A MESSAGE FROM THE PROVOST 2015

I write today to welcome all new faculty members to Fairmont State University and to offer my warmest wishes for a rewarding first year here. Hopefully, you will find career satisfaction and a good fit with our institution.

I offer returning faculty admiration and gratitude for previous accomplishments and support for continuing advancement in your work.

The Campus Collaborative for Recruitment and Retention offers great hope for students’ academic and personal success. I recognize here that group’s achievements of the past year and believe we will begin to see implementation of new initiatives and positive results quite soon.

The reconstituted Critical Friends group is also significant. While the work of assessment is deadline driven by the Higher Learning Commission, the ultimate goal of documenting student work, analyzing it, and making needed and positive changes to curriculum will result in stronger and more effective instruction.

I have been encouraged to see the collaborative work going on between and among schools: training in new technologies, syllabus revision, documentation of student work in TaskStream, and meeting Title III goals as well as those of individual departments.

By working together toward common and clearly articulated goals, we will improve the working environment of our faculty and staff and the learning environment of our students.

The Deans’ Council and Student Services worked more collaboratively last year than ever before. This has allowed us to make needed changes in policies and procedures that provide efficiency and clarity, and an overall more positive campus experience for our students.

Together, we made 2014-2015 a year of progress and success. I believe we are poised to continue on that path this year.

Sincerely,

Christina Lavorata, Ed.D.
Provost and VP Academic Affairs
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FOREWORD

The Fairmont State University (FSU) Faculty Handbook contains information about the University, its organizations, governance, policies, rights, responsibilities, and services which are of specific concern to the faculty. The FSU Faculty Handbook is edited by the Office of the Associate Provost and Director of Graduate Studies.

Institutional policies contained in this publication are subject to ongoing reappraisal and change; therefore, they are subject to revision upon reasonable notification of the parties affected.

The FSU Catalog provides academic and general information, and every effort has been made to avoid duplication in the Faculty Handbook. The FSU Catalog, Faculty Handbook, Student Handbook, and Board of Governors website provide a complete source of current information and institutional policies.

POLICY ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

Fairmont State University is an Equal Opportunity-Affirmative Action institution. In compliance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act, West Virginia Human Rights Act, Title IX (Educational Amendments of 1972), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, all as amended, and the other applicable laws and regulations, the institution provides equal opportunity to all prospective and current members of the student body, faculty, and staff on the basis of individual qualifications and merit without regard to race, color, gender, national origin, age, height, weight, religion, creed, genetic information, disability, veteran’s status, sexual orientation, gender identity, and gender expression/association as identified and defined by law in employment, admissions, and educational programs and activities.

Fairmont State University neither affiliates knowingly with nor grants recognition to any individual, group or organization having policies that discriminate on the basis of race, color, gender, national origin, age, height, weight, religion, creed, genetic information, disability, veteran’s status, sexual orientation, gender identity, and gender expression/association as identified and defined by law in employment, admissions, educational programs and activities.

Further inquiries may be directed to the Director of Affirmative Action, who is the Section 504, Title IX Coordinator, located in Room 324 Hardway Hall, (304) 367-4386, or the Americans with Disabilities Act Coordinator, located in the Turley Student Services Center, (304) 367-4686.

DRUG-FREE AWARENESS PROGRAM

In compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, Fairmont State University has a Drug-Free Awareness Program designed to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Further inquiries rising from employment issues or concerns may be directed to the Assistant Vice President of Human Resources; student issues or concerns may be directed to the Vice President for Student Services.
INTRODUCTION

Fairmont State University, a comprehensive, multi-site, selective institution offers a quality education in a diverse and supportive learning environment that fosters individual growth, professional and career development, lifelong learning, global understanding, and a commitment to excellence in academic and community pursuits. Serving the citizenry of north-central West Virginia and beyond, Fairmont State University is a student-centered institution of first choice among students who desire a flexible and relevant learning experience. The University provides a well-rounded education, enabling students to gain the knowledge and skills needed for self-fulfilling, responsible citizenship and employability in a rapidly changing global environment.

The University concentrates its energies and resources on its students, many of whom are the first generation of their families to attend college, adults returning to college or enrolling in higher education for the first time, and transfer students from community and technical colleges. The University, therefore, offers its diverse student body a wide range of programs, flexible scheduling, and support services, all designed to foster success in the modern world. To strengthen intellectual development, all students pursuing a degree at Fairmont State University are engaged in a general studies program, a body of coursework designed to expand their knowledge of civilization, society, scientific inquiry, and artistic expression while preparing them to think critically and communicate clearly. Through these studies, students also explore the interrelationships among disciplines and prepare for a lifetime of learning.

The University is committed to student learning and focuses its resources on programs that prepare students for careers and advanced education in West Virginia and beyond. Along with its significant history of teacher education, Fairmont State University provides a broad spectrum of degree options in business, fine and liberal arts, and social and natural sciences and offers programs with specialized accreditation in engineering technology and health careers. Fairmont State University provides seamless transitions from public schools or certificate programs or associate degrees to baccalaureate degrees. In keeping with its tradition of academic excellence, the institution also provides graduate programs in selected areas as defined by the needs of the region and ability of the institution.

Fairmont State University is closely identified with its community. Partnerships with business and industry, public schools, government agencies and other organizations contribute to the economic, cultural, and social development of the region. Through these community relationships and educational programs, the University fosters enlightened and productive citizenship in its immediate locale, the region, and the world.

VISION STATEMENT

Fairmont State University aspires to be nationally recognized as a model for accessible learner-centered institutions that promote student success by providing comprehensive education and excellent teaching, flexible learning environments, and superior services. Graduates will have the knowledge, skills, and habits of mind necessary for intellectual growth, full and participatory citizenship, employability, and entrepreneurship in a changing environment.

MISSION OF FAIRMONT STATE UNIVERSITY

The Mission of Fairmont State University is to provide opportunities for individuals to achieve their professional and personal goals and discover roles for responsible citizenship that promote the welfare of all.
ADMINISTRATIVE STRUCTURE

The following section contains brief descriptions of the duties and responsibilities of various University officers and administrative structures. It also contains descriptions of the channels of communication available to administrative personnel and to the faculty.

Administrative Officers

The President is responsible to the Fairmont State University Board of Governors. As chief administrative officer and under the direction of the Chancellor, the President has general authority and responsibility for the institution within the policies and regulations of the Board and of other state and federal authorities.

The President’s Cabinet meets weekly to discuss all strategic and operational issues affecting the institution. Members include: the Provost and Vice President for Academic Affairs, the Vice President for Administrative and Fiscal Affairs, the Vice President for Student Services, the Vice President for Institutional Assessment and Effectiveness, the Vice President and Chief Information Officer, and the Associate Vice President—University Communications.

The Provost and Vice President for Academic Affairs is the chief academic and administrative officer of Fairmont State University and is directly responsible to the President. The Provost plans, develops, and coordinates the University’s academic policies and programs.

The Associate Provost & Director of Graduate Studies is directly responsible to the Provost and Vice President for Academic Affairs and assists in the conduct of the academic functions of the University. When necessary, the Associate Provost assumes responsibility for academic matters in the absence of the Provost and Vice President for Academic Affairs. Additionally, in conjunction with the Graduate Studies Council, the Director of Graduate Studies oversees the policies governing graduate education, monitors the quality of graduate programs, and sets goals for enhancing graduate education at Fairmont State University.

The Assistant Vice President for Academic Services reports to the Provost and Vice President for Academic Affairs and is responsible for managing course schedules and the operation of the Gaston Caperton Center in Clarksburg.

College/School Deans, Associate Deans, and Department Chairs are responsible to the Provost and Vice President for Academic Affairs and are charged with implementing academic policies. They have authority to supervise the academic functions of faculty members within their academic units.

The Coordinator of the Academic Advising Center reports to the Provost and Vice President for Academic Affairs and coordinates all academic advising services, including those for students who have not selected a degree program and for all transfer and new students during summer registration.
The Coordinator of the Regents Bachelor of Arts Degree Program (RBA) reports to the Provost and Vice President for Academic Affairs and is responsible for providing enrollment and advising services for all prospective and currently enrolled students seeking the RBA Degree, and for monitoring and verifying their progress.

The Vice President for Administrative and Fiscal Affairs reports to the President. The Office of the Vice President for Administrative and Fiscal Affairs has responsibility for the business functions of the campus. The business functions are comprised of Budget, Accounting, Procurement, the Copy Center, the Physical Plant, Food Service Contract, Bookstore Contract, Housing, Student Activities Center, Parking and Campus Safety enterprises. This responsibility includes the development and monitoring of all campus budgets.

The following personnel report to the Vice President for Administrative and Fiscal Affairs:

The Assistant Vice-President for Facilities and Capital Projects oversees the maintenance and repair of all physical property assets on and off campus via trades, skills, craft, maintenance, landscaping and custodial personnel; manages capital project planning, development and implementation for all institutional buildings, including oversight of related contracts and liaison with contract personnel.

The Assistant Vice-President for Human Resources and Campus / Community Relations is responsible for the operation of the human resources program, providing oversight and leadership in the HR functional areas of recruitment and employment, employee development and training; employee performance evaluation; employee engagement and satisfaction; compensation, benefits, rewards and recognition; relevant employment law, relevant regulations and institutional policy; workers compensation administration; employee relations; oversight of relevant HRIS development, utilization and maintenance; EEO/Affirmative Action; Title IX coordination; and oversight of the Employee Assistance Program (EAP).

The Director of Emergency Planning and Chief of Police oversees all emergency operations planning, training, and management, including developing/maintaining written emergency operating plan, policy, and procedures which will include a comprehensive approach to preventing, preparing for, responding to, and recovering from emergency situations; coordinates ongoing training for faculty, staff, and students to promote a safe campus environment; ensures customer service-oriented campus security services while actively enforcing state laws and university regulations (including parking regulations), responding to emergencies, and preventing crime.

Director of Budget is responsible for the preparation and oversight of all institutional operating and labor budgets.

Director of Accounting is responsible for processing of revenues to the financial ledgers, reconciliations of all bank accounts, financial reports, and audits performed by external firms and agencies.
**Director of Procurement** is responsible for all procurement and payment activity assuring policy is being followed. Oversees the Purchase Card Procurement Program for the institution. Is the Chief Procurement Officer.

**Director of Falcon Center** is responsible for the oversight of the Student Center, which includes intramural programs, weight and fitness area, indoor track, pool, gyms, conference center, and copy center. Works closely with Student Activities and Student Retention coordinators.

**Director of Housing** is responsible for all residence life facilities and activities. Coordinates closely with Student Activities and Student Retention coordinators.

**Dining Services** - This is a contract service that reports directly to the Vice President of Administrative & Fiscal Affairs. Net revenues from this enterprise support the operation of the Falcon Center.

**Bookstore Services** - This is a contract service that reports directly to the Vice President of Administrative & Fiscal Affairs and is overseen by a Bookstore Advisory Committee, and a Textbook Affordability Committee. Net revenues from this enterprise support the operation of the Falcon Center.

**The Vice President for Student Services** reports to the President and has oversight of Admissions, Financial Aid, and the Office of the Registrar. This position also has oversight of student services, career services, and residence life.

The following personnel report to the Vice President for Student Services:

- **The Director of Admissions and Recruitment**
- **The Director of Career Services**
- **The Director of Financial Aid and Scholarships**
- **The Registrar**
- **The Director of Residence Life**
- **The Student Affairs Counselor**
- **The Coordinator of Student Disability Issues and Psychological Services**

**The Vice President and Chief Information Officer** reports to the President and is responsible for the Information Technology Services. The following personnel report to the CIO:

- **The Director of Application Services**
- **The Director of Library Services**
- **The Director of Networks, Security, and Servers**
The Director of the Project Management Office (PMO)

The Director of the Teaching and Learning Commons

Vice President for Institutional Assessment and Effectiveness

The Assistant Vice President—University Communications reports to the President and is responsible for all strategic marketing, public relations, creative services, University brand and identity, strategic internal and external communications and emergency/crisis communications.

The following personnel report to the Assistant Vice President—University Communications:

**Director of Marketing and Branding** guides and coordinates the overall marketing plans and strategies for the University, focusing on the enhancement of the University brand.

**Director of Publications** is responsible for directing the university's publications programs and serving as the editor and production supervisor of the university magazine. This position works closely with the Office of Admissions and Recruitment in the creation and execution of the Recruitment Communication Plan.

**Director of Creative Services** leads and provides the overall creative vision and direction for print publications in support of applying and maintaining strong, consistent brand identity for Fairmont State University.

**Photographic Services Manager** is responsible for the photographic needs of the University. The photographer is responsible for high-quality, professionally still photography. The manager works with others in Creative Services, Marketing, Communications, Admissions, Retention, Schools, and Colleges to provide images for printed materials and electronic media showcasing the best Fairmont State University has to offer. In addition, photographic services' covers the people, performances, and events associated with the campus that are newsworthy and provide excellent examples representing the quality of life and academics on campus. Purchasing and maintaining photographic equipment to provide both studio and event photography, and management of photographic archives are included in the duties required for this position.

**The Director of Alumni Relations** coordinates opportunities for Fairmont State Alumni. The Director also serves as the Executive Director of the Fairmont State Alumni Association, a private 501 (c)3 that's led by a board of Fairmont State graduates.

**Executive Director of Corporate and Foundation Relations** works with the administration and faculty to identify, cultivate and solicit private grants in support of funding opportunities to ensure a coordinated approach to securing grants from private foundations and corporations. This position works in conjunction with the Fairmont State Foundation, Inc., an independent 501 (c) 3 organization established to raise funds in support of Fairmont State University.
The Athletic Director reports to the President and is responsible for the overall coordination of all aspects of the institution’s athletic program.

Faculty
Individual faculty members are responsible directly to the Department Chairs and Deans for standards of excellence and performance. They have authority to influence academic policies through them and representatives in the Faculty Senate.

Faculty Communication Channels
Requests from faculty members should be made in the following order: the Chairs, Deans, then, if necessary, to the appropriate administrative officer, and finally, if necessary, to the President.

Faculty Senate
The Faculty Senate represents the FSU faculty and has the authority and responsibilities described in the Faculty Constitution.

Faculty Senate Committees
Committees originate and function as described in the Faculty Constitution.

Advisory Council of Faculty
The Faculty elects one of its members to serve a two-year term as a liaison between the Faculty and the State Advisory Council of Faculty. This Council provides the HEPC with advisory assistance by representing the respective campus views of the faculties on matters of statewide concern, continuing communication, and coordinating the competencies of the various institutions for the advancement of higher education in West Virginia.
UNIVERSITY GOVERNANCE

INSTITUTIONAL BOARD OF GOVERNORS

Fairmont State University has an institutional Board of Governors consisting of twelve (12) persons as set forth in West Virginia Code 18b-2A-1. The Code is cited below and may be also viewed online at: http://www.legis.state.wv.us/legisdocs/code/18b/WVC%202018%20B-%2020%202A-%2020%201%2020.htm.

WVC 18 B- 2 A- 1

§18B-2A-1. Findings; composition of boards; terms and qualifications of members; vacancies; eligibility for reappointment.

(a) Findings. -

The Legislature finds that the State of West Virginia is served best when the membership of each governing board includes the following:

(1) The academic expertise and institutional experience of faculty members and a student of the institution governed by the board;

(2) The technical or professional expertise and institutional experience of a classified employee of the institution governed by the board;

(3) An awareness and understanding of the issues facing the institution governed by the board; and

(4) The diverse perspectives that arise from a membership that is balanced in terms of gender and varied in terms of race and ethnic heritage.

(b) Boards of Governors established. -A Board of Governors is continued at each of the following institutions: Bluefield State College, Blue Ridge Community and Technical College, Bridge Valley Community and Technical College, Concord University, Eastern West Virginia Community and Technical College, Fairmont State University, Glenville State College, Mountwest Community and Technical College, Marshall University, New River Community and Technical College, Pierpont Community and Technical College, Shepherd University, Southern West Virginia Community and Technical College, West Liberty University, West Virginia Northern Community and Technical College, the West Virginia School of Osteopathic Medicine, West Virginia State University, West Virginia University and West Virginia University at Parkersburg

(c) Board Membership. -(1) An appointment to fill a vacancy on the board or reappointment of a member who is eligible to serve an additional term is made in accordance with the provisions of this section. (2) The board of governors for Marshall University consists of sixteen persons. The board of governors for West Virginia University consists of seventeen persons. The boards of governors of the other state institutions of higher education consist of twelve persons. (3) Each board of governors includes the following members: (A) A full-time member of the faculty with the rank of instructor or above duly elected by the faculty of the respective institution; (B) A member of the student body in good academic standing, enrolled for college credit work and duly elected by the student body of the respective institution; and (C) A member from the institutional classified employees duly elected by the classified employees of the respective institution; (4)
For the board of governors at Marshall University, thirteen lay members appointed by the Governor, by and with the advice and consent of the Senate, pursuant to this section; (5) For the board of governors at West Virginia University, twelve lay members appointed by the Governor, by and with the advice and consent of the Senate, pursuant to this section, and additionally: (A) The chairperson of the board of visitors of West Virginia University Institute of Technology; (B) A full-time faculty member representing the extension service at the institution or a full-time faculty member representing the health sciences, selected by the faculty senate. (6) For each board of governors of the other state institutions of higher education, nine lay members appointed by the Governor, by and with the advice and consent of the Senate, pursuant to this section. (A) Of the nine members appointed by the Governor, no more than five may be of the same political party. Of the thirteen members appointed by the Governor to the governing board of Marshall University, no more than eight may be of the same political party. Of the twelve members appointed by the Governor to the governing board of West Virginia University, no more than seven may be of the same political party. (B) Of the nine members appointed by the Governor, at least five shall be residents of the state. Of the thirteen members appointed by the Governor to the governing board of Marshall University, at least eight shall be residents of the state. Of the twelve members appointed by the Governor to the governing board of West Virginia University, at least seven shall be residents of the state. (7) In making lay appointments, the Governor shall consider the institutional mission and membership characteristics including the following: (A) The need for individual skills, knowledge and experience relevant to governing the institution; (B) The need for awareness and understanding of institutional problems and priorities, including those related to research, teaching and outreach; (C) The value of gender, racial and ethnic diversity; and (D) The value of achieving balance in gender and diversity in the racial and ethnic characteristics of the lay membership of each board.

(d) Board member terms. - (1) The student member serves for a term of one year. Each term begins on July 1. (2) The faculty member serves for a term of two years. Each term begins on July 1. Faculty members are eligible to succeed themselves for three additional terms, not to exceed a total of eight consecutive years. (3) The member representing classified employees serves for a term of two years. Each term begins on July 1. Members representing classified employees are eligible to succeed themselves for three additional terms, not to exceed a total of eight consecutive years. (4) The appointed lay citizen members serve terms of up to four years each and are eligible to succeed themselves for no more than one additional term. (5) A vacancy in an unexpired term of a member shall be filled for the unexpired term within thirty days of the occurrence of the vacancy in the same manner as the original appointment or election. Except in the case of a vacancy, all elections are held and all appointments are made no later than June 30 preceding the commencement of the term. Each board of governors shall elect one of its appointed lay members to be chairperson in June of each year. A member may not serve as chairperson for more than four consecutive years. (6) The appointed members of the boards of governors serve staggered terms of up to four years except that four of the initial appointments to the governing boards of community and technical colleges that became independent July 1, 2008, are for terms of two years and five of the initial appointments are for terms of four years.

(e) Board member eligibility, expenses. (1) A person is ineligible for appointment to membership on a board of governors of a state institution of higher education under the following conditions: (A) For a baccalaureate institution or university, a person is ineligible for appointment who is an officer, employee or member of any other board of governors; an employee of any institution of higher education; an officer or member of any political party executive committee; the holder of any other public office or public employment under the government of this state or any of its political subdivisions; an employee of any affiliated research corporation created pursuant to article twelve of this chapter; an employee of any affiliated foundation organized and operated in
support of one or more state institutions of higher education; or a member of the council or commission. This subsection does not prevent the representative from the faculty, classified employees, students or the superintendent of a county board of education from being members of the governing boards. (B) For a community and technical college, a person is ineligible for appointment who is an officer, employee or member of any other board of governors; a member of a board of visitors of any public institution of higher education; an employee of any institution of higher education; an officer or member of any political party executive committee; the holder of any other public office, other than an elected county office, or public employment, other than employment by the county board of education, under the government of this state or any of its political subdivisions; an employee of any affiliated research corporation created pursuant to article twelve of this chapter; an employee of any affiliated foundation organized and operated in support of one or more state institutions of higher education; or a member of the council or commission. This subsection does not prevent the representative from the faculty, classified employees or students from being members of the governing boards. (2) Before exercising any authority or performing any duties as a member of a governing board, each member shall qualify as such by taking and subscribing to the oath of office prescribed by section five, article IV of the Constitution of West Virginia and the certificate thereof shall be filed with the Secretary of State. (3) A member of a governing board appointed by the Governor may not be removed from office by the Governor except for official misconduct, incompetence, neglect of duty or gross immorality and then only in the manner prescribed by law for the removal of the state elective officers by the Governor. (4) The members of the board of governors serve without compensation, but are reimbursed for all reasonable and necessary expenses actually incurred in the performance of official duties under this article upon presentation of an itemized sworn statement of expenses. (5) The president of the institution shall make available resources of the institution for conducting the business of its board of governors. All expenses incurred by the board of governors and the institution under this section are paid from funds allocated to the institution for that purpose.

THE ACADEMIC AFFAIRS COUNCIL

Fairmont State University's Academic Affairs Council is responsible for planning and coordinating the overall direction of the various academic programs and support services of Fairmont State University. It encourages cooperation among the various academic disciplines. The Council also serves as a means of communicating among the academic units and the administration. In addition, members of the Council serve to advise the Provost's Office.

EDUCATIONAL PERSONNEL PREPARATION ADVISORY COMMITTEE (FSU/EPPAC)

The West Virginia State Board of Education's Policy Bulletin Number 5100 as approved by that body on April 2, 1982, requires that all institutions of higher education which operate approved teacher preparation programs establish an Educational Personnel Preparation Advisory Committee. Consequently, the FSC/EPPAC was initiated in 1983 to meet that requirement.

The FSU/EPPAC serves as the primary advisory body to the Dean of Education, Health, and Human Performance in developing and reviewing all programs and policies related to the approved teacher preparation programs operated by Fairmont State University. It functions as a complementary structure to the institutional curriculum development process and its related committees and administrative units.
THE CONSTITUTION OF THE FACULTY
OF FAIRMONT STATE UNIVERSITY

PREAMBLE

Acknowledging the principle of shared governance, and recognizing the participatory and advisory role of the faculty and its responsibility for the educational outcomes and corresponding internal affairs of this institution, we, the Faculty of Fairmont State University, do adopt this Constitution to establish procedures whereby this responsibility can be discharged.

We accept that the Board of Governors is charged with the responsibility of establishing policy with respect to the operation of the institution. Further, we recognize that the Board of Governors has placed upon the President of the University full authority and responsibility for its operation. It is within these limits that the Faculty accepts its role in the planning and governance of the institution and of advisement to the President on matters of institutional policy.

ARTICLE I. Name, Purpose, Jurisdiction and Definition

Section 1. The name of this organization shall be the Faculty of Fairmont State University, hereafter referred to as the Faculty.

Section 2. The purpose of this constitution is to provide for the participation of the Faculty in the formulation, implementation, and review of institutional policy and to provide the means for the Faculty to initiate action on matters with which it is directly concerned. These areas of Faculty concern shall include, but shall not necessarily be limited to, the following:

a. Standards for admission, selection, and retention of students.
b. Requirements for the granting of degrees.
c. Curricular requirements for general education.
d. Additions and deletions of courses.
e. Development of programs of research, experimentation, and instruction.
f. Development of library, laboratories and other instructional aids.
g. Such other academic affairs which are not directly administrative in nature.

ARTICLE II. Membership

The Faculty shall be composed of all full-time teaching or administrative personnel of Fairmont State University who hold academic rank.

ARTICLE III. Organization

Section 1. The principal officer of the Faculty shall be the President of the University who is directly responsible to the Fairmont State University System Board of Governors.

Section 2. In the performance of his/her duties as chief administrator of this University, the President shall cooperate and work with the Faculty in accord with the administrative principles established by the Fairmont State University Board of Governors.

Section 3. The principal agent of the Faculty in the exercise of its policy-determining function shall be known as the Faculty Senate. The Faculty hereby delegates to the Faculty Senate the power to act as its representative body in carrying out the purposes expressed in Article 1, Section 2.
Section 4. The Faculty may review any action of the Faculty Senate. Such review may be initiated by written petition to the President of the University by any twenty or more Faculty members who are not members of the Faculty Senate. The total Faculty may by a majority vote reverse any action of the Faculty Senate.

Section 5. Committees may be organized by the President to assist in the fulfillment of his/her role as chief administrator of the University.

ARTICLE IV. Meetings

Section 1. The Faculty shall meet when called into session by the President upon his/her own initiative, upon request by the Faculty Senate, or upon written request of twenty or more Faculty members.

Section 2. Written notice of the time and place of all Faculty meetings shall be forwarded by the most reasonable and convenient channels to each Faculty member at least forty-eight hours in advance of such meeting.

Section 3. The President of the University or his/her designated representative shall preside over Faculty meetings.

Section 4. Policy determination shall be by majority vote of members present, and policies shall be effective after passage by the Faculty and approval by the President.

ARTICLE V. Amendments

Amendments to this constitution may be made by a two-thirds (2/3) vote of the Faculty. Proposals for amendments must be circulated in writing to the total membership of the Faculty at least thirty (30) days before Faculty vote is taken.

Addenda

1. In the event that any provision of this constitution shall conflict with the Rules and Regulations of the Fairmont State Board of Governors, such Rules and Regulations shall govern.

2. Unless otherwise provided in this constitution, all proceedings shall be governed by Robert's Rules of Order.
ARTICLE I. Name, Purpose, and Jurisdiction

Section 1. The name of this society shall be the Faculty Senate of Fairmont State University.

Section 2. The Faculty Senate shall act as the principal agent of the Faculty of Fairmont State University in policy determination.

Section 3. Throughout this Constitution and the Faculty Senate Bylaws, the expression “University” shall denote Fairmont State University; the expression “Faculty” shall denote the full-time faculty of Fairmont State University, unless otherwise specified; the expression “Faculty member” shall denote a member of the same.

ARTICLE II. Membership

Section 1. Unless otherwise specified the term “election” shall denote election conducted by electronic secret ballot distributed through Fairmont State University's official email system. Any academic unit may choose to elect unit representatives by other means.

Section 2. Each Academic Unit of the University shall elect one senator for each ten full-time faculty members or fractions thereof. The term Academic Unit will refer to the following: Behavioral Sciences; Biology, Chemistry, and Geoscience; Business; Computer Science, Mathematics, and Physics; Education; Fine Arts; Health and Human Performance; Language and Literature; Nursing and Allied Health Administration; Social Sciences; and Technology. The Library is designated as an academic support unit and is permitted to elect one senator.
   a. The term of office for senators so elected shall be two years.
   b. These elections shall be conducted by secret ballot at the Academic Unit's meeting of the academic year that falls prior to the penultimate Senate meeting of the academic year.
   c. Deans and Chairs shall neither be eligible to vote, except in case of a tie, nor be elected at such elections.
   d. To be eligible for election to the Senate, a candidate shall have been a Faculty member at Fairmont State University for at least two complete academic years by the September following their election. However, this requirement may be waived if no qualified person is available.
   e. If a vacancy in an unexpired term of an elected Senator occurs, it shall be filled by a special election in the appropriate Academic Unit.

Section 3. The Academic Affairs Council shall elect two Senators who meet the time qualifications for Senate membership stated in Article II, Section 1.d.
   a. The term of office for Senators so elected shall be two years.
   b. The election of these Senators shall be conducted by secret ballot at the Academic Affairs Council meeting that falls prior to the penultimate Senate meeting of the academic year.
   c. The President of the University and the Provost and Academic Vice-President shall not be eligible to be elected to the Senate by the Academic Affairs Council.
   d. If a Senator elected by the Academic Affairs Council should relinquish the position on the Academic Affairs Council for any reason, that person's name shall be removed from the Senate roll immediately, and a vacancy shall be considered to exist. If a vacancy in an unexpired term of a Senator from the Academic Affairs Council occurs, the vacancy shall be filled by a special election conducted by the Academic Affairs Council.
Section 4. The Fairmont State University representative to the Advisory Council of Faculty (ACF) shall be elected by the full faculty. The representative to the ACF is responsible for representing the interests of the faculty to the ACF and reporting on ACF meetings to the Faculty Senate. The representative shall be a full, voting member of Senate.
   a. In accordance with West Virginia Code §18B-6-2(b)(2), the term of office for the representative will be two years. Representatives shall be eligible to succeed themselves.
   b. The representative shall be a full-time member of the faculty with the rank of instructor or above, duly elected by the faculty. Deans, chairs, and faculty with 50 percent or more administrative duties are not eligible to serve as the representative.
   c. No person shall serve as both a Senator from an academic unit and the ACF representative.
   d. The election of the representative shall be initiated by the Faculty Senate Executive Committee and the results presented at the penultimate Senate meeting of the academic year.
   e. The election of the representative will occur in odd-numbered years.
   f. If a vacancy in an unexpired term of an elected faculty representative occurs, it shall be filled by a special election initiated by the Faculty Senate Executive Committee.

Section 5. The Fairmont State University faculty representative to the Fairmont State Board of Governors (BOG) shall be elected by the full faculty. The representative is responsible for representing the interests of the faculty to the BOG and reporting on BOG meetings to the Faculty Senate. The representative shall be a full, voting member of Senate.
   a. In accordance with West Virginia Code Section §18B-2A-1(d)(2), the term of office for the faculty representative will be two years. The faculty representative is eligible to succeed himself or herself for three additional terms, not to exceed a total of eight consecutive years.
   b. The representative shall be a full-time member of the faculty with the rank of instructor or above, duly elected by the faculty. Deans, chairs, and faculty with 50 percent or more administrative duties are not eligible to serve as the representative.
   c. No person shall serve as both a Senator from an academic unit and the BOG representative.
   d. The election of the representative shall be initiated by the Faculty Senate Executive Committee and the results presented at the penultimate Senate meeting of the academic year.
   e. The election of the representative will occur in odd-numbered years.
   f. If a vacancy in an unexpired term of an elected faculty representative occurs, it shall be filled by a special election initiated by the Executive Committee.

Section 6. Two members of the student body of Fairmont State University serve as members-at-large in the Faculty Senate.
   a. Student members shall be selected by the entire student body in a manner determined by Student Government.
   b. Such selection shall occur prior to the last Senate meeting of the academic year.
   c. The term of office for student members shall be one academic year.
   d. To be eligible to serve in the Faculty Senate a student must be a full-time student. The student must have an overall grade point average of at least two and two tenths (2.2) at the time of election.
   e. No student shall be eligible to serve on the Executive Committee.
f. A vacancy in an unexpired student term shall be filled by Student Government.

Section 7. Any duly elected member of the Senate who is temporarily appointed to an acting administrative position should not be removed from Senate membership unless the acting position of the title is made permanent. If said Senate member is a member of the Senate Executive Committee, that member shall resign the Executive Committee position and a replacement member shall be appointed by the Senate President.

ARTICLE III. Officers

Section 1. The Senate shall biennially elect a President. The President of the Senate may not serve more than two consecutive terms in office. The Senate shall annually elect the following officers: Vice President, Secretary, a Webmaster, and three at-large members of the Executive Committee.

Section 2. The President of the Senate shall preside at the meetings of the Senate, call and preside at monthly meetings of the Executive Committee of the Senate, and serve as ex-officio member of all Faculty Senate committees. The President may select a Parliamentarian from the full-time faculty to serve during that term of office, but such Parliamentarian shall not vote in the Senate unless the Parliamentarian is also a Senator. The President, or appointee(s), shall provide orientation for all newly elected members of the Senate.

Section 3. The Vice President of the Senate shall preside in the absence of the President and shall serve as a member of the Executive Committee of the Senate.

Section 4. The Secretary of the Senate shall maintain an up-to-date list of the Senate’s membership, including the expiration date of term for each member; distribute the Senate agenda; record the proceedings of each meeting of the Senate; and distribute minutes of each Senate meeting to each member of the Faculty Senate and the Faculty. The Secretary shall also maintain appropriate files for retaining Senate records.

ARTICLE IV. Meetings

Section 1. Regular meetings of the Senate shall be held monthly at times to be decided by the Senate Executive Committee.

Section 2. Special meetings may be called by the President of the Senate, the President of the University, or upon the written petition to the President of the Senate by any five Senators or any twenty members of the Faculty. Written notice of the time, place, and purpose of special Senate meetings shall be given to each Senator at least forty-eight hours in advance of each meeting.

ARTICLE V. Amendments

Amendments to this Constitution may be made by a two-thirds (2/3) vote of the Faculty Senate followed by the approval of a two-thirds (2/3) vote of the Faculty members present at a General Faculty meeting. Proposals for amendments must be circulated in writing to the total membership of the Faculty at least thirty (30) days before the Faculty vote is taken.

Addenda

1. In the event that any provision of this Constitution shall conflict with the Rules and Regulations of the Fairmont State Board of Governors, such Rules and Regulations shall govern.

2. Unless otherwise provided in this Constitution, all proceedings shall be governed by Robert’s Rules of Order.
ARTICLE I. Meetings

Section 1. Regular meetings of the Faculty Senate shall be held each month during the academic year, on dates and at times to be determined and announced by the Executive Committee. A list of dates for such forthcoming meetings shall be published annually and distributed to each Senator at least ten days prior to the September meeting. Senators are expected to make themselves available for extended business and discussions when necessary.

Section 2. Except where specifically prohibited in these Bylaws, the terms written notice and written communication shall be construed to include all forms of electronic communications. Only electronic notifications or communications sent via Fairmont State University’s email system shall be deemed to satisfy the requirement of written notice and written communication.

Section 3. The last regularly scheduled Senate meeting of each academic year, which shall follow the annual Academic Unit Senate elections, shall be held for the purpose of electing new officers for the next year. The meeting shall be called and chaired by the President of the outgoing Senate.

Section 4. The Senators present at any meeting may, by a majority vote of those present, change the date for any subsequent meeting or call a special meeting.

Section 5. Any member of the University community with a direct interest in the business of any Senate meeting shall have the right to attend such meeting. Subject to recognition and approval of the presiding officer of the Senate, this attendee may plead his/her case to redress interests relevant to the business of the Senate.

Section 6. A Senator unable to be in attendance for a particular meeting should send a substitute representative from the same Academic Unit who meets the requirements for Faculty Senate membership. The individual designated as a substitute shall assume the seat and vote for the absent member provided that notice of such substitution is given to the President and Secretary of the Senate prior to the call to order of the meeting.

Section 7. All members of the Senate entitled to vote shall be seated directly around the table.

Section 8. The physical presence of at least fifty percent (50%) of the members or their substitutes shall constitute a quorum.

Section 9. Meetings of the Senate shall be conducted in accordance with the current edition of Robert’s Rules of Order, except as otherwise provided in the Bylaws.

ARTICLE II. Officers

Section 1. During the regularly scheduled April Senate meeting, the President of the Senate shall appoint a Nominating Committee of five members of the Faculty Senate charged with providing a slate of proposed Senate officers.

Section 2. The Senate shall, by secret ballot, elect biennially during the May meeting or whenever a vacancy exists, a President. The Senate shall, by secret ballot, elect annually during the May meeting or whenever a vacancy exists, a Vice President, a Secretary, a Webmaster, and three members of the Executive Committee from among its elected members.
Section 3. The minimum qualification of a Senate officer is one year's service as a member of the Senate prior to election. This requirement may be waived and an exception made upon a majority vote of the Senate.

Section 4. The term of office for the President of the Senate shall be two years, except when an election is held to fill a vacancy, in which case the period shall be for the unexpired part of the original term of office. The term of office for the Vice President, Secretary, and Executive Committee members shall be one year except when an election is held to fill a vacancy, in which case the period shall be for the unexpired part of the original term of office. Officers shall be eligible for re-election, but the President of the Senate may not serve more than two consecutive terms.

Section 5. The Academic Unit whose Senator will be serving as President of the Senate will be required to choose a substitute Senator to serve during the term of the President. The senatorial term of the President of the Faculty Senate shall continue for as long as the faculty member is the President of the Senate. At the end of the presidential term, there shall be an election in the Academic Unit for the senatorial seat.

ARTICLE III. Executive Committee

Section 1. The Executive Committee shall be composed of the President of the Senate, who shall be its chair; the Vice President of the Senate; the Senate Secretary, who shall be its secretary; the Webmaster; and three elected Senators, who shall be chosen by the Senate. The Vice President of the Senate, the Senate Secretary, the Webmaster, and the three elected members shall serve for a term of one year, and no member of the Executive Committee may serve more than three consecutive terms.

Section 2. It shall be the duty of the Executive Committee to:
   a. Arrange the agenda for Senate meetings and designate items of business as major or minor;
   b. Serve as a channel through which any member of the faculty may introduce matters for consideration by the Senate;
   c. Assist in carrying into effect the rules, regulations, and actions of the Senate;
   d. Act for the Senate on an emergency basis between meetings of the Senate, with such action reported for confirmation at the next Senate meeting;
   e. Recommend formation of such *ad hoc* committees within the Senate as may seem desirable;
   f. Recommend to the Senate rules of procedure and interpretation of the Faculty Constitution and Senate Bylaws; and
   g. Prepare and submit reports on the work of the Senate to the University President and the faculty.

Section 3. It shall be the duty of the Webmaster to maintain the Faculty Senate web pages, including:
   a. Publish the meeting agenda prior to the meeting;
   b. Publish meeting minutes once they are approved by Senate;
   c. Publish such other material as may assist Senators in the execution of their duties; and
   d. Archive records and ensure that published information is accurate.

ARTICLE IV. Voting Procedure

Section 1. Policy determination shall be by majority vote of the Senators present provided a quorum is constituted. Policies shall be effective after passage by the Senate and approval by the President of the University. The latter may interpose a veto on any Senate action, in which case the
Senate may direct the President of the Senate to invite the President of the University to present a rationale for the veto.

**Section 2.** The presiding officer of the Senate shall not vote except in the case of a tie.

**Section 3.** A written, secret ballot shall be used in all elections.

**Section 4.** Any matter introduced in the Senate will be classified as either major or minor legislation. This classification will be made by the Executive Committee for items placed on the agenda and by the presiding officer for items introduced from the floor. However, a classification may be changed by a majority vote of the Senators present. An item classed as minor may be discussed, amended and disposed of at the meeting in which it is introduced. An item classed as major will require two meetings for final disposition.
   a. Discussion shall be terminated by a majority vote to pass the item to a "second reading" at the next meeting.
   b. At the next meeting (either regular or special), the item may be discussed, amended, and moved to final disposition.

**Section 5.** A voice vote shall be used to decide all major items of business, unless a Senator requests a secret ballot.

**Section 6.** On any matter before the Senate, a vote of two-thirds (2/3) of those Senators present shall be empowered to end debate.

**ARTICLE V. Faculty Senate Committees – Rules of General Application**

**Section 1.** Standing and *ad hoc* committees shall be established by the Senate as needed for the proper fulfillment of the functions as delegated to it by the Faculty of Fairmont State University.

**Section 2.** All committees shall follow the Rules of General Application and the processes specific to the Committee provided in Article VI of these Bylaws. *Ad hoc* committees may have additional or different rules and processes, which are subject to Senate approval.

**Section 3.** Each committee shall meet at least once each semester. Notice shall be provided to the President of the Senate by the Committee Chair if a committee does not satisfy this meeting requirement.

**Section 4.** Notice of all regular meetings of committees shall be announced through the Faculty Senate page of the Fairmont State University web site. Members of standing committees shall be notified of meeting dates electronically by the Committee Chair.

**Section 5.** All committee meetings will be open to all interested persons, unless the committee determines a closed meeting is necessary to protect personal rights of privacy as provided for in WV Code §6-9A-4.

**Section 6.** Each committee shall keep adequate records of committee business. Committee matters of general importance to the University shall be reported promptly to the President of the Senate who will notify the President of the Faculty Assembly when applicable.

**Section 7.** At the close of each semester each committee shall send a report of its activities in writing to the Executive Committee of the Senate. Additional reports may be requested by the Senate at any time.
Section 8. Committees shall be expected to conduct research, deliberate on policies, and make recommendations to the Senate relevant to the issues which they have explored. Procedural or policy changes recommended by a faculty committee which affect the instructional program or faculty welfare must be approved by the Senate and the President of the University. Procedural or policy changes that do not affect the instructional program or faculty welfare shall be referred to the appropriate Academic Unit.

Section 9. The term Academic Unit in these Bylaws will refer to the following: Behavioral Sciences; Biology, Chemistry, and Geoscience; Business; Computer Science, Mathematics, and Physics; Education; Fine Arts; Health and Human Performance; Language and Literature; Library; Nursing and Allied Health Administration; Social Sciences; and Technology.

Section 10. For those Committees requiring elections, each Academic Unit shall, at its last meeting of the academic year, elect its members for a two-year term to begin the following semester. The Academic Units electing their representative during odd years will be Biology, Chemistry, and Geoscience; Business; Health and Human Performance; Language and Literature; Nursing and Allied Health Administration; and Technology. Those electing representatives during even years will be Behavioral Sciences; Computer Science, Mathematics and Physics; Education; Fine Arts; Library; and Social Sciences.

Section 11. For the purpose of continuity, faculty members who are elected, appointed or who serve by choice on any Senate committee will serve for a period of two years. In the event a committee member is unable to complete the two-year term the Faculty Senate Executive Committee will appoint a replacement to fill the unexpired term. However, a faculty member may request a change in membership if early termination of membership is desired. Furthermore, to allow as many faculty as possible to serve on the various Senate committees, and thus create a broad knowledge base about University policies, after serving for two years on any Senate committee, faculty members should choose to serve on a different committee.

Section 12. The Committee Chair from the previous academic year, acting in an ex-officio manner, shall call the first meeting of an academic year. Upon calling the meeting to order and the selection of a new Committee Chair, the ex-officio Committee Chair has fully discharged his or her responsibility and may be excused from the meeting.

Section 13. Ex-officio members of standing committees shall not vote on committee matters.

Section 14. In the case of a joint meeting of committees of Pierpont Community and Technical College and Fairmont State University, each committee will have equal representation. Should there develop a difference of opinion, principles, or policy, an ad hoc mediation committee shall be formed in accordance with State and accrediting bodies to encourage the prompt and equitable settlement of all controversies or claims between Pierpont Community and Technical College and Fairmont State University.

a. Any dispute will be submitted in writing to the joint ad hoc mediation committee, who shall promptly meet and confer in an effort to resolve such dispute through good faith consultations and negotiation.

b. This group will meet as a whole and select chairs or co-chairs.

c. They will discuss the situation and come up with possible resolutions to the situation. They will then take these resolutions back to each Institution and make recommendations.

d. The Faculty Senate will consider the options presented and, after discussion, vote concurrence or modify them with approved changes.

e. The approved proposals will then be placed into a special ballot and voted on by all Fairmont State University full-time faculty.
If the vote fails to resolve the issue, the matter will be referred to the Presidents of both Institutions.

ARTICLE VI. Faculty Committees – Purpose, Organization, and Function

Section 1. At the regularly scheduled December Senate meeting, the President of the Senate shall appoint, and the Senate shall affirm, five members of the Faculty Senate to serve as the Committee on Committees, designating one of the five appointees to serve as chairperson. The Chairperson of the previous year’s Committee on Committees shall be an ex-officio member.

Section 2. The Committee on Committees shall nominate as many faculty members to faculty committees as it deems necessary to fulfill each committee’s function, with the exception of the Curriculum Committee, the Faculty Development Committee, the General Studies Committee, the Library Committee, and the Presidential Perception Survey Committee. When nominating faculty members for two year terms, the Committee on Committees should nominate representatives from Biology, Chemistry, and Geoscience; Business; Health and Human Performance; Language and Literature; Nursing and Allied Health Administration; and Technology during odd years and nominate representatives from Behavioral Sciences; Computer Science, Mathematics and Physics; Education; Fine Arts; Library; and Social Sciences during even years. When naming ex-officio members where specified, the Committee on Committees should consult with the designated Administrative Officer to determine whether that officer or a representative of that officer will serve in the ex-officio capacity. One student representative shall be selected to serve on each faculty committee for each ten faculty members or fraction thereof on the committee with the exception of the Curriculum Committee where two student representatives shall be selected. No student representative shall be selected for the Academic Appeals Board, Faculty Development Committee, Faculty Grievance Committee, Faculty Personnel Committee, and the Faculty Welfare Committee.

Section 3. The first reading of the proposed committee assignments will be at the regularly scheduled May Senate meeting of the academic year; the second reading, at the first regularly scheduled September Senate meeting of the following academic year.

Section 4. Student members nominated to serve on faculty standing committees shall have been chosen from a list presented to the Committee on Committees by the Student Government. For every student nominated, two names shall have been presented by the Student Government.

A. ACADEMIC APPEALS BOARD. The Academic Appeals Board shall conduct an impartial investigation of any charges by students of prejudicial or capricious evaluation and recommend appropriate action. Grade appeals shall have been presented to the School or College Dean, Associate Dean, and/or Chair and the Provost and Vice President for Academic Affairs prior to the presentation to the Academic Appeals Board.

Committee Procedure:
1. The Academic Appeals Board shall be composed of nine (9) full-time faculty members; nine (9) faculty nominees submitted by the Student Government each year, nine (9) faculty nominees from Phi Theta Kappa, and nine (9) faculty nominees from the Faculty Senate. These nominees shall not include Deans, Associate Deans or Chairpersons of Academic Units.
2. This Board shall judge all student grade appeals within the jurisdiction of the calendar year beginning September 1.
3. At the start of each case, both the student and the instructor are entitled to dismiss two Board members from hearing their particular case. Board members may recuse
themselves from hearing a particular case with permission of the Board Chairperson.

4. At least five Board members, after dismissals, must be present for a formal meeting of the Board.

5. The Board’s Chairperson shall preside at appeals during the year except where he/she is challenged by one of the parties to the appeal, or is himself/herself a party to an appeal, or is otherwise unavailable. In such cases the Board shall elect a temporary Chairperson.

6. Consonant with the rules of good order, the Board shall determine its own order of procedure and may call advisors if it desires.

7. These rules provide the instructor the opportunity to respond to all charges.

8. In an appeal case both student and instructor shall submit a written statement to the Board no later than five class days in advance of the hearing. Each statement shall be made available to the other party.

9. Each party may have one advisor (faculty or student) from the Fairmont State University campus community and may call witnesses to present information directly related to the appeal case.

10. The Board shall conduct its hearing and deliberation in private.

11. The Board shall record the information presented by the parties involved. This recording shall then be submitted to the President of the University to be stored in a secure place until final resolution.

12. The written decision of the Academic Appeals Board shall be sent to the Provost and Vice President for Academic Affairs, the Dean, Associate Dean, and/or Chair of the School, and the instructor and student involved.

B. ADMISSIONS AND CREDITS COMMITTEE. The Admissions and Credits Committee shall serve as a Faculty Advisory group to the Office of the Registrar and the Office of Admissions. In this capacity, the Committee shall review general University policies adopted by these offices and recommend any appropriate changes. This Committee shall be empowered to act upon individual cases involving admission, readmission, retention, and credits of students and shall also be empowered to render judgment on petitions for grade changes submitted by faculty and administration. The Admissions and Credits Committee shall consist of interested members from the Academic Units. The Registrar and the Director of Admissions and Recruiting shall be ex-officio members.

C. ATHLETICS COMMITTEE. The Athletics Committee shall:
   a. Review and recommend policies;
   b. Advise the President and the Athletic Director in the determination and maintenance of high standards of performance by the institution in this specialized area;
   c. Act as a liaison between faculty, students and administration;
   d. Monitor the athletic budget allocations and inter-collegiate schedules; and
   e. Periodically review compliance with WVIAC, NCAA, and Title IX policies and regulations.
   The Athletics Committee shall consist of interested faculty from the Academic Units. The Director of Athletics and the University NCAA Academic Representative shall be ex-officio members.

D. CURRICULUM COMMITTEE. The Curriculum Committee shall:
   a. Review the initial decisions concerning curriculum change as reported by the Academic Vice President;
   b. Hear any appeals from Deans, Chairpersons, or other members of the Faculty concerning disposition of curriculum proposals;
c. Undertake research into the successes and failures of the University curriculum; and
d. Develop policy guidelines that will assist the University in curriculum development.

All four functions of the Committee will result in recommendations reported to the Faculty Senate for final action. The Curriculum Committee shall consist of one member elected by each Academic Unit. The Associate Provost for Academic Affairs shall serve as an ex-officio member.

E. FACULTY DEVELOPMENT COMMITTEE. The Faculty Development Committee shall:
   a. Publicize and solicit applications for Faculty Development grants and awards; and
   b. Select the recipients for final approval by the President of the University.

The Faculty Development Committee shall consist of one member elected by each Academic Unit. In the event a committee member applies for a Faculty Development grant, the committee member should recuse themselves during the period of deliberation and subsequent vote. The Provost and Vice President for Academic Affairs shall serve as an ex-officio member.

F. FACULTY HARASSMENT COMPLAINT COMMITTEE. The Faculty Harassment Complaint Committee shall consist of six faculty members drawn from a panel of fifteen faculty members with representation from each Academic Unit in accordance with the committee procedures that follow. This committee shall (1) conduct a formal hearing in accordance with the University’s Harassment Policy and (2) make recommendations to the President of the University.

Committee Procedure:
1. The President of the University shall strike six faculty members from the panel of fifteen members and then furnish the complainer and the faculty member who is respondent a list of nine faculty members with instructions that each strike two names and return the list to the President within ten days.
2. If for any reason the faculty member and the complainer fail to strike or strike the same faculty, the President shall, within five days, strike a sufficient number to reduce the members to six, who shall constitute the formal hearing committee.
3. The President shall promptly notify the six members in writing that they have been selected to constitute a formal Hearing Committee and that they are responsible for selecting one of their members to be Chairperson. The President shall designate a time and place for their meeting to make such selection and to set a date for the hearing.
4. The Chairperson shall give timely notice by certified mail to the concerned persons of the time and place for the hearing.
5. The hearing shall be conducted with as little delay as possible.
6. The Hearing Committee shall hear such proof of facts as may be deemed proper and reasonable. The complainant and the faculty member shall have the opportunity to submit evidence relevant to the complaint.
7. Witnesses shall be examined under oath in the manner and form and in the order designated by the Committee.
8. The complainant and the faculty member shall have the right to have an advisor or legal counsel at their own expense.
9. Formal rules of evidence shall not apply in such hearings.
10. Testimony shall be recorded.
11. As soon as practicable after the hearing, the Hearing Committee shall deliver to the President a recording of the testimony, the summary of the hearing, and the findings and recommendations of the Committee.
12. If the claim of harassment is considered to have been verified, the Provost and Vice President for Academic Affairs shall recommend an appropriate sanction or sanctions to the President.

13. Faculty grievance procedures set forth in the Faculty Handbook may be used to appeal imposed sanctions.

G. FACULTY PERSONNEL COMMITTEE. The Faculty Personnel Committee shall:
   a. Make recommendations through the Provost and Vice President for Academic Affairs to the University President on professional personnel concerning tenure, promotion in rank, and sabbaticals; and
   b. Handle the business directed to it by the Faculty Senate Executive Committee.

The Faculty Personnel Committee shall consist of five faculty members. Only tenured faculty holding at least the rank of Professor shall be eligible to serve on the Faculty Personnel Committee. The Provost and Vice President for Academic Affairs shall serve as an ex-officio member.

H. FACULTY WELFARE COMMITTEE. The Faculty Welfare Committee shall recommend programs for the welfare of the faculty. The Faculty Welfare Committee shall consist of interested faculty from the Academic Units. The Assistant Vice President for Human Resources shall serve as an ex-officio member.

I. GENERAL STUDIES COMMITTEE. The General Studies Committee shall:
   a. Review courses submitted for inclusion in the General Studies curriculum;
   b. Create and oversee the outcomes governing the General Studies curriculum and the listing of courses fulfilling them in the University catalog;
   c. Manage assessment data on the effectiveness of the General Studies curriculum and compile reports on this annually; and
   d. Conduct a review of the General Studies program every five years to ensure that the program meets the standards of the Higher Learning Commission (HLC) and other outside accreditors.

All four functions of the committee will result in recommendations reported to the Faculty Senate for final action. The General Studies Committee shall consist of one member elected by each Academic Unit. The Provost and Vice President for Academic Affairs and the Associate Provost for Academic Affairs shall serve as ex-officio members.

J. INSTITUTIONAL REVIEW BOARD. The Institutional Review Board shall:
   a. Function as the official institutional agency for insuring the ethical and legal use of humans and animals in the normal course of research conducted by any individuals affiliated with the institution.

The Institutional Review Board shall consist of interested faculty from the Academic Units.

K. INTERNATIONAL EDUCATION COMMITTEE. The International Education Committee shall investigate, promote, and coordinate all phases of international education among students and faculty. The International Education Committee shall consist of interested faculty from the Academic Units. The Associate Provost, the International Student Advisor, one student chosen by the Student Government, and one international student chosen by the International Student Advisor shall serve on the committee.

L. LEGISLATIVE ADVOCACY COMMITTEE. The Legislative Advocacy Committee shall:
   a. Inform faculty concerning higher education legislation as it is proposed and as it proceeds through the legislative process;
b. Disseminate membership lists of legislative committees and addresses of pertinent legislators;
c. Work in cooperation with similar committees on the other state college and university campuses; and
d. Survey and collate information and opinions of faculty and forward them to the Advisory Council of Faculty for inclusion in proposed legislative packages.

The Legislative Advocacy Committee shall consist of interested faculty from the Academic Units. The representatives to the Board of Governors and Advisory Council of Faculty, and the Assistant to the President shall serve as ex-officio members.

M. LIBRARY COMMITTEE. The Library Committee shall:
   a. Study library needs in view of the academic program;
   b. Advise the librarian on matters of general library policy, the development of library resources, allocation of library budget, and upon means which may best integrate the library program with other academic activities of the University; and
   c. Serve as a liaison group between the faculty and the librarian.

The Library Committee shall consist of one member elected by each Academic Unit. The Director of the Library shall serve as an ex-officio member.

N. PRESIDENTIAL PERCEPTION SURVEY COMMITTEE. The Presidential Perception Survey Committee shall:
   a. Review the survey instrument and process of administration, and recommend any changes to the Faculty Senate;
   b. Administer the distribution of the approved survey instrument to the full-time faculty;
   c. Compile the results of the survey; and
   d. Report the survey’s finding to the Faculty Senate.

The Presidential Perception Survey Committee shall consist of one member elected by each Academic Unit.

O. STUDENT FINANCIAL AID APPEALS COMMITTEE. The Student Financial Aid Appeals Committee shall:
   a. Recommend to approve or deny the financial aid appeals related to the student financial aid program; and/or
   b. Make recommendations to the Financial Aid ex-officio member in attendance.

The Student Financial Aid Appeals Committee shall consist of interested faculty from the Academic Units. The Director of Financial Aid or appointee shall serve as an ex-officio member.

P. STUDENT HEARING BOARD. The Student Hearing Board shall hear student discipline cases, as directed by the Vice President for Student Affairs or his/her designee, in accordance with procedures outlined in the Student Handbook. After hearing all related evidence, the panel shall by secret ballot render a decision and, if guilty, recommend an appropriate penalty to be implemented by the Vice President for Student Affairs. The student may appeal the decision, following the procedure specified in the Student Handbook.

The Student Hearing Board shall consist of interested faculty from the Academic Units. The Student Hearing Board, in hearing a case, shall consist of the Chairperson of the Student Hearing Board or a substitute, two faculty members from the Student Hearing Board, and two students appointed by the Student Government.

ARTICLE VII. Amendment of Bylaws
Amendments of Bylaws of the Faculty Senate shall be made only at a regular meeting thereof, by a two thirds (2/3) vote of at least a quorum of the Faculty Senate. No proposition to amend shall be
acted upon unless written notice thereof has been given to the President of the Senate at least thirty days prior to the meeting. A copy of such a proposition shall be provided in the call for the next regular meeting, and a copy sent to each Senator at least ten days before the date of the next regular meeting at which time the amendment will be presented for Senate Action.
FACULTY
(For Faculty Whose Initial Appointment Occurred Prior to July 1, 1999)

FACULTY EMPLOYMENT
The following statements apply to all faculty hired prior to July 1, 1999.

Appointments
Faculty appointments are made by the Higher Education Policy Commission upon recommendations of the President for each academic year. The academic year begins in mid-August and extends to mid-May.

Notices of employment, which indicate the terms of employment, are issued to each faculty member. A form is attached for the individual’s signature if the appointment is accepted. This form must be returned to the President within ten days.

Fairmont State University is an equal opportunity and affirmative action employer. It makes no distinctions based on race, sex, color, religion, or national origin.

Credentials
At the time of employment each faculty member must submit to the Provost’s Office an official transcript(s) of all undergraduate and graduate credits. Credits subsequently earned should be verified to the Provost by official transcript(s). To be acceptable, all credits, degrees, and professional licenses must be earned at institutions accredited by nationally recognized regional or professional agencies. These credits should also be on file in the Provost’s Office.

Completion of Terminal Degrees
Unless there is a definite understanding to the contrary, newly employed faculty members who have not completed doctoral or other terminal degrees or the equivalent are expected to do so within a reasonable period of time. Faculty members are urged to continue their graduate work as the basis for advancement in rank and salary. To be acceptable, all degrees and credits must be earned at institutions accredited by nationally recognized regional or professional agencies.

Full-time faculty members who are also engaged in part-time graduate study should be certain that such activity does not interfere with teaching effectiveness. Ordinarily six graduate credits should be the maximum load for those with full-time teaching contracts. Exceptions may be granted by the Provost and Vice President for Academic Affairs.

Criteria and Guidelines for Promotion in Rank
The following guidelines apply to all persons seeking promotion after July 1, 1990.

In accordance with Series 9 of the Higher Education Policy Commission, promotion in rank is granted to faculty by the President of the University. Faculty who are assigned administrative or staff duties and who hold rank may also qualify for promotion. Applications for promotion must be prepared and submitted according to established procedures. All education requirements for promotion must be completed prior to consideration of the application.

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1 Amended by Personnel Committee, March 6, 1980
2 Amended by Personnel Committee, March 6, 1980
3 Amended by Faculty Senate, October 11, 1988
The Faculty Personnel Committee evaluates applications and supporting documentation and then submits its recommendations for promotion to the President (through the Provost and Vice President for Academic Affairs). Evaluation for promotion is based on requisite academic preparation and experience and on appropriate levels of excellence in professional performance and service for each rank. In no case is promotion to a higher rank automatic when a faculty member fulfills the minimum requirements. There shall be no practice of granting promotion routinely nor of denying promotion capriciously.

**Standards for Academic Rank and Promotion**

It is the responsibility of the applicant to have complete transcripts on file in the President’s Office prior to applying for promotion. All degrees and credits must be earned at institutions accredited by nationally recognized regional and professional agencies and must be verified by official transcripts. Employment in part-time, summer term, or graduate assistant positions is not credited toward experience. Deficiencies in academic preparation, professional experience, and/or application procedures render one ineligible for consideration for promotion.

**PROFESSOR/SENIOR LEVEL**

To apply for the rank of Professor/Senior Level, a faculty member must meet the following minimum requirements:

1) **eighteen** years of combined college teaching and/or equivalent professional experience;  
   **AND**
2) **eight** years of teaching experience as a Professor at Fairmont State University.

For the Professor/Senior Level, the Education requirements and the Criteria for Evaluation are identical to those currently in effect for the Professor rank described in the *Fairmont State University Faculty Handbook*.

**PROFESSOR**

To be eligible to apply for promotion to the rank of professor, a faculty member must meet the following minimum requirements:

**EDUCATION:**

1) hold an earned doctorate or terminal degree appropriate to the teaching field;  
   **OR**
2) have achieved professional and scholarly eminence (e.g., published extensively in nationally recognized professional journals, received national professional awards or honors, delivered professional papers at national conferences, served as consultant to nationally recognized groups or agencies). Primary consideration will be given to that professional and scholarly eminence accrued since the attainment of the current rank.

**EXPERIENCE:**

1) **ten** years of college teaching experience or equivalent professional experience;  
   **OR**
2) **eight** years of college teaching experience or equivalent professional experience after attainment of the doctorate or terminal degree appropriate to the teaching field.
In addition, three years of teaching experience at the associate professor rank must be acquired at Fairmont State University prior to promotion.

ASSOCIATE PROFESSOR/SENIOR LEVEL

To apply for promotion to the rank of Associate Professor/Senior Level, a faculty member must meet the following minimum requirements:

1) fourteen years of combined college teaching and/or equivalent professional experience if on the Technical Track;

AND

2) eight years of teaching experience as an Associate Professor at Fairmont State University.

For the Associate Professor/Senior Level, the Education requirements and the Criteria for Evaluation are identical to those currently in effect for the Associate Professor rank described in the Fairmont State University Faculty Handbook.

Moreover, since no faculty member can ever be promoted to both Senior Levels, Associate Professors who are or will be eligible for promotion to Professor may NOT apply for the Associate Professor/Senior Level.

ASSOCIATE PROFESSOR:

To be eligible to apply for the rank of associate professor, a faculty member must meet the following minimum requirements:

EDUCATION:

1) hold an earned doctorate or the terminal degree appropriate to the teaching field (See Appendix A for additional certifications acceptable in lieu of a terminal degree);

   OR

2) have formally completed all requirements for the doctorate except the dissertation;

   OR

3) hold an advanced degree, a national certification and have three years of non-teaching industrial/professional experience after certification. The appropriate national certification and experience will be identified at the College/School level and will be subject to approval by the Faculty Senate;\(^4\)

   OR

4) have achieved professional and scholarly distinction (e.g., published extensively in nationally recognized professional journals, received national professional awards or honors, delivered professional papers at national conferences, served as consultant to nationally recognized groups or agencies). Primary consideration will be given to that professional and scholarly achievement since the attainment of the current rank.

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\(^4\)Approved by the Faculty Senate, May 11, 1993
EXPERIENCE:

1) six years of college teaching experience or equivalent professional experience;

   OR

2) four years of college teaching experience or equivalent professional experience after attainment of the doctorate.

In addition, three years of teaching experience at the assistant professor rank must be acquired at Fairmont State University prior to promotion.

ASSISTANT PROFESSOR:

To be eligible to apply for the rank of assistant professor, a faculty member must meet the following minimum requirements:

EDUCATION:

1) hold an earned doctorate or terminal degree appropriate to the teaching field (See Appendix A for additional certifications acceptable in lieu of a terminal degree);

   OR

2) have been officially admitted to a doctoral program and have earned fifty semester hours of graduate study directed toward the completion of the doctorate;

   OR

3) hold an advanced degree, a national certification and three years of non-teaching industrial/professional experience. The appropriate national certification and experience will be identified at the College/School level and subject to approval by the Faculty Senate;

   OR

4) have achieved professional and scholarly stature (e.g., published extensively in nationally recognized professional journals, received national professional awards or honors, delivered professional papers at national conferences, served as consultant to nationally recognized groups or agencies). Primary consideration will be given to that professional and scholarly achievement since the attainment of the current rank.

EXPERIENCE:

The experience requirement may be waived for persons with an earned doctorate appropriate to the teaching field.

1) three years college teaching experience or equivalent professional experience. Two years of teaching experience must be acquired at Fairmont State University prior to promotion;

   OR

2) Instructors with Bachelor's degrees who are teaching exclusively in two-year terminal degree programs may be promoted to the rank of assistant professor after six years of teaching experience are acquired at Fairmont State University prior to promotion.

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5 Amended by Faculty Senate, October 11, 1988  
6 Approved by the Faculty Senate, May 11, 1993  
7 Amended by Faculty Senate, October 11, 1988
INSTRUCTOR:

A Master's degree is required for the rank of instructor.

Criteria and Guidelines for Tenure

Tenure exists for the experienced faculty member to assure academic freedom, to provide professional stability, and to protect against capricious dismissal. Faculty members who qualify for tenure demonstrate a wide range of criteria relating to teaching, scholarly activity, possession of terminal degrees, service to the college community, and potential for professional growth (see HEPC, Series 9, Section 9). Tenure results from action by the President after consultation with the appropriate academic unit.

A faculty member is employed in one of three classifications: tenured, probationary, or temporary. Probationary faculty are full-time employees in a tenure-track position; at the end of six years any non-tenured faculty member will be given written notice of tenure, or offered a one-year written terminal contract of employment. Tenure may, however, be granted to a faculty member at any time during the probationary period. Generally, probationary faculty are not granted tenure appointment by the President before fulfilling six years of service at this University.

Early Tenure

In accordance with HEPC, Series 9, Section 10.3, the following criteria are used to determine qualifications for tenure prior to the end of the sixth year:

(1) Exceptional achievement on a national level (tenure in this situation is evidence of the institution's interest and faith in the career of a faculty member),

(2) Outstanding teaching performance in a field for which there is both national demand and projected long-term demand,

(3) Service which substantially enables the University to fulfill its mission.
FACULTY EMPLOYMENT

Appointments

Faculty appointments are made by the Higher Education Policy Commission upon recommendations of the President for each academic year. The academic year begins in mid-August and extends to mid-May.

Notices of employment, which indicate the terms of employment, are issued to each faculty member. A form is attached for the individual’s signature if the appointment is accepted. This form must be returned to the President within ten days.

Fairmont State University is an equal opportunity and affirmative action employer. It makes no distinctions based on race, sex, color, religion, or national origin.

Credentials

At the time of employment each faculty member must submit to the Provost’s Office an official transcript(s) of all undergraduate and graduate credits. Credits subsequently earned should be verified to the Provost by official transcript(s). To be acceptable, all credits, degrees and licenses must be earned at institutions accredited by nationally or internationally recognized regional or professional agencies.

Completion of Terminal Degrees

Unless there is a definite understanding to the contrary, newly employed faculty members who have not completed doctoral or other terminal degrees or the equivalent are expected to do so within a reasonable period of time. Faculty members are urged to continue their graduate work as the basis for advancement in rank and salary. To be acceptable, all degrees and credits must be earned at institutions accredited by nationally recognized regional or professional agencies.

Full-time faculty members who are also engaged in part-time graduate study should be certain that such activity does not interfere with teaching effectiveness. Ordinarily six graduate credits should be the maximum load for those with full-time teaching contracts. Exceptions may be granted by the Provost and Vice President for Academic Affairs.

Criteria and Guidelines for Promotion In Rank

The following guidelines apply only to persons whose initial appointment to the University occurred on or after July 1, 1999.

In accordance with Series 9 of the Higher Education Policy Commission, promotion in rank is granted to faculty by the President of the University. Faculty who are assigned administrative or staff duties and who hold rank may also qualify for promotion. Applications for promotion must be prepared and submitted according to established procedures. All education requirements for promotion must be completed prior to consideration of the application.

The Faculty Personnel Committee evaluates applications and supporting documentation and then submits its recommendations for promotion to the President (through the Provost and Vice President for Academic Affairs). Evaluation for promotion is based on requisite academic

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8 Approved by Faculty Senate, March 18, 1999
9 Amended by Personnel Committee, October 11, 1988
10 Amended by Personnel Committee, March 6, 1980
preparation and experience and on appropriate levels of excellence in professional performance and service for each rank. In no case is promotion to a higher rank automatic when a faculty member fulfills the minimum requirements.

Five years from July 1, 1999, the Faculty Senate will appoint a committee of all academic ranks to monitor promotion and tenure guidelines that will document the strengths and weaknesses of the guidelines. The report will be ready seven years from the implementation of the guidelines. There shall be no practice of granting promotion routinely nor of denying promotion capriciously.

**Standards for Academic Rank and Promotion**

It is the responsibility of the applicant to have complete transcripts on file in the President’s office prior to applying for promotion. All degrees and credits must be earned at institutions accredited by nationally or internationally recognized regional and professional agencies and must be verified by official transcripts. Employment in part-time, summer term, graduate assistant positions, or temporary positions at other institutions is not credited toward experience in rank. However, ‘If the status of a faculty member changes from temporary to tenure-track, the time spent at the institution may, at the discretion of the President, be counted as part of the tenure-track period.’ (See Section 4.4 of Title 133, *Procedural Rules, HEPC, Series 9*). Deficiencies in academic preparation, professional experience, and/or application procedures render one ineligible for consideration for promotion.

**PROFESSOR/SENIOR LEVEL**

To apply for the rank of Professor/Senior Level, a faculty member must meet the following minimum requirements:

1) **eighteen** years of combined college teaching and/or equivalent professional experience;  
   AND

2) **eight** years of teaching experience as a Professor at Fairmont State University.

For the Professor/Senior Level, the Education requirements and the Criteria for Evaluation are identical to those currently in effect for the Professor rank described in the *Fairmont State University Faculty Handbook*.

**PROFESSOR:**

To be eligible to apply for promotion to the rank of Professor, a faculty member must meet the following minimum requirements:

**EDUCATION:**

1) hold an earned doctorate or terminal degree appropriate to the teaching field;  
   AND

2) have achieved professional and scholarly eminence. Scholarship will be broadly defined to include not only the scholarship of discovery (e.g., publications in nationally or internationally recognized professional journals, professional awards or honors, professional papers delivered at national or international conferences, service as consultant to nationally or internationally recognized groups or agencies), but also the scholarship of teaching (with recognition for the inclusion of educational technology into instruction), integration, and application; the development of new courses and/or laboratories; and creative exhibits, performances, and/or presentations. Primary consideration will be given
to that professional and scholarly eminence accrued since the attainment of the current rank.

EXPERIENCE:

1) ten years of college teaching experience;
   OR

2) have equivalent professional experience.

An application for promotion to Full Professor will be successful only after the candidate has completed six years in the rank of Associate Professor, a minimum three years of which must have been completed at Fairmont State University. Promotion to Professor is granted on the basis of performance, not length of service. Earning promotion may take longer than six years.

ASSOCIATE PROFESSOR/SENIOR LEVEL

To apply for promotion to the rank of Associate Professor/Senior Level, a faculty member must meet the following minimum requirements:

1) fourteen years of combined college teaching and/or equivalent professional experience if on the Technical Track;
   AND

2) eight years of teaching experience as an Associate Professor at Fairmont State University.

Moreover, since no faculty member can ever be promoted to both Senior Levels, Associate Professors who are or will be eligible for promotion to Professor may NOT apply for the Associate Professor/Senior Level.

For the Associate Professor/Senior Level, the Education requirements and the Criteria for Evaluation are identical to those currently in effect for the Associate Professor rank described in the Fairmont State University Faculty Handbook.

ASSOCIATE PROFESSOR:

To be eligible to apply for the rank of associate professor, a faculty member must meet the following minimum requirements:

EDUCATION:

1) hold an earned doctorate or terminal degree appropriate to the teaching field (See Appendix A for additional certifications acceptable in lieu of a terminal degree);
   OR

2) hold current national certification and have three years of non-teaching industrial/professional experience after certification (the appropriate national certification and experience will be identified at the College/School level and will be subject to approval by the Faculty Senate);\(^{11}\)
   AND

\(^{11}\) Approved by the Faculty Senate, May 11, 1993
3) have achieved professional and scholarly distinction. Scholarship will be broadly defined to include not only the scholarship of discovery (e.g., publications in nationally or internationally recognized professional journals, professional awards or honors, professional papers delivered at national or international conferences, service as consultant to nationally or internationally recognized groups or agencies), but also the scholarship of teaching (with recognition for the inclusion of educational technology into instruction), integration, and application; the development of new courses and/or laboratories; and creative exhibits, performances, and/or presentations. Primary consideration will be given to that professional and scholarly distinction accrued since the attainment of the current rank.

EXPERIENCE:

1) **six** years of college teaching experience or equivalent professional experience

   OR

2) **four** years of college teaching experience or equivalent professional experience after attainment of the doctorate.

An application for promotion to Associate Professor will be successful only after the candidate has completed **six** years in the rank of Assistant Professor, a minimum three years of which must have been completed at Fairmont State University. Promotion to Associate Professor is granted on the basis of performance, not length of service. Earning promotion may take longer than six years.

ASSISTANT PROFESSOR:

To be eligible to apply for the rank of assistant professor, a faculty member must meet the following minimum requirements:

EDUCATION:

1) hold an earned doctorate or terminal degree appropriate to the teaching field (See **Appendix A** for additional certifications acceptable in lieu of a terminal degree);

   OR

2) hold an advanced degree, current national certification and three years of non-teaching industrial/professional experience (the appropriate national certification and experience will be identified at the College/School level and will be subject to approval by the Faculty Senate);\(^{12}\)

   AND

3) demonstrate professional and scholarly excellence. Scholarship will be broadly defined to include not only the scholarship of discovery (e.g., publications in nationally or internationally recognized professional journals, professional awards or honors, professional papers delivered at national or international conferences, service as consultant to nationally or internationally recognized groups or agencies), but also the scholarship of teaching (with particular recognition for the inclusion of educational technology into instruction), integration, and application; the development of new courses and/or laboratories; and creative exhibits, performances, and/or presentations.

\(^{12}\) Approved by the Faculty Senate, May 11, 1993
Primary consideration will be given to that professional and scholarly achievement accrued since the attainment of the current rank.

**EXPERIENCE:**

The experience requirement may be waived for persons with an earned doctorate or terminal degree appropriate to the teaching field.

1) **three** years college teaching experience or equivalent professional experience. Two years of teaching experience must be acquired at Fairmont State University prior to promotion.

2) Instructors with Bachelor's degrees who are teaching exclusively in two-year terminal degree programs may be promoted to the rank of assistant professor after **six** years of teaching experience are acquired at Fairmont State University prior to promotion.13

**INSTRUCTOR:**

A Master's degree is required for the rank of Instructor.

**Criteria and Guidelines for Tenure**

The following guidelines apply only to persons whose initial appointment to the University occurred on or after July 1, 1999. Tenure exists for the experienced faculty member to assure academic freedom, to provide professional stability, and to protect against capricious dismissal. Since tenure is awarded at an academic rank, faculty members, in qualifying for tenure, must demonstrate performance to the same criteria relating to teaching, scholarly activity, possession of terminal degrees, service to the University Community, and potential for professional growth as are required for appointment to the appropriate academic rank (see HEPC Series 9, Sec. 9). Tenure results from action by the President at the conclusion of application process. Tenure is not automatic: faculty members apply for tenure at the beginning of the sixth year in a tenure-track appointment.

A faculty member is employed in one of three classifications: tenured, tenure-track, and temporary. Tenure-track faculty are full-time employees in a position designated by the University as potentially leading to a tenured appointment; at the end of six years any non-tenured tenure-track faculty member will be given written notice of tenure, or offered a one-year written terminal contract of employment. In rare instances (see criteria below), tenure may be granted to a faculty member before the end of the sixth year. Generally, tenure-track faculty are not granted tenure appointment by the President before fulfilling six years of service at this University.

**Early Tenure**

In accordance with Section 10.3 of Series 9, the following criteria are used to determine qualifications for tenure prior to the end of the sixth year:

1. Exceptional achievement on a national level,
2. Outstanding teaching performance in a field for which there is both national demand and projected long-term demand,
3. Service which uniquely enables the University to fulfill its mission.

13 Amended by Faculty Senate, October 11, 1988
APPLICATION PROCEDURES: PROMOTION, TENURE, OR BOTH

An applicant who successfully meets academic preparation and experience requirements will be evaluated for promotion, tenure or both on the quality of professional performance and service appropriate for each rank.

Primary consideration for promotion will be given to the amount and degree of professional activity and service rendered since the attainment of the current rank.

Evaluative Criteria

These criteria are qualitative in nature. The committee's expectations of the caliber and extent of professional activity and service will vary depending on the level of the promotion requested: the higher the rank the more substantive the performance and service. The Faculty Personnel Committee will carefully evaluate all aspects of the application and through the use of objective and professional judgment, will determine the merits of each applicant using the following criteria:

1. Excellence in teaching (classroom performance; development or revision of courses or curriculum; development of new or modified forms of instruction appropriate to course content and students),
2. Accessibility to students, including advising,
3. Professional and scholarly activity and recognition,
4. Significant contribution and service to the University
5. Significant contribution and service to one's School,
6. Evidence of continual professional growth,
7. Publications and research,
8. Service to the people of the state of West Virginia

Senior Level Positions

These levels are designed to honor and reward veteran faculty members who have long held the highest rank open to them -- Associate or Full Professor -- and have continued and enhanced the exceptional teaching, scholarship and service that they demonstrated in earning their earlier promotions. Once earned, the new level is permanent and a 10% raise will accompany it.

SENIOR LEVEL APPLICATION PROCEDURES

The procedures to apply for these positions are as follows:

1. Eligible applicants must submit to the Provost of Fairmont State University a detailed letter of application citing their achievements since their last promotion. They must demonstrate sustained excellence in teaching, service, and research/creativity. Teaching, research and creativity include publication and traditional research, and may also include classroom research, undergraduate research projects, innovative teaching strategies, new course development, and assessment. Applicants may submit whatever proof of excellence they wish (results of student evaluations would be useful); portfolios are required, however, these portfolios may be smaller than those generated for promotion to other ranks. Nevertheless, applicants should be aware that they must submit all evidence that helps them make their case; proof submitted should concentrate on accomplishments since the last rank was attained. The goal is to demonstrate sustained excellence in teaching, research, and service.
(2) Merit Evaluations for a minimum of five years since the last rank was attained should be included.

(3) The applicant’s Dean must also submit a letter supporting the application and attesting to the applicant’s eligibility for the Senior Level and his/her achievements.

(4) Additional letters of support may be included from graduates, professional organizations, peers, advisory boards, or others.

(5) The Provost of Fairmont State University will send the applications to the Senior Level Faculty Personnel Committee. This committee will be comprised of University faculty who have attained the Senior Level designation; this committee will review senior level applications for both the University. This committee structure will be reviewed after two years. The committee will send its recommendations to the Provost and the President for final approval.

Please note: The number of applicants who are approved for the new levels in any given year will be determined both by the quality of the applications and by budgetary restrictions.

**Deadline and Notes**

Applications, including letters from the Deans, must be in the Provost’s office by the first working day in December.

*Note: Professor/Senior Level and Associate Professor/Senior Level were approved by FSU Faculty Senate on 11/09/04, The Board of Governors on 11/29/04, and the HEPC on 1/27/05.*

**Promotion to Other Ranks or Tenure**

A faculty member seeking promotion in rank or tenure initiates the procedure by submitting the required Promotion or Tenure Application packet, vita, and portfolio containing relevant documents to his/her Dean early enough so that the Dean can complete the evaluation and submit it, along with the Application and Portfolio, to the Provost and Vice President for Academic Affairs by **December 1**.  

Evaluations of the candidate by two peers within the College/School are required, one peer to be chosen by the candidate and one by the Dean. If the candidate is a school chairperson, one peer evaluator will be selected by the Provost and Vice President for Academic Affairs. Each peer must submit his/her evaluation directly to the Provost and Vice President for Academic Affairs by **December 1**. These evaluations are part of the application packet.

The Provost verifies that official transcripts confirm the candidate’s qualifications. The Provost then forwards the Application and Portfolio to the Faculty Personnel Committee for its consideration and recommendation. After deliberation, the Committee sends its report to the Provost and Vice President for Academic Affairs who forwards the Application and Portfolio to the President along with the Provost’s recommendation.

The President of the University will make the final decision regarding promotion. The President will then inform the candidate of the decision regarding the promotion.

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14 An applicant who performs academic duties in more than one administrative unit or school must be evaluated separately by each Dean.

15 An applicant whose teaching duties are divided equally between two schools is required to have evaluations submitted by two peers in each school, following the peer selection process described above. If the applicant teaches more courses in one school than in another, evaluations must be submitted by peers in the school where the greater number of courses is taught.

Revised by Faculty Senate November 21, 2003
APPLICATION MATERIALS AND GUIDELINES

Submit materials to your Dean in time for review and submission to the Provost by **December 1**. Note differences in the guidelines depending on the year you were hired: before July 1, 1999 or after July 1, 1999. If you are applying for both promotion and tenure, you need to prepare only one portfolio. Be sure to include application materials for both.

- Portfolios must be no larger than a four inch binder.
- The outside of your portfolio should have, at a minimum, your name and the action(s) [promotion, tenure, or promotion and tenure] you seek.
- Create a Table of Contents.
- Use tabs to separate sections.
- Because so many people must handle your portfolio, consider using sleeves for each page for protection and durability.

1. Application Packet: The packet should be organized in this format:
   - Application coversheet(s)
   - Evaluation from Dean, which must include in-class observation. In-class observations must document the date and time of the observation, the course name, meeting place, and number of students in attendance.
   - Evaluations from Peers: An evaluation of the faculty member’s performance by a colleague designated by the Dean, which must include in-class observation. In-class observations must document the date and time of the observation, the course name, meeting place, and number of students in attendance.
   - Evaluations from Peers: An evaluation of the faculty member’s performance by a colleague designated by the applicant, which must include in-class observation. In-class observations must document the date and time of the observation, the course name, meeting place, and number of students in attendance.
   - If you are applying for promotion only, you will have two observations and evaluations from peers and one evaluation from your dean. Note that all evaluations are to include classroom observation, with specific information about the class observed to be included.
   - If you are applying for tenure only, you will have two observations and evaluations from peers and one evaluation from your dean. Note that all evaluations are to include classroom observation, with specific information about the class observed to be included.
   - If you are applying for promotion and tenure, you will have four evaluations and observations from peers (two for promotion and two for tenure). If a candidate is not being recommended for tenure, the dean would not recommend that candidate for promotion. If, however, the dean recommends for tenure, he/she may or may not recommend for promotion as well.
   - If you wish to use out-of-field observers, please discuss this with your dean.

   *Materials for the packet are available in the Forms Repository online. The evaluations are sent directly to the Provost. The Personnel Committee will insert them into your portfolio.*

2. Vita: The vita should be organized in the following format:

**EDUCATION PROFILE**

- A list of degrees attained beginning with the highest degree. Indicate institution, field of study, degrees attained and date. (Official transcripts of all education credentials must be in
the Office of the Provost before the Faculty Personnel Committee will consider an application.)

- If actively engaged in a doctoral program, identify institution, field of study, date of expected completion and status of progress toward attainment of doctorate. (Official verification of admission to a doctoral program must be on file in the Office of the Provost.) Include a list of graduate courses completed and credit hours earned beyond the Master’s degree that apply to the doctorate. Indicate institution, course title, graduate credits earned, and year completed. Include a letter from dissertation committee chair verifying satisfactory progress and expected completion date.

- If applicable, include a list of completed graduate courses not included in a doctoral degree program. Indicate institution, course title, graduate credits earned, and year completed.

- If applicable, include a list of other academic study completed for professional improvement. Indicate institution or organization, area of study, credits (if any), certifications, and dates/duration.

**EMPLOYMENT PROFILE**

- A list of full-time employment beginning with present position. (Do not include graduate assistantships, fellowships, or internships.) Indicate employer, position/duties, and time spent in the position.

- If applicable, report professional part-time employment. Indicate employer, position/duties, and time spent in the position.

- If applicable, report other professional experience. Include consulting and grant experience, assistantships, fellowships, internships, etc. Indicate employer, position/duties, and duration of experience.

**PROFESSIONAL ACTIVITY**

- Courses taught regularly. A representative sample of course syllabi may be included in the Portfolio.

- Courses taught occasionally.

- Other assignments included in faculty workload.

- Description of any special efforts made to design new programs and courses, to improve your courses, your teaching methods, and your professional abilities since your last promotion.

- Description of advising responsibilities. Indicate approximate number of advisees per year in each program area.

- Description of research and/or publication activity. Distinguish completed and/or published research and ongoing research activity. Documentary evidence may be included in Portfolio.

- Memberships in professional associations. Indicate meetings attended, offices held or papers presented. Documentary evidence may be included in Portfolio.

- Public service activity. Identify state or local committees, public speaking opportunities, seminars or workshops conducted, awards, etc. Documentary evidence may be included in Portfolio.

- University Committee service. Indicate committee, responsibility, and years served.
- College/School Committee service. Indicate committee, responsibility, and years served. Include committee service in support of assessment or preparation for accreditation.
- Other extracurricular activities such as sponsoring or advising student organizations.

3. **Documentary Evidence:** Documentation should align with your professional activity and be organized according to Teaching, Scholarship, and Service. Sample evidence may include:

- Evaluations of teaching completed by students;
- Copies of merit evaluations;
- A representative sample of course syllabi for courses taught;
- Specialized course materials, particularly those that incorporate instructional technology (computer-based courseware, tutorials, laboratory exercises, etc.);
- Evidence of involvement in curriculum development and/or accreditation activities;
- Evidence of excellence in clinical, technical, or professional practice;
- Reprints of published articles, copies of conference programs listing papers presented or Abstracts of papers presented;
- Evidence of professional recognition (teaching, research, professional service awards);
- Record of instructional and research grants awarded;
- Any additional material the faculty member may wish to submit.

**ADDITIONAL EMPLOYMENT INFORMATION**

**Absence due to Witness and Jury Leave**

Refer to HEPC Series 38, Section 12, Witness and Jury Leave, in this handbook for the procedure to be followed.

**Assignment of Additional Academic Duties**

Because the performance of duties beyond the regular classroom assignment plays a direct role in the faculty's opportunity for promotion, salary increases, and professional esteem, it is important that such assignments be made fairly and equitably.

To achieve this end, the following standards should be observed:

1. When the need for performance of additional duties arises, the Deans or Chairs will announce the exact nature of the assignment, identify qualifications necessary for its accomplishment, and solicit expressions of interest from the faculty of the academic unit.
2. In making selections, the Deans or Chairs will do so on the basis of ability alone. Equal opportunity will be accorded to all faculty, regardless of their race, religion, sex, age, or ethnic origin.
3. In cases when more than one person has the necessary expertise to perform a particular assignment, the Dean or Chair will attempt to distribute extra duties equitably among members of the academic unit.
4. The Dean or Chair is not obligated to make assignments to those faculty who have demonstrated their unwillingness or inability to perform such duties.
Classroom Equivalencies

The 12-hour per week minimum for classroom instruction is based on the lecture-hour standard, not on credit or contact hours. Therefore, activities which may be classified as a form of instruction, but which differ in amount of time required for their accomplishment, are equated as follows:

1. **Laboratory.** Credit for laboratory time is given on a ratio of two hours to one lecture hour.

2. **Directing and Coaching University or Department Allied Activities.** Where University credit is not given, the ratio is two hours to one lecture hour. In practice, persons engaged in such activities have customarily devoted considerably more time than this formula suggests.

3. **Administration.** Time is allowed on a ratio of two clock hours to one lecture hour.

4. **Non-Credit Courses.** These are recognized on the same basis as credit courses with respect to time requirement.

5. **Private Music Lessons.** Lessons are treated as laboratory hours, i.e., two hours devoted to private lessons equal one lecture hour.

6. **Supervision of Student Teaching.** University Faculty observe and mentor student teachers through the Professional Development School Faculty Liaison model. All PDS public school partner sites work with a Faculty Liaison as the primary University contact for Teacher Education, professional development, and partnership initiatives.

Conflict of Interest

The Constitution of the State of West Virginia states:

No person connected with the free school system of the State, or with any educational institution of any name or grade under state control, shall be interested in the sale, proceeds or profits of any book or other thing used, or to be used therein, under such penalties as may be prescribed by law: Provided, that nothing herein shall be construed to apply to any work written or thing invented, by such person.

All employees of Fairmont State University shall abide by the Constitution of the State of West Virginia and shall avoid a conflict of interest between university obligations and non-university activities.

Faculty Absences

If a faculty member is absent from a class, one of the following is to be done with the approval of the Dean or Chair:

1. Reschedule the class in advance of the absence.

2. Have a colleague teach the class.

3. Schedule other instructional activities at the time the class is to meet, to be supervised by other official University personnel.

Refer to HEPC Series 38, Section 5, “Employee Leave, Sick and Emergency Leave” for the procedure to be followed. In the case of a faculty member who is absent from teaching duties for reasons other than illness or other personal or family emergency, salary will not be paid unless classes have been arranged as outlined above.
Faculty Employed Beyond Normal Nine-Months

Faculty members employed for more than a nine-month period, but less than twelve months, follow the same schedule as regular faculty members when school is in session. When school is closed or during periods when they are not teaching classes, they follow the same schedule as that maintained by the administrative offices throughout the period of their official appointment.

Faculty members employed for twelve months follow the same work schedule at all times as that maintained by the administrative offices.

For some such faculty, the nature of the work requirements precludes the possibility of performing the necessary responsibilities within prescribed clock hours. For such persons a description of the deviation should be filed with the office of the chairperson, or another individual to whom directly responsible, and approved by that person and the Provost and Vice President for Academic Affairs.

Off-Campus Instruction

Off-campus classes should be developed as an integral part of institutional programming following the academic standards set for campus instructions. Supervision of off-campus classes will be by full-time personnel.

1. As often as possible, full-time staff should be assigned to off-campus classes as part of the regular teaching load.
2. Academic qualifications of part-time faculty should be commensurate with those of full-time faculty.
3. When staffing from (1) and (2) above cannot be provided, a full-time staff member may be assigned one course on an overload basis excluding independent study projects.

Office Hours

Student advising is an important part of the faculty member’s responsibility. Faculty members are responsible for academic advisory service to an assigned number of majors. In addition, faculty members make themselves available for advice and assistance to those students under their instruction. Accordingly, it is important that faculty regularly schedule a number of office hours appropriate to fulfill advising responsibilities and post them on their office doors, including at least one hour each day, Monday through Friday that classes are in session. No classes or office hours should be scheduled on Tuesday and Thursday from 12:30 to 1:30 p.m. No standard prescription is provided for the amount of time that faculty members need to spend on campus, whether in their office or in some other setting. Determination of the appropriate number of total weekly office hours or hours spent on other professional activity on the campus is made within each academic unit and approved by the Dean or Chair.

Review of Outside Services

Faculty members are expected to render full-time service to the University, as required by Section 4.3.1 of Series 9. This policy also states that "Outside activities shall not be restricted unless such activities or employment interfere with the adequate performance of academic duties. The administrators of each institution shall establish a program of periodic review of outside service of appointees to guide faculty members." There shall also be a periodic review of outside services of administrators at this University. Prior to February 1 of each year, the President of the University, the vice presidents, and the Deans and Chairs will review the outside services of all faculty and administrators. The review will take place during a meeting with each appointee.

Approved by the West Virginia Board of Regents, effective January 23, 1978
The reviewer will submit a memorandum to the President indicating those personnel who **have** and those who **do not have** outside activities or employment that interfere with the adequate performance of academic duties.

The President or designated representative will then meet with faculty or administrators who, in the opinion of the reviewer, **have** such activities or employment and provide appropriate guidance.

**Faculty Workload**

The workload of full-time faculty members may include any or all of the following: instruction and evaluation, student advising, committee assignments and faculty meetings, consultation, in-service programs, preparation for teaching, professional and scholarly development, and research. Classroom instruction and related obligations represent the greatest expenditure of effort for most full-time faculty members. The minimum teaching load is 12 credit hours, or equivalent, each semester. As enrollments fluctuate, the teaching load may exceed the minimum.

On occasion, faculty members may be given special assignments or may be engaged in special projects which warrant consideration for a reduction in teaching load. Requests for such adjustment will be considered when recommended by the appropriate administrator to the Provost and Vice President for Academic Affairs. Approval of such request is based on the need for the activity or the project, the time necessary, and the academic impact on the institution.

**Teaching Loads of Chairs**

Chairs occupy a special position. They are considered full-time faculty, with their time devoted to a combination of teaching and administrative work in a specific department of their academic unit. The magnitude of their administrative duties varies with the extent of programming, number of faculty under their supervision, and other special projects or responsibilities. Accordingly, their teaching loads are established at a minimum of six (6) hours per semester, which may include classroom or lab instruction. Financial assistance will be given, whenever possible, to attend professional meetings.

**Teaching Loads of Deans**

Deans occupy a special position. They are considered full-time faculty, with their time devoted to a combination of teaching and administrative work in a specific academic unit of the University. The magnitude of their administrative duties varies with the extent of programming, number of faculty under their supervision, and other special projects or responsibilities. Accordingly, their teaching loads are established at a minimum of three (3) hours per semester, which may include classroom or lab instruction. Financial assistance will be given, whenever possible, to attend professional meetings.
FACTORIES RESPONSIBILITIES

The Family Educational Rights and Privacy Act/FERPA
(The Buckley Amendment)

Faculty may not share student information without a signed waiver from the student. An explanation of FERPA and a waiver form are provided below.

The Family Educational Rights and Privacy Act of 1974, also known as FERPA or the Buckley Amendment, was adopted by Congress to ensure access to and the privacy of educational records. Although FERPA applies to all educational records including those kept concerning elementary and secondary education, this summary will focus on the application of FERPA to higher education.

FERPA gives certain rights to the parents regarding their children’s education records. These rights transfer to the student or former student who has reached the age of 18 or is attending any school beyond the high school level. Students and former students to whom the rights have transferred are called “eligible students.” The Act ensures that students must be given the opportunity to inspect and review their own educational records. The institution must provide an opportunity for a hearing if a student wishes to challenge information which is “inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student.” With specified exceptions relating to education needs, “personally identifiable” information cannot be released to third parties without the prior written consent of the student or without a judicial order or subpoena. The law allows schools to disclose education records, without consent, to the following parties:

- School employees who have a need to know;
- Other schools to which a student is transferring;
- Certain government officials in order to carry out lawful functions;
- Appropriate parties in connection with financial aid to a student;
- Organizations doing certain studies for the school;
- Accrediting organizations;
- Individuals who have obtained court orders or subpoena;
- Persons who need to know in cases of health and safety emergencies.

Schools may also disclose, without prior consent, “directory” type information such as a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, the school must tell students of the information that is designated as directory information and provide a reasonable amount of time to allow the eligible student to request the school not disclose that information about them. Finally, schools must adopt a written policy about complying with FERPA and must give the eligible student a copy of the policy, on request.
AUTHORITY TO RELEASE PERSONALLY IDENTIFIABLE INFORMATION FROM EDUCATION RECORDS

Pursuant to the Family Educational Rights and Privacy Act of 1974, as amended,

I, ____________________________________________,\(^1\) give my consent to authorized representatives of Fairmont State University for the release of my educational records and any and all personally identifiable information contained therein, including educational information, employment information, and information contained in the records of FSU's Student Affairs Office to

_____________________________________________________________

for purpose of ________________________________________________\(^2\)

_____________________________________________________________

_____________________________________________________________

\(^{3}\)

_________________________  ________________________________

(Date)                      (Signature)

_________________________

(Student Identification Number)

NOTE: If an FSU student so requests, FSU shall provide him or her with a copy of the records disclosed.

\(^1\) Name of FSU student.

\(^2\) Identification of party or class of parties to whom the disclosure may be made.

\(^3\) Purpose of disclosure.
Academic Advising - General Procedures

(1) Deans and Chairs assign faculty to serve as advisors.
(2) Students are assigned an advisor on the basis of the best information available concerning their academic objectives. Students who are not sure who their advisor is should check online via the student web product.
(3) Faculty members are assigned advisees according to student’s specific academic objectives.
(4) When a student withdraws or graduates, the advisor must retain any advising records for five years (2 years for nursing). At the end of five years, the records should be destroyed in a manner that will preserve student anonymity.

Advising Students with Disabilities

Students with a disability should register in the Office of Disability Services. If a student chooses to have information regarding a disability disseminated, the student is responsible for notifying advisors and instructors of any special need. It is requested that advisors schedule pre-registration advisee meetings with students with disabilities whenever the tentative class schedule is published. If room changes are necessary, the Registrar’s Office should be notified in order that changes in room assignments are made before the final schedule is printed.

The provision of reasonable accommodations under the ADA requires collaboration between student, faculty, and the office of disability services. In particular, faculty are expected to assist students with providing copies of lecture notes in a discreet and respectful manner if this is an approved accommodation.

Advisor Pre-registration Procedures

(1) Advisors should allot adequate time for individual appointments in order to provide academic counseling for students during each pre-registration period. In addition, advisees should be encouraged to consult with advisors as the need arises, whether during office hours or by special appointment.

(2) Advisors may access the names of their advisees online. Relevant academic information can be accessed online in the student database and an academic folder may be developed as the advisor determines appropriate.

(3) Students must make an appointment and meet with their advisor in order to obtain their PIN number which is needed to schedule classes for the next term.

(4) It is strongly recommended that individual appointments be scheduled with each advisee in order to review the student’s progress in a program. Advisors may stress the advisability of particular choices, or additional courses in preparation for graduate school, but they may not enforce requirements beyond those stated in the University Catalog. If a student insists on scheduling courses other than those suggested, the advisor should note in the student’s file the disregard of the advice.

Commencement

All full-time faculty and administrators are required to participate in the commencement ceremony or to attend in other capacities as designated by the Commencement Committee, the Deans, or other appropriate officials. Caps and gowns may be rented in the Bookstore.
Faculty Meetings

Faculty meetings are held at least four times during the year and special meetings may be held at any time at the call of the President. Faculty members are required to attend these meetings.

The following meeting times have been reserved for certain faculty groups; consequently, no classes or office hours should be scheduled on Tuesdays or Thursdays from 12:30 to 1:30 p.m.

<table>
<thead>
<tr>
<th>Committee</th>
<th>Time</th>
</tr>
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<tbody>
<tr>
<td>Academic Affairs Council</td>
<td>Alternate Wednesdays</td>
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<tr>
<td>Admissions and Credits Committee</td>
<td>Third Tuesday</td>
</tr>
<tr>
<td>Athletic Committee</td>
<td>Tuesday or Thursday (1x each spring)</td>
</tr>
<tr>
<td>Curriculum Committee</td>
<td>Fourth Tuesday</td>
</tr>
<tr>
<td>Faculty Development Committee</td>
<td>Third Thursday</td>
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<tr>
<td>Faculty Senate</td>
<td>Second Tuesday</td>
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<tr>
<td>Faculty Senate Executive Committee</td>
<td>First Tuesday</td>
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<tr>
<td>Faculty Welfare Committee</td>
<td>Fourth Thursday</td>
</tr>
<tr>
<td>International Education Committee</td>
<td>Second Thursday</td>
</tr>
<tr>
<td>Library Committee</td>
<td>Thursday (1x per term)</td>
</tr>
<tr>
<td>President’s Cabinet</td>
<td>Tuesdays</td>
</tr>
<tr>
<td>School Meetings</td>
<td>First Thursday</td>
</tr>
</tbody>
</table>

Off-Campus Activities

It is the policy of the University to encourage the faculty to participate individually and collectively in the religious, cultural, and welfare activities of the community. Faculty are qualified to assume positions of leadership and to provide technical assistance to community organizations. The importance of this relationship to the University and community can hardly be overestimated. The University will profit as greatly as the community. Naturally, community activities should not be undertaken to the extent of impairing effectiveness as a member of the faculty. Neither should faculty members force themselves to participate in activities without having an intrinsic interest in them. If, however, a place in the community can be found where faculty members can make a positive contribution to any of its many important activities, they will at the same time be improving university-community relations.
FACULTY BENEFITS

BASIC RETIREMENT

The State of WV requires participation in a tax-sheltered retirement program for full time faculty. The benefit eligible definition of full-time faculty is one who is employed for a full academic year (at least a nine-month contract basis) for at least (6) semester credit hours teaching per semester and/or administrative responsibilities. Employees are required by WV state law to contribute six percent of their gross pay into the basic retirement plan 401(a), and a six percent match is contributed by Fairmont State University. The funds are fully vested. The Higher Education Policy Commission (HEPC) makes decisions regarding the offered programs.

Two vendors are available for enrollment in the Basic, Deferred Compensation 457(b), and Supplemental 403(b) retirement plans:

Great-West Retirement Services 1-800-537-2033 www.gwrs.com and TIAA-CREF 1-800-842-2252 www.tiaa-cref.org

PHASED RETIREMENT PLAN (PRP)

Beginning at age 55 and over with five or more years of full time service, faculty who retire can apply for Phased Retirement. If approved by the President and Human Resources, the faculty member would work 1/3 time at 1/3 salary. Requests must generally be made six months in advance of the proposed effective date. Faculty can visit the FSU website or Human Resources for the appropriate procedures.

Note: To continue PEIA health insurance at retirement, the minimum WV State Retirement age and years of service guidelines must be met.

SUPPLEMENTAL RETIREMENT

Employees can contribute to both a 403(b) plan and a 457(b) plan. Employees may contribute the maximum IRS allowable amounts to either or both of the following optional retirement plans with no employer match.

Supplemental Retirement 403(b)

A supplemental savings and investment program which enables employees to save additional retirement money through tax deferral. Participation is voluntary, and contributions are not matched. Maximum contribution amounts are limited by law.

Upon separation from service or at age 59½, participants may begin annuity income or make cash withdrawals from supplemental monies. Loans are also available.

ROTH 403(b) is an after-tax plan with qualified earnings distributed as tax-free for individuals 59 ½ or older or disabled, if withdrawal of funds is made five years after your first Roth contribution. Employees with both the SRA and the Roth will coordinate the maximum contribution amount.

Deferred Compensation Plan 457(b)

A nonqualified, tax-deferred compensation plan, that offers tax advantages to employees. Higher wage earners will benefit by having both plans. The 457(b) public plan has no triggering events; upon termination of employment, monies are available despite age with no penalties.
**New Faculty Enrollment Period for PEIA Health and Life Insurances and Mountaineer Flexible Benefit Plans**

New hires have the month of hire and the two following months to enroll in health, basic, optional and dependent life, and Mountaineer Flexible Benefit plans. Documentation for dependents is required for health coverage to be approved (marriage license/spouse; birth certificate/children).

**Effective Date of Coverage:**

Coverage is effective the first of the month following the month of enrollment in the plan. Example: if you are hired in August and enroll, coverage is effective September 1.

**HEALTH INSURANCE**

The WV Public Employees Insurance Agency (PEIA) offers a choice of plans of a preferred provider benefit plan (PPB) and managed care plans (HMO) for employees and their dependents. Employee premiums are based on annual base salary, coverage type (single or family), and the plan selected (see discounts below). New hires have the month of hire and the following two months to select coverage. Coverage is effective the first of the month following the month of enrollment. Premiums are taken on a pre-tax basis. PEIA requires a copy of the marriage certificate to add a spouse, and a copy of the birth certificate for each dependent child from birth up to age 26.

In April, PEIA mails to each employee a “Shopper's Guide”, which outlines the benefits for the plans offered, and premiums for both health and optional life insurances for the plan year. In addition, refer to the Summary Plan Description booklet for more information. Both booklets are available on the PEIA web site: [www.wvpeia.com](http://www.wvpeia.com)

**PEIA PPB PLANS A, B, D**

Preferred Provider Benefit Plan premiums for this plan are based on employee and dependent Tobacco Status. Premiums, annual deductibles, and co-insurance amounts are based on the employee’s annual salary. Plan D is for WV residents who received all care in WV, except emergencies and approved procedures not available in WV.

There are restrictions on traveling outside West Virginia to get medical care. Prescription drugs have a separate plan deductible and out-of-pocket maximum.

**PEIA PPB PLAN C**

A High Deductible Health Plan, which can be paired with a Health Savings Account or a Health Reimbursement Arrangement. Single deductible is $1250; children or family $2500. Premiums are based on tobacco status, but not on salary.

Premium Discounts for PEIA PPB Plans A, B, C & D: Tobacco free
Advance Directive/Living Will
Improve Your Score (health screen)

**PEIA MANAGED CARE PLANS (HMO)**

HMO’s manage health care for their members by coordinating the use of health care services through Primary Care Physicians. PEIA offers HMO plans with “The Health Plan”. Members must be referred by the PCP for specialty care within the network. Family members must live in the plan enrollment area. Premiums are based on salary, tobacco status and living will status, and are set by the managed care plan. [www.healthplan.org](http://www.healthplan.org) 1-800-624-6961
PEIA LIFE INSURANCE

PEIA Basic Health Plan includes $10,000 term life insurance paid by the institution. Employee’s not needing health coverage may elect life insurance only. Coverage reduces to $6,500 at age 65.

Optional term life insurance is available to new employees from $5,000 to $500,000. Premiums are based upon employee Tobacco Status, age, and the principal amount selected. Statement of health is required for amounts of $150,000 and over for new hires. Current employees need a statement of health to increase all amounts.

Basic and optional life insurance is decreasing term (premium increases by age, and the amount decreases beginning at age 65).

Dependent life insurance is available to cover the employee’s spouse and children.

Active employees with basic, optional, and dependent life insurance are covered for accidental death and dismemberment insurance.

PRE-TAX PREMIUMS

(IRS Section 125 Cafeteria Plan)

Federal Tax, WV State Tax, and Social Security tax are not withheld on premiums for PEIA Basic Health, PEIA Optional Life Insurance up to $50,000, and Mountaineer Flexible Benefit Plans (except the Legal Plan). Changes to pre-tax plans are permitted during the annual Open Enrollment period held each April, or within 60 days of an IRS approved qualifying event (documentation required), such as: Change in legal marital status, dependent status, or employment status; Unpaid leave of absence by the employee or spouse; Open enrollment under your spouse’s employer; etc. See the Summary Plan Description Booklet for a complete list).

Mountaineer Flexible Benefit Plans are sponsored by the Public Employees Insurance Agency, and administrated by Fringe Benefits Management Company (FBMC). Mountaineer Flexible Benefits Web site: www.myFBMC.com

A Mountaineer Flexible Benefit booklet is also available on the PEIA web site: www.wvpeia.com

Flexible Spending Accounts (FSA)

An IRS approved tax-free account that saves you taxes on eligible medical and dependent care expenses. You authorize per-pay-period deposits to your FSA from before tax salary. As eligible expenses are incurred, you request tax-free withdrawals from your account to reimburse yourself (saving federal, state and social security taxes).

Medical Expense FSA

Allows reimbursement for eligible uninsured medical expenses incurred for you, your spouse and dependents. Eligible expenses include dental and vision expenses, medical and prescription plan deductibles and co-pays.

Health Savings Account (PPB Plan C participants only)

A tax free account used to pay health care expenses for enrollees in a High Deductible Health Plan (PPB Plan C). Account is owned by the employee, and can be setup thru FBMC or a local bank.

Limited Use Medical Expense FSA (use with an HSA account for PPB Plan C participants only)

Funds set aside pre-tax can only be used for dental, vision, and preventive care expenses not covered by the PPB Plan C.
Dependent Care FSA
Set aside funds to pay eligible expenses for child or elder care costs tax free. Plan permits reimbursement for eligible expenses for child and elder care costs that allow you and your spouse to work.

Dental Care
Delta Dental offers various plans which may change each plan year. Contact the Benefits Office for a Mountaineer Flexible Benefits booklet that outlines each plan.

Vision Care
The Vision Service Plan (VSP) offers two plans to help pay for eye care needs. Employees may select either the Full Service Plan or the Exam Plus Vision Plan.

Hearing Healthcare Plan
The plan provides discounts on hearing exams, hearing aid devices, batteries, etc.

Group Legal Plan
A post tax plan that provides assistance for employees with legal needs (will, power of attorney, deed preparation, sale or purchase of your home, etc.)

Other Plans:
Personal Accident Insurance
Life Insurance of North America (INA). This post-tax plan is available in amounts from $10,000 to $100,000 (single or family coverage).

The plan protects against losses due to accidents and pays benefits for paralysis, dismemberment, loss of eyesight, speech or hearing resulting from an accident.

Assurant Short Term Disability
The short term disability plan provides a non-taxable income benefit after 7 consecutive days of illness or the end of sick leave and annual leave, and up to 26 weeks of disability. Faculty in a less than 12 month contract are paid for 14 consecutive days of illness before removal from payroll with or without the STD Plan. The benefit is 60% of basic salary (calculated on a 52 week work year for all employees) up to a maximum benefit of $1,000 per week. Less than 12 month employees can file claims during the summer months. New employees must enroll within the first month of hire; thereafter a statement of health is required. Premiums are based on salary. Faculty must be under care of a physician to file a claim, and should notify the Benefits Office for claim filing information and forms.
The Standard Long Term Disability

The long term disability plan provides a non-taxable monthly income benefit to age 65 or the end of total disability. New employees must enroll within the first month of hire; thereafter a statement of health is required. The benefit begins after six full months of continuous disability (if annual and sick leave have been exhausted for 12 month employees). The benefit begins after six full months of continuous disability or the end of sick leave (12 month employees). The basic monthly income benefit replaces 60% of your monthly wage base up to a maximum of $10,000 per month before offsets (Social Security, Workers Compensation, sick leave, etc). Rates are based upon age and salary. In addition, Standard pays a monthly annuity benefit to a TIAA-CREF or Great-West retirement account, which equals 12% of your monthly wage base.

Faculty must be under care of a physician to file a claim, and should notify the Benefits Office for claim filing information and forms.

Vision Benefit Plan Discounts

Discounts are offered to full time faculty for eye exams, glasses, sunglasses and contact lenses by a group of Board Certified optometrists and ophthalmologists at Regional Eye Associates in Fairmont, Morgantown, and Bridgeport.

REACH Employee Assistance Program, provided by the institution, offers a confidential and professional counseling service to help you and your family resolve job-related, personal and family problems. The program is available 24 hours a day, 7 days a week.

Call Reach at 1-800-950-3434 for confidential counseling.

SMART 529 Plan is a tax-advantaged college savings program sponsored by the State of West Virginia Treasurer’s Office. Assets can accumulate tax deferred. Withdrawals for “qualified higher education expenses” are free from federal income taxes. To enroll, call 1-866-574-3542 or visit the web site www.wvtreasury.com

NOTE: All benefit contracts are subject to change.

RETIREE BENEFITS

Health Continuation for Retired Faculty

Faculty who retire under the WV State Teachers Plan, TIAA-CREF, or Great-West Retirement Services must meet the minimum State Retirement System eligibility requirements to continue the PEIA health and PEIA life insurance as a retiree.

State Teachers Guidelines: Age 60 and 5 or more years of WV state service, or
Age 55 and 30 or more years of WV state service, or
Any age and 35 years of WV state service
Totally disabled for further service and with 10 years WV State service

TIAA-CREF and Great-West Guidelines: Age 60 with 5 or more years of service, any age with 30 years of service or totally disabled with 10 years of WV State Service.

Continuation of Health and life Insurance Coverage at Retirement for 9, 10, and 11 Month Faculty Appointments except faculty hired July 1, 2009 or after are not eligible for the credit (Senate Bill 492).

Service converts to premium credit as follows with no partial credit:

3 1/3 years of teaching service = 1 year of single coverage
5 years of teaching service = 1 year of family coverage

**Continuation of Health and Life Insurance Coverage at Retirement for Twelve (12) Month Faculty Appointments:**

Faculty who retiree and meet the eligibility guidelines may use their sick and or annual leave to pay for all or a portion of the health and basic life premiums depending on the effective date of coverage in the PEIA eligibility system. Employees in the State Retirement System can use their accrued leave to increase retirement benefits, rather than for insurance credit.

**Before July 1, 1988**

If you have been covered by health or life insurance plans offered through PEIA continuously, and before July 1, 1988, 100% of the premium in the Shopper’s Guide chart will be paid for you.

*Your days convert as follows with no partial credit:*

- 2 days of accrued leave = 100% of the premium for one month of single coverage
- 3 days of accrued leave = 100% of the premium for one month of family coverage

**After July 1, 1988 and before July 1, 2001**

If you came into a PEIA health or life plan after July 1, 1988, or if you have had a lapse of coverage since then, only 50% of the premium in the Shopper’s Guide chart will be paid for you, and you will be responsible for paying the balance each month.

*Your days convert as follows with no partial credit:*

- 2 days of accrued leave = 50% of the premium for one month of single coverage
- 3 days of accrued leave = 50% of the premium for one month of family coverage

*Twelve Month Faculty hired July 1, 2001 and thereafter, are not eligible to use leave accrued for a premium credit benefit.*

*Employees hired on or after July 1, 2010 will pay the full PEIA health premium at retirement with no subsidy from active employers or employees. Two classes of employees are exempt. See the Shoppers Guide or call Benefits Office for more information.*

**Expiration of PEIA Credit:**

Retirees will be billed for the health insurance premium based on years of service after their credit expires. See the PEIA Shopper’s Guide for retiree health, dependent and optional life premiums.

**Surviving Dependent Rights**

If the policyholder dies, the accrued sick leave benefit terminates. The surviving dependent may continue health coverage, but will pay the full premium.

**All plan rules and regulations are subject to change. Please visit the Human Resources Benefits web site for links to various vendors.**

**Additional Information:**

**Annual Employee Benefits and Health Fair**

The Benefits Health Fair offers health screenings, wellness and benefit plan information. The Fair is held each April during the PEIA Open Enrollment period.

**Arrears Pay**
New hires will be paid two weeks in arrears. Employees hired on August 15 will receive their first pay September 15.

**Pay dates** are the 15 and 30 or 16 and 31 of each month. Pay stubs are available on line.

**Direct Deposit** of your FS pay is **required** for new employees. Deposits to checking, savings, and credit union accounts are available.

**Pre-Tax Parking Deduction** saves taxes on FICA, Federal and WV state tax.

**Picture Identification Cards** are issued to employees for access to the Library, parking garage, sporting and other events.

**Childcare**

Fairmont State University offers a part time Laboratory Preschool for three and four year old children of students, faculty and staff. The preschool is located in the Education Building. For more information call (304) 367-4846.

**Social Security**

All employees must contribute to Social Security. Fairmont State University matches employee contributions. Social Security questions should be directed to the Social Security Office 1-800-772-1213 or www.ssa.gov

**Workers’ Compensation**

FS employees are covered against job-related injuries by the WV Workers’ Compensation Fund. If an employee is injured on the job, he/she must report the injury to his/her supervisor within 24 hours. All accidents/injuries must also be reported to the Department of Public Safety 367-4277 within 24 hours.

**Medicare**

Medicare Part A enrollment is required at the beginning of the month you turn age 65, whether you are retired or still working. As long as you are a full time active employee with health coverage under your name and social security number, you need to enroll for Medicare Part A only. When you prepare to retire, you must enroll for Medicare Part B. For current information contact Social Security at 1-800-772-1213 or www.ssa.gov

**LEAVES OF ABSENCE:**

**Medical Leave of Absence (FMLA guidelines are followed)**

Faculty and staff who miss work due to illness for more than five (5) consecutive days are required under HEPC Policy 38 (even if using sick leave) to submit written medical from the treating physician to Human Resources/Benefits. The medical document must include: individual’s medical condition, diagnosis, prognosis, functional limitations, including duration and treatment plan, if any.
The IRS FMLA (Family Medical Leave Act) requires that the employer track the employee’s time off during the leave of absence. Eligible employees are allowed 12 weeks in a twelve month period of job protected leave for serious illness for their own serious illness or for certain eligible family members.

Health insurance and other optional plan coverage shall continue while an employee is on an approved medical leave of absence provided a doctor’s statement is provided sufficient medical is submitted to Human Resources/Benefits. The faculty member is required to pay his portion of the health premium, and FS will continue to pay the employer portion. Faculty members will pay the full premiums for optional plans (life insurance, disability, etc) on the same basis as an active employee by remitting payment to the Benefits Office.

The Faculty Sick Leave Policy #38 states that less than 12 month Faculty will be removed from payroll after 14 consecutive days of illness. Faculty enrolled in short term disability should contact the Benefits Office for claim applications immediately.

Military Leave under FMLA is allowed for a 12 week “qualifying exigency” leave due to a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves. Covered leave must address certain qualifying exigencies such as arranging for childcare, legal or financial arrangements, etc.

Military Caregiver under FMLA entitles a “family member” for up to 26 weeks in a single twelve month period to care for a covered service member (active member of the Armed Forces, National Guard or Reserves) who suffers from a serious injury or illness while on active duty.

Military Leave

An employee who is a member of the National Guard or any reserve component of the armed forces of the US shall be entitled to and shall receive a leave of absence without loss of pay. Status, or efficiency rating, for all days in which active engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of thirty (30) working days ordered or authorized under provisions of state law in any one (1) calendar year. The employee is required to submit an order or statement in writing from the appropriate military officer in support of the request for such military leave. Benefits of this section shall accrue to individuals ordered or called to active duty by the President of the US for thirty (30) working days after they report for active service.

Personal Leave Of Absence

The faculty member may be granted a continuous leave of absence without pay for a period of time not to exceed twelve (12) consecutive months provided all accrued annual leave has been exhausted. The employee is required to pay the full cost (employee and employer share) of the health insurance and basic life insurance premium during the leave, as well as any other optional benefit plan premiums.

Sabbatical

Benefit plans will continue the same as during active service during an approved “paid” sabbatical. Unpaid sabbaticals require the employee to pay the full amount of health (employee and employer) premium costs, as well as other optional benefit premiums to the Benefits Office on a monthly basis.

Termination of Benefits at the end of Employment
Employee and dependent benefits coverage shall terminate at the end of the month in which the employee ceases employment or goes off payroll. Nine month employees whose contract ends in May will only have benefit coverage through May 31 (any escrow paid will be refunded). In addition, if pay is spread, it will be paid in a lump sum at the end of the appointment.

**COBRA**

Employees and their enrolled dependents may be eligible to continue current health coverage for a limited time under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA). An election to continue coverage under COBRA must be made within 60 days of the end of coverage.

**Change of Name, Address, Beneficiaries, or Exemptions**

A new social security card is required to change your name on payroll and benefit plans. A change in address should be reported in writing to the Benefits and Payroll Office. It is important that this information be kept current in order to ensure that W-2 Wage and Tax Statements and other important mail reach the faculty member.

To change benefit plan beneficiaries, contact the Benefits Office for the necessary online benefit websites.

Tax changes can be made in the Payroll Office.

**Cultural and Recreational Activities**

Faculty are invited to attend any or all of the frequent art exhibits in the James D. Brooks Memorial Gallery of Wallman Hall, free of charge. Likewise, programs and concerts presented by the Department of Music are generally available without admission charge. During the fall and spring semesters, faculty members are entitled to purchase discounted tickets for University dramatic productions (Masquers). (Reservations should be made in advance by calling the Box Office). Student-directed one-act plays and student recitals are also open to the public. In cases of exceptions to these policies, publicity prior to the event will carry ticket information.

Faculty and staff are admitted to all athletic contests free of charge with proper identification.

Faculty, staff and their families may purchase a membership to the student Falcon Center for a reasonable cost. Your employee identification card is activated for admittance into the recreation/fitness areas. Daily guest passes are also available for using the facility. Call 368-7222 for further information or visit the Fairmont State University web site under the Student Life, Falcon Center links.

**Gifts to Faculty and Personnel**

Except in the case of retirement of faculty and staff members, no special solicitation of funds should be made from the faculty as a whole for the purpose of giving gifts or parties honoring certain members for various personal reasons. In the interest of fairness, classes and individuals should be discouraged from giving gifts and extending favors to instructors while enrolled in their courses.

**Leave of Absence**

The Higher Education Policy Commission, upon the recommendation of the President, will grant leaves of absence, without pay, to employees for:

1. Study of advanced degrees
2. Experience designed to improve teaching ability to include:
a. Travel

b. Teaching and/or consulting in another institution

c. Government service

d. Other experience designed to benefit the institution

3. Illness

4. Involuntary service in the Armed Forces of the United States

During the period of such leave, tenure will remain in effect. If the employee is without tenure, such leave of absence shall not preclude the extension of the leave for an additional year when special conditions warrant such an extension. January 15 is the deadline for applying for a leave of absence. Faculty on leave of absence are to notify the institution regarding return from a leave by January 15. This policy is in compliance with Series 38 included in this Handbook.

**Sabbatical Leave**

The following Sabbatical Leave Policy applies to Fairmont State University personnel. This policy was adopted by the Faculty Senate Personnel Committee during the spring, 1980. The complete Sabbatical Leave Policy of the West Virginia Higher Education Policy Commission and that of the Fairmont State University Board of Governors can be found in the “Policies” section at the back of this Handbook.

**Eligibility.** Anyone holding faculty rank is eligible for sabbatical leave after the completion of at least six years of full-time employment at Fairmont State University. The award of sabbatical leave is not automatic, but depends on the merits of the request and on conditions prevailing at the University at the time. After completing a sabbatical leave, the individual will not again be eligible until the seventh subsequent year.

**Purpose.** Sabbatical leave may be granted for the purpose of research, writing, study, or other activity designed to improve teaching and usefulness to the University.

**Procedures and Criteria.** Applicants for sabbatical leave will initiate the procedure by obtaining application forms from their Deans. Applications will include: 1) personal professional data; 2) a typewritten proposal detailing the activity to be pursued; and 3) relevant supporting documents. Completed application forms will be submitted by applicants to their Deans on or before December 1 for a sabbatical leave to begin the fall or spring semester of the following academic year.

The Deans, in recommending the applicant for sabbatical will verify that:

1. The applicant’s professional performance merits this award; the benefits to be derived from the sabbatical are of value to the academic unit and/or to the University; and the applicant meets the eligibility requirements.

2. The teaching load of the applicant will be provided by the following: appointment of part-time personnel, temporary suspension of one or more classes and/or coverage by colleagues.

3. It is possible to replace the applicant without additional cost to Fairmont State University and without modifications of scheduling that would adversely affect students’ normal progress toward degrees.
Sabbatical leave applications, recommendations and supporting documents will be presented by the administrative Dean or Chair(s) to the Provost and Vice President for Academic Affairs on or before December 1 for a sabbatical leave to begin the fall or spring semester of the following academic year. The Provost and Vice President for Academic Affairs will forward the sabbatical leave file to the Faculty Personnel Committee. After thorough review, the Committee will make its recommendations through the Provost and Vice President for Academic Affairs to the University President for final approval.

**Duration and Compensation.** Sabbatical leaves at Fairmont State University may be granted for a period of one semester or two consecutive semesters. A person on sabbatical leave will receive full salary for one semester (4 1/2 months) or half salary for two semesters (9 months).

**Obligations of Recipient**

1. The recipient of a sabbatical will sign a statement agreeing to all conditions of the leave, including the repayment provision.

2. While on sabbatical leave, the recipient will not accept remunerative employment without the written consent of the President of Fairmont State University. (Fellowships, assistantships, and similar institutional stipends will not be considered remunerative employment).

3. After completing a sabbatical leave, the recipient will file with the President of the University a written report of activities while on leave.

4. The recipient will return to full-time employment at Fairmont State University for one year immediately after the sabbatical or repay the compensation received during the leave. If the period of employment after the sabbatical leave is less than one year, repayment will be prorated accordingly.\(^\text{17}\)

**Confidentiality Forms**

All faculty are required to sign a confidentiality/protection of sensitive information form. The forms are available on the HR website and in the HR Office, and completed forms are to be returned to the HR Office.

**TUITION WAIVER PROGRAMS**

**FAIRMONT STATE UNIVERSITY**
**TUITION AND FEE WAIVERS (FACULTY, STAFF, SPOUSE, & DEPENDENTS)**
**JULY 1, 2011 – JUNE 30, 2012**

Procedures: (Effective Fall 2012)

- Effective for the academic year of fall through the following summer, or August through the following July.
- The institutions have a reciprocity agreement. FSU employees and their dependents may apply for waivers to PC&TC; and PC&TC employees and their dependents may apply for waivers to FSU.
- Eligible full-time employees/dependents must receive written approval (signature) from their immediate supervisors (if class is during working hours) no fewer than 30 calendar

\(^{17}\)Employee’s obligation changed to one year by legislation and revised Policy Bulletin No. 10 dated May 7, 1985
days prior to the beginning of the semester in which the classes will be taken. Books and other fees will not be covered.

- Tuition and fee waiver authorization forms are available in the Offices of Human Resources and Financial Aid. Completed forms should be submitted each semester/term to the Director of Financial Aid by the required deadline.
- Admission to the institution and registration for classes will be by regular enrollment procedures.
- Tuition and fee waivers will be applied first to charges. Any federal, state, and/or private aid will be applied after that. Please note that if any employee, spouse, or dependent is receiving any other tuition and fee funding such as the WV Promise Scholarship, your fee waiver will be reduced to insure you are not receiving funding in excess of your tuition and fee charges, which is prohibited by State regulations.
- Spouses and dependents will be required to file a federal Free Application for Federal Student Aid (FAFSA) by the noted deadline. (Go to www.fafsa.ed.gov for more information.)
- A dependent shall be eligible for tuition waivers as a full- or part-time student provided that the dependent does not exceed twenty-six (26) years of age and meets eligibility guidelines for dependent status as established by the IRS.
- Tuition waiver recipients must maintain a minimum GPA of 2.0 as well as maintain Satisfactory Academic Progress as required by federal financial aid regulations and in accordance with institutional policy. Employees, spouses, and/or dependents on academic or social probation will not be eligible to receive tuition waivers.
- An eligible employee, spouse, or dependent may receive tuition waivers for no more than one hundred and thirty (130) total undergraduate hours, thirty-six (36) total graduate hours or degree completion (bachelor’s or master’s).
- Tuition Waivers will be $750.00 per term, with a maximum of $1,500.00 per year, including any summer sessions. Waivers are limited in number and will be granted on a first-come, first-served basis. Tuition waivers will not be guaranteed from one semester to the next.
- Each President may issue discretionary tuition waivers in support of institutional goals, as well as to assist with the recruitment/retention of personnel.
- These procedures will be closely monitored and will be re-evaluated for effectiveness after one year (or no later than June 30, 2013). The program is not guaranteed from one year to the next.

Emergency/Security Issues

On January 1, 2010, all employees received an updated Emergency Guide, which is to be kept in a location where it can be quickly accessed.

The guide is viewable on the web, and print copies are available from the Department of Public Safety, located on the 3rd floor of the Falcon Center.

<table>
<thead>
<tr>
<th>Police/Fire/Rescue</th>
<th>911</th>
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<tbody>
<tr>
<td>Campus Police</td>
<td>(304) 367-4357 (HELP)</td>
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EMERGENCY MEDICAL PROCEDURES FOR STUDENTS AND FACULTY/STAFF
If a student develops a medical problem or is injured but is able to ambulate, refer them to Student Health Services. If the nature of the problem appears to be serious or emergent, follow the protocol for Medical Emergencies. Immediately call 911 and then the Department of Public Safety (4357). The Student Health Center is not an emergency facility. Student Health (4155) is located on the 3rd floor of the Falcon Center. Office hours are Monday through Friday 8AM to 4 PM. If a medical emergency occurs after 4:00 p.m. on weekdays or on the weekend, the Rescue Squad (911) should be called and the Department of Public Safety notified.

Faculty/Staff are covered by the institution’s Worker’s Compensation. The injured faculty/staff member should report the injury to the Department of Public Safety within 24 hours of the event. The Worker’s Compensation paperwork should begin at the emergency room or first treatment facility. A first report of injury form (Fairmont State Form) must be completed and the form will be sent to Worker’s Compensation along with information from the medical provider. All work related injuries must be reported to the Department of Public Safety.

When even a minor student accident occurs in a shop, laboratory, etc., it must be reported promptly to the Department of Public Safety. The injured student may be treated in Student Health. The administrative officer or Dean or Chair is responsible for reporting the accident. The faculty or staff member responsible for supervising the work must report the accident to the administrative officer or Dean or Chair. Attention to this detail is important both for treatment and liability.
SUPPORT SERVICES

Advertising

Fairmont State University contracts with a marketing agency for media buying and billing. In consultation with the Office of University Communications, the agency places all advertisements, with the exception of employment advertisements, and processes the invoices. Employment advertisements should be placed through the Human Resources Office or the Office of the Associate Provost.

The Public Relations Office must review and approve all copy and artwork for paid external advertisements. Only the Director of Marketing and Branding and the marketing agency on contract have the authority to purchase ads on behalf of Fairmont State University.

Contact Amy Pellegrin (304) 367-4135 or Ann Booth (304) 367-4047.

Bookstore

Tammy Eddy, Manager
2nd Floor – Falcon Center
Phone: 304.333.5871

The Bookstore sells textbooks (including textbooks in digital format) and school supplies that students are required to purchase for their course of study as submitted by their instructors. In addition to textbooks, the Bookstore carries a variety of merchandise such as study aids, general reading books, text prep books, residence hall supplies, clothing, gifts, gift cards, computer supplies, and imprinted Fairmont State University and Pierpont Community & Technical College items. The Bookstore sells official college rings, diploma frames, and graduation announcements. We conduct textbook buyback every day. We offer on-line textbook ordering through our web-site: www.efollett.com. The Bookstore hours are as follows:

FALL/SPRING Monday – Thursday 8:00 a.m. – 5:00 p.m. Friday 8:00 a.m. – 4:00 p.m.
SUMMER Monday – Friday 8:00 a.m. – 4:00 p.m.

* The store is also open on a few select Saturdays (please check our web-site for more information on Saturday openings and special event hours: fairmont-pierpont.bkstr.com.

ID Cards

Your ID Card is your official FSU ID card. Faculty can obtain ID Cards at the ID Card Office, which is located on the first floor of the Falcon Center and at The Gaston Caperton Center. For further information, please contact the ID Card Office at (304) 368-7227 or e-mail at idcardoffice@fairmontstate.edu.

Grant Writing

External grants and contracts are sought to augment and enhance the educational programs of Fairmont State University. The purposes of the external support must be compatible with the overall mission and goals of the university and must not obligate the university beyond its capacity to conform to their terms.

The Office of Sponsored Grants Accounting is responsible for the overall coordination of grants and contracts for the institution. The Office of Sponsored Grants Accounting in coordination with Vice President of Administrative and Fiscal Affairs also disseminates general grant information, may oversee major grant administration, approves and processes grant request forms, provides
feedback regarding grant proposals, assists with budget construction and review, and submits invoices/reports as required by the granting agencies.

Faculty and administrative staff developing grant proposals shall consult with the Office of Sponsored Grants Accounting and the Vice President of Administrative and Fiscal Affairs regarding the advisability of the project and the correct preparation of a grant budget for the proposal. The Executive Director of Corporate and Foundation Relations is also available to assist faculty in acquiring funding from private sources, including grants from foundations and corporations. The staff in the Office of Institutional Advancement can help faculty identify prospective funding sources and assist in the development of a targeted proposal. In addition to the review process of the Office of Sponsored Grants Accounting, all funding requests to private sources—including foundations, corporations, non-governmental organizations and individuals—must be coordinated through the Office of Communications in order to maintain a coordinated fundraising effort for the benefit of the institution.

Final grant proposals and budgets must be completed at least two weeks before the deadline for submission. Institutional approval from the Office of Sponsored Grants Accounting and the Vice President of Administrative and Fiscal Affairs is required before the grant can be submitted. The most recent version of the required approval forms (Grant Pre-Certification Form and Final Grant Proposal Certification/Submission Form) and the Internal Approval Process guidelines are available from the web site: https://mycampus.fairmontstate.edu/group/mycampus/accounting.

**Information Technology:**
http://www.fairmontstate.edu/it
Information Technology services are available to all University personnel for instructional, research, and administrative use. Instructional computing clusters are located across campus and remote facilities. In addition, Information Technology maintains and supports centralized servers, software, networking equipment, video distribution, and phone services. These resources are available to all faculty, staff, and currently enrolled students.

Information Technology is the responsibility of the Vice President and Chief Information Officer, who reports directly to the President.

**Information Technology is organized into five functional areas as follows:**

1. Application Services, supervised by the Director of Application Services. This area and staff are located on the first floor of Colebank Hall.

2. Networks, Security, and Servers, supervised by the Director of Networks, Security and Servers. This area and staff are located on the first floor of Colebank Hall.

3. Teaching and Learning Commons, supervised by the Manager of the Teaching and Commons. This area and staff are located in the Ruth Ann Musick Library.

4. Library Services, supervised by the Director of Library Services. This area and staff are located in the Ruth Ann Musick Library.

5. Web and Media Systems supervised by the Manager of Web and Media Systems. This area and staff are located on the first floor of Colebank Hall.

The Teaching and Learning Commons has the responsibility for coordinating all hardware and software support, instructional lab management and scheduling, end-user training and documentation, direct support for faculty using technology in their programs and curricula, and
other related support functions. All questions regarding the availability and use of computing resources across the University initially should be directed to the Manager of the Teaching and Learning Center or the Help Desk (extension 4810).

The Libraries of Fairmont State University

The Ruth Ann Musick Library is located on the main campus and may be used by all faculty, students and staff. The Teaching & Learning Commons at the Caperton Center provides a number of services for faculty and students, including support for Blackboard, help with a variety of technology problems and issues, and assistance with on/off campus library requests and services. A library is also available at the National Aerospace Education Center (NAEC) at Bridgeport. These facilities function at the heart of the University’s academic program. Library personnel work closely with faculty and students to develop research skills and to provide a wide range of support services that enhance the learning experience. The library’s print and electronic resources are designed to support the curricular needs of the academic program of study offered at FSU and to encourage intellectual and personal growth.

The libraries provide easy access to over 400,000 items including books, electronic books, journals, government documents, compact discs, videos and other multimedia, and to electronic databases. Subscriptions to over 50,000 journals and newspapers, available either in print or online full text, provide the latest information in all disciplines.

Information and Reference Services

The librarians are available to provide instructional programs and training sessions, including orientation to the library, so that faculty and students learn how to find and use all of the library’s resources, understand methods of dealing critically with available information, and are exposed to the variety of ways in which information may be accessed, including both the traditional means and through newer electronic media. Two electronic classrooms in Musick Library are available for librarians to provide instruction and for professors to use with classes. Librarians are also available to go to classrooms, regardless of the location, and to the residence halls to provide instruction in the use of resources. Librarians are available to work with faculty at all off-campus sites and to provide instruction and other reference services. Call the Reference Librarians at 304-367-4121 to arrange for instructional sessions at all locations. Advance notice will be appreciated.

The library on the main campus is open over 115 hours a week during fall and spring semesters, with at least one professional librarian available or on call most hours that the library is open. The librarians provide individualized assistance with projects, research questions, and papers. Further, the librarians appreciate knowing of faculty members’ research interests and specific library-related assignments in order to notify faculty of informational resources that might be of interest.

Over 175 electronic online databases may be accessed via the Internet, through remote authentication from any location in the world where Internet access is available. The authentication process requires that the student and faculty member use the FSU Unified College Account (UCA) assigned by the institution. Library staff members are available to assist faculty, staff, and students with setting up and using the UCA.
CampusGuides and LibGuides

Musick Library has been transitioning from primarily print and face-to-face instruction to electronically delivered assistance beginning with LibGuides. LibGuides are librarian and faculty created guides for both course and topic-related information, allowing for the inclusion of content-rich multimedia and Web 2.0 resources, which promotes both self-discovery of information and access to current and relevant supplemental course materials. In addition, the guides can easily integrate into and complement social networking sites, including Facebook and Twitter. The library’s use of CampusGuides increases the flexibility and reach of library resources by shifting many of its traditional services—electronic reserves, chat/text-based reference help, and guides—to electronic, easily accessible formats. The Library’s channel of Fairmont State University’s mobile platform now allows students, faculty, and staff to search for library-related information seamlessly among a host of various electronic platforms.

Interlibrary Loan

FSU faculty and students may request materials that are not available in the libraries through the Interlibrary Loan Services. Requests may be made by going online and using, ILLIAD, (an interlibrary loan software) that has been implemented for borrowing. It will allow faculty to input data from databases without rekeying information. ILLIAD allows anyone requesting an interlibrary loan to track his/her request. Documents (articles, etc.) may be posted online to a secure site so that faculty may retrieve ILLs easily. Using a major online bibliographic database (OCLC), library staff process requests quickly and efficiently. The lending library sets the amount of time the borrower may use material, with the exception of photocopied articles that become the property of the borrower.

Online Services

Musick Library maintains a library web page, at http://library.fairmontstate.edu, which is constantly kept up to date with links to information resources available to faculty and students online via the Internet. Resources include electronic books, downloadable e-audiobooks, music, e-books, and videos, journal indexes, a wide range of full-text journals online, encyclopedias, style manuals, newspapers, government documents, and bibliographic indexes in all areas of the sciences, social sciences, humanities, and technology. Specialized help in locating resources is available and faculty and students are invited to email questions to the librarians at askalibrarian@fairmontstate.edu. Faculty and students may chat with the librarians using LibChat most hours that the library is open.

The online catalog is accessible from anywhere in the world through a web browser and the catalog contains all holdings of all libraries. The catalog, at http://marlo.fairmontstate.edu, is a shared catalog showing the holdings of Fairmont State University, Glenville State, and all of the public libraries and public school libraries of Marion County. Training in the use of the online system is available for both faculty and students. The main library is currently using both the Dewey Decimal Classification and the Library of Congress Classification (LC). Staff members are working to convert all materials to the LC classification.

Reserves

Faculty members wishing to place materials on reserve for student use may provide a list of the materials, may email a list, may gather materials and provide them to Circulation staff, or may contact the Circulation Desk at 304-367-4733 and have materials placed on reserve. Materials may be placed on reserve at the Caperton Center or NAEC. At least eight (8) hour advance notice will be appreciated. Materials may be placed on two-hour, overnight, three-day reserve, or one-week reserve. Faculty are urged to provide desk copies of textbooks for students to use. Many students are unable to purchase all of the books, and the library provides in house use of these materials.
Electronic Reserves

Electronic reserves are currently available at http://guides.library.fairmontstate.edu/er.php.

Acquisition of Materials

It is important for each faculty member to contribute to the building of the collections of the Fairmont State University Libraries. Since the primary mission of the libraries is to support the curriculum, students expect to find materials relating to the courses that they are taking. Faculty are encouraged to make recommendations for additions to the collections, whether the material is in print (books), electronic, or in a multimedia format, such as videos. Recommendations may be made through the Library Committee representative of each school or directly to the Library Director. Requests may be made by email to thelma.hutchins@fairmontstate.edu, or by submitting brochures from publishers. Faculty should indicate priority: essential, important addition, or nice to have.

Several thousand videos and hundreds of CDs are located in the main library and are available to faculty and students. The library also provides access to a video database, *Films on Demand*, which contains thousands of educational videos. This database allows the user to select only appropriate segments of videos, and provides the ability to capture the URL of that segment, or the entire video, to be embedded in Blackboard, LibGuides, etc. The Circulation staff members will be happy to deliver any materials to faculty in their offices on the main campus. The West Virginia Deli (WVDELI) provides downloadable e-audiobooks, e-books, videos and music. A shared collection from local public libraries and Fairmont State University enhance the offerings and provide a wide range of materials downloadable to over sixty devices, including the iPod.

Library Hours

Library hours vary, depending upon the library location and whether classes are in session. They are always posted on the library’s web pages and the doors of each of the libraries. For the main campus, library hours during fall and spring semesters will be:

- **Sunday** 2:00 p.m.—2:00 a.m.
- **Monday-Thursday** 7:00 a.m.—2:00 a.m.
- **Friday** 7:00 a.m.—Midnight
- **Saturday** 7:30 a.m.—5:30 p.m.

Exceptions to this schedule will be posted. Summer hours are adjusted to the sessions and to faculty/student needs and will be posted before summer school begins.

Circulation of Materials

Faculty members need to have a current and valid ID card in order to check materials out of the libraries. Print materials may be used for one semester, but are subject to recall if needed by another faculty member or student. Reference materials may circulate for seven (7) days. Videos and CDs circulate for seven (7) days.

UCA Accounts

Library staff members will assist faculty, staff, and students who are having problems with UCA accounts, including training and activating the UCAs.
PHYSICAL PLANT SERVICES

Facilities:

The Facilities Department strives to maintain and improve facilities, grounds, and immediate environment. The department works toward this goal by supplying the appropriate services to the community in the most efficient and economical manner. The Facilities Department promotes a safe, clean, aesthetically pleasing campus environment.

The Facilities Department’s mission and functions relate to service support for the entire institution. Because of its diverse responsibilities, the Facilities Department establishes and maintains working relationships and communication with virtually all departments.

Its organization is unique within the institution, because it operates outside of the institution’s teaching, research and public service roles. Decision-making authority exists at each level of the department, from the Assistant Vice President for Facilities to individual tradesman. All Facilities Department employees work together to achieve unity of effort and consistency in policies and procedures.

Contact:
Mr. Tom Tucker
Assistant VP for Facilities & Capital Projects
304-367-4139
E-Mail: Raymond.Tucker@fairmontstate.edu

Facilities:

Responsible for maintaining the daily functions of Fairmont State University’s institution, facilities department and assist various campus activities and events throughout the year. The building services area maintains all buildings, performs small projects in-house, maintains HVAC schedules for on and off campus buildings, coordinates custodial services for Fairmont State University buildings, provides lock maintenance and campus signage.

Contact:
Mr. Donnie Strand
Assistant Director of Facilities
304-367-4811
E-Mail: Donald.Strand@fairmontstate.edu

Purchasing:

Responsible purchasing officer for the Physical Plant operations. Responsible for coordination of purchasing and installation of small projects. Oversees the facilities and construction bidding opportunities, including contracts. Other responsibilities include contract administration, payments, audit reports and records.

Contact:
Ms. Lenora Montgomery
304-367-4657
E-Mail: Lenora.Montgomery@fairmontstate.edu
Website: http://www.fairmontstate.edu/adminfiscalaffairs/procurement/bidding-opportunities

Supply & Receiving:
The Supply operation provides services and materials to support the Facilities Management mission. Services provided include the purchase and delivery of custodial and maintenance materials to all campus buildings and residence halls. Supply is responsible for coordinating the delivery of all incoming and outgoing campus mail; shipping/receiving of all freight and deliveries of packages.

Contacts:
Mail Service:
Ms. Juddy McMasters
304-367-4243
E-Mail: Juddy.McMasters@fairmontstate.edu

Stock Room & Receiving:
Ms. Brenda Johnson
304-367-4278
E-Mail: bjohnson2@fairmontstate.edu

Grounds and Labor Services:
Grounds and Labor Services embrace the maintenance of the campus grounds (main campus and off-campus sites), maintenance of landscaping, and the preservation of roadways, parking lots and sidewalks on University property. Other services include: designing, planning, scheduling, organizing, and implementing various beautification efforts, and improvements of all campus grounds, athletic and recreation facilities, and other related areas. In addition to cutting grass, trimming hedges, pruning trees and weeding gardens, the Grounds & Labor Services provide snow removal from walks, steps, and roadways; coordination of contracted services as related to landscaping; complete setup/teardown for all major campus events; pest control; moving of equipment to surplus department as required; moving of equipment and furniture related to construction and space change requests.

Contact:
Mr. James Colanero
Director of Roads and Grounds & Special Events Coordinator
304-367-4165
E-Mail: James.Colanero@fairmontstate.edu

Construction Management:
Responsible for planning, coordinating, documenting, and inspecting construction work from project inception to completion. The Construction Project Manager assists the campus community with new construction, renovations, and capital improvements. Other responsibilities include monitoring, analyze estimated costs and schedules, time and cost control, assist with planning and design, shop and coordination drawings, project reports and records, change orders, and close-out procedures.

Contact:
Ms. Stephanie Slaubaugh
Construction Project Manager
304-367-4401
E-Mail: sslaubaugh1@fairmontstate.edu
Website: http://www.fairmontstate.edu/adminfiscalaffairs/physical-plant/construction-projects
Safety Management:
The mission is to promote a safe and healthy work environment for all employees and the campus community. The Safety Coordinator works to ensure the safety of the campus community and promotes safety and raises safety awareness. Oversees annual inspections, coordinates with BRIM, inventories fire extinguishers, and provides safety training to the facilities department. The Safety Coordinator works closely with the State Fire Marshal.

Contact:
Stephanie Slaubaugh
Safety Coordinator, Interim
(304) 367-4401
Stephanie.Slaubaugh@airmontstate.edu

MS4 (Municipal Separate Storm Sewer Systems) Phase II Program:
Storm Water Management Program (SWMP) designed to reduce the discharge of pollutants to the “maximum extent practicable” (MEP); to protect water quality; and satisfy the appropriate water quality requirements of the Clean Water Act. This requires the development and implementation of Best Management Practices (BMP’s) and the achievement of measurable goals to satisfy each of the six minimum control measures. The six MS4 program elements, termed “minimum control measures”, are:

- Public Education & Outreach
- Public Participation/Involvement
- Illicit Discharge Detection & Elimination
- Construction Site Runoff Control
- Post-Construction Runoff Control
- Pollution Prevention/ Good Housekeeping

For more information and to see what you can do to help please see the Stormwater Program website.
http://www.fairmontstate.edu/adminfiscalaffairs/physical-plant/stormwater-program

Service Requests: Work Orders & Key Requests:
All requests for Facilities Department services should be submitted through the electronic Work Order/ Key Request System under myCampus. The system allows you to fill out the form.

Printing and Duplicating:
The Copy Center provides printing, copying, and finishing services for Fairmont State University and Pierpont Community & Technical College, as well as personal copying for students, faculty, staff, and off-campus customers. Copyrighted materials may be duplicated only in accordance with the Copyright Law of the United States.

Contact:
Ms. Joni Bokanovich
Ms. Georgeann Cain
Copy Center Managers
304-367-4185
E-Mail: gcain1@fairmontstate.edu
Clerical Support Services
Secretaries, administrative assistants and/or other support staff are available to assist faculty with basic institution-related clerical tasks, such as photocopying or general word processing. Because the support staff generally serves numerous individuals within the unit, faculty members should plan well ahead in order to allow ample time for the completion of their request(s), providing a minimum of two days’ notice whenever possible.

Media Relations
The Office of University Communications prepares and distributes news releases regarding Fairmont State University to appropriate media outlets and coordinates other promotional efforts.

All news stories concerning FSU and official activities of FSU personnel must be released through the Office of University Communications. All media contact on behalf of FSU must be coordinated through the Office of Public Relations. This is primarily to avoid the duplication of effort and to preserve smooth working relationships with media outlets.

Media are asked to coordinate their contacts with faculty and staff members through the Office of University Communications. Faculty and staff members who are directly contacted by a reporter should determine whether the reporter has checked in with the Office of University Communications before granting an interview.

Facility members are asked to assist the Director of Marketing and Branding by reporting newsworthy items and story ideas concerning FSU activities and achievements to the Office of University Communications. Information should be submitted at least two weeks in advance of the desired release date. If a photo is needed for the release, the faculty or staff member should contact the Photographic Services Manager to arrange for the photo to be taken or for an existing photo to be copied. The Photographic Services Manager will provide the Director of Marketing and Branding with photos to be distributed to media.

All paid advertising (with the exception of employment ads) must be placed through the Office of University Communications.

Contact Amy Pellegrin (304) 367-4135 or Ann Booth (304) 367-4047.

Scheduling of Facilities
For help with facility reservation, please call 304-333-3777. You will be prompted to make a selection based on the room you are reserving, and the system will forward you to the appropriate person.

The following information is required:

- Name of requestor
- Location
- Date/time
- Name of function

Please note that Faculty and Staff may also make use of the reservation system online at www.fairmontstate.edu/reservations.

You will be able to view the events already reserved in various areas as well as reserve rooms as needed. Please note that any reservations made through the online portal will still need to be confirmed with the appropriate personnel, and should not be considered final until confirmation is received.
If the facility has a cost associated with the reservation (currently the Falcon Center, Feaster Center, Duvall-Rosier Field, and the Colebank Gym), please have the four digit “p-card code” for the reservation.

If you are interested in learning how to promote your activities and/or events on the big screen TV in the Nickel area of the Falcon Center, please view the Falcon Center [website](http://library.fairmontstate.edu/services/room-request) (Announcements Inside Falcon Center) for complete details.

Library facilities, **excluding MMA & MMB**, (Training Lab, Student Lounge, Lobby, e-classrooms) may be reserved at no cost through electronic request by submitting the completed form located here: http://library.fairmontstate.edu/services/room-request, or by contacting Charley Hively at 4617, the Reference Desk at 4121, or Circulation at 4733.

**Telephone Service**
The University provides telephone service with an operator on duty from 8:00 a.m. to 4:00 p.m. daily except Saturdays, Sundays, and holidays.

Long distance telephone charges are expensive and the University’s budget for current expense is moderate in amount. Faculty members are requested to use the mail for regular communication and to resort to long distance calling only under conditions which are not appropriate for either e-mail or written correspondence.

Requests for telephone installation, removal, relocation or modification should be submitted to the Director of Networks, Servers, and Security for approval.

**BLACKBOARD LEARN AT FAIRMONT STATE UNIVERSITY**
Fairmont State University has adopted Blackboard Learn as our Online Course Management system. Blackboard Learn is courseware with which faculty may develop and deliver classes using Internet technologies. In addition to creating online classes Blackboard Learn may be used to enhance face-to-face classes. The campus goal is to have all course syllabi and grade books in Blackboard Learn.

**Important Things to Know**

**Blackboard Learn Accounts:** Fairmont State University faculty and students have a Unified College Account (UCA). This account is used to access all electronic services including Blackboard Learn. If you have not activated your UCA account, visit the myCampus portal at mycampus.fairmontstate.edu to activate your account. Please note that your account will not be available for use in Blackboard Learn for approximately 10-15 minutes after completing activation.

**Passwords in Blackboard Learn:** You cannot change your password in Learn. All password changes must be made to the UCA via the myCampus portal, available at mycampus.fairmontstate.edu. Users that are already logged in should click the “Change UCA Password” link at the left, and users that are not logged in can click the “Reset Password” link on the myCampus login screen. Again, please note that the change will not be available in Learn for approximately 5-10 minutes.

**Training:** Blackboard Learn training is offered throughout the academic year by the Teaching and Learning Commons. Our staff is also available for one-on-one consulting and training. Check our
web site at [www.fairmontstate.edu/it/tlc](http://www.fairmontstate.edu/it/tlc) for training offerings or contact a staff member for more information.

**Documentation:** A link to the Blackboard Learn Designer and Instructor Reference Manual can be found on our web site, at [www.fairmontstate.edu/it/tlc](http://www.fairmontstate.edu/it/tlc). You will need your UCA and password to access the documentation.

**Tutorials/FAQ:** There is a series of online tutorials for using the various tools in Blackboard Learn. They may be accessed from our web site, [www.fairmontstate.edu/it/tlc](http://www.fairmontstate.edu/it/tlc).

For additional information on Blackboard Learn and the Teaching and Learning Commons, visit our web site at [www.fairmontstate.edu/it/tlc](http://www.fairmontstate.edu/it/tlc) OR contact a member of the staff at 304-367-4810. Alternatively, you can open a ticket via email by emailing [help@fairmontstate.edu](mailto:help@fairmontstate.edu).

**Class Attendance**

In the administration of its attendance policy, the University distinguishes two kinds of excused absences: (1) the institutional absence, resulting from participation in an activity in which the student officially represents the University; (2) the unavoidable absence, resulting from illness, death in the family, or other causes clearly beyond the student's control. Other types of student absences may be regarded as either excused or unexcused at the discretion of the student's instructor. The University relies chiefly on its faculty to encourage a reasonable pattern of class attendance and on the maturity of its student body to establish such a pattern. Each instructor shall announce clearly at the beginning of each term the attendance requirements and the penalties imposed for nonattendance.

If an instructor establishes a policy penalizing absent students by lowering their grades, the instructor MUST distribute a written statement of this policy to the students during the first class period of the term. The statement should contain precise information relating to percentage of grades cut per unexcused absence and the instructor's definition of an excused or unexcused absence. Responsibility for establishing that an absence is "excused" subsequently rests with the student, who must explain the absence to the instructor at the first class meeting following the absence. The instructor is not permitted to require a doctor's excuse; however, the student should be prepared to give a plausible account of the absence.

**Curriculum**

All curriculum changes must be approved by the Curriculum Committee. Changes in curricula produce reactions that may be far-reaching in their effects. It is, therefore, important that all proposed changes be studied carefully before they are made.

1. An academic unit that wishes to propose a change in its curriculum should begin by communicating the nature of the change to all the faculty of the unit. The opinions of the unit's faculty should be reflected in the report of the proposed change, and proposals for curriculum changes should be forwarded only when they enjoy the support of the faculty of the unit.

2. Proposals for change originating in academic units should next be forwarded to the Provost and Vice President for Academic Affairs [through the Associate Provost], who will be responsible for initial evaluation and recommendation.

3. After evaluating and consulting with the proposal's sponsors and other interested parties, the Provost and Vice President for Academic Affairs will recommend that the proposal be
accepted, rejected, or modified; the proposal and recommendation are then submitted to the Curriculum Committee.

(4) The Provost and Vice President may initiate proposals for curriculum change. The Provost and Vice President's proposals may be of two types: (a) those affecting existing instructional programs and academic units and (b) those bearing on the creation of new programs. Proposals of the first type should be submitted to the affected unit for its approval. Proposals of the second type should be submitted to the Academic Affairs Council for its approval. The position of the body is then included in the report forwarded to the Curriculum Committee.

(5) The Curriculum Committee then reviews the decisions of the Provost and Vice President for Academic Affairs, especially those of major importance to the University and those receiving negative recommendations. The Curriculum Committee also must hear appeals from any member of the faculty or any School of the University.

(6) All actions taken by the Curriculum Committee are to be reported at regular intervals to the Faculty Senate, where final decisions concerning all curriculum matters will be made. In the case of rejected proposals, reversals of the Provost and Vice President’s recommendations, or decisions that have been appealed, the Curriculum Committee must supply the Senate with detailed information.

The following deadlines are to be used when determining the "Implementation Date Requested" entry on curriculum proposals.

Any curriculum change that is to become effective at the beginning of a school year must be approved before January 1 of the preceding academic year. Any change that is to become effective at the beginning of a spring semester must be approved before the end of the preceding year. It should be noted that "approved" in this instance means final approval by the Faculty Senate or, if appropriate, by the Higher Education Policy Commission.

All institutional grant proposals, regardless of the source of funding, which propose the creation of new academic programs, must be approved by the Board of Governors prior to submission to the funding agency.

The Higher Education Policy Commission requires the President of the University to inform the Board as soon as the institution begins to plan for the addition or deletion of an academic degree program.

Each institution must submit to the Board formal proposals for new academic programs in conformity with the currently approved Procedures and Format for the Submission of New Academic Program Proposals.

Arranged Classes and Independent Study

Provision is made for students to take classes through independent study and arranged classes. No student should be allowed to register for an arranged class unless the needs are real. Classes should not be taught on an arranged basis if the nature of the course dictates a more conventional approach or if an equivalent course already on the schedule can be substituted. A student should not be scheduled for an arranged class unless the instructor has at least an hour a week to devote to working with the student.
Final Examinations

The last week of each semester is scheduled in two-hour periods instead of the usual time periods to provide instructors an opportunity to make a final evaluation of their classes. The evaluation may take the form of the traditional final examination or it may take another form which is more appropriate to the discipline, but whatever the form of the evaluation, teachers and students will meet at the specified times and places for class activities. Any necessary changes in the scheduled periods or activities shall be made only at the discretion of the Dean or Chair after consultation with the instructor. They will then notify the Provost and Vice President for Academic Affairs of any such changes before the last week of the semester. Where programmatic requirements permit, faculty should refrain from giving a major examination during the last week of classes, the week preceding final exam week.

Grade Changes

No grade except "I" given by an instructor may be changed following the report of the grade to the Office of the Registrar unless a mistake has been made in computing or recording the grades. In addition, no grades may be changed 60 days after the end of a term. Grade changes submitted 60 days after the end of a term must be accompanied by a written explanation of the reasons for the change. All grade changes must be submitted to the Registrar's Office on a Grade Modification Form and must be signed by the instructor and the chair of the department.

Grade Reports

Deadlines for turning in final grade reports are announced by the Registrar's Office. All members of the faculty must make the necessary effort to meet the deadlines specified for submitting grade reports. All grades are submitted via the Enrollment Center, Secure Area Log-in on the Fairmont State University webpage.

Incompletes

The letter grade of "I" will be omitted from the calculation of the grade point average for a period of one-year following the issuance of the "I."

Along with any grade report containing the grade "I," and for each letter "I," the instructor must submit a brief description of the "part of the course" not completed by the student. This statement, to be reviewed by the appropriate Dean or Chair and filed in that office, is to be written on a three-part form. At the end of the one-year period, the instructor must submit a final grade for the student using the Registrar's Office Grade Modification Form. If no grade is received, the grade is automatically changed to "F".

A grade of "Incomplete" should be given only in those circumstances where it can be removed by some process such as taking an examination or submitting overdue papers. A grade of "Incomplete" may be given only if students fail to complete a portion of work due to circumstances beyond their control. A grade of "Incomplete" should not be given if students are required to repeat all or a substantial part of a course in order to remove it.

Posting Student Grades

In accordance with current policy pertaining to the privacy of student academic records, faculty members must not display lists of student grades. Grades should be posted only in the instructor's course space in Blackboard Vista.

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18Approved by Faculty Senate, 1978
19Approved by Faculty Senate, March 19, 1996
Repeating a Course

(Effective: August 2007)
Fairmont State University enforces Series 22 of the West Virginia Higher Education Policy Commission as follows:

If a student earns a grade of “D” or “F” (including failures due to regular and/or irregular withdrawal) on any course taken no later than the semester or summer term during which the student attempts the sixtieth semester hour, and if that student repeats this course prior to the receipt of a baccalaureate degree, the original grade shall be disregarded and the grade or grades earned when the course is repeated shall be used in determining his/her grade point average. The original grade shall not be deleted from the student's record. Courses passed with a grade of ‘C’ or better may not be legally repeated.

Courses completed at Fairmont State University with a grade of "D" or "F" may be repeated at any West Virginia public institutions, provided the course at the other institution is deemed an equivalent course by Fairmont State University and the above stipulations are met. Regularly enrolled students who complete work at another accredited institution must secure written permission from the registrar before attempting such course work. The transfer grade policy will apply to these grades.

Courses taken at other West Virginia public institutions that are legally repeated at Fairmont State University will be a part of the repeat process, provided the course at the other institution is deemed an equivalent course by Fairmont State University and the above stipulations are met.

Retaining Student Grade Records
Since students may employ prescribed procedures to appeal a grade after issuance within a stipulated period of time, all evaluations, tests, etc., should be retained for record purposes unless returned to the student. Faculty members whose employment at the University is ended or who will be away from campus for an extended period following any semester or summer term should leave their grade-books, evaluations, etc., with their Dean or Chair.

Scheduling of Classes (Regular Term)
The scheduling of classes each semester is the responsibility of each academic unit and is coordinated by the Registrar and the Provost and Vice President for Academic Affairs. The Provost will make final decisions about the courses to be offered, the number of sections, and the time and place of meeting. No teacher may change the place or time of the class meeting from that on the official schedule unless authorized by the Provost.

Summer Session
The Deans and Chairs are responsible for planning the summer session schedule of courses with sufficient care to meet the interest and needs of students. They assign faculty for summer teaching assignments. Faculty on standard nine-month contracts are assigned summer session teaching duties on separate appointments; these additional appointments are not guaranteed, nor should it be assumed that they will be made automatically to any faculty member. In assigning summer schedules and teaching assignments primary consideration will be given to the probability of sufficient student enrollment to justify course offerings. Other factors which may be considered are faculty qualifications, equity among faculty members, and availability of funds.

Scheduling of Summer Classes
The proposed schedule of classes for the Summer Session will be prepared by the Deans and Chairs. It is Fairmont State University's goal to establish a workable summer schedule that makes most
effective use of institutional personnel and physical facilities of the University while at the same
time provides students with access to courses needed to continue to make progress toward the
realization of their academic goals.

**Summer Session Salary**

Salaries for non-contractual summer teaching assignments will be calculated using a scale similar
to that used for Adjunct faculty. The compensation model allows for Faculty salary to be adjusted
based on enrollment. Faculty will have the ability to earn additional compensation as their course
enrollments grow. Compensation will be reduced for courses with enrollments fewer than 15
students, allowing courses that have been canceled in the past to be offered.

Base pay will be set using course enrollment data on the first day of the class and will not be
reduced even if student enrollments decline. The Per Student Bonus amounts for enrollments above
15 students will be set on the last day to withdraw with refund and will be paid in full with the last
payroll check for contract.

**SYLLABUS REQUIREMENTS**

Board of Governors Policy 18 (Section 3.1.3) mandates that a student be given a written copy of the
academic requirements, a syllabus, for the course during the first scheduled class meeting. The
syllabus should include attendance expectations and any penalty imposed for absences, evaluation
criteria, special requirements, etc. If the syllabus is available only electronically, it must still be
discussed with students on the first day of class.

*The following statements are to be used on all syllabi.*

**Contact Information**

(preferred)EMAIL, Phone, Office Hours

**Academic Integrity**

Fairmont State University values highly the integrity of its student scholars. All students and faculty
members are urged to share in the responsibility for removing every situation which might permit
or encourage academic dishonesty. Cheating in any form, including plagiarism, must be considered
a matter of the gravest concern. Cheating is defined here as the obtaining of information during an
examination; the unauthorized use of books, notes, or other sources of information prior to or
during an examination; the removal of faculty examination materials; the alteration of documents
or records; or actions identifiable as occurring with the intent to defraud or use under false
pretense.

Plagiarism is defined here as the submission of the ideas, words (written or oral), or artistic
productions of another, falsely represented as one’s original effort or without giving due credit.
Students and faculty should examine proper citation forms to avoid inadvertent plagiarism.

**Assessments, Surveys, and Course Evaluations**

Fairmont State University and Pierpont Community and Technical College value students’ opinions.
Your participation in special assessments, surveys and course evaluations assists us in improving
the services of the institution and the effectiveness of classroom instruction. These are to be viewed
as course requirements and completed to the best of your ability and with full attention.

**Attendance**
Students are expected to attend regularly the class and laboratory session of courses in which they
are registered. Regular attendance is necessary to the successful completion of a course of study
and is an integral part of a student's educational experience.

Each instructor shall make available on the first day of class what the attendance requirements are
and what penalties shall be imposed for nonattendance.

**Copyright Notice**

Material presented in this course may be protected by copyright law.

**Disability Services**

Services are available to any student, full or part-time, who has a need because of a [documented] disability. It is the student's responsibility to register for services with the coordinator of students with disabilities and to provide any necessary documentation to verify a disability or the need for accommodations. Instructors are not required to allow any academic accommodations unless the student provides the instructor with a letter from the office of disability services outlining the necessary accommodations. It is the student's responsibility to discuss the logistics of each accommodation with each instructor to arrange for the most feasible service provision. The Coordinator of Disability Services, Andrea Pammer, is located in the Turley Student Services Center. The office phone is (304) 367-4686. TTY 304-367-4906.

**Expectations of Students:**

Students are expected to be
Present and attentive in class; aware of official university communication via email;
Prepared for university life; prepared for class
Participating in class and in extra- and co-curricular activities;
Polite and respectful to everyone in our academic community.

**Fairmont State University's Core Values:**

Scholarship
Opportunity
Achievement
Responsibility
SOAR with Fairmont State University

**ADDITIONAL RESOURCES TO AID STUDENT SUCCESS**

**Counseling Service**

The counselors in Student Affairs offer professional assistance with personal problems, problems of social relationships and the understanding of oneself and others. Its staff consists of professionals trained in clinical practice and counseling who are experienced in dealing with issues common to college students. These services are available to all students in the belief that they often find significant benefit in counseling as a means of increasing self-awareness, maximizing potential and making the college experience more productive and meaningful. Contacts with the Counseling Services are held in strict confidence. Appointments may be made by calling 367-4792 or in person at 306 Colebank Hall.

**Writing Center**

The Fairmont State University Writing Center offers one-on-one peer tutoring to help with writing assignments. This service is free for all full-time and part-time students. Tutors are trained to help with any kind of writing, including essays, research papers, technical documents, and
writing in any discipline. Additional assistance is available for students with documented disabilities and those for whom English is not their first language. The Fairmont State University Writing Center is located in Jaynes Hall 308. For hours of availability, check the Tutoring Services college website or call the Center at 304-333-3699. The center accepts walk-ins or appointments.

**Tutoring Program**

An accredited tutoring program, which has been certified by the College Reading & Learning Association (CRLA) International Tutor Certification program, is available for student use. Tutoring is provided for most basic skills courses and a variety of other courses each semester. All students are entitled to free tutoring each semester. Students registered with documented academic accommodations through Disability Services can receive additional services as needed and available. Peer and professional tutors are available through Tutorial Services at 2nd Level Library on a drop-in basis. The office houses study carrels and support materials for one-on-one or small group tutoring sessions. For further information, contact the Director of Tutorial Services at 2nd Level Library or at 367-4081.

**Math/Writing Center**

The Math/Writing Center located in the Library, 2nd Level offers free drop-in tutoring for all students by professional math and writing tutors. Math help is available for all math courses and math related topics. Help is available with course content, study procedures, problem solving strategies, and overcoming math anxiety.

The Writing Center offers walk-in consultation for all writing assignments including essays, research papers, technical documents, and literary analysis. Professional tutors offer help with all stages of the writing process.

Hours for the center are available on the “Tutorial Services” website. For additional information concerning the center and tutoring at off-campus sites, contact the Director of Tutorial Services at 367-4081.
The following section contains selected policies of the West Virginia Higher Education Policy Commission and the Fairmont State University Board of Governors. Complete listings of policies can be found at:

http://www.hepcnew.wvnet.edu/

http://www.fairmontstate.edu >About Us>Board of Governors

**TITLE 133**

**PROCEDURAL RULE**

**WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION**

**SERIES 9**

**TITLE:** ACADEMIC FREEDOM, PROFESSIONAL RESPONSIBILITY, PROMOTION, AND TENURE

**SECTION 1. GENERAL**

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

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

1.3. Filing Date – August 20, 2007

1.4. Effective Date – September 20, 2007

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

**SECTION 2. ACADEMIC FREEDOM AND PROFESSIONAL RESPONSIBILITY.**

2.1. Academic freedom at public institutions of higher education in West Virginia under the jurisdiction of the Higher Education Policy Commission is necessary to enable the institutions to perform their societal obligation as established by the Legislature. The Commission recognizes that the vigilant protection of constitutional freedoms is nowhere more vital than in the institutions under its jurisdiction. Faculty members and students must always remain free to inquire, study, and evaluate.

2.2. Through the exercise of academic freedom, members of the academic community freely study, discuss, investigate, teach, conduct research, and publish, depending upon their particular role at the institution. To all of those members of the academic community who enjoy academic freedom, there are, commensurate with such freedom, certain responsibilities. All faculty members shall be entitled to full freedom in research and in the publication of the results of such research, subject to the adequate performance of their other academic duties, which may include designated instruction, research, extension service, and other professional duties. Activity for pecuniary return that interferes with one's obligations to the institution should be based upon an understanding, reached before the work is performed, with the authorities of the institution. Further, each faculty member is entitled to freedom in the classroom in discussing the subject taught. In addition, when faculty members
speak or write as citizens outside the institution, they shall be free from institutional censorship or discipline.

2.3. The concept of academic freedom is accompanied by an equally important concept of academic responsibility. The faculty member at a public institution of higher education in West Virginia is a citizen, a member of a learned profession, and a representative of an educational institution. As such, a faculty member, together with all other members of the academic community, has the responsibility for protecting, defending, and promoting individual academic freedom for all members of the community. The faculty member has the responsibility of contributing to institutional and departmental missions in teaching, research, and service as defined by the institution. The faculty member is responsible also as a teacher for striving to speak with accuracy and with respect for the similar rights and responsibilities of others. In speaking only as an individual or for a limited group, the faculty member should not imply or claim to be a spokesperson for the institution in which he or she holds an appointment.

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

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

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

SECTION 3. FACULTY: RANKS AND DEFINITIONS.

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

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

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

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

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

3.2.2.1. Under special circumstances, if requested by the faculty member and approved, a full-time tenure-track appointment may be converted to a part-time tenure-track appointment for a specified time period, normally not to exceed one calendar year. At the conclusion of the approved time period or extension thereof, the faculty member will return to a full-time tenure-track appointment or, if the faculty member chooses not to return to a full-time tenure-track appointment, the faculty member's employment will cease. Time spent in a part-time tenure-track appointment will not normally apply to the calculation of the years of service for the purposes of tenure nor will it result in any de facto award of tenure.

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

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

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

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

3.3. Faculty appointed to tenured, tenure-track, or term positions at any institution shall be appointed in one of the following ranks:

3.3.1. Professor;
3.3.2. Associate Professor;
3.3.3. Assistant Professor; or
3.3.4. Instructor
3.4. Faculty appointed to clinical-track positions at any institution may be appointed to one of the following ranks:

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

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

3.5.1. Librarian or Professor/Librarian;
3.5.2. Associate Librarian or Associate Professor/Librarian;
3.5.3. Assistant Librarian or Assistant Professor/Librarian; or
3.5.4. Staff Librarian or Instructor/Librarian

3.6. Clinical-track, librarian-track, and term faculty hold appointments that are not subject to consideration for tenure, regardless of the number, nature, or time accumulated in such appointments. Clinical-track, librarian-track, and term faculty appointments are only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment.

3.7. Additional ranks are permitted at West Virginia University and West Virginia State College through the use of the title prefix designation "extension;" such additional ranks are excluded from and in addition to those ranks covered by the provisions of the West Virginia Code.

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

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

3.10. Clinical-track, librarian-track, term, and Non-tenure-track faculty at all institutions hold non-tenurable appointments which may be part-time or full-time and are not subject to consideration for tenure, regardless of the number, nature, or time accumulated in such appointments. These appointments are for a specified period of time as set forth in the notice of appointment. Since the faculty member thus appointed is not on the tenure track, the notice provisions set out in Section 10.5 below do not apply.

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

3.11.1. Any of the faculty ranks, but designated visiting, research, clinical, extension, or adjunct, as applicable to describe the connection or function;
3.11.2. Lecturer or senior lecturer;
3.11.3. Assistant, designated as graduate, research, clinical, or adjunct, as applicable to describe the connection or function.

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

3.12.1. The position is funded by a grant, contract, or other source that is not a part of the regular and on-going source of operational funding.

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

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

3.12.4. The position is temporary to meet transient instructional needs, to maintain sufficient instructional flexibility in order to respond to changing demand for courses taught, or to meet other institutional needs. The appointee is to be so notified at the time of the appointment. Such appointments are outside tenure-track status, are subject to annual renewal, and normally may not exceed six years.

3.12.5. The appointee is granted a primary appointment as an administrator or to perform other non-instructional duties, with a secondary appointment that is instructional in character. Any faculty rank or teaching would be considered temporary, renewable on an annual basis. The appointee must be notified in writing of the status of any faculty rank.

3.12.6. Appointment or reappointment to a Non-tenure-track full-time faculty position shall create no right or expectation of continued appointment beyond the one-year period of appointment or reappointment.

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

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

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

SECTION 4. FACULTY: TYPES AND CONDITIONS OF APPOINTMENT.

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

4.2. All clinical-track, librarian-track, term, and other Non-tenure-track appointments, as defined in Section 3 of this policy shall be neither tenured or tenure-track, but shall be appointments only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment.

4.3. The appointment of a person to a full-time position at any institution is made subject to the following conditions:
4.3.1. The appointee shall render full-time service to the institution to which appointed. Outside activities, except the practice of medicine or dentistry which are restricted below in subsection 4.3.2, shall not be restricted unless such activities or employment interfere with the adequate performance of institutional duties. The institution expects its faculty to give full professional effort to assignments of teaching, research and service. It is, therefore, considered inappropriate to engage in gainful employment outside the institution that is incompatible with the faculty member's contractual commitment to the institution. Moreover, it is considered inappropriate to transact personal business from one's institutional office when it interferes with institutional duties and responsibilities. The institution shall establish a program of periodic review of outside services of appointees to guide faculty members.

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

4.3.2.1. Fees for professional patient related services rendered by 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.

5.1. Faculty members may be appointed to perform academic duties at two or more public institutions of higher education in West Virginia, which duties may include teaching, research, counseling, or other services. For administrative purposes, one institution shall be designated the faculty member's "home institution," which institution shall be responsible for granting promotions, raises in salary, and tenure: Provided, however, that when cause therefore shall occur, appropriate counseling, disciplinary action, and the like shall be the responsibility of the institution where the occurrence arose.

5.2. The conditions and the details of the faculty member’s joint appointment, including the designation of the "home institution," and any other arrangements, shall be specified in the agreement between the faculty member and the institutions sharing the faculty member’s services. A joint appointment will be made only with consent of the faculty member.

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

SECTION 6.  EMERITUS STATUS.

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

SECTION 7.  PROMOTION IN RANK.

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

7.1.1. There shall be demonstrated evidence that promotion is based upon a wide range of criteria, established by the institution in conformance with this document and appropriate to the mission of the institution. Examples appropriate to some institutions might be: excellence in teaching; publications and research; professional and scholarly activities and recognition; accessibility to students; adherence to professional standards of conduct; effective service to the institution, college, or department; significant service to the community; experience in higher education and at the institution; possession of the earned doctorate, special competence, or the highest earned degree appropriate to the teaching field; continued professional growth; and service to the people of the State of West Virginia. Ultimate authority regarding the application of guidelines and criteria relating to promotion shall rest with the institution.

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

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

7.1.4. The institution shall provide copies of its institutional guidelines and criteria for promotion to the Policy Commission and shall make available such guidelines and criteria to its faculty.
7.2. Promotion shall not be granted automatically, but shall result from action by the institution, following consultation with the appropriate academic units.

SECTION 8. FACULTY RESIGNATIONS.

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

SECTION 9. TENURE.

9.1. Tenure is designed to ensure academic freedom and to provide professional stability for the experienced faculty member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as regular evaluation by peer and administrative personnel, is essential to the viability of the tenure system. Tenure should never be permitted to mask irresponsibility, mediocrity, or deliberate refusal to meet academic requirements or professional duties and responsibilities. Tenure applies to those faculty members who qualify for it and is a means of making the profession attractive to persons of ability. There shall be demonstrated evidence that tenure is based upon a wide range of criteria such as: excellence in teaching; publications and research; professional and scholarly activity and recognition; accessibility to students; adherence to professional standards of conduct; effective service to the institution, college and department; significant service to the community; experience in higher education and at the institution; possession of the earned doctorate, special competence, or the highest earned degree appropriate to the teaching field; continued professional growth; and service to the people of the State of West Virginia. Ultimate authority regarding the application of guidelines and criteria relating to tenure shall rest with the institution.

9.2. In making tenure decisions, careful consideration shall be given to the tenure profile of the institution, projected enrollment patterns, staffing needs of the institution, current and projected mission of each department/division, specific academic competence of the faculty member, and preservation of opportunities for infusion of new talent. The institution shall be mindful of the dangers of losing internal flexibility and institutional accountability to the citizens of the State as the result of an overly tenured faculty.

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

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

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

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

9.5. Tenure may be granted at the time of the appointment by the institution, following consultation with appropriate academic units.
9.6. Tenure may be attained only by faculty who hold the rank of Assistant Professor or above.

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

SECTION 10. TENURE-TRACK STATUS.

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

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

10.3. The maximum period of tenure-track status normally shall not exceed seven years. Before completing the penultimate year (the Acritical year@) of a tenure-track appointment, any non-tenured faculty member shall be given written notice of tenure, or offered a one-year written terminal contract of employment. During the tenure-track period, faculty members may be granted tenured appointment before the sixth year of service, such appointment to be based upon criteria established by the institution and copies provided to the Policy Commission.

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

10.4. During the tenure-track period, contracts shall be issued on a year-to-year basis, and appointments may be terminated at the end of the contract year. During said tenure track period, notices of non-reappointment may be issued for any reason that is not arbitrary, capricious, or without factual basis. Any documented information relating to the decision for non-retention or dismissal shall be provided promptly to the faculty member upon request.

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

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

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

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

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

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

10.9. Faculty appointed at times other than the beginning of the academic year may choose to have those periods of appointment equal to or greater than half an academic year considered as a full year for tenure purposes only. Tenure-track appointments for less than half an academic year may not be considered time in probationary status.
10.10. Following receipt of the notice of non-retention, the faculty member may appeal such non-retention decision by requesting a statement of reasons and then filing a grievance as provided in Section 15 of this policy. The request for a statement of reasons shall be in writing and mailed to the president or designee within ten working days of receipt of the notice of non-retention.

SECTION 11. FACULTY EVALUATION.

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

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

SECTION 12. DISMISSAL.

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

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

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

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

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

12.1.5. Substantial and manifest neglect of duty; and 12.1.6. Failure to return at the end of a leave of absence.

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

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

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

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

12.4. Faculty who refuse to sign or execute an offered annual contract or notice of appointment or reappointment by the date indicated by the institution for its execution, or who fail to undertake the duties under such document at a reasonable time, shall be deemed to have abandoned their employment with the institution and any rights to tenure or future appointment. Faculty objecting to terms of such document do not waive their objections to such terms by signing or executing the document.
SECTION 13. TERMINATION BECAUSE OF REDUCTION OR DISCONTINUANCE OF AN EXISTING PROGRAM.

13.1. A tenured or tenure-track faculty member’s appointment may be terminated because of the reduction or discontinuance of an existing program at the institution as a result of a review of the program, in accordance with the appropriate rule relating to review of academic programs, provided no other program or position requiring equivalent competency exists. If, within two years following the reduction or discontinuance of a program, a position becomes vacant for which the faculty member is qualified, the institution shall make every effort to extend first refusal to the faculty member so terminated.

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

13.2. Institutional policy for accommodating major reduction in, or discontinuance of, an existing program shall be developed through a collaborative assessment by representatives of administration and faculty, approved by the governing board, and reported to the Policy Commission prior to implementation. Institutions should utilize appropriate program change policies.

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

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

SECTION 14. TERMINATION DUE TO FINANCIAL EXIGENCE.

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

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

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

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

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

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

SECTION 15. FACULTY GRIEVANCE PROCEDURE.

15.1. A faculty member wishing to grieve or appeal any action of the institution or Governing Board may utilize the procedures set out in W. Va. Code ‘6C-2.
SECTION 16. INFORMAL PROCEDURES FOR CONFLICT RESOLUTION.

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

SECTION 17. NOTIFICATION OF TERMS AND CONDITIONS OF FACULTY APPOINTMENTS

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

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

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

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

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

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

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

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

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

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

17.2.8. The beginning and ending dates of the appointment.

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

17.2.10. The total salary for the appointment.

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

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

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

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

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

TITLE 133
PROCEDURAL RULE
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION
SERIES 38

TITLE: EMPLOYEE LEAVE

SECTION 1. GENERAL

1.2. Authority - West Virginia Code §18B-1-6

1.3. Filing Date - October 20, 1992

1.4. Effective Date - November 19, 1992

SECTION 2. GENERAL LEAVE COVERAGE
2.1. Eligibility for annual and sick leave shall be based on the following:

2.1.1. Employees working on a regular and continuing basis for no less than 1950 hours within a twelve (12) consecutive month period are considered to be full-time employees and are eligible for leave as specified in this document.

2.1.2. Employees working between 1,040 hours and less than 1,950 on a regular and continuing basis during a twelve (12) consecutive month period shall accumulate leave on a pro rata basis.

2.1.3. Employees working less than 1,040 hours are not eligible for leave benefits.

2.2. Faculty members on twelve-month appointments are defined as full-time employees and accrue leave according to the appropriate sections of this rule. The provisions of this rule related to annual leave, sick leave, catastrophic leave, special emergency leave, and managing work time in areas affected by interruption to utility or similar situations do not apply to faculty members on annual appointments of less than twelve months.

2.3. Annual and sick leave may not be taken before it is accrued. If an employee works less than a full month, annual and sick leave shall be accumulated on a pro rata basis.

2.4. During a terminal leave period, no type of leave may be accrued. Terminal leave is the period following the last day of scheduled work from employment such as resignation, retirement, etc.

2.5. Length of service shall be total years of service which includes experience with state institutions of higher education and other state agencies. Continuous service is not required to complete the required term. Annual appointment periods of nine (9) months or more shall be credited for one (1) year of service for annual leave calculation purposes.
2.6. A recognized institutional holiday occurring during an employee's leave period shall not be considered as a day of leave, provided the employee is not in a terminal leave period.

2.7. Up to fifteen (15) days of annual leave may be transferred from other agencies of state government and state higher education institutions to other higher education institutions. Certification of the balance which existed in the agency or institution from which the employee is transferring must accompany the request for transfer and bear the signature of an officer of that agency. A request for transfer must be made within one (1) year from the last day of employment with the other agency or institution.

2.8. When an employee transfers from other agencies of state government or from other state institutions of higher education to another institution, the employee's accumulated sick leave may be transferred. Written verification of the accumulated amount of sick leave to be transferred must be provided by the state agency or institution of higher education wherein the employee accumulated the sick leave within one (1) year of the date of employment with the institution.

2.9. An employee is required to notify her/his supervisor immediately if ill or unable to work for any reason and to follow the institution's established procedures for absences from work. The notification shall be given to the immediate supervisor or designee, as determined by established procedures of the institution.

2.10. Employees on leave of absence without pay shall not accrue annual or sick leave or years of service credit for any and all full months in which they are off the payroll.

2.11. Each institution shall keep on file a record showing current leave status of each employee.

SECTION 3. ANNUAL LEAVE

3.1. Full-time non-classified employees and faculty with twelve-month appointments shall be eligible for up to twenty-four (24) days leave per year calculated at the rate of 2.00 days per month from the date of employment. However, upon leaving a non-classified position, the accumulation rates outlined in Section 3.2 shall apply.

3.2. Employees occupying full-time classified positions shall be eligible for annual leave on the following basis:

3.2.1. Less than 5 years' service: 1.25 days per month;
3.2.2. 5 but less than 10 years' service: 1.50 days per month;
3.2.3. 10 but less than 15 years' service: 1.75 days per month;
3.2.4. 15 or more years' service: 2.00 days per month.

3.3. Employees working at least 1,040 hours per twelve (12) consecutive months on a regular and continuing basis, but less than 1,950 hours shall accumulate annual leave on a pro rata basis.

3.4. Accumulated annual leave for continuing employees may be extended beyond that earned during a period of one (1) year by written approval of the president or her/his designee, but in no case shall it exceed twice the amount earned in any twelve-month period.

3.5. An employee is entitled to accumulated leave at termination of service, but in no case may this exceed the limits set in 3.4 above.

SECTION 4. OTHER CONDITIONS FOR ANNUAL LEAVE

4.1. At the request of the employee through established procedures, annual leave may be granted because of illness.
4.2. The work requirements of the institution shall take priority over the scheduling of annual leave or other leave for an employee. When operationally possible, the supervisor shall grant earned annual leave at the convenience of the employee. However, departmental needs must be met, and annual leave may not be taken without prior request and approval of the employee's supervisor.

4.3. In the event of an employee's death, the value of accumulated annual leave will be paid to the employee's estate.

SECTION 5. SICK AND EMERGENCY LEAVE

5.1. Full-time employees shall accumulate sick leave at the rate of 1.5 days per month. All other employees shall accumulate sick leave in accordance with Section 2.1 of this rule.

5.2. Sick leave may be accumulated without limit.

5.3. Sick leave may be used by the employee when ill or injured or when in need of medical attention or when death occurs in the immediate family.

5.4. An employee may use sick leave for a member of the immediate family who is ill, injured, or in need of medical attention. Immediate family is defined as: father, mother, son, daughter, brother, sister, husband, wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, granddaughter, grandson, stepmother, stepfather, step children, or others considered to be members of the household and living under the same roof.

5.5. Sick leave for more than five (5) consecutive days shall not be granted to an employee for illness without satisfactory proof of illness or injury, as evidenced by a statement of the attending physician or by other proof satisfactory to the institution. An employee having an extended illness or serious injury shall, before returning to duty, obtain satisfactory medical clearance to help ensure adequate protection and shall indicate the employee’s ability to perform her/his duties. Such medical clearance shall be presented in writing.

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

5.7. In cases, except those involving catastrophic sick leave as defined in Section 8.1, where all accumulated sick leave has been used and annual leave is available, it shall be the option of an employee either to use any accumulated annual leave until it has also expired, rather than being removed from the payroll, or to retain the accumulated annual leave for use after return to work, but be taken off the payroll immediately after the accumulated sick leave has expired.

5.8. On-the-job injuries or occupational illnesses which involve no more than three (3) days of disability leave or absence from work shall not be charged against the employee's accumulated sick leave as long as they are the next three (3) consecutive working days after injury or illness occurred. If on-the-job injuries or illnesses require a leave beyond the three-day period, it shall be the option of the employee either to use earned and accumulated sick and annual leave until both may be exhausted or to reserve for future use any earned and accumulated sick and annual leave and receive only Workers' Compensation benefits for which adjudged eligible.

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

5.10. Sick leave provisions are contingent upon continued employment. When the services of an employee have terminated, all sick leave credited to the employee shall be considered cancelled as of the last working day with the institution, and no reimbursement shall be provided for unused sick leave except in the event of retirement, in which case sick leave may be converted to insurance coverage or for provisions lawfully provided for at that time. Employees who resign in good standing and are later reemployed may have their total accumulated sick leave reinstated, provided the date of termination is one (1) year or less from the date of reemployment. However, if the employee returns to work after more than one (1) year from the date of termination, no more than 30 days of accumulated sick leave may be reinstated.

SECTION 6. MEDICAL LEAVE OF ABSENCE WITHOUT PAY

6.1. Any employee requesting a medical leave of absence without pay must provide the institutional president or the president's designee, through established procedures, with satisfactory medical evidence (such as a statement from the attending physician) that he/she is unable to work. The medical statement shall include a diagnosis, prognosis, and expected date that the employee can return to work. If the evidence is satisfactory, the president or her/his designee may authorize a medical leave of absence without pay only for the period of disability specified by the attending physician.

6.2. The employee shall be expected to report to work on the first workday following expiration of the disability period. Failure of the employee to report promptly at the expiration of a medical leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment by the institution. An employee, prior to return to duty, shall obtain satisfactory medical clearance to help ensure adequate protection and which shall indicate the employee's ability to perform her/his duties. Such medical clearance shall be presented in writing.

6.3. A medical leave of absence without pay may be granted for no more than a twelve (12) consecutive month period. Employees who may need an extended medical leave beyond twelve (12) consecutive months may apply for an extension through institutional procedures or may consider other options, such as disability.

6.4. After an employee has taken a twelve-month medical leave, the institution shall continue group health insurance coverage provided that the employee pays the institution the full premium cost of such group health plan.

6.5. Any employee who is separated from employment following a medical leave of absence of twelve (12) consecutive months and who had chosen to maintain her/his accumulated annual leave will receive payment for such accumulated annual leave in a lump sum payment.

SECTION 7. PARENTAL LEAVE

7.1. A full-time employee who has worked at least twelve (12) consecutive weeks for the state may request up to twelve (12) weeks unpaid parental leave.

7.2. The request must be due to birth or adoption by the employee or because of a planned medical treatment or care for the employee’s spouse, son, daughter, parent, or dependent who has a serious health condition.

7.3. The employee must provide her/his supervisor with written notice two (2) weeks prior to the expected birth or adoption; or for the medical treatment; or for the
supervision of a dependent. Failure to submit a written request may be cause for denial.

7.4. The employee must provide the employer with certification by the treating physician and/or documentation regarding dependency status.

7.5. All annual leave must be exhausted before the parental leave begins. No more than a total of twelve (12) weeks of parental leave may be taken in any twelve (12) consecutive month period.

7.6. During the parental leave by an employee, the institution shall continue group health insurance coverage provided that the employee pays the employer the full premium cost of such group health plan.

7.7. The position held by the employee immediately before the leave is commenced shall be held for a period not to exceed the twelve-week period of the parental leave and the employee shall be returned to that position. However, the institution may employ a temporary employee to fill the position for the period of the parental leave.

SECTION 8. CATASTROPHIC LEAVE

8.1. Catastrophic leave is provided for employees and a catastrophic illness is defined as: a medically verified illness or injury which is expected to incapacitate the employee and which creates a financial hardship because the employee has exhausted all leave and other paid time off. Catastrophic illness or injury shall also include an incapacitated immediate family member if this results in the employee being required to take time off from work to care for the family member and the employee has exhausted all leave and other paid time off.

8.2. Each institutional president and the Chancellor of the Higher Education Policy Commission will have the option to establish a leave bank and/or a procedure for direct transfer of sick or annual leave to an employee who has requested and been approved to receive leave donations due to a catastrophic illness or injury. The institution may develop procedures which limit the amount of deposits an employee may make in any twelve (12) continuous month period.

8.3. A catastrophic leave bank provides for the deposit of sick and annual leave into a "bank" from which employees approved for catastrophic leave may withdraw leave.

8.4. A direct transfer provides for sick and annual leave to be donated at the request of the employee upon appropriate medical verification that the individual is unable to work due to the catastrophic illness or injury as determined by the president of the institution or the Chancellor of the Higher Education Policy Commission.

8.4.1. Upon approval for an employee to receive direct transfer of catastrophic leave, any employee may, upon written notice to the human resources department, donate sick and/or annual leave in one-day increments. No employee shall be compelled to donate sick leave. Any leave donated by an employee, but not used by the employee to whom it was donated, shall be returned to the donating employee and reflected in her/his leave balance.

8.5. An employee receiving the transfer of leave shall have any time which is donated credited to such employee’s leave record in one-day increments and reflected as a day-for-day addition to the leave balance of the receiving employee. The leave record of the donating employee shall have the donated leave reflected as a day-for-day reduction of the leave balance.

8.6. Use of donated credits may not exceed a maximum of twelve (12) continuous calendar months for any one catastrophic illness or injury. The total amount of leave received by transfer or withdrawn from a bank may not exceed an amount sufficient to ensure the continuance of regular compensation and shall not be used to extend insurance
coverage pursuant to Section 13, Article 16, Chapter 5 of the Code, which relates to insurance coverage for state employees. The employee receiving donations of leave shall use any leave personally accrued on a monthly basis prior to receiving additional donated leave.

8.7. Direct transfer of leave or deposits into a leave bank may be interinstitutional. The president or her/his designee shall notify in writing other institutional presidents requesting that the institution consider the transfer of leave by either the direct transfer method or from the institution’s leave bank. Upon approval of the receiving president, transfer leave will be made through appropriate institutional procedures.

8.8. Each institution and the higher education policy commission office shall be responsible for the administration of catastrophic leave and shall develop and disseminate procedures for the administration of this policy.

**SECTION 9. PERSONAL LEAVE OF ABSENCE WITHOUT PAY**

9.1. An employee, upon application in writing and upon written approval by the institutional president or her/his designee, may be granted a continuous leave of absence without pay for a period of time not to exceed twelve (12) consecutive months provided all accrued annual leave has been exhausted.

9.2. The president or the president’s designee, at her/his discretion, may require the written approval of the supervisor before accepting the written application of an employee for a leave of absence without pay.

9.3. The president or the president’s designee, at her/his discretion, shall determine if the purpose for which such a leave is requested is proper and within sound administrative policy.

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

9.5. During a personal leave, the institution shall continue group health insurance coverage provided that the employee pays the employer the full premium costs of such group health plan.

**SECTION 10. MILITARY LEAVE**

10.1. An employee who is a member of the National Guard or any reserve component of the armed forces of the United States shall be entitled to and shall receive a leave of absence without loss of pay, status, or efficiency rating, for all days in which engaged in drills or parades ordered by proper authority, or for field training or active service for a maximum period of thirty (30) working days ordered or authorized under provisions of state law in any one (1) calendar year. The term “without loss of pay” shall mean that the employee shall continue to receive normal salary or compensation, notwithstanding the fact that such employee may receive other compensation from federal sources during the same period. Furthermore, such leave of absence shall be considered as time worked in computing seniority, eligibility for salary increased, and experience with the institution. An employee shall be required to submit an order or statement in writing from the appropriate military officer in support of the request for such military leave.

10.2. Benefits of this section shall accrue to individuals ordered or called to active duty by the President of the United States for thirty (30) working days after they report for active service.
SECTION 11. SPECIAL EMERGENCY LEAVE WITH PAY

11.1. Special emergency leave with pay may be granted by the president of the institution or her/his designee to full-time employees in the event of extreme misfortune to the employee or the immediate family. The leave should be the minimum necessary, and in no case may it exceed five (5) days within any twelve (12) consecutive month period. Typical events which may qualify an employee for such leave are fire, flood, or other events (other than personal illness or injury or serious illness or death in the immediate family) of a nature requiring emergency attention by the employee.

SECTION 12. WITNESS AND JURY LEAVE

12.1. Upon application in writing, an employee of the a higher education institution or the Higher Education Policy Commission may be granted leave as indicated hereinafter in this section provided the employee is not a party to the action. Annual leave will not be charged under the provisions of this section.

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

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

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

12.5. The employee shall report to work if he/she is excused by the court before the end of her/his regular work day. Provisions for employees who work a shift other than day shift shall be made according to institutional policy.

SECTION 13. MANAGING WORK TIME IN AREAS AFFECTED BY INTERRUPTION TO UTILITY SERVICE OR SIMILAR SITUATIONS

13.1. Utility Service Interruptions - When extended power and utility service interruptions occur, administrators should make arrangements for employees’ usual work routine to be accomplished at alternate work locations, or make affected employees available to other administrators for work in other areas. Also, if an administrator deems it advisable and the employee agrees, time off during the utility service interruption may be granted and charged against an employee’s accumulated annual leave. Combinations of the above alternatives may be necessary, but in all cases interruptions of work schedules must be dealt with in accordance with applicable laws, including West Virginia Code 12-3-13. This law is interpreted to mean that if pay is associated with the absence from work, the absence must be charged to accumulated annual leave.

13.2. Emergency Situations - In the event that an emergency exists, the president, in conjunction with local or state public safety officials, has the authority to comply with the emergency situation and close the institution. Such a declaration will be transmitted to the chancellor of the Higher Education Policy Commission. The president, working with public safety officials, will determine when the emergency condition no longer exists. Should an employee be required to work by the president or her/his designee during a declared emergency, the time worked shall be compensated according to the provisions of Series 8. Work time lost by any employee during a declared emergency will be considered regular work time for pay purposes and will not require that the time be charged to annual leave nor will there be a requirement that the time be made up.
13.3. Absences from work due to weather conditions other than during a declared emergency must be charged against accumulated annual leave, accumulated compensatory time, or the employee must be removed from the payroll for the time in question. Where institutions employ the "floating holiday" concept, the holiday record may be charged. Sick leave may not be charged for absence due to weather. Time lost from work may be made up in the same work week at the discretion of the employee's supervisor.
FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY # 3

TITLE: SABBATICAL LEAVE

SECTION 1. GENERAL
1.1. Scope: This policy specifies the eligibility, conditions, compensation, and obligations regarding the granting of sabbatical leave for faculty members.

1.2. Authority: West Virginia Code § 18B-1-6, 18B-7-2, 18B-1-9

1.3. Effective Date: December 5, 2001

SECTION 2. PURPOSE
2.1. Sabbatical leave may be granted to a faculty member so that he/she may engage in research, writing, study, or other activity designed to improve teaching and usefulness to the University.

SECTION 3. ELIGIBILITY
3.1. Any person holding faculty rank is eligible for sabbatical leave after the completion of at least six years of full-time employment at Fairmont State University. After completing a sabbatical leave, a faculty member shall not again be eligible until the seventh subsequent year. Separate summer school employment shall not be considered for sabbatical leave.

SECTION 4. CONDITIONS GOVERNING THE GRANTING OF SABBATICAL LEAVE
4.1. The granting of sabbatical leave is not automatic, but shall depend on the merits of the request and on conditions prevailing in the University at the time. Sabbatical leave will be granted by the President of the University and notification of such action communicated to the Board of Governors. The President or his designee shall provide an annual report to governing board members summarizing the number of sabbatical leaves granted by the University during the previous year, the disciplines of the faculty members, and whether the leaves were for full salary for no more than half the contract period or for half salary for no more than the full contract period.

4.2. In consultation with the faculty, the President shall develop appropriate criteria for determining the usefulness of the proposed activity to the institution and equitable procedures and standards for processing applications for leaves.

SECTION 5. COMPENSATION
5.1. A faculty member on sabbatical leave shall receive full salary for no more than one half of the contract period or half salary for no more than the full contract period.

SECTION 6. OBLIGATIONS OF THE FACULTY MEMBER
6.1. An applicant for a sabbatical leave shall submit to the President in writing a detailed plan of activity which he/she proposes to follow.

6.2. In accepting a sabbatical leave, a faculty member shall sign a statement indicating that he/she is aware of and agrees to all conditions of the leave as specified herein.
6.3. While on sabbatical leave, a faculty member may not accept remunerative employment without the written consent of the President or his/her designated representative. Fellowships, grants, assistantships, and similar stipends shall not be considered remunerative employment.

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

6.5. A faculty member is obligated to return for a full year of full time service immediately upon completion of the leave. Failure to return will obligate the faculty member to fully reimburse the institution for salary received during the period of the leave. If the period of employment after the leave is less than one year, repayment will be prorated accordingly.

SECTION 7. OBLIGATIONS OF THE INSTITUTION

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

SECTION 8. PROCEDURES AND CRITERIA

8.1. Applicants for sabbatical leave will initiate the procedure by obtaining application forms from their administrative head(s).

8.1.1. Applications will include: (1) personal professional data; (2) a typewritten proposal detailing the activity to be pursued; and (3) relevant supporting documents. Completed application forms will be submitted by applicants to their administrative head(s) on or before December 1 for a sabbatical leave to begin the fall or spring semester of the following academic year.

8.1.2. The administrative head(s), in recommending the applicant for sabbatical will verify that:

8.1.2.1. The applicant's professional performance merits this award; the benefits to be derived from the sabbatical are of value to the academic unit and/or to the University; and the applicant meets the eligibility requirements.

8.1.2.2. The teaching load of the applicant will be provided by the following: appointment of part-time personnel, temporary suspension of one or more classes and/or coverage by colleagues.

8.1.2.3. It is possible to replace the applicant without additional cost to Fairmont State University and without modifications of scheduling that would adversely affect students' normal progress toward degrees.

8.2. Sabbatical leave applications, recommendations and supporting documents will be presented by the administrative head(s) to the Provost of the University and Vice President for Academic Affairs on or before December 1 for a sabbatical leave to begin the fall or spring semester of the following academic year.

8.3. The Provost of the University and Vice President for Academic Affairs will forward the sabbatical leave file to the Faculty Personnel Committee.
8.4. After thorough review, the Committee will make its recommendations through the Provost of the University and Vice President for Academic Affairs to the University President for final approval.

FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY 9

TITLE: SEXUAL HARASSMENT

SECTION 1. GENERAL
1.1. Scope – This rule defines sexual harassment, provides guidelines for filing sexual harassment complaints and explains what action will be taken against those found to have engaged in sexual harassment.


1.3. Effective Date: July 1, 2002

SECTION 2. POLICY
2.1. It is the policy of the Fairmont State University Board of Governors to maintain a work and educational environment free from all forms of sexual harassment of any employee, applicant for employment or student. Sexual harassment in any manner or form is expressly prohibited. It is the responsibility of Fairmont State University to provide educational opportunities to create this free environment and to take immediate and appropriate corrective action when sexual harassment is reported or becomes known. Supervisors at every level are of primary importance in the implementation and enforcement of this rule.

SECTION 3. DEFINITION
3.1. Sexual Harassment Definition - Sexual harassment is intended to be defined consistent with EEOC and United States Department of Education guidelines. Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

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

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

3.1.3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or creating an intimidating, hostile or offensive work or educational environment.
SECTION 4. FILING of COMPLAINTS

4.1. Fairmont State University shall designate a formal grievance procedure for the handling of sexual harassment complaints and assure appropriate dissemination of information concerning it to faculty, staff, and students. The Director of Affirmative Action shall facilitate the proper resolution of complaints with the authority to investigate and report to the president. In cases involving the president, the complaint shall be filed with the chancellor of the Higher Education Policy Commission.

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

4.1.2. Students - Any student who feels he or she is being sexually harassed should contact the appropriate School chair or the Director of Affirmative Action.

4.2. Any student, supervisor, agent or other employee who is found, after appropriate investigation, to have engaged in the sexual harassment of another employee or a student will be subject to appropriate disciplinary action. Depending on the circumstances, sanctions may include termination or expulsion.

FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY 13

TITLE: FACULTY DEVELOPMENT

SECTION 1. GENERAL

1.1. Scope: Policy regarding faculty development.

1.2. Authority: West Virginia Code § 18B-1-6, 18B-7-5.

1.3. Effective Date: July 1, 2002

SECTION 2. DEFINITIONS

2.1. Teaching, expanding knowledge and creativity, and devoting knowledge to public service are achieved primarily by and through University faculty. Therefore, the efforts of the Fairmont State University Board of Governors in supporting, developing, and renewing the faculty members directly involved in helping West Virginians learn are vitally important to accomplishing the University’s mission and goals.

2.2. The Board of Governors recognizes the general and specific benefits derived from efforts to improve faculty members’ personal and professional effectiveness. Students rely on current, knowledgeable, and relevant instruction and benefit from research that improves teaching skill and knowledge. The people and
economy of West Virginia benefit from new applications of a knowledge and technology that enable more and better jobs, a higher standard of living, and enhanced knowledge and quality of life. Faculties and individual faculty members benefit from being able to teach, acquire a new knowledge, serve public needs, and perform institutional and professional roles more effectively. Institutions of higher learning benefit from enhanced capacity and flexibility to carry out their missions in an era where it is more practical to enhance or renew skills and knowledge of existing faculty members.

2.3. Therefore, the board affirms the unique, integral contribution of faculty members to the mission of Fairmont State University and all higher education: teaching, producing scholarly work that contributes to knowledge and creativity, and serving public and institutional needs. The Board further recognizes through its policy and actions that the knowledge and skills of faculties and individual faculty members need to be developed, maintained, supported, and renewed, and that the primary responsibility for accomplishing these ends resides at the institutional level.

SECTION 3. DEFINITION OF FACULTY DEVELOPMENT

3.1. Faculty development includes all activities designed to improve faculty performance in all aspects of their professional lives: as teachers stimulating and guiding student learning, as scholars, advisers, designers and evaluators of academic programs and courses, as academic leaders, contributors to public service, participants in institutional decisions, and in other faculty roles for achieving the University’s mission. Recognized beneficial components of faculty development include professional scholarly and creative development, personal development, and organizational development.

3.2. Examples of valid, tangible faculty development activities include, but are not limited to: sabbatical or academic leaves to complete a doctorate, expand existing knowledge, learn a new field needed in the curriculum, or achieve other purposes; workshops for improving faculty teaching skills; workshops and internships to enhance faculty roles in academic leadership; seed money grants that enable faculty to pursue larger, external grants or contracts; projects to improve student advising or assessment of student learning; summer grants or summer mini-sabbaticals to develop a needed new program or course, conduct research on teaching, or accomplish other beneficial aims; attendance at academic conferences and meetings; and programs to better orient faculty members and improve their skills.

SECTION 4. FACULTY ELIGIBILITY AND PARTICIPATION

4.1. Eligibility. Any person who is a full-time or part-time faculty member is eligible for faculty development in accordance with this policy. Full-time faculty members, including Deans and Chairs, are eligible to apply for all faculty development activities. Part-time faculty members are eligible to apply for all faculty development activities and awards except sabbatical leaves, leaves without pay, and mini-grants. In supporting faculty development for full-time and part-time faculty members, factors to be considered will include the potential benefits and costs to the institution, the academic program, and the faculty member.

4.2. Participation. As noted elsewhere in this policy, faculty members are responsible for improving their professional effectiveness, and the University is
responsible for encouraging and motivating faculty members to participate in faculty development activities.

SECTION 5. UNIVERSITY: ROLES AND RESPONSIBILITIES

5.1 Governance Roles: The President, in consultation with the faculty of the University, shall establish institutional policy on faculty development consistent with this rule.

5.1.1 The President, in consultation with the faculty, shall establish a faculty development program. The University may have a separate program for faculty development or a professional development program combining faculty development with other professional development according to the institution's needs and resources. The appropriate groups representing the participants shall be consulted and involved. Through faculty development or professional development programs, the University shall conduct in-house faculty and professional development activities. Cooperation with the faculty development programs of other colleges and universities is also encouraged. The University is responsible for assessing faculty development needs and for utilizing a variety of development activities appropriate to its mission to meet the development needs of less experienced probationary faculty and experienced, tenured faculty. The University should strive for a balance of individual-oriented and group-oriented development activities to achieve a well-functioning program, and should periodically evaluate the results of its program.

5.1.2 The President and chief academic officer shall have the responsibility to exert leadership and support for faculty development.

5.1.3 The President, in consultation with the faculty, shall establish appropriate organizational structures, procedures, standards, and criteria for operating and assessing a faculty development program. This structure will include a faculty development committee, faculty development coordinator, and any other appropriate structures.

5.2 Financial Roles. Research and experience show that faculty development is most effective when dependable, consistent funding enables proper planning and implementation of development programs. In order to achieve continuity of financial support for faculty development, the University shall establish a benchmark level of financial commitment to faculty development which it will meet or surpass each year. The level of financial effort should be appropriate to the University's mission and needs, and will be adjusted annually to reflect changes in mission and needs and the availability of financial resources.

5.2.1 The University has the responsibility to pursue funding for faculty development, including applying for such faculty development grants or funds as the West Virginia Higher Education Policy Commission may provide, pursuing other government or private grants or contracts, reallocating existing campus resources, or allocating funds from the institutional collection and retention of higher education resource fees or faculty improvement fees.
5.2.2 The University has the responsibility for providing financial and logistical support to operate its faculty development program, including providing office space, administrative, clerical, and other necessary support.

5.2.3 The University is expected to establish a fund to hire temporary replacements for faculty on leave.

SECTION 6. INDIVIDUAL FACULTY MEMBER: ROLES AND RESPONSIBILITIES

6.1. Faculty members, in accordance with the best traditions of higher education, have a responsibility to improve their effectiveness in carrying out their professional roles.

6.2. Applicants for faculty development awards shall complete a faculty development plan for eligibility for faculty development project awards.

6.3. Applicants for faculty development will be asked to submit to their college a detailed plan of activity to be followed.

6.4. In accepting award of a faculty development proposal, the person shall sign a statement indicating awareness of and agreement to all the conditions specified in the proposal. Faculty members are responsible for using award funds for the legitimate purposes specified in their plan agreement.

6.5. Where the University deems appropriate, a faculty member shall file with the president or the President’s designee a written final report of development activities, results, and anticipated benefits to the faculty member and the University. A written final report may not be appropriate for all development projects.

6.6. Faculty members engaging in development activities are responsible for sharing their new learning or skills with other colleagues via publication, report, seminar, workshop, tutoring, or other appropriate ways of communicating among professionals.

SECTION 7. FUNDING

7.1. Funding for faculty development activities may come from appropriated funds, government grants or contracts, private grants or contracts, or institutionally collected and retained higher education resource fees or faculty improvement fees.

7.2. The University’s faculty development programs, grants, and activities are subject to availability of appropriated and other funds for those purposes. As noted before, the University has the responsibility for making a good faith effort to ensure that adequate funding is available.

SECTION 8. AUTHORIZED EXPENDITURES

8.1. Compensation to Individuals. Funds allocated for faculty development may be used to compensate or pay expenses for faculty members who are pursuing additional academic study or training, engaging in scholarship or other creative activity, pursuing teaching and instructional improvement, serving as faculty development coordinator, or performing other responsibilities consistent with West Virginia Higher Education Policy Commission and Fairmont State University policy or to compensate other individuals to allow faculty members to pursue development activities on released time.
8.2. Institutional Support. Permissible support activities include, but are not limited to, providing for office space and administrative support for faculty development programs, and providing equipment and materials necessary for improving teaching, conducting research, or pursuing other valid development activities.

8.3. All expenditures must be consistent with West Virginia Higher Education Policy Commission and Fairmont State University policy and regulations.

FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY 18

TITLE: STUDENT ACADEMIC RIGHTS

SECTION 1. GENERAL

1.1. Scope: This rule regards academic rights and responsibilities of students.

1.2. Authority: West Virginia Code § 18-26-8

1.3. Effective Date: December 5, 2002

SECTION 2. ACADEMIC RIGHTS AND RESPONSIBILITIES OF STUDENTS

2.1. The President or designee shall define and promulgate, consistent with the rules and procedures of the Board, the academic requirements for admission to the institutions, for admission to limited enrollment programs and for admission to professional and graduate degree programs (where offered); the criteria for maintenance of satisfactory academic progress, for the successful completion of the program, for the award of a degree or certification, for graduation; the requirements or criteria for any other academic endeavor; and the requirements for student honesty and originality of expression.

2.2. A student, by voluntarily accepting admission to the institution or enrolling in a class or course of study offered by the institution accepts the academic requirements and criteria of the institution. It is the student’s responsibility to fulfill course work and degree or certificate requirements and to know and meet criteria for satisfactory academic progress and completion of the program.

SECTION 3. ACADEMIC RIGHTS

3.1. Concomitant with the academic standards and responsibilities established pursuant to Section 3 of this rule, each student shall have the following academic rights:

3.1.1. The student shall be graded or have his/her performance evaluated solely upon performance in the course work as measured against academic standards. The student shall not be evaluated prejudicially, capriciously, or arbitrarily. The student shall not be graded nor shall his/her performance be evaluated on the basis of his/her race, color, creed, sex or national origin.

3.1.2. Each student shall have the right to have any academic penalty, as set out in Section 4.2 of this rule below and more specifically defined by the policies promulgated by the president or designee, reviewed.
3.1.3. Each student shall have access to a copy of the University catalog or program brochure in which current academic program requirements are described (e.g., required courses, total credit requirements, minimum grade point average, probation standards, professional standards, etc.). Students have the right to receive from the instructor written descriptions of content and requirements for any course in which they are enrolled (e.g., attendance expectations, special requirements, laboratory requirements including time, field trips and costs, grading standards and procedures, professional standards, etc.).

3.1.4. The instructor of each course is responsible for assigning grades to students enrolled in the course, consistent with the academic rights set out in the preceding sections.

SECTION 4. APPLICATION OF POLICY TO STUDENTS

4.1. Student: any person who has been admitted to the institution to pursue a course of study, research, or service, who is currently engaged in an institutionally sponsored activity, and who has some right or privilege to be on the campus or in the facilities of the institution, or to use the same, in connection with study, research, or service, or who yet has some right or privilege to receive some benefit or recognition or certification from the institution, under the rules or procedures of the institutions.

4.2. A student, as defined in this rule, shall be subject to any applicable penalties for failure to comply with the academic requirements and standards promulgated by the institution according to Section 2.1 of this rule. Students are expected to adhere to these academic standards in all academic settings, classrooms, laboratories, clinics and any other activities which are part of academic requirements.

SECTION 5. ACADEMIC REQUIREMENTS AND CONSEQUENCES OF FAILURE TO MEET REQUIREMENTS

5.1. The president or designee shall define and promulgate the academic requirements, criteria and standards as set out in Section 2.1 of this rule. Normally, students may finish a program of study according to the requirements under which they were admitted to the program. However, requirements are subject to change at any time, with reasonable notice provided to the students.

5.2. A student who fails to meet the academic requirements or standards, including those for academic honesty as defined by the institution according to Section 2.1 of this rule, may be subject to one or more of the following penalties:

5.2.1. A lower grade or failure of the course or exclusion from further participation in the class (including laboratories or clinical experiences), all of which may be imposed by the instructor.

5.2.2. Academic probation as determined and defined by the institution.

5.2.3. Academic suspension as determined and defined by the institution.

5.3. Academic dismissal is defined as termination of student status, including any right or privilege to receive some benefit or recognition or certification. A student may be academically dismissed from a limited enrollment program and remain eligible to enroll in courses in other programs at the institution, or a
student may be academically dismissed from the institution and not remain eligible to enroll in other courses or programs at the institution.

5.4. A student may appeal any penalty according to the procedures in Section 6 of this rule below. The President or designee shall determine and specify the point at which penalties, excluding those specified in Subsection 6.3.1. of this rule, may be imposed. Each instructor determines the point at which the penalties specified in Subsection 6.3.1. of this rule may be imposed. The President or designee shall determine the method(s), if any, by which a student may correct the condition(s) leading to imposition of these penalties and thereby have them removed.

SECTION 6. APPEALS

6.1. The president or designee shall establish policies and procedures by which a student may appeal or challenge any academic penalties imposed by a faculty member or by the institution, including those described in Section 5.2 of this rule.

6.2. Additional procedures may include but not be limited to:

6.2.1. Appeals of a grade penalty or exclusion from class;
6.2.2. Appeals of final course grades;
6.2.3. Appeals of imposition of academic probation;
6.2.4. Appeals of imposition of academic suspension;
6.2.5. Appeals of dismissal from undergraduate programs;
6.2.6. Appeals of dismissal from graduate programs;
6.2.7. Appeals of dismissal from professional degree programs; and
6.2.8. Appeals of dismissal from the institution.

6.3. Policies and procedures relating to appeals of academic penalties shall be governed by due process and shall include, as a minimum:

6.3.1. Written notice to the student of his/her failure to meet or maintain an academic standard, of the methods, if any, by which the student may correct the failure, and of the penalty which may be imposed.

6.3.2. An opportunity for the student to meet with the faculty member(s) or other individual(s) who have judged his/her performance to be deficient, to discuss with these faculty member(s) or other individual(s) the information forming the basis of the judgment or opinion of his/her performance, to present information or evidence on his/her behalf, and to be accompanied at any such meeting by an advisor of his/her choice from the institution. Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless they are given specific permission to do so by the individual or committee conducting the appeal.

6.3.3. An opportunity for the student to appeal the decision or judgment of faculty members through the established institutional appeals procedure within thirty calendar days after written notice of the decision or judgment.
6.3.4. An opportunity to appeal to the President or his/her designee within thirty calendar days after the receipt of written notice of the decision or judgment.

6.3.5. The decision of the President or his/her designee regarding an academic appeal is final.

SECTION 7. APPEALS PROCEDURES FOR ACADEMIC DISMISSAL

7.1. The appeal will be subject to the following conditions:
   7.1.1. The appeal must be filed within thirty calendar days after written notice of the decision.
   7.1.2. The appeal to the appropriate academic officer or appeals committee is not adversarial in nature; the formal rules of evidence do not apply.
   7.1.3. The student may be advised by a person of his/her choice from the institutions; likewise, the faculty member, academic officer, or committee recommending academic dismissal may have an advisor from the institutions. Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless they are given specific permission to do so by the individual or committee conducting the appeal.
   7.1.4. Witnesses may be called by any of the parties involved.
   7.1.5. A record of the appeal shall be prepared in the form of summary minutes and relevant attachments and will be provided to the student upon request.
   7.1.6. The decision of the President or his/her designee regarding academic dismissal is final.

SECTION 8. PUBLICATION

8.1. All standards, criteria and procedures of the institutions shall be published in one or more appropriate institutional publications such as catalogs, student handbooks, academic pamphlets, and handouts. Such requirements are subject to change with reasonable notice provided to the students.

FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY #25

Revised August 27, 2007 and June 15, 2006, originally adopted November 29, 2004

TITLE: SALARY POLICY

SECTION 1. GENERAL

1.1. SCOPE: These salary policies shall be in effect and shall govern the assignment of salaries for employees of Fairmont State University.

1.2. AUTHORITY: West Virginia Code § 18B-1-6; §18B-2A-4.

1.3. Effective Date: November 29, 2004

SECTION 2. PROCEDURES FOR ESTABLISHING SALARY POOLS

2.1. Each year, or from time to time as deemed appropriate, the President shall present to the Board a plan for the distribution of general salary increases to
employees. This plan shall address increases for all employees other than the President.

2.2. The general salary increase plan shall be developed after state-wide salary mandates have been accounted for. Statewide salary mandates shall include salary increases for faculty promoted in rank, as well as required incremental funding of the classified employee “entry rate,” if applicable.

2.3. After the cost of state-wide salary mandates has been separately accounted for, the President’s general salary increase plan shall be submitted to the Board for approval.

2.3.1. The plan shall reflect separately the total projected costs of aggregate salary increases for faculty, for non-classified employees, and for classified employees.

2.3.2. The plan shall reflect the aggregate percentage increase in salary to be paid to faculty, non-classified, and classified employees.

2.3.3. The increase in salary for each of the three groups of employees shall be comparable, but not necessarily equivalent. If the increases are not comparable, the President shall present a justification with the proposal.

2.4. The Board shall act, in response to the plan submitted, to establish the aggregate dollars to be allocated each year for general salary increases for each of the three groups of employees. The aggregate increase in dollars shall be distributed in accordance with Sections 3, 4 and 5 of this Policy.

SECTION 3. FACULTY SALARY POLICY
The total dollars for this increase in aggregate faculty salaries shall be distributed among faculty as follows:

3.1. The Distribution of Faculty New Pay Monies Each Fiscal Year

3.1.1. Salary Inequities Distributions: Twenty-five percent (25%) of the total faculty salary pool shall be distributed to address salary inequities until such time that a lower percentage is sufficient to bring all faculty to 90% of their target salary. Of this amount, a minimum of 80% (or 20%) will be used to fund the salary equity model with the balance restricted for special cases at the discretion of the Provost. The salary equity model is based on median data from the College and University Professional Association for Human Resources (CUPA), taking into account discipline and rank. Time in rank and possession of a terminal degree affect the actual target salary as follows:

- The CUPA peer group will be all Bachelor and Masters Institutions.
- No terminal degree - 10% reduction in CUPA base for rank and discipline. This does not apply to C&TC faculty.
- Zero time in rank - 10% reduction in CUPA base for rank and discipline
• Maximum credit for time in rank – 9 years
• Maximum target salary – 110% of CUPA base

The equity adjustments will have two components, fixed and variable. The maximum possible variable percentage will be no greater than the fixed percentage and will be determined based on dollars available. The variable percentage for each individual will be determined by the difference between their OCR score and the minimal acceptable OCR score. To be eligible for an equity adjustment in any given year, a faculty member must be eligible for a merit increase.

3.1.1.1. For the purpose of accelerating approach to target salary, an additional amount of money may be made available by the Board. These dollars will be dispersed as described in 3.1.1.

3.1.2. Merit Pay Allocations: The remaining salary increase pool after Section 3.1.1 is implemented shall be distributed on the basis of merit pay. The procedures for determining merit will be those developed by the faculty in the respective schools and colleges and approved by the Provost.

Graduated Rankings of Recipients. The merit raise will have two components, fixed and variable. The maximum possible variable percentage will be no greater than the fixed percentage and will be determined based on dollars available. The variable percentage for each individual will be determined by the difference between their OCR score and the minimal acceptable OCR score. The percentage of the variable component pool available to each School or College will equal the School or College's percentage of the total salary pool. Those rated below a minimal acceptable level as determined by the Provost in consultation with the Faculty will not receive a merit increase.

SECTION 4. CLASSIFIED STAFF SALARY POLICY

4.1. Salaries of classified employees shall be set consistent with Article 9, Chapter 18B of the Code of West Virginia and Series 8, as amended by the Higher Education Policy Commission.

4.2. In computing the salary increases for all classified employees, the target salary under the salary schedule set forth in Section 3, Article 9, Chapter 18B of the Code of West Virginia, as amended, shall be identified. The gaps between the target and current salary shall be established. Salaries of all classified employees shall be increased in equal proportions toward eliminating all gaps; however no raises will be given if the employee's overall job performance evaluation is “unsatisfactory.” Beginning January 1, 2007, no raises will be given if the employee's overall job performance evaluation is “needs improvement” or “unsatisfactory.”

SECTION 5. NON-CLASSIFIED SALARY POLICY

The total dollars for the annual increase in aggregate non-classified salaries shall be distributed among non-classified staff as follows:

5.1. Salary Inequities Distributions: The President may distribute a portion of the non-classified salary increase pool at his/her discretion to address salary inequities.
5.2. Merit Pay Recipients: The remaining portion of the non-classified staff salary pool shall be distributed on the basis of merit pay.

5.2.1. Each non-classified employee shall be evaluated at least once each year, to include the Annual Evaluation. The Annual Evaluation will include, but need not be limited to, the Fairmont State University Non-Classified Employee Performance Evaluation.

5.2.2. No employee who receives an overall rating of “unsatisfactory” on the Annual Evaluation form will be eligible for merit pay. Beginning January 1, 2007, no raises will be given if the employee’s overall job performance evaluation is “needs improvement” or “unsatisfactory.”

5.2.3. Graduated Rankings of Recipients. Merit recipients will be ranked at level A, B, or C. Those ranked B shall receive a percentage increase in base salary 50% higher than those rated C. Those ranked A shall receive a percentage increase in base salary 100% higher than those rated C.

SECTION 6. THE PRESIDENT’S SALARY
No provision herein shall be deemed to apply in any manner to the salary of the Fairmont State University President, whose remuneration shall be set, from time to time, at the will and pleasure of the Board and with the approval of the Policy Commission.

FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY NO. 35

TITLE: GIFT ACCEPTANCE POLICY
EFFECTIVE APRIL 21, 2005

General Policies for Gift Solicitation
All gifts of cash, securities, real estate, personal property, or equipment intended for the benefit of Fairmont State University and/or Pierpont Community & Technical College must be made to the Fairmont State Foundation, Inc.

(1) In order to ensure coordination and focus of institutional fundraising efforts, no general or group solicitation of funds may be undertaken by any individual or department of Fairmont State University on behalf of Fairmont State University or any of its subdivisions without explicit written approval by the Vice President for Institutional Advancement (for any solicitation of off-campus entities or individuals) or the Vice President for Student Affairs (for any solicitation that takes place solely on campus.)

(2) In order to avoid multiple appeals, the solicitation of large gifts from individuals, foundations, or corporations must be cleared through the Vice President for Institutional Advancement.
The Vice President for Institutional Advancement and the Foundation Board of Directors require the explicit written terms on all donated assets or funds by a donor with a prior stipulation that these assets are given for a restricted purpose or use by the Foundation, including language that will permit a different or modified use, if changed conditions indicate the need for it.

Restrictive clauses that violate any federal or state laws pertaining to discrimination on the basis of race, creed, color, nationality, or sex will not be allowed.

**Gifts-in-kind**

Gifts-in-kind are non-cash donations of materials or long-lived assets. Gifts of material or long-lived assets that serve the purpose of the organization should be reported at their fair-market value. Gifts-in-kind might include such items as equipment, software, printed materials, and food or other items used for hosting dinners. For items such as equipment and software, report the discounted value, if any - that is, the value the organization would have paid if it had purchased the item outright from an outside vendor.

Caution should be exercised to ensure that only gifts that are convertible to cash or that have value to the organization are accepted. Gifts with fair-market values of more than $5,000 should be recorded at the values placed on them by qualified independent appraisers, as required by the IRS for valuing non-cash charitable contributions. Gifts of $5,000 or less may be reported at the value declared by the donor or, if there is expertise on the staff other than that of the development officer, as placed on the gift by such an expert. Organizations may obtain the appraiser’s calculated amount from IRS Form 8283, on which the donor must obtain the donee’s signature for all such gifts.

An offer of a gift of tangible property may be accepted initially and conditionally on behalf of the Fairmont State Foundation with the understanding that the following shall ordinarily govern:

(a) the gift is made in accordance with regulations of the Internal Revenue Service;

(b) the acceptance of such gifts of tangible property shall not involve significant additional expense for their present or future use, display, maintenance, or administration unless such expenses are covered by funds provided for that purpose;

(c) no financial or other burdensome obligation or expense is or will be directly or indirectly incurred by Fairmont State Foundation as a result thereof;

(d) the acceptance of such gifts of real property will be accompanied by a recent Phase I Environmental Audit, which will typically include three components (1) site reconnaissance, (2) town record inspection, and (3) state record inspection. The purpose of an environmental audit is to detect the presence of toxic waste or hazardous materials;

(e) sufficient space is available;

(f) gifts of tangible personal property (such as equipment and books) will not be accepted if made on the condition, or understanding or expectation, that the items will be loaned back to the donor or persons designated by the donor for life or extended periods of time to be determined by the donor;

(g) As a general rule, Fairmont State Foundation officers and Fairmont State University employees should not furnish valuations or appraisals to donors in connection with gifts-in-kind to Fairmont State Foundation.
**Important Note:** Since gifts of tangible property could create a hardship to Fairmont State University as explained in (a) through (g) above, gifts-in-kind must be reviewed and approved by the Presidents' Council and be recommended for acceptance from the respective President to the Vice President for Institutional Advancement.

**Donations of Material to Libraries of Fairmont State University**

The Libraries of Fairmont State University welcome gifts of books, archival materials, or other appropriate items that support the mission of the Libraries of Fairmont State University and Pierpont Community & Technical College. Gifts appropriate for the general collection should support the curriculum or build the general academic stature of the Libraries. Gifts that are accepted for the Archives generally should relate to the cultural heritage and historical development of West Virginia, and in particular, the service area of Fairmont State University.

(a) The Libraries accept donations that will strengthen the collections. In some instances, it is appropriate for a librarian to examine the materials prior to acceptance. Materials that duplicate existing holdings or are not appropriate will not be added to the collections, and may be offered to other libraries or to students and faculty.

(b) The Libraries reserve the right to determine the retention of all items in a major donation. Items not added to the collections will be given to other libraries, offered to students and faculty, or discarded. Items not added to the collection may be returned to the donor, upon the special request of that donor.

(c) The appraisal of donations to the Libraries is the responsibility of the donor. The Libraries, as an interested party, cannot make appraisals of donations made to it. For any gifts valued at over $5,000, for which an external appraisal is necessary, the Fairmont State Foundation is responsible for officially receiving the gift and for handling paperwork for the Internal Revenue Service.

(d) The Libraries will acknowledge all donations with a letter from the Director of Library Services with a general description of the donation. It is the responsibility of the donor to provide a detailed inventory of the donation or a listing of titles if these are desired. Unusual or unique gifts will be acknowledged publicly unless the donor requests anonymity.

(e) When appropriate, the Director of Library Services will request that the Fairmont State Foundation acknowledge unique or unusual gifts.

(f) The Libraries shall determine the type of cataloging, the location of materials, and the circulating status after receiving the donation. The Libraries do not necessarily keep multiple items in a donation together as a unit.

(g) The Libraries will provide a bookplate and notice in the online catalog acknowledging the donation if the donor so desires.

(h) All materials donated to the Libraries will be accessible by the public, either in the general collections or for research in the Archives.

(i) Researchers using material in the Archives have the right to make single copies of items within the restrictions of the fair use copyright guidelines.

(j) It is the responsibility of the donor to make arrangements for the transportation of the material to the Libraries.
(k) All major donations are accepted subject to the final approval of the Director of Library Services. Any exceptions to this policy must be agreed upon in writing prior to the receipt of the donation.

FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY NO. 38

TITLE: FACULTY SICK LEAVE
EFFECTIVE DATE: NOVEMBER 10, 2005

The purpose of this policy is to clarify faculty rights and responsibilities when a faculty member cannot meet with classes or carry out other official duties because of personal illness; clarify the duties of Deans in such cases; and provide guidelines for requesting short-term disability leave. Since faculty members on a contract of less than twelve months do not earn or accrue sick or annual leave (per HEPC Series 38 and WVCCTC 135-38), this policy addresses procedures for occasions when personal illness occurs.

This policy is not intended to address all issues surrounding the request for unpaid medical or Family Medical Leave Act (FMLA) leave and is in no way intended to limit or prohibit faculty members from requesting and taking such leave.

State law (§12-3-13) prohibits the payment of wages when work is not performed. This policy is intended to provide a procedure and plan that protects the faculty member and the institutions in cases in which faculty members are unable to work due to personal illness.

The Fairmont State University Board of Governors strongly encourages all benefits-eligible faculty members to enroll in a short-term disability plan and directs the administration to make such a plan available.

General Provisions
Each faculty member is employed to carry out duties which include but are not limited to meeting with each assigned class during its scheduled time frame and performing other related faculty responsibilities.

A faculty member who must miss scheduled work time (class, office, committee, or other) because of personal illness or injury is required to notify his or her immediate supervisor.

A work day is defined as a day on which the faculty member would regularly be scheduled to meet with a class, hold office hours, or perform other duties such as advising or committee work.

A “health care professional” is defined as a person, other than the employee or a member of his or her family who (a) is licensed to practice medicine under the laws of the state in which he or she practices; or (b) is legally qualified as a medical practitioner and required to be recognized by the insurance laws of the state in which he or she practices.

Dean Responsibilities
In the event of the faculty member's absence, it becomes the responsibility of the Dean (or his or her designee such as department chair or program coordinator) to ensure that:

(1) Another member of the faculty/staff will meet with the classes affected, or
(2) He/she will meet with the classes when a faculty/staff member is unavailable, or

(3) Notify the students in advance if it becomes necessary to cancel classes.

In addition, the Dean will develop and maintain a record-keeping system for documenting notification of faculty absences due to illness or injury and notifying Human Resources when a faculty member has been absent five (5) or more work days due to personal illness or injury. Documentation shall include verification of receipt of “Return to Work Authorization/Medical Release” form when absence exceeds six (6) work days.

Faculty Responsibilities

Faculty members have the following responsibilities:

(1) A faculty member who must miss scheduled work time (class, office, committee, or other) because of personal illness or injury is required to notify his or her immediate supervisor.

(2) If physically able, offer assistance or suggestions to the Dean or his or her designee in arranging for another faculty or staff member to meet with affected classes.

(3) Faculty members are strongly encouraged to enroll in short-term disability coverage.

(4) Faculty members must notify the Benefits Office and request a claim form to file for disability income benefits (short-term disability benefits currently available through the Benefits Office become effective on the eighth day and provide a percentage of salary for up to six months. For purposes of the disability coverage, the eight day period begins with documentation from the treating health care professional.)

(5) Before returning to work after a period of absence of six (6) or more work days, the faculty member must obtain a “Return to Work Authorization/Medical Release” form from the treating health care professional.

(6) Faculty members whose illness or injury prevent them from carrying out their assigned duties for fourteen (14) consecutive calendar days will be placed on unpaid medical leave until able to return to work. The administration will work with those faculty members enrolled in short-term disability to initiate the receipt of disability benefits as defined by the plan.

While this policy addresses the procedures for short-term illness leave and encourages faculty members to enroll in a short-term disability plan, the Board also encourages all faculty members to enroll in some form of long-term disability coverage.

In order to provide a transition period, this policy will not apply to any faculty member who has enrolled in short term disability but is denied benefits based on a pre-existing condition between November 1, 2005 and October 31, 2006.
FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY NO. 41

TITLE: INSTITUTIONAL EMPLOYMENT AND FAMILY RELATIONSHIPS

Effective Date: November 10, 2005

Fairmont State University encourages applications/résumés/vitae from spouses, partners, and other family members of current employees. Such candidates will receive full consideration for available positions for which they apply and are qualified. Consistent with Fairmont State University’s diversity goals and affirmative action policies, applications are especially welcome from members of underrepresented groups.

In an effort to support the relocation of a family, Fairmont State University personnel will, as appropriate, assist with referrals to outside agencies for employment for spouses and other family members who accompany newly-appointed faculty or staff to Fairmont State University.

While there is no stated or implied rule against the consideration of more than one member of the same family for employment within the same unit of Fairmont State University, faculty, administrators and other staff cannot supervise, initiate, or participate in institutional decisions involving a direct benefit (initial appointment, retention, promotion, salary, leave of absence, etc.) to members of their immediate families. Immediate family members are defined as individuals who are related to the employee as father, mother, son, daughter, brother, sister, spouse, or cohabitating sexual partner.

FAIRMONT STATE UNIVERSITY
BOARD OF GOVERNORS
POLICY NO. 42

TITLE: CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS

Effective Date: November 10, 2005

In a commitment to foster an educational and work environment free from all forms of harassment and discriminatory behavior, Fairmont State University strongly discourages romantic or sexual relationships between faculty and student, supervisor and subordinate employee, and any other relationship where a power differential exists between the parties.

Even if consensual, these relationships are always a cause for concern because:

a) they may involve one person’s exerting power over another;
b) conflict of interest issues may arise in evaluating a student or employee;
c) there is a strong potential for retaliation when the relationship ends;
d) a third party may allege favoritism;
e) they undermine the professional interaction upon which faculty-student/supervisor-subordinate relationships should be based.
When a consensual relationship ends, there is the potential for a faculty member or supervisor in the relationship to threaten the student with a bad grade or the employee with a poor evaluation (sexual harassment); and/or for a student or employee to allege such action.
POLICY STATEMENTS

FAIRMONT STATE UNIVERSITY HARASSMENT POLICY

In an effort to develop a racial harassment policy and in revising the existing sexual harassment policy, a committee including students, faculty, and staff developed this general harassment policy addressing all forms of harassment. Because the most common forms of harassment have historically been racial and sexual, clarifying statements accompany this general harassment policy to further define these two forms of harassment and outline Fairmont State University’s educational approaches to these areas.

For more information or to file a complaint call:

304-367-4386
Director of Affirmative Action
Room 324, Hardway Building
Fairmont State University
Fairmont, WV 26554

I. Introduction

Fairmont State University is dedicated not only to learning but also to enhancing and enriching the quality of life for all of its students and campus personnel. Fairmont State University seeks to educate and support an environment which prepares individuals for participation in an increasingly diverse world, one in which academic freedom prevails cohesively with respect for the acceptance of differences of race, national origin, color, ethnicity, age, veteran status, disability, religion, sexual orientation, gender, and association with persons different from oneself.

Fairmont State University embraces the principles of free speech guaranteed by the First Amendment to the United States Constitution. It also abhors the deliberate abuse of this freedom by those who would provoke hatred and violence. Even though principles of academic freedom and freedom of speech require tolerance of some ideas and opinions which may be offensive, harassment cannot and will not be tolerated at Fairmont State University. Those categories of speech which are protected under First Amendment freedom of speech protections, but which have negative connotations, are however considered inappropriate and offensive behaviors at Fairmont State University and will be addressed through educational measures.

Fairmont State University is aware of the potential "chilling effect" which a harassment policy might have on the free exchange of ideas, the right of free speech and the tradition of academic freedom. It is not the intent of this policy to legislate a "hate speech code" or to impact in any way on verbal discourse in any campus activity at Fairmont State University where ideas are exchanged, differences expressed, opinions shared, etc., even when these verbalizations may be repugnant or repulsive to certain parties or individuals who are involved or privy to the discourse in question.

It is only when these expressions breach the context of the exchange of ideas and enter the domain of harassment, as defined by the Fairmont State University Harassment Policy, that the institution could be compelled to respond in a way that demonstrates its abhorrence of such expressions, and renders either a prescriptive sanction, educational response, or supervisory action defined as appropriate with reference to the guidelines of the Harassment Policy and which is in compliance with the right of free speech in accordance with Supreme Court interpretations of the First Amendment.
The responsibility for understanding and respecting diversity is campus-wide, not the sole responsibility of any one office or person. Emphasis is given to supporting an environment which values students, faculty and staff of diverse backgrounds and encourages the fulfillment of educational objectives and potentials free from harassment.

Every incident of harassment undermines the mission and goals of this institution. Conduct which tends to degrade or demean the self-worth, dignity or character of any individual or group is an offense against the whole campus community.

Fairmont State University’s harassment policy unequivocally deplores any and all forms of intolerance. The policy prohibits acts of written and/or physical abuse and harassment, which deny, prohibit, or violate the human rights or civil rights of any member of Fairmont State University's community of employees and students.

The policy also prohibits verbal harassment that would tend to incite an immediate breach of the peace or provoke violent reaction, and is directed at the hearer.

Fairmont State University prohibits conduct intentionally directed toward any individual or group of individuals with the intent to harass, intimidate, or demean an individual or group of individuals, and/or have the effect of creating a hostile working, living, educational, academic, or social environment.

Administrators, faculty, and staff shall respect the rights of others. Employees of Fairmont State University shall avoid extraneous considerations in the evaluation of peers or students, or in the assignment of duties and responsibilities. Campus personnel shall promote the ideals of a learning environment which foster individual rights and encourage the acceptance and affirmation of differences.

In some cases, the "harasser" may not realize that his or her actions are offensive. Employees and students who believe they have been subjected to harassment are encouraged to make it clear to the harasser that such behavior is offensive to them.

II. Definition of Harassment
For the purposes of this policy, the term harassment is defined as any verbal, written, or physical conduct directed toward an individual or group of individuals which a person knows or has reasonable grounds to know would intimidate, demean, or degrade the individual's or group's character, self-worth or dignity.

Harassment is further defined as that conduct which has the effect of limiting or denying equal opportunity or treatment and is conducted in disregard for that individual's or group's human or civil rights and which may result in their mental, emotional, or physical discomfort, ridicule or harm. Offensive language or behavior which interferes with a person's employment, educational status or performance or otherwise creates a hostile environment shall fall within the meaning of harassment.

Threats of other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy which may be subject to direct administrative action or judicial action.

Examples of Harassment
Examples of harassment which are subject to sanctions under the Harassment Policy include but are not limited to the following:

a. Physical or verbal attack upon or interference which prevents a person from conducting his/her customary or usual Fairmont State University-related
affairs; additionally, conduct which is intended to, or by inference can be
construed as intended to, interfere with a person in the conduct of his/her
customary or usual affairs, i.e., threatening letter, use of threatening
language, vandalism of a person's room or property by graffiti, etc.

b. Conduct or expressive behavior that puts the person in fear for his/her
safety and/or causes the person to suffer actual physical or mental injury or
harm,

c. Intentionally or inadvertently creating an intimidating, hostile or demeaning
environment for education, Fairmont State University-related work, or other
Fairmont State University-authorized activity,

d. Utilizing an actual or implied position of authority or power to exclude or
deny an individual or group equal access or equal opportunity to compete in
or avail themselves of Fairmont State University facilities or resources,

e. Utilizing an actual or implied position of authority or power to intimidate, or
otherwise subject or cause to be subjected to acts of harassment, or
otherwise cause an individual or group to be subjected to adverse causes of
action which are directed on the basis of the individual's or group's race,
national origin, color, ethnicity, age, veteran status, disability, religion,
sexual orientation, gender, or association with persons different from
oneself,

f. Physical aggression directed by one individual toward another, related to
the individual's dating relationship or association with a person or persons
different from oneself,

g. The issue of a verbal threat of possible physical violence or designed to
restrict access to any program, facility, activity, or Fairmont State University
official on the basis of any of the characteristics listed in (e) above, or

h. Foreclosure of promotions or other career opportunities to certain
individuals because of any of the characteristics listed in (e) above.

III. Educational Efforts Related to Harassment
The Harassment Policy and the two clarifying statements alone will not accomplish
elimination of harassment. Policy efforts must be coupled with proactive educational
efforts throughout the Fairmont State University community. Such educational efforts
are a shared community responsibility. See the clarifying statements on sexual
harassment and racial harassment for specifics regarding institutional responsibility for
development of educational efforts related to teaching tolerance for and valuing of
differences.

IV. Complaint Procedures
Confidential consultation mechanisms are provided to enable accusers to assess their
options and decide upon alternative action mechanisms prior to following through on an
accusation. Both informal resolution mechanisms as well as formal judicial procedures
are available to enforce the harassment policy. These informal and formal mechanisms
protect the rights of and afford due process to all parties involved, including the accuser
and the accused.

Any member of the Fairmont State University community (student, faculty, staff, or
administrator) may initiate contact with one of the designated persons for the purpose of
clarifying or interpreting a matter about which he/she is concerned, to seek resolution of a harassment matter through informal means, or to seek resolution through the formal complaint procedure. All members of the Fairmont State University community are expected to address observed incidents of harassment and bring them to the attention of the appropriate individuals.

Persons wishing to register a complaint about an off-campus incident over which Fairmont State University may not have jurisdiction may approach those listed below for advice and referral to the appropriate municipal authorities, including local law enforcement agencies and the West Virginia Human Rights Commission.

A. Consultation
Consultation is available for the purpose of providing information about this policy and related procedures.

The persons designated as available to provide consultation or to assist in informal resolution are the following:

1. If the person charged is a student: The Vice President for Student Affairs, the Director of Affirmative Action, the Judicial Administrator, the Director of Multicultural Affairs, the Director of International Student Advising, or a campus minister.

2. If the person charged is a faculty member: The Provost and Vice President for Academic Affairs, the President of the Community and Technical College, the Director of Affirmative Action, the supervisor of the accused, the Director of Multicultural Affairs, the Director of International Student Advising, or a campus minister.

3. If the person charged is a classified staff member or administrator: The Vice President, or President to whom the accused reports, the Director of Affirmative Action, the accused's immediate supervisor, the highest level supervisor in the accused's unit, the Human Resources Administrator, the Director of Multicultural Affairs, the Director of International Student Advising, or a campus minister.

B. Informal Resolution Mechanisms
Any member of the Fairmont State University community may seek an informal resolution of a harassment incident, or may discuss the possibility of filing a formal (written) complaint with any of the above persons. Neither a consultation nor seeking an informal resolution shall be a prerequisite to making a formal complaint.

Mediation or conflict resolution approaches may be utilized. If possible or appropriate, the accuser should be assisted in trying to resolve the issue with the individual whose action is being questioned.

C. Formal Resolution Mechanisms
Formal charges are initiated by consulting with the Director of Affirmative Action and filing a formal (written) complaint with the Director of Affirmative Action. The complaint should specify the behavior which violates the harassment policy, and related details, and name the person(s) charged. A form for filing a complaint is available in the Office of the Director of Affirmative Action, Room 324, Hardway Hall.
Response to harassment complaints is to be speedy and confidential. However, Fairmont State University recognizes the right of the accused to face the accuser. The steps in the procedure for processing harassment complaints are as follows.

Any person accused by formal complaint of conduct in violation of Fairmont State University’s harassment policy shall be notified by the Director of Affirmative Action that a complaint has been lodged against him/her.

A prompt initial investigation of the complaint by the Director of Affirmative Action will be conducted within ten days of receipt of the formal complaint. As a component of this investigation, the Director of Affirmative Action shall explore reconciliation possibilities with the parties involved. If reconciliation efforts are not successful, the Director of Affirmative Action shall then refer the case as outlined below to the appropriate judicial body for a hearing.

Written notice of a formal hearing must be provided to the parties involved. Procedures for formal hearings will be as outlined in the respective governing documents.

1. For Students: When the accused is a student, the formal complaint shall be referred by the Director of Affirmative Action to the Vice President for Student Affairs or his/her designee, who will initiate student disciplinary procedures.

2. For Faculty: When a formal complaint is against a faculty member, the complaint should be referred by the Director of Affirmative Action to the faculty member’s immediate supervisor and the appropriate President. Following an initial investigation by the supervisor, the Vice President for Academic Affairs, or President of the Community & Technical College, as appropriate, shall convene a conciliation meeting with the supervisor, faculty member, and the complainant. If conciliation results, the matter shall terminate. If conciliation does not result, the matter shall be forwarded for a formal hearing before the Faculty Harassment Complaint Committee, as outlined in the Faculty Senate By-Laws or Faculty Assembly By-Laws, as appropriate. Following the formal hearing, if the claim of harassment is considered to have been verified, the President will impose appropriate sanctions.

3. Faculty grievance procedures set forth in the Faculty Handbook may be used by faculty to appeal imposed sanctions. If the complaint relates to an academic evaluation which the affected student believes to be the result of discrimination, the complainant may appeal the final grade in accordance with grade appeal procedures which are set forth in Faculty Handbooks and the Student Handbook.

4. For Classified Staff and Administrators: When a formal complaint is against a classified staff member, supervisor, or administrator, the complaint should be referred by the Director of Affirmative Action to the staff member’s immediate supervisor, who will immediately notify his/her respective vice president that a complaint has been lodged. Following an initial investigation by the supervisor of the accused, the Human Resources Administrator shall convene a conciliation meeting with the supervisor(s) and the employee(s). The procedures to be used in such cases are outlined in
the Conduct Discipline and Grievance section (pp. 24-27) and the Employee Conduct section (pp. S12-S13) of the Classified Employees' Handbook. If the charges are placed by a classified staff person against a classified staff person, the grievance procedure provided through West Virginia Code, Chapter 18, Article 29 would be used.

5. For Visitors or Guests: Complaints against visitors or guests should be directed to the Campus Security or local police.

V. Sanctions
Violations of this policy may result in disciplinary action taken by the appropriate authority. Sanctions may include but are not limited to oral or written reprimands, written reprimands maintained in the person's file requiring explicit reference to the nature of the reprimand in any letter of reference provided, educational requirements, suspension, expulsion, or termination. Sanctions assigned shall be in accordance with the terms and guidelines of the applicable Fairmont State University procedures.

VI. Appeals
Following the outcome, any accused party who is the subject of an adverse determination may file a written appeal, stating the grounds for such an appeal. The appeal must be filed in accordance with the applicable procedures outlined in the appropriate document for students, faculty and staff. Once the appeal process is completed, any applicable sanctions will be applied and the accuser will be formally notified of the outcome.

VII. Confidentiality
The right of confidentiality for any party involved in a harassment allegation will be respected insofar as it does not interfere with the obligation to investigate allegations of harassment misconduct and/or with the requirement to take corrective action where appropriate. Once the charges have been filed formally, it is expected that all involved parties will keep the process confidential and within channels. If the harassment charge has been withdrawn or has not been proved following these proceedings and any subsequent appeal or grievance procedure, no part of these proceedings will be recorded in the employee's personnel file or in the student's records. Provided, however, that an agreed decision resulting from settlement and/or conciliation efforts may be included in an employee's file as a matter of settlement; for students, any written agreed on conditions for reconciliation that do not involve an admission of guilt will be maintained in the judicial system files, but will not be included in the individual student's file.

STATEMENT ON RACIAL HARASSMENT

I. Introduction
This statement should be used in conjunction with the Fairmont State University Harassment Policy, which describes in detail Fairmont State University's philosophical approach to embracing diversity and multiculturalism, and outlines the approach to addressing incidents of harassment.

This Statement on Racial Harassment provides clarifying language regarding one form of harassment, racial harassment.
II. Definition of Racial Harassment
For the purposes of Fairmont State University policy, the term racial harassment is defined as any verbal, written, or physical conduct directed toward an individual or group of individuals on the basis of race, national origin, color, ethnicity, or association with persons of a different race, which a person knows or reasonably should have known would intimidate, demean, or degrade the individual’s or group’s character, self-worth or dignity.

Racial harassment is further defined as that conduct which, when based upon race, national origin, color, ethnicity, or association with persons of a different race, has the effect of limiting or denying equal opportunity or treatment and is conducted in disregard for that individual’s or group’s human or civil rights and which may result in their mental, emotional, or physical discomfort, ridicule or harm. Offensive language or behavior which interferes with a person’s employment, educational status or performance or otherwise creates a hostile environment shall fall within the meaning of racial harassment.

Threats or other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy, which may be subject to direct administrative or judicial action.

III. Educational Efforts Related to Racial Harassment
The Harassment Policy and the Statement on Racial Harassment will not by themselves accomplish elimination of racial harassment. Policy efforts must be coupled with proactive educational efforts throughout the Fairmont State University community. The Office of Multicultural Affairs works to achieve racial and multicultural harmony through the development of educational programs, policies and procedures designed to encourage independence, maturity and an appreciation for racial and cultural diversity.

Other campus entities which are also expected to provide such educational efforts include the Faculty Development Committee, the Staff Development Committee, Student Government, and each supervisor of staff, faculty, or student workers.

IV. Complaint Procedures, Available Sanctions, & Appeals
Complaint procedures, which include options for consultation, informal resolution mechanisms, and formal resolution mechanisms for students, faculty, classified staff, and administrators, are outlined in the Harassment Policy, as are examples of harassment situations. The Harassment Policy also describes available sanctions, the appeal process, confidentiality measures, and mechanisms for providing statistical summaries of reported incidents. See also Fairmont State University Harassment Policy, Sections V-VIII.
STATEMENT ON SEXUAL HARASSMENT

I. Introduction
This statement should be used in conjunction with the Fairmont State University Harassment Policy, which describes in detail Fairmont State University’s commitment to prevent harassment of any form and outlines the approach to addressing incidents of harassment.

Fairmont State University, as an employer and an educational institution, has responsibility for establishing an environment free from sexual harassment. As an employer, Fairmont State University must meet the obligations of the EEOC guidelines that define sexual harassment and recognize it as a violation of Title VII of the Civil Rights Act of 1964. As an educational institution, Fairmont State University must provide protection from and access to redress for sexual harassment against students, as suggested in language in Title IX of the 1972 Educational Amendments. Sexual harassment in any manner or form is expressly prohibited.

For more information or to file a complaint call:

304-367-4386
Director of Affirmative Action
Room 324 Hardway Hall
Fairmont State University
Fairmont, WV 26554

II. Definition of Sexual Harassment
Sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education,
2. submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual,
3. such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive employment, educational, social, or living environment.

Examples of harassment may include but are not limited to:
- verbal harassment or abuse, including sexually offensive jokes;
- subtle pressure for sexual activity;
- sexist remarks about an individual’s clothing, body, or sexual activities;
- unnecessary touching, patting, or pinching;
- demanding sexual favors accompanied by implied or overt threats concerning one's job, grades, or letter of recommendations, etc.;
- physical sexual assault.

III. Educational Efforts Related to Sexual Harassment
The Harassment Policy and this statement on Sexual Harassment will not by themselves accomplish elimination of sexual harassment. Policy efforts must be
coupled with proactive educational efforts throughout the Fairmont State University community. It is the responsibility of Fairmont State University to provide educational opportunities to create this free environment and to take immediate and appropriate corrective action when sexual harassment is reported or becomes known. Supervisors at every level are of primary importance in the implementation and enforcement of this policy. The Faculty Development Committee, Staff Development Committee, Student Government, and each supervisor of staff, faculty, or student workers are expected to provide educational efforts to reduce and eliminate any form of sexual harassment.

IV. Complaint Procedures, Available Sanctions, and Appeals
Complaint procedures, which include options for consultation, informal resolution mechanisms, and formal resolution mechanisms for students, faculty, classified staff and administrators, are outlined in the Harassment Policy, as are examples of harassment situations. The Harassment Policy also describes available sanctions, the appeal process, confidentiality measures, and mechanisms for providing statistical summaries of reported incidents. See Fairmont State University Harassment Policy, Sections, V-VIII.

STATEMENT ON CONSENSUALROMANTIC OR SEXUAL RELATIONSHIPS
In its commitment to foster an educational and work environment free from all forms of harassment and discriminatory behavior, Fairmont State University strongly discourages any romantic or sexual relationships between faculty and student, supervisor and subordinate employee, and any other relationship where a power differential exists between the parties.

Even if consensual, these relationships are always a cause for concern because:

a) they may involve one person’s exerting power over another;

b) conflict of interest issues may arise in evaluating a student or employee;

c) there is a strong potential for retaliation when the relationship ends; a third party may allege favoritism;

d) they undermine the professional interaction upon which faculty-student/supervisor-subordinate relationships should be based. When a consensual relationship ends, there is the potential for a professor or supervisor in the relationship to threaten the student with a bad grade or the employee with a poor evaluation (sexual harassment); and/or for a student or employee to allege such action.

SOCIAL JUSTICE POLICY
Consistent with its comprehensive mission, and recognizing that the development of human potential is a fundamental goal in a democratic society, the Fairmont State University Board of Governors promotes an educational system that values cultural and ethnic diversity and understanding; that provides for the preparation of students for full and meaningful participation in a changing world; and that promotes equitable and fair treatment in every
aspect of campus life and employment for all persons, regardless of race, color, national origin, sex, sexual preference, sexual orientation, age, religion, veteran status, or disability.

**SMOKING**

Effective October 15, 2002

**Policy Statement**

Research demonstrates that smoking and use of other tobacco products are a clear and present danger to health. The Surgeon General of the United States has determined that cigarette smoking causes over 350,000 preventable deaths each year. Current research also emphasizes the extreme danger to non-smokers from secondary smoke.

Therefore, Fairmont State University recognizes its duty to provide a safe and healthy environment. In order to achieve the goal of a smoke-free environment all persons will observe the following guidelines:

*Smoking and the use of tobacco in any form are prohibited in all buildings and facilities owned by Fairmont State University. Regulations for campus housing will be developed by the Director of Campus Life in consultation with the President. Smoking is also prohibited in any motor vehicle owned, leased or otherwise operated by Fairmont State University. Visitors are expected to comply with this policy. Tobacco products will not be sold on campus.*

*Exceptions: Privately owned motor vehicles used for university business are exempted from this policy.*

*Smoking is permitted outdoors but is prohibited within twenty (20) feet of all entrances and exits to buildings. Smoking or carrying lighted tobacco products is also prohibited in outside areas where people will be standing in line or waiting in crowds.*

**Guidelines**

The administrator or supervisor of a particular building/facility/area will be responsible for:

1. Assuring that all NO SMOKING signs are appropriately placed. (Signs will be provided and placed by the Physical Plant Department.)

2. Assuring that this policy is communicated to everyone within his/her area of responsibility.

3. Assuring adherence to this policy for office, administrative, academic, and all general work areas in facilities within his/her area of responsibility.

The success of this policy will require the understanding and cooperation of all smokers and non-smokers and their acceptance of the responsibility to observe this smoking policy.

The Director of Human Resources, in cooperation with the Student Health Service Staff and the Staff Training and Development Committee, will schedule smoking cessation classes for employees and students who wish to avail themselves of the classes.

Anyone detecting a violation of this policy should immediately notify the violator. If this procedure is not effective or not feasible, the incident should be referred to the supervisor of the facility and if not resolved at that level disciplinary procedures will be followed.

Day to day concerns and questions about this policy should be communicated to the Assistant to the President.
Fairmont State University Chief of Police, Jack Clayton, States:

We have been directed to treat the use of E-Cigarettes in the same manner as tobacco products (whether or not the substance “vaped” contains nicotine or not). All policies and guidelines, as they apply to tobacco cigarettes, will also and equally apply to all E-Cigarettes.

**CAMPUS POLICY ON WEAPONS**

Any person who, without being authorized, or invited, enters or remains on any part of the property owned, leased, or otherwise used by Fairmont State University, or any structure or conveyance thereon, while armed with a firearm or other dangerous weapon, refuses to temporarily relinquish possession of such firearm or weapon when requested to do so, or to leave said premises while in possession of firearm or weapon, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be confined in the county jail for a term not to exceed six months, or fined not more than one thousand dollars ($1,000.00) or both such fine and imprisonment. WV §61-7-14

**FIREARMS, WEAPONS & EXPLOSIVES POLICY**

**Policy Statement**

All members of the Fairmont State University and Pierpont Community and Technical College community, including faculty, staff, and students, as well as visitors to any campus, are prohibited from possessing firearms, explosives or weapons (hereafter collectively referred to as “weapons”) on the premises of the University and College or in any building under their separate or combined control or at any University or College sponsored event without the explicit authorization of the Campus Chief of Police, whether or not a federal or state license to possess the same has been issued to the possessor.

**Reason for Policy/Purpose**

Fairmont State University and Pierpont Community and Technical College are committed to maintaining a safe and secure environment in which to conduct educational activities and house their students. This policy is one step towards reducing the risk of injury or death associated with intentional or accidental use of weapons.

**Who Needs To Know This Policy?**

Visitors to campus, faculty, staff and students.

**Policy/Procedures**

It is prohibited to possess weapons on property owned or controlled by Fairmont State University or Pierpont Community and Technical College or at any University or College sponsored event without the explicit authorization of the Campus Chief of Police, whether or not a federal or state license to possess the same has been issued to the possessor. The only exceptions to this policy are as follows:

1. Law enforcement officers to the extent they are legally permitted to possess weapons pursuant to West Virginia State Law;
2. Military personnel in performance of their official duties to the extent they are legally permitted to possess weapons in the State of West Virginia; and
3. University or College sanctioned classes, groups or events where a particular weapon(s) is required and regularly used as a part of the curriculum or activity, i.e. various Criminal Justice courses/martial arts classes/clubs; theatrical events, etc. The control, security and safe use of such weapons shall be the responsibility of the supervising faculty or staff member. The supervising faculty or staff member shall inform the Campus Chief of Police in advance of any unusual or seldom occurring events involving the use of weapons on campus.

Any person carrying or possessing a firearm or other deadly weapon in violation of this policy who, upon being requested to do so, refuses to temporarily relinquish possession of the firearm or other deadly weapon, and/or refuses to leave University or College premises or grounds as previously defined while in possession of the firearm or deadly weapon, shall be charged with a misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars or confined in the regional jail not more than six months, or both. (§61-7-14 WV Code).

Exceptions to this policy may be requested in writing to the Campus Chief of Police. Only under very limited circumstances will an exception be granted. Questions regarding the applicability of this policy to specific items must be directed to the Campus Chief of Police.

Any student, faculty or staff member violating this policy shall be subject to the disciplinary policies and procedures applicable to students, faculty or staff in addition to the penalties provided under State law.

Definitions

Firearm: Any device that shoots a bullet, pellet, flare, tranquilizer, spear dart, paintball or other projectile, whether loaded or unloaded, including those powered by CO2. This includes, but is not limited to, guns, air guns, dart guns, pistols, revolvers, rifles, cannons, etc, and any ammunition for any such device.

Weapon: Any device that is designed to or traditionally used to inflict harm. This includes, but is not limited to: 1) firearms, slingshots, switchblades, daggers, blackjacks, brass knuckles, bows and arrows, hand grenades, hunting knives, nun-chucks, throwing stars, etc.; 2) any object that could be reasonably construed as a weapon; or 3) any object legally controlled as a weapon or treated as a weapon under the laws of the State of West Virginia.
Explosives: Any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportion, quantities or packing that an ignition by fire, friction, concussion, percussion, or detonator, or any part of the compound or mixture, may cause a sudden generation of highly heated gases that results in gaseous pressures capable of producing destructive efforts on contiguous objects or of destroying life or limb. This includes, but is not limited to, firecrackers, black powder, dynamite, etc. as well as detonating devices such as detonators, blasting caps, timers, incendiary wire and the like.

USE OF FACILITIES BY NON-CAMPUS GROUPS

Groups or organizations which are not officially recognized as part of the college community may request the use of university facilities by contacting the Conference Services Office at (304) 367-4950 or (304) 367-4090. Please visit http://www.fairmontstate.edu/falconcenter/conference-services to view facilities, catering guide, and reservation policies.

TERMINATION DUE TO FINANCIAL EXIGENCY

Actions I, II and III below will be implemented should a university-wide reduction in financial expenditures be necessary. The scope of any financial curtailment is an administrative responsibility and will be implemented through normal administrative channels adhering to Higher Education Policy Commission guidelines and policies with the review and consultation of the University Budget Committee and Institutional Board of Governors.

I. Initial efforts will be directed to curtail current expense, equipment, and repairs and alterations expenditures and may be implemented by curtailing expenditures in any or all of the following:
   A. Maintenance and environmental costs.
   B. Supplies, equipment, and travel.
   C. Extracurricular activities and events funded with appropriated monies.
   D. Cultural and student services funded with appropriated dollars.

II. Efforts will be directed to curtail personal services expenditures in all non-faculty areas. Non-faculty are defined as incumbents who hold the following positions: (1) executive/administrative/managerial, (2) professional non-faculty, (3) secretarial and clerical, (4) technical and paraprofessional, (5) skilled crafts, and (6) service and maintenance. Personal services expenditures in the non-faculty area will be reduced by any or all of the following means in concurrence with actions outlined in Part III.
   A. Reassignment of non-faculty personnel.
   B. Elimination and/or consolidation of positions with corresponding termination or reassignment of non-faculty personnel.
   C. Adjustment of contract period on non-faculty personnel.
   D. Downgrading of positions accompanied by reassignment or salary adjustment of non-faculty personnel affected.
Where possible, seniority will be a prime consideration in reassignments and terminations of these personnel.

III. Personal services expenditures in the faculty area will be reduced by any or all of the following means in concurrence with actions outlined in Part II:

A. Elimination of off-campus classes.

B. Elimination of part-time faculty positions except in those in which there are no full-time faculty members who have the qualifications required to teach a given class and those instances in which the average full-time faculty member is already teaching a schedule that exceeds normal expectations in terms of student credit hours per semester. The normal expectations would be those that the Board of Directors uses to determine funding, but would also take into account any special requirements imposed by a particular discipline.

C. Adjustment of time released from instruction as compensation for other duties performed.

D. Continued program evaluation and discontinuance or reduction of programs. Faculty affected through discontinuance or reduction will be reassigned or terminated in accordance with established policy.

E. Freezing new employment except in instances where such employment is necessary to meet programmatic needs and in instances in which faculty in an academic discipline are already exceeding the normal workload.

F. Summer school adjustments as to salary and/or number of classes offered.

IV. If the Higher Education Policy Commission should declare a financial exigency at Fairmont State University, the procedure for the termination of faculty outlined below will be implemented only if the financial and personnel reductions resulting from actions I, II and III have been proven to be insufficient to meet the exigency.

The final authority in the implementation of the plan is the President, who will receive recommendations from the faculty and administration. Within a reasonable period of time after a financial exigency has been declared, a Financial Exigency Committee will be established. The Committee will consist of one elected full-time faculty representative from each School. In addition to the elected members, the Provost and Vice President for Academic Affairs, the Vice President for Administrative and Fiscal Affairs, and the Personnel Director will be non-voting members. The chairperson of the Committee will be elected by the faculty representatives.

Prior to the termination of any faculty employment due to financial exigency, a good faith effort will be initiated to: 1) provide retraining opportunities, 2) reassign faculty, and 3) encourage early retirement.

A. Procedure for Termination of Faculty Employment

1. The Provost and Vice President for Academic Affairs will request School Chairs to submit prioritized lists of faculty positions within their respective Schools that could be eliminated with the least distortion to the academic needs of the School. The number of positions to be identified will be determined by the Provost and Vice President for Academic Affairs based upon the degree of the exigency. Each School will identify the same number of positions. Each chairperson will consult with School faculty in determining the positions to be
eliminated. Each chairperson will also submit a written justification for the termination and retention of all positions within the School.

2. The Provost and Vice President for Academic Affairs will review the list of positions and justifications received from the chairpersons and meet with them to discuss potential courses of action. After meeting with chairpersons, the Provost and Vice President for Academic Affairs will determine the number of positions to be terminated in each School. The number of terminations per School may vary.

3. The recommendation and written justification of the Provost and Vice President for Academic Affairs will be submitted to the University President and to the Financial Exigency Committee.

4. The Provost and Vice President for Academic Affairs will charge the Committee with making an independent recommendation to the President. The Committee will have access to all relevant information.

5. After a reasonable period of time, the Committee will prepare and submit to the President a written summary of its findings, recommendation, and justification.

6. The President will determine the final course of action. The President's decision along with the reports of the Committee and the Provost and Vice President for Academic Affairs will be submitted to the Institutional Board of Governors for review.

7. The President will give each faculty member whose employment will be terminated "written notice of termination by certified mail, return receipt requested, which notice shall contain:

   a. A delineation of the rationale used by the Board of Directors for the determination of a financial exigency;

   b. 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; and

   c. A description of the appeal process available to the faculty member."

B. Criteria to be used in Termination of Faculty Employment

1. Non-tenured faculty will be terminated before tenured faculty, except where serious distortion of the academic needs of a School would result.

2. In identifying faculty whose employment will be terminated, the following will be taken into account: the academic needs of the School/University, length of service, qualifications, performance, rank, and other relevant criteria.

C. Recall of Faculty Terminated Due to Financial Exigency

1. If within two years following the terminated employment of a tenured or probationary faculty member due to financial exigency a position(s) for which the faculty member is qualified becomes vacant, the President will offer the position to the affected faculty by certified mail, return receipt requested. Written acceptance of the position must be made within thirty days of the mailing of the President's offer.

2. If two or more faculty members are qualified for a vacant position, recall will be in inverse order of termination. No new full-time faculty will be hired for a
teaching position in an area of competence as long as faculty whose employment was terminated retain recall rights.

3. A recall faculty member will be reinstated with the same status as held at the time of terminated employment. The salary of the reinstated faculty member will include any general increases given to non-terminated faculty during the period of termination in addition to adjustments for any educational credentials acquired during the period of termination.

POLICY CONCERNING TERMINATION DUE TO REDUCTION IN OR DISCONTINUANCE OF ACADEMIC PROGRAMS

I. PURPOSE
   The following statement of policy was formulated to comply with Section 13 of Series 9.

II. INTRODUCTION
   Periodic review of the strength and viability of academic programs is necessary and inevitable. Such review can and should result in constructive change in program direction and offerings. Decisions regarding the reduction in or discontinuance of academic programs must be based upon both system-wide and institutional policies and commitments.

   The procedural recommendations included in this document are in compliance with the system-wide policy and procedural statements outlined in Series 9, Policy Regarding Academic Freedom, Professional Responsibility, Promotion and Tenure; Series 10, Program Review; and Series 11, Submission of Proposals for New Academic Programs; and the Discontinuance of Existing Programs.

   The recommendations included herein are further consistent with the Fairmont State University institutional mission discussed in Agenda for Action 1985-1990, A Master Plan of Goals and Service for Public Higher Education in West Virginia. Of primary consideration in developing these procedures is the maintenance of the integrity of academic programs. In addition, the Fairmont State University policy regarding reduction in or discontinuance of academic programs reflects commitment to the following principles:

   A. Individual faculty rights must be protected.
   B. The rights of students enrolled in programs at the time of their proposed discontinuance must be protected.
   C. The emergence of new educational needs resulting from societal and economic influences upon the institution must be recognized and acted upon.
   D. Information regarding potential academic program changes and their implications must be available to all affected institutional personnel.

   All programmatic changes are accomplished only through established procedures. Further, as probationary or tenured faculty may be reassigned or terminated as a result of a major reduction in or discontinuance of a program, the University must adhere to

20Approved by Faculty Senate, April 12, 1988
the following guidelines, criteria and procedures when considering and effecting such a change.

III. GUIDELINES, CRITERIA AND PROCEDURES

A. Program Review

A proposal for a major reduction in or discontinuance of a program must be substantiated by an extensive and thorough program review. The procedures which are to be followed for the review are set forth in Series 11. If the review should result in an institutional decision to discontinue a program, the required Board of Directors’ agenda item shall be submitted in accordance with the provisions of Administrative Procedure No. 23.

The review may be conducted in accordance with the five-year schedule issued by the Higher Education Policy Commission or it may be initiated within the University by a School or by the administration. When assessing a proposal for a major reduction in or discontinuance of a program, the following criteria shall be considered: the program’s quality, necessity, viability, cost, demand, uniqueness, and other relevant criteria.

If a proposal for a major reduction in or discontinuance of a program will lead to proposed termination of probationary or tenured faculty employment, the affected faculty and the Faculty Senate shall have an opportunity to review the proposal and make recommendations (approval, disapproval, or some other action) to the President of the University. Recommendations must be forwarded to the President within 30 days following receipt of a proposal prepared in accordance with the provisions of Administrative Procedure No. 23.

B. Identification of Faculty Whose Employment is to be Terminated

1. Criteria
   a. The employment of non-tenured faculty will be terminated before that of tenured faculty, except where serious distortion would result in the academic needs of the University.
   b. In identifying faculty whose employment will be terminated, the following shall be taken into account: the academic needs of the University, length of service, qualifications, performance, rank, and other relevant criteria.

2. Procedures
   a. The Provost and Vice President for Academic Affairs shall notify the chairperson of a School that a major reduction in or discontinuance of a program is being proposed and shall direct the chairperson to apprise the faculty, students, and staff and to request their input.
   b. The chairperson shall develop a prioritized list of all faculty within the affected program utilizing the criteria previously cited and input from consultation with the faculty in the affected program. The chairperson shall also submit a written justification for the termination or retention of all faculty within the affected program. Concurrently, faculty, students, and staff may submit written reports to the Provost and Vice President for Academic Affairs stating their position on this matter.
c. The Provost and Vice President for Academic Affairs shall review the list of faculty and the justification submitted by the chairperson and any input from faculty, students, and staff. Then the Provost and Vice President for Academic Affairs shall prepare a recommendation and submit it with the chairperson’s report and those of the faculty, students, and staff to the President of the University.

d. At this point an ad hoc Program Committee of five full-time faculty shall be appointed by the Faculty Senate Executive Committee for the purpose of making an independent review report of the entire process. No members of this committee shall be from the same School as the faculty who are designated for termination.

e. The Provost and Vice President for Academic Affairs shall charge the committee with the responsibility of ensuring that the criteria and procedures previously cited have been properly followed. The committee shall have access to all relevant information within 30 days after receiving instructions; this committee shall submit a report of its findings to the President of the University and shall also send a copy of the report to the Provost and Vice President for Academic Affairs.

f. The President shall review the recommendations and reports submitted by the School chairperson, the Provost and Vice President for Academic Affairs, the ad hoc Program Committee, and the affected program faculty, students, and staff.

g. Upon completion of the review, the President shall make an institutional decision concerning faculty employment termination. The President’s decision concerning a major reduction in program is final. The institutional decision to discontinue a program must be forwarded to the Board of Governors for final action. The President’s recommendation to the Board of Governors shall include an explicit statement of those protections that will be provided to affected faculty, students, and staff.

h. The President shall give a faculty member whose employment is to be terminated a written notice of termination by certified mail, return receipt requested. The notice will contain a delineation of the rationale used in making the decision to terminate, a description of the appeal processes available to the faculty member, and a copy of this policy. The notice of termination will also stipulate the following for probationary and tenured faculty:

1. A probationary faculty member shall be permitted to complete the period of appointment in accordance with the terms of his or her contract, including the period of notice that is specified in Series 9.

2. Each faculty member who has been given notice of termination at the end of the contract period will be allowed early release at the end of any term or session from his or her contract upon request, even though the contract may extend beyond that time.
3. Tenured faculty shall be given at least one year of notice of termination of employment following Board of Governors action to approve termination of a program or one year of notice following the date of the final institutional action for a major reduction in the program.

C. Obligations of the University
   1. Reassignment and Retraining: Every effort will be made to reassign a faculty member within the University to instructional or non-instructional duties commensurate with training and experience. If feasible, offers of release time, leave of absence, and available discretionary funds to cover retraining expenses will be made to enable faculty to qualify for reassignment.

   2. Preferred Consideration at Other Institutions: An individual faculty member is an employee of only one institution. Several public institutions, however, are components of a system of higher education in the state and, therefore, are mutually dependent upon the health and viability of one another. If a faculty member is to be released because of a major reduction in or discontinuance of a program, the faculty member should be given the courtesy of preferred consideration for vacancies at other institutions in the state system in accordance with system-wide policy and guidelines.

   3. Institutional Letter of Recommendation: A faculty member whose employment is terminated due to a major reduction in or discontinuance of a program shall be given a personal letter from the President of the University which fully explains the reason(s) for termination. This letter shall expressly state that the termination does not imply a negative judgment about the person's performance, but is due to program change.

   4. Assistance in Finding Employment: The University shall assist the faculty member, to the extent possible, in the sending of letters of explanation and professional resumes supportive of efforts to find suitable employment elsewhere.

D. Recall of Faculty Terminated due to Reduction in or Discontinuance of an Academic Program
   1. If within three years following the terminated employment of a tenured or probationary faculty member due to reduction in or discontinuance of an academic program a position(s) for which the faculty member is qualified becomes vacant, the President of the University will offer the position to the affected faculty by certified mail, return receipt requested. Written acceptance of the position must be made within thirty days of the mailing of the President's offer.

   2. If two or more affected faculty members are qualified for a vacant position, recall will be in inverse order of termination. No new full or part-time faculty will be hired for a teaching position as long as faculty in an area of competence whose employment was terminated retain recall rights.
3. A recalled faculty member shall be reinstated with the same status as held at the time of terminated employment. The salary of the reinstated faculty member shall include any general increases given to non-terminated faculty during the period of termination.

**EMERITUS STATUS FOR RETIRED PROFESSIONALS**

This policy concerning Emeritus Status has been established in accordance with Series 9, Section 6, and filed in the office of the Higher Education Policy Commission.

The names of retired professionals who are eligible for membership in the Emeritus Program of Fairmont State University shall be forwarded to the Faculty Personnel Committee by the Provost and Vice President for Academic Affairs for review and recommendation to the President of this university. The Faculty Personnel Committee may recommend Professor Emeritus, Faculty Emeritus, or Emeritus status, as appropriate. Upon receipt of a recommendation from the Faculty Personnel Committee, the President may confer Emeritus status.

Eligibility for membership in the Emeritus Program of this university is determined by the following criteria and guidelines:

1. The retired faculty member must have held academic rank at Fairmont State University for at least five years.
2. The faculty member must have retired from active service according to the provisions of a retirement system approved by the Higher Education Policy Commission.
3. A faculty member holding the academic rank of professor on retirement shall be confirmed as **Professor Emeritus**.
4. A faculty member with at least 10 years of full-time equivalent teaching service at Fairmont State University holding the rank of associate professor on retirement shall be confirmed as **Professor Emeritus**.
5. Other faculty members shall receive the designation of **Faculty Emeritus**, providing they have at least five years of full-time equivalent teaching at Fairmont State University at the time of retirement.
6. The Faculty Personnel Committee may recommend waiving the criteria relating to academic rank or years of service for any retiring faculty member who, in the Committee’s collective judgment, warrants special consideration.
7. Members of the professional staff who do not hold academic rank may be designated **Emeritus** if such status is conferred by the President of the University.

A retired faculty member or other professional approved by the President for the title of Professor Emeritus, Faculty Emeritus, or Emeritus is entitled to the rights and privileges of full time faculty members with regard to campus activities. Retired faculty members are reminded to obtain a faculty ID in order to have access to campus activities. A retired faculty member may attend meetings of the faculty and the Faculty Senate as a nonvoting member; be on the University mailing list for usual faculty and alumni bulletins; participate in academic processions; receive a suitable citation; and be listed in University publications as Professor Emeritus, Faculty Emeritus or Emeritus. Free parking is no longer available to retired faculty members.

**CRITERIA AND PROCEDURES FOR HONORARY DEGREES AND AWARDS**
The following are general criteria for use as guidelines for making nominations for recipients of honorary degrees and awards. The nominee must fulfill one of these criteria:

1. The nominee must have made a significant contribution to or performed distinguished services for one of the following: Fairmont State University, the region, the state, or the nation.
2. The nominee must have attained eminence in a field significant to Fairmont State University or the State of West Virginia.

Membership of Honorary Degrees and Awards Committee

The Honorary Degrees and Awards Committee shall include a student named by the Student Government, two faculty named by the Executive Committee of the Faculty Senate, and two administrators named by the President of the University. The President shall designate one of the committee members as chairperson. The committee shall be appointed annually during the first month of the academic year.

Procedure for Nomination of Honorary Degrees and Awards Recipients

1. The Honorary Degrees and Awards Committee shall solicit and review nominations for honorary degrees and awards from members and friends of Fairmont State University.
2. The Honorary Degrees and Awards Committee shall submit its recommendations for honorary degrees and awards recipients to the President of the University no later than December 31 of the academic year in which the degree is proposed to be awarded.
3. The President of the University shall forward with supporting documentation the names of those nominees whom he approves to the Institutional Board of Governors.
4. After discussion with the President, the Institutional Board of Governors shall approve or reject the nominees submitted by the President of the University.

Amendments

Amendments to these criteria and procedures may be recommended by the Honorary Degrees and Awards Committee but shall be approved by the Faculty Senate, the President, the Institutional Board of Governors, and the Higher Education Policy Commission.

PROTECTION AGAINST PREJUDICIAL OR CAPRICIOUS ACADEMIC EVALUATION

APPEAL PROCEDURE (Revised July, 2011)

It is the policy of Fairmont State University that students are responsible for fulfilling prescribed course objectives, completing stated course assignments, and adhering to stated academic standards for each course in which they are enrolled. Students' grades will be based solely on performance measured by academic-related standards, and students will not be penalized for taking reasoned exception to views expressed in the academic forum.

Students who believe that their final grade reflects capricious (without apparent reason) or prejudiced academic evaluation or reflects discrimination based on race, color, religion, national origin, age, gender, sexual orientation, or disability may employ the following procedures to seek modification of such an evaluation. The procedures are designed to ensure just, impartial, and expeditious investigation and resolution of a student's claim.
Except in certain unusual circumstances the following procedures must be followed in sequence by students who believe their grade to be unfair for the above reasons, although the deadline dates may be accelerated with consent from both parties at the departmental level. Failure of the student to meet any of the deadlines in this process voids the appeal.

1. Students must contact the instructor involved within the first ten days of the term immediately following grade issuance. Errors in evaluation or misunderstanding of the grading system of the instructor may be resolved in this way. If, for some unforeseen reason, the instructor is unavailable in that period, students must inform the School or College Dean in writing within the first ten days of the term immediately following the grade issuance that they question their final evaluation in the course. The Dean is then charged with contacting that instructor to attempt resolution.

2. If students do not receive satisfaction from consultation with the instructor and believe their grade to be the result of prejudicial or capricious evaluation, or that it reflects discrimination based on race, color, religion, national origin, age, gender, sexual orientation, or disability, they may appeal the grade. They must notify the Dean of the School or College of the instructor in writing of their intent to appeal, including a summary of the reason(s) and the grade they feel they deserve, with a copy sent to the Associate Provost for Academic Affairs, the department chair, where appropriate, and the instructor. The notification must be filed within the first ten school days that school is in session following the semester or term for which the grade was received. Summer school grades may be appealed within the first ten days of the fall term. In the event that the instructor is also the Dean, Associate Dean or Chair, this notice of intent to appeal shall be sent to the Associate Provost, who shall take the Dean or Chair’s part in the next procedure.

3. Upon being notified of the appeal, the School or College Dean (Associate Provost, if applicable) will schedule a meeting of the chair, the student, and the instructor. This meeting should be scheduled within ten school days of the notification, except for extraordinary circumstances, in which case it would be as soon as possible. At this meeting, in an informal conference, the Dean should try to resolve the issue between the student and instructor. All pertinent information must be presented to the issue. Written copies of this decision shall be forwarded immediately to the Provost and Vice President for Academic Affairs, the chair, where appropriate, the instructor, and the student, with off-campus mail being sent certified or registered. This correspondence should specify the next possible stage in the appeal process and should also specify the exact deadline date of any further appeal. That date shall be ten school days from the mailing date of the Dean’s decision.

4. If either the student or the instructor is not satisfied with the decision of the Dean, an appeal may be made to the Associate Provost within the specified deadline period. The appealer must send written notice of intent to appeal within ten school days of the mailing date of the Dean’s mailing, unless postal officials verify that the party did not receive the earlier correspondence within the specified period. The Associate Provost will schedule a meeting with the student and instructor as soon as possible to hear the case. Then a decision will
be made to uphold the Dean's decision or to reverse it. Notice of this decision will be sent to the student, instructor, chair, where appropriate, and Dean, with off-campus mail being certified or registered. This correspondence shall also outline the next possible step in this process and shall specify the exact date (ten school days following this mailing) of the next deadline. In the event of the absence of the Dean or Associate Provost beyond these deadlines, the Provost and Vice-President for Academic Affairs shall appoint an administrative officer with academic rank to act in this capacity.

5. If either the student or the instructor is not satisfied with the decision of the Associate Provost (or, if applicable the alternate administrative officer appointed) an appeal may be made to the Academic Appeals Board of the Faculty Senate. The procedures of the Academic Appeals Board are available in the Faculty Handbook, at http://www.fairmontstate.edu/publications/campushandbooks/fsufacultyhandbook.pdf

**ADMISSIONS AND CREDITS APPEAL PROCEDURE**

Prior to review by the Committee, all appeals must first be submitted in writing, reviewed and denied by the appropriate office (see below). Students wishing to have the appeal brought to the second level of review by the Committee must convey this to the Director of Admissions, the Registrar, or the Dean, who will present the appeal and all appropriate paperwork to the Committee. Students can be present during the Committee review, and will be notified of the meeting date and time.

First Levels of Appeal:

- **Admissions/Readmissions** – Office of Admissions
- **Course Substitutions/Transfer Credits** – Office of the Registrar
- **Suspensions** – Office of the Associate/Assistant Provost
- **General Studies** – Dean of the student’s College/School

**PROCEDURE FOR APPEAL OF OTHER ACADEMIC PENALTIES**

Section 6 (Appeals) of Fairmont State Policy 18 (Student Academic Rights) contains the policies and procedures by which a student may appeal or challenge any academic penalties imposed by a faculty member or by the institution.

Fairmont State University now provides published appeal procedures for final course grades, academic probation, and academic suspension. Other academic penalties not covered by published procedures, such as penalties imposed by an instructor in accordance with Section 5.2 of Policy 18, may be appealed as follows:

1. First, the student shall contact the instructor to resolve the matter. (At this point and at all levels, the required meeting shall be held as soon as possible but in no instance shall exceed the time limits set forth in Policy 18.)

2. If the student does not receive satisfaction after contacting the instructor, he or she may appeal to the Dean of the College or School of the instructor, indicating the purpose of the appeal in writing. (In the event that the instructor is also the

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21 Approved by Faculty Senate, November 10, 1987
chairperson, this written appeal shall be sent to the Provost and Vice President for Academic Affairs, who shall take the chairperson’s part in the procedure.)

(3) If either the student or the instructor is not satisfied with the decision of the Dean, either of the two may submit a written appeal to the Chair of the Admissions and Credits Committee. The Chair of the Committee shall schedule a Committee meeting as soon as possible to hear the case, and the Committee shall render a decision. When conducting a hearing, the Committee shall observe the procedures set forth in Section 6.3.2 of Policy 18.

(4) The student or the instructor may appeal the Committee’s decision in writing to the President of the University or designee. The decision of the President or designee shall be final.

The procedure prescribed herein shall also be followed in appeals of academic dismissal from a limited enrollment program, except such an appeal shall begin with the chairperson of the appropriate School. Further, the provisions of Section 7 of Policy 18 shall be applied in appeals of academic dismissal.

The appeal procedure which shall be followed for removal from the student teaching laboratory experience is prescribed in the Clinical Experience Handbook.

**POLITICAL CLUBS AND ORGANIZATIONS**

The faculty will not sponsor campus political clubs or organizations except those officially recognized by the University. Voters’ clubs organized for students are permitted provided they are not exploited by off-campus promoters or organizers.

**SALES TO STUDENTS BY FACULTY MEMBERS**

All solicitation and selling of products and articles upon property under the jurisdiction of Fairmont State University is prohibited except by organizations and groups directly connected with the institution and upon written approval of the President. Faculty members are not permitted to engage in the sale of any commodity or service to students or act as the agent of any organization engaged in such sales. Textbooks, duplicated materials, and other supplies must be offered for sale only through the University Bookstore. This must be done also in those instances in which a faculty member may be the author of the textbook or other materials offered for sale.

**STUDENT HANDBOOK**

Various sections of the Student Handbook are of special concern to the faculty: Confidentiality of Records; Privileged Communication; Right of Student Privacy; Academic Dishonesty (cheating, plagiarism); Academic Responsibilities; and Student Absence Policy. Faculty are advised to consult these sections and to refer to the Board of Governor’s Policy 18. The Vice President for Student Affairs should be called for assistance in dealing with procedures and due process for instances involving student disruptive or inappropriate behavior.
APPENDIX A
ADDITIONAL CERTIFICATION APPROVALS

DATE: April 23, 1981
The MFA is approved as the highest academic degree for faculty members whose primary responsibility is in **Studio Art.**

DATE: December 10, 2002
The MFA is approved as the highest academic degree for faculty members whose primary responsibility is in **Theatre Performance.**

DATE: August 27, 1993
The Commerce Division submits the professional certification of **Certified Public Accountant (CPA)** to be recognized as the “national certification” of accounting faculty for the purpose of meeting, in part, the promotion criteria for assistant professor and associate professor.

This certification is granted by the State Board of Accountancy as authorized by the State Legislature. It is attained by the meeting of certain statutory requirements and the successful completion of the national Uniform Certified Public Accountant Exam which is prepared and graded by the American Institute of Certified Public Accountants. The Uniform Exam consists of four sections--Auditing, Tax, Accounting Theory and Accounting Practice--and comprehensively tests accounting knowledge over a 2 1/2 day period.

The Commerce Division further submits that the experience requirement be fulfilled by working in any of the following capacities:

A. Licensed, practicing Certified Public Accountant
B. Appropriate professional accounting employment

DATE: March 18, 2008
SCHOOL OF BUSINESS:
[Adapted from the ASSOCIATION OF COLLEGIATE BUSINESS SCHOOLS AND PROGRAMS [ACBSP] Standards and criteria]

1. **Professionally Qualified:** To be considered professionally qualified a faculty member may:
   a. be A.B.D., (i.e., has completed all course work required for a Ph.D. in business or D.B.A., passed the general exams, but has not completed a dissertation) with a major, minor or concentration in the area of assigned teaching responsibilities; or
   b. hold a Master’s degree in a business-related field and professional certification (e.g., C.P.A., C.D.P., C.F.M., C.M.A., P.H.R., etc.) appropriate to his or her assigned teaching responsibilities; or
   c. hold a Master’s degree in a business-related field **and**
      1) have extensive and substantial documented successful teaching experience in the area of assigned teaching responsibilities, and demonstrate involvement
in meaningful research and/or programs for the enhancement of pedagogical skills or
2) have five or more years of professional and management experience in work directly related to his or her assigned teaching responsibilities.

2. Doctorally Qualified: To be considered doctorally qualified a faculty member may:
   a. Hold a doctorate in business with
      1) a graduate level major, minor, or concentration in the area of teaching responsibility; or
      2) professional certification in the area of teaching responsibility; or
      3) five or more years of professional and management experience directly related to the area of teaching responsibility.
   b. Hold a Juris Doctor (JD) and
      1) teach business law, legal environment of business or other area with predominantly legal content; or
      2) hold a business related master’s degree with a specialization in the area of teaching responsibility; or
      3) hold professional certification and teach in the area of the certification; or
      4) have five or more years of professional and management experience directly related to the area of teaching responsibility.
   c. Hold an out of field doctorate and meet 1) and 2), and 3) or 4).
      1) Demonstrate content area knowledge by evidence of
         a) 15 hours of graduate course work in the field; or
         b) a master’s degree in business with a major, concentration or specialization in the field; or
         c) possess professional certification in the area; and
      2) Demonstrate teaching effectiveness in the teaching area including evidence of successful student outcomes; and
      3) Demonstrate scholarly productivity evidenced by publications in the discipline considered as expert work by external colleagues (refereed journals) or papers in the teaching discipline presented at a national meeting; or
      4) Demonstrate successful professional practice evidenced by
         a) substantial professional or management level practice; or
         b) significant involvement in professional organizations related to the teaching field; or
         c) significant consulting activity.

DATE: September 9, 1993
The Division of Technology submits the following national certification and experience requirements pertaining to the new promotion criteria for the following four professional areas.

ARCHITECTURE FACULTY:
1. Appropriate National Certification -- Successful completion of the Architectural Registration Examination (A.R.E.)

This is a four day, thirty-two hour examination that is both given nationally and is recognized nationally as the standard for the profession of architecture. Topics covered
by this examination include site planning, design, structures, mechanical/electrical/plumbing systems, professional practices, and pre-design.

2. Experience Requirement – The experience requirement may be fulfilled by working in any capacity as a licensed architect.

AVIATION FACULTY:
1. Appropriate National Certification -- Successful completion of the Federal Aviation Administration’s Aircraft Maintenance License with the Airframe and Power plant (A&P) ratings.

This five part examination consists of written, oral, and practical skills in each of forty-two technical areas. Topics covered include engineering fundamentals, aviation science/technology, quality assurance, and safety.

2. Experience Requirement -- The experience requirement may be fulfilled by working as an FAA licensed Aviation Maintenance Technician.

ENGINEERING TECHNOLOGY FACULTY (Except Safety Engineering Technology):
1. Appropriate National Certification -- Successful completion of the Professional Engineering certification (P.E.)

Prior to taking the P.E. examination, a passing grade must be achieved on an eight-hour Engineering Fundamentals examination which covers topics generic to a variety of engineering related disciplines. An eight-hour Principles and Practices of Engineering (P.E.) examination must be passed for professional certification. This examination focuses on specialized engineering disciplines such as Civil, Electrical, Manufacturing, Mechanical, etc.

2. Experience Requirement -- The experience requirement may be fulfilled by working as a licensed Professional Engineer (P.E.).

SAFETY ENGINEERING TECHNOLOGY FACULTY:
1. Appropriate National Certifications - Successful completion of the Certified Safety Professional (C.S.P.) or Certified Industrial Hygienist (C.I.H.) examinations.

Prior to taking either the C.S.P or C.I.H. examination, a passing grade must be achieved on an eight-hour Core Examination for each specialization. Faculty working toward the Certified Safety Professional Exam would take the Associate Safety Professional (A.S.P.) Core Examination and faculty working toward the Certified Industrial Hygienist Examination would take the Industrial Hygienist in Training (I.H.I.T.) Core Examination.

An eight-hour Certified Safety Professional (C.S.P.) or Certified Industrial Hygienist (C.I.H.) examination must be passed for professional certification. These examinations focus on comprehensive practices and management principles within these two specialized fields of study.

2. Experience Requirement -- The experience requirement may be fulfilled by working as a Certified Safety Professional (C.S.P.) or a Certified Industrial Hygienist (C.I.H.).
DATE: March 18, 2008
The School of Nursing and Allied Health Administration submits the following new promotion and tenure criteria in nursing.

1. Professor/Senior Level and Professor: To be eligible to apply for promotion to the rank of professor/senior and professor, a faculty member must meet the minimum University requirements as outlined under Standards for Academic Rank and Promotion.

2. Associate Professor/ Senior: To be eligible to apply for promotion to the rank of associate professor/senior, a faculty member must meet the following criteria:
   a. Meet the time requirements as outlined by the University for promotion in rank AND
   b. Meet criteria currently in effect for the rank of Associate Professor in Nursing.

3. Associate Professor: To be eligible to apply for promotion and/or tenure to the rank of associate professor, a faculty member must meet the following criteria:
   a. Hold current national certification by one of the following organizations: National Association of Pediatric Nurse Associates and Practitioners (NAPNAP); Association of Women's Health, Obstetric, and Neonatal Nurses (AWHONN); NLN Certified Nurse Educator (CNE); American Nurses Credentialing Center (ANCC) or certification accepted by the West Virginia Board of Examiners for Registered Professional Nurses for Advanced Nursing Practice AND
   b. Demonstrate professional and scholarly excellence AND
   c. Meet the time requirements as outlined by the University for promotion in rank AND
   d. Meet criteria currently in effect for the rank of Assistant Professor in Nursing.

4. Assistant Professor: To be eligible to apply for promotion and/or tenure to the rank of assistant professor, a faculty member must meet the following criteria:
   a. Hold a master's degree in nursing AND
   b. Demonstrate professional and scholarly stature AND
   c. Meet the time requirements as outlined by the University for promotion in rank AND
   d. Meet criteria currently in effect for the rank of Instructor in Nursing.

5. Instructor: To be eligible to apply for the rank of instructor, a faculty member must meet the following criteria:
   a. Hold a bachelor’s degree in nursing AND
   b. Have a minimum of 3 years clinical experience as a registered nurse AND
   c. Hold an unencumbered West Virginia RN license;
   d. For continued employment, the instructor must be enrolled in a MSN program within one year of being hired and the MSN must be completed within three years from the beginning of the MSN program.
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