

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #5

FILED

1992 JAN 31 AM 11:05

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

STATE COLLEGE SYSTEM OF WEST VIRGINIA
AGENCY: BOARD OF DIRECTORS TITLE NUMBER: 131

CITE AUTHORITY: WV Code 18B-1-6

RULE TYPE: PROCEDURAL _____ INTERPRETIVE X

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

AMENDMENT TO AN EXISTING RULE: YES , NO X

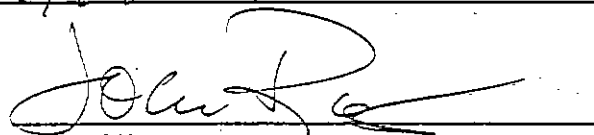
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 56

TITLE OF RULE BEING AMENDED: SOCIAL JUSTICE

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 March 2, 1992



APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Social Justice

Type of Rule: Legislative Interpretative Procedural

State College System of West Virginia
 Agency: Board of Directors Address 1018 Kan. Blvd., E.,
Charleston, WV 25301

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

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: January 15, 1992

Signature of Agency Head or Authorized Representative

**TITLE 131
PROCEDURAL RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS
SERIES 56
POLICY BULLETIN NO. 56**

TITLE: SOCIAL JUSTICE POLICY

SECTION 1. GENERAL

- 1.1 Scope - This interpretative policy defines 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 - To be assigned

- 1.4 Effective Date - To be assigned

SECTION 2. SOCIAL JUSTICE POLICY

- 2.1 The State College System Board is committed to bringing about mutual understanding and respect among all individuals and groups at institutions in the State College System and in the Central Office of the State College and University Systems, and to eliminating all forms of discrimination as provided by West Virginia and federal law.

- 2.2 Consistent with its comprehensive mission, and recognizing that the development of human potential is a fundamental goal in a democratic society, the State College System Board of Directors 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.

SECTION 3. IMPLEMENTATION

- 3.1 Each institution and the Central Office 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, sexual preference, sexual orientation, 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 Presidents of the State College 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.

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. The Chancellor shall work with the senior administrator of the Central Office to designate an officer responsible for overseeing the social justice program for the Central Office.

- 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 State College System.
- 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.
- 4.2 The Social Justice Officer for the Central Office shall carry out similar responsibilities for the Central Office as authorized by the chancellor and senior administrator.

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. 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.



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-6000
Corporations: (304) 558-8000

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

(Plus all the volunteer
help we can get)

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

TO: Marie Carter

AGENCY: Board of Directors

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: October 21, 1992

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 56 TITLE: 131 Board of Directors

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Marie Carter

TITLE OF PERSON SIGNING: Asst. to the Chancellor

DATE: 11/25/92

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.

**TITLE 131
INTERPRETIVE RULE
STATE COLLEGE SYSTEM OF WEST VIRGINIA
BOARD OF DIRECTORS**

**SERIES 56
SOCIAL JUSTICE POLICY**

§131-56-1. General.

1.1. Scope. -- This interpretative rule defines social justice, what and how it is to be accomplished, and provides guidelines for filing complaints.

1.2. Authority. -- W. Va. 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. -- January 31, 1992

1.4. Effective Date. -- March 2, 1992

§131-56-2. Social Justice Policy.

2.1. The State College System Board is committed to bringing about mutual understanding and respect among all individuals and groups at institutions in the State College System and in the Central Office of the State College and University Systems, and to eliminating all forms of discrimination as provided by West Virginia and federal law.

2.2. Consistent with its comprehensive mission, and recognizing that the development of human potential is a fundamental goal in a democratic society, the State College System Board of Directors 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.

§131-56-3. Implementation.

3.1. Each institution and the Central Office 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, nation origin, sex, sexual preference, sexual orientation, 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. Presidents of the State College 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. 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. The chancellor shall work with the senior administrator of the Central Office to designate an officer responsible for overseeing the social justice program for the Central Office.

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.

§131-56-4. 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 this rule. 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 State College System.

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.

4.2. The social justice officer for the Central Office shall carry out similar responsibilities for the Central Office as authorized by the chancellor and senior administrator.

§131-56-5. 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. 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.

§131-56-6. 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.