

BLUEFIELD STATE COLLEGE

Bluefield, West Virginia

Faculty Handbook

This Handbook provides faculty and administrative staff members with information related to the internal policies, procedures and practices, as well as other matters of faculty interest at Bluefield State College. Pertinent Higher Education Policy Commission and Bluefield State Board of Governors regulations, plus the faculty constitution, and other academic information comprise this Handbook. It portrays the expectations of the College administration and guides the actions of the faculty as related to the efficient and effective operations of the College.

This handbook is viewed by the College administration as a working document which is revised periodically to reflect current policies, both statutory and institutional. As such, suggested changes, additions, and corrections are welcomed by the College administration.

Bluefield State College is an Equal Educational Opportunity Institution and admits students and employs staff and faculty without regard to race, creed, or national origin. It neither affiliates knowingly with, nor grants recognition to, any individual, group, or organization having policies that discriminate on the basis of race, color, age, religion, sex, national origin or handicaps as defined by applicable laws and regulations.

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www.bluefieldstate.edu

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Registrar	Ms. Terry Thompson	327-4062
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1.0000 INTRODUCTION

1.1000 FORWARD

The purpose of this Faculty Handbook is to present the policies, procedures, and regulations of the Higher Education Policy Commission and Bluefield State College that are directly applicable, and are of specific interest, to faculty members. Many of the items in this faculty handbook are taken directly from the policies of the Higher Education Policy Commission, which are on file in the Library and the offices of the President, Vice Presidents, Academic Deans, and Director of Human Resources for purposes of reference. Those policies may also be accessed via the College's website.

1.2000 PURPOSE AND MISSION

The mission of Bluefield State College is to provide students an affordable, accessible opportunity for public higher education. A historically black institution, Bluefield State College prepares students for diverse professions, graduate study, informed citizenship, community involvement, and public service in an ever-changing global society. The College demonstrates its commitment to the student's intellectual, personal, ethical, and cultural development by providing a dedicated faculty and staff, quality educational programs, and strong student support services in a nurturing environment.

The College serves the citizens of southern West Virginia by providing courses and programs principally in Bluefield and Beckley, West Virginia.

1.3000 PHILOSOPHY OF BLUEFIELD STATE COLLEGE

Bluefield State College is an institution of higher education designed to provide an education of quality to the people of southeast West Virginia as well as to the people of the state at-large. The College seeks to provide the kinds of educational opportunities that will enable students to succeed in graduate school and in their chosen careers.

1.4000 ACCREDITATION AND AFFILIATION

Bluefield State College is accredited by the Higher Learning Commission, a Commission of The North Central Association of Colleges and Schools. The Commission may be contacted at www.ncacihe.org

The engineering technology programs Civil Engineering Technology, Electrical Engineering Technology, and Mechanical Engineering Technology are accredited by:

The Technology Accreditation Commission of the Accreditation Board for Engineering and Technology

111 Market Place Suite 1050

Baltimore, MD

21202

(410)347-7700

The Associate Degree Nursing program is accredited by:

The Accreditation Commission for Education in Nursing (ACEN) 3343 Peachtree Rd. NE
Suite 500
Atlanta, GA
30326
(404) 975-5000

The baccalaureate degree in nursing at Bluefield State College is accredited by the
Commission on Collegiate Nursing Education.
655 K Street NW
Suite 750
Washington, DC 20001
(202)887-6791
CCNEACCREDITATION.ORG

The Associate Degree Radiologic Technology program is accredited by: The Joint Review
Committee on Education in Radiologic Technology 20 North Wacker Drive Suite 2850
Chicago, IL
60606-3182
(312) 704-5300
www.jrcert.org

The K-6 Early/Middle Education program is accredited by:
The National Council for Accreditation of Teacher Education standard through the Council
for the Accreditation of Education Preparation (CAEP)
1140 19th St NW Suite 400
Washington, D.C.
20036
(202) 233-0077
Approved by the West Virginia Department of Education.
Bluefield State College is a member of the American Association of Colleges for Teacher
Education.

The Business Administration and Accountancy programs are accredited by:
The Accreditation Council for Business Schools and Programs (ACBSP)
7007 College Boulevard, suite 420
Overland Park, KS
66211
(913) 339-9356

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2.0000 COLLEGE GOVERNANCE AND MANAGEMENT

2.1000 WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

Under West Virginia Law, the West Virginia Higher Education Policy Commission is the governing body for higher education in the state of West Virginia and has authority for control and management for institutions of higher education. The Commission consists of eight members, with five lay persons appointed by the Governor, the Secretary of Education and the Arts, a member of the State Board of Education, and one representative of private institutions (non-voting).

The Chancellor is the chief executive officer of the Commission and oversees the policies of the higher education system. As a public institution, Bluefield State College comes under the authority of the Higher Education Policy Commission.

2.2000 BLUEFIELD STATE COLLEGE BOARD OF GOVERNORS

The Institutional Board of Governors is formed to determine, control, supervise and manage the financial, business, and education policies and affairs of the College. The Board of Governors consists of twelve members: nine lay members appointed by the Governor; one full time faculty member with the rank of instructor or above elected by the faculty; a member of the student body in good academic standing, enrolled for college credit and elected by the student body; and a member of the institutional classified staff elected by the classified staff. Duties of the Institutional Board of Governors include developing and updating master plans; submitting the budget to the Commission; conducting program reviews; administering personnel matters; appointing the institutional president; conducting presidential evaluations; delegating to the President; and establishing tuition and fees. See Appendix B for complete discussion of [WV Code 18B-2A-4](#).

2.3000 ADVISORY COMMITTEES FOR SPECIALIZED PROGRAMS AND FUNCTIONS

Advisory committees for specialized programs, curricula, college publications, and functions aid in establishing and evaluating such programs, curricula, etc. Advisory committee members are business professionals and other residents of the southeast West Virginia area who can provide advice and guidance on various program elements. Members of the advisory committees are appointed by the deans & directors of specialized programs with approval of the president.

2.4000 THE PRESIDENT OF THE COLLEGE

The President, appointed by the Institutional Board of Governors, is the chief executive officer of the College.

2.5000 COLLEGE MANAGEMENT

2.5100 College Policy Bulletins

College policies are created under the authority of the College's Board of Governors and the President to facilitate administration and management within the College.

2.5200 The President's Administrative Staff

The President's Administrative Staff consists of those administrators who report directly to the President of the College. Specifically, its membership includes the President of the College as Chairperson, Provost/Vice President for Academic Affairs, Vice President for Financial and Administrative Affairs, Vice President for Student Affairs/Enrollment Management, Assistant to the President/Director of Institutional and Media Relations, Director of Technology and Virtual College, Director of Human Resources, Director of Institutional Research and Effectiveness, Director of Multicultural Affairs, Director of Institutional Advancement and Planning, and Director of Athletics.

The President's Administrative Staff serves in an advisory capacity to the President, deals with matters that cut across the lines of administrative units headed by staff level administrators, and performs other functions as determined by the President.

2.5300 College Council Rationale

The goal of this Council is to involve College personnel and students in formulation and/or review of policies having College-wide impact and/or those policies having significant impact which require the approval of the College President and the Board of Governors.

The College community is collectively responsible for the effective and efficient operation of Bluefield State College, likewise each person employed by the College is accountable personally for their stewardship in their designated position duties.

Therefore, there is established a College Council comprised of persons either appointed by position or elected by constituents to review resolutions and petitions related to college-wide matters and to forward recommendations on College-wide policies and procedures to the College President who will present those recommendations with his/her input to BSC's Board of Governors.

Functions of the Council

The College Council will formally review policy and procedural matters presented in an orderly and deliberative manner. Ordinarily new proposals or proposed revisions will be presented in written draft form to the College President, who will review all proposals to establish the agenda for Council meetings. Prior to each meeting, the agenda and related documents will be distributed to Council members to assure an opportunity for review and comment within the College community.

Proposals for review, resolutions and petitions are to be introduced by a Council member, and the College President may seek the advice of the Council on any matter. Should a Council member not agree with a particular point of view from a constituency represented, such disagreement may be entered in the record of minutes; however, initiatives of a College-wide nature are to be brought forward in a timely and orderly fashion.

The Council may recommend to the College President the remanding of any matter to an existing body or may recommend the formulation of a group specifically charged with reviewing and recommending a course of action.

During the course of deliberations, it is expected that Council members will place the best interests of Bluefield State College above all other interests. Constituent representatives will confer with their colleagues on any matter before the Council, and when votes are taken, such communication and consultation as necessary and appropriate will have taken place.

Once actions have concluded, recommendations will be forwarded to the College President, who will present those recommendations with his/her input to BSC's Board of Governors. Once recommendations have been acted upon, the President's Office will be responsible for disseminating information to the College community.

Procedures of the Council

1. The College President will convene and chair the Council; however, the President will not vote and a tie vote is recorded as a nay' recommendation.
2. Generally, Roberts' Rules of Order will govern formal proceedings.
3. Minutes of the meetings will be maintained by the President's Office and will contain a listing of those members present and absent, as well as information and action items. The minutes will be distributed, after approval to Council Members, the Bluefield State College library, and posted electronically on All- Users.
4. The Council meetings are open, and faculty, staff, administrators, and students are welcome as audience.
5. The Council will ordinarily meet at least twice per semester. Generally, the Council will not meet during the summer unless requested by the College President.

Membership on the Council

Membership on the Council is either by appointment due to the position held or by election from within a constituent body.

Membership

1. Chair, Faculty Senate
2. Faculty ACF Representative
3. Faculty
4. Faculty
5. Chair, Classified Staff Council
6. Classified Staff ACCE Representative
7. Classified Staff

Means of Seating on Council

- By Position
Elected by faculty
Elected by faculty
Elected by faculty
By Position
Elected by staff
Elected by staff

8. Classified Staff	Elected by staff
9. SGA President	By Position
10. Student BOG Representative	Elected by students
11. Student Representative	Elected by students
12. Student Representative	Elected by students
13. VP Academic Affairs/Provost	By Position
14. VP Financial and Administrative Affairs	By Position
15. VP Student Affairs/Enrollment Management	By Position
16. Assistant to the President, Equity, Diversity, & Inclusion	By Position
17. President (Ex-Officio)	By Position
18. Director, Institutional Research and Effectiveness (Ex-Officio)	By Position

Constituent elections of faculty, classified staff, and student representatives will be conducted by their respective senates and councils during the spring semester of each year.

The terms of office shall be July 1 – June 30 of each fiscal year. It is expected that those seeking and accepting seats on the Council will attend meetings and participate fully in the deliberations of the College Council.

2.5400 Classified Senate

Members of the Staff Council will be elected from the following employment sectors:

1. Two classified employees from the administrative/managerial sector;
2. Two classified employees from the professional/non-teaching sector;
3. Two classified employees from the paraprofessional sector;
4. Two classified employees from the secretarial/clerical sector; and
5. Two classified employees from the physical plant/maintenance sector.

The purposes of the Senate:

1. To advise the President of the College and the Faculty Senate in matters of concern to classified employees;
2. To be a communication channel between the administration and classified employees.

2.6000 COLLEGE GOVERNANCE

2.6100 Faculty Constitution

The purpose of the faculty organization, "shall be to provide for the participation of the faculty in the formation, implementation, and review of institutional policy and to provide the means by which the faculty may participate in the internal governance of the College and action on matters with which it is directly concerned." (Article II, Section 1, Faculty Constitution.) The constitution document is found in Appendix C.

2.6200 Faculty Senate

The Faculty Senate is the vehicle for participation by representation of the faculty in the

governance of the College. The Faculty Senate reports to the College faculty assembly. The Senate's decisions are subject to review and approval by the President.

The function of the Faculty Senate shall be to serve as an advisory body to the faculty and the President for matters relating to faculty governance and faculty and institutional well-being. The Chairperson of the Faculty Senate presides at faculty meetings and represents the faculty at all official functions.

2.6300 Standing Faculty Committees

Standing faculty committee structure, function, and duties are delineated in the Faculty Constitution.

2.6400 Governance Role of Faculty at Off-Campus Sites

All full-time faculty employed under a Bluefield State College contract, holding the rank of instructor, assistant professor, associate professor, or professor, whether teaching on the Bluefield campus or at one of the off-campus sites, are faculty within the meaning of the Faculty Constitution, Article II.

Full-time faculty members who teach at off-campus sites hold rank in a particular academic school of Bluefield State College; hence, they are eligible to vote with their respective academic school.

2.7000 ADMINISTRATION

The administrative officers are responsible for supervising the programs and implementing College policies. The President is the Chief Executive Officer of the College and, as such, delegates' authority and responsibility to the vice presidents, directors and academic deans, and to councils and committees to carry out those duties that assist the College in fulfilling its mission and accomplishing its goals. Administrative officers share the responsibility with the Institutional Board of Governors and the WV Higher Education Policy Commission for interpreting and implementing College and State policies. This responsibility requires that policies are to be implemented and administered effectively in accordance with the purposes and standards of the College with due regard to the rights and privileges of all members of the College community.

2.8000 ORGANIZATIONAL CHART

Most current organizational chart can be found on the BSC web page.

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3.7000	Assessment

3.0000 INSTRUCTIONAL POLICIES AND PROCEDURES

3.1000 CLASSROOM CONTROL

The responsibility for, and the administration of, classroom discipline rests with the instructor. Instructors should not jeopardize the progress of a class by permitting the continued presence of any student whose behavior in any way adversely affects the class. Instructors experiencing such problems should request the Vice President for Student Affairs to handle the offending student. (Refer to student conduct policies and procedures in the current student handbook.)

3.1100 Class Records

Daily attendance and grade records must be kept. This policy applies to both credit and non-credit courses. Attendance should be kept electronically within the faculty resources of myBSC. Faculty are required to utilize the early alert system to provide students with areas of deficiency such as missed work, poor attendance, etc. The early alert system is also to be utilized for the withdrawal of students from courses. Full-time and adjunct faculty are responsible for maintaining these records. If a student has not attended within the first two weeks of class the faculty should withdraw the student from the course. At any time during a semester that a student should have excessive absenteeism it is the responsibility of the faculty to notify the student of the deficiency and recommend withdrawal from the course. Students should attend at least 70% of the course time, should this not be the case it is the responsibility of the faculty to withdraw the student from the course. Failure to withdraw students from courses results in a negative financial impact for the institution. Students enrolled in online courses should be withdrawn upon 2 consecutive weeks of failure to participate. Withdrawals can be done electronically.

3.1200 Tests and Final Examinations

Students are expected to take tests at the regularly scheduled time. No exceptions will be made without the permission of the instructor. Test security is the sole responsibility of the faculty member. Tests should be kept in the personal possession of the instructor or under lock until the time of the test. The instructor in charge of the class is responsible for the direct supervision of the test. Exceptions must have prior approval by the School Dean. To insure the student's right to objective grading, students must be given the opportunity to review any graded or evaluated work and the right to an explanation of the grade or assessment.

If a student is unable to take a test because of illness or other emergency, it is the student's responsibility to document the absence to the satisfaction of the instructor and to arrange for a make-up test. Supervising of a makeup test remains the responsibility of the instructor in charge of the class.

Each instructor is required to give either a final written examination or equivalent summative assessment during the designated final examination period. The instructor should provide a course content review opportunity in preparation for the final examination. In cases where an equivalent summative assessment is used, the faculty

member must consult with the School Dean concerning the design of the summative assessment method to insure that it is consistent with the nature and objectives of the course. Instructors must keep the individual student examination papers and summative assessment results on file for one calendar year in case any question arises concerning grades.

3.1300 Absence of an Instructor from Assigned/Scheduled Duties

If an instructor must miss a class or other assigned duties for any reason, the instructor must seek prior approval of the School Dean by submitting a completed short leave form. In the case of classes missed, it is preferred that make-up classes be scheduled in advance of the absence. The short leave form must describe the provisions made for the continuation of student learning during the instructor's absence. Absence because of unforeseen circumstances including illness must be brought to the attention of the School Dean at the earliest opportunity and a short leave form completed which reflects the disposition of classes or other assigned duties missed.

3.1310 Delay of an Instructor in Meeting a Class

Instructors are responsible for notifying the School Dean or School Office of any delay and will insure that, in each course, students understand the following procedures in the event that the instructor is not present at the beginning of a class. Students may not simply leave a class of their own volition. As soon as it is obvious that the instructor will be late for the class, it is the responsibility of the students to take the initiative to inquire at the School office as to any information concerning the instructor's absence in order to resolve the matter of waiting or not waiting. A representative from the School office will then inform the class how to proceed.

3.1400 Speakers or Consultants not affiliated with the College

When an instructor wishes to have a guest speaker appear in class who is not a member of the faculty or staff, the instructor should confer with the School Dean well in advance of the proposed appearance date. Prior approval must be obtained from the Vice President for Academic Affairs when reimbursement is involved.

3.2000 CONFIDENTIALITY OF STUDENT GRADES

In keeping with the Family Educational Rights and Privacy Act of 1974, a student's grades within a course are to be treated as confidential and are to be disclosed only to the student personally. The public posting of student grades by name, social security number, or any form of student identification is prohibited. This applies to final grades as well as to scores on any one test, quiz, examination, or other evaluative instrument.

Final assigned letter grades can be accessed online by the student.

3.3000 CURRICULUM PROPOSALS AND APPROVAL PROCESSES

Course and curriculum development, evaluation, and change are the responsibilities of each

faculty member. School Deans are expected to provide the leadership.

- A. Curriculum proposals must be initiated and approved at the School level. The School Dean must consult with and inform the Vice President for Academic Affairs and other School Deans regarding curriculum proposals.
- B. In the case of course or curriculum proposals affecting any teacher education program, the proposal next goes to the Educational Personnel Preparation Advisory Committee (EPPAC), via the Office of the Dean of the School of Education, for consideration and approval.
- C. All proposals are then submitted to the Curriculum Committee for consideration and approval.
- D. Upon approval by the Curriculum Committee, proposals are presented to the Faculty Senate for review and action.
- E. Proposals positively recommended by the Faculty Senate are forwarded to the Vice President for Academic Affairs for his/her consideration and approval by formal communication, along with the record of prior actions pertaining to the proposal. If approved by the Vice President, proposals will be forwarded to the President.
- F. Proposals for new programs approved by the President are sent to the Board of Governors for review and consideration.
- G. All proposals with final approval are forwarded to the Registrar.

3.3100 Textbooks

Textbook selection is the responsibility of the full-time teaching faculty in the appropriate discipline. Textbooks, once adopted, must be used for a minimum of two years (unless a new edition is released). Exceptions must be approved by the Vice President for Academic Affairs. Selected textbooks are to be used for all sections of a particular class at all campus sites. Exceptions are to be approved by the School Dean.

Each academic discipline will have its own textbook selection process. In cases of courses involving more than one instructor, the process will include all full-time faculty involved in that course. Textbooks should be continually evaluated, considering criteria such as compatibility with course objectives, illustrations, writing style, readability level, assumptions of prior knowledge, cost, general layout and design, and ready availability. Faculty will submit orders for textbooks and materials directly to the Bookstore. The Bookstore Manager is responsible for maintaining and publishing a master list of textbooks and corresponding materials for the College.

Desk copies of textbooks for faculty members shall be ordered directly from the publisher by each faculty member or the School Dean. In those cases where a publisher does not provide free desk copies of textbooks, the School shall purchase the desk copies required following the desk copy policy. Purchased copies remain the property of the

School. Faculty members are prohibited from selling desk copies to the Bookstore or to representatives of used textbook purchasing companies.

Textbooks should be ordered a minimum of eight weeks prior to the beginning of the appropriate semester.

3.3200 Syllabi

The essential purpose of a course syllabus is to serve as the primary guide for the instruction of a course. A course syllabus is required for each course offered by the College. Full time faculty are responsible for the preparation of all course syllabi that are to be used for all courses taught, regardless of campus location, as syllabi serve as a valuable source of information and guidance for new and adjunct instructors in their course preparation. The syllabus serves as permanent documentation for that particular course, is required for accreditation, is used to determine the courses parallel to ones offered in other colleges or universities, and is used in curriculum development.

The syllabus serves as a contract between the instructor and the student, and as such should not be changed once distributed. The course syllabus is the primary reference which relates pertinent class operational procedures and policies to students. A copy of the course syllabus will be given to each student at the first class meeting each semester. Each School Dean shall maintain a file of course syllabi for each course offered within the School and be responsible for the development of a course syllabus for any new course proposed for the School. To be in compliance with state guidelines for assuring transferability and use of prior learning for credit all syllabi are to be available electronically and accessible on the BSC web site. The course syllabus should reflect the competencies that the student can expect to master in that class and is to contain the following:

- a. Course title and number
- b. Objectives of the course
- c. Departmental, Programmatic, and/or General Studies student learning outcomes
- d. Scope of material to be covered in the course
- e. Required readings
- f. Applicable learning resources
- g. The basis for awarding student grades: exams, papers, quizzes, projects, or other: when they are due and the weight each will carry towards the final grade
- h. Student attendance requirements (refer to college catalog for general statement on attendance)
- i. Instructor contact information (e-mail address, telephone number(s), and Office hours)
- j. Other pertinent information concerning course management and instructor expectations of students.

3.3300 Advising Students

Each regular student admitted to the College will be assigned a faculty advisor. The faculty advisor will normally be a member of the School responsible for the program in which the student has been enrolled and, because of his/her knowledge of the technical and academic

requirements of the program, will become the student's academic point of reference within the College. If the student changes programs, a new faculty advisor will be assigned according to the new program. Advisor assignments are made by the Counseling and Advising Center Director.

Registration for any class in any semester begins with a consultation with the assigned faculty advisor. The specific duties of academic advisors are to assist students in preparing schedules, to assign them to classes, to prepare and maintain a cumulative file on each advisee's academic progress, and to prepare a 45- or 90- hour evaluation at the proper time.

The student must consult with the faculty advisor to initiate the adding or dropping of a course. If the student contemplates a complete withdrawal from the College, the student should contact a counselor in addition to the advisor. Faculty advisors are responsible to assure students who are completely withdrawing meet with the counselling center to complete the exit paperwork.

Each faculty advisor is expected to maintain a schedule of posted office hours throughout the year so that he/she may be accessible to students he/she is advising. Full-time faculty members must maintain a minimum of 10 office hours per week. Faculty may opt to do 2 of the required 10 office hours virtually. If this option is utilized there must be clear notification to students on how to access faculty during the scheduled 2 hours. Faculty teaching within the MOODLE® LMS may conduct these via chat thus the time can be confirmed. Advisors are required to extend posted office hours during registration periods and this is to be indicated to students by sign-up sheets posted on faculty offices for students to schedule an advising appointment.

3.4000 FIELD TRIPS AND STUDENT TRANSPORTATION

Trips related to classroom instruction are encouraged and should be used to provide more enriching experiences than the normal classroom activity can provide. Field trips for such instructional purposes involving students and/or instructional staff are planned and organized in the following manner:

- A. The instructor presents a recommendation for such a field trip to his/her School Dean. The recommendation presented should contain the class or group involved, the number attending, the faculty member or members in charge, the destination of the trip, the mode of transportation, estimated cost, and the purposes of the trip related to the instructional program, with expected values to be gained.
- B. The Vice President for Academic Affairs will have final approval authority for college-sponsored student travel. The Vice President for Student Affairs, and the Vice President for Finance and Administrative Affairs will be informed of the approval. If the use of private automobiles is approved, the instructor concerned must make certain that the owner provides the Vice President for Finance and Administrative Affairs proof of appropriate insurance coverage. If other transportation, such as buses, is required, notice should be given to the Vice President for Finance and Administrative Affairs at least two weeks in advance of the trip.

C. When an instructor wishes to take classes on a field trip, it is necessary to avoid conflict with student attendance in other classes and to secure proper approval prior to the trip as outlined in Items A and B above. If the trip will cause any student to miss class, arrangements should be made with the instructors by the student, prior to the trip.

3.5000 FACULTY LOADS

The primary responsibility of a faculty member at Bluefield State College shall be to provide quality instruction for the students. The major emphasis shall be on teaching by working with students in classrooms, laboratories, individual conferences, and related activities to help the students develop their interests and abilities to his/her fullest capacity in order to become a better person, a better worker, and a better citizen. To accomplish this goal, the following workloads are expected of faculty.

A. Teaching Loads

The teaching load for full-time faculty is 12 credit hours per semester which usually comprise 12-20 contact hours per week in classes. As enrollments fluctuate, the teaching load may exceed the minimum. The contact hours include lectures, seminars, laboratories, workshops, supervised practice, and similar activities. The actual number of contact hours shall be determined by the type of classes, the number of students in the classes, and the variations in course preparations (number of new courses, number of different courses, and number of total courses.) Full-time faculty members teaching more than 13 credits in an academic term shall have the overload courses be paid at the adjunct faculty pay rate or flat fees as designated by the school dean.

B. Class Preparation Time and Office Hours

The typical faculty member will probably spend 15-30 hours per week for lesson preparation, evaluation of student work, and professional study in relation to his/her classes at the College.

In order to promote the availability of faculty to work with individual students, each full-time faculty member must post on or near his/her office door a minimum of 10 hours per week as office hours to be available to work with students on their individual academic and occupational problems. Advisors must extend posted office hours during registration periods.

C. Professional Activities

It is estimated that approximately 2-10 hours per week may be needed for committee work and professional activities. Additional time may be needed for student activities and community activities.

D. Other Assignments

On occasion, faculty members maybe given special assignments or may engage in special projects which warrant consideration for a reduction in teaching load. Requests for such adjustment will be considered on recommendation of the School Dean to the Vice President for Academic Affairs. Approval of such requests is based on the need for the activity or the project, the time necessary, and the academic impact on the institution. Reduction of teaching load may also be determined by the Vice President for Academic Affairs.

Secretarial assistance will be available in each School. Also, depending upon the courses and programs offered in the School, provision will be made, when funds are available, for laboratory assistants, technicians, and other semi-professional faculty and staff. The School Dean is responsible for the assignment of such instructional assistance in the School.

3.6100 Library Services

Hours

During the Fall and Spring Semesters:

Monday - Thursday 8 a.m. - 7 p.m.

Saturday 10 a.m. - 3 p.m.

Sunday 2 p.m. - 7 p.m.

Summer Hours:

Monday - Friday 8 a.m. - 4 p.m.

Closed on College Holidays

The Library staff is eager to partner with faculty to provide information services that advance teaching and learning at Bluefield State. The Library home page at <https://www.bluefieldstate.edu/academics/library> provides access to resources and a full description of services. Please call or email the Library Director, Joanna Thompson, with any questions, comments, or concerns at 304-327-4050. To contact the reference desk, call 304-327-4056 or email the librarian at <https://www.bluefieldstate.edu/academics/library/contact>.

Library Mission Statement

The mission of the Wendell G. Hardway Library of Bluefield State College is to lead the campus in providing access to information and education in information seeking skills. The Library offers personal assistance to students and researchers in the use of its collections, which are developed in collaboration with faculty to support the College curriculum. The Library's resources and services promote the independent pursuit of knowledge, contribute to the mission of Bluefield State College, and are available for use by students, alumni and employees of the College, residents of the community, and citizens of the state of West Virginia. In recognition of Bluefield State's rich heritage as a Historically Black College, the Library also collects, preserves, and makes available primary source materials that document the history of the College.

3.6110 Access to Information

Book Resources

To provide access to most library resources, the library is equipped with wireless internet access as well as a wired computer lab. Resources must be accessed through themyBSC portal. The Library's book collections contain approximately 72,622 print volumes and 150,988 e-books. Access to these items is available via the online library system. The Library is a member of the Mountain Library Network (MLN), which is a network of 34 academic and public libraries, primarily in the southern and western parts of the state. Individuals may register for an MLN Library card at the circulation desk. This card is

honored by all MLN libraries. BSC faculty have unlimited checkout privileges at the BSC Library. Other MLN libraries may restrict the number of checkouts.

Full-text Databases

The library also subscribes to a number of full text article databases. Accessed through the myBSC portal, they include Applied Science and Technology Index, CINAHL (Cumulative Index to Nursing and Allied Health Literature), PsychArticles, Literary Reference Center, Jstor, Newsbank (African American newspapers 1827-1998), Westlaw, and MasterFile Premier.

Interlibrary Loan (ILL)

Books or articles not in the library's collection may be obtained via interlibrary loan from other libraries. Requests should be submitted to a librarian and there is no charge for the service. ILL services are restricted to BSC faculty, staff, and students who are registered users of the library.

Reserve Materials

Faculty who wish to place materials on reserve should contact the Circulation Desk at 327-4054, indicating the course for which the material is intended and the length of the checkout time. Personal copies of books may be placed on reserve, but they will be processed for protection by the security system. The library will make every effort to protect items on reserve. Careful consideration should be given regarding placing items that are no longer in print or that are particularly costly.

Book Orders/Magazine Orders

The library supports the academic programs of the college by developing collections that support and supplement the curriculum. Faculty members are encouraged to order books in their discipline and subject specialties. Order cards are available from the Library. Please include all bibliographical information on the card, including ISBN, and submit all requests to the Director of Library Services.

Any requests for new periodical titles should go directly to the Periodicals Librarian. Each request is evaluated for its support of the curriculum, availability of indexing and electronic access, and price. Journals are ordered once a year in the summer, but recommendations are welcome at any time.

3.6120 Education in Information-Seeking Skills

Library Orientation and Instruction

Members of the faculty are invited to bring their classes to the library for orientation, instruction, and use of collections. Instructional sessions are conducted by a librarian and the instruction is developed to complement the subject and educational level of the student. Classes include library orientation, basic library research methods, and

workshops that focus on specific databases, subject areas, or types of sources. Librarians will work with the faculty to design a class that will best fit the needs of the instructor and subject matter. Please contact the Library at least 3-5 days in advance of the class visit to allow for preparation time. Instruction can also take place in the regular classroom or in any of the electronic classrooms. Faculty who wish to bring their classes to the library should contact the library to ensure that there is space for all concerned.

3.6130 College Archives Program

The BSC Archives was established in 1992. Its mission is to collect, care for, promote, and make available the unique historical resources of the college. These materials document the history of administrative and academic units, as well as the activities of our faculty, staff, and students. The collection is located on the second floor of the Library.

The BSC Archives seeks papers from professors who have contributed significantly to Bluefield State. Faculty papers document the school's teaching and learning functions, provide insight into the professional concerns of the faculty, and show the wider influence of BSC professors. Please contact the Archivist for further information.

3.6200 Instructional Technology Center

The Bluefield State College Instructional Technology Center (ITC) contains microcomputer labs, a self-study area, and a nursing video collection. Television services in the June O. Shott Center for Extended Learning (CEL) contain the College videotape and film libraries, electronic classrooms, and satellite teleconferencing. It is committed to providing undergraduate instruction through provision of instructional technology services to faculty, students and staff. It serves as a model demonstration and instructional site for modern instructional technologies, providing multimedia, microcomputing, teleconferencing, instructional television and extended education. The Instructional Technology Center staff is committed to the idea that learning is individual, that learning occurs at different rates for different people, that different styles exist, and that learning is a continuous process.

Services

- * Academic Computing
- * Microcomputer Lab and Software
- * Media/Graphics production
- * Television Facilities
- * Independent Self-Study Area
- * Audiovisual Reserves for Faculty
- * Audiovisual Hardware Distribution
- * Videotape Library
- * Distance and Extended Learning
- * Interactive Video Network
- * Instructional Television
- * Satellite Teleconferencing

Policies

Equipment and materials are checked out to the faculty for periods of one week. Students are allowed to use equipment and materials in the ITC.

3.6300 Instructional Materials for Use by Faculty at Off-Campus Sites

Patrons may request loan of any non-reserved instructional materials and equipment for periods up to one semester.

3.6400 Computer Services

Institutional Computer Services (ICS) maintains and provides all Administrative Computing services and many academic computing support services. These include the student information system, the finance system, the financial aid system, and institutional data reporting activities. ICS maintains campus servers, campus-wide electronic mail, the student portal myBSC, the Bluefield State website, and the computer network. A Help Desk (304-327-4090 or extension 4090 on campus) is available to provide a single point of contact for the majority of technology support. The Help Desk can be reached by phone, by submitting a ticket at <https://helpdesk.bluefieldstate.edu>, emailing helpdesk@bluefieldstate.edu or if available, communicating via skype to User: Help Desk. A college-wide computer inventory is maintained, and desktop microcomputer replacements. Much of Academic Computing is handled through the ITC. Once the Help Desk has been contacted and a request for service has been reported, academic issues such as computer-assisted instruction, multimedia use, software licensing, desktop and lab failures in faculty/staff offices and labs are referred to the ITC Microcomputer staff. Requests are handled on a case by case basis and ICS staff are asked for assistance if the service involves the network or a server. A variety of video projectors and laptops are available for check-out/loan through the ITC on a one week negotiable basis.

Departments/Schools may choose to expend their own funds on microcomputer hardware and software purchases with appropriate approval. ICS and ITC will assist with purchasing recommendations and preliminary diagnosis of problems, but these purchases are the responsibility of the School. Desktop computers must meet campus specifications and be purchased with a three year warranty. Dealing with vendors, shipping and receiving of defective equipment, and replacement of these products is the responsibility of the department/School.

3.6500 Computer Services at Off-Campus Sites

Institutional Computer Services maintains the network, servers, and many desktop computers at BSC's off-campus sites.

3.7000 ASSESSMENT

Assessment of student outcomes of general education and programmatic competencies occurs throughout the academic year. Selected classes are used for administration of assessment instruments. Faculty will be notified if any of their classes have been selected for

testing. Faculty are to provide full cooperation during any and all assessment activities. Providing assessment of courses is a requirement for all faculty and is necessary in order to provide data for course improvement, accreditation requirements and possible course development.

4.0000	ACADEMIC POLICIES AND PROCEDURES
4.1000	Academic Load for Students
4.1100	Academic Standing of Students
4.1200	Semester Hours
4.1300	Classification of Students
4.2000	Academic Advising
4.2100	Student Attendance Policy
4.2200	Withdrawal from College
4.3000	Academic Appeals

4.0000 ACADEMIC POLICIES AND PROCEDURES

4.1000 ACADEMIC LOAD FOR STUDENTS

The standard academic load is 15-18 hours. To be considered a full-time student, a student must be enrolled for at least 12 semester hours. BSC does promote 15 to finish, thus students should be advised to register for 15 credits each semester. The maximum load is 18 hours per semester.

During the summer term the maximum permissible load is 7 semester hours for a five week term and fourteen semester hours across a 10 week term.

Students who have a 3.0 or better average overall may request permission from the Vice President for Academic Affairs to carry one or two additional hours. Although student credit-hour loads may exceed 18 in regular semesters, when justified and approved, students are not permitted to registering for credit loads in excess of 21.

4.1100 Academic Standing of Students

A. Probation--A descriptive term for the student who is permitted to remain in school after having failed to meet the minimum standards for satisfactory academic performance as provided by the faculty.

1. Deficiency invoking probation:

a. The student whose cumulative academic record shows a deficit of 12 quality points but no more than 17 quality points shall automatically acquire probationary status.

b. The transfer student whose total record shows a deficit of 12 quality points, if admitted, shall be assigned a probationary status as though the deficit had been accumulated in residence.

2. Restrictions associated with probationary status:

a. The student who is on probation shall have his/her schedule restricted as long as the probation continues and in accordance with the scale which follows:

16 week term	14 semester hours
5 week term	5 semester hours

b. Termination of probation--the student who is placed on probation as a result of a grade point deficit shall remain on probation until his/her quality point deficiency is reduced to 11 or fewer.

B. Suspension - Temporary withdrawal of the privilege of enrollment and admittance.

1. The student with a cumulative deficit of 18 quality points or more shall be suspended for a period of one semester. This rule shall not apply to first semester freshmen or students who have not been on academic probation for one semester. (Summer school shall not be required as being a semester as far as suspension is concerned.)

2. The application of a student suspended from any college shall not be considered for admission until his/her period of suspension has expired. Bluefield State College honors the suspension of any other college and such a suspension is treated as a prior suspension from Bluefield State College.

3. The student suspended for poor scholarship and subsequently readmitted shall be required to:

- a. Register for a maximum of 14 semester hours;
- b. Maintain no less than a 2.0 average each semester following his/her readmission; and
- c. Reduce the deficit by no less than 6 quality points each 2 semesters.

Failure to comply will result in a second suspension.

C. Dismissal - Permanent withdrawal of the privilege of enrollment and attendance.

1. A second suspension shall be regarded as permanent. A student may, however, request special consideration for readmission after one calendar year. It shall be the responsibility of the student to provide the Academics Committee with reasons why he/she should be given special consideration for readmission. He/she may do this by letter, by scheduled appearance before the council, or both.

4.1200 Semester Hours

The basic unit of college credit at Bluefield State College is the semester hour. Generally a semester hour is equivalent to one fifty minute period per week for a semester in a lecture section or two fifty minute periods per week for a semester in a laboratory.

4.1300 Classification of Students

Regular students are classified as follows:

- Freshmen: those who have completed fewer than 32 semester hours credit.
Sophomores: those who have completed a minimum of 32, but fewer than 64 semester hours credit.
Juniors: those who have completed a minimum of 64, but fewer than 96 semester hours credit.
Seniors: those who have completed a minimum of 96 semester hours of credit.

4.2000 ACADEMIC ADVISING

Students are encouraged to use College advising and placement resources as an aid in selecting a major field of study.

All entering students are assigned academic advisors based upon their chosen field of study.

Students do not normally change advisors except upon a change of major. During registration periods, advisors are available to provide students with information in areas of study within the college, to assist in the interpretation of students' records, as well as to aid students in their choice of educational goals.

The specific duties of academic advisors are to assist students in preparing schedules, to assign them to classes, to prepare and maintain a cumulative file on each advisee's academic progress, and to prepare a 45- or 90-hour evaluation at the proper time (see the College Catalog, "Evaluation for Degree Requirements"). Student requests for 45- or 90-hour evaluations must be made well before the end of a semester as a significant amount of time is often needed to prepare them.

The advisee is expected to consult with the advisor during the advisors' office hours a minimum of two times per semester. Although the student is ultimately personally responsible for meeting stated catalog requirements for graduation, the advisor will give the student concerned, careful guidance in the selection of courses leading to a degree. Early and frequent advising conferences will help avoid scheduling difficulties.

4.2100 Student Attendance Policy

The student attendance policy is found in the current college catalog.

4.2200 Withdrawal from College

The withdrawal from college process is found in the current college catalog. It is vital that faculty check rosters within the first two weeks of a term, at midterm and prior to the last date to withdraw to issue any student not in attendance is properly withdrawn.

4.3000 ACADEMIC APPEALS

The academic appeals process is found in the current college catalog.

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5.0200	Equal Employment Opportunity
5.0210	Sexual Harassment
5.1000	Academic Freedom and Tenure
5.1100	Professional Ethics
5.2000	Consulting
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5.2400	Personal Obligations
5.3000	Committee Assignments
5.3100	Registration Responsibilities
5.3200	Faculty Meetings
5.3300	Commencement
5.3400	Professional Associations
5.4000	Personnel Files
5.4100	Addresses and Phone Numbers
5.5000	Appointment, Reappointment and Promotion of Faculty
5.5100	Years of Service
5.5200	Termination of Employment
5.5300	Faculty Evaluation
5.6000	Leave
5.6010	Medical Leave
5.6020	Inclement Weather Late Schedule
5.6030	Holidays
5.6040	Sabbatical Leave and Advanced Salary
5.7000	Benefits and Pay
5.7010	Hospitalization
5.7011	Group Insurance
5.7012	Life Insurance Program
5.7013	Mountaineer Flexible Benefit Plans
5.7014	Section 125 Plan
5.7015	COBRA
5.7016	Retirement
5.7017	TIAA-CREF Total Disability Insurance
5.7018	Worker's Compensation
5.7019	Unemployment Compensation
5.7020	Credit Union
5.7021	U.S. Savings Bonds
5.7022	Faculty Development
5.7100	Payday
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5.9010	Faculty Grievance Procedure

5.0000 FACULTY POLICIES AND PROCEDURES

5.0100 INTRODUCTION

The purpose of this section is to record the various personnel rules, regulations, policies, and procedures of the Federal and State governments, Higher Education Policy Commission (HEPC), and Bluefield State College (BSC).

5.0200 EQUAL EMPLOYMENT OPPORTUNITY

BLUEFIELD STATE COLLEGE is an equal opportunity institution, which recruits, employs, trains, and promotes based on merit and business needs, not on race, religion, color, sex, age, national origin, disability, veteran or family status, or on any other status or condition protected by applicable federal or state laws, except where a bona fide occupational qualification applies. (See Board of Governors Policy 55)

BSC ensures that personnel programs, such as compensation, benefits, transfers, layoffs, return to work, training, education, tuition assistance, and other employment programs are administered without regard to race, religion, color, sex, age, national origin, disability, veteran or family status, or on any other status or condition protected by applicable federal or state laws, except where a bona fide occupational qualification applies.

In furtherance of its policy prohibiting discrimination against individuals on the basis of physical or mental impairment or disability, the College will provide reasonable accommodation in the work place for disabled employees. All inquiries regarding the rights of disabled employees, including the right to employment accommodations, should be directed to the ADA Coordinator.

The Director of Human Resources of BSC is designated as the ADA Coordinator and the Director of Multicultural Affairs is designated as the Affirmative Action Officer. The Human Resource Office with the Multicultural Affairs Office will be responsible for communicating and implementing these policies. (See [Board of Governors Policy No. 13](#)).

5.0210 HARASSMENT

It is the policy of the Bluefield State College Board of Governors that the work and educational environment will be free from all forms of harassment of any employee, student, applicant for employment, student workers or contracted employee. Illegal harassment in any manner or form is expressly prohibited. (See Board of Governors Policy No. 3).

Workplace Harassment Definition - Workplace harassment is any unwanted or undesirable conduct that demeans or shows hostility toward another person at the workplace. Workplace Harassment may include but is not limited to:

Hostile Work Environment, which consists of harassment based on race, color, religion, creed, political belief or affiliation, sex, national origin, age, mental or physical disability,

genetic information, sexual orientation, marital status, gender identity and expression, and veteran status, and protected activity (i.e., opposition to prohibited discrimination or participation in the complaint process), or status explicitly defined as protected under applicable state and federal law.

Bullying, which consists of outrageous behavior that deliberately causes extreme physical and/or emotional distress. Such conduct involves the repeated unwelcome mistreatment of one or more employees/students often involving a combination of intimidation, humiliation, and sabotage of performance.

“Intimidation” means implied threats or acts that cause imminent fear of harm in another on the basis of actual or perceived membership in a Protected Category.

“Retaliation” means any adverse employment action taken against a person who complained about harassment, supported a complainant involving harassment, or who participated in the investigation of a claim of harassment because of that person’s participation in filing the complaint of harassment, supporting a complainant involving harassment, or for participating in the investigation of a claim of harassment.

“Hostile Environment” means an environment created by oral, written, graphic, or physical conduct that is sufficiently severe, persistent, or pervasive and objectively offensive so as to interfere with, limit, or deny the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits, or opportunities

In 1980 the Equal Employment Opportunity Commission (EEOC) first published guidelines on sexual harassment. The EEOC defines sexual harassment as - unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a condition of an individual’s employment; or
2. submission to or rejection of such conduct by the individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Any acts of harassment by an employee may be a violation of Title VII of the Civil Rights Act of 1964.

An employee who feels that he or she is the victim of a workplace incident of sexual harassment is encouraged to discuss the matter promptly following the Harassment Policy procedures (See [Board of Governors Policy No. 3](#) and [Board of Governors Policy No. 13](#)). No form of retaliation is to be applied to any person making a complaint of sexual harassment.

BSC supports the spirit and objectives of the EEOC guidelines on sexual harassment. It is

our policy that anyone in our organization who is found to have engaged in such harassment of another employee will be subject to disciplinary action, up to and including termination.

In turn, BSC recognizes that the issue of whether sexual harassment has occurred requires a factual determination by the investigator(s) based on all the evidence found. The College also recognizes that false accusations of sexual harassment can have serious effects on innocent men and women and are subject to disciplinary action, up to and including termination.

It is expected that BSC employees will act in a responsible and professional manner, remain sensitive to treating co-workers with dignity and respect, and help provide a productive work environment.

5.1000 ACADEMIC FREEDOM AND TENURE

Academic freedom and tenure guidelines are found in [HEPC's Series 9](#) and Bluefield State College [Board of Governors' Policy No. 19](#).

5.1100 Professional Ethics

Bluefield State College subscribes to the Statement of Professional Ethics of the AAUP (1987).

Professors, guided by a conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their students is to seek and to state the truth as they see it. To this end, the instructors devote their energies to developing and improving scholarly competence, and feel the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. The professors practice intellectual honesty. Although they may follow subsidiary interests, these interests must never hamper or compromise their freedom of inquiry.

As teachers, the faculty encourages the free pursuit of learning in their students. They hold before them the best scholarly standards of their discipline. They demonstrate respect for the student as an individual, and adhere to their proper role as intellectual guide and counselor. They make every effort to foster honest academic conduct and to assure that their evaluation of students reflect their true merit. They respect the confidential nature of the relationship between professor and student, and avoid any exploitation, harassment, or discriminatory treatment of students. The professors acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

As colleagues, the professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate or harass their colleagues. They respect and defend the free inquiry of their associates. In the exchange of criticism and ideas they show due respect of the opinions of others. They acknowledge their academic debts and strive to be objective in their professional judgment of colleagues. They accept their share of faculty responsibilities for the academic governance of their institution.

As members of their institution, professors seek above all to be effective teachers and scholars. They observe the stated regulations of the institution, watch that they do not contravene academic freedom, and maintain their right to criticize and seek revision. Professors are to give due regard to their paramount responsibilities within their institution in determining the amount of work done outside it. When considering the interruption or termination of service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors have the rights and obligations of any citizen. They measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When a professor speaks or acts as a private person, one avoids creating the impression of speaking or acting for the College. As citizens engaged in a profession that depends upon freedom of its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

The privilege of a faculty appointment brings with it commensurate responsibilities. Responsibilities to student, colleagues, and the College, as well as to academe and society, to hold one's self to high standards of teaching, research and service, and to adhere to high standards of professional integrity and conduct. Specific faculty responsibilities include, but are not limited to, the following:

1. To remain current in one's subject or subjects and to instruct assigned courses in a manner consistent with the scheduled time, course content, and course credit approved by the institution.
2. To complete in a professional, timely and responsible manner all other teaching and academic assignments that have been accepted or are a normal part of one's duties.
3. To give individual evaluations of student performance.
4. To refrain from committing or inciting acts of physical violence against individuals or property, or acts which interfere with the academic freedom of other persons with the College or interfere with the freedom of speech
5. To treat fairly, courteously, and professionally their students, colleagues, and other members of the academic community.

[Also see Board of Governors Policy No. 20.](#)

5.2000 CONSULTING

College faculty are encouraged to assist business, industry, governments, and other educational agencies. They may engage in consulting activities as long as such activities do not interfere with their regular responsibilities and duties for the College. Each employee should obtain the approval the Dean of the School and the Vice President for Academic Affairs for any consulting activities that might take the employee away from the College during hours when he/she might normally be expected to be on campus.

5.2100 Employment Outside the College

College faculty may engage in outside employment when it does not conflict with their professional responsibilities to the College. Members of the faculty shall not engage in any employment at any time that prejudices their usefulness as members of the faculty of the College or which would compromise the College or create a conflict of interest. The faculty is responsible to insure that they do not represent the College while involved in outside employment. The Vice President for Academic Affairs shall establish a program of periodic review of outside services of appointees to guide faculty members.

5.2200 Public Speaking

Faculty members are invited periodically to speak before community groups. This service is greatly appreciated by the community and provides a valuable public relations liaison between the College and the community. Faculty members are encouraged to participate in speaking engagements. To assist them in this activity, the Media Relations Office will provide information concerning the activities and programs of the College. Further, when audiovisual and multimedia resources and/or equipment are desired for such presentations, the Instructional Technology Center shall make available College equipment and materials to assist the faculty member.

5.2300 Political Activities

The College recognizes and encourages the exercise of the right of College employees, as citizens, to engage in political activities on their own time.

5.2400 Personal Obligations

Employees of the College are expected to handle their personal and financial obligations in such a manner as to prevent the involvement of the College.

5.3000 COMMITTEE ASSIGNMENTS

Service on College committees is one of the responsibilities of the faculty member. All full time faculty are expected to participate on college wide committees.

5.3100 Registration Responsibilities

Working the periods of general registration of students for classes is a part of the professional responsibility of every full-time member of the faculty of BSC. Faculty are expected to post extended office hours during the designated times of pre and general registration. Signup sheets should be placed on faculty doors and/or sent electronically to advisees to schedule appointments.

5.3200 Faculty Meetings

The President, Vice President for Academic Affairs and School Deans may schedule

general faculty meetings during the year in addition to the regular meetings of the faculty. As the presiding officer and chief administrator of the College, the President will set the date and place of such meetings. Faculty members are expected to attend all such general faculty meetings, as well as meetings called by the Chairperson of the Faculty Senate.

5.3300 Convocation/Commencement

All faculty members are expected to attend convocation and commencement exercises. Faculty members are responsible for providing and wearing appropriate academic regalia at each of these events. As a convenience to the faculty, the BSC Bookstore will assist any faculty member in making arrangements for the rental or purchase (8 weeks prior to ceremony) of academic regalia. Faculty who have conflicts with convocation or commencement should provide in writing the noted conflict to their respective school dean for approval.

5.3400 Professional Associations

Membership in professional associations is not required of BSC faculty members, but is encouraged. The College does not defray the cost of such membership.

5.4000 PERSONNEL FILES

The official personnel file is kept in the Human Resource Office. Faculty members may have access to their personnel files when the institution is normally open for business to review their own file and the contents therein with the following exception: materials that BSC obtained with the employee's prior agreement to forfeit her/his right of access, such as some references.

The Human Resource Office requires that faculty members schedule an appointment to see the personnel file. A representative of the custodian of records will be present with the employee during the review. The date, time, and initials of the faculty member will be recorded for each review in the personnel file.

The following documents are basic documents to be found in each faculty member's personnel file in the Human Resource Office.

1. letters of application (originals);
2. appointment, acceptance letters, and contracts (originals);
3. personal data (date of birth, marital status, etc.);
4. evaluations and other pertinent documents related to the employee's performance;
5. promotion and tenure decisions;
6. current official transcripts with an updated resume; and
7. additional information such as personnel development, class schedules, etc.

It is the responsibility of each faculty member to provide complete personal data, including biographical information; all applicable official transcripts, both graduate and undergraduate; letters of evaluations and recommendation from professional colleagues; documentation of professional growth; and copies of publications, as well as any other data which the faculty

member may wish to have included in the file.

A copy of any material in the personnel file, except as noted above, will be provided to the faculty member upon request. A small copy fee may be charged. Positive identification of the faculty member must be established before providing access to the personnel file. The faculty member may not remove documents from a personnel file. A faculty member may add documents to her/his own personnel file at any time.

The official personnel file will be kept in strictest confidence and will be available for confidential use only to the individuals directly involved in personnel decision-making. However, for a valid reason, the faculty member may authorize, in writing, access to her/his file by any other appropriate persons.

Documents such as student evaluations and written communications that are not contained in the official personnel file are kept in a file in the Dean or Vice President of Academic Affairs Office.

5.4100 Addresses and Phone Numbers

It is important that the Human Resource Office and the Payroll Office maintains a current address and phone number for each member of the faculty and staff. Notice of change of address and/or telephone number must be completed in the Human Resource Office and the Payroll Office. The appropriate forms may be accessed in these offices.

5.5000 APPOINTMENT, REAPPOINTMENT AND PROMOTION OF FACULTY

A. Criteria for Appointment and Promotion

Promotion and Appointment Criteria are found in Appendix Section E. It should be noted that this may include any disciplinary letters involving violation of College, State, or Federal policy, or exemplary conduct.

B. Academic Advancement

See [HEPC Series 9 \(Academic Freedom, Professional Responsibility, Promotion and Tenure\)](#) and Bluefield State College [Board of Governor's Policy No. 19](#).

C. Selection of Personnel

The President or designee has the responsibility for selecting new personnel and for recommending the change in status of personnel (including salary changes, promotions, dismissals, and retirements). The recommendation should be originated at the appropriate supervisory level. No financial commitments can be made until the personnel appointment is approved by the appropriate offices.

D. Appointment of New Full-Time Faculty Personnel

All regular full-time teaching faculty shall normally be on nine-month appointments. All

appointments shall be made on the basis of the qualifications of the faculty member at the time of the appointment.

Nine-plus-three-month Faculty Appointments-All faculty with responsibilities beyond the regular nine-month faculty appointment shall be employed on a nine-plus-three month basis. All nine-plus-three month faculty will be assigned a faculty rank for which they qualify.

E. Summer School Appointments

Nine-month faculty employed at the discretion of the institution under the assignment of faculty to teach summer courses policy during summer school shall be employed on a temporary appointment.

F. Salary Increases for Faculty Personnel

Each year, within the Legislature and/or Higher Education Policy Commission guidelines, the President and Provost, in consultation with the Vice President of Financial and Administrative Affairs, determine the distribution of available funds for salary increases. Provisions may be made for merit and across-the-board increases, promotion in academic rank, and other adjustments. The faculty salary pay plan guidelines are found in Bluefield State College [Board of Governors' Policy No. 38](#) (see also Appendix F).

5.5100 Years of Service

Years of service are defined as the number of complete academic years of full-time, College-level instruction as a faculty member under salaried contract holding the rank of instructor, assistant professor, associate professor, or professor. Time on unpaid leave of any kind does not count toward years of service. Time spent on authorized sabbatical leave or other paid leave counts towards years of service.

5.5200 Termination of Employment

Termination of employment is an inevitable part of personnel activity within any organization. It is expected that faculty will fulfill the terms of their appointment. If the terms of appointment cannot be fulfilled, a formal letter of resignation should be submitted to the President.

Prior to the delivery of the final paycheck, it is necessary that an employee complete an Exit Interview to ensure that his/her departure is made as smoothly as possible and that the College will have information necessary for future contacts with the employee, at the same time, clearing the employee's record in respect to books, equipment, etc.

5.5300 Faculty Evaluation

The faculty evaluation policy is found in Bluefield State College [Board of Governor's Policy No. 38](#) (see also Appendix F).

5.6000 LEAVE

Policies and procedures regarding employee leave are addressed in Bluefield State College [Board of Governors' Policy No. 18](#). Policy regarding military leave, leave of absence without pay, and emergency leave are found in [HEPC Series 9](#) (see Appendix A).

Notification of an absence, prior to an employee's scheduled start time is required. If, for any reason, an employee is unable to report to work as scheduled, the employee should notify his/her supervisor at the earliest possible time with the reason and the expected duration of the absence. Failure of notification can result in discipline, including termination. Absence from work for three consecutive days without explanation or authorization may be deemed an automatic resignation.

5.6010 Medical Leave Verification

Medical leave verification/assessment is a signed statement from the treating health care provider to validate the illness or other cause for which sick leave or medical leave of absence may be granted. BSC may require verification of an illness. See Bluefield State College [Board of Governors' Policy No. 18](#).

5.6020 Inclement Weather Late Schedule

BSC schedule change announcements:

1. "Classes will meet on the Inclement Weather Schedule." This is an alteration of class meeting times. Its purpose is to provide time for college maintenance personnel to clear snow from campus sidewalks, steps, and parking lots. In this case, employees are to report at the regular times unless a specific change is announced through the media. ■
2. "Classes will not be held (or are canceled)." In this case, employees are to report at the regular time, unless a specific change is announced through the media. ■
3. "The College is closed." This means that all offices are closed and classes will not meet. Employees do not report for work that day. The exception to this is that the maintenance personnel and night watchman report at designated times See Bluefield State College [Board of Governors' Policy No. 18](#).

5.6030 Holidays

Policies and procedures regarding holidays are addressed in Bluefield State College [Board of Governors' Policy No. 8](#). The Higher Education Policy Commission directs that the president of each college, or her/his designee, will determine six holidays which will be observed by the employees of that institution in addition to the six holidays specified in Bluefield State College Board of Governors Policy No. 8. A list of these holidays will be distributed annually before each fiscal year begins.

5.6040 Sabbatical Leaves and Advanced Study

Bluefield State College [Board of Governors' Policy No. 4](#) provides for sabbatical leaves

for faculty after the completion of at least six years of full-time employment in any one State College or University. The purpose of sabbatical leave is to enable faculty to engage in research, writing, study or other activity calculated to improve her/his usefulness to the institution. Faculty on sabbatical leave receives full salary for one semester or one-half salary for two semesters.

Upon completing a sabbatical leave, the faculty member shall return to the College for a full year of service, or repay the compensation received by her/him during the leave. Failure to return will obligate the faculty member to fully reimburse the institution for salary received during the period of the leave.

Implementation of this policy depends upon the ability of each institution to fund sabbatical leaves. In reality, the opportunities are minimal.

[HEPC Series 9](#) (see Appendix Section A) provides for leaves of absence without pay for the purpose of advanced study, medical reasons, and other approved by the President. Leaves must be recommended by the Provost and approved by the President.

The College encourages advanced study and where possible will assist to that end.

5.7000 BENEFITS/PAY

Employee benefits significantly increase the value of the employee's total compensation. The exact amount varies with individual circumstances. Health insurance coverage includes basic health/hospital/surgical care, a major medical plan, prescription drugs, and \$10,000 life insurance coverage through an indemnity plan or Managed Health Care Plan. Eligibility for these benefits and other provisions concerning them are subject to change without notice.

Information regarding monthly premiums, copayments, deductibles, coverage and dependent eligibility are provided in the WV PEIA Shopper's Guide for the plan year. Enrollment information is provided during the employee's orientation time.

A brief overview of the benefits is provided. Any questions and/or changes should be directed to [BSC's Human Resource or Payroll Office](#).

Benefits

5.7010 Hospitalization

BSC employees are eligible for a hospitalization plan. Complete information about hospitalization plans is available at [BSC's Human Resource](#) office or at <http://www.peia.wv.gov/Pages/default.aspx>.

5.7011 Group Insurances

BSC employees are eligible to participate in a wide range of health insurance programs including PEIA plans and Managed Care plans which offers hospital, surgical, major medical, prescription drug and other medical care benefit coverage.

Information regarding the differences in plans, monthly premiums, co-payments, deductibles, coverage and dependent eligibility are provided in the WV PEIA Shopper's Guide for the plan year or online at <http://www.peia.wv.gov/Pages/default.aspx>.

The premiums for health care plans are withheld bimonthly, with half of the months premium being withheld from each pay period.

5.7012 Life Insurance Program

The basic life insurance plan includes \$10,000 term life insurance with an accidental death and dismemberment benefit. Employees' may elect life insurance only plans.

Additional optional life insurance may be purchased by the employee for a monthly premium based on age and the principal sum. Dependent life insurance may also be purchased on eligible dependents. Enrollments under both options are subject to a statement of health thirty days after initial employment.

5.7013 Mountaineer Flexible Benefit Plans

Additional benefit plans are available on a pretax basis. These plans include dental, eye, long-term disability, short-term disability, flexible spending accounts, pre-paid legal, etc. Information on these accounts will be given during orientation and can also be obtained during the open enrollment period. These benefits are provided at group-rate costs and paid by the employee. The premiums for Mountaineer Flexible Benefits are withheld both pay periods.

5.7014 Section 125 Plan

Employees who contribute to the cost of their health insurance, basic life insurance, accidental death and dismemberment insurance, or optional life insurance may elect to pay these premiums on a pre-tax basis. Your tax savings are made up of Federal, State, and FICA (Social Security) taxes which are not paid until the premiums are paid.

5.7015 COBRA

Federal law entitles the employee and covered dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA) to continue medical coverage only in certain cases when coverage would otherwise terminate, provided the employee and/or dependent(s) pay the full group premiums. Information regarding COBRA benefits may be obtained from BSC's Payroll Office.

5.7016 Retirement

Participation by benefits-eligible employees in a tax-sheltered retirement program is mandatory by West Virginia State law. Employees must contribute six percent of their gross pay to a retirement program. BSC matches the employee's contribution with an equal amount. Vesting is immediate and retirement may begin at any age upon

termination of employment. Retirement income is based on age at retirement, amounts of dollars accumulated, and the income options chosen, i.e., single life or joint life. Additional information regarding the various plans and enrollment packets are distributed by the Human Resource Office.

5.7017 TIAA-CREF Total Disability Insurance

The TIAA-CREF disability insurance is a long-term disability plan providing a non-taxable monthly income to age 65 in the event of total disability. The income benefit is based upon the employee's base salary and begins after six months of total disability. The monthly income benefit, which includes any income payable from employee's sick leave, Social Security, Worker's Compensation, and any disability benefit payable under any insurance or retirement plan sponsored by BSC, is equal to 60 percent of the monthly salary to a maximum of \$5,000.

The minimum monthly benefit under this plan is \$100; there is a one year eligibility waiting period before new enrollees are eligible. The premium is based on the base salary and paid by the employee.

Employees enrolling for the disability income benefit are also included under the "Annuity Benefit" provision of the plan. The annuity benefit provides for the monthly payment of 12 percent of the employee's salary into a TIAA/CREF Annuity in addition to the disability income payments.

5.7018 Worker's Compensation

Worker's Compensation state laws provide replacement income and medical benefits if you become ill or injured as a result of your job and the illness or injury qualifies for benefits based on West Virginia state law. Coverage begins on your first day of employment and is provided at no cost to the employee.

All injuries under statutory coverage, no matter how minor, must be reported, in writing, immediately to the supervisor and the BSC Director of Human Resources. The BSC Director of Human Resources will prepare and submit to the State all reports required to establish the employee's claim for compensation once it has been received from the attending physician.

An employee is responsible for her/his portion of the health insurance premium when they are off of the payroll due to collecting Worker's Compensation benefits.

5.7019 Unemployment Compensation

Wages at BSC are reported quarterly to the West Virginia Department of Employment Security. For more information about this program, contact the local Job Service Office/Office of Employment Security.

5.7020 Credit Union

The West Virginia Public Employees Credit union is a member-owned financial cooperative serving employees of the State of West Virginia. An employee may sign up for membership with the BSC Human Resource or the BSC Payroll office at any time. For more information, contact the Human Resource or Payroll Offices or the Public Employees Credit Union's address is:

2200 Washington Street East
P. O. Box 50919
Charleston, WV
25305-0919
(304) 558-0566.

5.7021 U. S. Savings Bonds

U. S. Savings Bond Payroll Savings Plan is available to all employees. Payroll deductions for savings bonds must be withheld both pay periods. Forms are available through the BSC Payroll office.

5.7022 Faculty Development

Faculty development includes activities designated to provide professional knowledge and to improve credentials. Funding for faculty development activities may be secured by application for funds to the Personnel Development Committee. Applications for Personnel Development can be obtained from the office of the Provost. Guidelines for faculty development may be found in Bluefield State College [Board of Governors' Policy No. 16](#)

5.7100 Payday

Beginning July 1, 2002, as stated in H. B. 4012, all new full-time faculty will be paid one pay cycle in arrears except for elected officials or those transferring from one state agency to another with no break in service. Paychecks will be issued every other Friday. Transportation problems could cause occasional delays in paycheck distribution. Direct deposit is available to all employees.

5.7110 Required Deductions

State or federal law requires each institution to deduct State and Federal income taxes, social security, retirement premiums, unemployment and worker's compensation premiums from each employee's paycheck.

5.8000 TRAVEL

For complete regulations faculty are referred to the current State of West Virginia Travel Regulations (see Bluefield State College [Board of Governors' Policy No. 22](#)). The following is a brief overview of travel regulations.

Faculty members who travel in connection with the regular performance of their duties are

entitled to reimbursement for their expenses. Approval must be obtained in advance, and funds must be available in the School or office budget. The following regulations will govern travel and subsistence allowances for college employees traveling on official business. The allowances set out herein shall be considered the maximum. Approved travel on official business is on the basis of reimbursement for actual and necessary expense incurred.

Travel may be undertaken for conferences, institutes, seminars and business trips considered necessary in the administration and operation of a college, such as, but not limited to, the following:

1. meetings of those associations in which the institution holds membership;
2. meetings of those associations in which the person--administrative, faculty, or staff--holds membership and no institutional membership is required;
3. meetings called by federal and/or state agencies;
4. meetings of a general educational nature which in the judgment of the administration the College should be represented; and
5. recruitment of faculty and staff.

Transportation reimbursement will be limited to the actual cost supported by ticket stubs or other appropriate documentation based on the most direct and practical route possible. Mode of transportation shall be that which is most efficient and economical to the state. When travel is by automobile, a state vehicle will be used unless the travel is to be charged to a grant. Prior approval by the Vice President for Financial and Administrative Affairs must be obtained in order to use a private car for College business.

State-owned vehicles: Reimbursement will be made for storage, toll charges, and other actual costs.

Privately owned vehicles: Maximum mileage allowance for use of privately owned vehicles engaged in State business will be that set by the State. Toll bridge and turnpike charges may be included. If more than one person travels in a private vehicle and the charge is less than would be required for transportation by commercial airline, necessary storage and garage fees will be reimbursed. Reimbursement for travel by car to a destination outside the State may not exceed the cost of commercial airlines.

The following local policies and regulations govern faculty travel:

1. The Dean of the School will be responsible for allocating travel funds to members of the campus. Expenditures for meals and room should be held to reasonable amounts, and will be limited by the maximum amount allowed by the State.
2. No travel expenses to a meeting will be paid unless the faculty member is a member of the organization sponsoring the meeting.
3. Where several members of the faculty are attending the same meeting, the transportation should be pooled if possible.
4. Each Dean of the School will maintain a record of expenditures of the various members of the department from year to year to ensure equitable allocation of funds.

Procedure - Prior to the trip, approval must be obtained. After the trip, the in-state travel

expense account form must be completed, to include attaching appropriate receipts, signing the form, and submitting to the appropriate office for reimbursement.

5.9000 APPEAL AND GRIEVANCE PROCEDURE

5.9010 Faculty Grievance Procedure

Effective July 1, 2007, the West Virginia Public Employees Grievance Board was established. The grievance procedure is outlined in West Virginia Code Section [6C-2](#) and [6C-3](#) and Bluefield State College [Board of Governors' Policy No. 40](#). A copy of the grievance procedures can be found in Appendix F. Assistance in procedural matters should be directed to the Human Resource Office.

5.9020 Student Disciplinary and Appeal Procedure

Procedures are detailed in the current student handbook.

APPENDIX A

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION
SERIES 9

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.

321.1. 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.

3221. 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 parttime.

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 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, librarian- track, or term to tenure-track, the time spent at the institution may, at the discretion of the institution, be counted as part of the tenure-track period.

SECTION 5. JOINT INSTITUTIONAL APPOINTMENTS.

51. 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.

52. 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.

53. 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.

93.1. 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.

93.2. 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.

103.1. 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:

105.1. By letter post-marked and mailed no later than December 15 of the second academic year of service; and

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

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

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

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

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

SECTION 11. FACULTY EVALUATION.

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

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

SECTION 12. DISMISSAL.

12.1. Causes for Dismissal: The dismissal of a faculty member shall be effected only pursuant to the procedures provided in these policies and only for one or more of the following causes:

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

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

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

administrators;

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

12.1.5. Substantial and manifest neglect of duty; and

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

122. 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.

123. 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.

124. 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 non-retention by certified mail, return receipt requested.

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

SECTION 14. TERMINATION DUE TO FINANCIAL EXIGENCY.

14.1. Termination of Employment Due to Financial Exigency: A faculty member's appointment may be terminated because of a financial exigency, as defined and determined by the institution's Governing Board. Institutional plans for meeting a financial exigency shall be developed through a collaborative assessment by representatives of administration and faculty, approved by the governing board, and reported to the Policy Commission prior to implementation. Institutions should utilize appropriate program change policies.

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

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

14.2.2. A copy of the implementation procedures used by the institution related to the financial exigency and a delineation of the rationale used for the termination of the faculty member; and

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

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

SECTION 15. FACULTY GRIEVANCE PROCEDURE.

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

SECTION 16. INFORMAL PROCEDURES FOR CONFLICT RESOLUTION.

16.1. Each institution may provide alternative procedures to those set out in West Virginia

Code '6C-2 for the resolution of conflicts.

SECTION 17. NOTIFICATION OF TERMS AND CONDITIONS OF FACULTY APPOINTMENTS

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

17.1.1 Institutions may offer each year to their full-time term faculty contracts of upto 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.

173. 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 B

WV Code, Section 18B-2A-4
Powers and Duties of Governing Boards Generally

§18B-2A-4. Powers and duties of governing boards generally.

Each governing board separately has the following powers and duties:

(a) Determine, control, supervise and manage the financial, business and education policies and affairs of the state institution of higher education under its jurisdiction;

(b) Develop a master plan for the institution under its jurisdiction.

(1) The ultimate responsibility for developing and updating each master plan at the institutional level resides with the board of governors, but the ultimate responsibility for approving the final version of each institutional master plan, including periodic updates, resides with the commission or council, as appropriate.

(2) Each institutional master plan shall include, but not be limited to, the following:

(A) A detailed demonstration of how the institutional master plan will be used to meet the goals and objectives of the institutional compact;

(B) A well-developed set of goals outlining missions, degree offerings, resource requirements, physical plant needs, personnel needs, enrollment levels and other planning determinates and projections necessary in a plan to assure that the needs of the institution's area of responsibility for a quality system of higher education are addressed;

(C) Documentation showing how the governing board involved the commission or council, as appropriate, institutional constituency groups, clientele of the institution and the general public in the development of all segments of the institutional master plan.

(3) The plan shall be established for periods of not fewer than three nor more than five years and shall be revised periodically as necessary, including adding or deleting degree programs as the governing board in its discretion determines is necessary;

(c) Develop a ten-year campus development plan in accordance with article nineteen of this chapter;

(d) Prescribe for the institution, under its jurisdiction, in accordance with its master plan and compact, specific functions and responsibilities to achieve the goals, objectives and priorities established in articles one and one-d of this chapter to meet the higher education needs of its area of responsibility and to avoid unnecessary duplication;

(e) Direct the preparation of an appropriation request for the institution under its jurisdiction, which relates directly to missions, goals and projections as found in the institutional master plan and the institutional compact;

(f) Consider, revise and submit to the commission or council, as appropriate, an appropriation request on behalf of the institution under its jurisdiction;

(g) Review, at least every five years, all academic programs offered at the institution under its jurisdiction. The review shall address the viability, adequacy and necessity of the programs in relation to established state goals, objectives and priorities, the institutional master plan, the institutional compact and the education and workforce needs of its responsibility district. As a

part of the review, each governing board shall require the institution under its jurisdiction to conduct periodic studies of its graduates and their employers to determine placement patterns and the effectiveness of the education experience. Where appropriate, these studies should coincide with the studies required of many academic disciplines by their accrediting bodies;

(h) Ensure that the sequence and availability of academic programs and courses offered by the institution under its jurisdiction is such that students have the maximum opportunity to complete programs in the time frame normally associated with program completion. Each governing board is responsible to see that the needs of nontraditional college-age students are appropriately addressed and, to the extent it is possible for the individual governing board to control, to assure core course work completed at the institution is transferable to any other state institution of higher education for credit with the grade earned;

(i) Subject to article one-b of this chapter, approve the teacher education programs offered in the institution under its control. In order to permit graduates of teacher education programs to receive a degree from a nationally accredited program and in order to prevent expensive duplication of program accreditation, the commission may select and use one nationally recognized teacher education program accreditation standard as the appropriate standard for program evaluation;

(j) Involve faculty, students and classified employees in institutional-level planning and decision making when those groups are affected;

(k) Subject to the provisions of federal law and pursuant to articles seven, eight and nine of this chapter and to rules adopted by the commission and the council, administer a system for the management of personnel matters, including, but not limited to, personnel classification, compensation and discipline for employees at the institution under its jurisdiction;

(l) Administer a system for hearing employee grievances and appeals. Notwithstanding any other provision of this code to the contrary, the procedure established in article two, chapter six-c of this code is the exclusive mechanism for hearing prospective employee grievances and appeals;

(m) Solicit and use or expend voluntary support, including financial contributions and support services, for the institution under its jurisdiction;

(n) Appoint a president for the institution under its jurisdiction subject to section six, article one-b of this chapter;

(o) Conduct written performance evaluations of the president pursuant to section six, article one-b of this chapter;

(p) Employ all faculty and staff at the institution under its jurisdiction. The employees operate under the supervision of the president, but are employees of the governing board;

(q) Submit to the commission or council, as appropriate, any data or reports requested by the commission or council, as appropriate, within the time frame set by the commission or council;

(r) Enter into contracts or consortium agreements with the public schools, private schools or private industry to provide technical, vocational, college preparatory, remedial and customized training courses at locations either on campuses of the state institutions of higher education or at off-campus locations in the institution's responsibility district. To accomplish this goal, the boards may share resources among the various groups in the community;

(s) Provide and transfer funding and property to certain corporations pursuant to section ten, article twelve of this chapter;

(t) Delegate, with prescribed standards and limitations, the part of its power and control over the business affairs of the institution to the president in any case where it considers the delegation necessary and prudent in order to enable the institution to function in a proper and expeditious manner and to meet the requirements of its master plan and compact. If a governing board elects to delegate any of its power and control under this subsection, it shall enter the delegation in the minutes of the meeting when the decision was made and shall notify the commission or council, as appropriate. Any delegation of power and control may be rescinded by the appropriate governing board, the commission or council, as appropriate, at any time, in whole or in part, except that the commission may not revoke delegations of authority made by the governing boards of Marshall University or West Virginia University as they relate to the state institutions of higher education known as Marshall University and West Virginia University;

(u) Unless changed by the commission or the council, as appropriate, continue to abide by existing rules setting forth standards for acceptance of advanced placement credit for the institution under its jurisdiction. Individual departments at a state institution of higher education may, upon approval of the institutional faculty senate, require higher scores on the advanced placement test than scores designated by the governing board when the credit is to be used toward meeting a requirement of the core curriculum for a major in that department;

(v) Consult, cooperate and work with the State Treasurer and the State Auditor to update as necessary and maintain an efficient and cost-effective system for the financial management and expenditure of appropriated and nonappropriated revenue at the institution under its jurisdiction that ensures that properly submitted requests for payment be paid on or before the due date but, in any event, within fifteen days of receipt in the State Auditor's office;

(w) In consultation with the appropriate chancellor and the Secretary of the Department of Administration, develop, update as necessary and maintain a plan to administer a consistent method of conducting personnel transactions, including, but not limited to, hiring, dismissal, promotions and transfers at the institution under its jurisdiction. Each personnel transaction shall be accompanied by the appropriate standardized system or forms, which shall be submitted to the respective governing board and the Department of Finance and Administration;

(x) Notwithstanding any other provision of this code to the contrary, transfer funds from any account specifically appropriated for its use to any corresponding line item in a general revenue account at any agency or institution under its jurisdiction as long as the transferred funds are used for the purposes appropriated;

(y) Transfer funds from appropriated special revenue accounts for capital improvements under its jurisdiction to special revenue accounts at agencies or institutions under its jurisdiction as long as the transferred funds are used for the purposes appropriated in accordance with article nineteen of this chapter;

(z) Notwithstanding any other provision of this code to the contrary, acquire legal services that are necessary, including representation of the governing board, its institution, employees and officers before any court or administrative body. The counsel may be employed either on a salaried basis or on a reasonable fee basis. In addition, the governing board may, but is not required to, call upon the Attorney General for legal assistance and representation as provided by law; and

(aa) Contract and pay for disability insurance for a class or classes of employees at a state institution of higher education under its jurisdiction.

APPENDIX C

Faculty Constitution

FACULTY CONSTITUTION

(Adopted April 2004)

Revised September 2006
Revised December 2011

BLUEFIELD STATE COLLEGE
BLUEFIELD WEST VIRGINIA

PREAMBLE

Whereas, we recognize the strength of participatory governance and the role of our faculty in fulfilling our responsibilities with respect to academic affairs and policies, and assuring forceful and articulate representation of faculty interests, for the common good of the college, we do hereby establish a representative Faculty Senate.

The purpose of the Faculty Senate is to enable the faculty to fulfill its function with respect to academic and educational policies and other affairs of Bluefield State College. The Faculty Senate is intended to assure forceful and articulate representation of faculty interests and of the faculty view of the common good of the college community, in accordance with recognized principles of participatory college governance.

The Faculty Senate shall serve as the official voice and policy formulating body of the faculty on all matters which fall within its jurisdiction. The Faculty Senate may express an opinion, take a stand on any issue, or recommend solutions to decision makers on any issue affecting the faculty, academic life, or the academic environment at Bluefield State College. To be effective in this role, faculty members must be willing to stand up, speak out, and take responsibility, in an atmosphere of integrity and trust in elective faculty senate representation.

The Faculty Senate, through its officers, shall serve as the official voice of the faculty in communication with the president's administration and our Board of Governors. Accordingly, the Faculty Senate shall be a legislative and advisory body representing the faculty and shall consist of elected and *ex officio* members.

The functions, duties, and privileges of the Faculty Senate are set forth in the document as follows:

ARTICLE I. NAME

§1 The name of this organization shall be the Bluefield State College Faculty Senate.

ARTICLE II. FUNCTIONS OF THE FACULTY SENATE

- §1 Upon approval of the college president, there shall be a line item in the college's budget to cover financial needs of the Faculty Senate.
- §2 The Faculty Senate shall establish such committees as are necessary for the performance of its duties.

- §3 The Faculty Senate may consider any matter of academic policy or faculty welfare which has been recommended by any standing or special committee of Bluefield State college, or may initiate consideration of any such matters as it deems desirable. The Faculty Senate may, at its own discretion, seek the advice and counsel of any member of the general faculty.
- §4 The Faculty Senate shall make recommendations on behalf of the faculty on matters including (but not restricted to) the following specific areas:
- [A] admission, recruitment, and retention policies
 - [B] academic policies: class attendance, examinations, class withdrawal, grading, registration, scheduling, and academic advising
 - [C] new undergraduate and graduate degrees, programs
 - [D] general education requirements
 - [E] the collage calendar
 - [F] the college budget and fiscal exigency plan
 - [G] procedures for assessment of faculty and academic programs
 - [H] policies concerning faculty recruitment and appointments
 - [I] policies concerning faculty raises and promotions
 - [J] tenure standards and procedures
 - [K] academic freedom and due process procedures for faculty
 - [L] procedures for release of non-tenured faculty and dismissal of tenured faculty
 - [M] grievance procedures for faculty
 - [N] policies for selection and compensation of summer and adjunct faculty
 - [O] policies governing selection & roles of Department Chairs & Academic Deans
 - [P] faculty role, if any, in selection of the President & Executive Vice President for Academic Affairs
 - [Q] process for faculty evaluation, if any, of Department Chairs
 - [R] process for faculty evaluation, if any, of Academic Deans
 - [S] professional responsibilities and duties of faculty
 - [T] fringe benefits and faculty welfare
 - [U] summer school policies
 - [V] traffic and parking policies
 - [W] professional conduct of faculty
 - [X] instructional technology and academic computing
 - [Y] web-based instruction
 - [Z] library holdings

In each of these areas, the Faculty Senate shall initiate recommendations for changes in policy, as well as monitor and comment on the implementation and execution of existing policies. The Faculty Senate may monitor and comment on the implementation and execution of existing policies of internal governance and also may initiate and recommend changes related to internal governance policies.

- §5 The Faculty Senate may comment on any matter which affects the College as a whole.

§6 The Faculty Senate, through its Executive Committee, shall serve as the primary formal voice of the faculty in direct communication with the President, Vice Presidents, and the Bluefield State College Board of Governors.

ARTICLE III. AGENDA OF THE FACULTY SENATE

§1 The Executive Committee consisting of the Chair, Vice Chair, Secretary, the immediate past Chair‡, Board of Governors representative‡, Advisory Council of Faculty representative‡ and the Executive Vice President for Academic Affairs‡, shall establish the agenda for Faculty Senate meetings [‡ ex-officio, non-voting].

§2 The minutes of each meeting of the Faculty Senate shall specify the disposition of all matters brought before the Faculty Senate, including tabled items.

ARTICLE IV. PURPOSE

§1 The purpose of this organization shall be to provide for the participation of the faculty in the formulation, implementation, and review of institutional policies and to provide the means by which the faculty may participate in the governance of the college and take action on matters with which it is directly concerned.

§2 The Bluefield State College faculty shall act in the advisory capacity on all matters of institutional policy with respect to educational purposes, including degree requirements established by the Higher Education Policy Commission and the Bluefield State Board of Governors, academic standards, student conduct, student and faculty welfare, and general college development. If the president of the college disapproves any faculty initiative, the proposal shall be returned to the faculty with objections noted.

ARTICLE V. MEMBERSHIP

§1 The Bluefield State College faculty shall consist of all individuals holding the rank of instructor, assistant professor, associate professor, or professor, who are full-time employees of Bluefield State College. Professors emeritus and emeriti shall be welcomed as ex-officio, non-voting observers at faculty meetings.

ARTICLE VI. OFFICERS

§1 The officers of the Faculty Senate shall be a Chair, a Vice-Chair, and a Secretary. The Chair and the Vice-Chair must come from different Schools. These officers shall perform the duties prescribed by this constitution and by the parliamentary authority adopted by the faculty.

- §2 At the regular meeting held in March of each year, it shall be announced that faculty officers will be elected at the meeting in April. Candidates for office can be nominated by any fulltime faculty member, and nominations will be forwarded to the current Secretary of the faculty before the election at the meeting in April. Additional nominations from the floor shall be permitted.
- §3 The officers shall be elected by ballot to serve for one year, and their term of office shall begin with the beginning of the Fall semester following the meeting at which they are elected.
- §4 No faculty member shall hold more than one office at a time.

ARTICLE VII. MEETINGS

- §1 The faculty senate shall hold regular monthly meetings during the academic year, at a time and place to be determined by the faculty in general assembly, except when the Faculty Senate determines that such meetings are not needed. Due notice will be given so the faculty can participate in these meetings. The Chair of the faculty or a representative designated by the Chair shall preside at all meetings. The rules of parliamentary procedure shall be observed.
- §2 The President of the College, the Executive Vice President, and/or the Faculty Senate shall be empowered to call special meetings of the faculty when circumstances requiring such action arise.
- §3 A quorum for meetings of the general membership of faculty shall consist of 20 members.
- §4 All meetings shall be conducted in accordance with the constitution and by-laws of the Faculty Senate and with the latest edition of *Roberts' Rules of Order*.
- §5 Each elected member of the Faculty Senate shall have one vote. All matters shall be decided by a majority vote of those senators present and voting except as stated in this constitution.
- §6 A quorum for meetings of the Faculty Senate shall consist of three-fifths of the elected faculty members of the Faculty Senate.

ARTICLE VIII. RECORDS

- §1 A Secretary of the faculty shall be elected by majority vote of members present and voting at the regularly scheduled meeting of the faculty in April and shall serve for one year, and the same individual may be re-elected as many times as the faculty so desire. The Secretary will serve as a voting member of the Faculty Senate.
- §2 The function of the Faculty Secretary shall be to record and distribute the minutes of all General Faculty and Faculty Senate meetings.

- §3 The duties of the Faculty Secretary shall be:
- a. to record, reproduce, and distribute to all faculty members and other concerned individuals complete minutes of all General Faculty meetings.
 - b. to attend all Faculty Senate meetings as a member in order to record, reproduce, and distribute to all faculty and other concerned individuals complete minutes of all meetings of the Faculty Senate.
 - c. to handle, on direction of the Faculty Senate and/or its Chair, all written communication between that body and other groups or individuals.

§4 Each faculty committee and each recognized school of the college shall keep minutes of its meetings. The Chair of each faculty committee and the Dean of each school of the college is responsible for sending a copy of minutes from all meetings to the Secretary of the faculty.

ARTICLE IX. FACULTY SENATE

- §1 There shall be a Faculty Senate.
- §2 The voting membership of the Faculty Senate shall consist of three representatives elected by faculty from each of the individual schools as well as the officers elected by all faculty. The Chair and the Vice-Chair must come from different schools. If, at the General Faculty meeting where the elections are held, two individuals from the same school receive the greatest number of votes for each position, the one receiving the greatest number of votes for the position of Chair will serve in that capacity; and the individual presiding over the election will call for a new vote for the Vice-Chair, with no one from the school represented by the new Chair being eligible for Vice-Chair. Representatives from each school to the Faculty Senate shall serve for two-year terms; the Chair and Vice-Chair shall serve for one year terms. The faculty representatives to the Advisory Council of Faculty and the Board of Governors shall be an ex-officio, non-voting member of the Faculty Senate, unless elected by a school as its voting representative to the Faculty Senate.
- §3 The Faculty Senate shall serve as the official voice and policy-formulating body of the faculty on all matters which fall within its jurisdiction.

Actions of the Faculty Senate are subject to amendment or disapproval by the General Faculty for a period of 10 calendar days that the college is in session following distribution of the minutes of the meeting at which such action was approved by the faculty senate. Such amendment or disapproval is to be by vote to that effect by two-thirds of the membership of the General Faculty at a meeting of the General Faculty called for that purpose by petition of at least 20 percent of the members of the General Faculty. The meeting shall be called by the Chair of the Faculty Senate; if the Chair of the Faculty Senate is unable or unwilling to do so, by any other member of the Faculty Senate; or, that failing, by the senior members of the faculty.

ARTICLE X. COMMITTEES OF THE FACULTY SENATE

- §1 The Faculty Senate shall maintain five standing committees during the academic year. Based on senator indicated preferences, the Executive Committee Chair, Vice Chair, Secretary, immediate

past Chair, Board of Governors representative, Advisory Council of Faculty representative and the Executive Vice President for Academic Affairs (*ex officio, non-voting*) will establish the membership of the standing committees. The committees and their areas of responsibility are listed below, with the subcommittee structure, should one be established by a committee, not necessarily as implied by the sub-listing.

A. Executive Committee	
Chair†, Vice Chair†, Secretary† [† elected by the General Faculty in April for a one year term with a 2 year consecutive term limit] Board of Governors Representative‡, Advisory Council of Faculty Representative‡ [‡elected by the General Faculty in April for a 2-year term with a limit of 2 consecutive terms limit (4 years)] Immediate Past Faculty Senate Chair [one year term, non-voting] Executive Vice President for Academic Affairs [ex-officio, non-voting]	
Faculty Senate Constitution	Membership, Amendments, By-Laws
Internal College Governance	Committee Structures Committee Functions and Reporting Agenda Scheduling Minutes Management Elections General Faculty Communication and Reports Board of Governors West Virginia HEPC Advisory Council of Faculty
B. ACADEMIC AFFAIRS COMMITTEE	
(15) Senators from the Schools of Arts & Sciences, Business, Engineering Technology & Computer Science, Nursing and Allied Health, Teacher Education [3 elected by each school as a senator— each serves on Academic Affairs Committee] [ALL committee members are elected for a 2-year term with a limit of 2 consecutive terms (4 years)] Executive Vice President of Academic Affairs [ex-officio, non-voting]	
Academic Policies and Procedures Registration, Advising, Probation and Suspension, Class Load, Commencement, Part-Time and Adjunct Faculty, Academic Calendar, Release Time Enrollment Enrollment Management and Planning, Recruitment and Admissions, Catalogs and other Publications, Summer, Night, and Weekend School, Web-based Enrollment Tenure Buyout Policies and Procedures Development of Promotion and Tenure Review Policies and Procedures Development of Grievance and Due Process Policies and Procedures Development of Curriculum Management Policies and Procedures Development of Student Academic Appeals Policies and Procedures Reports Findings to Executive Vice President for Academic Affairs	
Sub-Committee: Curriculum Management	

(5) Non-Senators from the Schools of Arts & Sciences, Business, Engineering Technology & Computer Science, Nursing & Allied Health, Teacher Education [elected within each school specifically to serve on this committee]
[ALL committee members are elected for a two-year term with a limit of 2 consecutive terms limit (4 years)]

Undergraduate Curriculum
General Education, Requirements for Graduation, Degree Programs (Adding Programs, Discontinuing Programs, merging Departments or Schools, Creating Departments or a new School), New Minors, Broad Curricular Changes
Graduate and Extended Education
Broad Policy and Curricular Changes in Graduate Programs, Continuing Education (Adult Degree Program, Non-traditional Programs) Off-Campus Courses and Programs, Cooperative Programs

C. ASSESSMENT COMMITTEE

(5) Senators from the Schools of Arts & Sciences, Business, Engineering Technology & Computer Science, Nursing and Allied Health, Education [elected by each school as a senator-serves on Academic Affairs committee]

(5) Representatives from the Schools Arts & Sciences, Business, Engineering Technology & computer Science, Nursing & Allied Health, Teacher Education [elected within each school specifically to serve on this committee]
[ALL committee members are elected for a 2-year term with a limit of 2 consecutive terms limit (4 years)]

Director of Assessment [ex-officio, non-voting]

Faculty Evaluation Procedures	Undergraduate Program Evaluation
Student Evaluation Procedures	Continual Improvement
Graduate Program Evaluation	College & Program Accreditations Data Evaluation
Extended Learning Evaluation	Reports Findings to Executive Vice President for Academic Affairs

D. PLANNING AND BUDGETING COMMITTEE

(5) Senators from the Schools of Arts & Sciences, Business, Engineering Technology & Computer Science, Nursing & Allied Health, Teacher Education [elected by each school as a senator-serves on Academic Affairs committee]

(5) Representatives from the Schools of Arts & Sciences, Business, Engineering Technology & computer Science, Nursing & Allied Health, Teacher Education [elected within each school specifically to serve on this committee]
[ALL committee members are elected for a 2-year term with a limit of 2 consecutive terms limit (4 years)]

Vice President Financial & Administrative Affairs [ex-officio, non-voting]

Fiscal Exigency
Facilities, Space Utilization, Physical Plant, College Budget Priorities, Long-Range Planning, Communications, Administrative Support
College Budget and Priorities
Long-Range Planning
Academic Resources
Library, Technology Support, Departmental Equipment and Supplies, Grants and Contracts

E. PROFESSIONAL DEVELOPMENT COMMITTEE

(5) Senators from the Schools of Arts & Sciences, Business, Engineering Technology & Computer Science, Nursing and Allied Health, Teacher Education [elected by each school as a senator-serves on Academic Affairs committee]

(5) Representatives from the Schools of Arts & Sciences, Business, Engineering Technology & computer Science, Nursing and Allied Health, Teacher Education [elected within each school specifically to serve on this committee]

[ALL committee members are elected for a 2-year term with a limit of 2 consecutive terms limit (4 years)]

Board of Governors Rep‡, WV HEPC Advisory Council of Faculty Rep‡

[‡elected by the General Faculty in April for a 2-year term with a limit of 2 consecutive terms limit, *non-voting*]

President of BSC [ex-officio, non-voting]

Faculty Morale	Research and Development
Professional Standards	Buyouts and Sabbaticals
Diversity Issues	Faculty Quality Improvement Programs
Salaries and Fringe Benefits	Public Relations and Image Improvement

§2 Three additional standing committees as defined below are established with representatives elected as specified.

PROMOTION AND TENURE REVIEW COMMITTEE

(5) Representatives from the Schools of Arts & Sciences, Business, Engineering Technology & computer Science, Nursing and Allied Health, Teacher Education [elected within each school specifically to serve on this committee]

[ALL committee members must be tenured and are elected for a 2-year term with a limit of 2 consecutive terms limit (4 years)]

Promotion and Tenure Application Review Post-Tenure Review

FACULTY RIGHTS AND RESPONSIBILITIES COMMITTEE

(5) Representatives from the Schools of Arts & Sciences, Business, Engineering Technology & computer Science, Nursing & Allied Health, Teacher Education [elected within each school specifically to serve on this committee]

[ALL committee members must be tenured and are elected for a 2-year term with a limit of 2 consecutive terms limit (4 years)]

Grievance and Due Process Matters
 Professional Conduct of Faculty
 Formal Hearing
 Reports Findings to Vice President for Academic Affairs

STUDENT ACADEMIC APPEALS COMMITTEE

(5) Representatives (senator or non-senator) from the Schools of Arts & Sciences, Business, Engineering Technology & computer Science, Nursing and Allied Health, Teacher Education [elected within each school specifically to serve on this committee]

[ALL committee members must be tenured and are elected for a 2-year term with a limit of 2 consecutive terms limit (4 years)]

Two students elected by the Student Government Association
 Executive Vice President for Academic Affairs or designate [ex-officio, non-voting]
 Registrar or designate [ex-officio, non-voting]

Implementation and Maintenance of Academic Standards
 Conduct Hearings Involving Student Appeals of Academic Decisions
 Reports Recommendations to the Executive Vice President for Academic Affairs

§2 At least one member of the General Faculty shall be included among the faculty representatives on the following college-wide committees:

Activities	Personnel Development
Athletics	Student Conduct
Classified Grievances	Student Publications
College Council	Student Union Board
Financial Aid Advisory	

Faculty representatives will be elected at the General Faculty meeting in April to specifically serve of these committees. All committee members are elected for a two-year term with a limit of 2 consecutive terms (4 years).

§3 The immediate past Faculty Senate Chair shall serve as an *ex-officio, non-voting* member of the Executive Committee, for one year following the end of his or her term as Chair.

§4 A school may appoint a substitute senate representative from the same constituency. The senator shall inform the Chair and the Secretary of the Faculty Senate in advance of the meeting at which the substitute will serve. The substitute senator shall have full voting privileges.

§5 The Chair of the Faculty Senate shall request monthly reports from the Chairs of the standing committees to determine items of senate business to be included in the monthly recorded meeting minutes of the Faculty Senate meeting.

§6 A member of the Faculty Senate who spends more than one semester performing functions which do not include teaching at least one class or performing functions which are not normally associated with teaching must resign from the Senate, with a school replacement being elected to serve the remainder of the term. (Functions normally associated with teaching include, for example, faculty development academic leave or other leave to do research.)

§7 According to *Roberts' Rules of Order*, a tie vote fails.

AMENDMENTS TO THE CONSTITUTION AND BYLAWS OF THE FACULTY SENATE

§1 Proposed amendments to the constitution and/or bylaws of the Faculty Senate shall be presented first at a regular meeting of the Faculty Senate for discussion and voted upon at the next regular meeting. An amendment approved by the Faculty Senate becomes effective upon approval of a majority of the members of the General Faculty voting in a meeting for that purpose, as determined by the Faculty Senate. A proposed amendment not approved by the Faculty Senate shall require a two-thirds affirmative vote of the members of the General Faculty for approval in a meeting called for that purpose by petition of at least 20 percent of the members of the General Faculty. The meeting shall be called by the Chair of the Faculty Senate, and in his/her absence, by the Vice Chair. Voting by the General Faculty on proposed amendments to the constitution and/or bylaws of the Faculty Senate at a meeting called for that purpose shall be administered and supervised by the Executive Committee of the Faculty Senate which shall promptly report the results of such voting to the General Faculty and maintain a written record of the proposed amendments and results of voting by the General Faculty.

APPENDIX D

Minimum Appointment and Promotion Criteria

FACULTY APPOINTMENT AND PROMOTION CRITERIA

February 18, 1987

Objectives

1. To promote professional growth and development of each member of the faculty;
2. To promote and maintain a high standard of teaching;
3. To assure that all faculty have the knowledge and ability necessary to work with the most appropriate model of instruction;
4. To expand each faculty member's awareness and expertise in all academic and instructional competencies;
5. To motivate each faculty member to become actively involved in some aspect of research or scholarly activity and community or professional service.
6. To encourage faculty to exercise leadership in academic governance and fulfill responsibilities on appropriate committees.

Criteria for all Ranks and Divisions

The following requirements for promotion in academic rank are considered minimal. Consistent with West Virginia Board of Regents Policy Bulletin No. 36, there shall be demonstrated evidence that the promotion is based upon a wide range of criteria:- excellence in teaching, significant contribution and service to the college community, quality experience, academic achievement, professional growth-and potential for continued growth, research, and service to the people of the State of West Virginia. A high priority shall be given to evidence of an active role on college committees/councils, in the faculty development program, in student recruitment/retention activities, and in professional outreach activities, and to evidence of a history of excellence in teaching and scholarship.

All faculty with less than two years of teaching experience must complete study in educational methodology during the first two years of employment or prior to promotion and tenure. This may be accomplished through a series of on-site divisional short courses and/or carefully selected and approved courses in education.

Evaluation of faculty for appointment and promotion shall take into consideration the college's mission as defined by the West Virginia Board of Regents.

Ordinarily initial appointments are not made in the rank of Professor and initial appointments of Associate Professor are not common. In cases of merit and when it is in the interest of the mission of the College, the President may, upon the recommendation of the Academic Administration, make initial appointments in these ranks. Since promotion criteria such as experience at BSC cannot be met, initial appointments should be consistent with the intent of promotion criteria herein. Faculty should not be promoted on the basis of the Minimal Promotion Criteria alone. Qualifications presented by faculties in the two tracks should be equivalent in terms of rigor and quality. It is expected that at each successive step in academic rank progression the faculty member will present qualifications increasingly greater than the minimum.

MINIMAL APPOINTMENT & PROMOTION CRITERIA

Divisions of Business, Education, Humanities & Social Sciences, and Natural Science

INSTRUCTOR

Masters Degree with a well-defined area of specialization in the teaching field.

ASSISTANT PROFESSOR

Master's Degree with a well-defined area of specialization and full-time college teaching experience, plus 15 hours of graduate course work (beyond that required for the Masters) in a degree plan approved by a graduate school. (Faculty who complete a prior approved plan of 15 hours by the College may be eligible for consideration for promotion) With the doctoral degree no college teaching experience is required.

Divisions of Engineering Technology and Health Sciences

Baccalaureate Degree* with a well-defined area of specialization. Full-time work experience of at least three years (as approved by the administration) in a field related to the subject being taught.

*Any instructor who teaches courses in another program where a Masters Degree is required must meet that requirement.

Master's Degree with an acceptable area of specialization, and three years of full-time work experience (as approved by the administration) in a field related to the subject being taught

ASSOCIATE PROFESSOR

Master's Degree plus 30 semester hours of graduate work (beyond that required for Master's Degree) in a degree plan or plan approved by a graduate school or an earned doctorate, three years in rank as an Assistant Professor at BSC, a total of six years of full-time college teaching experience or four years with the doctorate.

PROFESSOR

Earned doctoral degree*, four years in rank as Associate Professor at BSC, with a total of ten years of full-time college teaching experience.

*Faculty teaching in art or music may substitute for the doctorate, M.F.A., as a second Masters- and twelve years of professional and teaching experience with five years in rank as Associate Professor at BSC. Faculty hired by 1970 (and no later than 1970) may substitute for the doctorate 20 years of full-time faculty service with BSC and 35 semester hours of high quality graduated work (beyond that required for the Masters) in a graduate degree program as approved by a graduate school, and major scholarly or professional achievements approved by their peers and the academic administration.

Master's Degree in an appropriate area of specialization, three years of full-time teaching experience, work experience sufficient to qualify for the rank of Assistant Professor and five months of full-time equivalent, relevant peer reviewed, professional work experience that was obtained since the last promotion, three years in rank as Assistant Professor at BSC, with a total of six years of professional and/or teaching experience. For each semester hour of approved graduate course work beyond the Master's Degree, one-half of the work experience may be waived.

Masters Degree, professional registration/certification/license, if such is available, with four years in rank as Associate Professor at BSC, additional work experience beyond that required for appointment or promotion to Associate Professor. The work experience shall not be less than the equivalent of one year of full-time professional work with a "mini-thesis" type of summary report and peer evaluation of the quality of the experience and the employee's performance. The preferred route for certain faculty, such as in nursing, for example, may be the doctoral degree, and this is acceptable.

Guidelines for Application of Criteria

Faculty may apply under either the 1980 or 1987 criteria for two years or through the 1987-88 academic year. In cases where it is in the interest of faculty development, the President may for a period of two years approve a written request to blend elements of the 1980 and 1987 criteria. These guidelines may be modified by authority of the President as needed.

Appointment and Promotion criteria herein shall not be retroactive. The Promotion and Tenure Committee shall consider:

- A. Statements of reference from the following, which must include comments on teaching and other professional qualities:
 - (1) Division Chairperson
 - (2) Division Faculty
 - (3) An institutional faculty member of the applicant's choice from without the division.
- B. Scores on student evaluation form. A satisfactory score appropriate to the particular rank is required for the year of evaluation and overall for the years considered in the review. In no case may the mean student evaluation score be less than "average," and for the ranks of Associate Professor and Professor, the mean score shall be "above average".
- C. Evidence of the applicant's fulfillment of criteria. Attention shall be given to the fulfillment of criteria for All Ranks and Divisions, as well as to the Minimal Appointment Criteria.
- D. The mission and goals of the applicant's division. The missions of the divisions vary in the degree of involvement with external clinical personnel, administrators, professionals, and industry, the learned societies, accrediting bodies, and the general public. In some cases it may be in the interest of the division's mission, for example in nursing, and certain technologies, for the applicant to pursue an academic path.
- E. The level of promotion for which the applicant is applying. The higher the academic rank for which the applicant is applying, the greater is the degree to which he/she must meet the Criteria for All Ranks and Divisions, and the greater is the evidence that must be presented.

The Promotion and Tenure Committee may require additional recommendations and documents as it deems necessary to its review of a faculty member.

A faculty member planning to offer a major scholarly/professional project for partial fulfillment of the requirements for promotion to professor, as provided in the Minimal Criteria, shall first discuss his/her proposal with the Division Chair, then the Division, and request that a "Peer Review Committee" be formed in accordance with the guidelines. In order to be eligible to initiate a "peer review" of a project, the applicant must have fulfilled all of the other eligibility requirements. The applicant shall present a written proposal to the Committee and Academic Vice President. The applicant shall receive prior written approval for the proposal by the Committee and the Vice President before beginning to write the summary, with a written statement of approval by the Committee and the Vice President on file and a written authorization sent to the applicant from the Academic Vice President, copy to Division Chair. The Academic Vice President shall establish

and distribute a time calendar for accomplishing the various steps in the review process. A "mini-thesis" type of summary report shall be presented to the Committee and Vice President for their approval upon completion of the project. The "mini-thesis" shall be of the quality, although not necessarily of the length, of a thesis, be typed, bound and after approval filed in the office of the Academic Vice President. Approval will consist of a signed approval by the Division Chair/Committee Secretary indicating majority approval by the Committee, and signed approval by the Academic Vice President. The project shall be available to the Promotion & Tenure Committee, but is not subject to the Committee's approval.

A faculty member offering a major professional or scholarly achievement, may select but is not limited to: An accumulation of accrediting committee work experiences, a period of significant participation in the work of recognized professional or scholarly societies, major artistic performances such as recitals or showings, a series of scholarly or professional lectures presented to colleagues college- or profession-wide, or a quality publication/s or creative piece/s. The emphasis is to be placed on quality rather than quantity. It should be germane to the faculty member's field of teaching. The project/s/ should demonstrate that the faculty member has attained a level of achievement and ability that would normally have been the product of an academic thesis or equivalent experience, and that he/she has reached a level of professional competence normally expected of a professor. The format and content of the "mini-thesis," including the manner in which the experiences/projects are to be described and documented can be expected to vary and will be specified by the "Peer Review Committee."

The work experiences offered by faculty from the Divisions of Engineering Technology and Health Sciences shall be of a nature that will deepen and update the applicant's prior work experiences, and maintain state-of-the-art competence in the particular teaching field. Projects to be offered toward promotion must have prior approval of the "Peer Review Committee" and the Academic Vice President. The faculty member shall first discuss his/her proposal with the Division Chair, and then with the Division, and request that a "Peer Review Committee" be formed in accordance with the guidelines. The Promotion and Tenure Committee may require additional recommendations and documents as it deems necessary to its review of a faculty member.

SUPPLEMENT PROMOTION AND TENURE REVIEW PROCEDURES

The following include guidelines for the functioning of the Promotion and Tenure Committee and appeal procedures at various levels. These were promulgated by the President in 1980, and modified in 1987, to fit revised criteria. These may be modified by the President as needed.

To avoid conflict of interest, a faculty member shall not sit on the Promotion Committee while his or her promotion or that of a spouse or close relative is being considered. In the case of a faculty member in the foregoing situation, the Committee Chairperson shall hold that case until all other cases have been acted upon, and shall then exclude the faculty member from being present during or taking any part whatsoever in discussion or action affecting the case in question. Both the Committee and the faculty member shall exercise meticulous care to avoid even the appearance of any improper communication or action regarding such application or nomination for promotion in academic rank. The minutes of the Committee shall record the steps taken to avoid any possible conflicts of interest.

The Promotion and Tenure Committee may develop its own operating procedure insofar as such procedures do not reduce the minimum promotion standards nor diminish the safeguards that protect the rights of individual faculty members.

Degrees and all graduate hours presented to fulfill promotion requirements must be from regionally accredited institutions.

Upon completion of its work, the Promotion and Tenure Committee will forward its recommendation in each case and all materials considered in arriving at the decision to the Academic Vice President.

A faculty member may appeal the decision of the Promotion and Tenure Committee or a "Peer Review Committee" within three days to the Faculty Rights and Privileges Committee only for review of procedures or consideration of new or additional evidence. It is clearly not the role of the Rights and Privileges Committee to reevaluate the candidate or judge the decision of the Promotion and Tenure Committee or "Peer Review Committee". It is to be assumed, unless there is compelling evidence to the contrary, that the Committee carefully considered and weighted the material presented to it in terms of promotion criteria. The decision of the Promotion and Tenure Committee and the "Peer Review committee –represents professional value decisions based upon 'the evidence presented to it. The Rights and Privileges-Committee will in a timely manner, in the case of appeal, review the appeal and either advise the President of its findings or remand the case to the Promotion and Tenure Committee for reconsideration of specified issues or points.

The Academic Vice President will consider the recommendation of the Promotion and Tenure Committee in each case and add his comments and recommendations. The faculty member being considered for promotion may within three days respond in writing to the recommendations and comments of the Academic Vice President. All recommendations and written material pertaining to each case will be forwarded to the President for review and action. The 'President will send written notification of his action to the faculty member, the Chairperson of the Promotion and Tenure Committee, and the Academic Vice President. The decision of the President may be appealed to the West Virginia Board of Regents.

Annually a list of promotions approved by the Board of Governors will be published within the college.

APPENDIX E

Faculty Grievance Procedure

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, intervener, 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 intervener 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.

APPENDIX F

Faculty Evaluation Policy
See also Board of Governor's Policy No. 38

FACULTY EVALUATION PROCESS

Faculty assessment/evaluation is one component of the college's efforts to be accountable for the content and quality of its educational activities. The assessment/evaluative process is a method of gathering information concerning the faculty member's contribution to all phases of the institution's mission and goals. The major objectives of faculty assessment/evaluation are: 1) to determine strengths and areas for improvement regarding teaching, service, and professional development; and 2) to provide information for personnel decisions such as promotion, tenure, and merit pay.

All full-time faculty (tenured, probationary, and temporary) and adjunct faculty, including librarians and administrators that may teach, are to be evaluated yearly. The evaluation process has the following components: student evaluations of faculty, faculty self evaluation, division chair evaluation of faculty, and classroom observation.

Student Evaluation of Faculty

Student evaluation of faculty will be conducted each semester, excluding summer school, two to three weeks before the end of the semester depending on the academic calendar and/or holiday break, but will not extend beyond the last day of classes for students. The Office of Institutional Research and Effectiveness oversees the administration of the online process of student evaluation of faculty. The procedure for the administration of the student evaluations is as follows:

1. Students login to myBSC portal.
2. Students select the “student evaluation of faculty” icon.
3. Students confidentially evaluate each course listed.
 - a. A response must be provided for each item with the exception of the comment box. Banner will repopulate the evaluation by the next day if all items did not receive a response.
4. At the end of the evaluation timeframe, data are extracted from Banner and imported into ClassClimate for report generation.
5. Reports are generated and distributed via email to full-time and adjunct faculty members typically prior to the beginning of the next semester.
6. Reports are also distributed to School Deans, Vice President for Academic Affairs and upon request the President of the College.
7. All courses are evaluated with the following exceptions:
 - a. those with less than 6 students,
 - b. labs (with the exception of School of Nursing and Allied Health labs),
 - c. internships,
 - d. independent studies,
 - e. student research, and
 - f. student teaching.

8. Faculty should maintain evaluation data and information for future reference.

Copies of all evaluation information are to be maintained and available in the Division Chairperson's office.

Faculty Self Evaluation

A self assessment is an opportunity for faculty to take stock of accomplishments, long term goals, plans, strengths, and improvements needed with regard to teaching, service and professional development. This form is to be completed by the faculty member by November 1 of each academic year and will be included in the discussion with the division chairperson during the formal evaluation. The original is to be submitted to the Personnel Office and a copy retained in the division office.

Classroom Observation

Direct classroom observation can provide a counterpoint to information gathered indirectly through student evaluations or comments made by others. Classroom observations can also assist a beginning faculty member with one's teaching. Classroom observation will be required for the first four semesters of an instructor's employment. Thereafter, the observation will be at the discretion of the division chairperson or at the request of the instructor for both tenured and non-tenured faculty. Classroom observations may be scheduled or unscheduled. They may also be videotaped instead of a personal visitation.

Faculty Evaluation Form

The faculty evaluation form is the process that is to be completed by the division chairperson/director annually by the end of the academic year. The form is adapted from the position description of faculty that accompanies the faculty contract. The original is to be submitted to the Personnel Office and a copy retained in the division office.

All forms used in the faculty evaluation process can be found on subsequent pages.

Questions for self reflection on teaching to assist the faculty member on item F of the Portfolio:

A. LEARNING

- Do I ask Questions to stimulate and direct thinking?
- Do I provide variety in materials and methods?
- Do I stimulate students' interest in the subject?
- Do I use a variety of teaching methods?
- Do I make every effort to improve the quality of students' achievement in my course?
- Do I help students to develop the ability to marshal or identify main points or central issues?
- Do I stimulate students' appreciation for the subject?
- Do I promote students' satisfaction in learning the subject matter?
- Do my students feel that they can recognize good and poor reasoning or arguments in the field?
- Do I stimulate students' intellectual curiosity?
- Do I assess student understanding of the learning material by the types of questions and answers they give in class?
- Do I present questions at strategic times to assess student learning?

B. ORGANIZATION

- Do I provide introductions which arouse interest and suggest an organizational framework for instruction?
- Do I use examples, anecdotes, or illustrations to explain and clarify subject matter?
- Do I organize and present material clearly?
- Do I speak clearly, use illustrations to clarify the material, and summarize major points well?
- Do I present ideas clearly in class?
- Do I organize my course well?
- Do I present clear and relevant examples in class?
- Do I make the objectives of the course clear?
- Do I review major concepts/points at the end of class?
- Do I make the major objectives of the course clear?
- Do I make agreement between the course objectives and assignments?
- Do I plan and organize my class presentations well?
- Do I use class time well?
- Do I make my presentations or lectures in a clear and logical manner?
- Does my rate of speech permit students to write notes efficiently without boring them?
- Do I observe the faces of my students to detect if they are bored or have a lack of understanding?
- Do I speak distinctly and present my ideas in clear understandable language?
- Do I communicate effectively and appropriately by using thoughtfully selected words, carefully planned questions, expressive voice inflections and useful pauses?
- Do I begin and end class on time?

C. ENTHUSIASM

- Do I enjoy teaching my courses?
- Am I interested in and concerned with the quality of my teaching?

- Do I have zest and enthusiasm for teaching?
- Do I look forward to class meetings?
- Do I use humor in my class that is positive and appropriate to the situation?
- Do I vary teaching strategies and classroom activities to maintain student attention and interest?

D. GROUP INTERACTION

- Do I encourage students to share in class their knowledge, opinions, and experiences?
- Do I stimulate and answer questions in class?
- Do I restate questions or comments to clarify them for the entire class?
- Do I encourage students to participate in class?
- Do I ask questions that encourage student involvement?

E. INDIVIDUAL RAPPORT

- Do I communicate respect and concern for students?
- Am I readily available for consultation with students?
- Do I encourage an open atmosphere where students feel free to ask questions and seek help if needed?
- Am I sympathetic toward and considerate of students?
- Am I fair and impartial in dealing with students?
- Am I aware of students' needs?
- Do I remind students to come to me for help whenever it is needed?
- Do I relate to students easily?
- Do I get along well with students?
- Am I sensitive to students' feelings?
- Do I have a sense of mutual respect with students?
- Do I make students feel at ease in conversations with me?
- Do I enjoy having students come to me for consultation?
- Do I actively help students who are having difficulty?
- Do I maintain a courteous, respectful, and professional approach with students both in and out of class?

F. BREADTH

- Do I present thought-provoking ideas?
- Do I explain important ideas clearly?
- Do I encourage critical thinking and analysis?
- Do I ask thought provoking questions in addition to simple, factual questions?
- Do I read current literature on my subject so that I am informed and able to supplement the course material with interesting and relevant examples?

G. EXAMINATIONS

- Do I construct valid and reliable examinations?
- Do I give feedback which enables students to monitor their progress?
- Do I give examinations that reflect the important aspects of the courses taught?
- Am I objective and able to substantiate grades given?
- Do my tests contain a balance of class material and reading assignments?

- Do my tests contain a balance of class material and reading assignments?
- Do my examinations incorporate the level of objectives for the course and what is being taught?
- Do I give careful thought in preparing examination questions?
- Do I return written assignments and tests in a prompt timeframe so that students learn from the activity and my written feedback?

H. ASSIGNMENTS

- Do my students feel that their efforts in the course are worthwhile?
- Do I examine the reading assignments and make appropriate suggestions for student learning?

I. GENERAL

- Do I raise challenging questions or problems in class?
- Do I analyze previous classroom experience to improve my teaching?
- Do I take an active, personal interest in improving my instruction?
- Do I try to make every course the best everytime?
- Do I find teaching intellectually stimulating?
- Do I answer questions as thoroughly and precisely as possible?
- Do I coordinate different activities of my course well?
- Do I try to function creatively in teaching my course?

BLUEFIELD STATE COLLEGE
219 Rock Street
Bluefield, WV
24701

FACULTY EVALUATION FORM

The division chairperson or program director must complete this form and share with the faculty member by the end of each academic year.

FACULTY NAME:

DATE:

ACADEMIC YEAR:

The evaluator should provide a brief rationale/explanatory comment for any item in which the faculty member is assigned a rating of “exceeds expectations” or “needs improvement.”

General Responsibilities:

1. Incumbent communicates effectively and appropriately with all College faculty, staff, students, and administrators.	Exceeds Expectations	Meets Expectations	Needs Improvement
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Comments:

2. Incumbent supports and promotes the institution’s mission and goals	Exceeds Expectations	Meets Expectations	Needs Improvement
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Comments:

3. Incumbent exhibits knowledge, understanding, and adherence to West Virginia State College systems Rules and Procedures, Faculty Handbook, and College/Departmental policies and procedures	Yes	No
---	-----	----

Comments:

Teaching/Advising:

4. Provides students, during the first week of instruction, with course syllabi containing course objectives, classroom management policies, attendance, and grading procedures	Exceeds Expectations	Meets Expectations	Needs Improvement
---	----------------------	--------------------	-------------------

Comments:

5. Incorporates varied and appropriate instructional methodology	Exceeds Expectations	Meets Expectations	Needs Improvement
--	----------------------	--------------------	-------------------

Comments:

6. Selects, organizes, and arranges for the availability of required course materials (i.e., texts, assignments, readings, etc.)	Exceeds Expectations	Meets Expectations	Needs Improvement
--	----------------------	--------------------	-------------------

Comments:

7. Receives positive students evaluations (list courses and the evaluation of each course, number of students, mean S.D., as an attachment to this form)	Exceeds Expectations	Meets Expectations	Needs Improvement
--	----------------------	--------------------	-------------------

Comments:

8. Actively participates in course and curriculum development, evaluation, and revision	Exceeds Expectations	Meets Expectations	Needs Improvement
---	----------------------	--------------------	-------------------

Comments:

9. Teaches effectively courses across one's discipline Exceeds Expectations Meets Expectations Needs Improvement

Comments:

10. Evaluates student achievement objectively and in accordance with the performance criteria as stated in the course syllabus Exceeds Expectations Meets Expectations Needs Improvement

Comments:

11. Is available to students for advising on a continuing basis and participates in registration sessions Exceeds Expectations Meets Expectations Needs Improvement

Comments:

12. Recommends library acquisitions, textbooks, equipment, and supplies needed for instruction Exceeds Expectations Meets Expectations Needs Improvement

Comments:

13. Begins class(es) on time and continues class for the time period officially scheduled Yes No

Comments:

14. Meets all classes up to and including the final scheduled examination day of the semester. If an absence from class is necessary, coverage of the class is made in accordance with the Faculty Handbook, Section 3.1300

Yes

No

Comments:

15. Provides accurate and current student records and complies with reporting deadlines for such records

Yes

No

Comments:

16. Meets with all advisees at least once a semester to guide programmatic academic decisions

Yes

No

Comments:

17. Performs 45-90 hour evaluations for assigned advisees

Yes

No

Comments:

College and Community Development and Enhancement:

18. Actively participates in the continuing development and evaluation of courses and programs relative to area of expertise

Exceeds
Expectations

Meets
Expectations

Needs
Improvement

Comments:

19. Contributes to mandated program reviews and self-study reports	Exceeds Expectations	Meets Expectations	Needs Improvement
--	----------------------	--------------------	-------------------

Comments:

20. Pursues grant opportunities both individually and/or in collaboration with colleagues	Exceeds Expectations	Meets Expectations	Needs Improvement
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Comments:

21. Serves on College committees and/or as sponsor to student organizations in areas of interest	Exceeds Expectations	Meets Expectations	Needs Improvement
--	----------------------	--------------------	-------------------

Comments:

22. Attends scheduled meetings of the Division, Faculty, and of the College	Exceeds Expectations	Meets Expectations	Needs Improvement
---	----------------------	--------------------	-------------------

Comments:

23. Serves as an active citizen in the community of residence	Exceeds Expectations	Meets Expectations	Needs Improvement
---	----------------------	--------------------	-------------------

Comments:

Professional Development:

24. Continues professional development to keep up-to-date matters relating to one's discipline	Exceeds Expectations	Meets Expectations	Needs Improvement
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Comments:

25. Plans for professional development activities with the Dean/Division chairperson, consistent with the College's goals and objectives and one's individual assignment	Exceeds Expectations	Meets Expectations	Needs Improvement
--	----------------------	--------------------	-------------------

Comments:

26. Attains the highest academic credential appropriate to the field of study	Yes	No
---	-----	----

Comments:

Other:

27. Willingly delivers courses at institutionally determined locations within the service area	Yes	No
--	-----	----

Comments:

28. Coordinates with outside agencies student experiences which maximize opportunities for the integration of experiential learning	Yes	No
---	-----	----

Comments:

29. Acts as liaison to adjunct faculty in area(s)
of teaching responsibility

Yes

No

Comments:

Signature of Evaluator _____

Title of Evaluator _____

Date _____

_____ I have reviewed this evaluation
_____ I do not agree with this evaluation and have attached my
comments to it

Signature of Faculty Member _____

Date _____

Student's Evaluation of Educational Quality

Select the best response for each of the following statements. As a description of this course/instructor, this statement is:

A = Very Good B = Good C = Average D = Poor E = Very Poor

LEARNING

1. You found the course intellectually challenging and stimulating
2. You have learned something which you consider valuable
3. Your interest in the subject has increased as a consequence of this course
4. You have learned and understood the subject materials in this course

ENTHUSIASM

5. Instructor was enthusiastic about teaching the course
6. Instructor was dynamic and energetic in conducting the course
7. Instructor enhanced presentations with the use of humor
8. Instructor's style of presentation held your interest during class

ORGANIZATION

9. Instructor's explanations were clear
10. Course materials were well-prepared and carefully explained
11. Proposed objectives agreed with those actually taught so you knew where course was going
12. Instructor gave lectures that facilitated taking notes

GROUP INTERACTION

13. Students were encouraged to participate in class discussions
14. Students were invited to share their ideas and knowledge
15. Students were encouraged to ask questions and were given meaningful answers
16. Students were encouraged to express their own ideas and/or question the instructor

INDIVIDUAL RAPPORT

17. Instructor was friendly toward individual students
18. Instructor made students feel welcome in seeking help/advice in or outside of class
19. Instructor had genuine interest in individual students
20. Instructor was adequately accessible to students during office hours or after class

BREADTH

21. Instructor contrasted the implications of various theories
22. Instructor presented the background or origin of ideas/concepts developed in class
23. Instructor presented points of view other than his/her own when appropriate
24. Instructor adequately discussed current developments in the field

EXAMINATIONS

25. Feedback on examinations/graded materials was valuable
26. Methods of evaluating student work were fair and appropriate
27. Examinations/graded materials tested course content as emphasized by the instructor

ASSIGNMENTS

28. Required readings/texts were available
29. Readings, homework, etc. contributed to appreciation and understanding of subject

OVERALL

30. Compared with other courses you have taken at BSC this course was ...
31. Compared with other instructors you have had at BSC, this instructor was...
32. Compared with other instructors you have had in your major, this instructor was ...

Faculty Self-Evaluation

Faculty will complete this form by Nov. 1 for the preceding academic year and submit the original copy to the Personnel Office, a copy to the appropriate program director or chair, and retain a personal copy. The program director or chair will meet individually with each faculty member to discuss this form. A record of the comments will be written by the program director or chair and forwarded to the faculty member and the personnel office. Any faculty response and the director's or chair's report will be filed in the division office annually.

Directions: Under each item listed below, please write a brief narrative which gives the description, evaluation, and goals for each item. Select those items under each category which apply to you and respond as indicated. For those items which do not apply to you, please use the designation NA. Please word process this document or use this form and a separate sheet of paper if necessary.

Description: identify and explain how you accomplish the item.

Evaluation: determine how well or to what degree you feel that you meet the item.

Goal: state a goal to meet this item during the coming year.

I. Teaching and Advising

A. Course revision or improvement projects, including classroom research

- a. Description
- b. Evaluation
- c. Goals

B. Conferences, workshops, or work experience directly related to your BSC assignment and tell whether conferences and workshops are national, regional, or state.

- a. Description
- b. Evaluation
- c. Goals

C. Graduate study, or activities directly related to improving academic qualifications

- a. Description
- b. Evaluation
- c. Goals

D. Faculty advising activities (include number of advisees and their majors)

- a. Description
- b. Evaluation
- c. Goals

E. Teaching effectiveness (review your student evaluation survey results for previous semesters since last self-evaluation and provide an interpretation)

- a. Description
- b. Evaluation
- c. Goals

II. Scholarly and Creative Activities

A. Publications in referred journals

- a. Description
- b. Evaluation
- c. Goals

B. Research currently in progress

- a. Description
- b. Evaluation
- c. Goals

C. Other publications, presentations or performances

- a. Description
- b. Evaluation
- c. Goals

D. Active participation in professional or scholarly organizations (list organizations in which you are a member; identify offices held this year and years of continuous membership).

- a. Description
- b. Evaluation
- c. Goals

E. Description of grant proposals whether funded or not

- a. Description
- b. Evaluation
- c. Goals

III. College Service Activities

A. Service on division committees

- a. Description
- b. Evaluation
- c. Goals

B. Curriculum revision or review projects

- a. Description
- b. Evaluation
- c. Goals

C. Faculty standing, college-wide, and ad-hoc committees

- a. Description
- b. Evaluation
- c. Goals

D. Participation in Institutional Projects

- a. Description
- b. Evaluation
- c. Goals

E. Student organizations which you sponsor or assist, other campus activities

- a. Description
- b. Evaluation
- c. Goals

F. Other institutional service projects or activities

- a. Description
- b. Evaluation
- c. Goals

IV. Contribution to the Community

A. Describe ways in which you positively and directly represent the college to the community.

- a. Description
- b. Evaluation
- c. Goals

B. List data you consider pertinent to the citizen's role in the community.

- a. Description
- b. Evaluation
- c. Goals

Portfolio Contents

The portfolio will be developed whenever a faculty member applies for promotion or tenure and every three years thereafter.

A. Class schedules (each semester with name of class, CRN #, enrollment at end of course)

B. Annual self-evaluations

C. Annual student evaluations

D. Sample syllabi, lesson plans or unit plans taught using institutional format

E. Narrative on self-reflection on teaching. Faculty can select 'defining moments' in their teaching career and incorporate them into the narrative,

F. Write a narrative reflecting on each of the categories below. The attached questions are provided as a framework to focus your responses for each category. (These questions are NOT to be answered directly with yes or no answers).

- a. Learning
- b. Organization
- c. Enthusiasm
- d. Group interaction
- e. Individual Rapport
- f. Breadth
- g. Examinations
- h. Assignments
- i. General

G. Letters of recommendation from division chair or program director, peers and/or students

H. Activities related to teaching, advising, or student service

I. Professional development activities

APPENDIX G

College Vehicle Regulations
See Board of Governors Policy 22, Section 3

BLUEFIELD STATE COLLEGE

Use of College Owned or Leased Vehicles

Vehicles are provided for use by the faculty and staff of Bluefield State College when participating in regularly scheduled and organized activities approved by the college as official trips. Passengers in state vehicles must be West Virginia state employees or students enrolled at Bluefield State College and whose specific office or employment conditions require they be transported on official business. The operation of and passenger requirements for Bluefield State College owned or leased vehicles by non-employees is restricted to persons working with Bluefield State College in conjunction with official school programs and must have prior approval from the Director of Financial and Administrative Services. All vehicle trips require approval of the department head and budget directors. State Vehicles will not be parked at the driver's home overnight.

Insurance Coverage

Liability insurance is provided for Bluefield State College owned or leased vehicles by the State Board of Risk and Insurance Management: Coverage is extended for the protection of Bluefield State College while an authorized operator is using a vehicle within the confines of this policy and all applicable laws, ordinances or rules.

Reporting of Accidents

Accidents or loss, involving a Bluefield State College vehicle, to any degree, must be reported to a law enforcement agency serving the area where the accident occurred and to the Bluefield State College Security. The operator must cooperate in any investigation of an accident at the scene and obtain necessary information to complete a State Board of Risk and Insurance Management form, "Report of Motor Vehicle Accident - State of West Virginia" (Form #RMJ-1), within two (2) calendar days of the accident and submit the form to the Bluefield State College Director of Security. All vehicles shall carry insurance information and insurance forms.