

**Marshall University Faculty Senate**  
**Meeting Agenda**  
**Thursday, March 26, 2026, 4:00 – 5:30pm**  
**Don Morris Room (MSC)**

1. Approval of Proposed Agenda
2. Approval of Minutes
3. Announcements – Chair
4. Recommendations/Resolutions
  - a) **SR 25-26-19 FPC** – Recommends a New BOG Rule on Faculty Conduct. (Revised)
  - b) **SR 25-26-21 APC** – Resolves Following Undergraduate Degree **Programs Continue at Current Level**: BA Criminal Justice; BS Natural Resources and Recreation Management; BS Geology; Certificate Information Assurance.
  - c) **SR 25-26-22 APC** – Resolves Following Undergraduate Degree Programs **Develop or Expand Due to Demand**: BS Environmental Science; BS Cyber Forensics & Security.
  - d) **SR 25-26-23 UCC** – Recommends Approval of Undergraduate Program Addition, Deletion, Change in the following: Musical Theatre Minor; BA Theatre; Biomechanics; Biomec Pre-Physical Therapy; Biomec Pre-Med; Biomec Pre-Physician Assistant; BS Biochemistry; BS Professional Pilot.
  - e) **SR 25-26-24 UCC** – Recommends Approval of Undergraduate Course Addition, Deletion, Change in the following: ART 204; BUSN 150; BUSN 152; BUSN 154; BUSN 156; BUSN 158; BUSN 160; BUSN 162; BUSN 164; BUSN 166; BUSN 168; BUSN 170; BUSN 172; GEO 451; HST 473; SCLA 475; AVSC 200; AVSC 205; AVSC 206; AVSC 210; AVSC 211; AVSC 215; AVSC 220; AVSC 222; AVSC 305; AVSC 328; AVSC 329; AVSC 330; AVSC 331; AVSC 335; AVSC 340; AVSC 341; AVSC 345; AVSC 375 AVSC 376; AVSC 380; MUSE 425; THE 370; CD 461; HS 435; NRE 111; UNI 103; THE 270.
5. Regular Reports
  - a) University President – Brad Smith (15 minutes)
  - b) Provost – Robert Bookwalter (15 minutes)
  - c) Board of Governors – Robin Riner (5 minutes)
  - d) Advisory Council of Faculty – Amine Oudghiri-Otmani (5 minutes)
  - e) Graduate Council – Richard Egleton (5 minutes)
  - f) Student Government Association – Connor Waller (5 minutes)
6. Standing Committee Liaison Reports
  - a) Academic Planning Committee – Daniel O’Malley (4 minutes)
  - b) Athletic Committee – Suzanne Konz (4 minutes)
  - c) Budget & Academic Policy Committee – Jana Tigchelaar (4 minutes)
  - d) Library Committee – Margie Phillips (4 minutes)
  - e) Faculty Development Committee – Chair/Liaison (4 minutes)
  - f) Physical Facilities & Planning Committee – Jamey Halleck (4 minutes)
7. Other Requests to Speak
8. Adjournment

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**Meeting Minutes**  
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MEMBERS PRESENT: Nathaniel Ramsey, Sarah McDermott, Hather Stark, Leah Turley, Sandy York, Jamey Halleck, Kevin Levine, Margie Phillips, Amanda Thompson-Abbott, Jerry Dooley, Conrae Lucas-Adkins, Mike Huesmann, Tim Melvin, Feon Smith, Tanvir Chowdhury, Ross Salary, Simon Shim, Zach Garrett, Angela Graham, Shikeal Harris, Suzanne Konz, Lisa Muto, Alysha Nichols, Marybeth Beller, Clinton Brown, Puspa Damai, Shoshannah Diehl, Megan Marshall, Boniface Noyongoyo, Daniel O'Malley, Shawn Schulenberg, Anthony Viola, Raid Al-Aqtash, Kelly Beatty, Rick Gage, Philippe Georgel, Sean McBride, Kyle Palmquist, Devon Wright, Stephen Young, Ji Bihl, Eva Patton-Tackett, Tiffany Davis, Mindy Varney, Kari Mika-Lude, Kelli Johnson

MEMBERS ABSENT: Phil Vallejo, Uyi Lawani, Ammar Alzarrad, Jodi Cottrell, Marianna Linz, Jana Tigchelaar, Nitin Puri, Ruhul Amin, Larry Sheret

EX-OFFICIO, VOTING/NON-VOTING MEMBERS PRESENT: Connor Waller  
Amine Oudghiri-Otmani

EX-OFFICIO, VOTING/NON-VOTING MEMBERS ABSENT: Richard Egleton

PARLIAMENTARIAN: Zeli Rivas

SENATE STAFF: Hailey Bibbee

GUESTS: In person – Brad D. Smith, Geoff Sheils, Andrew Morelock, Karen McComas, Brian Morgan, David Dampier, Robin Riner, Kelly Bradley, R. B. Bookwalter, Marcie Simms, Carleen O'Neill, Ginny Painter, Brandi Jacobs-Jones, Anna Mummert, Wes Stites, Deepak Subedi, Bruce Felder, Rohan Christie-David, Charlotte Weber, Billy Gardner

Virtual: Marianna Linz, Lindsey Harper, Craig Kimble, Stephanie Walker, Gretchen Beach, Leah Payne, Sonja Cantrell-Johnson, Monica Brooks, Susan Tusing, Shayna Morrison, Kelli Prejean, Maria Gindhart, Diane Palmieri, Michael Prewitt, Laura McCunn-Jordan, Eryn Roles, Allison Carey, Leah Tolliver, Miriah Young, Matt Tidd, Eric Himes, Jerry Ross, John Maher

The meeting was convened at 4:00 pm by Chair Shawn Schulenberg. Chair Schulenberg reviewed meeting procedures and expectations.

1. Approval of Proposed Agenda – approved as amended

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2. Approval of Minutes from January 22, 2025 - approved

3. Announcements – Chair

1. Our HLC Accreditation visit has been rescheduled for March 30–31.
2. Academic Affairs is working with the BAPC and Graduate Council to create a streamlined procedure for academic appeals. Currently, appeals are addressed across several policies; this effort would centralize them into a single, coherent process.
3. Given the number of severe weather events since the beginning of the semester, I have asked the BAPC to consider revisions to UPGA-2: Policy Regarding Weather-Related and/or Emergency Closings and Delays. At present, there is no formal option to transition temporarily to virtual instruction, an approach many universities use and one we implemented during COVID. The BAPC will begin preliminary discussions this spring, with the goal of recommending revisions in September, well before the next winter season.
4. Academic Affairs is beginning the process of assembling the Calendar Committee, which will begin work in Fall 2026 to develop the next four-year academic calendar (2028–2032).
5. The Campus 365 Task Force continues its work under Dr. Riner’s leadership. The President has asked the group to develop a proposal to implement recommendations developed last fall. The goal is to maintain campus operations during periods when nine-month faculty are off contract, while respecting professional norms, best practices, and principles of equity.
6. Over the past few months, I have spoken about the shared governance group tasked with drafting a university policy for Faculty Conduct. You should have received an email last week sharing the preliminary draft and inviting feedback from you and your constituents. To make this policy a gold standard, the Executive Committee voted to table it for one month to allow for broad review of the published draft. Thank you to the faculty and staff who have already submitted constructive comments. Those suggestions will be incorporated into a substitute draft that will come to the Faculty Senate for formal consideration at our March meeting. Why are we considering this policy? Because while Marshall has policies outlining standards of conduct for faculty, we do not have any process governing discipline if a rule is alleged to have been violated. Classified and non-classified staff are covered under UPHR2; faculty are not. Faculty are currently the only employee group without a defined misconduct procedure. Under the current structure, serious disciplinary matters are handled administratively. There is no required faculty peer review before major sanctions, no formal role for faculty in reviewing evidence, and no established framework for progressive discipline. In short, those subject to the policy are not part of the process that governs it. This draft does not create new conduct rules,

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alter tenure protections, or supersede federally mandated processes such as Title IX. Its purpose is to establish a clear process that incorporates peer review, defined standards, progressive discipline, and procedural safeguards before serious sanctions are imposed. Clear process protects faculty, protects our students, protects academic freedom, and protects the institution at the same time. Ultimately, this is about whether faculty wish to have a defined role in serious disciplinary matters affecting their colleagues, or whether we are comfortable continuing without one and allowing the administration to unilaterally adjudicate. Most research universities treat discipline as a shared governance responsibility. This proposal moves us in that direction. Please share any feedback to [senate@marshall.edu](mailto:senate@marshall.edu) no later than February 25.

7. Upcoming Meetings and Events

- a. We have two Faculty Senate meetings left this academic year. Our next Executive Committee meeting is scheduled for March 9 for items to be taken up at the March 26 Faculty Senate meeting. All recommendations and resolutions are due at [senate@marshall.edu](mailto:senate@marshall.edu) by February 27.
- b. I will give my annual address to the Board of Governors during their April 8, 2026, meeting.
- c. We will hold the Spring General Faculty Meeting the next day, April 9, 2026, at 4:00 PM in the Joan C. Edwards Playhouse.
- d. Academic units will hold elections 2026-28 Faculty Senate in March, receiving guidance from the Faculty Senate office in February. The newly elected senators will have their first meeting on April 30 at 4:00 PM in MSC Don Morris Room to choose their officers and executive committee.

4. Guest Speaker: Geoffrey Sheils (MU Board of Governors)

- I am very proud of what is going on at Marshall.
- While you can surmise it has been a very tough last 10 days, I can tell you it has been the honor of my life to serve Marshall in this role and am so grateful to be appointed by the Governor 8 years ago. I have learned a lot – particularly about the interdependency of the Marshall families working together to accomplish something special. Regardless of what anybody may say or think, the last 10 days have revealed to me in a deeper way, the level of caring that this board and administration has for its students and community.
- I would be remiss if I didn't mention that I continue to be amazed by your work. Every. Single BoG meeting. The reports that Faculty, Students, the Provost and the President give at the meetings are truly inspiring. **This is not hyperbole.** An

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unbelievable amount is being accomplished. The list is long that Provost Bookwalter reports on, and I congratulate you on your accomplishments as well as being the catalyst for your student's accomplishments. These reports have always been the highlights of each meeting for me.

- I wanted to focus my remarks today on a recent column that appeared in the Wall Street Journal (Jan 25, 2026) titled “**Is a Four-Year Degree Worth It?**”. Matter of fact, I referred to this column in our regular February BoG meeting. The author is the president of Dartmouth College who outlined changes that need to be made on campus if families are to answer “Yes” to the question, “Is a 4 year degree worth it?”

She asserted that **American Higher Education has a TRUST PROBLEM** and must make changes to rebuild the trust.

Two areas of change she highlighted were:

- 1) Make college affordable
- 2) Return on Investment Matters – affordability isn't enough

One quick look at the University's “Plan-On-A-Page” and you will see Priorities such as:

- Ensure affordability and the enabling of life-time achievement

You will also see these terms/phrases such as:

- Distinctive Value Proposition, Undergraduate ROI, Lifelong Prosperity and Internships and jobs

In other words, **we started emphasizing this years ago. We have been doing what others are now recognizing what they must do to rebuild trust in American Higher Education!**

In terms of Affordability and ROI

### **AFFORDABILITY**

#### **Average net Price MU vs WV 4-year Public institutions**

MU is the MOST AFFORADABLE in the state and is less than HALF of the cost to attend WVU

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**Comparison to the Southern Regional Education Board (SREB) 4-year institutions**

MU is roughly 55% of the Peer average

**Comparison to Carnegie R2 Institutions**

MU is roughly 50% of the Peer average

This benchmark speaks to the incredible affordability of attending Marshall.

The next benchmark speaks to the incredible value of the education that the student receives.

**ROI** (which compares the graduate's starting annual salary to the total net price of attendance over 4 years) The higher ratio suggests a faster return on investment.

**Earnings Ratio at MU vs WV 4-year Public institutions**

MU is the highest ROI at 1.47x while the average (which is skewed because it includes MU) is 0.97x (There are 3 other institutions above 1.0x - WVU Tech, Fairmont State and Shepherd)

**Comparison to the Southern Regional Education Board (SREB) 4-year institutions**

MU is the highest ROI at 1.47x while the average is 0.86x.

**Comparison to Carnegie R2 Institutions**

MU is the highest at 1.47x while the average is 0.94x.

**THESE ARE OUTSTANDING STATISTICS**

We need no confirmation, but The WSJ column clearly confirms the visionary leadership we have at Marshall. President Smith reported to the Board in December (a month before this article was published) the emphasis and importance of (and I quote) "our commitment to continuous innovation to ensure we have the most compelling value proposition...grounded in affordability, flexibility and lifetime achievement".

Results of these efforts? In Fall of 2023, a 13-year trend of declining enrollment was stopped as enrollment grew 4.5%. Then, the Fall of 2024 enrollment increased 9.1%, and in the fall of 2025 grew another 7.5% (US average 1%). Full-time freshmen up 5.5% year over year and up 24% over last 3 years!

It is still very early and in the face of the enrollment cliff, but we are seeing positive future indicators as applications are up 15.2%, admits up 47% and intents to enroll up 15.8%.

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While the WSJ column confirms our visionary leadership, the results validate President Smith when he stated in a recent board meeting, “We have charted a course to become a demonstration project for what is possible in our state and for our nation...”

Great time to be a part of Marshall University.

Another area of change that the Dartmouth president cited in the WSJ Column that was needed to rebuild trust in American Higher Education is also something not new to you.

The author noted to rebuild trust, higher education needed to be “re-centered” on learning rather than political posturing – To embrace institutional neutrality on issues that don’t affect the university’s mission or core functions.

Our role, which was developed with input from students, faculty, staff and administrators, is **outlined on our website** under the heading of “**Living our Creed – Navigating Political Issues & External Events**”.

It states, “Marshall University is a public university that provides an educational environment that prepares students to think, learn, work, and live in an evolving global society.”

Our Creed guides our behaviors in achieving these outcomes, reminding us to:

- Protect freedom of thought, belief and expression
- Express disagreements in rational ways
- Learn from our differences

As a public institution, we follow all federal and state laws, while seeking to create and protect an environment for free speech, individual thought, civil discourse and the advancement of education.

Spirited debates, lively class discussions and even protests are all part of our everyday campus life.

**The university’s role is not to take a position on such issues**, but to protect the rights and abilities of others to express their thoughts and beliefs in a constructive manner.

It further states that when political issues or external events occur, Marshall University will:

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- reaffirm the commitments in the Marshall University Creed,
- emphasize the importance of the well-being of the Marshall community, and
- express sympathy for all those affected.

**Marshall is unambiguously opposed to all forms of racial, ethnic or religious hatred.**

Three major areas where Marshall has exemplified excellence and where there is no doubt that we are ahead of the curve are:

- The Shared Governance Charter which was codified last year and which we discussed in this venue last year,
- The unending quest of being affordable and providing the best value proposition, and
- Staying focused on the university's core functions while maintaining political neutrality,

These are three fundamentals that are making Marshall a model for others to follow as the enrollment cliff fast approaches and the trust in higher education continues to diminish.

As I remarked last year when I was here, the Board of Governors is fully behind President Smith. He has done, and is doing, a masterful job of leading and involving the campus families in the transformation of Marshall.

His leadership skills, intellect, attitude and energy used to attack opportunities in the face of many headwinds combined with his unbridled passion for this university, has created not only a new optimism that has permeated the campus and beyond, but through working with all of the Marshall families, you ALL are changing lives, families and communities for generations to come.

I have enjoyed being a part of the "We" these past 7+ years. I have learned so much, and my respect for all the Marshall families is immense. You all do a tremendous job educating and inspiring our students. Your work matters and is most meaningful, and I am grateful for your commitment to Marshall University.

5. Recommendations/Resolutions

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a) **SR 25-26-15 CC** – Recommends **Undergraduate Program Addition, Deletion, Change** in the following college/schools/programs: Public History Certificate, Public History Minor, Commercial Music. - approved

b) **SR 25-26-16 CC** – Recommends **Undergraduate Course Addition, Deletion, Change** in the following college/schools/programs: HST 456, CHM 112, CMM 308, CMM 409, GEO 450. – approved

Entered into Executive Session at 4:22 p.m.

Exited Executive Session at 4:31 p.m.

c) **SR 25-26-17 EC** – Confidential **Recommendation for Spring Commencement Speaker.** - approved

d) **SR 25-26-18 EC** -Confidential **Recommendation for Spring Honorary Degree Recipient(s).** - approved

6. Regular Reports

a) University President – Brad Smith (10 minutes)

- Thank you, Mr. Chairman.
- Good afternoon, my friends.
- In my last update, I celebrated closing the door on 2025, only to acknowledge that 2026 was trying its best to be an identical twin!
- If January felt like turbulence, February has reminded us that altitude ... **and attitude** ... matter.
- The external environment continues to shift ... legislatively, economically and competitively ...
- But what gives me confidence is:
  - We are leading by example
  - We aren't reacting, we are responding.
  - And we're doing so with clarity of mission and steadiness of purpose.
- Thank you for all you are doing to remain steadfast and focused as we serve our students, our institution and our community.
- With that context, I want to focus my comments on three areas:
  - First, to provide a Federal & State Legislative Update
  - Second, to explain our Recent Fitch Credit Rating

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- And last, but certainly not least, to walk through the decision to discontinue Women's Swim & Dive and the Introduction of STUNT
- **Let me begin with a Federal & State Legislative Update**
  - At a Federal level, the 2026 approved budget will deliver several higher education wins:
    - Maintaining funding for programs such as TRIO, campus childcare and Pell Grants, minority-serving institutions, and international exchange programs like Fulbright. \
    - It also includes slight increases for relevant federal agencies allowing greater competitive opportunity
    - At the completion of FY26, MU wins will include roughly \$30M in total:
      - Beginning with support for our Healthcare pillar, our School of Medicine will receive:
        - \$15M for construction of a medical school.
        - \$1.9M for construction to support our health informatics efforts.
        - And \$1M to support of Natural Products Center.
      - In support of our Cybersecurity pillar, we will benefit from:
        - And additional \$1.5M for Cybersecurity
        - And \$2.5M for Forensic Science
        - Closely related is \$5M for our Engineer Research and Development Center to further advance our security efforts in underground tunnel systems.
      - And in support of our Aviation pillar:
        - We will receive \$3.1M to continue to scale the program.
      - These wins are a testament to the teaching, learning and research being generated across our campus, as well as the alignment of our strategic pillars to what matters most for our state and our nation.
  - Shifting to a state level:
    - As of this week, more than 2,469 bills have been introduced ...
    - With 53 referencing higher education.

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- This volume alone signals the level of activity we are navigating.
- Marshall Day brought more than 250 faculty, staff, students and alumni to the Capitol and was a resounding success.
- Our budget hearing with the House Finance Committee occurred on February 4<sup>th</sup> and was very well received, with no follow-up questions from the committee.
  
- We are actively tracking legislation across several domains:
  - PEIA stability and sustainability
  - Tuition policy and WV Invests eligibility
  - Campus safety and trespassing statutes
  - Accreditation governance
  - Military and law enforcement tuition exemptions
  - Foreign funding restrictions
  - AI use in mental health delivery
  - And outcomes-based funding proposals
  
- The breadth of legislation touching higher education underscores an important reality:
  - Higher education is no longer operating on the margins of public policy.
  - We are at the center of it.
  
- Our Government Relations team remains on-site daily in Charleston and engaged at the federal level.
  - We are not passive observers ...
  - We are active participants in shaping outcomes aligned with Marshall For All, Marshall Forever.
  
- Again, I want to thank our faculty who engage constructively in this process ...
  - Your scholarship, your testimony and your subject-matter expertise matters.
  
- **Shifting to my second topic : Fitch’s Recent Credit Rating Update for Marshall University**
  - Last week, Fitch Ratings affirmed Marshall University’s Issuer Default Rating at **AA-** ...
  - Our revenue bonds at **A+** ...
  - While revising our outlook ***from Stable to Negative.***

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- Let me explain what all of that means.
  - First, their affirmation and unchanged rating matters.
  - We have been very transparent that we are working our way through a structural deficit.
  - The AA- rating and associated commentary highlighted our:
    - Multi-year enrollment growth
    - Increased first-time freshman enrollment
    - Strength in state and federal support
    - And meaningful philanthropic momentum
- The Outlook revision to Negative is tied to one core issue:
  - Our structural deficit, or what Fitch describes as our “operating balance on a GAAP basis.”
  - Specifically, their focus in on our cash flow ...
  - Fitch noted what we have openly discussed all year ... our cash flow was tight as we navigated through the knot hole of turning back to a net positive position.
  - They acknowledged meaningful improvement in FY26 due to expense controls and enrollment strength and will be looking for our plan to play out as forecasted:
    - As our structural deficit being eliminated in FY27,
    - And our cash flow margins begin improving as a result.
  - None of this was a surprise to us, and shouldn't be a surprise to anyone on campus ...
  - What gives me confidence is:
    - Enrollment growth is real and sustained
    - Expenditures are trending below budget in FY26
    - We have no current plans for additional debt
    - And our capital strategy is disciplined
- This is a point-in-time pressure, not a structural weakness.
- Our enduring financial principles continue to guide us through this period:
  - Grow students, not fees
  - Invest in our team
  - Take care of the house
  - And strategically manage our resources
  - Operational discipline is a muscle ... and one we continue to strengthen on a daily basis.

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- **Which takes me to my third and final topic, one that is directly affected by the tough decisions we must make to manage our strategic resources.**
- After extensive review of competitive positioning, conference dynamics, participation trends, facilities requirements, and long-term Title IX alignment ...
- We made the difficult decision to discontinue Women’s Swim & Dive and begin the process to introduce STUNT.
- Let me begin with what matters most.
- This decision impacts real students — real athletes — and families who chose Marshall because they believed in this university and in one another.
- I have heard from many of them personally.
  - Their messages have been heartfelt and sincere.
  - I respect the way these young women and their families have advocated for a program they love.
  - This has been painful for all involved,
  - And it was not made lightly.
- Let me address the timing, because I know that has raised questions.
- The timing of the announcement — and the Board meeting — was driven by responsibility, not avoidance.
  - The NCAA transfer portal operates within defined windows.
  - Acting when we did ensured our student-athletes had full access to the spring portal and every available option.
  - Delaying would not have changed the financial realities, the Title IX analysis, or the infrastructure requirements.
  - We explored fundraising and endowment pathways. \
  - Waiting would simply have reduced flexibility for the athletes.
  - The Board meeting was required to formally approve the addition of STUNT and ensure appropriate governance transparency. \
  - This was about clarity and forward motion — not silencing voices.
- Now to the core rationale.
  - This was not a performance decision.
  - Swim & Dive has represented Marshall with excellence — academically strong and competitive in the pool.
- This was a structural decision about sustainability, participation alignment, and responsible stewardship in a changing NCAA environment.
- Three factors drove the decision.
- **First, Title IX proportionality and participation.**
  - Swim & Dive carries approximately 27–30 roster spots. STUNT has the capacity to carry up to 65.

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- That difference meaningfully expands participation opportunities for women and moves us closer to proportional alignment — an area we must continue to address proactively.
- This is about expanding opportunity in a measurable way.
- **Second, financial sustainability.**
  - The annual operating cost of Swim & Dive is approximately \$819,000.
  - A fully built STUNT program is projected at roughly \$330,000 annually.
  - Even after adding STUNT, Athletics projects multi-year savings exceeding \$2 million over three years.
  - In today's NCAA landscape — shaped by revenue pressures and scholarship restructuring — stewardship matters.
- **And third, infrastructure realities.**
  - The Fitch Natatorium opened in 1981, with its last significant renovation in 2002.
  - It will continue to serve academics, recreation, and the community.
  - However, sponsoring Division I swimming at a championship level requires substantial capital upgrades to locker rooms, training areas, and aquatic systems to meet modern health, safety, and recruiting standards.
  - At this time, we cannot responsibly commit to that level of capital investment without compromising broader priorities.
  - STUNT does not require aquatic infrastructure or major capital renovation. It is also an NCAA Emerging Sport with a defined championship pathway and strong national growth.
- Finally, our commitment to our current student-athletes remains clear.
  - We are honoring scholarships for those who remain enrolled through graduation.
  - We are providing academic advising and transition support.
  - And those who wish to transfer will receive full assistance through the portal.
  - We are not walking away from these young women.
  - We are walking with them through transition.
  - Leadership is not choosing between easy and hard.
  - It is choosing between today and tomorrow.
  - Our responsibility is to ensure Marshall Athletics is sustainable, compliant, and competitive for decades — not seasons.
  - These are difficult moments.
  - But they require clarity, discipline, and care.
  - And we will continue to lead with all three.
- **So, to wrap up ...**

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- We continue to navigate external volatility and internal transformation ...
- From the outside, that could feel like instability.
- From the inside, I see something different ... a team that is working a plan and making the necessary choices to move forward ... together.
  - We're growing enrollment in a shrinking demographic region
  - We're delivering the highest ROI in the state, while advancing debt-free education
  - We're eliminating a structural deficit while maintaining AA- credit strength
  - We're engaging constructively in legislative policy
  - And we're making difficult decisions in service of long-term sustainability
- That is not instability ... it is disciplined transformation.
  
- 2026 may feel choppy.
- But we are not drifting.
- We are steering ... and we are moving forward together.
- We Are ... Marshall.
  
- Go Herd.

b) Provost – Robert Bookwalter (10 minutes)

**Enrollment** 12,205 highest since Spring 2019

Fewer students are **stopping out** fall-spring; likely due to advising & student services

IPEd's report shows that **time to graduation** has improved from 4.36 to 4.27 to 4.15

**4 yr grad rate** increased from 32% to 34%

**New Enrollment forecast indicates first time frosh will exceed 2000 in Fall 2026**

**Budget**

Unit budgets have been submitted and subject to updates for the past 3 weeks

The Budget Advisory Committee will review submissions AND Impact Statements

Staffing analysis indicates that Student/Faculty ratios lag behind SREB peers by 12%

SREB ratio is 16.8/1 MU ratio is 15/1

Our Revenue/Student exceeds our peers, but . . .

Our cost of instruction also exceeds peers by \$2800

We cover a greater percentage of courses with full-time faculty

**That is why it is necessary to look at course rotations & low enrollment offerings**

**Mercer Engagement Survey Follow up**

Why do employees think that **accountability is lacking**?

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**What can be done** to improve clarity around accountability processes?  
**What tools and resources are perceived as lacking?**  
What resources are needed to support your work adequately?  
What is missing at MU to **ensure our programs and services meet changing market needs?**  
What is desired in the work environment to foster innovation?

We continue the **Digital Accessibility project**, aimed at upgrading our accessible materials between now and April 24

We continue to plan for our **HLC accreditation visit** – Mar 30 & 31

We should be prepared to highlight

Our Commitment to Marshall's Mission

Our high quality programs

Our commitment to student success

And our Shared Governance approach to continuous improvement

We reorganized our AI task force into two subgroups led by David Wiley and Jodie Penrod

Our goal is to use AI effectively in our daily work AND

To provide our students with essential tools for their future professional lives

Our commitment to significant enrollment and revenue growth has shown consistent results and promises to continue into the next year.

Our ongoing focus on efficiency will help us sustain those gains

Our commitment to each other – and to shared governance and design thinking will help us innovate and thrive in the 2<sup>nd</sup> quarter of the 21<sup>st</sup> century

c) Board of Governors – Robin Riner (5 minutes)

The Board of Governors met February 5, 2026. There were no action items considered.

- Faculty members Mark Zanter, Kae Bradley, Mindy Yeager-Armstead and Amanada Capino were recognized for their achievements
- Budget will be approved in April; we have made a 2M improvement on projected deficit

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The Board also met in special meeting on February 17, 2026. They voted to approve the discontinuation of the swim & dive program and to add a new sport: Stunt.

Our next meeting will be April 8, 2026. A reminder that all meetings are open to the public.

d) Advisory Council of Faculty – Amine Oudghiri-Otmani (5 minutes)

The Advisory Council of Faculty (ACF) had a Zoom meeting on Friday, Jan. 23 from 1:00 – 3:00 p.m., one day following last month’s Faculty Senate meeting. The following are important highlights from the meeting:

- I- The meeting was called to order at 1:05 p.m. We started off by approving minutes from last year’s ACF retreat that took place from Nov. 7-8, 2025.
- II- We were then joined by Chris Rasmussen, HEPC, who provided a few updates about (and important highlights of) the first two weeks of the sixty-day legislative session. III- Joe Jenkins, HEPC General Counsel, joined the meeting and reported that House committees have been busy with education and higher education. He specifically discussed HB 4081, Higher Education Health and Aid Grant, which will be a win for students. This bill provides grants to state institutions so that institutions can provide food and health aids pantry on campus. The bill is expected to pass the House. He also briefly discussed the following bills:
  - a. HB 4087 West Virginia – Ireland Education Alliance – an educational alliance; Members of four-year universities and two-year colleges; Federal funding for Ireland Trips \$250,000 total per year for the grant to travel to Ireland each year.
  - b. HB 4002 Establishing the West Virginia Collaboratory – addresses certain programs and fees to go through Collaboratory. Marshall University will be spearheading this initiative. Will help with research projects and such. (Modeled off policy at UNC Chapel Hill)
  - c. HB 4014 Workforce Readiness and Opportunity Act – micro-credentials, governor on board likely to be passed.
  - d. HB 4116 Relating to eligibility for WV Invests Grant Program -change of profession - first generation students – emergency medical services
  - e. HB 4119 Establishing the West Virginia TEACH Scholarship Program – early childhood education
  - f. HB 4152 Workforce-Education Partnership Act – allows employees to teach welding at vocational tech training. Employers can receive a tax credit equal to 100% of employees’ gross wages. Employees participating in programs to maintain their employment status and benefits.

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- g. HB 4533 Relating to including Potomac State College as an eligible institution for permanent participation in the “Learn and Earn Program” and remove reference to the program being a “pilot” program.
  - h. HB 4587 Prohibiting public funds from supporting low-earning outcome degree programs. Fed wants return on investment.
  - i. SB 414 Keep Accreditation About Academics Act (regarding accrediting bodies calling for DEI)
  - j. SB 476 Selecting Neutral Accreditors Act - one portion mentions law school accreditor and the DEI commitment (bill also mentions reviewing accreditors and selecting those who have not adopted DEI in the last five years.) (Example: All accredited programs have an active consortium and could lose money without the accredited social work program)
  - k. SB551 Restoring voting rights to faculty, students, and employee members of institutional boards of governors. Cross over day for the legislature is about 40 days into the session. Joe Jenkins entertained a few additional topics, including potential budget cuts, pay increases, implementation of PEIA increase funding law, revamping financial aid streamline, promise scholarships, rule on composite ACT scores, and the HEAPS workforce grant.
- VII- Meeting concluded with a brief discussion of potentially having members of the ACF show up in Charleston during the legislative session, in addition to a discussion of the four workgroups that the ACF also formed within the main ACF body, which are internationalization, K-12 and early college, online learning standards, and adjunct, summer, and overload pay.
- VIII- Meeting adjourned at 3:05 p.m. Next ACF meeting is Apr. 24, followed by a summer meeting, which will take place on Friday, July 10. At this meeting, new officers will be elected
- e) Graduate Council – Richard Egleton (5 minutes)
  - f) Student Government Association – Connor Waller (5 minutes)

**7. Standing Committee Liaison Reports**

- a) Government Affairs Committee – Marybeth Beller (4 minutes)

The Government Affairs Committee met February 5<sup>th</sup>. We tentatively passed a resolution to send to Faculty Senate and agreed to send it out electronically to members who could not attend the meeting so that they could consider it. A majority confirmed the resolution.

Following are the bills relevant to Higher Education, and particularly Marshall University. It is worth noting that, other than appropriations bills, the deadline has passed to introduce

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new bills into the House. After Monday, February 23, no new bills can be introduced into the Senate. Therefore, this is the near total number of bills we are following.

Two bills (HB 4002 and HB 4081) brought to the Faculty Senate's attention last month have now passed the House and are in Senate Education:

HB 4002 establishes a Collaboratory, to be housed at and operated by Marshall University with the advice of an advisory group composed of members of WVU, WVSU, the House and Senate and the Chancellor of HEPC, as well as citizens appointed by the Speaker and Senate President. The purpose of the Collaboratory is "to conduct, manage, or participate in research projects and opportunities that may be of interest to citizens and policymakers within the state, including, but not limited to, research in the areas of workforce development, public education, economic development, and natural resources management, including, but not limited to, research related to the environmental and economic components of the management of the natural resources within the state and of new technologies for habitat, environmental, and water quality improvements". It directs all state and local governments to cooperate with the Collaboratory and states that any work of the Collaboratory will not be subject to Freedom of Information Act (FOIA) requests. The State Treasurer's Office provided a fiscal note with no information, other than to say the Collaboratory would be funded out of a special fund.

HB 4081 creates the Higher Education Health and Aid Grant which is to be funded out of general revenue appropriated to the West Virginia Higher Education Policy Commission (HEPC). The purpose of the program is to provide grants to state institutions of higher education that have one or more campuses to address student food insecurity and student health and hygiene inadequacies. The fiscal note had no details of costs.

HB 4592 mandates that higher education campuses create digital campus maps, including floor plans in all buildings, using software that local emergency first responders can access, and that the institutions of higher education provide these to all first emergency responders. This bill has also passed the House and is now in Senate Education.

HB4958 creates a five-year program, the Southern Coalfield Resiliency and Revitalization Program, which will identify existing resources in the coalfield counties of Boone, Logan, McDowell, Mingo and Wyoming to identify resources in those areas that can enhance economic development and direct state resources toward those counties for the purposes of collaborating with businesses to further economic development in the area. The bill creates a Revitalization Council to govern this program and states that a representative from the Marshall University Center for Business and Economic Research will sit on that council. The program will be housed in the WV Division of Economic Development and will report

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annually to the governor. The bill mandates that no hiring may take place to fulfill the purpose of the program. This bill is on third reading in the House tomorrow, February 20<sup>th</sup>.

SB 781 removes surplus funds from the general revenue and moves them to a Civil Contingency Fund for use in matching grants. While the bill does not specifically mention higher education, it is filed under Higher Education in the bill database. It passed the Senate and is in House Finance.

The following bills are not moving but should be studied and followed carefully as they will affect us if they pass and they are likely to return next year if they fail to gain traction this year.

Two bills require institutions of higher education to either exempt the vaccination requirement for students who have religious objections (SB 609) or to ban the requirement entirely for all faculty, staff and students (HB 5111).

SB 41 and 69 require higher education acceptance of the Classic Learning Test (CLT) as an alternative to the SAT or ACT for assessing a student's college readiness. The CLT is used by many home-schooling parents and charter schools.

SB 202 provides free tuition for a variety of first responders and their families as well as disabled veterans and military personnel. It provides no funding to universities to cover this loss of tuition revenue.

SB 414 requires higher education accrediting bodies to remove any requirements for DEIA practices for institutions to receive accreditation.

SB 483 creates the WV Officials Training Act. This would make use of a variety of sources to establish quality training for state and local elected officials. It will be operated out of the state auditor's office. While it is not currently moving, this might be a bill for the university to investigate as many of our programs are equipped to provide that training.

Finally, there are two bills which seek to restore voting rights to all members of higher education boards of governors. SB 551 restores voting rights to student, faculty and staff members of those bodies and SB 675 restores voting rights to student members only. Neither bill is moving, but faculty might want to reach out to Senators Mike Woelfel and Joey Garcia who sponsored the bill to restore rights to all members of the governing boards.

A bill discussed in this report last month is still not moving but should be considered: HB 4587 (and its Senate counterpart, SB 618), the Higher Education Accountability Act, will expand a federal ban on use of direct student loans (PL119-21, section 84001) for students

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to major in “low earning programs.” This is measured by taking the cohorts graduating in a major and measuring their median earnings over a 3-year span. If the median earnings do not meet or exceed the median earnings of employees in that field who do not have a degree, the degree program is defined as “low earning.” This bill would forbid public money to be spent in any way on low earning programs.

After March 4<sup>th</sup> any bill that has not passed its house of origin dies, so watch for these bills to see if they move before then.

The Government Affairs Committee will meet again on March 5<sup>th</sup>, at 2:00, in TEAMS.

b) University Curriculum Committee – Tim Melvin (4 minutes)

Meetings Held: November 21, 2025 and January 20, 2026

3:00 PM | Microsoft Teams

**Course Changes ALL APPROVED BY UCC**

CMM 474: Patient-Provider Communication Interpersonal Health Comm  
CMM 479: Health Promotion and Influence Public Health Communication  
ESS 485: Independent Study  
ESS 486: Independent Study  
ESS 487: Independent Study  
ESS 488: Independent Study  
GEO 101: Physical Geography (CT)  
HS 485: Independent Study  
HS 486: Independent Study  
HS 487: Independent Study  
HS 488: Independent Study  
HST 475 : History Internship  
CMM 308 : Persuasive Communication  
CMM 409 : Social Influence Studies Theory Persuasion Change  
GEO 450 : Extreme Weather & Mesoscale

**Course Additions ALL APPROVED BY UCC**

SCLA 490 : HerdWork Internship  
CHM 112 : Foundations of Chemistry Lab  
HST 456 : Intro to Genealogy

**New Programs ALL APPROVED BY UCC**

962 : Health Communication

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958 : Public History

959 : Public History

***Program Changes ALL APPROVED BY UCC***

749 : Health and Wellness

***Program Deletions***

6 : Commercial Music

***Course Inactivation – None***

c) Faculty Personnel Committee – Clinton Brown (4 minutes)

The FPC met on Tuesday, 2/17.

We reviewed and approved changes to the JCESOM P&T Policy. We sent that over to the provost. We also reviewed the Faculty Fitness to Serve/Duty. We are making changes to that policy and anticipate this to be brought to the Faculty Senate by the March or April meeting.

d) Research Committee – Philippe Georgel (4 minutes)

Quinlan Award Process Updates

- Refined disqualification criteria (existing travel support from ongoing grants for example) also including consequences for missing prior post-award reports.
- Use of Dynamic Forms approved for routing applications through Chairs/Deans.
- Scoring rubrics are being finalized to ensure fairness across disciplines and career stages.

Marshall Research Status & Challenges

Marshall remains an R2 institution with current research expenditures of \$30–\$39M, (below the \$50M R1 threshold). This is considered a good performance to maintain and improve on our R2 status.

Potential issues for acquisition of new grant funding:

- The NIH shift toward human-based research may disadvantage researchers, mostly MUSOM, currently using animal models.
- Lack of internal seed grants our limits ability to gather preliminary data required for external submissions.

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Generation of a White Paper to identify Priorities

A White Paper focusing on identifying institutional research needs—including funding, graduate support, infrastructure, and student engagement—to strengthen Marshall’s long-term research capacity will be initiated by the committee.

Main priorities:

- Recommend establishing internal seed grants in the \$5k–\$25k range.
- Emphasize need for graduate tuition waivers to support competitive recruitment.
- Propose improved visibility infrastructure such as a campus-wide research calendar and searchable expertise directory.
- Propose improved research visibility by highlighting faculty/student accomplishments in MU newsletter and social media.

Student Research Pipeline

Support early undergraduate participation through paid research roles and/or academic credit.

Collaboration with MURC

Discussion with Dr. John Maher (VP-research, MURC Director) confirmed that the FSRC will maintain regular dialogue with MURC on federal policy shifts and administrative processes. Dr. Maher requested help from the committee for the John Marshall students and Faculty awards (internal MU grant program).

Next Steps

- Finalize the revised Quinlan Award scoring rubric.
- Complete the White Paper and prepare a Faculty Senate proposal.

e) Student Conduct & Welfare Committee – Tony Viola (4 minutes)

The meeting was convened at 3:02 p.m. by Bethany McFann, Chair.

1. APPROVAL OF MINUTES: The minutes of the November 12, 2024 meeting were approved.

2. OLD BUSINESS:

A. Regarding the development of a procedure for students afraid of other students, Bethany McFann reported back that students can use Advocate to submit a report on another student.

B. Concerning an excused absence policy for online, asynchronous courses, Michael Borsuk reached out to Kat Smith from Student Advocacy and Accountability, as well as Jessica Rhodes from the Title IX office. Currently, there is no defined policy, and any extensions on course work are made at the discretion of the professor. The only exceptions

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to this are extensions granted by Title IX or accommodations made by the Office of Accessibility and Accommodations. Michael Borsuk reported back that a subsection is being developed for the attendance policy that would provide extensions for students in online, asynchronous courses when necessary.

C. Concerning AEDs in the dorms, Michael Borsuk suggested adding more signage and including emergency numbers.

3. NEW BUSINESS: None.

The meeting was adjourned at 3:19 p.m.

f) Faculty Technology Committee – Nitin Puri (4 minutes)

- MUIT will be deprecating the current solution for MUPages and will soon be working with impacted faculty to migrate their sites to the university hosted platform, Pantheon. Student organizations should work with Student Affairs to use the new HERDLife platform.
- MUIT also introduced a new Technology Project Management policy for first reading that assists in prioritizing technology projects for the university.
- The Annual Technology Survey will be released next week.

8. Other Requests to Speak

9. Adjournment

The meeting was adjourned at 5:28 p.m.

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Respectfully Submitted:

*Kelli Johnson*

Kelli Johnson, Recording Secretary, Faculty Senate

**MINUTES APPROVED BY FACULTY SENATE:**

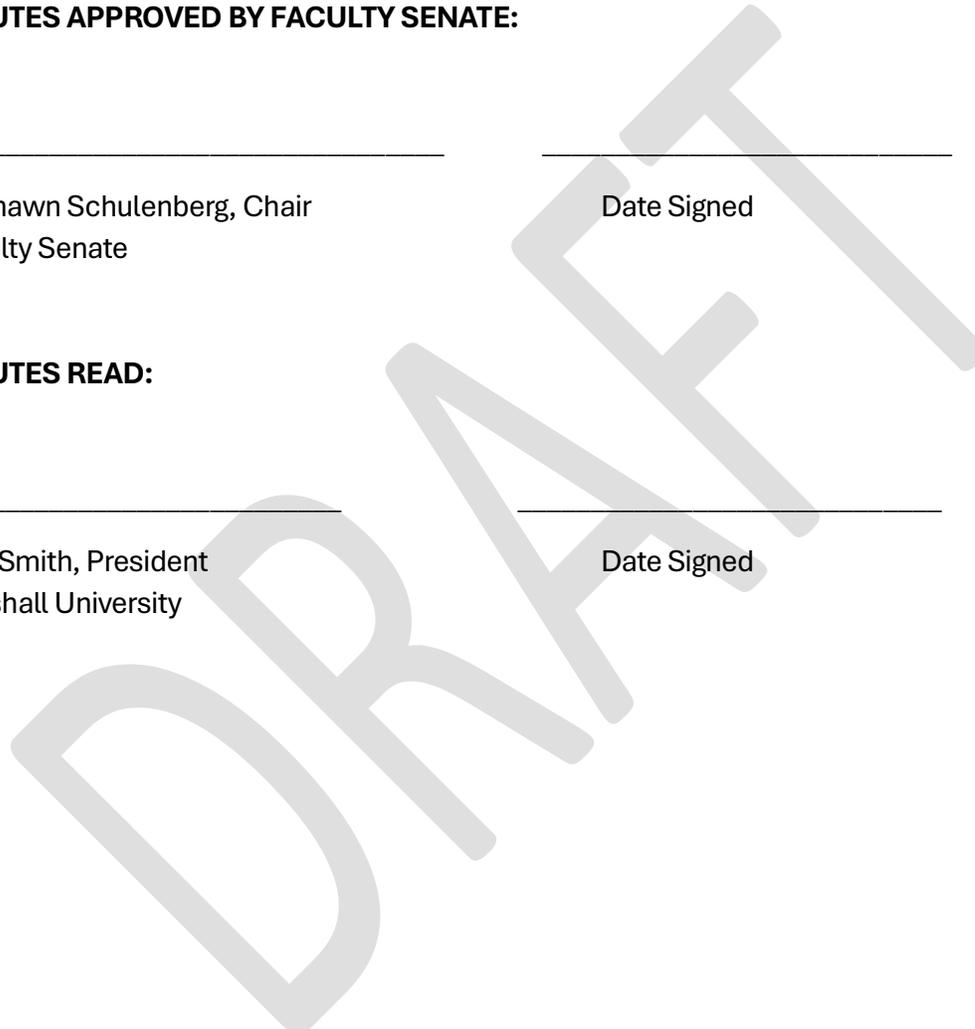
\_\_\_\_\_  
Dr. Shawn Schulenberg, Chair  
Faculty Senate

\_\_\_\_\_  
Date Signed

**MINUTES READ:**

\_\_\_\_\_  
Brad Smith, President  
Marshall University

\_\_\_\_\_  
Date Signed



## Faculty Personnel Committee RECOMMENDATION

**SR 25-26-19 FPC** Recommends a New BOG Rule on Faculty Conduct and Disciplinary Procedures

*Whereas*, Marshall University Board of Governors Rule AA-16 (Professional Responsibility, Academic Responsibilities, and Academic Freedom) affirms both the high professional obligations of faculty members and their fundamental protections for academic freedom, extramural speech, and shared governance; and

*Whereas*, AA-16 recognizes that faculty professionalism and academic freedom are complementary principles, requiring institutional mechanisms capable of distinguishing protected academic activity from conduct that substantially impairs professional fitness or institutional functioning; and

*Whereas*, Marshall University maintains multiple Board of Governors rules and institutional policies defining faculty responsibilities and standards of conduct, yet does not currently have a unified, faculty-led disciplinary framework that operationalizes those standards in a manner consistent with AA-16; and

*Whereas*, in the absence of a comprehensive faculty misconduct process, responsibility for addressing serious conduct concerns has relied on existing administrative and human resources procedures, which are not designed to provide faculty peer adjudication or to fully address academic freedom and professional fitness considerations; and

*Whereas*, faculty, administrators, and the Board of Governors share a common interest in clear, predictable, and transparent processes that promote professionalism, ensure fairness, and support timely and appropriate institutional action; and

*Whereas*, progressive discipline—emphasizing correction, remediation, and proportional response—is a widely recognized best practice in higher education governance and employment law, benefiting both individuals and institutions; and

*Whereas*, the Board of Governors has an institutional responsibility to ensure that faculty discipline is exercised in a manner consistent with Board rules, state law, AAUP standards, and principles of shared governance, while preserving the University’s capacity to uphold professional standards;

**Therefore, BE IT RESOLVED** that the Marshall University Faculty Senate recommends adoption of the proposed Board of Governors Rule on Faculty Conduct and Disciplinary Procedures, establishing a faculty-led, progressive, and due-process-centered framework for addressing faculty misconduct that gives practical effect to the principles of professionalism, academic freedom, and shared governance articulated in MUBOG Rule AA-16.

# Faculty Personnel Committee RECOMMENDATION

**SR 25-26-19 FPC** Recommends a New BOG Rule on Faculty Conduct and Disciplinary Procedures

## **RATIONALE:**

### **1. Implements AA-16 Through a Clear and Workable Process**

While AA-16 articulates core principles of professional responsibility and academic freedom, it does not itself provide a procedural framework for resolving allegations of misconduct. The proposed rule supplies that structure, ensuring those principles are applied consistently and transparently.

### **2. Emphasizes Progressive Discipline and Remediation**

The proposed framework is explicitly progressive in nature. It prioritizes corrective and educational responses where appropriate, reserving severe sanctions for serious or repeated misconduct. This approach supports faculty development, reduces unnecessary escalation, and aligns with best practices in higher education governance.

### **3. Preserves Academic Freedom While Enforcing Professional Standards**

By requiring a demonstrated nexus between alleged conduct and impairment of professional fitness or institutional function, the rule ensures that protected teaching, scholarship, governance, and extramural speech are not subject to discipline, while still allowing the University to address genuine misconduct.

### **4. Clarifies Institutional Roles and Strengthens Shared Governance**

The rule establishes clear responsibilities for faculty committees, administrators, and executive leadership. This clarity supports collaborative decision-making and ensures that academic judgment plays a central role in matters affecting faculty status and professional standing.

### **5. Improves Consistency, Fairness, and Institutional Defensibility**

A defined, faculty-led disciplinary process produces more consistent outcomes, clearer records, and stronger procedural integrity. This benefits faculty by ensuring fairness and benefits the University and Board by reducing grievance risk and increasing confidence in final decisions.

### **6. Aligns Marshall with Contemporary Higher Education Practice**

Public universities nationwide have moved toward formal faculty misconduct frameworks that integrate professionalism, due process, and shared governance. Adoption of this rule aligns Marshall University with those established governance norms.

**Faculty Personnel Committee  
RECOMMENDATION**

**SR 25-26-19 FPC** Recommends a New BOG Rule on Faculty Conduct and Disciplinary Procedures

**FACULTY SENATE CHAIR:**

APPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**UNIVERSITY PRESIDENT:**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COMMENTS:**

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# **Summary of Revisions to the Proposed Board of Governors Rule on Faculty Conduct and Disciplinary Procedures**

The Faculty Personnel Committee reviewed written feedback submitted by faculty members from multiple academic units in response to the first draft circulated in the February 9, 2026, Faculty Senate Executive Committee agenda packet. The revised draft reflects several changes intended to clarify language, address specific concerns raised in the comments, and improve the overall structure of the rule.

The most significant revisions are summarized below.

## **1. Concerns Regarding Tier 1 (Minor Misconduct)**

Several comments raised concerns that the original draft of Tier 1 (Minor Misconduct) could be interpreted as addressing minor or routine workplace issues rather than patterns of conduct that warrant corrective attention. In response, the revised draft:

- Refines and clarifies the examples included in Tier 1.
- Adjusts language to emphasize that Tier 1 functions primarily as a corrective mechanism for situations in which professional responsibilities are not being met.
- Removes or revises examples that were interpreted as addressing routine or trivial matters.
- Clarifies escalation standards to ensure that repeated concerns must demonstrate a documented pattern and are not automatically elevated to higher tiers.
- Shortens the retention period for Tier 1 documentation, reducing the length of time that such records are maintained.

These revisions were intended to maintain a mechanism for addressing persistent non-performance while reducing concerns that the rule could be applied to routine workplace interactions or lead to overly supervisory application of the policy.

## **2. Concerns Regarding Clarity of Terminology**

Several faculty comments noted that certain terms in the initial draft (such as “unprofessional conduct,” “discourtesy,” or similar descriptors) could be interpreted differently depending on context. In response, the revised draft includes:

- Adjustments to several examples and descriptions to provide additional context.
- Revisions to better distinguish between isolated workplace issues and conduct that may require corrective review.

These changes were made to improve clarity while recognizing that professional conduct standards necessarily rely on contextual professional judgment.

### **3. Concerns Regarding Academic Freedom and Extramural Speech**

Some feedback raised questions about how the policy would apply to faculty speech outside the university context, including criticism of institutional decisions or participation in public discourse. The revised draft therefore strengthens language clarifying that:

- Disagreement with viewpoints, scholarship, or criticism of the University does not constitute misconduct.
- Faculty retain the freedom to speak on matters of public concern consistent with established academic freedom principles.
- Public controversy or reputational harm alone does not constitute misconduct.

The revised language also clarifies that when speech is alleged to interfere with professional responsibilities, a clear nexus between the conduct and the faculty member's institutional duties must be documented.

These revisions were intended to ensure that the rule clearly distinguishes between protected expression and conduct that materially interferes with professional responsibilities.

### **4. Concerns Regarding Complaint Initiation and Review**

Some comments asked for clarification regarding how concerns about faculty conduct are initially reported and reviewed. In response, the revised draft clarifies:

- How reports of potential misconduct may be received.
- The role of administrators in reviewing and classifying concerns before a formal process proceeds.
- The distinction between initial reporting and the formal review process.

The revisions also clarify that supervisory review is expected before a matter proceeds to formal referral, allowing routine professional concerns to be addressed through normal supervisory processes when appropriate.

These changes were intended to provide greater transparency regarding the early stages of the process.

### **5. Concerns Regarding Procedural Roles and Responsibilities**

Several comments requested clearer descriptions of how cases move through the review process and the roles played by various participants. The revised draft therefore clarifies responsibilities at multiple stages of the process and more clearly describes the roles of: Department Chairs, Deans, the Provost, and the Faculty Personnel Committee.

In addition, the revised draft explicitly includes Deans and the Provost when they hold faculty appointments within the scope of the rule, ensuring that expectations for professional conduct apply consistently across faculty classifications.

The revised draft also provides additional procedural clarification regarding hearing processes, including clearer expectations regarding panel roles, deliberations, and restrictions on ex parte communications once a case has formally entered the review process.

## **6. Relationship to Other University Policies**

Some comments noted the need to clarify how the proposed rule interacts with other existing university procedures.

The revised draft therefore clarifies that certain matters may instead be addressed through other established university policies (for example, Title IX or other regulatory processes) where appropriate. When fact-finding occurs under another policy framework, those procedures govern the investigative process and are not duplicated through the misconduct rule.

These revisions were intended to ensure that the proposed rule functions as part of the broader university policy framework and does not duplicate existing procedures.

## **7. Clarification of Evidentiary Standards**

Some comments requested clearer articulation of the evidentiary standards applied during the misconduct review process.

The revised draft clarifies that Tier 1 corrective matters rely on a preponderance-of-the-evidence standard, while more serious disciplinary sanctions under Tier 2 and Tier 3 require clear and convincing evidence.

This clarification ensures that more serious sanctions are subject to a higher evidentiary threshold.

## **8. Interim Measures**

Some comments raised questions about how the University may respond when concerns arise that require immediate attention while a review is ongoing.

The revised draft therefore clarifies that interim measures may be implemented when necessary to protect students, employees, or the functioning of the University while a matter is under review. The rule also provides additional guidance regarding the oversight and review of such measures to ensure that they remain appropriate and proportionate as a case proceeds.

These revisions were intended to clarify the availability of interim administrative responses while maintaining appropriate procedural safeguards.

## **9. Documentation and Recordkeeping**

The revised draft also clarifies expectations regarding documentation and recordkeeping associated with misconduct proceedings.

The rule establishes clearer guidance regarding the retention of records associated with formal proceedings and provides for periodic anonymized reporting so that the Faculty Personnel Committee may review patterns and procedural effectiveness over time.

These revisions were intended to support transparency and continuous improvement of the misconduct review process.

# **Marshall University Board of Governors Rule: Faculty Conduct and Disciplinary Procedures (MU BOG AA-XX)**

## **I. Purpose**

This rule establishes a comprehensive, fair, and academically sound framework for addressing faculty misconduct while protecting academic freedom, due process, and shared governance and ensuring accountability and professional conduct. The policy:

1. Ensures consistent procedures across the institution.
2. Provides faculty-led adjudication of serious sanctions.
3. Aligns Marshall University with AAUP Recommended Institutional Regulations, MUBOG AA-6 and AA-16, and W. Va. Code.

Nothing in this rule shall be interpreted to restrict academic freedom, protected speech, or lawful participation in shared governance.

## **II. Scope and Authority**

**Applicability:** This policy applies to all individuals holding faculty appointments (classifications) at Marshall University (including adjunct faculty, dual-credit instructors, tenured, tenure-track, clinical-track, teaching-track, librarian-track, and research-track faculty).

This rule applies equally to faculty-classified administrators when the alleged conduct arises from their faculty role or responsibilities. When a faculty-classified administrator is alleged to have committed misconduct, the complaint shall be reported to the Provost. The Provost (or the President, if the allegation concerns the Provost) will forward the complaint to the administrator's immediate supervisor and to the Chair of the University Faculty Senate Faculty Personnel Committee.

For dual-credit instructors, coordination with partner school systems will occur as required by applicable agreements and law; however, University disciplinary authority over faculty appointments remains unchanged.

**Relationship to Other Policies:** Allegations governed by federal or state law or other legally mandated policies—including Title IX, discrimination or harassment law, research misconduct regulations, and HIPAA/FERPA—shall be governed by those applicable laws and policies, which supersede the procedures outlined below.

Once fact-finding is complete and a policy violation is substantiated, sanctioning and appeals shall proceed under the applicable governing policies. When fact-finding is conducted under another controlling policy, the faculty misconduct panel's role is limited to review and comment on the sanctions. Findings of fact shall not be re-adjudicated

absent new evidence or due-process defects. In matters governed by Title IX, the Faculty Misconduct Panel shall have no review authority, and the Faculty Senate Executive Committee shall have no appellate authority

**Dual-Role Faculty (Faculty with Administrative Appointments):** When an individual serves in both faculty and administrative capacities, jurisdiction is determined by whether the alleged conduct occurred primarily in the administrative role or the faculty role.

The Provost, Chief HR Officer, and General Counsel will jointly make this determination and issue a written routing memo to the faculty member and the University Faculty Senate Faculty Personnel Committee Chair.

No party may unilaterally select the forum.

**Authority:** This policy is authorized under W. Va. Code §18B-2A-4, MUBOG AA-6, MUBOG AA-16.

**History:** [tbd]

### III. Guiding Principles

1. **MUBOG Rule AA-16 (Professional Responsibility, Academic Responsibilities, and Academic Freedom):** Faculty shall not face discipline for protected teaching, scholarship, or governance, and they shall have the freedom to speak on any matter of social, political, economic, or other interest to the larger community, without institutional discipline or restraint, save in response to fundamental violations of professional ethics or statements that suggest disciplinary incompetence. Each faculty member is entitled to freedom in the classroom regarding discussion of the subject being taught. In addition, when faculty members speak or write as private citizens outside the institution they shall be free from institutional censorship or discipline, unless they are indicating they are speaking on behalf of Marshall University. The academic freedom, protected speech and activities, institutional responsibilities of faculty in relationship to alleged misconduct is further outlined below in the section on Academic Freedom and Nexus Requirement of this rule.
2. **Faculty-Led Adjudication:** Serious sanctions require an impartial hearing before a University Faculty Personnel Committee (FPC) panel of tenured faculty.
3. **Due Process:** Faculty are entitled to written notice of charges, access to evidence, representation, cross-examination of witnesses, a verbatim hearing record, and a defined appeal consistent with W. Va. Code §6C-2-3.
4. **Neutrality:** HR coordinates logistics; investigators and FPC panelists must be impartial and free from conflicts of interest.

5. **Progressive, Educational Approach:** The University seeks to remediate whenever appropriate, emphasizing corrective actions, particularly for Tier 1 Minor Misconduct.
6. **Proportionality and Consistency:** Sanctions must be proportionate to misconduct and consistent with prior comparable cases.
7. **Timeliness with Flexibility:** Timelines are clearly defined but may be extended for good cause, with written explanation.
8. **Burden and Standard of Proof:** The University bears the burden of proof in all faculty misconduct proceedings.
  - a. For Minor Misconduct Allegations (Tier 1), the University must establish the alleged misconduct by preponderance of the evidence.
  - b. For Serious Misconduct (Tier 2) Allegations and Grave Misconduct (Tier 3) Allegations, the University must establish the alleged misconduct by clear and convincing evidence.
  - c. Corrective and non-disciplinary actions, such as coaching, mentoring, and Faculty Development Plans, are remedial in nature and do not require formal evidentiary findings under either standard.
  - d. The applicable standard of proof shall be stated on the record at the outset of any formal hearing and applied consistently throughout the adjudication process.
9. **Academic Nature of Proceedings:** Faculty misconduct proceedings under this rule are academic and administrative in nature and are not judicial or criminal proceedings. The purpose of these proceedings is to determine professional fitness, institutional responsibility, and appropriate institutional action, not to adjudicate civil or criminal liability. Formal rules of evidence applicable in courts of law do not apply. However, all findings must be based on relevant, reliable, and probative information and evaluated under the applicable standard of proof established by this rule. Procedures shall be conducted in a manner that is fair, respectful, orderly, and consistent with the principles of academic due process, shared governance, and professional responsibility.
10. **Shared Governance:** Peer faculty review is central, with the University Faculty Senate's Faculty Personnel Committee (FPC) hearing all cases involving serious (Tier 2) or grave (tier 3) misconduct allegations. The Faculty Senate Executive Committee serves as the appellate authority in these cases.

#### **IV. Definitions**

For purposes of this policy:

1. **Adequate Cause:** Substantial reason demonstrably related to performance of institutional responsibilities, such that continued appointment is inconsistent with the institution's mission and obligations.
2. **Minor Misconduct (Tier 1):** Low-impact, isolated, or first-time behavior that is readily remediable and does not warrant formal disciplinary sanction.
3. **Serious Misconduct (Tier 2):** Repeated, willful, or significant breaches of professional responsibility that materially disrupt institutional operations, compromise trust, or harm students, colleagues, staff, or the University's interests.
4. **Grave Misconduct (Tier 3):** Willful, egregious, or fitness-impairing conduct (e.g., serious research misconduct, exploitation, violence, major fraud) that may warrant suspension, revocation of tenure, or dismissal for cause.
5. **Neglect of Duty:** Persistent failure or refusal to perform assigned academic or institutional responsibilities after written notice and an opportunity to improve.
6. **Unfitness to Serve:** Clear and convincing evidence that conduct, neglect, or incompetence substantially impairs effectiveness as a teacher, scholar, or community member.
7. **Corrective Action:** Non-disciplinary interventions aimed at remediation and improvement (e.g., coaching, mentoring, Faculty Development Plans).
8. **Disciplinary Action:** Formal sanctions imposed in response to substantiated misconduct (e.g., written reprimand, salary reduction, suspension, demotion, revocation of tenure, dismissal).
9. **Serious Sanction:** Any sanction altering pay, rank, tenure status, or fundamental faculty privileges (e.g., suspension without pay, demotion, salary reduction, loss of tenure, dismissal).
10. **Interim Measure:** Temporary, non-punitive action (typically with pay) used to protect safety, prevent disruption, or preserve investigation integrity while allegations are pending.
11. **University Presenting Party or University Representative:** The individual designated by the Provost (or designee) to present the University's case in a faculty misconduct hearing. This role may be filled by an attorney from the Office of General Counsel, an external attorney, or a trained University official. The presenting party must be trained in this rule, evidence handling, and hearing procedures and may not have served as investigator or decision-maker in the matter.
12. **Clear and Convincing Evidence:** Evidence that produces in the mind of the fact-finder a firm belief or conviction regarding the truth of the allegations. This standard is higher than a preponderance of the evidence but lower than proof beyond a reasonable doubt and requires that the facts supporting the finding be highly probable. The University bears this burden for all serious sanctions.

13. **Preponderance of the Evidence:** Evidence that shows that a fact or allegation is more likely true than not true. This standard is met when the greater weight of the evidence supports the conclusion, even if the evidence is not overwhelming.
14. **Faculty Misconduct Review Panel:** A five-member hearing panel drawn from a trained pool of tenured members of the University Faculty Senate Faculty Personnel Committee, responsible for adjudicating serious faculty misconduct cases. Panel members must complete annual training and certify the absence of conflicts of interest prior to service. The panel is chaired by the University Faculty Personnel Committee Chairperson who presides over misconduct hearings.

## V. Academic Freedom and Nexus Requirement

1. Faculty have the rights and responsibilities described in MUBOG AA-16 and AAUP's statements on academic freedom and tenure.
2. No disciplinary action may be imposed for:
  - Protected teaching or research content; or
  - Participation in shared governance; or
  - Extramural speech as a private citizen, unless there is a demonstrated nexus between the conduct and substantial impairment of professional fitness or institutional functioning.
3. Disagreement with viewpoints, scholarship, or criticism of the University is not misconduct.
4. Political speech, peaceful protest, and lawful public advocacy are acknowledged as protected forms of free speech and faculty expression.
5. Off-campus and/or mediated political speech, in and of itself, does not constitute misconduct.
6. Public criticism of institutional leadership shall not constitute misconduct, absent clear and convincing evidence of a direct and material impairment of assigned professional duties.
7. Institutional reputational impact alone cannot serve as a basis of disciplinary action absent material disruption to assigned duties or university operations.
8. When expression is implicated, decision-makers must explicitly analyze and document the nexus between the conduct and alleged impairment of assigned duties and institutional operations.

## VI. Roles and Responsibilities

**Department Chair/Director/Immediate Supervisor:** First-level intervention, coaching, and documentation.

**Dean:** May issue minor discipline (reprimand, warning); refers serious cases to University Faculty Senate's Faculty Personnel Committee (FPC).

**University Faculty Personnel Committee (FPC):** Conducts hearings in all serious cases, makes findings of fact, and recommends sanctions. The FPC issues a written decision containing findings and recommendations. A faculty member may appeal the FPC's findings and recommendation decision to the Faculty Senate Executive Committee in accordance with this policy.

**Faculty Senate Executive Committee:** Serves as the final faculty-level appellate body. The Faculty Senate Executive Committee reviews appeals from FPC decisions and may affirm, reverse, or remand the FPC's findings and determination in accordance with this policy. The Executive Committee issues a written appellate decision.

**President:** The President retains final institutional authority following completion of all procedures required under this rule, but they may not bypass or disregard faculty-led adjudicative steps. The President, in consultation with the Provost, may affirm, reverse, or remand decisions issued by the Faculty Senate Executive Committee or the Faculty Personnel Committee only upon written findings of material procedural error, lack of evidentiary support under the applicable standard of proof, clearly disproportionate sanction, or newly discovered evidence. Any reversal or remand must include a written rationale. Faculty members may grieve final determinations consistent with W. Va. Code §6C-2-3.

**Conflict of Interest and Impartiality Requirements:** All individuals involved in the administration, investigation, adjudication, and appeal of faculty misconduct matters—including investigators, Faculty Personnel Committee panel members, administrators, and appellate reviewers—shall be impartial and free from actual or perceived conflicts of interest.

Prior to participation, such individuals must complete a written conflict-of-interest and impartiality disclosure affirming the absence of disqualifying conflicts.

Any party may raise a written objection requesting recusal for cause. The Faculty Personnel Committee Chair shall rule on recusal requests in writing. Individuals required to recuse themselves shall not participate further in the matter.

## **VII. Misconduct Classification and Illustrative Behaviors by Tier**

An illustrative list of potential misconduct behaviors is listed in Appendix A.

The following examples are illustrative, not exhaustive. Classification depends on the nature of the conduct, intent, pattern, impact, and context.

### **A. Tier 1 Minor Misconduct (Informal Corrective Action (Non-Disciplinary):**

Generally handled at the immediate supervisor level.

Tier 1 actions are corrective and developmental in nature. They do not constitute formal discipline, are not considered adverse employment action, and shall not serve as the sole

basis for escalation except where a documented pattern of materially similar conduct demonstrates failure to respond to prior written notice and opportunity to improve.

Tier 1 conduct must be low-impact, isolated, and not materially impair student academic progress, institutional operations, or professional fitness. Isolated clerical or administrative errors corrected upon notice shall not constitute misconduct.

Tier 1 records are not considered disciplinary records and shall not be considered in promotion, tenure, or merit determinations unless they form part of a documented pattern of similar conduct demonstrating failure to respond to corrective intervention.

Tier 1 corrective actions are intended to address concerns early and constructively and should not be interpreted as disciplinary findings.

**Examples:**

- Isolated failures to hold or post office hours after reminder.
- Minor workplace interaction concerns that are appropriate for supervisory coaching or corrective guidance.
- Minor syllabus or assessment irregularities without material impact on student grades or progression.
- First-time late submission of grades or required administrative materials.
- Non-willful administrative or communication errors (e.g., confusion about deadlines or forms).
- Isolated minor collegial conduct issues remediable through coaching or a Faculty Development Plan (FDP).

**B. Tier 2 (Serious Misconduct):** Requires formal referral; serious sanctions cannot be imposed without an FPC hearing.

Tier 2 includes conduct that materially undermines professional responsibilities, student welfare, institutional integrity, or compliance obligations, or conduct demonstrating a documented failure to correct behavior following Tier 1 corrective intervention.

A documented pattern of substantially similar Tier 1 misconduct may warrant escalation to Tier 2 when the faculty member has received prior written notice of the concern, has been provided a reasonable opportunity to correct the behavior (including coaching or a Faculty Development Plan where appropriate), and the conduct continues in a manner that materially impacts institutional functioning.

Multiple substantiated incidents within a rolling three-year period may be considered evidence of such a pattern, typically three (3) incidents, but escalation shall not be automatic and must include written justification explaining why the continued conduct demonstrates disregard of prior corrective intervention or inability to fulfill assigned duties.

**Examples:**

- Repeated unprofessional or hostile conduct after written notice and coaching.
- Documented FERPA or confidentiality breaches with potential or actual harm.
- Retaliation against students, faculty, or staff for reporting concerns or participating in a process.
- Significant grading irregularities or misuse of academic authority (e.g., grading motivated by personal animus rather than academic performance).
- Failure to adhere to required safety protocols or research compliance obligations after notice and training.
- Discriminatory or harassing behaviors not rising to Tier 3 but demonstrating serious misconduct.
- Persistent neglect of duty following an unsuccessful FDP.

**C. Tier 3 (Grave Misconduct):** Requires expedited FPC hearing; may warrant revocation of tenure or dismissal.

Tier 3 includes conduct that fundamentally undermines professional fitness, institutional integrity, or the safety and welfare of the University community. Grave misconduct may arise from a single egregious act or from a documented pattern of sustained Tier 2 misconduct demonstrating persistent disregard of prior interventions.

A documented pattern of sustained Tier 2 misconduct that continues following formal intervention and materially impairs professional fitness may constitute Grave Misconduct. Escalation must include written justification explaining why prior corrective or disciplinary interventions failed to resolve the conduct.

**Examples:**

- Fabrication, falsification, or serious plagiarism in research or scholarship as substantiated by the University's research misconduct process.
- Serious harassment, stalking, coercion, or exploitation of students, colleagues, or staff.
- Violence or credible threats of violence; dangerous behavior that endangers others.
- Fraudulent conduct, such as, impersonation, falsifying University records, significant financial misconduct, or misappropriation of funds.
- Severe abuse of authority, such as coercive relationships with students or supervisees or quid-pro-quo demands.
- Criminal acts that directly impact the faculty member's fitness to serve or the University's safety or integrity.

## VIII. Routing and Gatekeeping

1. **Initial Classification** – The Department Chair makes a preliminary classification (Tier 1, 2, or 3) based on available information and consults with the Dean.
2. **Dean Confirmation** – The Dean’s confirmation or modification of classification must include a brief written rationale addressing severity, impact, pattern, and proportionality considerations.
3. **Disputed Classification** – If the faculty member or Dean disputes the classification, the FPC Chair issues a threshold ruling within five (5) business days on the appropriate procedural tier. This ruling determines whether the matter must follow the Tier 2/3 formal process.
4. **Routing for Dual-Role Cases** – As described in Section II, jurisdiction for faculty with administrative appointments is set through a written routing memo. If the faculty member is a Dean or Provost, their immediate supervisor fulfills each role above.

**IX. Procedures and Timelines:** All time periods are “business days” unless otherwise specified.

The timelines set forth in this rule are intended as procedural goals designed to promote timely resolution of faculty misconduct matters. These timelines are not rigid deadlines and may be extended for good cause, including but not limited to complexity of allegations, witness availability, academic calendar constraints, or the need to ensure procedural fairness.

Any extension of a procedural timeline must be documented in writing, include the reason for the extension, and specify the revised target date. Written notice of timeline extensions shall be provided simultaneously to both parties.

No disciplinary determination shall be invalidated solely due to a timeline extension that is supported by good cause and documented in accordance with this section.

Participants should maintain confidentiality regarding faculty misconduct matters to protect privacy and the integrity of the process. These confidentiality expectations do not prohibit accused faculty from consulting with legal counsel, advisors, union representatives, colleagues, or support persons, nor from making good-faith reports of retaliation or seeking assistance.

### A. Step 1 – Intake, Documentation, and Preliminary Assessment (≤ 5 days)

1. **Incident Identification and Documentation**
  - All allegations of misconduct shall be reported to the faculty member’s chair (or immediate supervisor in the case of Dean or Provost misconduct).

- If a report is received by another administrative office, it shall be promptly forwarded to the appropriate chair or supervisory authority for intake.
  - Upon report of alleged misconduct, the chair records the date, source, and nature of the concern, and they preserve any initial evidence.
2. **Informal Fact-Gathering**
    - The intake party may clarify factual issues with the reporting party and review relevant materials but shall not conduct a full investigation or make formal credibility findings.
  3. **Preliminary Classification**
    - Chair proposes Tier 1, 2, or 3; Dean confirms or modifies.
  4. **Notification to Faculty Member**
    - Faculty are notified in writing that a concern has been raised, the preliminary classification, and they are provided a copy of this policy, unless notification would compromise an external investigation or create a safety risk.

**B. Step 2 – Formal Referral (Tier 2 or 3) (≤ 10 days after Step 1)**

**For Serious or Grave Misconduct:**

1. Dean's Referral Packet sent to the Provost, HR (for logistics), and FPC Chair, including:
  - Alleged conduct (bullet points).
  - Dates, locations, involved individuals.
  - Preliminary evidence (e.g., emails, syllabi, reports).
  - Tier classification and rationale.
  - Policies potentially violated.
  - Any request for interim measures.
2. Copy to Faculty Member
  - The faculty member receives the same referral packet on the same day it is transmitted.

**C. Step 3 – Notice of Charges (≤ 5 days from referral)**

1. HR issues a formal (electronic) Notice of Charges that includes:
  - Specific allegations and conduct at issue.
  - Policy sections allegedly violated.
  - Summary of available evidence.
  - Statement of rights (representation, evidence access, hearing, appeal).
  - Timelines for response and subsequent steps.
  - Non-retaliation statement.
2. Faculty acknowledge receipt in writing (electronically).

**D. Step 4 – Investigation (target ≤ 15 days)**

**1. Appointment of Neutral Investigator**

- The Provost (or designee) appoints a neutral investigator, who may be internal or external, and is not an HR decision-maker in the case.

**2. Scope of Investigation**

**The investigator:**

- Interviews complainants, the faculty respondent, and relevant witnesses.
- Reviews documents, digital records, LMS content, and/or other evidence.
- Maintains confidentiality to the extent possible.
- Offers the faculty respondent the opportunity for a full interview before completion of the report.

**3. Investigative Summary**

- The investigator produces a written summary of the facts and evidence collected.
- The summary does not recommend sanctions.
- All exculpatory evidence must be disclosed.

**4. Distribution**

- The Investigative Summary is provided simultaneously to the faculty member, the University's presenting party, and the FPC Chair.

**E. Step 5 – Faculty Response (≤ 15 days after Investigative Summary)**

**The faculty member may submit:**

- A written narrative or rebuttal.
- Exhibits or documents.
- A list of witnesses.
- A statement of desired outcome.
- Objections to procedural issues thus far.

Extensions may be granted for good cause.

**F. Step 6 – Pre-Hearing Evidence Exchange (≥ 10 days before hearing)**

**Both parties must exchange:**

- All exhibits they intend to introduce.
- Witness lists with brief descriptions of testimony.
- Any stipulations of fact.
- Objections to proposed evidence (relevance, prejudice, redundancy).
- Requests for witness sequestration.

The FPC Panel Chair rules on pre-hearing objections and motions in writing.

**G. Step 7 – Scheduling and Panel Formation (Hearing within  $\leq$  30 days after Step 5)**

1. Panel Formation

- FPC Chair selects a five-member panel from the Misconduct Hearing Pool.
- At least one member is from the faculty member's Academic Unit when feasible.
- Parties may request recusals for conflict of interest; rulings are made by the FPC Chair.

2. Hearing Scheduling

- HR coordinates date, time, and location (or secure virtual platform).
- Scheduling reasonably accommodates the faculty member and key witnesses.

**H. Step 8 – FPC Hearing**

The hearing is conducted in accordance with Section X below.

**I. Step 9 – Findings and Recommendations ( $\leq$  15 days after hearing)**

The panel issues a written decision that includes:

- Findings of fact (numbered).
- Conclusions as to each allegation (sustained or not sustained).
- Policy provisions violated, if any.
- Aggravating and mitigating factors considered.
- Recommended sanction(s) with proportionality rationale.

The decision is provided to:

- The faculty member.
- Chair and Dean.
- Provost.
- Faculty Senate Chair.
- HR (logistics).
- President.

**J. Step 10 – Appeal to Faculty Senate Executive Committee ( $\leq$  20 days)**

The faculty member may file a written appeal ( $\leq$  10 days) to the Faculty Senate Executive Committee (copying the Provost, HR, and the President) on one or more of the following grounds:

1. Material procedural error that likely affected the outcome.
2. New evidence not reasonably available at the time of the hearing.

3. Sanction is clearly disproportionate to the substantiated misconduct.

The Senate Executive Committee reviews the record and within ( $\leq 10$  days) may:

- Affirm the FPC decision.
- Modify the sanction.
- Remand to FPC with instructions for further proceedings.

The decision is issued in writing to the FPC Chair, Provost, HR, and the President.

#### **K. Step 11 – Final Institutional Determination / Action ( $\leq 10$ days after appeal decision)**

The President (or designee):

1. Reviews the FPC and Faculty Senate Executive Committee decisions.
2. Issues written notice of final institutional determination and action.
3. For revocation of tenure and dismissal for cause, submits a notice to the Board of Governors.

#### **X. Hearing Procedures (Expanded)**

##### **Prohibition of Ex Parte Communications**

Once a formal referral or Notice of Charges has been issued, ex parte communications regarding the merits of the case between any party and a panel member, investigator, administrator, or appellate reviewer are prohibited.

Communications limited to procedural scheduling, logistics, or administrative coordination do not constitute ex parte communications, provided no substantive discussion of the case occurs.

Any improper communication must be promptly disclosed to the Panel Chair and documented in the case record. Appropriate remedial action, including recusal if necessary, shall be taken to preserve fairness and process integrity.

- **Pre-Hearing Conference**

The Panel Chair may hold a pre-hearing conference to:

- Confirm witness lists and exhibits.
- Address outstanding motions.
- Clarify the order of proof and logistics.

- **Opening the Record**

At the start of the hearing, the Panel Chair:

- Identifies the case, panel members, and parties.
- Confirms the hearing is being recorded verbatim.

- States the applicable standard of proof for the case.
- States that the University bears the burden of proof.
- **Opening Statements**
  - University representative may present an opening statement.
  - Faculty member (or counsel) may present an opening or reserve until their case.
- **University Case-in-Chief**
  - University presents witnesses and exhibits.
  - Each witness is subject to direct examination, cross-examination by the faculty member or counsel, and questions from the panel.
- **Faculty Case-in-Chief**
  - Faculty member presents testimony, witnesses, and exhibits.
  - University may cross-examine; panel may question.
- **Rebuttal/Surrebuttal**
  - Limited to new issues raised.
- **Closing Statements**
  - Both parties have the opportunity to summarize the evidence and apply the standard of proof.
- **Evidence Rules**
  - Formal rules of evidence do not apply; relevance, reliability, and fairness govern.
  - The panel may exclude irrelevant, cumulative, or unduly prejudicial evidence.
  - Anonymous complaints may not be the basis for a finding.
- **Sequestration of Witnesses**
  - At the request of either party or on the panel's initiative, witnesses (other than the faculty member and the University representative) may be excluded from the virtual or physical hearing space except while testifying.
- **Counsel and Advisors**
  - Each party may be advised or represented by counsel or another advisor at their own expense.
  - The Panel Chair may set reasonable limits to ensure order and efficiency.
- **Deliberation and Decision**
  - After closing statements, the panel deliberates in private without HR or non-panel participants present.
  - Decisions are by majority vote.
  - A written Findings and Recommendations document is prepared and signed by panel members.

- **Professional Conduct Expectations**

All participants, including parties, advisors, witnesses, and representatives, are expected to conduct themselves in a professional and respectful manner. The Panel Chair may impose reasonable procedural limitations, recess proceedings, or remove disruptive participants when necessary to preserve the integrity and academic character of the hearing

## **XI. Interim Measures**

1. Interim measures are non-punitive and administrative in nature, typically with full pay and benefits, and may include administrative leave, reassignment of duties, temporary removal from teaching or supervisory responsibilities, limitations on access to certain University facilities or systems, or temporary removal from specific environments where risk is present.
2. Interim measures may be imposed only when:
  - Continued duties pose an immediate and serious risk to safety or operations, or
  - Continued duties would seriously impede the investigation.
3. When such risk is present, interim measures may include immediate administrative leave and temporary restriction from University property, activities, or systems pending investigation.
4. Interim measures may be imposed prior to any finding of misconduct and are based solely on the need to protect safety, institutional operations, or the integrity of the investigation.
5. The President, Provost, or their designee may implement interim measures when necessary. The FPC Panel Chair (or designee) reviews any interim measure within five (5) business days of implementation and may affirm, modify, or lift it.
6. Interim measures are not evidence of misconduct and must be clearly labeled as such in all communications.
7. Interim measures shall be narrowly tailored to address the identified risk and shall remain in place only for the duration necessary to address that risk.

## **XII. Sanctions and Collateral Consequences**

### **1. Corrective (Non-Disciplinary) Actions**

- Coaching and mentoring.
- Faculty Development Plan (FDP).
- Classroom observations and feedback.

### **2. Disciplinary Actions (Non-Serious Sanctions)**

- Written reprimand.
- Final written warning.
- Monitored probation.
- Targeted training requirements.
- Temporary limitation of certain duties or roles (e.g., committee chairing).

### **3. Serious Sanctions (require FPC hearing and Senate appeal opportunity)**

- Prospective salary reduction.
- Suspension without pay for a defined period.
- Demotion in rank or removal from specific roles.
- Revocation of tenure.
- Dismissal for cause.

#### **4. Collateral Consequences**

- May include temporary removal of graduate faculty status, PI eligibility, overload teaching, or leadership roles.
- Collateral consequences must be explicitly stated, time-limited, and include conditions for reinstatement.

#### **5. Proportionality**

- Sanctions must be proportional to the nature and severity of the misconduct and consider intent, pattern, harm, remediation, and consistency with prior cases.

### **XIII. Non-Retaliation and Reporter Protections**

1. Marshall University strictly prohibits retaliation against any person who:
  - Makes a good-faith report of misconduct or concern.
  - Participates in an investigation or hearing.
  - Serves as a witness or panel member.
2. Retaliation includes:
  - Adverse employment actions (e.g., negative evaluations, workload changes, loss of opportunities) motivated by the report or participation.
  - Threats, intimidation, or coercion.
  - Actions that would reasonably deter a person from reporting or participating.
3. Retaliation as Misconduct
  - Proven retaliation constitutes at least Serious Misconduct and may be treated as Grave Misconduct depending on severity.
4. Reporting Retaliation
  - Retaliation concerns may be reported to the Chair, Dean, FPC Chair, Provost, Title IX Office, or other designated reporting offices.
5. Supportive Measures
  - The University may implement supportive measures for reporters and participants, such as changes in supervision, workspace, or schedule, as appropriate.

### **XIV. Relationship to Grievance Procedures**

1. This policy governs the investigation, adjudication, and sanctioning of alleged faculty misconduct.
2. The faculty grievance process remains available for:
  - Claims of unfair treatment not addressed in a misconduct process.

- Disputes over workload, resource allocation, or other employment conditions unrelated to a misconduct finding.
  - Alleged retaliation, which may also trigger a misconduct proceeding.
3. Limitations
    - The grievance process may not be used to re-litigate facts or misconduct findings already decided through an FPC hearing and Senate appeal.
    - Grievance officers or committees may not overturn or modify sanctions imposed through this policy.
    - Grievances related to issues intertwined with misconduct allegations will normally be held in abeyance until the misconduct process is complete.
  4. Knowingly false, malicious, or bad-faith allegations constitute misconduct under this rule. This provision shall not apply to complaints made in good faith that are not substantiated.

## **XV. Revocation of Tenure**

1. **Tenure may be revoked only for adequate cause, following:**
  - An FPC hearing under this policy.
  - A clear and convincing evidence standard.
  - An appeal opportunity to the Faculty Senate Executive Committee.
  - Presidential review and action.
  - Where applicable, Board of Governors notification.
2. **Revocation of tenure may:**
  - Be coupled with dismissal for cause, or
  - Result in continued employment on a fixed-term appointment with explicit expectations and monitoring, in rare and carefully justified cases.

## **XVI. Dismissal for Cause**

1. Dismissal for cause of a tenured faculty member, or of a non-tenured faculty member prior to the expiration of their appointment, must comply with:
  - This policy's procedural requirements.
  - MU BOG AA-6 provisions on dismissal for cause.
  - W. Va. Code
2. Dismissal for cause requires:
  - An FPC hearing and written findings of adequate cause.
  - Opportunity for Senate Executive Committee appeal.
  - Presidential action and Board of Governors notification.

## **XVII. Records, Reporting, and Expungement**

1. Records
 

HR and Academic Affairs maintain official records of formal disciplinary actions and related hearing documents.

- **Record Retention**  
The Office of the Provost, in coordination with Human Resources, shall maintain official records of faculty misconduct proceedings—including investigative reports, hearing recordings, findings, and final determinations—for a minimum period of seven (7) years following final resolution, unless a longer retention period is required by law or contractual obligation.
2. **Access**
    - Access to records is limited to individuals with a legitimate institutional need, consistent with law and University policy.
  3. **Expungement of Minor Discipline**
    - Minor (Tier 1) disciplinary records shall be expunged from personnel files after three (3) consecutive years of satisfactory performance with no related misconduct. Tier 1 corrective documentation shall not be considered in promotion, tenure, or merit determinations absent a documented pattern of materially similar misconduct.
  4. **Annual Reporting**  
An anonymized annual report summarizing numbers and types of cases, sanctions, and resolution times will be provided to the University Faculty Senate's Faculty Personnel Committee.

## **XVIII. Training and Implementation**

1. Annual training on this policy is required for:
  - a. Department Chairs and School Directors.
  - b. Deans and Associate Deans.
  - c. FPC members and panelists.
  - d. Investigators and relevant HR staff.
2. Training addresses:
  - Academic freedom and the nexus test.
  - Due process and impartial adjudication.
  - Evidence handling and confidentiality.
  - Recognition of bias and conflict of interest.
  - Appropriate use of corrective vs. disciplinary sanctions.

## **XIX. Review and Revision**

This policy will be reviewed at least every five (5) years by the Faculty Personnel Committee, Faculty Senate, and Academic Affairs to ensure continued alignment with law, AAUP standards, and institutional needs. Proposed revisions follow shared governance processes and require appropriate approvals.

## Appendix A Illustrative Misconduct Examples by Tier

*The following examples are **illustrative and non-exhaustive**. Classification of misconduct depends on the nature, severity, intent, frequency, context, impact, and applicable institutional standards. The absence of a specific example from this list does not preclude conduct from being addressed under this rule. The examples in this appendix are illustrative only and do not independently establish misconduct absent conduct meeting the definitions and standards set forth in Section VII.*

### **TIER 1 — MINOR MISCONDUCT**

*Generally isolated, low-impact, or first-time issues that are readily remediable through coaching, feedback, or a Faculty Development Plan.*

#### **Examples may include:**

- **A. Workplace Conduct and Professional Interactions**
- Isolated workplace interaction concerns that are low-impact and readily correctable through supervisory coaching, and that do not involve hostility, intimidation, harassment, or disruption of institutional operations.
- Minor displays of frustration or discourtesy that do not involve hostility, intimidation, or a pattern of conduct.
- Repeated failure to respond to administrative communications after reminder.
- **B. Teaching & Course Management**
- First-time late submission of grades.
- Minor syllabus or assignment irregularities that do **not** affect student progress.
- Failure to post or hold office hours after a reminder.
- Incorrect or outdated information on syllabi without material impact.
- **C. Administrative Responsibilities**
- Occasional missed internal deadlines (assessment reports, schedules, updates).
- Minor errors in paperwork or recordkeeping without harm or pattern.
- **D. Student Interaction**
- Unclear communication causing minor confusion.
- Minor boundary concerns that are not inappropriate but require clarity or professional reinforcement.
- **E. Research/Compliance**
- Minor IRB or compliance oversight (e.g., late continuing review submission with no impact).
- Failure to complete required training (e.g., FERPA or Title IX) after reminder.
- Accidental or unintentional plagiarism that does not materially misrepresent scholarship and lacks intent to deceive.

## TIER 2 — SERIOUS MISCONDUCT

*Behavior that is repeated, willful, significantly harmful, violates important obligations, or reflects disregard for professional responsibilities. Tier 2 requires a formal referral and FPC hearing before any serious sanction.*

### **Examples may include:**

- **A. Professionalism & Conduct**
- Repeated unprofessional, disrespectful, or hostile interactions following documented notice from supervisor.
- Behavior that creates a disruptive or unhealthy working environment.
- Inappropriate comments or conduct that do **not** rise to Tier 3 harassment but are concerning.
- **B. Teaching & Student Impact**
- Significant grading irregularities or violations of academic policies.
- Failure to follow required accommodations (e.g., ADA) after notice.
- Ignoring safety protocols in labs, clinics, or fieldwork after prior instruction/reminder.
- **C. Confidentiality & Data Security**
- FERPA violations with potential or actual harm to students.
- Mishandling sensitive student information.
- **D. Retaliation (Non-Severe)**
- Lowering grades, limiting opportunities, or altering workload in apparent response to a student or colleague raising concerns.
- Excluding a colleague from routine departmental functions due to their participation in a complaint.
- **E. Research/Compliance**
- Failure to follow IRB protocol requirements after notice.
- Misuse of University resources or research property (not rising to fraud or criminal misuse).
- Significant or repeated plagiarism arising from negligent scholarship or disregard for professional standards, without evidence of intent to deceive
- **F. Neglect of Duty**
- Persistent failure to meet contractual expectations (teaching, advising, research, service) after documented intervention.
- Repeated refusal to carry out reasonable assignments or departmental responsibilities.

### **TIER 3 — GRAVE MISCONDUCT**

*Egregious, harmful, unethical, or illegal behavior that may warrant suspension, revocation of tenure, or dismissal. Requires expedited investigation, FPC hearing, and Board approval for dismissal.*

#### **Examples may include:**

- **A. Research Misconduct (Confirmed by RIO/ORI Process)**
- Fabrication or falsification of research data.
- Serious plagiarism in published work or grant submissions (plagiarism cases must be intention (deliberate appropriation of another person's ideas, data, or language without attribution, with intent to deceive, or substantial plagiarism constituting research misconduct.)
- Manipulation/mechanical removal of data to produce false findings.
- **B. Exploitation, Harassment, and Abuse**
- Sexual harassment, stalking, coercion, or exploitation of students or supervisees.
- Quid-pro-quo relationships or abuse of power.
- Physical intimidation, threats, or credible threats of violence.
- Harassment, including intimidation, coercion, or targeted harassment of a colleague, student, or staff member; harassment of a colleague's family members or associates; intimidation outside the University context (e.g., through social media or other external venues); or knowingly false or malicious allegations intended to harm another individual.
- **C. Criminal or Dangerous Acts**
- Criminal conduct that impacts fitness to serve (e.g., assault, threats, fraud, identity theft).
- Possession or misuse of weapons or dangerous materials in violation of law or policy.
- **D. Severe Breaches of Integrity**
- Intentional falsification of University records, timesheets, financial documents.
- Significant misuse or misappropriation of University funds or property.
- Intentional destruction of evidence or obstruction of institutional processes.
- **E. Severe Retaliation**
- Threatening or harming individuals for participating in a complaint, investigation, or hearing.
- Direct interference with witnesses or evidence.
- **F. Gross Neglect of Duty / Unfitness to Serve**
- Complete abandonment of teaching responsibilities.
- Conduct that demonstrably undermines student safety or welfare.
- Severe or repeated violations that demonstrate unfitness for the faculty role.

## Appendix B

### Consequence Ladder

Consequence	When it's used	Prerequisites / Process	Typical Terms	Collateral Effects
<b>Advisory Conversation (Documented Coaching)</b> <i>(non-disciplinary)</i>	First, low-level issues; misunderstandings; performance drift	Chair/Director discussion; emailed summary to faculty; improvement checkpoints	1–3 months follow-up	Not placed in personnel file as discipline; may be referenced if issues persist
<b>Faculty Development Plan (FDP)</b> <i>(non-disciplinary)</i>	Performance gaps likely correctable (teaching, service, timeliness)	Written goals, supports, timeline (3–12 months), check-ins	Milestones; classroom observations; mentoring	FDP completion (pass/extend/fail) informs later steps
<b>Written Reprimand</b>	Policy breach or failure to meet FDP goals	Dean issues after review; faculty response opportunity	Specifies conduct, expectations, monitoring window	In personnel file; may affect merit for that cycle
<b>Final Written Warning (last-chance)</b>	Repeated or more serious breach after reprimand	Dean issues; states that further breach may trigger serious sanctions	6–12 months monitoring; may pair with targeted training	Eligibility limits (e.g., merit raise, overloads) during period

<b>Consequence</b>	<b>When it's used</b>	<b>Prerequisites / Process</b>	<b>Typical Terms</b>	<b>Collateral Effects</b>
<b>Loss/Restriction of Specific Privileges</b> (e.g., graduate faculty status, PI eligibility, chairing committees, independent study supervision)	Misconduct impacting supervision, safety, or integrity but not rising to severe sanction	<b>FPC not required</b> unless contested or severe; written notice with reasons and review window	1–3 years or until conditions met; periodic review	May affect stipend, course assignments, student load; report to Sponsored Programs if PI limits apply
<b>Restitution / Financial Remedy</b>	Verified misuse or loss to the University	Determination of amount; repayment schedule	Lump sum or installments; failure may escalate	May combine with other sanctions; reported as required
<b>Mandatory Training / Monitored Probation</b>	Correctable conduct or climate issues	Plan defines training, mentor, probation length	6–12 months	Non-completion escalates sanction
<b>Salary Reduction (Prospective) — Serious Sanction</b>	Sustained misconduct where continued employment is appropriate but deterrence warranted	<b>FPC hearing → Senate appeal → Presidential action</b>	Prospective only; amount and duration defined (e.g., 5–10% for 1–2 years)	Adjusts base going forward; cannot be retroactive

<b>Consequence</b>	<b>When it's used</b>	<b>Prerequisites / Process</b>	<b>Typical Terms</b>	<b>Collateral Effects</b>
<b>Suspension With Pay (Interim)</b> <i>(not a sanction)</i>	Safety/disruption risk pending outcome	Admin action; must be reported to FPC within 5 business days	Short, limited; reviewed every 30 days	No loss of pay/benefits; not a finding
<b>Suspension Without Pay — Serious Sanction</b>	Significant misconduct; strong deterrence needed short of separation	<b>FPC hearing → Senate appeal → Presidential action</b>	Time-limited (e.g., up to one semester); terms to return	No pay during period; may limit access to campus; may impact future merit/sabbatical eligibility per policy
<b>Demotion in Rank or Role — Serious Sanction</b>	Proven unfitness for current rank/responsibilities but continued service possible	<b>FPC → Senate → Presidential action</b>	Permanent or time-limited with re-review	Title/rank change; possible pay band change; duties reassigned
<b>Revocation of Tenure — Serious Sanction</b>	<b>Adequate cause</b> shown: gross misconduct, persistent neglect after notice/opportunity to improve, severe policy/law breach, or unfitness for continued service	<b>FPC hearing (clear and convincing) → Senate appeal → Presidential action</b>	See details below	Removes continuing-appointment presumption; may pair with dismissal or rare fixed-term continuation

Consequence	When it's used	Prerequisites / Process	Typical Terms	Collateral Effects
<b>Dismissal for Cause — Serious Sanction</b>	Adequate cause proven; separation is necessary to protect the University, students, or the integrity of the academic enterprise	<b>FPC hearing</b> → <b>Senate appeal</b> → <b>Presidential action</b>	Immediate separation upon decision; final pay/benefits per law	Loss of position; potential loss of emeritus eligibility; campus access may be restricted

## Appendix C

### Review Panel (Faculty Misconduct Panel)

#### Review Panel (Faculty Misconduct Panel):

A Review Panel is a five-member adjudicatory body constituted from a standing **pool of tenured faculty members of the University Faculty Personnel Committee (FPC), chaired by the FPC Chairperson**, who have completed required annual training under this rule. Review Panels are responsible for conducting hearings, making findings of fact, and recommending sanctions in cases of Serious or Grave Misconduct.

#### Panel Pool Composition and Training:

Members eligible for service on a Review Panel must:

- Be current members of the University Faculty Personnel Committee;
- Hold tenure at Marshall University;
- Complete annual training on this rule, including:
  - Academic freedom and the nexus requirement,
  - Due process and standards of proof,
  - Evidence handling and confidentiality,
  - Hearing procedures and witness examination,
  - Recognition and management of bias and conflicts of interest.

#### Panel Selection:

For each case, the FPC Chair selects four (4) panelists from the trained pool, giving reasonable consideration to disciplinary representation while ensuring impartiality. At least one panelist shall, when feasible, be from the faculty member's academic unit or a closely related field.

#### Conflict of Interest and Impartiality:

All Review Panel members must be impartial and free from actual or perceived conflicts of interest. Prior to service, panelists shall submit a written **Conflict of Interest and Impartiality Statement** affirming that they:

- Have no personal, professional, supervisory, or adversarial relationship with the faculty member, complainant, witnesses, or investigators that would compromise neutrality;
- Have no prior involvement in the investigation, classification, or administrative handling of the matter;
- Can adjudicate the matter fairly based solely on the record and applicable standards.

Any party may request recusal of a panelist for cause. The FPC Chair shall rule on recusal requests in writing. If the FPC Chair is the subject of a recusal request, the Faculty Senate Chair shall designate an alternate decision-maker for that determination.

**Authority and Independence:**

The Review Panel operates independently of Human Resources, Academic Affairs administrators, and investigators. HR provides logistical support only and does not participate in deliberations. Panel decisions are made by majority vote based on the evidentiary record and the applicable standard of proof.

## Appendix D

### Faculty Misconduct: Sanction Ladder Matrix

Marshall University (Benchmark-aligned). Use this matrix to map substantiated misconduct to proportional consequences. Serious sanctions (salary reduction, suspension without pay, demotion, revocation of tenure, dismissal) require FPC hearing, clear-and-convincing standard, Faculty Senate Executive Committee appeal, and presidential implementation. Specialized matters (Title IX, research misconduct/ORI, IRB/IACUC, HIPAA/FERPA) follow controlling policies for investigation; this matrix guides sanction selection and collateral terms. This matrix provides guidance for proportional sanctioning and does not replace the procedures or standards established in this rule.

Category	Example Misconduct	Default Tier	Typical Sanctions (starting point)	Escalate To (if pattern/egregious)	Routing / Notes
Teaching and Student	Unjustified no-shows/cancellations; failure to meet class obligations	Tier 1	Advisory + FDP; Written reprimand	Tier 2: Final warning; monitored probation; loss of overload eligibility; Tier 3 for chronic abandonment	Academic Affairs routing; document attendance/coverage
Teaching and Student	Arbitrary/capricious or discriminatory grading	Tier 2	Final warning; grade audit/redo; mandatory training; probation	Tier 3: suspension without pay; demotion in role; dismissal if willful and persistent	Coordinate with Registrar/EO; consider independent regrade
Teaching and Student	Significant intrusion of irrelevant/inappropriate content	Tier 1–2	Reprimand; syllabus remediation; observation; training	Tier 3 if pattern after notice	Academic freedom review to ensure protected content not penalized

<b>Teaching and Student</b>	FERPA breach of student records	Tier 2	Training; probation; access restrictions	Tier 3 if willful/widespread harm	Route through Registrar/Privacy Officer
<b>Research and Scholarly</b>	Research misconduct (FFP: fabrication/falsification/plagiarism)	Tier 3	Revocation of tenure + dismissal for cause (default); sponsor notifications	—	ORI/Research Misconduct policy controls fact-finding; this matrix sets sanctions
<b>Research and Scholarly</b>	IRB/IACUC/biosafety noncompliance (conduct outside approved protocol)	Tier 2	Removal of PI status; study hold; training; probation	Tier 3 if risk/harm/defiance: suspension without pay; dismissal	Route via IRB/IACUC/IBC; notify sponsors/regulators
<b>Research and Scholarly</b>	Data mismanagement; failure to maintain records; undisclosed selective reporting	Tier 2	Reprimand; probation; recordkeeping plan; PI restrictions	Tier 3 for willful deception or sponsor impact: salary reduction; suspension	Coordinate with Sponsored Programs
<b>Research and Scholarly</b>	Misrepresentation of credentials/contributions; coercive authorship	Tier 2	Reprimand; probation; correction/retraction; removal from committees	Tier 3 if material fraud: suspension or dismissal	Notify publishers as required
<b>Professional and Collegial</b>	Persistent neglect of duties after FDP	Tier 2	Final warning; monitored probation; workload adjustment	Tier 3: demotion; salary reduction; dismissal	Document FDP outcomes; ensure supports provided
<b>Professional and Collegial</b>	Interference with governance/retaliati	Tier 2–3	Suspension of committee	Tier 3: suspension without	EEO/HR consult; protect

	on against colleagues		roles; probation; training	pay; dismissal	complaints
<b>Professional and Collegial</b>	Dishonesty in reviews/committees; falsifying deliberations	Tier 2	Reprimand; removal from roles; probation	Tier 3 if consequential fraud: suspension; dismissal	Senate/Provost notified for governance integrity
<b>Discrimination /Harassment</b>	Harassment or discrimination (protected classes)	Tier 2–3	Suspension; pay reduction; role restrictions; mandatory training	Tier 3: demotion; dismissal for egregious conduct	Title IX/EEO investigates; discipline follows findings
<b>Discrimination /Harassment</b>	Retaliation against complainant/witnesses	Tier 3	Suspension without pay; dismissal for cause	—	Zero-tolerance; interim measures to prevent further harm
<b>Conflict-of-Interest (COI)/ Commitment</b>	Undisclosed financial COI; improper influence in research/procurement	Tier 2	Management plan; restitution if applicable; PI/role restrictions	Tier 3 if willful/benefit gained: salary reduction; suspension; dismissal	Follow COI policy; disclose to sponsors
<b>Financial and Resource</b>	Misuse/misappropriation of funds, P-card/grant/travel fraud	Tier 3	Restitution; suspension without pay; dismissal; possible criminal referral	—	Notify sponsors; audit; legal counsel
<b>Financial and Resource</b>	Unauthorized personal use of facilities/equipment /staff	Tier 2	Reprimand; restitution; access limits; probation	Tier 3 if significant value/pattern: salary reduction; suspension	Facilities/HR coordination
<b>Information and Data</b>	HIPAA/FERPA/Confidential data breach (negligent)	Tier 2	Training; probation; access	Tier 3 if willful/widespread:	Privacy/Security Office

			limits; incident remediatio n	suspension; dismissal	leads investigati on
<b>Information and Data</b>	Unauthorized system access; credential sharing	Tier 2	Reprimand; access revocation; probation	Tier 3 if intentional/i mpactful: suspension; dismissal	CISO involveme nt; reportable incident review
<b>Safety and Compliance</b>	Serious lab/field safety breach creating risk/harm	Tier 3	Suspension without pay; demotion; dismissal	—	EHS leads; regulator notificatio n
<b>Safety and Compliance</b>	Failure to report/correct known hazards; repeated PPE violations	Tier 2	Reprimand; training; lab restrictions; probation	Tier 3 for pattern/defi niance: suspension	EHS corrective action plan
<b>Administration and Service</b>	Falsification of official records (minutes, rosters, evaluations)	Tier 2–3	Reprimand; removal from admin roles; probation	Tier 3 if material impact: salary reduction; dismissal	Notify governanc e leadership
<b>Administration and Service</b>	Abuse of authority in admin roles (coercion, retaliation)	Tier 2–3	Role removal; probation; training	Tier 3 for grave misuse: suspension; dismissal	HR/Genera l Counsel consult
<b>Legal and Criminal</b>	Criminal conviction impacting fitness/safety (fraud, violence, exploitation)	Tier 3	Dismissal for cause (often) or suspension without pay pending outcome	—	Backgroun d, legal counsel; consider interim leave
<b>Legal and Criminal</b>	Misuse of university title/status in unlawful activity	Tier 3	Suspension without pay; dismissal	—	Public affairs/lega l coordinatio n
<b>Other</b>	Knowingly false or malicious	Tier 2	Reprimand; probation;	Tier 3 if severe	Safeguard against

	complaints; abuse of process		process training	harm: suspension	chilling legitimate reports
<b>Other</b>	Misuse of university name/logo; reputational harm unrelated to protected speech	Tier 1-2	Cease-and-desist; reprimand; training	Tier 3 for willful commercial misuse: suspension	Coordination with Marketing/Legal

**ACADEMIC PLANNING COMMITTEE  
RESOLUTION**

**SR 25-26-21 APC Resolves that the Following Undergraduate Degree Programs Continue at Current Level**

We resolve that the following undergraduate degree programs continue at their current level of activity.

- BA Criminal Justice
- BS Natural Resources and Recreation Management
- BS Geology
- Certificate in Information Assurance

**RATIONALE:**

Each of these programs submitted a comprehensive five-year Program Review. Based upon careful evaluation of these reviews, the Academic Planning Committee voted by resolution that each continue at its current level of activity.

**FACULTY SENATE CHAIR:**

APPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**UNIVERSITY PRESIDENT:**

READ: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ACADEMIC PLANNING COMMITTEE  
RESOLUTION**

**SR 25-26-22 APC Resolves that the Following Undergraduate Degree Programs Develop or Expand due to demand**

We resolve that the following undergraduate degree programs develop or expand due to demand.

BS Environmental Science  
BS Cyber Forensics and Security

**RATIONALE:**

BS Environmental Science—recommended due to the growth of the program, high retention rate, and need for additional faculty.

BS Cyber Forensics and Security—Enrollment for the program is growing, and the program continues to meet benchmarks. Was originally awarded a 1, but with a motion, was changed to a 2, due to potential future program needs.

**FACULTY SENATE CHAIR:**

APPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**UNIVERSITY PRESIDENT:**

READ: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## University Curriculum Committee

### RECOMMENDATION

**SR 25-26-23 CC** Recommends approval of the listed **UNDERGRADUATE PROGRAM ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

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**INSTRUCTIONS:** To view each full proposal (including all forms and attachments), log in to Courseleaf CIM using your MU credentials from the links below

- **All Proposals (by Approval Level)**  
<https://nextcatalog.marshall.edu/courseleaf/approve/>
    - Use this link to view **all proposals** (courses/programs/miscellaneous/intents-to-plan) **in the queue of each approval level**. To see the queue, change “Your Role” to the appropriate level (e.g., Faculty Senate Executive Committee).
  - **Programs** <https://nextcatalog.marshall.edu/programadmin/>
    - Use this link to view **program** proposals. To search, enter an asterisk (\*) before keywords or CIM key (e.g., \*political science).
- 

## Program Addition

### College of Arts & Media

#### Minor in Musical Theatre

CIM Key: 970

#### Associated Major

BA, Theatre

#### Minimum Credit Hours

17

#### Required Courses

DAN 305	Dance for Musical Theatre
MUSE 406	Opera Workshop
MUSP 126	Class Voice
THE 290	Music Theatre Workshop I
THE 323	Stage Mvmt II: Phys Approaches
THE 390	Music Theatre Workshop II
THE 436	Children's Theatre

#### Rationale

The College of Arts & Media is suspending admissions into its BFA in Musical Theatre as the college could not sustain the major at that level. The School of Theatre & Dance and School of Music can sustain a musical theatre minor with existing resources and personnel.

## University Curriculum Committee

### RECOMMENDATION

**SR 25-26-23 CC** Recommends approval of the listed **UNDERGRADUATE PROGRAM ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

#### **Program Changes**

##### **College of Arts and Media**

**BA, Theatre**

**CIM Key: 11**

##### **Change & Rationale**

The curricular change here is the elimination of 2 credits of THE 270 Practicum (being deleted), which are being replaced by 2 credits of THE 370 Practicum. The theatre program no longer requires THE 295, the old pre-requisite for THE 370.

Other changes made by the CAM college editor are purely cosmetic and to facilitate impending changes to general education.

##### **College of Health Professions**

**Biomechanics**

**CIM Key: 880**

##### **Required Courses (32 credit hours)**

##### **Rationale**

The program of study changes are intended to improve enrollment and retention strategies while aligning expectations for the field of study. Using a single physics course increases the number of open elective credit hours for students from dual-credit and other programs across the university who want to major in biomechanics.

**Biomec Pre-Physical Therapy**

**CIM Key: 887**

##### **Required Courses (32 credit hours)**

CHM 211	Principles of Chemistry I
CHM 217	Principles of Chem Lab I
CHM 212	Principles Chemistry II
CHM 218	Principles of Chem Lab II
BSC 120	Principles of Biology I
BSC 120L	Principles of Biology I Lab
BSC 121	Principles of Biology II
BSC 121L	Prin of Biology II Lab
PSY 311	Child Development
PSY 312	Adult Development

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-23 CC** Recommends approval of the listed **UNDERGRADUATE PROGRAM ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

PHY 201	College Physics I
PHY 202	General Physics I Laboratory
PHY 203	College Physics II
PHY 204	General Physics 2 Laboratory

**Rationale**

Creating a documented pathway for students interested in post-graduate physical therapy education.

**Biomec, Pre-Med**

**CIM Key: 888**

**Required Courses (44 credit hours)**

CHM 211	Principles of Chemistry I
CHM 212	Principles Chemistry II
CHM 217	Principles of Chem Lab I
CHM 218	Principles of Chem Lab II
CHM 355	Organic Chemistry I
CHM 356	Organic Chemistry II
CHM 361	Intro Organic Chm Lab
CHM 365	Introductory Biochemistry
BSC 120	Principles of Biology I
BSC 120L	Principles of Biology I Lab
BSC 121	Principles of Biology II
BSC 121L	Prin of Biology II Lab
PSY 311	Child Development
PSY 312	Adult Development
PHY 201	College Physics I
PHY 202	General Physics I Laboratory
PHY 203	College Physics II
PHY 204	General Physics 2 Laboratory

**Rationale**

Creating a documented pathway for students interested in post-graduate physical therapy education.

**Biomec Pre-Physician Assistant**

**CIM Key: 889**

**Required Courses (31-32 credit hours)**

CHM 211	Principles of Chemistry I
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## University Curriculum Committee

### RECOMMENDATION

**SR 25-26-23 CC** Recommends approval of the listed **UNDERGRADUATE PROGRAM ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

CHM 217 Principles of Chem Lab I  
CHM 212 Principles Chemistry II  
CHM 218 Principles of Chem Lab II  
CHM 355 Organic Chemistry I  
CHM 356 Organic Chemistry II  
CHM 361 Intro Organic Chm Lab  
BSC 120 Principles of Biology I  
BSC 120L Principles of Biology I Lab  
BSC 121 Principles of Biology II  
BSC 121L Prin of Biology II Lab  
Microbiology: 4-5 hours of BSC 302 and 304, OR 4 hours of BSC 250 and BSC 250L.

#### **Rationale**

Removing physics requirements from the AOE plan of study due to the major no longer requiring them. Adding physics 101 and 101L courses and lowering the math requirements will be required as part of the major changes.

### **College of Science**

#### **BS, Biochemistry**

**CIM Key: 546**

#### **Required Courses**

The course being added is unclear

#### **Rationale**

Added course is consistent with the content of the major.

### **Division of Aviation**

#### **BS, Professional Pilot**

**CIM Key: 789**

#### **Changes and Rationale**

Adding new courses as electives to include the rotorcraft option in the major. Adding full rotorcraft option by adding existing courses: AVSC 206, 211, 222, 331, 341, 376 and adding appropriate language to existing ground schools and instructor lab, AVSC 200, 215, 329, 335 and 345. Add a course, Dispatcher, as one 10 credit-hour elective course. removing all references to aircraft total times in lab courses.

**University Curriculum Committee**

**RECOMMENDATION**

**SR 25-26-23 CC** Recommends approval of the listed **UNDERGRADUATE PROGRAM**  
**ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**FACULTY SENATE CHAIR:**

APPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**UNIVERSITY PRESIDENT:**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COMMENTS:**

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# University Curriculum Committee RECOMMENDATION

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

---

**INSTRUCTIONS:** To view each full proposal (including all forms and attachments), log in to Courseleaf CIM using your MU credentials from the links below

- **All Proposals (by Approval Level)**  
<https://nextcatalog.marshall.edu/courseleaf/approve/>
    - Use this link to view **all proposals** (courses/programs/miscellaneous/intents-to-plan) **in the queue of each approval level**. To see the queue, change “Your Role” to the appropriate level (e.g., Faculty Senate Executive Committee).
  - **Courses** <https://nextcatalog.marshall.edu/courseadmin/>
    - Use this link to view **course** proposals. To search, enter an asterisk (\*) before keywords or CIM key (e.g., \*political science).
- 

## Course Additions

### College of Arts and Media

#### **ART 204: Japanese Art in History**

**CIM Key: 16119**

##### **Course Description**

This course will introduce Japanese architecture, art, and craft, highlighting the importance of understanding Japanese history and culture for appreciating its art.

##### **Credit Hours**

3

##### **Rationale**

The course will be an online Core II Fine Arts Offering focusing on the Art and Architecture of Japan.

### College of Business

#### **BUSN 150: Excel For Beginners**

**CIM Key: 16156**

##### **Course Description**

This introductory course teaches undergraduates essential Excel skills, including navigation, data entry, formatting, formulas, charts, and data organization, preparing students for problem-solving, analysis, and professional document creation without prior experience.

##### **Credit Hours**

1

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

### **Rationale**

The rationale for this course is to equip undergraduate students with essential spreadsheet and data management skills that are foundational across academic disciplines and professional fields. Proficiency in Microsoft Excel is increasingly expected by employers for tasks involving data organization, analysis, reporting, and decision support. Many students enter the university with uneven or minimal exposure to advanced spreadsheet functionality, limiting their effectiveness in coursework and internships. This course addresses that gap by providing structured, practical instruction in Excel, supporting student success, workforce readiness, and the university's goal of strengthening applied digital literacy competencies.

### **BUSN 152: Personal Cyber Protection**

**CIM Key : 16157**

#### **Course Description**

This course introduces students with no cybersecurity background to practical methods for securing devices, Wi-Fi, and online identities, recognizing threats, and developing a personalized plan to manage everyday cyber risks.

#### **Credit Hours**

1

### **Rationale**

Personal Cyber Protection is to address the growing need for foundational cybersecurity awareness among undergraduate students across all disciplines. As individuals increasingly rely on digital technologies for communication, finance, healthcare, and academic work, they face heightened risks related to identity theft, privacy loss, misinformation, and personal data exposure. Many students lack formal training in personal cyber hygiene, despite being frequent technology users. This course provides structured, accessible instruction on practical protection strategies, empowering students to make informed decisions, reduce personal risk, and develop responsible digital behaviors.

### **BUSN 154: International Travel Prep**

**CIM Key: 16158**

#### **Course Description**

This course introduces students to international travel planning, cultural awareness, global logistics, safety considerations, and practical skills for navigating travel, communication, and professional engagement in international settings.

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

### **Credit Hours**

1

### **Rationale**

The rationale for this course is to prepare students for the academic, professional, and personal demands of international travel in an increasingly globalized environment. Many students participate in study abroad programs, internships, conferences, and service projects abroad without formal preparation in cultural awareness, logistics, risk management, or professional conduct. This course provides structured guidance on planning, documentation, communication, health and safety, and intercultural competence, equipping students to travel responsibly, represent the university effectively, and maximize learning outcomes in international settings.

### **BUSN 156: Think and Innovate**

**CIM Key: 16159**

#### **Course Description**

This course develops creative thinking and innovation skills by challenging conventional perspectives, increasing awareness, and inspiring students to generate unconventional, practical solutions to real-world problems.

### **Credit Hours**

1

### **Rationale**

The rationale for this course is to strengthen students' creative thinking, problem-solving, and innovation skills that are increasingly essential in academic, professional, and entrepreneurial environments. Employers and graduate programs consistently seek individuals who can think critically, adapt to change, and generate original solutions to complex challenges. Many students have limited formal opportunities to develop these cognitive and creative competencies.

### **BUSN 158: AI and Creativity**

**CIM Key: 16160**

#### **Course Description**

Integration of artificial intelligence platforms with creativity techniques and/or processes.

### **Credit Hours**

1

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

### **Rationale**

The purpose of this course is to prepare students to effectively engage with emerging artificial intelligence technologies as tools for creative thinking, design, and innovation. As AI platforms increasingly influence fields such as business, media, engineering, and the arts, students must understand how to integrate these systems responsibly and creatively into problem-solving processes. Many students lack formal exposure to the intersection of AI and creativity, despite its growing relevance in professional practice. This course provides structured instruction in combining creativity techniques with AI-driven tools, fostering critical thinking, ethical awareness, and innovative skill development aligned with workforce and interdisciplinary learning goals.

### **BUSN 160: Name Image Likeness**

**CIM Key: 16162**

#### **Course Description**

An introduction to Name Image and Likeness (NIL) in college athletics including the legal history, current state, and some of the basics of involved in preparing a solicitation and securing an NIL deal.

#### **Credit Hours**

1

### **Rationale**

This course is designed to provide students with a foundational understanding of Name, Image, and Likeness (NIL) in college athletics at a time when regulatory, legal, and commercial frameworks are rapidly reshaping the collegiate sports landscape. By examining the legal history, current regulatory environment, and practical mechanics of NIL transactions, the course prepares students to navigate emerging opportunities and compliance challenges with informed judgment.

### **BUSN 162: Biz of Sports Betting**

**CIM Key: 16163**

#### **Course Description**

This course provides an introduction to the fundamentals of sports betting, focusing on how odds are calculated, how bookmakers generate profits, and the strategies bettors use to gain an edge.

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

### **Credit Hours**

1

### **Rationale**

This course introduces students to the economic, statistical, and decision-making principles that underpin modern sports betting markets. As legalized sports betting continues to expand, there is growing demand for graduates who understand how odds are constructed, how markets price risk, and how data and analytics influence outcomes. The course develops quantitative reasoning, critical thinking, and ethical awareness by examining sports betting as a real-world application of probability, market behavior, and strategic decision-making rather than as a recreational activity.

### **BUSN 164: Eco Innovation Lab**

**CIM Key: 16164**

#### **Course Description**

The course uses hands-on projects to integrate creative thinking, sustainable design, and business strategy, guiding students from problem identification to developing viable, high-impact solutions.

### **Credit Hours**

1

### **Rationale**

This course is designed to help students develop practical problem-solving skills by applying creative thinking, sustainable design principles, and business strategy to real-world challenges. By engaging in hands-on, project-based work, students learn how ideas move from concept to implementation while considering environmental, social, and stakeholder impacts.

### **BUSN 166: Tax Basics for Life**

**CIM Key: 16165**

#### **Course Description**

This course provides a practical introduction to personal income taxes for non-accountants. Students will learn how to prepare their own tax returns, understand key tax concepts, and utilize tax software like TurboTax.

### **Credit Hours**

1

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

### **Rationale**

This course is designed to equip non-accounting students with practical, real-world knowledge of personal income taxes. By learning how to prepare individual tax returns, understand core tax concepts, and use widely available tax software, students gain financial literacy skills that are immediately applicable to their personal and professional lives.

### **BUSN 168: Business Advocacy**

**CIM Key: 16166**

#### **Course Description**

This course examines legislative advocacy by tracking a real issue before the West Virginia Legislature, teaching students effective lobbying strategies, advocacy processes, and methods for making their voices heard.

#### **Credit Hours**

1

### **Rationale**

This course is designed to help students understand how businesses and organizations influence public policy and legislation. By examining real legislative issues, students develop practical advocacy skills, learn how to engage policymakers effectively, and gain insight into the legislative decision-making process that shapes the business environment.

### **BUSN 170: Build Your Brand**

**CIM Key: 16167**

#### **Course Description**

This course introduces personal branding fundamentals, helping students define strengths, values, and goals, and communicate them authentically and strategically across digital and interpersonal platforms.

#### **Credit Hours**

1

### **Rationale**

This course is designed to help students intentionally shape and communicate their personal and professional identity in an increasingly competitive and digital environment. Employers, graduate programs, and professional networks place significant value on clear personal branding, yet many students lack structured

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

guidance in articulating their strengths, values, and goals. This course addresses that gap by providing practical strategies for authentic self-presentation, strategic communication, and professional visibility, supporting career readiness, confidence, and long-term professional success across disciplines.

### **BUSN 172: Fund Your Business Idea**

**CIM Key: 16168**

#### **Course Description**

This course introduces common business models and explores funding methods for each, helping students understand how to evaluate ideas, identify capital needs, and select appropriate financing strategies.

#### **Credit Hours**

1

#### **Rationale**

This course is designed to equip students with foundational knowledge needed to move business ideas toward implementation. Many aspiring entrepreneurs lack exposure to how different business models influence funding strategies. This course helps students evaluate ideas, understand capital requirements, and make informed decisions about funding approaches in entrepreneurial and professional contexts.

### **College of Liberal Arts**

**GEO 451: Digital Meteorology**

**CIM Key: 16143**

#### **Course Description**

This course equips students with the skills to retrieve and analyze weather data, curate information for public dissemination, and create engaging audio-visual content.

#### **Credit Hours**

3

#### **Rationale**

Students in our meteorology major need the course. Students who will work with the new Good Morning, Marshall news/sports/weather show will need the course.

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

### **HST 473: Tracks through Time**

**CIM Key: 16138**

#### **Course Description**

This course analyzes how railroads impacted global political, economic, social, and cultural development since 1800. It intertwines the local history of Huntington with global stories from Africa to China.

#### **Credit Hours**

3

#### **Rationale**

Many students are interested in Huntington's local history as a railroad town, but they are often unaware of the city's global significance. This course will combine local and world history to teach the history of railroad transportation in West Virginia and around the world. Railroad history is multifaceted and includes technology, business, labor history, engineering, public policy, and cultural history. Railroad history provides a lens through which to interpret modern history. By transporting people, goods, and ideas, railroads impacted nearly all historical moments, processes, and outcomes. As infrastructure, railroad history provides a nuanced view of world events. It combines diverse stories with studies of broad economic and technological trends. This course will offer a synthetic understanding of political, social, and cultural developments. It will use local history to make global events relevant to students. By touching on topics ranging from technology to gender equality, this class will give students broad-based liberal arts knowledge. The course will also engage the community through public history research and interpretive projects. This approach enriches our community and teaches critical historical and career skills to students.

### **SCLA 475: Humanities at Work**

**CIM Key: 16148**

#### **Course Description**

Prepares students to succeed in HerdWork internships by applying humanities skills and values to enhance career-readiness competencies and understanding how nonprofit organizations support and serve Appalachian communities.

#### **Credit Hours**

1

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**Rationale**

This course is part of the new HerdWork Humanities internship program, funded by a grant from the Mellon Foundation. The course is a companion to the internship experience and guides students to reflect on their humanities major and to articulate and employ the transferable skills they've learned in their disciplines in their work with an area non-profit organization partner. The course is required for all students participating in the HerdWork Humanities Internship program.

**Division of Aviation**

**AVSC 206: Solo Flight Lab – Rotorcraft**

**CIM Key: 16149**

**Course Description**

Prepares students to complete the first solo flight.

**Credit Hours**

1

**Rationale**

The addition of this course allows for rotorcraft applicants to gain the flight experience necessary to solo a helicopter.

**AVSC 211: Pvt Lab Completion Rotorcraft**

**CIM Key: 16150**

**Course Description**

Prepares a student to pass the FAA Private Pilot Practical Exam: helicopter.

**Credit Hours**

2

**Rationale**

The addition of this course allows for rotorcraft applicants to gain the flight experience necessary to exercise the privileges of a private pilot.

**AVSC 222: Instrument Rating Rotorcraft**

**CIM Key: 16151**

**Course Description**

Prepares students to pass the FAA Instrument Practical Exam-helicopter.

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**Credit Hours**

3

**Rationale**

The addition of this course allows for rotorcraft applicants to prepare for their FAA Instrument Rating.

**AVSC 328: Comm Cat Add Rotor Craft Grnd**

**CIM Key: 16140**

**Course Description**

FAA commercial rotorcraft flight fundamentals for a Commercial add on rating

**Credit Hours**

3

**Rationale**

This course allows commercial aircraft students to add on rotorcraft licensing at the commercial level.

**AVSC 331: Comm Rotorcraft Lab 1**

**CIM Key: 16152**

**Course Description**

Develops flying in VFR and IFR environments and decision-making skills.

**Credit Hours**

3

**Rationale**

This course allows rotorcraft applicants to gain the experience and skill necessary to exercise the privileges of a commercial pilot.

**AVSC 341: Comm Rotorcraft Lab 2**

**CIM Key: 16153**

**Course Description**

Develops flying in VFR and IFR environments and decision-making skills.

**Credit Hours**

3

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**Rationale**

This course allows rotorcraft applicants to gain the experience and skill necessary to exercise the privileges of a commercial pilot.

**AVSC 376: Commercial Rotorcraft Add – On**

**CIM Key: 16154**

**Course Description**

Preparation for the FAA Rotorcraft Commercial Pilot Add-on exam.

**Credit Hours**

3

**Rationale**

This course allows our airplane students to add on the additional category and class ratings associated with rotorcraft/helicopter.

**AVSC 380: FAA Aircraft Dispatcher**

**CIM Key: 16155**

**Course Description**

This course is designed so that the student will obtain the knowledge, skills and hands-on experience necessary to meet the requirements for the FAA Aircraft Flight Dispatcher Certification.

**Credit Hours**

10

**Rationale**

This certification allows students to enter aviation companies not only as a pilot but as an FAA certified aircraft dispatcher. It offers added value and a secondary career pathway to our professional pilot students.

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**Course Changes**

**College of Arts & Media**

**MUSE 425: Marching Thunder**

**CIM Key: 10850**

**New Description**

The Marching Thunder rehearses three times a week and performs a varied selection of music every home game as well as exhibitions around the country. May be repeated 6 semesters.

**Rationale**

Clarifying the number of times the course may be repeated for credit.

**THE 370: Theatre Practicum**

**CIM Key: 14868**

**New Description**

Acting, directing, or technical work in Marshall University Theatre productions. Register only with permission of instructor. May be repeated for credit.

**Rationale**

Adding language about course repeatability per registrar guidelines.

**College of Health Professions**

**CD 461: Sign Language for SLP**

**CIM Key: 1628**

**New Title**

Intro: American Sign Language

**New Description**

Introduction to American Sign Language and deaf culture for health professions. Comparative overview of Signing Exact English (SEE) and American Sign Language (ASL).

**Rationale**

The proposed changes to the course title and description are intended to more accurately reflect the nature and scope of the course. American Sign Language (ASL) is a natural human language with its own grammatical structure, linguistic rules, and cultural context, distinct from English and from manually coded systems such as Signing Exact English (SEE).

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

The previous course title, Sign Language for the SLP, did not fully represent American Sign Language as a linguistic system and limited the perceived audience to a narrow group of students. Removing “for the SLP” from the title broadens the target population for the course. The revised title, Intro: American Sign Language, aligns with accepted academic conventions for language instruction and clearly communicates that ASL is a natural language rather than a collection of signs or a discipline-specific tool.

The revised course description further clarifies the linguistic and cultural foundations of ASL while maintaining relevance for students in health professions. It emphasizes the role of Deaf culture and includes a comparative overview of ASL and SEE. These changes improve clarity for students and support accurate and respectful representation of the Deaf community.

### **HS 435: Biomech Programs Applications**

**CIM Key: 7553**

#### **New Title**

HS 435: Applied Program Movement Sci

#### **New Description**

Introduces programming concepts for analyzing movement-related data, enabling students to design reusable code and apply computational tools to research and practice in sport, exercise, rehabilitation, and health sciences.

#### **Rationale**

##### **1. Updating Outcome Language to Remove Sensor Dependency**

Rationale: The course is shifting from a hardware-focused approach (evaluating sensors) to a computational approach (data processing and programming).

Removing “sensor” references in selected outcomes broadens applicability to multiple data sources (e.g., clinical, performance, public health) without changing the core skill—data handling. This is a minor change in wording, not a major content shift, because students still process real-world data.

##### **2. Emphasizing Programming Skills Over Instrumentation**

Rationale: The updated course description prioritizes coding and computational thinking. Revising outcomes to highlight writing, debugging, and the application of Python/MATLAB functions reflects this emphasis.

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**College of Science**

**NRE 111: Living Systems**

**CIM Key: 11096**

**New Concurrent Prerequisite**

NRE 111L

**Rationale**

The requested change is to make the lab NRE 111L a concurrent pre-requisite for the lecture. When the course was split into lecture and lab, the lab course has the lecture correctly marked as a concurrent pre-req. The lecture needs to have a similar requirement.

**Division of Aviation**

**AVSC 200: Private Pilot Ground School**

**CIM Key: 15274**

**New Description**

An overview of aviation fundamentals as required by the FAA regulations for students pursuing Private Pilot certificate in airplane or rotorcraft. Minimum of 35 hrs of ground instruction.

**Rationale**

This change allows rotorcraft applicants to join the class.

**AVSC 205: Solo Flight Lab**

**CIM Key: 15275**

**New Description**

Prepares students to complete the first solo flight.

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**AVSC 210: Private Pilot Cert ASEL Lab**

**CIM Key: 15276**

**New Description**

Prepares students to pass the FAA Private Pilot Practical Exam: ASEL.

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**AVSC 215: Instrument Ground School**

**CIM Key: 15277**

**New Description**

Teach pilots to fly airplane or helicopter using only instruments required by FAA regulations for the Instrument Certification Rating. Requires a minimum of 35 hrs of ground instruction for completion.

**Rationale**

Changes to this course allow for rotorcraft applicants to attend Instrument Ground School.

**AVSC 220: Instrument Certification Lab**

**CIM Key: 15278**

**New Description**

Prepares students to pass the FAA Instrument Practical Exam.

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**AVSC 305: CFII Lab**

**CIM Key: 15290**

**New Description**

Trains students to be FAA-certified instrument flight instructors.

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**AVSC 329: Commercial Ground School**

**CIM Key: 15295**

**New Description**

A study of commercial flight fundamentals as required by FAA regulations for students pursuing a Commercial Pilot Certificate. 37 hrs of ground school is required for completion of this course.

**Rationale**

Changes to this course allow for rotorcraft applicants to attend Commercial Ground School

**AVSC 330: Commercial Phase I Lab**

**CIM Key: 15296**

**New Description**

Develops flying in VFR and IFR environments and decision-making skills.

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**AVSC 335: CFI Ground School**

**CIM Key: 15297**

**New Description**

Review the instruction fundamentals required by the FAA for pilots pursuing a Certified Flight Instructor rating. This ground school requires 36.5hr of ground instruction for completion.

**Rationale**

Changes to this course allow for rotorcraft applicants to attend Flight Instructor ground school.

**AVSC 340: Commercial Phase II ASEL Lab**

**CIM Key: 15298**

**New Description**

Prepares students for the FAA ASEL Commercial Practical Exam.

**University Curriculum Committee**  
**RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**AVSC 345: Initial CFI ASEL Lab**

**CIM Key: 15299**

**New Description**

Trains students to be FAA-certified flight instructors in aircraft or rotorcraft.

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**AVSC 375: Commercial AMEL Add-On Lab**

**CIM Key: 15301**

**New Description**

Preparation for the FAA multi-engine Instrument Practical and Commercial Pilot Add-On Practical exams

**Rationale**

Removing required flight hours to allow for flexibility in updating FAA requirements. Flight hours will now reside in an aviation student handbook which is consistent with industry standards.

**University College**

**UNI 103: Career Planning Undecided**

**CIM Key: 14986**

**New Title**

Career Dev Undergrad Students

**New Description**

Designed for undergraduate college students for career and major exploration. Topics include interest testing, career information, decision-making skills, and job-finding strategies. Course does not count toward graduation.

## **University Curriculum Committee RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

### **Rationale**

The course was originally designated for undecided students; however, it is evident that other undergraduate students who have selected majors also need more information about aligning their employment goals with appropriate academic majors. Students also need to be introduced to the ways they can prepare for the job market while still working toward graduation.

In addition, this course (along with UNI 204) has been selected as a requirement for the students participating in the Marshall for All program debt-free initiative regardless of their academic major. Students in this program are expected to secure a real-world work experience during their educational experience. This course will help them prepare and teach them to make the best of the opportunities available to them through the Marshall for All program.

### **Course Inactivation**

#### **College of Arts and Media**

##### **THE 270: Theatre Practicum**

**CIM Key: 14846**

### **Rationale**

The School of Theatre & Dance revised its curricula many years ago and eliminated the sophomore review (THE 295). In the past, students would take THE 270 Practicum before passing sophomore review; after passing sophomore review, they would be allowed to take THE 370 Practicum. With sophomore review no longer a requirement, THE 270 is unnecessary. Students may take THE 370. No programs outside of the School of Theatre & Dance require THE 270.

**University Curriculum Committee  
RECOMMENDATION**

**SR 25-26-24 CC** Recommends approval of the listed **UNDERGRADUATE COURSE**  
**ADDITION, DELETION, CHANGE** in the following college and/or schools/programs:

**FACULTY SENATE CHAIR:**

APPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**UNIVERSITY PRESIDENT:**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COMMENTS:**

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