

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: UNIVERSITY OF WV BOARD OF TRUSTEES TITLE NUMBER: 128

RULE TYPE: INTERPRETATIVE; CITE AUTHORITY WV Code 18B-1-6

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

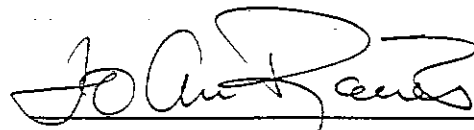
IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 56

TITLE OF RULE BEING PROPOSED: SOCIAL JUSTICE POLICY

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON Sept. 6, 1991 AT 5:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Jo Ann Raines
Public Information Coordinator
1018 Kanawha Blvd., E.
Charleston
West Virginia 25301

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

TITLE 128
INTERPRETATIVE RULE
UNIVERSITY OF WEST VIRGINIA SYSTEM
BOARD OF TRUSTEES
SERIES 56
POLICY BULLETIN NUMBER 56

SECTION	DESCRIPTION	PAGE NUMBER
1	General	3
2	Social Justice Policy	3
3	Implementation	4
4	Areas of Implementation	5
5	Reports	6
6	Filing of Complaints	6
7	Policy Limitations	6

TITLE 128
INTERPRETATIVE RULE
UNIVERSITY OF WEST VIRGINIA SYSTEM
BOARD OF TRUSTEES
SERIES 56
POLICY BULLETIN NUMBER 56

Policy Bulletin Number 56 addresses social justice, what and how it is to be accomplished, and provides guidelines for filing complaints.

TITLE 128
INTERPRETATIVE RULE
UNIVERSITY OF WEST VIRGINIA SYSTEM
BOARD OF TRUSTEES
SERIES 56
POLICY BULLETIN NO. 56

TITLE: SOCIAL JUSTICE POLICY

SECTION 1. GENERAL

- 1.1 Scope - This interpretative policy addresses social justice, what and how it is to be accomplished, and provides guidelines for filing complaints.
- 1.2 Authority - West Virginia Code 18B-1-6; West Virginia Human Rights Act of 1967; Title IX of the Civil Rights Act of 1972; Equal Employment Opportunity Commission interpretative guidelines issued in March, 1980; Titles VI and VII of the Civil Rights Act of 1964; Vietnam Era Veterans Readjustment Act; Sections 503 and 504 of the Rehabilitation Act; Executive Order 11246; Immigration Reform and Control Act of 1986; Equal Pay Act; Age Discrimination Act; Americans with Disabilities Act; and Disabled Veterans Act.
- 1.3 Filing Date -
- 1.4 Effective Date -

SECTION 2. SOCIAL JUSTICE POLICY

- 2.1 The Board of Trustees is committed to bringing about mutual understanding and respect among all individuals and groups at institutions of the University System of West Virginia and to eliminating all forms of discrimination as provided by West Virginia and federal law.
- 2.2 Consistent with its comprehensive mission, and in recognition that the development of human potential is a fundamental goal in a democratic society, the Board of Trustees 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, age, religion, veteran status, or disability.

SECTION 3. IMPLEMENTATION

- 3.1 Each institution shall develop a program for social justice consisting of the following elements:
 - 3.1.1 Activities, including education, which have a goal of eliminating prejudice or discrimination based upon race, color, national origin, sex, age, religion, veteran status or disability from student life and working conditions in the institution.
 - 3.1.2 An appraisal of the institution's educational environment, job structure, and employment practices as they relate to social justice.
 - 3.1.3 Provision for counseling and responding to employees, applicants, and students who charge that they have been discriminated against, and for the informal resolution of such matters before the filing of a formal complaint.
- 3.2 Responsibility for carrying out the social justice program is assigned as follows:
 - 3.2.1 The presidents of Marshall University and West Virginia University will designate a Social Justice Officer who will be responsible for overseeing the Social Justice program and who shall report to the president. Presidents of the other University of West Virginia System institutions shall designate an administrative officer who will be responsible for overseeing the social justice program as part of his or her other duties and responsibilities.
 - 3.2.1a These institutional officials are expected to carry out the institution's social justice program, as directed by the president, by developing plans, procedures, and regulations necessary to carry out the institution's program, and by examining the operations of the institution at regular intervals to

assure their conformity with this social justice policy.

3.2.2 Each dean, director, unit head and supervisor has the immediate day-to-day responsibility for implementing the social justice policy.

3.2.3 All employees are expected to set the tone and help create an environment for positive change and results within the social justice area.

SECTION 4. AREAS OF IMPLEMENTATION

4.1 The Social Justice Officer is authorized to carry out the institution's program as authorized by the president in the following areas:

4.1.1 Developing plans, procedures, and regulations necessary to carry out the institution's program. Specifically, an acceptable social justice plan will be developed with assistance and support from persons recommended by the president to assist in carrying out the programs;

4.1.2 Evaluating the operations of the institution at regular intervals to assure their conformity with the Social Justice Policy. Require such reports as deemed appropriate from all divisions of the institution;

4.1.3 Proposing and encouraging changes in course content and curriculum, student life programs, personnel programs and administrative procedures designed to eliminate discriminatory practices which are covered by this section and improve the institution's program for social justice and assisting the institution's administration in arriving at solutions to problems. Changes in curriculum shall be approved by the faculty through the curriculum approval process of the institution;

4.1.4 Encouraging and providing assistance to faculty in broadening course content and offerings to reflect the social justice goals of the University of West

Virginia System; and

- 4.1.5 Providing for the prompt receipt, investigation, disposition, and rendering of a written recommendation to the president of general allegations made by organizations or third parties of systematic discrimination.

SECTION 5. REPORTS

- 5.1 In the annual report to the chancellor, each president will include a report on the institution's efforts in the area of social justice which shall be reviewed by the Social Justice Committee. Such annual reports will include what was accomplished: short term (one year) goals; long term goals; and the financial commitment utilized to achieve the goals.

SECTION 6. FILING OF COMPLAINTS

- 6.1 Each institution and the Central Office of the State College and University Systems shall assure that procedures are available for applicants, students and employees for the handling of social justice complaints and assume appropriate dissemination of information concerning it to faculty, staff and students. Each campus shall designate (a) liaison person (s) who shall receive training as a facilitator and report to the president.

FISCAL NOTE

As filed, Policy Bulletin Number 56 does not appear to place additional financial burden upon the University System.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Social Justice Policy

Type of Rule: Legislative Interpretive Procedural

Agency UNIVERSITY OF WEST VIRGINIA
BOARD OF TRUSTEES

Address 1018 Kanawha Blvd., E.

Suite 700

Charleston, West Virginia 25301

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services	0	0	0	0	0
Current Expense	0	0	0	0	0
Repairs and Alterations	0	0	0	0	0
Equipment	0	0	0	0	0
Other	0	0	0	0	0

2. Explanation of above estimates:

N/A

3. Objectives of these rules:

N/A

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

N/A

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

N/A

C. Economic Impact on Citizens/Public at Large.

N/A

Date: July 8, 1991

Signature of Agency Head or Authorized Representative

John R. ...



STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON 25305

GASTON CAPERTON
GOVERNOR

August 3, 1991


Ken Hechler
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Hechler:

In the absence of a Secretary of Education and the Arts, I hereby grant consent as required pursuant to WV Code §F-2-2 for the promulgation of an interpretive rule by the Board of Trustees of the University Of West Virginia System relating to Social Justice (CSR 128, Series 56).

A copy of the rule is attached.

Very truly yours,


Thomas A. Heywood
Senior Executive Assistant

TAH/lis

Attachment

cc: Charles Manning
John Thralls
David Mohr
Jo Ann Raines