In general, how do the faculty member’s scores compare to the college average? The departmental average? Are there specific items of evaluation, which indicate strengths? Weaknesses? Provide suggestions for improvement. _____

Please attach a brief summary of the reasons for your recommendation. Your summary should refer to specific items in the evaluation form.

Chairperson’s Signature

Date

Faculty Member’s Signature

Date

Faculty Member’s Comments:

Note: Chairs writing evaluations for retention, promotion & tenure should complete Part 2.

Department Chair's Faculty Evaluation, Part 2
(To be used for Retention, Promotion, Tenure evaluations)
 8/06

Faculty Name _____ Department _____ Date _____

Directions: Check each of the following responsibilities performed by the faculty member. List additional comments below for further clarification. If there are "no" responses, please make suggestions for any improvements necessary.

A. ADHERENCE TO PROFESSIONAL STANDARDS OF CONDUCT

(1) cooperates and collaborates with colleagues in meeting college and departmental needs, and (2) participates with colleagues in decision-making processes.

Yes No NA

___ ___ ___ Prepares or assists in preparation of annual plans, annual reports, program review, self-study accreditation reports, faculty evaluations, and other reports and projects associated with the program, and/or assessment plans/instruments/reports.

___ ___ ___ Assists in the maintenance and care of equipment and makes recommendations for the purchase of equipment

___ ___ ___ Assists in the supervising of student workers and lab assistants

___ ___ ___ Assists in departmental/program special events

___ ___ ___ Participates in departmental outreach programs

___ ___ ___ Participates in the preparation of the semester class schedule

___ ___ ___ Develops new courses or programs, reviews existing courses, and prepares proposals for EPC/APC

___ ___ ___ Participates in student recruitment at high schools, career fairs, and community groups

___ ___ ___ Serves as a member of search committees

___ ___ ___ Assists in fulfilling departmental commitment to GE through departmental courses or GE 100/200

___ ___ ___ Supports and cooperates with colleagues

___ ___ ___ Is cooperative and collaborative in meeting departmental needs

___ ___ ___ Participates routinely in departmental meetings

___ ___ ___ Responds to departmental deadlines promptly

___ ___ ___ Participates in commencement

___ ___ ___ Is willing to teach off-campus classes

_____ Other (please specify)_____

Comments and/or Suggestions for Improvement:_____

(3) Fulfills faculty responsibilities (as described in Section E of the Faculty Handbook)

Yes No

- | | | |
|-------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| _____ | _____ | Prepares an updated syllabus for each course each semester (as described in the faculty Handbook) and files each syllabus with the departmental secretary |
| _____ | _____ | Teaches the required course load each semester (will vary with approved released time) |
| _____ | _____ | Updates courses and curricula |
| _____ | _____ | Collects requested assessment data for courses/programs |
| _____ | _____ | Selects or assists in the selection of course textbooks |
| _____ | _____ | Holds classes for scheduled time and is punctual |
| _____ | _____ | Teaches course in accordance with the catalog description and syllabus |
| _____ | _____ | Notifies Chair (well in advance) of work-related travel or other absences and makes appropriate arrangements for class coverage (also completes Absence Form) |
| _____ | _____ | Administers a final exam for each course as scheduled (unless otherwise approved by VPAA/CTC Dean of Academic Affairs) |
| _____ | _____ | Administers a final exam that provides an opportunity for students to demonstrate their mastery of the subject matter and standards in the course syllabus |
| _____ | _____ | Submits grades punctually |
| _____ | _____ | Maintains a minimum of 10 office hours per week. Provides administrative secretary or department chair with a list of class and office hours during the first week of each semester and posts office hours on or near office door. |
| _____ | _____ | Other (please specify)_____ |

Comments and/or Suggestions for Improvement:_____

B. ACCESSIBILITY TO STUDENTS

Yes No

- Adheres to appropriate office hours
- Accessible for and provides students with academic advising and assistance in scheduling
- Serves as faculty advisor for student honor societies or clubs
- Attends student functions
- Responds to student inquiries (phone, email messages, etc.) in a timely manner
- Other (please specify)_____

Comments and/or Suggestions for Improvement: _____

C. PROFESSIONAL GROWTH

Yes No NA

- Enrolled in an appropriate approved graduate program
- Participates in team-teaching or other collegial teaching activities(guest lecturing for others' courses; observation/feedback activities with colleagues).
- Incorporates new technologies in teaching
- Attends professional conferences, workshops, seminars
- Designs, proposes, and implements new course(s)
- Other professional renewal and/or development activities (please specify)_____

Comments and/or Suggestions for Improvement_____

D. RESEARCH AND CREATIVE ACTIVITIES

Yes No NA

- Participates in ACEOP-sponsored research/extension activities
- Prepares lab manuals, supplemental course readings, manuals, and/or course workbooks
- Conducts research or engages in other creative activities which contribute to the discipline
- Publishes refereed journal articles, books, textbooks, monographs
- Presents at regional, national, international professional conferences
- Presents at state and/or local professional conferences
- Seeks external funding for the support of research or other creative endeavors
- Reviews manuscripts (textbooks, journal articles, etc.)
- Other (please specify) _____

Comments and/or Suggestions for Improvement: _____

E. RECOGNIZED ACTIVITY IN PROFESSIONAL AND/OR LEARNED SOCIETIES

Yes No

- Organizes/Chairs a professional conference
- Chairs a panel at a professional conference
- Serves as a panel respondent/participant at a professional conference
- Serves as an officer or board member of a professional organization
- Other (please specify) _____

Comments and/or Suggestions for Improvement: _____

F. SERVICE TO THE COLLEGE AND COMMUNITY

Yes No

- Serves on campus-wide committees such as Budget Advisory Committee or the Campus-Wide Committee on Teacher Education
- Serves on Faculty Senate or Faculty Senate Committees such as Program Review Committee
- Participates in Student Orientation
- Participates in the life of the college outside of the classroom
- Participates in community service activities related to the discipline
- Seeks external funding for the support of programmatic activities or other related activities
- Other (please specify)_____

Comments and/or Suggestions for Improvement:_____

Recommendation for Retention: yes no

Promotion: yes no

Tenure: yes no

Please attach a brief summary of the reasons for your recommendation. Your summary should refer to specific items in the evaluation form.

Chairperson's Signature	Date
--------------------------------	-------------

Faculty Member's Signature	Date
-----------------------------------	-------------

Faculty Member's Comments (Attach sheet, if necessary)

APPENDIX K

**WEST VIRGINIA STATE UNIVERSITY
CLASSROOM OBSERVATION FORM**

**WEST VIRGINIA STATE UNIVERSITY
CLASS OBSERVATION REPORT**

Class _____
Department – Course & Section # & Title

Date _____ **Room Number** _____

Meeting Time _____ **# Students Present** _____ **# Students on Roster** _____

Instructor _____ **Observer** _____

1. Objective(s) for the Day's Class: _____

2. What were the instructional method(s) used in class? _____

3. Were these 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. Describe how the instructor makes the content (and/or activity) coherent, relevant, understandable, and interesting:

6. Did the teacher encourage questions and/or welcome a diversity of opinions?

7. Describe the teacher's ability to communicate (e.g., voice quality, articulation, enthusiasm, expression, clarity, mannerisms). _____

8. Rating of the OVERALL effectiveness of this class session, considering the observations noted for the items above (Circle one number):

6 5 4 3 2 1 0
Optimal _____ Worst

Substantiate in a written summary the overall effectiveness rating selected in 8:

9. Additional Comments: (Attach a separate sheet if preferred.)

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 evaluation. It simply indicates that the instructor received and reviewed it.

APPENDIX L

REVIEW OF INSTRUCTIONAL MATERIALS FORM

REVIEW OF INSTRUCTIONAL MATERIALS

Class _____ **Date** _____
Department – Course & Section # - Title

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 M

STUDENT EVALUATION FORM



WEST VIRGINIA STATE COLLEGE

Student Evaluation of Faculty

Course Index Number				Department Number				School	
0	0	0	0	0	0	0	0	0	
1	1	1	1	1	1	1	1	1	
2	2	2	2	2	2	2	2	2	
3	3	3	3	3	3	3	3	3	
4	4	4	4	4	4	4	4	4	
5	5	5	5	5	5	5	5	5	
6	6	6	6	6	6	6	6	6	
7	7	7	7	7	7	7	7	7	
8	8	8	8	8	8	8	8	8	
9	9	9	9	9	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.

CORRECT MARK

INCORRECT MARKS



Course & Section Number:	Instructor:
--------------------------	-------------

Indicate your ratings of the instructor's performance in this class by responding to items 1–11 on a scale from 1 (Poor) to 5 (Excellent). If an item is not applicable, please mark the N/A option instead of leaving the item blank.

	Poor	Below Average	Average	Good	Excellent	Not Applicable
1. The instructor presents material in an organized way.	①	②	③	④	⑤	○
2. The instructor generally presents class material in a manner that I understand.	①	②	③	④	⑤	○
3. The instructor returns assignments and tests in a reasonable amount of time.	①	②	③	④	⑤	○
4. The instructor challenges me to work to my full potential.	①	②	③	④	⑤	○
5. The instructor stimulates my interest in subject matter.	①	②	③	④	⑤	○
6. The instructor creates a positive atmosphere for learning.	①	②	③	④	⑤	○
7. The instructor makes her/himself available for assistance and/or consultation outside of class when requested.	①	②	③	④	⑤	○
8. The instructor is fair in grading my work.	①	②	③	④	⑤	○
9. The instructor is respectful of students.	①	②	③	④	⑤	○
10. The instructor provides sufficient opportunities for students to ask questions.	①	②	③	④	⑤	○
11. Overall I would say this instructor's teaching skills are...	①	②	③	④	⑤	○
Instructor Designed Questions:						
12.	①	②	③	④	⑤	○
13.	①	②	③	④	⑤	○
14.	①	②	③	④	⑤	○
15.	①	②	③	④	⑤	○
16.	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:

Large empty rectangular box for writing comments.

APPENDIX N

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 O

OUTSIDE SERVICES REVIEW FORM

WEST VIRGINIA STATE UNIVERSITY
OUTSIDE SERVICES REVIEW FORM

AY 20 ____

1. 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 P

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 Q

TEXTBOOK POLICY

ADMINISTRATIVE POLICIES AND PROCEURES
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.

* Departments wishing to select different textbooks for multiple section classes must have approval of the College dean.

** A new BOG draft policy concerning the operation of the university bookstore can be found at line at [http://www.wvstateu.edu/shared/content/administrative_services/wvsp/Bookstore_BOG_policy_58_1-28-08\(4\)_5-19-08.pdf](http://www.wvstateu.edu/shared/content/administrative_services/wvsp/Bookstore_BOG_policy_58_1-28-08(4)_5-19-08.pdf)

APPENDIX R

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 _____ at _____

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 S

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:

1. _____
 name address phone

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

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 T

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 emunerative 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 U

INCLEMENT WEATHER POLICY

West Virginia State University

Inclement Weather Policy

In case of snow or other serious weather conditions:

1. The Vice President for Academic Affairs and the Director of Physical Facilities will consult with one another by 5:00 a.m., to determine the state of the weather and roads and the advisability of canceling classes.
2. If it is determined that the conditions are serious enough to recommend that classes be cancelled, the Vice President for Academic Affairs will so advise the President.
3. If the President concurs with the recommendation, the Vice President for Academic Affairs will alert the Director of Informational Services who will call the announcement to radio and television stations by 6:00 a.m.
4. Announcement: “*Classes at West Virginia State University will be suspended today because of weather conditions.*” This includes evening and off campus classes.

Not to be announced but considered applicable: Classes will be cancelled only for the day of the announcement. If classes are to be closed on additional days, the procedure will be invoked anew each morning.

APPENDIX V

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 W

ACCIDENT REPORT FORM

APPENDIX W

ACCIDENT REPORT FORM

Should an employee experience an accident in which he/she is injured, it should be reported to the supervisor within 24 hours and to the Department of Public Safety immediately or soon thereafter.

Public Safety will complete an accident report, which is submitted to the Director of Fiscal Affairs.

The Director of Fiscal Affairs submits a copy of the accident report to Brickstreet to obtain a claim number so that the medical provider can be paid for the services rendered. Without the claim number being assigned by Brickstreet, the medical provider will bill and expect payment from the employee for the services rendered.

The Accident Form may be accessed directly at

<https://www.brickstreet.com/CUSTOMERSERVICE/Claim%20Forms/BI-3.pdf>

APPENDIX X

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.
 - A. The student and the faculty member will have the right to remove one person each from the Academic Appeals Committee.
 - B. During the time the hearing is in process, the student is permitted to remain in the classroom pending the outcome of the hearing.
 - C. 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.

- D. 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 Y

FOREIGN TRIP CLEARANCE FORM

WEST VIRGINIA STATE UNIVERSITY
FOREIGN TRAVEL TRIP CLEARANCE

Sponsor: _____

Department: _____

Departure Date & Time: _____

Arrival Date & Time: _____

Mode of Transportation: _____
(type of transportation, name of carrier, and flight numbers, if applicable)

Travel Agency or Organization Arranging Trip: _____

Address: _____

Telephone: _____

Tour Identification Number/Name: _____

Participants	Name of Emergency Contact & Emergency Telephone Number
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

Sponsor's Signature

Date

Department Chair's Signature

Date

APPENDIX Z

VEHICLE UTILIZATION POLICY

WEST VIRGINIA STATE UNIVERSITY
Administrative Procedures

Section:	P Physical Facilities	Effective:	No:
Chapter:	3 Motor Pool Vehicles	5/16/94	P-3-4.0
		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: : No: P-3-5.0
5/16/94 :
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 AA

**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 (*revision, 6/16/03*)

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.

We recommend that you state, in writing preferably (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 (*The Buzz*) 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.

3. 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 *The Buzz* (the *West Virginia State University Student Handbook*), as well as the statement on disruptive behavior printed in the University's Student Expectations and Responsibilities. 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 CC) 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.

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.

OVPA: June 2003

APPENDIX BB

PROFESSIONAL LIABILITY COVERAGE

PROFESSIONAL LIABILITY COVERAGE

I. What protection exists if you are sued personally while acting in your capacity as a representative of the University?

- A. The Comprehensive Liability Policy for the State of West Virginia states that: “The Company will pay on behalf of the ‘insured’ [the State of West Virginia] all sums which the ‘insured’ shall become legally obligated to pay as ‘damages’ because of injury to any person arising out of the rendering of or failure to render, during the policy period any professional services, and the Company shall have the right and duty to defend any suit against the ‘insured’ seeking such ‘damages’, even if any of the allegations of the suit are groundless, false, or fraudulent, and may make such investigation and, with the written consent of the Board of Risk and Insurance Management of the State of West Virginia, such settlement of any claim or suit as it deems expedient but the Company shall not be obligated to pay any claim or judgment or to defend any suit after the applicable limit of the Company’s liability has been exhausted by payment of judgments or settlements.” [11WVCLP-7/02]
- B. Persons insured are defined as: “Any faculty member, employee, volunteer worker or student teacher of the “Named Insured” while acting within the scope of their duties as such.” [10WVCLP-7/02]
- C. “The Board of Risk and Insurance Management (BRIM) covers officials, executive officers, commissioners, directors, members, employees, volunteers, faculty members, and student teachers of West Virginia State University, acting within the scope of their duties as such, who become legally obligated to pay for a claim against them which arises out of any actual or alleged act, breach of duty.” [Paraphrase of the above policy provided by Chuck Jones, executive director of BRIM]
- D. BRIM does not cover the intentionally committed fraudulent, dishonest, or criminal act.
- E. The limits of liability under BRIM are \$1,000,000.00 per occurrence
- F. BRIM covers legal fees in civil cases but not in criminal ones

The following guidelines are offered in the West Virginia Comprehensive Liability Policy:

“In the event of an occurrence, offense, claim or suit... The ‘insured’ must see to it that we are notified as soon as practicable of an ‘occurrence’ or an offense which may result in a claim. To the extent possible, notice should include:

- A. How, when and where the ‘occurrence’ or offense took place,
- B. The names and addresses of any insured persons and witnesses,
- C. The nature and location of any injury or damage arising out of the ‘occurrence’ or offense.” [24WVCLP-7/02]

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 so that the complaint may be forwarded to BRIM for defense.

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

A. Faculty who find themselves in a confrontational situation with an adversarial student are urged to follow the procedures outlined in Appendix AA (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 CC

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: _____

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 DD

WVSU BOG Policy # 14

Sexual Harassment

WEST VIRGINIA STATE UNIVERSITY BOARD OF GOVERNORS
West Virginia State University
and the
West Virginia State Community and Technical College

BOG Policy # 14

Title: Sexual Harassment

Section 1. General

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

1.2 Authority: West Virginia Code §18B-1-6, a policy statement issued by the Office for Civil Rights of the U.S. Department of Education on the interpretation of the following: Title IX of the Education Amendments of 1972 and Equal Employment Opportunity Commission (EEOC) interpretative guidelines issued in March, 1980, and subsequent federal court decisions on the subject of sexual harassment.

1.3 Effective Date: October 6, 2005

Section 2. Policy

2.1 It is the policy of West Virginia State University (WVSU) and West Virginia State Community & Technical College (WVSCTC) to maintain a work and educational environment free from all forms of sexual harassment of any employee, applicant for employment or student;

2.2 Sexual harassment in any manner or form is expressly prohibited. It is the responsibility of each institution to provide educational opportunities to create this free environment and to take immediate and appropriate corrective action when sexual harassment is reported or becomes known;

2.3 Supervisors at every level are of primary importance to the implementation and enforcement of this policy.

Section 3. Definition

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

3.1.1 submission to such conduct is an explicit or implicit condition of employment;

3.1.2 submission to or rejection of such conduct is used as the basis for employment decisions; or

3.1.3 such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or creating an intimidating, hostile or offensive work or educational environment.

Section 4. Filing of Complaints

4.1 The President of the University shall designate an Affirmative Action Officer who shall receive training in facilitating the proper resolution of complaints with the authority to investigate and report to the relevant President;

4.1.1 In cases involving either President, any accusation of sexual harassment shall be filed with the Chair of the West Virginia State University Board of Governors.

4.2 Employees - Any employee who feels he/she has been sexually harassed, and direct communication of such undesired activity has not resolved the situation, should follow one of these two formal procedures: 1) Section 4.2.1 if the immediate supervisor is not involved in the matter, or 2) Section 4.2.2 if the supervisor is involved in the matter:

4.2.1 Supervisors are to make every effort to ensure that such problems are resolved promptly and effectively. These formal procedural steps are to be followed until a successful resolution of the employee's accusation is achieved.

For **WVSU**: Employee -> Supervisor if Staff; Department Chair if faculty -> Unit Head if staff; Dean if faculty -> Relevant Vice President -> Affirmative Action Officer -> President. For **WVSCTC**: Employee -> Supervisor if Staff; Program Chair if faculty -> Dean -> Affirmative Action Officer -> President;

4.2.2 If a supervisor, either staff or faculty, in the chain of procedural steps of Section 4.2.1 is involved with the employee's accusation of sexual harassment, the employee may choose to take the complaint directly to the Affirmative Action Officer as the initial formal procedural step for resolution;

4.2.3 If the Affirmative Action Officer is involved with the employee's accusation of sexual harassment, the complaint will be taken directly to the supervisor of the Affirmative Action Officer.

4.3 Students - Any student who feels he/she has been sexually harassed, and direct communication of such undesired activity has not resolved the situation, is to follow these formal procedural steps: Student -> Counselor -> Student Affairs Vice President (WVSU) or Dean (WVSCTC) -> Affirmative Action Officer -> President.

4.4 Appeals to a decision rendered by either President shall be directed to the Chair of the Board of Governors.

Section 5. Sanctions

5.1 Any student, supervisor, agent or other employee who is found, after appropriate investigation, to have engaged in the sexual harassment of another employee or a student will be subject to appropriate disciplinary action;

5.1.1 Depending on the circumstances, sanctions may include termination or expulsion.

APPENDIX EE

COMPLAINT PROCEDURES FOR

HARRASSMENT/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 FF

ENVIRONMENTAL REGULATIONS POLICY

WEST VIRGINIA STATE UNIVERSITY
Administrative Policies

Section: General Effective: No: 1/26/95 C-4-12.0
Chapter: University Regulations
Subject: Environmental Regulations Prior Policies Supersedes:

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 GG

**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
10. To receive all additional privileges which may accrue to those receiving this honor.

Approved: 11/01/2002

APPENDIX HH

**WEST VIRGINIA STATE UNIVERSITY
INSTITUTIONAL REVIEW BOARD POLICIES**

WVSU-IRB Policies

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West Virginia State University Institutional Review Board

Human and Animal Research Information and Application/Registration Forms
Institutional Assurance Concerning Research

I. GENERAL POLICIES AND RESPONSIBILITIES

All review of research activities involving human and animal 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—exempt or non-exempt—to be formally proposed and explained to the IRB.

West Virginia State University also abides by the provisions of the *DHHS Guide to the Care and Use of Laboratory Animals and Principles for Use of Animals*, the Animal Welfare Act PL 85-544, and the Standards for Accreditation by the American Association for the Accreditation of Laboratory Animal Care (AAALAC), and any other applicable federal regulations.

B. General Goals of the WVSU-IRB

The general goals of the WVSU-IRB are to

- B.1. 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;
- B.2. ensure the humane care and use of animals in research and teaching, and to approve only experiments using animals that are justified in benefits for teaching and new knowledge.

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 or animal 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 or animal 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 at hand, 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 and consent with investigators regarding specific problems associated with protocols involving human subjects.
- D. 11. Distribute 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 and animal research participants.
- D.14. Develop and publish University policies and procedures governing research involving human or animal 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 both genders and various WVSU-professions. 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. The firm of Steptoe and Johnson, Clarksburg Office, is available to the WVSU-IRB for legal consultation and advice.
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 or animal 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.

D. 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** is an individual about whom an investigator conducting research obtains data through intervention or interaction with the individual or through identifiable private information.

E.

II.a.2. **RESEARCH** is a systematic investigation explicitly 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. **RISK AND MINIMAL RISK.** The term “minimal risk” means that risks anticipated in the proposed research are not greater, considering probability and magnitude, 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. **BENEFIT.** To a certain extent risk is elevated relative to the potential benefit(s) of the research. The WVSU-IRB applies two categories when considering risk/benefit relationships of proposed research.

II.a.4.a. Research involving greater than minimal risk but presenting the prospect of direct benefit to the individual.

II.a.4.b. Research involving greater than minimal risk and no prospect of direct benefit to individual participants but likely to yield generalizable knowledge about the participant's disorder or condition. This risk can be only a "minor increase over minimal risk." The experience should be reasonably commensurate with those the participant would ordinarily encounter.

II.a.5. **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.3. *Conditionally approve the research.* This action entitles the investigator to proceed with the project provided that certain conditions are fulfilled as specified by the WVSU-IRB. Conditions may include items such as revising the consent form to explain the procedure more clearly, adding a foreign language version of the consent form, or receiving clearance from the student health service.

II.b.4. *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

- F. 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 her/his 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 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 she/he wishes 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. In a non-therapeutic research, 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

Unless expedited or exempt review is specifically requested, all proposals will undergo full review by the WVSU-IRB. The investigator will complete the Application to the WVSU Institutional Review Board for Approval of Research. For full review, the investigator should submit 10 copies of the application, with any applicable supporting material, to the Chair of the WVSU-IRB. All members of the WVSU-IRB will review the proposal and supply written recommendations. When necessary, the opinions of an outside consultant expert (i.e., medical, legal, etc.) may be sought. At any time during the review process, the WVSU-IRB may request further information. By a simple majority vote of all its members, the WVSU-IRB will take one of the three actions specified in Section II.b, subparts b.1.- b.3.

A written decision, with explanation where necessary, will be sent to the investigator and to the signatories on the application.. The review process typically will require two weeks.

II.f. CATEGORIES OF HUMAN RESEARCH EXEMPT FROM FULL WVSU-IRB REVIEW:

In accordance with 45 CFR 46.101, the following research activities may be exempt from full review by the WVSU-IRB:

- f.1. Research conducted at established or commonly accepted educational settings, involving normal educational practices, such as:
 - 1.a. research on regular and special education instructional strategies or
 - 1.b. research on the effectiveness or of the comparison among instructional techniques, curricula, or classroom management methods.
- f.2. Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement) if information taken from these sources is recorded in such a manner that participants cannot be identified, directly or through identifiers linked to the participants.
- f.3. Research involving survey or interview procedures with adults age 18 or over except where all of the conditions below* apply. All research, involving survey or interview procedures is exempt, without exception, when the respondents are elected or appointed public officials or candidates for public office.
- f.4. Research involving the observation (including observation by participants) of public behavior except where all of the conditions below* apply.

*f.4.a. Conditions for #3 and #4 above:

- a.1. Responses/Observations are recorded in such a manner that the human participants can be identified, directly or through identifiers linked to the participants, and,
- a.2. The participants' responses (or observations recorded about the participant) if they become known outside the research, could reasonably place the participant at risk of criminal or civil liability or be damaging to the participant's financial standing or employability, and
- a.3. The research deals with sensitive aspects of the participant's own behavior such as illegal conduct, drug use, sexual behavior, or use of alcohol.

II.f.5. Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator on such a manner that participants cannot be identified, directly or through identifiers linked to the participants.

PROCEDURE FOR APPLYING FOR EXEMPT FROM FULL REVIEW

Investigators seeking the exempt from review category will complete the WVSU-IRB Application for Approval of Research, checking the "exempt from full review" option. This form will assist researchers and Department Chairs in certifying that proposed research qualifies for expedited review and specifying which of the five categories of exempt research listed in 46 CFR 46.101 is/are representative of the proposed research. In questionable cases, investigators and Department Chairs are strongly urged to consult the WVSU-IRB. Annually, originals or copies of this form are to be forwarded to the Chair of the WVSU-IRB and kept on file by the WVSU-IRB board.

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;

II.g.3.

- (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 the process is accomplished in accordance with accepted prophylactic techniques;
- (i) mucosal and skin cells collected by buccal scraping or swab, skin swab, or mouth;
- (j) sputum collected after saline mist nebulization.

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.

II.g.4. 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 DHHS regulations for the protection of human subjects 45 CFR 46.101(b)(4). This listing refers only to research that is *not* exempt.)

II.g.5. Collection of data from voice, video, digital, or image recordings made for research purposes.

II.g.6. 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.)

II.g.7. 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.

II.g.8. 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.

PROCEDURE FOR APPLYING FOR EXPEDITED REVIEW:

Those investigators seeking the expedited review should submit three copies of the WVSU-IRB

Application for Approval of Research, checking the “expedited review” option. The WVSU-IRB will appoint a three-person subcommittee to review the registration form. When two members have read and approved the application, it is referred to the Chair of the WVSU-IRB who reviews and, if in agreement, signs an approval letter. The approval letter is then sent to the investigator and the action is reported to the full committee at the next scheduled meeting. The full committee is likely to approve but has the option of requesting more information or withholding approval.

Any of the three reviewers may object to expedited review or may have further questions and has the option of referring the application to the full WVSU-IRB.

Investigators should be aware that although applications for expedited review are simpler and involve less paper and duplication than in full review, the review and evaluation process may be no faster than that of the full review procedure. To be safe, researchers should allow three weeks for the process (before the time planned to commence research).

West Virginia State University Institutional Review Board

G. Institutional Animal Care and Use Committee

Assurance of Compliance with Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals

West Virginia State University, hereinafter referred to as Institution, hereby gives assurance that it will comply with the Public Health Service Policy on Humane Care and Use of Laboratory Animals, hereinafter referred to as PHS Policy.

I. Applicability

This assurance is applicable to all research, research training, experimentation, and biological testing and related activities, hereinafter referred to as activities, involving live, vertebrate animals supported by the Public Health Service (PHS) and conducted at this institution, or at another institution as a consequence of subgranting or subcontracting of a PHS-conducted or supported activity by this institution.

II. Institutional Policy

- A.** This institution will comply with all applicable provisions of the Animal Welfare Act and other Federal statutes and regulations relating to animals.
- B.** This institution is guided by the "U.S. Government Principles for the Utilization and

Care of Vertebrate Animals Used in Testing, Research, and Training."

- B. This institution acknowledges and accepts responsibility for the care and use of animals involved in activities covered by this Assurance. As partial fulfillment of this responsibility this institution will make a reasonable effort to insure that all individuals involved in the care and use of laboratory animals understand their individual and collective responsibilities for compliance with this Assurance as well as all other applicable laws and regulations pertaining to animal care and use.
- C. This institution has established and will maintain a program for activities involving animals in accordance with the "Guide for the Care and Use of Laboratory Animals."

III. Institutional Program for Animal Care and Use

- A. The lines of authority and responsibility for administering the program and ensuring compliance with this Policy begin with the individual investigator. The investigator submits relevant research and teaching applications and progress reports to the Institutional Review Board (IRB). This committee is composed of at least five members in accordance with PHS Policy at IV.A.3.b. The veterinarian of the Institutional Animal Care and Use Committee (IACUC) will provide independent reports to the WVSU-IRB or to any other requesting official of the University. The WVSU-IRB will report at least once a month to the President.
- B. Veterinary care will be provided by a licensed Doctor of Veterinary Medicine. The veterinarian will be very familiar with the animal colonies at the institution and will provide both routine care and acute and chronic treatment of colony animals as needed. The veterinarian will provide appropriate treatment and supervision in addition to any emergency care and to participating in all IACUC meetings. The veterinarian will operate in complete conformance with Section 3 of the Guide to the Care and Use of Laboratory Animals. This includes: a) routine observations of colony animals to assess their health and welfare; b) use of appropriate preventative, diagnostic, control, and treatment methods; c) guidance to users in animal handling, immobilization, anesthesia, analgesia, and euthanasia; and d) oversight of surgical and post-surgical care.
- C. This institution has established an Institutional Animal Care and Use Committee (IACUC), which is qualified through the experience and expertise of its members to oversee the institution's animal program, facilities, and procedures. The IACUC consists of at least five members, and its membership meets the compositional requirements set forth in the Public Health Service policy at IV.A.3.b.
- D. The IACUC will
 - 1. Review at least once every six months the institution's program for humane care and use of animals, using the Guide as a basis for evaluation.

2. Inspect at least once every six months all of the institution's animal facilities using the Guide as a basis for evaluation.
 3. Prepare reports of the IACUC evaluations as set forth in PHS Policy at IV.B.3. and submit the reports to the University President.
 4. Review concerns involving the care and use of animals at the institution.
5. Make written recommendations to President of the University regarding any aspect of the institution's animal program, facilities, or personnel training.
6. Review and approve, require modifications in (to secure approval) or withhold approval of those activities related to the care and use of animals as set forth in the PHS Policy at IV.C.
 7. Review and approve, require modifications in (to secure approval) or withhold approval of proposed significant changes regarding the use of animals in ongoing activities as set forth in the PHS Policy at IV.C.
 8. Notify investigators and the institution in writing of its decision to approve or withhold approval of those activities related to the care and use of animals, or of modifications required to secure IACUC approval as set forth in PHS Policy at IV.C.4.
 9. Be authorized to suspend an activity involving animals as set forth in the PHS Policy at IV.C.6.
- E. The procedures which the IACUC will follow to fulfill the requirements set forth in the PHS Policy at IV.B. are as follows:
1. The purpose of the IACUC meetings will meet be to review new proposals and progress reports and to conduct and evaluate site visit reports on continuing research.
 2. The IACUC will inspect the primary animal facility at least every six months. Inspections will not be advertised, and they may occur more frequently if deemed necessary at any level of the reporting process as specified in Section III.A. of this Assurance. The inspection committee will be composed of at least three members of IACUC, including the veterinarian. The inspection committee will be designated at the first IACUC meeting of the academic year.
 3. The inspection of animal facilities will include, but not be limited to the following major areas:
 - a. Inspection of animal cages. All animals shall be housed in IACUC-approved cages. Excrement trays will be fully covered with sanitary bedding less than 24

hours old.

- b.** Inspection of cage sanitizer to insure satisfactory operation.
 - c.** Inspection of dishwasher and autoclave. Glassware, plastic water bottles shall be inspected for soap residue and cleanliness. Cultures will be taken randomly from water bottles and evaluated in the College laboratories for the presence of microbial contamination. Reports will be provided directly to the IACUC.
 - d.** Evaluation of air circulation and temperature.
 - e.** Inspection of bedding and food. Bedding and food will be kept in a separate storage closet, which will be routinely inspected in terms of adequacy. Random samples of food will be collected and evaluated in the College laboratories for the presence of contamination. Reports will be provided directly to the IACUC.
 - f.** Safety inspection. The facility will be evaluated for compliance with local and state occupational safety codes. Included will be the assurance that all hazardous materials are kept in approved containers and stored in an area separate from the animal housing area.
4. The Inspection Committee shall complete an evaluation form which will be filed with the IACUC. A separate Veterinary Report will be completed by the IACUC veterinarian and filed with the IACUC. The Veterinary Report will be filed monthly. The IACUC shall review the Inspection Committee Report. Where concerns are indicated, the following actions will occur:
- a.** The Facilities Director will be notified in writing by IACUC. The director will have five days upon receipt of notice from the IACUC to file a report to the IACUC indicating either that the problem has been corrected or indicating a schedule for correcting the problem.
 - b.** The principal investigator of all affected projects will be notified in writing by the IACUC.
5. The IACUC will report to the chair of the WVSU-IRB, who is the institutional official assuring PHS compliance, within three days of each IACUC meeting. The WVSU-IRB chair will be informed of any problems or deficiencies, and a timetable will be given for the correction of problems and for the resumption of compliance with IACUC guidelines.
- F.** The individual authorized by this institution to verify IACUC approval of those sections of applications and proposals related to the care and use of animals is the Chair of the WVSU-IRB.

G. The health program for personnel who work in laboratory animal facilities or have frequent contact with animals includes the following:

1. Medical examinations by University medical staff every academic semester.
2. Seminars in animal care and handling by the IACUC Veterinarian presented to animal care personnel every academic semester. These seminars cover the importance of appropriate laboratory garments (lab coats, masks, gloves), cleanliness of garments, and the importance of personal hygiene before and after animal contact. Basic first aid is also covered.
3. In-service courses covering correct washing and sterilization procedures, animal handling and feeding, cage maintenance, microbial assay (culturing), and room cleaning.

H. The WVSU animal care facility contains 120 square feet. The largest animals contained will be 3-Kg rabbits, which will be housed in 20" x 40" cages. There will be two animals per cage, and there will never be more than six animals housed in the facility. Rats and mice will be housed in 12" x 12" plastic cages, with two to three animals per cage, and no more than 20 animals in the facility. All cages are PHS-approved, and they are cleaned and sanitized daily with a sterilized water delivery system. Facility staff are sensitive to housing animals with compatible behavior qualities.

I. The training or instruction available to scientists, animal technicians, and other personnel involved in animal care, treatment, and use are offered by the Vivarium staff during regular seminars, and by those academic departments directly involved in the sponsoring of animal research. All research will be evaluated by the Institutional Review Board to insure that animal distress will be minimized and that the minimum number of animals will be used to obtain valid results.

IV. Institutional Status

As specified in the PHS Policy at IV.A.2., as Category 1, all of the institution's programs and facilities (including satellite facilities) for activities involving animals are being evaluated for accreditation by the American Association for Accreditation of Laboratory Animal Care. All of this institution's programs and facilities for activities involving animals have also been evaluated by the IACUC and will be reevaluated by the IACUC at least once every six months.

V. Recordkeeping Requirements

A. This institution shall maintain for a period of at least three years the following documents:

1. A copy of this Assurance and any modifications thereto, as approved by PHS.

2. Minutes of IACUC meetings, including records of attendance, activities of the committee, and committee deliberations.
 3. Records of applications, proposals, and proposed significant changes in the care and use of animals and whether IACUC approval was given or withheld.
 4. Records of semiannual IACUC reports and recommendations as forwarded to the President.
 5. Records of accrediting body determinations.
- B.** This institution will maintain records that relate directly to application, proposals, and proposed changes in ongoing activities reviewed and approved by the IACUC for the duration of the activity and for an additional three years after completion of the activity.
- C.** All records shall be accessible for inspection and copying by authorized OPRR or other PHS representatives at reasonable times and in a reasonable manner.

VI. Reporting Requirements

- A.** At least once every 12 months, the IACUC, through the Institutional Official, will report the following in writing to the Office of Protection from Research Risks (OPRR, DHHS).
1. Any change in the status of the institution (e.g., if the institution becomes accredited by AAALAC or AAALAC accreditation is revoked), any change in the description of the institution's program for animal care and use as described in this Assurance, or any changes in IACUC membership. If there are no changes to report, this institution will submit a letter to OPRR stating that there are no changes.
 2. Notification of the date that the IACUC conducted its semi-annual evaluations of the institution's program and facilities (including satellite facilities) and submitted the evaluations to the University President.
- B.** The IACUC, through the Institutional Official, will provide the OPRR promptly with a full explanation of the circumstances and actions taken with respect to the following:
1. Any serious or continuing noncompliance with the PHS policy.
 2. Any serious deviations from the provisions of the Guide.
 3. Any suspension of an activity by the IACUC.
- C.** Reports filed under VI.A.2. and VI.B. above shall include any minority views filed by members of the IACUC.

U.S. INTERAGENCY RESEARCH ANIMAL COMMITTEE
Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research and Training*

The development of knowledge necessary for the improvement of the health and wellbeing of humans as well as other animals requires in vivo experimentation with a wide variety of animal species. Whenever U.S. Government agencies develop requirements for testing, research, or training procedures involving the use of vertebrate animals, the following principles shall be considered; and whenever these agencies actually perform or sponsor such procedures, the responsible institutional official shall ensure that these principles are adhered to

1. The transportation, care, and use of animals should be in accordance with the Animal Welfare Act (7 U.S.C. 2131 et.sep.) and other applicable Federal laws, guidelines, and policies.*
2. Procedures involving animals should be designed and performed with due consideration of their relevance to human or animal health, the advancement of knowledge, or the good of society.
3. The animals selected for a procedure should be of an appropriate species and quality and the minimum number required to obtain valid results. Methods such as mathematical models, computer simulation, and in vitro biological systems should be considered.
4. Proper uses of animals, including the avoidance or minimization of discomfort, distress, and pain when consistent with sound scientific practices, is imperative. Unless the contrary is established, investigators should consider that procedures that cause pain or distress in human beings may cause pain or distress in other animals.
5. Procedures with animals that may cause more than momentary or slight pain or distress should be performed with appropriate sedation, analgesia, or anesthesia. Surgical or other painful procedures should not be performed on unanesthetized animals paralyzed by chemical agents.
6. Animals that would otherwise suffer severe or chronic pain or distress that cannot be relieved should be painlessly killed at the end of the procedure or, if appropriate, during the procedure.
7. The living conditions of animals should be appropriate for their species and contribute to their health and comfort. Normally, the housing, feeding, and care of all animals used for biomedical purposes must be directed by a veterinarian.

* For guidance throughout these Principles, the reader is referred to the *Guide for the Care and Use of Laboratory Animals* prepared by the Institute of Laboratory Animal Resources, National Academy of Sciences.

West Virginia State University Institutional Review Board
Application for Review and Approval of Research
with Human or Animal Participants

General Guidelines

1. Type or word process the application.
2. Complete the form by spelling out agencies or other frequently used terms once, using abbreviations afterwards. Omit items, if necessary, by writing “not applicable.”
3. Indicate the duration of the project as accurately as you can.
4. Federal guidelines require that you submit Full-Review Projects that continue more than a year for annual approval. This progress report and request for renewal is due not later than 11 months after the previous approval date.
5. All submissions must include a sample of the Informed Consent form for your project. (See pp. 6-7 in the Policy).
6. Submit 10 complete copies of your application to the chair of the WVSU-IRB. If there is copious supporting information (such as funding sources, articulation agreements with other institutions), one copy of that is sufficient. None of this material will be returned to you.
7. To be considered for full review, all your materials must be submitted to the chair of the IRB at least three weeks before you need the decision.

West Virginia State University Institutional Review Board

Application for Approval of Research with Human or Animal Subjects

- Full review requested
Expedited review requested
Exempt from full review requested
Attach a rationale for your research, explaining the category of Title 45, Code of Federal Regulations, Part 46, Protection of Human Subjects, that applies to your work. An explanation of the exemptions is available from the WVSU-IRB (see p. 31).

Title of Project:

Date of Submission: month / day / year

Type of Project: new continuation course related: (Number & Name of course)

Investigators

Principal investigator:

Name Status: faculty, staff, graduate student, undergraduate student Department/Unit

Other investigators: (attach list of additional investigators if necessary)

Name Status: faculty, staff, graduate student, undergraduate student Department/Unit

Name Status: faculty, staff, graduate student, undergraduate student Department/Unit

If this is a student project, who is the faculty sponsor?

name Position/Department

Contact Information

Mailing address of Principal Investigator or Faculty Sponsor:

E-mail: @ Telephone

Project duration: from to

Project Description: Attach page(s) that enable the WVSU-IRB to understand (1) the project's objectives, (2) methods of research, and (3) significance. over

Check any of the following which are involved in your project:

- students as subjects
- students as researchers
- patients as subjects
- non-patient volunteers
- trainees as subjects
- subjects under 18 years of age
- subjects whose major language is not English
- subjects with a mental disability
- subjects with a physical disability
- subjects with a developmental disability
- prisoners, parolees, or incarcerated subjects
- subjects not at West Virginia State University
- subjects in the active duty Armed Services
- filming, video-taping, or voice-recording subjects
- data banks, data archives, and/or registration records
- subjects to be paid

The principal investigator must assure the WVSU-IRB that all procedures performed under the project will be conducted by individuals legally and responsibly entitled to do so. Any deviation from the project—for example, a change in principal investigator, research methods, subject recruitment process, etc.—must be submitted to the WVSU-IRB for approval prior to implementation.

I acknowledge that all procedures will meet relevant local, state, and federal regulations regarding the use of human subjects in research.

Principal investigator's signature _____ date _____

Faculty sponsor's signature (if applicable) _____ date _____

Department chair's signature _____ date _____

Dean's or Supervisor's signature _____ date _____

Explanation of Exemptions

The Code of Federal Regulations, Title 45, Public Welfare, Department of Health and Human Services (DHHS), National Institutes of Health (NIH), and the Office for Protection from Research Risks, Part 46, Protection of Human Subjects, Revised November 13, 2001, Effective December 13, 2001,* states that

Research activities in which the only involvement of human subjects will be in one or more of the following categories **may** be exempt from the full review:

1. Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as
 - (i) research on regular or special educational instructional strategies, or
 - (ii) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.
2. Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless
 - (i) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and
 - (ii) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.
3. Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior that is not exempt under 2 above, if
 - (i) the human subjects are elected or appointed officials or candidates for public office; or
 - (ii) Federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.
4. Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in such a manner that the subjects cannot be identified, directly or through identifiers linked to the subjects.
5. Research and demonstration projects which are conducted by or subject to the approval of Department or Agency heads, and which are designed to study, evaluate, or otherwise examine
 - (i) public benefit or service programs;
 - (ii) procedures for obtaining benefits or services under those programs;
 - (iii) possible changes in or alternatives to those programs or procedures; or
 - (iv) possible changes in methods or levels of payment for benefits or services under those programs.

* <http://ohrp.osophs.dhhs.gov/humansubjects/guidance/45cfr46.ht>

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.

(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.

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