

**WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION**

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Form #3A

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE OVERSIGHT COMMISSION ON
EDUCATIONAL ACCOUNTABILITY**

State College System Board of Directors

AGENCY: _____ TITLE NUMBER: 131

CITE AUTHORITY: 18B-1-6

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 45

TITLE OF RULE BEING AMENDED: Equal Opportunity and Affirmative Action

IF NO, SERIES NUMBER OF RULE BEING FILED PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE OVERSIGHT COMMISSION ON EDUCATIONAL ACCOUNTABILITY FOR THEIR REVIEW.

Signature

✓

TITLE 131
LEGISLATIVE RULES
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS

SERIES 45
EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

✓ §131-45-1. General.

✓ 1.1. Scope. -- This rule establishes equal opportunity and affirmative action policy.

✓ 1.2. Authority. -- W. Va. Code ^{18-B-1-6} ~~§18-26~~

1.3. Filing Date. -- April 3, 1992

1.4. Effective Date. -- April 3, 1992

✓ §131-45-2. General Policy.

2.1. It shall be the general policy of the State College System Board of Directors to provide equal opportunity for all qualified persons and to prohibit discrimination in employment because of race, sex, age, color, religion, national origin or handicap, and to take affirmative action to recruit and employ qualified faculty and staff.

✓ 2.2. Under the Board's additional authority to allocate specified functions and responsibilities among the institutions in the State College System of West Virginia, each institution shall accept primary and long-term responsibility for the development and implementation of Equal Opportunity - Affirmative Action policies consistent with all Board, State and Federal regulations.

✓ 2.3. Each institution and the Central Office of the State College & University Systems of West Virginia shall take the initiative in developing or modifying its own plans to achieve compliance with affirmative action and equal opportunity policies of the board, state, and federal government. The president of each institution shall, through appropriate means, establish and maintain a positive program of Equal Opportunity and Affirmative Action

within his/her jurisdiction in accordance with specific laws and regulations applicable to his/her particular institution. The Equal Opportunity - Affirmative Action goals must be integrated with other performance goals of the institution. The realistic goals and timetables of each institution shall be vigorously pursued to achieve a proportional representation of minorities and women in the faculty and nonfaculty ranks based on their availability. The effective pursuit of affirmative action requires not only the adoption of an adequate plan, but also result-oriented procedures which ensure the involvement of managers at all levels of each institution. Institutional affirmative action plans are to be submitted to the chancellor by July 1 of each year.

2.4. The Chancellor shall appoint a ten (10) member Equal Opportunity - Affirmative Action Advisory Council consisting of at least one (1) representative from each of the campuses. The council will help facilitate the achievement of Equal Opportunity - Affirmative Action compliance across the State College System of West Virginia. Under the Chancellor, the Advisory Council shall be responsible for, but not necessarily limited to, the following specific duties and responsibilities:

2.4.1. Conducting periodic reviews of institutional Equal Opportunity - Affirmative Action plans and programs, providing any assistance that may be required to improve programs and realize objectives;

2.4.2. Consulting from time to time with the Chancellor, presidents of institutions, and/or their assistants on Equal Opportunity - Affirmative Action matters;

✓ 2.4.3. Reviewing copies of Equal Employment Opportunity reports of all institutions (EEO-6 and others) submitted to federal agencies responsible for enforcement of laws and regulations and providing consultation to the chancellor where appropriate or as requested;

✓ 2.4.4. Helping assure that current information affecting Equal Opportunity - Affirmative Action is disseminated to institutions. The Equal Opportunity - Affirmative Action Advisory Council has the opportunity and authority to consult and cooperate with the Equal Opportunity - Affirmative Action Advisory Council of the University of West Virginia System to share information and develop a statewide educational conference on related issues.

✓ 2.4.5. Conducting other advisory assignments as directed by the Chancellor.