

WEST VIRGINIA  
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #5

FILED

JUN 30 3 51 PM '97

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE  
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: State College Ssystem Board of Directors TITLE NUMBER: 131

CITE AUTHORITY: WV Code 188-1-6

RULE TYPE: PROCEDURAL  INTERPRETIVE

EXEMPT LEGISLATIVE RULE \_\_\_\_\_  
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW  
\_\_\_\_\_

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 36

TITLE OF RULE BEING AMENDED: Academic Freedom, Professional Responsibility,  
Promotion and Tenure

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: \_\_\_\_\_

TITLE OF RULE BEING ADOPTED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS July 30, 1997

*x David R. Ice*  
6/30/97

FILED

TITLE 131  
PROCEDURAL RULES  
STATE COLLEGE SYSTEM OF WEST VIRGINIA  
BOARD OF DIRECTORS  
SERIES 36

JUN 30 3 51 PM '97  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

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

**SECTION 1.       GENERAL**

- 1.1   Scope -                               This rule establishes State College System policy and guidelines for institutional policy in matters related to academic freedom, professional responsibility, promotion and tenure.
- 1.2   Authority -                           West Virginia Code §18-B-1-6
- 1.3   Filing Date -
- 1.4   Effective Date -
- 1.5   Repeal of Former Rule -           Repeals and Replaces Series No. 36 dated May 4, 1992.

**SECTION 2.       ACADEMIC FREEDOM**

- 2.1   Academic freedom at West Virginia state colleges is necessary to enable the institutions to perform their societal obligations as established by the Legislature. The State College System Board of Directors recognizes that the vigilant protection of constitutional freedoms is nowhere more vital than in the colleges 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 institutions. 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 West Virginia state college 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 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.

### **SECTION 3. FACULTY: RANKS AND DEFINITIONS**

- 3.1 The faculty at any institution in the State College System shall be those appointees of the institution's president or designee as reported to the Board. The faculty are those so designated by the institution's president and may include, but are not limited to, such professional personnel as librarians and those involved in off-campus academic activities.
- 3.2 Faculty fall into one of the three following classifications:
- 3.2.1 Tenured: Those faculty members who have attained tenure status as determined by the institution and by official action of the president.
- 3.2.1.1 Under special circumstances, if requested by the faculty member and approved by the president, 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 extension thereof, the faculty member will return to a full-time tenured appointment or 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 by the president on a full-time 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 by the president, 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 the faculty member's employment will cease. Time spent in a part-time tenure-track appointment will not 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 Temporary: Those faculty members who have not been appointed in a tenure-track, or tenured status. Their appointment may be full-time or part-time. Temporary faculty shall also include academic professionals, whose primary duties are non-instructional, but who hold a secondary appointment that is instructional in character. No number of temporary appointments shall create any presumption of a right to appointment as tenure-track or tenured faculty.

3.3 Faculty appointed to tenured or tenure-track 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 Other appropriate titles which more accurately indicate the nature of the position may be used upon the recommendation of the president of an institution, subject to approval by the Board.
- 3.5 Persons assigned full-time or part-time to administrative or staff duties at any institution may (if qualified) 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 member, tenure-track member, or temporary 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 rule.
- 3.6 Other faculty hold temporary 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. Temporary appointments are appointments 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 timely notice provisions do not apply. Temporary appointments shall have one of the following titles:
- 3.6.1 Any of the faculty rank but designated visiting, research, clinical, or adjunct, as applicable to describe the connection or function;
- 3.6.2 Lecturer or senior lecturer
- 3.6.3 Assistant, designated as graduate, research, clinical, or adjunct, as applicable to describe the connection or function.
- 3.7 Temporary full-time faculty appointments may be used only if one or more of the following conditions prevail:
- 3.7.1 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;
- 3.7.2 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 may not exceed three years.
- 3.7.3 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 may not exceed three years.

- 3.7.4 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 may not exceed six years.
- 3.7.5 The appointee is granted a primary appointment as an administrator or to perform other noninstructional 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.
- 3.8 Appointment or reappointment to a temporary faculty position shall create no right or expectation of continued appointment beyond the one-year period of appointment or reappointment.
- 3.9 The president of an institution shall make all tenured, tenure-track, and temporary faculty appointments at the institution after consultation with appropriate faculty and other collegiate units, and report those actions to the Chancellor.
- 3.10 Every faculty appointment at any institution shall be for one fiscal year, or part thereof, in accordance with and in compliance with the annual budget of the Board, or supplementary actions thereto, as provided by law.
- 3.11 Every such appointment shall be in writing and a copy of the appointing document shall be furnished to the person appointed. Such document shall contain the terms and conditions of the appointment.

#### **SECTION 4. FACULTY -- TYPES AND CONDITIONS OF APPOINTMENT**

- 4.1 Full-time appointments to the faculty of an institution, other than those classified as temporary, shall be either tenured or tenure-track.
- 4.2 All temporary appointments, as defined in Section 3 of these rules shall be neither tenured nor 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 an 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 shall not be restricted unless such activities or employment interfere with the adequate performance of academic 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 which is incompatible with the faculty member's contractual commitment to the institution. Moreover, it is considered inappropriate to transact personal business unrelated to the institution from one's institutional office, or at times when it might interfere with commitment to the institution. The administration of each institution shall establish a program of periodic review of outside services of appointees to guide faculty members.

4.3.2 If outside employment or service interferes with the performance of the regular institutional duties 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 of the appointee or (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.

4.3.3 For members of the faculty, the institution, however permits and encourages a reasonable amount of personal, professional activity, such as consulting, outside the faculty member's reasonably construed total professional responsibilities of employment by and for the institution, provided such activity: (1) further develops the faculty member professionally, (2) does not interfere with teaching, research and service responsibilities to the institution, and (3) is consistent with the mission of the institution.

4.4 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.

## **SECTION 5. JOINT APPOINTMENTS**

- 5.1 Faculty members may be appointed to perform academic duties at two or more institutions in the Board of Trustees or Board of Directors systems, 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 presidents of 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 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 Chancellor. 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 president shall establish, in cooperation with the faculty or duly-elected representatives of the faculty, guidelines and criteria for promotion in rank:
  - 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 colleges might be: Excellence in teaching; publications and research; accessibility to students, adherence to professional standards of conduct; professional and

scholarly activities and recognition; significant service to the community and the college; experience in higher education and at the institution; possession of the doctorate, special competence, or the highest earned degree appropriate to the teaching field, granted by a regionally accredited institution, or special competence that is deemed to be equivalent to such academic credentials; potential for 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 because of length of service, or of denying promotion capriciously.
  - 7.1.4 The institution shall provide copies of its general guidelines and criteria for promotion to the Chancellor 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 president of 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 reappointment, shall give notice in writing at the earliest opportunity. Professional ethics should 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 responsibilities. Tenure applies to those faculty members who qualify for it and is a means of making the teaching and research 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; accessibility to students; adherence to professional standards of conduct; professional and scholarly activity and recognition; significant service to the community and the college; experience in higher education and at the institution; possession of the earned doctorate, or the highest earned degree appropriate to the teaching field, granted by a regionally accredited institution, or special competence that is deemed to be equivalent to such academic credentials; potential for 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, while not maintaining "Tenure Quotas," 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. Tenure may be granted only to faculty in positions funded by monies under the control of the State College System Board.
- 9.3 Tenure shall not be granted automatically, or for years of service, but shall result from action by the president of the institution following consultation with appropriate academic units.
- 9.4 Tenure may be granted at the time of appointment by the president, following consultation with appropriate academic units.
- 9.5 Tenure may be attained only by faculty who hold the rank of assistant professor or above.

## SECTION 10. TENURE-TRACK STATUS

- 10.1 When a full-time faculty member is appointed on other than a temporary or tenured basis in any of the institutions of higher education in the State College System 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 within fifteen days following receipt of the Board's budgetary allocations and guidelines.
- 10.3 The maximum period of tenure-track status shall not exceed seven years. Before completing the sixth year of a tenure-track appointment, any nontenured 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 Chancellor.
- 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 nonreappointment may be issued for any reason that is not arbitrary, capricious, or without factual basis. Any documented information relating to the decision for nonretention or dismissal shall be provided promptly to the faculty member upon request.
- 10.5 After the decision regarding retention has been made by a president, he or she shall notify the tenure-track faculty member of the decision as soon as practicable. In cases of nonretention of faculty who began service at the start of the fall term, formal notification shall be given:
  - 10.5.1 Not later than March 1 of the first academic year of service,
  - 10.5.2 Not later than December 15 of the second academic year of service; and
  - 10.5.3 At least one year before the expiration of an appointment after two or more years of service in the institution.
- 10.6 Faculty appointed at times other than the beginning of the academic year may elect to have those periods of appointment greater than half an academic year, considered as full year for tenure purposes only. Tenure-track appointments for one half an academic year or less may not be considered time in probationary

status. Failure to provide timely notice of nonretention to tenure-track faculty would lead to renewal of appointment for an additional year, but not prejudice further continuation after that additional year.

- 10.7 Following receipt of the notice of nonretention, the faculty member may appeal such nonretention decision by requesting a statement of reasons and then filing a grievance as provided in Section 15 of these rules. The request for a statement of reasons shall be in writing and mailed to the president within ten working days of receipt of the notice of nonretention.

## **SECTION 11. FACULTY EVALUATION**

- 11.1 All faculty shall receive a yearly written evaluation of performance directly related to responsibilities as defined by the institution.
- 11.2 Evaluation procedures shall be developed at the institutional level, and a copy sent to the Chancellor 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;
- 12.1.2 Personal conduct which substantially impairs the individual's fulfillment of institutional responsibilities, including but not limited to sexual harassment or other unprofessional conduct toward students or colleagues;
- 12.1.3 Insubordination by refusal to abide by legitimate reasonable directions of administrators or of the Board;
- 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 president of the institution or designee shall institute proceedings by giving the faculty member a written dismissal notice by registered or 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 Faculty who refuse to sign or execute an offered annual contract or notice of appointment 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 DUE TO 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 program review, in accordance with 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 president shall make every effort to extend first refusal to the faculty member so terminated.
- 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 and shall be reported to the Chancellor prior to implementation.

- 13.3 Notice of nonretention due to program reduction or discontinuance: The president of the institution shall institute 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 rule.

#### **SECTION 14. TERMINATION DUE TO FINANCIAL EXIGENCY**

- 14.1 Termination of employment due to financial exigency: A faculty member's appointment may be terminated because of a financial exigency, as defined and determined by the Board. Institutional plans for meeting a financial exigency shall be developed through a collaborative assessment by representatives of administration and faculty and shall be reviewed by the Board prior to implementation.
- 14.2 Notice of termination due to financial exigency: The president of the institution shall institute 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 by the Board 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 probationary faculty shall be those specified in Section 10 of these rules.

#### **SECTION 15. HEARINGS**

- 15.1 A faculty member wishing to grieve or appeal any action of the institution or Board of Directors may utilize the procedures set out in W. Va. Code §18-29.
- 15.2 A tenure-track faculty member given notice of nonretention and desiring to appeal it under procedures set out in W. Va. Code §18-29 must first request a statement of reasons for such nonretention from the president of the institution or designee

within ten (10) working days of receiving the notice of nonretention. The president or designee shall, within ten (10) working days of receiving the request, inform the tenure-track faculty member of the reason for nonretention.

15.2.1 Within ten (10) working days of receiving the statement of reasons, the tenure-track faculty member may appeal the nonretention decision to the Board of Directors by utilizing a grievance form provided for in W. Va. Code §18-29 and made available by the institution. Such grievance form shall be sent to the Office of Chancellor.

15.2.2 Upon receipt of the grievance form, the Chancellor shall appoint the president of the tenure-track faculty member's institution or designee to be the hearing examiner for the tenure-track faculty member's appeal of the notice of nonretention. The president or designee shall conduct the hearing pursuant to the provisions of W. Va. Code §18-29 and render a decision.

15.2.3 If the faculty member is dissatisfied with the decision of the hearing examiner, he/she may appeal that decision to the Education and State Employees Grievance Board within five (5) working days of receipt of the decision.

## **SECTION 16. ALTERNATIVE FACULTY GRIEVANCE PROCEDURE**

16.1 Each college shall provide, through institutional-level procedures, faculty grievance recourse for those not wishing to utilize the procedures set out in W. Va. Code §18-29. Said recourse shall be a systematic method whereby individual faculty grievances can be reasonably presented and reviewed, and action taken related thereto. The institutional procedures shall normally consist of at least three levels or steps of consideration, commencing at the department or division level and concluding with the president or designee. Grievance actions capable of being resolved by administrative action shall be resolved at the earliest possible stage.

16.1.1 Level one - The faculty member will first seek a resolution of the grievance through informal discussion with his or her academic department or division head. The faculty member must notify his or her department or division head of the grievance within fifteen (15) working days of the occurrence of the event being grieved.

- 16.1.2 Level two - If not satisfied with the resolution at the first level, the faculty member shall reduce the grievance to writing and forward it, within fifteen (15) working days, to the next reporting level, normally a division head or dean, with a copy to the level one administrator. Within fifteen (15) working days, the level one administrator shall submit a written report concerning the disposition of the grievance at level one to the level two administrator. The level two administrator shall render a decision within fifteen (15) working days of receipt of the report from the level one administrator.
- 16.1.3 Level three - If not satisfied with the resolution at level two, the faculty member should forward to the president a copy of the grievance, along with the level two administrator's response and supporting documents. In reaching a decision, the president or designee may hold a meeting of concerned parties and/or may refer the issue to an appropriate committee for its recommendation. The president or designee shall notify the grievant of the decision within fifteen (15) working days of receipt of the recommendation of the committee, or of the receipt of the level three appeal, whichever is longer. The decision of the president or designee is final and no appeal may be made to the Board of Directors.

## FISCAL NOTE FOR PROPOSED RULES

Rule Title: Academic Freedom, Professional Responsibility, Promotion, and Tenure

Type of Rule             Legislative             Interpretive        x   Procedural

Agency State College System of West Virginia

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

2. Explanation of above estimates

N/A

3. Objectives of these rules

This rule establishes State College System policy in matters related to academic freedom, professional responsibility, promotion and tenure.

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: March 18, 1997

Marie Carter



Signature of Agency Head or Authorized Representative