



## INSTITUTIONAL POLICY: PE-18

Category:	Personnel
Subject:	Dismissal of Senior Administrators
Effective Date:	March 28, 2025
Updated:	
Applicability:	Senior Administrators

### PE 18-1. Authority

- 1.1 WV Code §18B-1-6 and §18B-1B-6
- 1.2 WV CSR §133-4 and §133-9-12
- 1.3 WVSOM Institutional Policy PE-02: Faculty
- 1.4 WVSOM Faculty Handbook
- 1.5 WVSOM Employee Handbook

### PE 18-2. Scope

This policy establishes rules relating to the dismissal of senior administrators.

### PE 18-3. General Provisions

- 3.1 The term senior administrator includes all levels of vice presidents, and the general counsel.
- 3.2 Senior administrators serve at the will and pleasure of the WVSOM President and may be terminated with or without cause at any time for any reason or no reason.

### PE 18-4. Dismissal Without Cause

- 4.1 Termination of employment of senior administrators without cause may occur immediately upon written notice.
- 4.2 A senior administrator who is dismissed without cause shall be eligible for such post-appointment compensation and/or benefits as may be provided for in the letter of appointment or contract and/or state and federal laws. Academic tenure, if any, may be exercised as a mutually exclusive alternative to continuing administrative employment with the rate of pay reverting to that received prior to the administrative appointment. Senior administrators with tenure who return to an academic position rank may be dismissed in accordance with Institutional Policy PE-02: Faculty.

## **PE 18-5. Dismissal With Cause**

- 5.1 The WVSOM President may, in their sole discretion, terminate a senior administrator for cause.
- 5.2 For the purposes of this policy, the term “cause” shall include, but not be limited to:
  - 5.2.1 Acts of malfeasance or misfeasance, through acts of commission or omission, or any action in violation of federal or state law;
  - 5.2.2 Dishonesty; debarment; disbarment; suspension; gross immorality; misappropriation of funds; habitual insobriety; substance abuse; managerial incompetence; professional incompetence; or willful misconduct;
  - 5.2.3 Physical or mental disability resulting in misconduct for which no reasonable accommodation can be made, and which makes the individual unable, within a reasonable degree of medical certainty and by reasonably determined medical opinion, to perform essential assigned duties; or
  - 5.2.4 Failure to observe or perform the material duties of the position, insubordination, or acts in contravention of Institutional Policies or a directive expressed by the Board or President.
- 5.3 Termination of employment as a senior administrator for cause shall occur immediately upon written notice when attributable to cause pursuant to Sections 5.2.1, 5.2.2, and 5.2.3.
- 5.4 Inclusion of this “with cause” provision does nothing to alter the at-will nature of the employment relationship or affect the ability of the President to terminate a senior administrator for any or no reason.

## **PE 18-6. Immediate Dismissal**

- 6.1 A senior administrator whose conduct is so egregious as to warrant immediate removal may immediately be terminated by the President as stated above.
- 6.2 A senior administrator who poses an imminent danger to self or others, including WVSOM students, faculty, or staff in their official capacity, by making substantial threats, exhibiting threatening behavior, or engaging in violent or hostile acts on WVSOM property or at Statewide Campus offices may be escorted from the premises as quickly as safety permits and may be terminated immediately.

## **PE 18-7. Notification to Board**

Prior to or immediately following the dismissal of a senior administrator, the President must notify the Board Chair as soon as possible.