



The
**Wichita
State University**
Office of the President

1870-255-3553

November 19, 1986

TO: Faculty and Administrators
FROM: Warren Armstrong *WA*
SUBJECT: Updates for the University Handbook for Faculty

The Wichita State University Handbook for Faculty is revised periodically to reflect the University's current organization and administration. Enclosed are policy and procedure changes adopted by the University and approved by the University Senate since October 1985. These pages should be added to your handbook.

A comprehensive revision of the handbook will be made in several years. Meanwhile, updates will be provided annually or as needed.

November, 1986

Updates to Handbook for Faculty

ADDITIONS

1. Appendix P - The Wichita State University Copyright Policy (attached)

Appendix Q - Program Discontinuance at The Wichita State University (attached)

2. 3.091/Employment Oath

Kansas law requires that all state employees sign the following Employment Oath:

I do solemnly swear (or affirm) at I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of my office or employment. So help me God. (The final sentence may be deleted.)

The oath is included in papers that must be signed at the time of employment. It must be on file before any checks in payment of salary or wages may be issued by the state treasurer.

3. 3.22/Termination Procedures

Prior to final departure from campus, terminating faculty members are expected to return all keys assigned to them through general University procedures, and to return all library and other materials and equipment checked out or assigned to them. Faculty members are responsible for making arrangements for determining final grades of their students. A terminating faculty member should clear with the benefits officer and the insurance clerk in the Office of Personnel Services concerning termination dates of insurance coverage, conversion of life insurance, and withdrawal of retirement contributions.

CHANGES

1. p.22 - 4.035/General Liability Insurance - delete title and paragraph and replace with:

4.035/Professional Liability Coverage under the Kansas Tort Claims Act

Suits against state employees, including faculty and staff, are governed by the act

K.S.A. 75-6101 to 75-6118. Legal representation by the state is initiated by the employee who has been sued. The law provides that an employee must make a request for legal defense to the attorney general within fifteen days after being served with process. Subject to certain exceptions, a request will result in the state providing a defense to the claim. If the request is not made within the fifteen-day time period, it is in the state's discretion whether or not to provide such representation.

2. p.23 - 4.053/Sick Leave

Use of Sick Leave - delete first paragraph and replace with: Sick leave with pay may be granted only for the necessary absence from duty because of personal illness, disability or legal quarantine of the employee; or the personal illness or disability of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. The use of sick leave for the illness or disability of the employee's family shall be limited to not more than 40 hours of such leave in any fiscal year. Personal illness includes disability caused or contributed to by pregnancy, termination of pregnancy, childbirth, and the recovery therefrom. Employee's family includes persons related to the employee by blood, marriage, or adoption and minors residing in the employee's residence as a result of court proceedings pursuant to the Kansas code for care of children or the Kansas juvenile offenders code. (changes per 7-84 amendments to the Board of Regents sick leave policy)

3. p.27 - 4.162/Fine Policies

Second paragraph, delete the following sentence: "If the material is not returned or fines are not paid within a month, the faculty member will be notified that check-out privileges will be withheld until the obligations are cleared or an appeal is filed with the Library Appeals Committee."

4. p.37 - 6.12/Policy on Radiation Sources (see corrected attachment)

5. p.38 - 5.13/Policy on Hazardous Chemical Materials
(see corrected attachment)
6. p.39 - 7.013/Interlibrary Loan - change room and
phone numbers to: 129 Ablah Library, ext.
3167
7. p.39 - 7.014/Library Purchases - change phone
number to: ext. 3591
8. p.39 - 7.016/Library Hours - change phone number
to: ext. 3581
9. p.40 - 7.09/Multipurpose Complex - change name
throughout this section to: Heskett Center
10. p.44 - Appendix B - University Senate Constitution
(see corrected attachment)
11. p.46 - Appendix C - University Senate Committee
Structure

Standard Composition - 4th line: delete
"related"
- 5th line: replace
"unassigned
faculty" with
"academic
services"

Standard Selection Committee - 6th line:
delete
"the
dean in
consultation
with"
- 1st line/2nd
col: replace
"category"
with
"division"

delete Community Education Committee

page 47 - +: replace "providing one always
must be from the unassigned
faculty" with "with the
provision that they must be
from different degree-
granting colleges."

Standard Composition - 7th line: delete
"related"
- 8th line: replace
"unassigned
faculty"
with
"academic
services"

12. p.73 - Appendix O - Unclassified Personnel Policy
Status of Academic Appointments - 10th
line/2nd col:
replace
"academic" with
"administrative"

THE WICHITA STATE UNIVERSITY

COPYRIGHT POLICY

Preamble

The Wichita State University has among its primary purposes the expansion of knowledge through scholarly study and research and dissemination of the results of such study and research. University faculty, staff and students, as part of their normal scholarly activities, conduct research that may lead to publication. Copyright and equities accruing therefrom normally belong exclusively to the author. In some cases, however, the ownership of copyright is less clear. When works are commissioned by the University or supported, in part or in whole, by its own resources or by grants or contracts with outside sponsors, the ownership of copyrights and equities may extend beyond the author. The use of University facilities or services, and the particular assignment of duties or conditions of employment, may give rise to a complex of interrelated equities or rights involving the author and the University.

Purpose

This policy applies to all faculty, staff and students of The Wichita State University. Its purpose is to establish and clarify respective rights and obligations in the development of copyrightable materials and any equities accruing therefrom.

Objectives

Among the principal objectives of this policy are:

1. to support and protect original scholarship at all levels of the University;
2. to recognize and affirm the common-law and statutory rights of WSU faculty, staff and students to realize tangible benefits from the development and sale of copyrightable materials;
3. to provide greater incentive to create intellectual effort by faculty, staff and students while safeguarding the interests of the University or other sponsoring agency in that intellectual effort;
4. to establish a mechanism whereby the rights of the author, University and sponsor with relation to copyrightable materials may be determined.

Ownership

Common law, tradition and statutory provisions provide automatic copyright protection for a work the moment it is fixed in tangible form. Thus, under normal circumstances, the copyright of materials produced by WSU faculty, staff and students is held by the author, regardless of whether or not that copyright is registered with the Copyright Office of the Library of Congress. The University affirms traditional faculty rights in writing books, monographs and papers.

Copyright may rest with someone other than the author only in two cases. In the first instance, copyright may be held jointly (e.g., by the author and a sponsoring agency); in the second, a work may be considered a "work done for hire" in which case the copyright may reside solely with the sponsoring agency. If material is developed with significant use of University funds, space, facilities or other resources, questions of joint copyright or institutional copyright may be raised. Authors utilizing such funds, space, facilities or resources are encouraged to secure prior agreement from the University on the question of ownership of copyright.

Prior agreement action is initiated by the author by filing a COPYRIGHT AGREEMENT Form identifying the project, the probable "significant use of University funds, space, facilities or other resources", the author's interest in possible copyright(s) and a proposed division of "ownership" of any copyright(s) which might be sought (See the subsequent table which provides guidelines for the distribution of income from the sale, licensing, lease or use of copyrighted materials). Approval of the assignment(s) of copyright ownership indicated on the COPYRIGHT AGREEMENT Form is required by (1) the author, (2) the author's department/unit chairperson and (3) the budget officer of each additional unit which is expected to provide technical assistance, funds, space, facilities or other resources for the project, e.g. the Computing Center, Media Resources, University Communications. Additionally, budget review officer(s) of each of the preceding units must clear any complete release of University ownership when "significant use of University funds, space, facilities and other resources" is involved. The completed COPYRIGHT AGREEMENT will be routed to the Vice President for Research with copies including approval signatures distributed to the author and each budget officer as a record of action.

Should an acceptable agreement not be reached in the COPYRIGHT AGREEMENT Form routing process, the author may appeal the decision to an ad hoc Copyright

Committee appointed annually to handle all copyright appeals. This ad hoc Copyright Committee shall function under the aegis of the Vice President for Research and Dean of Graduate Studies and shall consist of one representative named by the Vice President for Research and Dean of Graduate Studies, one representative named by the University Senate Agenda Committee and one representative named by the Executive Vice President for Academic Affairs.

The Vice President for Research will convene and charge the ad hoc Copyright Committee and ask that a recommendation be returned to him/her with copies to all parties in the negotiation. Operation of this Committee will be informal working primarily from written information provided by the author and other parties in the negotiation process. However, the Committee may request appearances of persons with relevant information as well as additional written information. The final ruling will be provided by the Vice President for Research after considering the findings of the ad hoc Copyright Committee.

Materials developed within the most narrowly defined scope of one's employment (e.g., annual reports) are considered "works for hire" and copyright is considered to rest with the University. University ownership of copyrights when official filing is pursued is to rest with the WSU Board of Trustees.

A related matter involves equities derived from the ownership of copyright. Significant use of University funds, space, facilities or personnel in the production of copyrightable material suggests not only questions of copyright ownership but also questions of equity distribution. The term "significant use of University funds..." does not include the provision of office space or use of library materials, nor does it necessarily include the payment of salary, the utilization of sabbatical leaves, or the receipt of University research funds. However, if released time is granted and/or salary paid specifically for the production of a university-commissioned work, the author and University officials should negotiate copyright and equity questions before beginning the project. Prior negotiations regarding copyright and equity issues are also expected in the case of significant contributions by the University in terms of design and development of the project and provision of facilities or staff support in the production of the work.

The process for accomplishing negotiations concerning ownership of possible copyright(s) is that set forth earlier in this section involving the copyright

agreement routing form and the subsequent steps noted there. Copyrightable material developed with the use of funds provided by an outside sponsor is subject to the procedures of Section 5.045 of the WSU Handbook for Faculty.

Distribution of Income

The following table serves as a guide to determine the distribution of income received through the sale, licensing, leasing or use of copyrighted material. The determination of the percentage distribution of income from copyrighted material is based on the level of University support for the design, development and production of the original document.

	<u>DESIGN & DEVELOPMENT</u>		<u>PRODUCTION</u>		<u>DIVISION OF ACTUAL REVENUE</u>	
	University Commissioned	University Support Provided	University Design Support Provided	University Production, Facilities & Staff Provided	%WSU	%Author
1. ....	.....	.....	.....	.....	0	100
2. ....	.....	X.....	.....	.....	20	80
3.	X.....	.....	.....	.....	20	80
4.	X.....	X.....	.....	.....	40	60
5. ....	.....	.....	X.....	.....	50	50
6. ....	.....	X.....	X.....	.....	60	40
7.	X.....	.....	X.....	.....	70	30
8.	X.....	X.....	X.....	.....	80	20

*The actual revenue to be distributed from the sale of the copyright or copyrighted materials shall be net income represented by gross revenues received less the direct cost of producing the copies sold and any applicable overhead rate. The term "WSU" means the unit(s) to which a proportional distribution of the "WSU" percentage of net income is made according to the unit(s)' contributions to the design, development and production of materials.

The percentage distribution may be negotiated if either the author or one of the budget officers involved in the process considers the assignment in the above table not appropriate to a given situation. The negotiation process is that described previously

in the "Ownership" section of this document. The ad hoc Copyright Committee is called into use only if the more informal process involving the copyright agreement routing form is not successful in reaching a mutually acceptable agreement.

University Obligation

In all cases of shared income distribution the University (through the Board of Trustees) will regularly, not more often than quarterly or longer than annually, provide the author with (a) data on campus use of the material, (b) information on sales of the material and (c) payment of the appropriate share of the actual revenue.

The University is obligated not only to encourage original research, but also to disseminate the results of such research. This obligation raises special problems regarding student work, particularly theses and dissertations. The University affirms that the copyright to such work rests with the student author. However, preservation requirements and a high level of use may dictate the need for additional copy(ies) of a given thesis. The University reserves the right to produce such copy(ies), and this "fair use" right shall be printed in the University Catalog and the Graduate School Bulletin so as to alert students to the policy.

GLOSSARY

COPYRIGHTABLE MATERIAL

The following items refer to materials published or unpublished, copyrighted or copyrightable at any time under the Federal Copyright Act as now existing or hereafter amended or supplemented.

- (1) Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests and proposals.
- (2) Computer program
- (3) Files, filmstrips, charts, transparencies, and other visual aids,
- (4) Lectures, musical or dramatic composition, and unpublished scripts.
- (5) Live and audio broadcasts.
- (6) Pantomines and choreographic works.
- (7) Pictorial graphic and choral works.
- (8) Programmed instruction materials.
- (9) Sound recordings.
- (10) Video and audio tapes, cassettes and disks.
- (11) Other materials similar to the above not currently in existence.

DESIGN

Those activities necessary to define the content of materials for potential publication including conceiving ideas, drafting outlines of content, preparing of a plan and making samples of the finished work.

DESIGN SUPPORT

University resources are used for content research and development, text development, or script preparation. The design agency functions basically as co-author.

DEVELOP

Those activities necessary to transform defined materials, which have the potential for publication, into a draft of the work to include only materials that are in the same medium (written, spoken, performed or visual) as the final form of presentation.

PRODUCE

Those activities required to transform a draft of work for potential publication into a form ready for reproduction.

PRODUCTION SUPPORT

University resources that are used to transform the script or other written material into various media formats.

PUBLISH

Those activities required to reproduce, market and distribute materials including all activities for which the expense would be classified as a cost of sales by the IRS.

UNIVERSITY COMMISSIONED

The author receives payment from the University specifically for the design, development and/or production of materials.

A PROPOSAL FOR PROGRAM DISCONTINUANCE AT THE WICHITA STATE UNIVERSITY

Definitions

SECTION 1: INTRODUCTION

- (1.1) Program discontinuance has already occurred at The Wichita State University and has been necessitated by numerous environmental pressures on the University. Various economic, social, technical and educational demand trends may lead to further reallocation decisions of increasing difficulty as the University works to serve the interests of its many publics.
- (1.2) The 1977 The Wichita State University mission statement concludes that "Wichita State University can best serve its urban mission by being an excellent university." Excellence comes at the price of high investment of scarce resources and the University must use its limited resources in an optimal manner to achieve the greatest degree of excellence in its programs. A decision to discontinue a program must be recognized as a basic tool in the University's efforts to fulfill its mission.
- (1.3) When faced with the necessity of program discontinuance, the faculty of The Wichita State University must take a positive stance toward the issues involved. Any action requiring program discontinuance must be contained and directed in ways acceptable to the academic standards of The Wichita State University.
- (1.4) Discontinuance decisions, when necessary, may often involve the redirection of resources to other programs. It is crucial that such decisions be made so that the ability of the University to fulfill its mission is significantly enhanced. Such decisions must be guided by a comprehensive statement of principles and procedures to insure that the University's mission is in fact properly served, that decisions are based on bona fide long term trends in the environment, that the well-being of the current students is served to the greatest possible extent, and that the spirit as well as letter of the University's tenure commitment to faculty is honored.

- (2.1) "Program discontinuance" at The Wichita State University refers to the termination of an academic unit (College, Department, Division, Center, or School) in which a degree is offered. It may also refer to the termination of a specific or unique degree program with no other change to the academic unit which offers that degree program.
- (2.2) Programs subject to discontinuance under these procedures are those listed in the "Degree and Certificate Program Inventory For Regents Institutions." By specific action of the faculty of the relevant college, concurred in by the University President, areas of emphasis or academic sub-specialties within existing degree programs may be considered as "programs" to be treated under this document.
- (2.3) The term "teaching faculty" refers to all unclassified personnel with the faculty rank of instructor or higher, whose duties are 50% or more teaching and/or research and/or library or media services.
- (2.4) The term "academic weeks" will be used to specify those periods of time, according to the university calendar, during which the University is officially in session (excluding Summer Session).

Program Discontinuance Procedures

- (2.5) Recommendations for the initiation of program discontinuance may be originated from any of several sources. Specifically, these would include the academic unit in which the degree is offered, the dean of the college in which the program is offered, the Vice President for Research and Dean of Graduate Studies in the case of a graduate program only, or the Executive Vice President for Academic Affairs.
- (2.6) Program discontinuance will be the decision of the President of The Wichita State University upon recommendation from the Executive Vice President for Academic Affairs. Decisions regarding program

discontinuance will be made on the basis of bona fide educational considerations only and these decisions will be distinct from and unrelated to those based upon financial exigency.

(2.7) When an academic unit offers more than one degree program, and less than the total unit is recommended for discontinuance, the faculty members of the continuing academic unit will not be considered for dismissal unless the unique or specific degree program discontinuance significantly reduces the resources, structure or performance of that academic unit, or unless the faculty member is demonstrably unqualified for continued appointment in the continuing unit even following reasonable efforts at retraining. This determination would be made upon recommendation from the academic unit to the dean of the college or appropriate budget review officer.

(2.8) Proposals for potential program discontinuance shall be made in writing to the Executive Vice President for Academic Affairs. Such proposals will include identification of the circumstances leading to the recommendation, a detailed rationale for the recommendation, a statement of the projected impact on the mission of the University and the academic unit, a statement of the projected impact on students and faculty of the academic unit, and a statement of the financial resources and faculty positions likely to be affected by the recommendation.

(2.9) The President and/or the Executive Vice President for Academic Affairs will provide confidential copies of the program discontinuance recommendation to the members of the Agenda Committee of the University Senate. The President and/or Executive Vice President will meet with the Agenda Committee to seek its confidential advice relative to the wisdom of proceeding with a review of the program discontinuance proposal. The President will also provide opportunity for the Assistant Dean of Faculties (Affirmative Action Officer) to provide advice on the effect of the proposed reduction on compliance with the University's affirmative action plan.

(2.10) If the President and/or Executive Vice President for Academic Affairs decide to proceed with the program discontinuance proposal, the Executive Vice President for Academic Affairs will transmit to the dean of the affected unit copies of the proposal with the request that the dean seek the confidential advice of a committee of all departmental chairs in the college about the wisdom of proceeding with the program discontinuance. The chair of the affected unit will be notified of the proposed action at least one academic week in advance of the committee meeting of the department chairs. The chair of the affected unit will have the option of meeting with the President or Executive Vice President for Academic Affairs. The dean will communicate the committee recommendation, with his or her own recommendation, back to the Executive Vice President for Academic Affairs.

(2.11) If the President and/or Executive Vice President for Academic Affairs decide to proceed with consideration of program discontinuance, the faculty of the affected unit will be notified first and a copy of the discontinuance proposal will be distributed to all members of the faculty of the college affected. Faculty members and students of the affected college will be invited to submit, within two academic weeks, written statements or arguments or rebuttal on the proposal to the college dean for distribution to the teaching faculty of the college. Within a period of not less than two academic weeks nor more than four academic weeks of the distribution of the written statement or rebuttal to the teaching faculty, the teaching faculty of the college shall be convened to vote its agreement or disagreement with the recommendation for program discontinuance. Absentee ballots shall be accepted. A copy of that action including the vote count, shall be forwarded to the Executive Vice President for Academic Affairs, the dean of the college and the President of the University Senate.

(2.12) At the next meeting of the University Senate, the Senate President will report the proposed program discontinuance and the action of the college faculty on that matter. No Senate action is required but

the Senate may by majority vote choose to record a position of agreement or disagreement with the proposed program discontinuance which shall be forwarded to the University President.

- (2.13) The President of The Wichita State University will evaluate the initial recommendation, the actions of the review bodies, the recommendation of the Executive Vice President for Academic Affairs, and will, within four academic weeks, render a final decision regarding the recommendation for program discontinuance. If the decision is in favor of program discontinuance, the statement from the President will include a detailed time table for the discontinuance action and a statement, with reference to all provisions of this document, detailing actions to be taken regarding the affected students and faculty. The statement must be distributed to the Executive Vice President for Academic Affairs and the dean, chair and faculty of the affected unit.

SECTION 3: RIGHTS AND PRIVILEGES OF STUDENTS AND FACULTY

- (3.1) The provisions of this section will apply to all program discontinuance actions regardless of the originating source.
- (3.2) The Executive Vice President for Academic Affairs will make a public announcement of the discontinuance of the program and faculty representatives from the program shall contact all students who are enrolled in the degree program. No student should be admitted after the announcement has been made. Consideration of the impact on current students will be made to help them complete their degree program.
- (3.3) After the public announcement is made, there will be a maximum of a three-year period of continuance to accommodate current students. If it is not possible for students to complete their degree programs within this three-year period, the University will make reasonable efforts to accommodate such students. Such efforts should include but not be limited to the following:

- (1) permitting the student to complete his/her degree program by taking work in related departments;
- (2) permitting the student to complete his/her degree program at another institution;
- (3) making provisions in the case of graduate students, for supervision of dissertations and administration of graduate examinations by faculty at other institutions; and
- (4) honoring existing multiyear fellowships.

- (3.4) For faculty members in the unit being considered for discontinuance, the written termination notice from the President must include the following:

- (1) a statement of the basis for the decision to dismiss;
- (2) a description of the manner in which the decision to dismiss was made;
- (3) a disclosure of data on which the President relied;
- (4) a statement of the faculty member's right to respond to the dismissal.

- (3.5) For faculty members holding probationary appointments, the notice of nonreappointment must meet the terms described in paragraph 3.07 of The Wichita State University Handbook for Faculty.

- (3.6) The appointment of a tenured faculty member should not be terminated in favor of retaining a faculty member without tenure, unless there are extraordinary circumstances where a serious distortion of the academic program would otherwise result.

- (3.7) Faculty on continuous tenured appointments who are scheduled for dismissal for reasons of program discontinuance will be retained as long as possible during the years in which their program is being phased-out and will receive their full salaries with appropriate merit increases. During the time in which students in a discontinued program are permitted to complete their degree, tenured faculty will be continued in

their previous duties, or will, by mutual consent, be reassigned to other suitable positions within the University. Every reasonable effort will be made to find a position acceptable to the faculty member as well as to the unit to which the assignment is being considered.

(3.8) Addition of faculty relocated within the University will not displace present tenured or probationary personnel. The unit involved in the placement as well as the faculty member must participate in the decision making process. If placement in another position would be facilitated by a reasonable period of retraining, financial and administrative support for such training will be proffered.

(3.9) If continued appointment of a tenured faculty member is deemed impractical due to significantly decreased student participation during the three-year phase-out period, and if relocation is unreasonable, the faculty member will be assigned other duties for no more than 12 months. Early retirement or part time employment should also be considered as additional options.

SECTION 4: APPEALS

(4.1) A faculty member who receives written notice of termination for the reason of discontinuance of a program will have all the rights of due process as established in the document entitled Grievance Procedures, Appendix F, of the University Handbook for Faculty.

(4.2) A faculty member who receives notice of termination for this reason may initiate review by making a written request to the Chair of the Welfare Committee stating the grounds for challenging the decision to terminate.

(4.3) The administration must demonstrate initially that the decision to terminate was arrived at in accordance with established University policy, as described in this document; the faculty member then bears the burden of proving the validity of his/her allegations of improper action.

(4.4) Ground for the claim of improper action may include, but are not limited to:

- (1) failure of the University to follow established processes for determination of program discontinuance;
- (2) incomplete or erroneous data in selecting the faculty member for dismissal;
- (3) failure of the University to make a reasonable effort to place the faculty member in another suitable position;
- (4) unfairness based on discrimination and/or principles of affirmative action.

(4.5) If a hearing is determined to be necessary, that hearing may be informal or, at the preference of the appellant, formal. The specific procedures for the informal or formal hearing are provided in the statement of Policies and Procedures for Processing Grievances of Faculty at The Wichita State University, Appendix F, University Handbook for Faculty.

(4.6) In the case of a claim of unfairness based on discrimination and/or principles of affirmative action, procedures will be those set forth in the Policies and Procedures for Processing Grievances.

Program Discontinuance Committee

Mary Sue Foster
Roger Kasten, Chair
Fred Kraft
Jacqueline Snyder, Ex Officio

Adopted by University Senate, April 16, 1984

6.12/Policy on Radiation Sources

The use of radioactive substances and radiation emitting equipment items, including their disposal, in various activities such as in teaching, research, or other services is regulated by specific state and federal laws. The control and monitoring of activity involving radioactive substances and radiation sources and disposal of radioactive waste at WSU is the responsibility of the University Radiation Safety Officer working under the aegis of the Vice President for Research and the University Radiation Safety and Hazardous Chemical Materials Committee. It is the responsibility of each faculty or staff member and each student using such materials to comply with applicable regulations and report such activity in advance to the University Radiation Safety Officer and to cooperate with this officer in carrying out his/her duties related to monitoring and ensuring compliance with applicable regulations. Access to laboratories and other facilities to make tests and perform inspection is a necessary part of the purchases, storage, and usage of radioactive chemicals and certain instruments. A program of periodic disposal of radioactive material or radiation-emitting instruments is managed by the University Radiation Safety Officer.

Information concerning regulations governing acquisition, use, storage, and disposal of radioactive material and radiation-emitting instruments can be obtained from the University Radiation Safety Officer.

6.13/Policy on Hazardous Chemical Materials

The use of certain hazardous materials, including their disposal, in various activities such as teaching, research, or other services is regulated by federal and state laws. The control and monitoring of activity involving hazardous materials and disposal of hazardous waste in the academic areas at WSU is the responsibility of the the University Hazardous Chemical Materials Officer working under the aegis of the Vice President for Research and the University Radiation Safety and Hazardous Chemical Materials Committee. It is the responsibility of each faculty and staff member and each student using or disposing of such materials to comply with applicable regulations, to report such activity to the University Hazardous Chemical Materials Officer, and to cooperate with this officer in carrying out his/her duties related to monitoring and ensuring compliance with applicable regulation. Access to laboratories and other facilities to make tests and perform inspections

is a necessary part of the WSU compliance program, as is the maintenance of records of purchases, storage, and usage of certain hazardous chemicals. A program for periodic disposal of hazardous chemical waste is also available. Acceptance of any gifts of materials classed inordinately hazardous must be cleared with the University Radiation Safety and Hazardous Chemical Materials Committee.

Information concerning regulations governing hazardous material acquisition, use, storage, and disposal may be obtained from the University Hazardous Chemical Materials Officer.

University Senate Constitution

The full text of the Constitution of the University Senate, as amended through June 1, 1982, follows.

ARTICLE I

Selection and Composition

Section 1. It shall be composed of the president, the academic vice president, and the vice president for student affairs, as ex officio members; elected members of the instructional staff as under paragraphs (a), (b), and c) below; and students as described under paragraph (d) below.

(a) For purposes of representation the University faculty and administration are divided into the following divisions: business administration, education, engineering, fine arts, health professions, the three divisions of Fairmount College (humanities, social sciences, mathematics and natural sciences), University administration, and academic services. The Senate representation of each of these divisions is to be determined in accordance with the following formula: When the number of members of a division falls between 2 and 25, it is to have two representatives; between 26 and 50, three representatives; between 51 and 100, four; between 101 and 150, five; between 151 and 200, six; and so on. The number of members of each division at the time of the Senate elections will determine the number of representatives for any given year. It is the responsibility of the Senate Rules Committee, in consultation with appropriate administrative officials, to determine the number of representatives from each division, prior to the election.

The divisions defined above shall include all faculty assigned to those units on half time or greater basis. The administrative division shall include all those persons who hold the title vice president, associate vice president, assistant vice president, dean, associate dean, assistant dean, director of the computer center, registrar, director of admissions and director of cooperative education. The academic services division includes those persons holding faculty appointment with the rank of instructor or higher, not otherwise included in any other division.

(b) No more than two members of any one department may be elected in any of the divisions described in (a) above.

(c) Six members at large, but not more than four from any one college and not more than two from any one department may be elected. This regulation is not intended to preclude the election of senators from a department to represent one of the divisions described above, in addition to at-large senators from that department.

(d) There shall be eight student representatives who shall be the president of the Student Government Association and seven other students designated by the SGA.

Section 2. To be eligible for election, a person must be a full-time member of the faculty or must hold a fractional time appointment of .5 or more, and hold the rank of instructor, assistant professor, associate professor, or professor. The electorate for faculty members shall consist of the faculty eligible for elections.

Section 3. Elections shall be held annually to replace one-half the membership of the Senate. The Senate shall cause one-half the representatives of each area to be replaced at each regular election. With regard to members at large, the Senate shall cause three members to be selected each year.

Section 4. Regular election to the Senate shall be for a term of two years.

Section 5. During the spring semester of each academic year, the Senate Rules Committee shall circulate to each eligible faculty member a list of those ineligible for Senate election by reason of continuing Senate membership and solicit nominations for senators at large. The Rules Committee will conduct an election to fill the senator-at-large positions by distributing ballots showing those persons nominated.

Section 6. Each year, subsequent to the at-large election described in Section 5 above, the Rules Committee will distribute to the members of each school, division, and group mentioned in Article I, Section 1, paragraphs a and b, a list of its members ineligible for Senate election by reason of continuing Senate membership or election as senator at large. Nominations for senator from each constituency will be solicited and the Rules Committee will distribute ballots to the members of each school, division, and

group ballots listing those persons nominated for Senate membership representing each such school, division, or group. The need for run-off elections will be determined by the Rules Committee.

Section 7. Terms of elected members will be calendar years beginning June 1.

Section 8. Senate members elected in the spring semester shall take office June 1, except that the newly elected members of the Senate, and those members of the Senate with one year remaining in their terms, shall meet in May for the sole purpose of electing Senate officers for the forthcoming year.

Section 9. If a senator leaves the division from which elected, the member will be considered to have resigned. However, the term may be completed if the change occurs during the spring semester of the last year of the member's term.

Section 10. The Agenda Committee of the University Senate has the responsibility of consulting with any senator who has a poor record of attendance at Senate meetings. After consultation with the senator, the Agenda Committee can recommend to the Senate dismissal of the senator. The senator in question can then be dismissed by a two-thirds vote of the Senate.

ARTICLE II

Organization of the Senate

Section 1. The Senate shall elect its own president-elect, vice president, and secretary from among its membership. Following one year as president-elect this officer becomes president of the Senate. (At the May, 1973 meeting of the Senate at which officers were elected, both a president and president-elect were elected.) Each officer must represent a separate college or division of the Senate.

Section 2. Meetings shall be held no less than twice a semester, the time and place being set by the group.

Section 3. Vacancies on the Senate shall be filled by vote of the Senate for unexpired terms with the provision that the selected member shall be of the proper group.

Section 4. The Senate shall determine its own rules of procedure including time and place of

meetings and the form of reports.

ARTICLE III

Section 1. The president of the Senate will consult with the president of the University as to the need for faculty meetings and as to appropriate times for such meetings.

Section 2. The Senate may deliberate and recommend on all matters committed to the faculty and on any matter of an internal faculty nature.

Section 3. The standing committees of the faculty shall report, in the form of their minutes, to the Senate which will refer necessary matters to the faculty for action.

Section 4. The Senate shall create and delete faculty standing committees and shall select their membership. Senate actions under the authority of the section shall be final, unless appealed by one third of the Senate members present and voting to the University faculty.

Section 5. The Senate may recommend to the faculty the changing of rules of procedure of the faculty.

ARTICLE IV

Initial Procedures

Section 1. The president of the University shall appoint an election committee to prepare lists and ballots and certify election. In case of ties this committee shall determine winners by lot.

Section 2. The initial designation of one- and two-year terms shall be determined in each category by this committee by lot, that of the representatives of the unassigned faculty being for two years.

Section 3. Initially, members shall take office upon election.

Section 4. Within four academic weeks after completion of the initial election, the president shall call an organizational meeting of the Senate, presided over by a temporary chairman who shall be determined by lot by the election committee.

ARTICLE V

Amendments

Section 1. An amendment to this instrument can be proposed by any member of the Senate or by any faculty member. If proposed by no fewer than 12 faculty members, the Agenda Committee must place the proposed amendment on the agenda of one of the next two Senate meetings.

Section 2. If the Senate approves the amendment, it shall be placed on the agenda of the next faculty meeting. If the amendment was proposed by a member of the Senate or by a Senate committee, a negative Senate vote is final. If, however, the amendment was proposed by no fewer than 12 faculty members, the proposed amendment together with the Senate recommendation shall be placed on the agenda of the next faculty meeting, even if the Senate vote is negative.

Definition of Terms

Academic year or week: The academic year is that period of the calendar year in which the University is in session exclusive of the Summer Session. An academic week is any week of the academic year.

Committee: Committee refers solely to committees of the University Senate.

Faculty: Faculty refers to the University faculty as a whole.

Senate: Senate refers to the University Senate created by this constitution.