



THE METROPOLITAN ADVANTAGE

ACADEMIC AFFAIRS

October 19, 1995

TO: Faculty & Deans

FROM: Bobby R. Patton

A handwritten signature in black ink, appearing to read 'Bobby R. Patton', is written over the 'FROM:' line.

SUBJECT: Program Discontinuance

Attached is a copy of "Program Discontinuance at The Wichita State University." Inadvertently, it was not included in the 94-95 edition of the Faculty Handbook.

Please add it to your copy of the Faculty Handbook.

Thanks.

APPENDIX Q

PROGRAM DISCONTINUANCE AT THE WICHITA STATE UNIVERSITY

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) In 1977 The Wichita State University mission statement concludes that "The 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 ensure 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.

SECTION 2: PROCEDURES

Definitions

(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 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 in the case of a graduate program only, or the 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 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 Vice President for Academic Affairs. Such proposals will include identification of 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 Vice President for Academic Affairs will provide confidential copies of the program discontinuance recommendation to the members of the Executive Committee of the Faculty Senate. The President and/or Vice President for Academic Affairs will meet with the Executive 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 Director of Affirmative Action Office 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 Vice President for Academic Affairs decide to proceed with the program discontinuance proposal, the 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 Vice President for Academic Affairs. The dean will communicate the committee recommendation, with his or her own recommendation, back to the Vice President for Academic Affairs.

(2.11) If the President and/or 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 Vice President for Academic Affairs, the dean of the college, and the President of the Faculty Senate.

(2.12) At the next meeting of the Faculty 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 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 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 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 Rules 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) Grounds 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, the specific procedures for the 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 also be those set forth in the Policies and Procedures for Processing Grievances.

Adopted by University Senate, April 16, 1984

WICHITA STATE UNIVERSITY

FACULTY HANDBOOK

AY 94-95 REVISION

**FACULTY HANDBOOK
WICHITA STATE UNIVERSITY
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CHAPTER 1/ WICHITA STATE UNIVERSITY: TOWARDS THE FUTURE

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1.01/The Evolution of Wichita State University's Mission

Wichita State University has a rich heritage, having served as a private liberal arts college for its first 31 years and then as a municipal university for the next 38 years. In 1964 Wichita State became a state university. Just as other universities are indelibly influenced by their origins, Wichita State University visibly reflects its heritage, combining elements of a liberal arts college, an urban university, and a comprehensive state university. It is a university with a distinctive character and a metropolitan advantage.

The university maintains the traditions identified with Fairmount College, a liberal arts college founded in 1895. The first brochure of the school announced four courses of study: classical, scientific, literary, and normal. This heritage still influences Wichita State University's concept of its role and its strong commitment to general education for all its students. Fairmount College of Liberal Arts and Sciences is the central college within the University, and its influence is felt in the other professional and applied colleges now a part of the University.

In 1926 Fairmount College became the University of Wichita, the first municipal university west of the Mississippi River. From the period as a municipal university comes Wichita State University's commitment to professional and utilitarian education as a complement to liberal education and its concern for serving the variety of students who live in a city. From this period also comes the sense that the life of the University is closely related to the life of the city and at the same time derives support and relevance from it.

In 1964 the University entered the state system of higher education as a multipurpose institution with a broad variety of programs at the undergraduate and master's levels and with authorization to develop cooperative programs at the doctoral level. Status as a state university has brought the initiation of new doctoral programs, an increase in other graduate programs, and an increase in the level and sophistication of research efforts. Additionally, there have been new responsibilities for professional education and field services over a wider area of the state.

The University's development has paralleled the growth of the city of Wichita, the largest city in

Kansas with a population of over 300,000. Today approximately 900 full-time and part-time faculty teach some 15,000 students, 12,000 of whom are undergraduates. Wichita State University offers a curriculum with more than 180 areas of concentration within seven schools and colleges: W. Frank Barton School of Business, College of Education, College of Engineering, College of Fine Arts, College of Health Professions, Fairmount College of Liberal Arts and Sciences, and the Graduate School. University College and Academic Outreach meet the needs of nondegree-bound students.

1.02/A Comprehensive University with a Metropolitan Advantage

Wichita State's role as a comprehensive university is reflected in its mission statement. In 1972 the Kansas Board of Regents developed statements of mission for each of the universities. These mission statements were revised in December, 1986. All six universities under the board are charged with a common general mission:

The Regents system of six public universities exists to help individuals increase their intellectual, social, personal and moral potentials. These institutions impart society's cultural heritage, prepare students for productive activity, open their minds to alternative ways of thinking and living and acquaint them with ways of learning which may be utilized throughout life. The work of the Regents institutions is to make a positive difference in people's lives and to improve society through the works of those it educates. Within that orientation there is considerable room for institutional diversity because the educational needs of both individuals and society are multifaceted. (6-88)

In addition to the general mission, the specific, official mission of WSU is as follows:

Wichita State University is committed to providing comprehensive educational opportunities in an urban setting. Through teaching, scholarship and public service the university seeks to equip both students and the larger community with the educational and cultural tools they need to thrive in a complex world, and to achieve both individual responsibility in their own lives and effective citizenship in the local, national and global community.

High quality teaching and learning are fundamental goals in all undergraduate, graduate and academic outreach programs. Building on a strong tradition in the arts and sciences, the university offers programs in business, education, engineering, fine arts, and health professions, as well as in the liberal arts and sciences. Degree programs range from the associate to the doctoral level and encompass seventy-five fields of study; non-degree programs are designed to meet the specialized educational and training needs of individuals and organizations in south central Kansas.

Scholarship, including research, creative activity, and artistic performance, is designed to advance the university's goals of providing high quality instruction, making original contributions to knowledge and human understanding, and serving as an agent of community service. This activity is a basic expectation of all faculty members at Wichita State University.

Public and community service activities seek to foster the cultural, economic and social development

of a diverse metropolitan community and of the state of Kansas. The university's service constituency includes artistic and cultural agencies, business and industry, and community, educational, governmental, health, and labor organizations.

Wichita State University pursues its mission utilizing the human diversity of Wichita, the state's largest metropolitan community, and its many cultural, economic and social resources. The university faculty and professional staff are committed to the highest ideals of teaching, scholarship and public service, as the university strives to be a comprehensive, metropolitan university of national stature.

1.03/Directions for Development

The future directions for development for Wichita State University and all other universities are shaped by the changing setting of higher education. During the 1990s significant changes are expected in the number and kinds of students, in available financial resources, and in managerial approaches required to meet these challenges. Accordingly, WSU has identified ways to meet the changing environment of the 1990s.

Wichita State University will:

1. Seek reasonable growth by maintaining its appeal to traditional students and by expanding offerings to the wide variety of people within the community, while providing quality teaching at all levels.
2. Continue to offer a comprehensive array of bachelor's programs, including those traditionally associated with university education and professional programs with a strong liberal education base.
3. Maintain high quality master's programs in basic fields of study, in professional fields, and in selected interdisciplinary fields.
4. Strengthen existing doctoral programs and identify and consider a limited number of new programs that are consistent with the University's mission.
5. Expand academic outreach programs with a concern for professional development and self-enrichment.
6. Continue to build an excellent faculty.
7. Recognize and reward effective teaching as well as both basic and applied research.
8. Offer significant service to the region, state, and nation.

1.04/The Budget Process

The budget process begins approximately 19 months in advance of the fiscal year for which funding is requested. Within this time frame, three evolving budgets are prepared.

1.041/The Legislative Request Budget

The Legislative Request Budget provides the basic guidelines or the remaining steps in the total

budget preparation process. With input from the Council of Presidents (and through the Council of Presidents, from the Council of Business Officers, Council of Chief Academic Officers, and other bodies on individual campuses), the Kansas Board of Regents establishes guidelines for certain budgetary items. These items include faculty salary increases, fringe benefits, and other operating expenditure increases. The Board also approves or disapproves individual campuses requests for program improvements, enhancements, and adjustments to the base budget due to changes in levels of enrollment. This budget is submitted to the Kansas Board of Regents 13 months in advance of the relevant fiscal year. This budget establishes the maximum dollar level of support that a particular institution will be provided in a fiscal year.

1.042/The Legislative Budget

A Legislative Budget, based on the recommendations of the Kansas Board of Regents, is prepared for submission to the Governor and the Legislature. This budget is due on September 15 prior to the next fiscal year. It is first reviewed by the State Director of Division of Budget, who submits recommendations to the Governor. The Governor modifies or accepts the Director of Division of Budget's figures and submits recommendations to the Legislature.

These recommendations are considered by the Joint House and Senate Ways and Means Committee in the form of an appropriations bill. Appeals for restoration of funds approved by the Kansas Board of Regents but deleted by the Governor are possible at this stage. The final appropriations action by the full Legislature establishes the spending authority of the various Regents' institutions.

1.043/The Operating Budget

Internal allocation of resources made available to Wichita State University by legislative action is accomplished through the Operating Budget. With guidelines provided by the central administration, this process begins at the departmental level and progresses through the dean or other appropriate review officer to the President of the University. The Operating Budget is presented to the Kansas Board of Regents during the first week of May of each year. The Board reviews and approves the final budget during this month for the fiscal year beginning July 1.

1.05/Affirmative Action Program and Excerpts from the Policy

To further enlightened concepts of human rights, human dignity, equality of opportunity, and individual freedom of choice for all individuals, regardless of race, sex, color, religion, handicap status, national origin, special disabled/Vietnam era veteran status, or any other like arbitrary distinction used in any way detrimentally, and in specific compliance with State and Federal laws and regulations regarding discriminatory practices, we herein set forth guides, stipulations, and directives to achieve the desired conditions of justice and equality for all individuals in this University without sacrificing the goal of true merit.

It is Wichita State University's policy to provide equal employment opportunity and upward mobility

for all qualified persons, and to prohibit discrimination in employment because of race, color, religion, sex, age, marital status, national origin, political affiliation, special disabled/Vietnam era veteran status, or physical or mental handicap. This policy also commits the University to take affirmative action to provide motivation and employment opportunities to members of minority groups, women, handicapped individuals, special disabled veterans, and Vietnam era veterans. The protection afforded by this policy apply equally to all segments of the University community, i.e. students, unclassified personnel*, classified personnel**, and employees of associated corporations.

An Affirmative Action Program or Plan is a document of very serious purpose, and of great importance to every individual and to every segment of the academic community. High sounding phrases of good intention do not constitute a working or workable plan of action. It is necessary to be specific, thorough, objective, fairminded, and farsighted in order to accomplish the objectives of an effective Affirmative Action Program as required by conscience as well as by law.

Wichita State University is committed to:

1. Recruit, hire, and promote to all job classifications without regard to race, color, religion, sex, age, national origin, handicap, or special disabled/Vietnam era veteran status, except where sex is a bona fide occupational qualification.
2. Base decisions on employment to further the principle of equal employment opportunity.
3. Assure that promotion decisions are in accord with the principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.
4. Assure that all other personnel actions involving compensation, benefits, transfers, terminations, return from layoff, sponsored training, educational tuition assistance, and social programs will be administered without regard to race, color, religion, sex, age, national origin, disability, or special disabled/Vietnam era veteran status, except where sex is a bona fide occupational qualification.

The following are excerpts from the university's Affirmative Action Policy:

Sexual Harassment

Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are violations of Wichita State University policy when (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Grievances involving sexual harassment may be filed in accordance with the Faculty Grievance Procedure, Classified Grievance Procedure, or Student Sexual Harassment Grievance Procedure by unclassified personnel, classified personnel, and students respectively.

People with Disabilities

WSU's Resource Center for Independence and Office of Student Affairs provide assistance to members of these protected classes and programs to develop awareness of the needs of such persons. Periodic meetings are held on campus, often co-sponsored with agencies serving handicapped people, to discuss and review associated subject material. Awareness and sensitivity training regarding disabled people and their working conditions are presented.

[NOTE: The complete policy is available from the Director of Affirmative Action or from the Office of Human Resources.]

CHAPTER 2 / UNIVERSITY STRUCTURE

A/ADMINISTRATION

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B/UNIVERSITY GOVERNANCE

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A / ADMINISTRATION

Wichita State University has a governance structure that includes both external and internal bodies. External agencies include the Kansas Board of Regents, various coordination councils, and, through the budget process, the Governor and the Legislature. Internally, it includes an organization of administrative officers and an extensive structure for faculty and student participation.

2.01 / The Board of Regents

Wichita State University is one of six state universities governed by the Kansas Board of Regents. Established in 1925 by the Kansas Legislature, the Board is composed of nine members appointed by the Governor with the advice and consent of the Senate. Board members serve overlapping terms of four years; no more than five members may be identified with the same political party. The Board is assisted by a professional staff, allowing the members to address questions of general policy. In its consideration of policies, the Board is also guided by recommendations from the chief executive officers of the six Regents' Universities. Normally, the Board delegates to the University President and his/her staff the internal administration and operation of an individual University.

2.011 / Regents' Institutions Councils

Several state councils provide the mechanisms through which cooperation and coordination among the Regents' Universities are achieved. The Council of Presidents (COPs), composed of the Presidents and Chancellor of the Regents' Universities, makes recommendations to the Kansas Board of Regents on subjects of system-wide significance. The Council of Chief Academic Officers (COCAO), composed of the Academic Vice Presidents of each University, is responsible for coordination of academic planning. The Council of Business Officers (COBO) coordinates budget and fiscal matters. The Council of Faculty Senate Presidents and the Student Advisory Committee (SAC) meet regularly to exchange information and develop coordinated positions on issues important to faculty at the Regents' Universities. In addition, there are many other specialized councils.

2.02 / The WSU Board of Trustees and Endowment Association

The legislation that established Wichita State University under the jurisdiction of the Kansas Board

of Regents also provided for Wichita State University Board of Trustees of nine members appointed by the Governor. The present assets of the Board of Trustees and its related corporations-- the Student Loan Fund, Inc. and the University Alumni and Faculty Club, Inc. - include the WSU Golf Course, the University Club, Marcus Center, and various property holdings in the immediate environs of the campus. The Board manages these properties and receives funds to promote the educational purposes of the University. A distinctive source of funds for the University is the 1.5 mill property tax levied by Sedgwick County and the City of Wichita, which was established to repay the bonded indebtedness existing at the time the University entered the State System. To the extent that revenues have exceeded this requirement, monies from this source have been devoted by the Board to acquire land needed for campus expansion, increase University student aid, provide faculty enrichment, and conduct institutional studies.

On April 2, 1965, a group of community leaders created the Wichita State University Endowment Association to seek contributions, receive and manage assets, and distribute its income to support the educational goals of the University. The Endowment Association Board of Governors has a membership of 67 persons whose activities are directed by an Executive Committee, Finance Committee, Investment Committee, and Development Committee. In the course of its history, the association has created a substantial endowment, underwritten several major capital projects, and currently expends in excess of \$1 million a year for professorships, fellowships, scholarships, and other University programs.

2.03 / University Administration

The administrative structure of the University includes the officers and supporting staffs of the central administration and the administrative structures of the six colleges, the Graduate School, and University College and Academic Outreach. The university's organizational structure is shown in Figure 1.

2.031 / President

The chief executive officer of the University is the President, who is appointed by and serves at the pleasure of the Kansas Board of Regents. The President has ultimate responsibility for the University's administration. The President is assisted in the administration of the University by a staff that includes various vice presidents.

2.032 / Vice President for Academic Affairs

The Vice President for Academic Affairs has the following specific responsibilities: exercises a coordinating role among the vice presidents and other senior administrative officials to assure that all actions and decisions properly reflect the academic needs and priorities of the institution; assumes the executive responsibilities of the President in his/her absence; works closely with the college deans in all academic matters, including program review and accreditation, new program initiation, and program discontinuance; prepares the academic budgets, advises the President on overall budget

strategies and priorities, including both state and city/county mill levy budgets, assists the President in reviewing proposed development and expenditure of private funds to assure that they reflect the academic needs and priorities of the institution; responsible and in coordination with the college deans, for all faculty personnel matters, including recruitment and retention of faculty, faculty evaluation, faculty development, affirmative action, and conflict resolution; responsible, through the Vice President for Research and Governmental/Business Relations and in coordination with the college deans, for the promotion of research programs of the university and for nurturing their proper relationship to the graduate programs and faculty development; provides active liaison with external agencies and boards, including the Academic Office of the Kansas Board of Regents, its Council of Chief Academic Officers, the WSU Board of Trustees, and the WSU Endowment Association; coordinates the development of an integrated strategic plan for the institution, including programs, budgets, and facilities; responsible, through the Associate Vice President for Enrollment Services, for admissions, financial records, and student records; works with the Faculty Senate, its elected leaders and its committees to assure and maintain an active faculty role in all matters related to the academic policies of the institution.

2.033 / Vice President for Administration and Finance

The Vice President for Administration and Finance is the chief business officer of the University with responsibility for the areas of fiscal management, financial accounting and reporting, business management, and administrative management. Fiscal management includes the responsibility for the University's budget, internal control, audits, and management of investments. Financial accounting and reporting includes the administration of the Controller's Office, development and maintenance of accounting procedures and systems, and preparation of financial reports and analyses. Business management encompasses the operations of Physical Plant, new construction and capital improvements, campus police, purchasing, inventory control, financial management of auxiliary enterprises, business and fiscal advice to the Board of Trustees and athletic association, and insurance and risk management. Administrative management includes the responsibility for administration of personnel management, including faculty and staff benefits and classified employee relations, and administrative responsibility for the Campus Activities Center, the University Post Office, and the Central Service Bureau.

2.034 / Vice President for Student Affairs and Dean of Students

The Vice President for Student Affairs has administrative responsibility for a wide range of programs and services for students. They include Enrollment Management, University College, Orientation, academic advising, Reading/Study Skills Center, Counseling Center, Testing Center, Office of Student Life and Services, Women's Resource Center, and Child Development Center. The Vice President for Student Affairs also oversees University-owned residence halls, fraternities, sororities, and Student Government Association, and has responsibilities in matters of student discipline.

2.035 / Vice President for University Advancement

The Vice President for University Advancement is the University's chief advancement officer. The Vice President has executive responsibility for coordination of private and corporate fund-raising activities and planning and execution of public information, development, and alumni programming activities. The Vice President oversees the operations of the Office of University Relations and Publications, the Alumni Association, the WSU Board of Trustees, and the WSU Endowment Association.

2.036 / Vice President for Research and Governmental/Business Relations

The Vice President for Research and Governmental/Business Relations is responsible for liaison with legislative bodies and governmental agencies as well as for the administration of the Office of Research and Sponsored Programs and the National Institute for Aviation Research.

2.037/President's Executive Council

The President's Executive Council is comprised the President and the Vice Presidents as well as the President's assistant. The group meets weekly.

2.038/President's Cabinet

The President's Cabinet is comprised by the President, the vice presidents, the deans, senate presidents, various directors, and others. The Cabinet meets on a bi-monthly basis.

2.037 / Council of Deans

The Council of Deans serves as a forum for consideration of matters of academic policy. The Council is chaired by the Vice President for Academic Affairs and is composed of the academic deans, the deans of University College, Continuing Education Services, the Library, Graduate School and others specified by the Vice President.

2.04 / College Administration

2.041 / Deans

The chief administrative officer of each degree-granting college is a Dean, who is responsible to the Vice President for Academic Affairs for the leadership and general management of the college. Areas of responsibility of the Dean include: college program development and future planning; determination of the educational, fiscal, and physical plant needs of the college; development of the budget for the college; formulation of college-level recommendations concerning salary, appointment, assignment, promotion, and dismissal of faculty and staff, based in part on the prior recommendations of chairpersons; and representation of the college and its programs both within

the University and before professional and community groups. The Dean is aided in carrying out administrative responsibilities by one or more associate or assistant deans. The management of the college is exercised largely through department chairpersons.

2.042 / College Handbooks and Governance Documents

Within the framework of University policies, many aspects of college governance are "local" in the sense that they have been established by administrative or faculty action at the college level. Faculty handbooks have been developed by a number of the colleges to provide detailed information regarding college procedures, regulations, policies, and practices. In some colleges other documents may need to be consulted. Where policies in college handbooks and governance documents differ from policies explicitly stated in this University Handbook for Faculty, the University policies govern.

2.05 /Departmental Administrations

2.051/Chairpersons

The six undergraduate degree-granting colleges are organized by departments headed by chairpersons. A statement of University-wide policies and procedures on the role, selection, review, and evaluation of department chairpersons has been adopted by the University faculty.

2.052 / Chairperson Policies and Procedures

Title of the Office:

The term "chairperson" as opposed to "head" is used herein to suggest consultative and open administrative procedures.

Role of the Chairperson:

Appropriate functions of the chairperson include the following duties:

Academic Leadership:

To inspire and to facilitate departmental staff action that identifies and moves effectively toward the realization of goals of the department.

To create and maintain an environment conducive to continuous departmental development by employing carefully considered and highly selective recruitment practices and by encouraging and facilitating professional growth in all members of the staff.

Representation:

1. To represent to appropriate groups beyond the departmental staff, such as students, college administration, university administration, and the general public, the academic, professional, and economic needs and interests of the department and its staff.

2. To represent to the staff the interests of identified relevant groups beyond the departmental staff, such as university administration, college administration, students, the academic discipline, and the general public.

Budget:

To act on all budgetary matters of the department in consultation with representative staff and the Dean.

Personnel:

To act on personnel problems of the department, and, in consultation with representative staff, to make decisions on or transmit to the Dean recommendations regarding:

- | | |
|---|------------------------------|
| a. Assignment of staff | d. Tenure |
| b. Evaluation of staff | e. Promotion |
| c. Level and equity of financial reward | f. Non-renewal of employment |

The role of the chairperson is important to the well-being, morale, and development of the professional staff and to the operation of the University. The departmental staff, the Dean, the Vice President for Academic Affairs, and the President all share an interest in developing and following procedures to facilitate the selection of chairpersons who will foster the highest standards of professional performance, or when necessary, infuse new life into a department. Thus, the Committee recommends that the following procedures be utilized in the selection, appointment, and evaluation of chairpersons.

Term of the Chairperson:

The term of the chairperson shall be set by a majority of the departmental electorate at not less than three years nor more than five years. The chairperson may serve more than one successive term on the vote of a majority of the departmental electorate. A chairperson shall have the prerogative of resigning the office at any time, with reasonable notice. The departmental electorate may, by a petition signed by a majority of the total electorate, ask the Dean to consider removal of the chairperson, but in no instance shall such request be made prior to the first annual evaluation of the chairperson. If so requested, the Dean shall initiate a hearing. If an agreement cannot be reached, procedures stated under "IMPASSES" below shall be followed.

The Dean may request, at any time, for good and sufficient reason, that the department consider removal of the chairperson. When removal is considered, the chairperson shall be accorded an opportunity for a full hearing, before the electorate and the Dean, on his or her alleged shortcomings and have opportunity to respond.

A majority vote of the department electorate is required to support removal from office. If an agreement cannot be reached, procedures stated under "IMPASSES" below shall be followed.

Nothing in this document shall preclude the President of the University from removing a chairperson from the position and/or appointing an interim chairperson if the President is convinced, beyond

reasonable doubt, that the integrity of the University and its effective functioning requires such action and if the President has explored the situation, insofar as time permits, with faculty members and the chairperson of the department involved, and with the Dean and appropriate committees of the college in which the department is housed. In keeping with the consultative spirit of this document, it is recommended that in reaching such decisions the President also seek the advice, insofar as practicable, of representatives of faculty and administration.

In the event of termination of a chairperson (due to completion of the term of office, resignation, or removal), he or she shall be accorded the same professional rights as any other faculty member of like academic status.

If it is necessary to appoint an acting or interim chairperson for longer than one semester, the Dean shall make the appointment, except that on petition of a majority of the departmental electorate, he or she shall institute the same selection procedure as is used in naming a chairperson for a full term. If the appointment of an interim or acting chairperson is for a semester or less or for serving for a chairperson who will return to his or her position, the Dean and the regular chairperson shall decide on the interim appointee.

Electorate:

The electorate for nominating a department chairperson shall as a minimum include all full-time professors, associate professors, assistant professors, and tenured instructors, at least 50 percent of each of whose university duties are rendered within the department. This group may, by majority vote, establish as a policy the extension of the electorate to (but no farther than) all those in the department enfranchised to vote under Faculty Senate rules.

The electorate defined above may, by majority vote, assign the function of nominating a slate of candidate(s) for chairperson to a Committee of its choosing. In the final choice of a nominee or nominees, the total electorate shall be accorded the right to vote. Under no circumstances shall a faculty member who has tendered his or her resignation or is serving in the last year of a terminal appointment be accorded the right to vote on nominees for chairperson.

The Dean shall ensure that the electorate is convened only after due notice.

On convening, the electorate shall choose a presiding officer to serve until the selection of a chairperson is completed.

Eligibility for Chairperson:

No eligibility requirements as to age or length of university service are recommended. However, in no instance may a nominee for the position of chairperson be of a rank less than assistant professor, but the electorate may by majority vote establish a policy further limiting eligibility requirements.

Impasses:

In the event of an impasse between the Dean and the departmental electorate over the selection or removal of a chairperson, the Dean shall meet with the entire departmental electorate, give reasons

for and discuss his or her position regarding the decision, and respond to questions and discussion from the faculty. An attempt shall be made to find a mutually acceptable solution.

Failing a solution, the departmental electorate shall proceed through the nomination procedure a second time and make a nomination or nominations to the Dean.

If an impasse persists, the issue shall be submitted for fact finding and mediation to an ad hoc committee of five persons. This committee shall consist of one person named by the Dean, one person named by the departmental electorate, and three persons named from the full-time teaching faculty of WSU, by the two previously appointed representative members. If the fact-finding and mediation activities of the committee do not resolve the impasse, the committee will transmit its findings of fact and its recommendations, which shall be made public, to the Dean, to the President, and Vice President for Academic Affairs for their action. In addition, a vote by secret ballot shall be conducted among the department electorate to determine the number that support or oppose the recommendation of the Dean. The record of this vote shall accompany the recommendation. Any member or group of the electorate shall be accorded the opportunity to make a statement in writing, support or opposing the recommendation, to the Vice President for Academic Affairs.

Evaluation of the Chairperson:

There shall be an annual, anonymous, written evaluation of the performance of chairpersons by the electorate of the department as previously defined. The evaluation instrument shall include questions submitted by the Dean, by the chairperson, and by representatives chosen by the departmental electorate from its membership. The results of the evaluation shall be available to the Dean and to the chairperson; on the initiative of the chairperson, the results may be made available to others whom he or she designates.

Appointment Procedures:

The electorate of a department recommends a nominee to the Dean of the college. The Dean, with the concurrence of the Vice President for Academic Affairs, unless there is an impasse, may proceed to appoint the individual as chairperson of the department.

Addenda, Exceptions, and Implementation:

Addenda: In all votes provided for under the above procedures, measures shall be taken to ensure the anonymity of every voter.

In the event that a new department is created and has no staff, the Dean shall have the prerogative of appointing the initial chairperson for a term not to exceed three years.

In the departments with an electorate of five persons or fewer, departures from the stated procedure may be made. In such instances the Dean shall utilize methods that conform to the spirit of democratic and consultative procedures implicit herein.

Implementation: All provisions stated herein shall be in full force and effect upon approval by the

University faculty.

2.053 / Public Employee Relations Board Unit Determination Decision

In response to petitions from organizations and faculty members, the Kansas Public Employee Relations Board, in Case 75-UD-1-1980, held hearings to determine the appropriate bargaining unit for WSU faculty if, in the future, the WSU faculty choose to form a union and engage in the "meet and confer" process. The decision dated September 1981, is set out below.

The appropriate bargaining unit of the faculty of Wichita State University, subject to the provisions of certain joint stipulations regarding Directors, academic assignments, part-time, and temporary faculty shall be comprised in the following manner:

(a) **INCLUDE:** All unclassified personnel with the faculty ranks of instructor or higher, whose duties are 50% or more teaching and/or research and/or library or media service.

(b) **EXCLUDE:** University president, vice presidents, assistant and associate vice-presidents, deans, assistant and associate deans, department chairpersons, the registrar, and all others not specifically listed in (a) above.

2.06 / University Advisory Committees

2.061/University Budget Committee

Composition: 7

- Vice President for Administration & Finance, Chair
- Vice President for Academic Affairs
- Member from the Council of Deans
- President of the Classified Senate
- President of the Faculty Senate
- President of the Student Government
- President of the Unclassified Professional Senate

Staff Resource: Associate Vice President for Administration & Finance and Director of Budgets

Charge: The purpose of and the charge to the University Budget Advisory Committee is to offer advice and comment on the priorities and policies in the Legislative Budget, the Operating Budget, and the Mill Levy Budget. The University Budget Advisory Committee reports its advice and comment to the President of the University. In turn, the University budget Advisory Committee communicates to the constituencies of the members of the committee the results of its advice and comment as well as the policies and priorities that have been adopted by the President.

2.062/Committee on Athletics

Composition: 9

6 Faculty: Full-time members of the university teaching faculty. No more than two members from one college.

1 Administrator

3 Students

3 Community

1 Athletic Director or designee (ex officio & non voting)

Selection: Standard for five (5) faculty members, after consultation with the President of the university. One faculty member appointed directly by the President. Administrator and community members appointed by President, three (3) students appointed by SGA after consultation with President of the university.

Charge: Advises the Director of Athletics. Its members, including ex officio members, constitute the faculty representatives to the Intercollegiate Athletic Association, Inc.

2.063 / University Alcohol/Substance Abuse Advisory Board

The University Alcohol/Substance Abuse Advisory Board has been established in an effort to complement the current campus community and city education efforts in the area of alcohol/substance abuse and to address the prevention, identification, and treatment needs of Wichita State University students, faculty, and staff. The individuals on the Board shall serve in an advisory capacity. The three focus sub-committees shall coordinate the activities of the Board in the areas of Education, Policy Recommendations, and Resource Development. These sub-committees may involve other resource persons from the campus and community as needed.

2.064 / Regents Distinguished Professorships Panel

When a Regents Distinguished Professorship becomes available, the Vice President for Academic Affairs will initiate a process of consultation to solicit nominations of disciplines or specialties for a new appointment. Selection of disciplines to be considered for receipt of the Regents Distinguished Professorship at Wichita State University shall be conducted through a nomination and review process conducted by the WSU Regents Distinguished Professor Panel. The review process will be informed by Board of Regents criteria (II, F, 4, a, (2), (a-1) and will result in the recommendation of at least two departments or disciplines for consideration to the Vice President for Academic Affairs, who will in turn forward them to the President for final disposition.

The Panel is charged with establishing and implementing a process to solicit campus wide nominations and justification of disciplines or specialties to be considered for housing the Regents Distinguished Professorship at Wichita State University. Regents criteria and the University mission shall be used to inform nominations. Upon receipt of nominations, the Panel shall review them with

or without the aid of external consultants for consistency with Regents guideline and WSU mission and resources, and will formulate recommendations about departments which should receive further consideration.

2.065 / University Computing and Telecommunications Center Advisory Committee

The Management Information Systems (MIS) Advisory Committee will advise and make recommendations to the Director of the Computing Center (or the Data Base administrator) concerning all aspects of the data base development and use, including: data base management, integration, use of data bases, networking, and communications. Committee membership consists of representatives from Advancement, Deans' Council, Enrollment Services, Library, and Student Affairs; a faculty representative expert in MIS; and eight administrative offices representatives. Members are appointed by the Vice President for Academic Affairs.

2.066 / KMUW Radio Advisory Committee

The purpose is to advise the Director on programming and policy decisions in accordance with the mission of KMUW. Members are appointed by the President.

COMPOSITION: 12 members: 3 Faculty, 3 Students, 5 Community representatives, Director, KMUW (Ex Officio & Non-voting)

SELECTION: Nominees will serve upon appointment by the President of the University. At least three nominees will be provided for each available position. Nominees should reflect the diverse needs and interests of the community served by KMUW Radio and should demonstrate a broad understanding of the needs and interests of the university or the community.

CHARGE: Available from the Director of KMUW.

2.067 /Library Appeals Committee

Composition:

Classified Staff	2 members	2 alternates
Faculty	2 members	2 alternates
Students	2 members	2 alternates
Unclassified Professionals	2 members	2 alternates
Univ. Administration	1 member appointed by President	

Selection:

Each Senate appoints two members and two alternates from their constituencies.

Charge:

The Library Appeals Committee shall hear and rule on appeals filed by Wichita State University personnel and students arising from loan policies of the Wichita State University Library.

2.068 / Traffic Appeals Committee

Composition:

Classified Staff	2 members	2 alternates
Faculty	2 members	2 alternates
Students	2 members	2 alternates
Unclassified Professionals	2 members	2 alternates
Univ. Administration	1 member appointed by President	

Selection:

Each Senate appoints two members and two alternates from their constituencies.

Charge:

The Traffic Appeals Committee shall hear and rule on appeals filed by Wichita State University personnel and students arising from traffic policies of Wichita State University.

B / UNIVERSITY GOVERNANCE

Faculty participation in University-wide governance involves the University faculty, the Faculty Senate, and the graduate faculty, as well as numerous committees. The role and participative characteristics of these elements of University governance are outlined on the following pages.

2.07 / General Faculty Meetings

The traditional governance role of the University faculty has been maintained despite growth in the size of the faculty and the volume of faculty business. The University faculty continues to conduct important business in meetings of the entire faculty, but these meetings are not the sole forum of the faculty. In 1964 the organizational structure of the faculty was enlarged to provide for a representative body, the University Senate. The University Senate was changed to the Faculty Senate beginning with the 1987-88 academic year. The Senate and its committees are delegated a major governance role with a charge to "deliberate and recommend on matters committed to the faculty and on any matter of an internal faculty nature." Recommendations of the Faculty Senate on matters requiring faculty action are reported to the entire faculty for action.

2.071 / Bylaws of the General Faculty Meetings

The rules that govern meetings of the University Faculty are those adopted by the Faculty on May 1, 1991, which were derived substantially from rules adopted by the Faculty on October 31, 1956, and amended on August 25, 1970, and thereafter. The Bylaws of the General Faculty of Wichita

State University appear below as amended March, 1991.

I. MEMBERSHIP. Faculty eligible to vote at General Faculty Meetings (hereinafter designated as Faculty Meetings) referred to in these by-laws are those holding half-time or more appointments at the rank of instructor or higher in which the primary duties are fifty percent or more teaching, research, or library services.

II. OFFICERS. The Presiding Officer at all Faculty Meetings shall be the Vice President of the Faculty Senate. In the absence of the Vice President, the Agenda Committee shall designate a Temporary Presiding Officer. The Faculty shall elect a Secretary at the first Faculty Meeting of the academic year. The Presiding Officer may appoint a Parliamentarian for the Faculty Meeting. The Presiding Officer shall not participate in substantive debates of the Faculty Meeting. The Agenda Committee for the Faculty Meeting is the Executive Committee of the Faculty Senate.

III. REGULAR FACULTY MEETINGS.

A. NUMBER. There shall be two (2) Faculty Meetings during an academic year. This does not preclude the calling of additional meetings, if the necessity arises, nor the cancellation of a meeting if no topics are available for the agenda. The Agenda Committee shall call all Faculty Meetings by its own authority and shall control the agenda, except as noted below.

B. NOTICE. At least ten (10) calendar days before a Faculty Meeting, each member of the faculty shall be furnished with the agenda of topics to be considered at the meeting. In the case of the categories listed below, there shall be included with the agenda a detailed statement of any proposals to be submitted.

1. Fundamental Principles of Academic Policy, such as additions, changes or deletions of degrees; changes in university wide requirements for graduation; changes in regulations relative to grading, probation, examination, attendance, etc.

2. Items associated with Faculty Welfare, such as retirement, hospitalization, tenure, promotion, matters involving contributions to funds.

3. Changes in University Mission.

4. Changes in the Organization of the Faculty.

C. ADDITIONS TO THE AGENDA

1. In the case of an item on the agenda not included in the categories listed above, any Faculty Member shall, upon written request made to the Agenda Committee, be furnished with the details of that agenda item.

2. An individual Faculty Member may request the Agenda Committee to place a topic on the agenda for the next Faculty Meeting. Upon written request of twelve (12) or more Faculty Members, an item shall appear on the agenda for the next Faculty Meeting. Such requests shall be filed with the Agenda Committee at least 21 days in advance of the next Faculty Meeting.

IV. QUORUM. A quorum is the number of faculty present at the Faculty Meeting. For discussion or voting on items presented at a meeting as non-agenda items, a quorum of one-third of the eligible Faculty Members is required.

V. LENGTH OF MEETING. No Regular or Special Faculty Meetings shall last longer than ninety (90) minutes, unless such Meeting shall be extended by a two-thirds vote of those present.

VI. RULES OR ORDER. Robert's Rules of Order shall apply; if, however, a conflict exists between this document and Robert's Rules of Order, this document shall supersede.

VII. MINUTES. Each Faculty Member shall be furnished a copy of the official Minutes of Meetings.

Faculty Defined: Faculty members eligible to vote at General Faculty Meetings are those holding half-time or more appointments at the rank of instructor or higher in which the primary duties are fifty percent or more teaching, research, or library service. Eligible faculty are the same as those qualified to vote in Faculty Senate elections.

2.08 / Faculty Senate

The Faculty Senate serves as a forum for the major constituencies within the University. Rules of the Senate provide for meetings on the second and fourth Mondays of each month during the academic year. Meetings are open to the University community except for executive sessions.

2.081/ Constitution of the Faculty Senate

The Constitution of the Faculty Senate determines the selection and composition of the Senate, its organization, and rules, and procedures for amending the Constitution. The full text of the Constitution, as amended through May, 1991 follows.

CONSTITUTION - FACULTY SENATE ARTICLE I

Composition and Selection

Section 1. The Faculty Senate shall be composed of elected members of the teaching/research faculty, department chairpersons, and academic program directors as described under (a), (b), and (c), below; and ex officio members as described under (d) and (e), below.

(a) The teaching/research faculty include all those holding half-time or more appointments at the rank of instructor or higher in which the primary duties are 50 percent or more teaching, research, and /or library service. Eligible members of the faculty also serve as the electorate.

(b) For purposes of representation, Faculty Senators shall be allocated on the basis of a proportional system, with 1 Senator for each 12 faculty members, rounded to the nearest integer. It is the responsibility of the Senate Rules Committee, in consultation with appropriate administrative officials, to determine the number of representatives from each area, prior to the elections.

Senators will be elected from the following areas: Colleges of W. Frank Barton School of Business, Education, Engineering, Fine Arts, Health Professions, and Liberal Arts and Sciences; Ablah Library; the Center for Urban Affairs; and University College.

Each area will determine the distribution of its representation on the basis of subdivisions or departments.

(c) Four Faculty Senators will be elected at large, but not more than 2 from any one area. This regulation does not preclude the election of senators to represent areas, as described in (b) above.

(d) The President of the University, or his/her representative in the person of the Vice President for Academic Affairs, is an ex officio, non-voting member of the Faculty Senate.

(e) The President of the Student Government Association is an ex officio, non-voting member of the Faculty Senate.

(f) Upon assuming office, the President of the Senate begins a two year term as an At-Large Senator. If the President's previous elected term has not expired, it will be filled by election.

Section 2. 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 two members to be elected each year.

Section 3. Regular election to the Senate shall be for a term of two years. Senators are eligible for re-election.

Section 4. 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 Senator at Large. A total of six nominations is required to place a nominee on the At Large ballot. The Rules Committee will conduct an election to fill the Senator at Large positions by distributing ballots showing those persons nominated.

Section 5. Each year, subsequent to the At Large election described in Section 4, the Rules Committee will distribute to the members of each area mentioned in Article I, Section I, paragraph (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 area will be solicited and the Rules Committee will distribute ballots to the members of each area listing the nominees. The Rules Committee will determine the need for run-off elections.

Section 6. Terms of elected members will be calendar years beginning June 1.

Section 7. 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 8. A senator who leaves the area from which elected 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 9. The Executive Committee of the Senate has the responsibility of consulting with any senator who has a record of poor attendance at Senate meetings. After consultation with the senator, the Executive Committee can recommend to the Senate dismissal of the senator. A two-thirds vote of the Senate is required for dismissal.

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 service as President-Elect, this officer becomes President of the Senate. In the year after serving as President, a Senator becomes Past President.

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

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 area.

Section 4. The Senate shall determine its own rules of procedure, including time and place of meetings, and the form of reports.

ARTICLE III

Authority of the Senate

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 concern to the faculty.

Section 3. The Standing Committees shall report in the manner specified by the Faculty Senate Rules.

Section 4. The Senate shall create and delete faculty standing committees and shall select their membership.

Section 5. Action of the Faculty Senate is final, unless twelve or more faculty members representing at least three departments and two colleges request the Vice President for Academic Affairs to place a topic on the agenda for the next faculty meeting. Such requests must be filed at least two weeks in advance of the called-for meeting of the faculty.

ARTICLE IV

Amendments

Section 1. An amendment to this instrument can be proposed by any member of the Senate or by any faculty member. If the amendment is proposed by no fewer than twelve faculty members, the Executive Committee must place it 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 twelve 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.

Academic Services: Academic Services includes teaching/research faculty not included in any other area.

Administration: Administration includes all those persons who hold the title President, Vice President, Associate Vice President, Assistant Vice President, Associate Dean, Assistant Dean, Directors of all non-academic programs including, but not limited to, the Director of the Computing Center, Director of the Office of Research Administration, Director of Physical Plant, the Registrar, and Director of Cooperative Education.

Area: Area refers to one of the following units: W. Frank Barton School of Business, College of Education, College of Engineering, College of Fine Arts, College of Health Professions, and

Fairmount College of Liberal Arts and Sciences; Ablah Library, Hugo Wall Center for Urban Studies, and University College.

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

Faculty: Faculty refers to the teaching/research faculty as described in Article I, Section 1, paragraph (a).

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

2.082/ Senate Committee Structure

Much of the work of the Senate is done through its committees. The composition, selection procedures, and charge of each committee are listed in the Appendices; the full statement of rules that govern standing committees of the Senate is available from the Senate Office.

In addition to the Senate's standing committee structure, ad hoc committees may be formed to address major issues arising at the University.

STANDING COMMITTEES OF THE FACULTY SENATE

ACADEMIC AFFAIRS COMMITTEE

Composition: 7

6 members chosen from among the ten Senate categories.

1 Student

Selection: Standard

Charge: The Academic Affairs Committee:

1. Reviews existing policies governing academic affairs and proposals for curricular change or development.
2. Recommends new or changed policies concerning academic affairs to the Senate. This includes, but is not limited to, reviewing and making appropriate recommendations regarding college proposals for curricular change or development, university-wide academic standards and practices, and administrative practices and policies likely to have an impact on existing academic programs and practices.
3. The Academic Affairs Committee shall have the power to interpret existing academic policy and resolve disputes over diverse interpretations of the policy.

COURT OF ACADEMIC APPEALS

Composition: 5

3 Faculty chosen from among the 8 faculty divisions

2 Students

Alternates: 3 faculty, 4 students

Committee may use former members if necessary

Selection: Standard; faculty justices must be tenured and must be members of the graduate faculty. They shall serve three-year staggered terms and shall represent different Senate divisions. The Committee shall also have two student members plus four student alternate members. Two of the alternates must be graduate students. Cases involving graduate students must be heard by graduate students.

Charge: Operating according to the procedures stipulated in the Senate meeting of March 11, 1985, the Academic Appeals Committee makes the final decision on cases appealed to it regarding students' requests for a change of grade, or other matters regarding academic requirements which a student can challenge.

EXCEPTIONS COMMITTEE

Composition: 7

4 Faculty chosen from among the 8 faculty divisions

1 Student

1 Administrator-Vice President for Student Affairs (non-voting)

1 Admissions Representative (non-voting)

3 Alternates chosen from the 8 faculty divisions

The Committee may use former members if necessary.

Selection: Standard

Charge: The Exceptions Committee is concerned with policies and related procedures regarding admission to the University and exceptions to existing University rules it considers:

1. Applications for admission of students who do not meet University standards for admission, and
2. Exceptions to existing rules for students requesting them.

Reports to the Senate, as required under the Standard Charge to all Policy Committees, shall include recommendations made to appropriate administrative persons and actions taken by those persons.

EXECUTIVE COMMITTEE

Composition: 8 members

President, Vice President, President-elect, Secretary of the Senate, Past President
2 Senators elected by the Senate
1 Appointment by the Senate President

Charge: The Executive Committee sets the agenda for all Senate meetings and reviews all changes to the Faculty Handbook.

1. The Executive Committee may schedule matters on the Senate agenda at its discretion.
2. The Executive Committee receives policy recommendations from appropriate Senate Committees and decides which policy recommendations require full Senate review.
3. Any Senator or member of the University community may request that the Executive Committee consider a matter for possible inclusion on the Senate agenda. The Executive Committee may decide to include such matters on the Senate agenda, to refer such matters to a Senate Committee for its consideration, to establish ad hoc committees to consider such matters, to dismiss such matters, or take other appropriate action. In all cases the Executive Committee will notify petitioners of the disposition of their petitions.
4. An item shall appear on the agenda for the next meeting upon written request of five or more senators representing at least three Senate divisions.
5. The Executive Committee will review all proposed changes to the Faculty Handbook other than those recommended by the Senate.

FACULTY AFFAIRS COMMITTEE

Composition: 7

7 Members chosen from among 10 Senate categories.

Selection: Standard

Charge: The Faculty Affairs Committee deals with the relationship between the WSU faculty and the University and the State of Kansas. Specific areas of responsibility are:

1. Terms of employment, tenure policies, tenure and promotion guidelines, salary, fringe benefits, retirement, life insurance, health insurance, sabbatical leave procedure, faculty benefits and responsibilities, dismissal policies, conflict of interest policies.
2. Issues of faculty status within the University.
3. Academic freedom policies of the University and the State, including review of current policies, recommendations for changes, and review of any changes proposed by the University or State Regents' administration.

FACULTY SUPPORT COMMITTEE

Composition: 11 members

- 9 Faculty and Academic Services representatives who are members in full standing of the Graduate Faculty and who represent each of the 8 faculty divisions and the unit of Academic Services.
- 1 Vice President for Research (ex officio-non voting)
- 1 Vice President for Academic Affairs (ex officio-non voting)

Selection: Standard

Charge: The Functions of the Faculty Support Committee shall be:

1. To review and act upon requests for institutional support of individual, departmental, and college research proposals, and allocate resources available for this purpose.
2. To assist the Vice President for Research and Dean of Graduate Studies in the consideration of overall institutional policy governing the award criteria and management of University research grants, including the supervision of policies relating to the right of human subjects, patents, and publications.
3. To review applications for sabbatical leave and forward recommendations on the applications to the Vice President for Academic Affairs.
4. To continuously review the University guidelines on sabbatical leaves and make recommendations for changes as appropriate.
5. To review and act upon requests for institutional support of teaching and allocate resources available for this purpose.
6. To assist the Vice President for Academic Affairs in planning new faculty orientation. The structure and organization of the orientation shall be reviewed by the Committee at least once every three years.
7. To identify faculty who are willing to help other faculty who wish assistance with teaching or research.
8. To recommend to the Vice President for Academic Affairs ways to recognize excellence in teaching and research.

GENERAL EDUCATION COMMITTEE

Composition: 10 members

6 non-voting ex officio members

Voting members: Representatives of Barton School, College of Education, College of Engineering, College of Fine Arts, College of Health Professions, LAS Divisions of Humanities, Math/Nat Science, and Social Science, and two students.

Non-voting members: Director of English Basic Skills, Director of Mathematics Basic Skills, Director of Communications Basic Skills, Representative of Library, Representative of

University College, and General Education Coordinator.

Selection:

Voting Members: Nominated by Rules Committee, approved by Senate for staggered three year terms. May not be reappointed until after a three-year waiting period.

Students: Appointed by SGA

Basic Skills, Library, University College Representatives: Departments which teach Basic Skills courses shall appoint a Director (or equivalent) who will serve as a non-voting representative to the committee. The Library and University College will each appoint a representative.

Coordinator of General Education: The Coordinator of General Education will be appointed by the Vice President for Academic Affairs for a three-year term and may serve no more than six consecutive years. The VPAA will select the Coordinator from a list of three nominees recommended by the General Education Committee. The search process for the Coordinator of General Education will be directed by the VPAA in consultation with the General Education Committee.

Charge:

1. Oversee the operation of the General Education Program as adopted by the faculty, advise the General Education Coordinator, and participate in the annual evaluation of the General Education Coordinator;
2. Enforce the provisions of the General Education Program, including
 - a. Determining the number of core courses offered by departments;
 - b. Regarding Issues and Perspective courses:
 1. Refine and develop the concept of Issues and Perspectives courses according to the guidelines approved by the faculty,
 2. Develop guidelines and actively solicit proposals for Issues and Perspectives Courses,
 3. Approve proposed Issues and Perspectives Courses;
3. Develop and implement, in concert with the Coordinator of General Education, the assessment process for basic skills, core, Issues and Perspectives courses;
4. Develop, implement, and assess, in concert with the Coordinator of General Education, the across the curriculum component of the General Education Program;
5. Recommend changes to the program when necessary. Proposed changes will be considered by the Faculty Senate; major changes shall automatically be sent to the General Faculty for approval;
6. Develop and coordinate the General Education advising process;
7. Work with the Coordinator to develop the annual report on the assessment of General Education;
8. Report at least annually to the faculty through the Faculty Senate regarding:
 - a. The current core course offerings, including lists of courses and enrollments;
 - b. The current Issues and Perspectives course offerings, including lists of courses and

- enrollments;
- c. Any changes in the list of core courses and Issues and Perspectives courses;
- d. Results of assessment of general education courses;
- e. The extent of implementation of Issues and Perspectives courses;
- f. Any problems or difficulties regarding the program, with recommendations for improvement.

HONORS COMMITTEE

Composition: 7

- 1 Director of Honors Program
- 5 Faculty members chosen from among 8 Senate divisions and University College
- 1 Student

Selection: Standard

Charge: The Honors Committee is concerned with policies and related procedures affecting the Honors Program for the academically talented student.

- 1. It counsels the Director and reviews the Director's activities.
- 2. It recommends changes in the rules under which the program functions.
- 3. It considers applications by students who want to undertake independent study leading to a degree with departmental honors.
- 4. The Honors Committee will review and recommend to the Senate all curricular changes for the Honors Program other than routine course proposals and changes. (3-89)
- 5. The Honors Committee will review and approve catalogue copy for the Honors Program. (3-89)

Reports to the Senate, as required under the Standard Change to all Policy Committees, shall include recommendations made to and actions taken by the Honors Coordinator.

LIBRARY COMMITTEE

Composition: 7

- 6 members chosen from among 10 Senate categories.
- 1 Student

Selection: Standard

Charge: The Library Committee:

- 1. Recommends changes in Library policy.
- 2. Reviews policies which relate to the Library.
- 3. Reviews and makes recommendations to the administration of the Library about the allocation of their acquisition budgets.

RETRENCHMENT ADVISORY AND APPEALS COMMITTEE

Composition: 9 members

7 Chairpersons of the Advisory and Appeals Committee for Retrenchment for each of the Colleges and for Academic Services

1 Student

1 Ex officio: University Affirmative Action Officer (non-voting)

Selection: Chairpersons of Advisory and Appeals Committee for Retrenchment are chosen according to the same procedures used in selecting Tenure and Promotion Committee chairpersons or by other procedures adopted by the faculty of the college or academic services staff.

If a college elects the membership of its Tenure and Promotion Committee and of its Retrenchment Committee, separate elections must be held for each committee. Overlapping membership will be permitted, if it arises out of separate elections.

If some portion of the membership of the Tenure and Promotion Committee of a college is appointed, and/or if some portion of the membership of the college's Retrenchment Committee is appointed, then no more than half of the members of either committee may simultaneously be members of the other. The Rules Committee has the authority to grant an exception to this regulation for a particular college, if such a request for exception can be justified.

Charge:

1. a) To regularly review the status of the university and its component parts in relation to those aspects relevant to possible financial exigency.
b) To participate in preventive planning for the university prior to a declared exigency.
c) To review university and college plans for retrenchment should a declaration of financial exigency be necessary.
d) To serve as an appeals committee during periods of financial exigency as described in the "Policies and Procedures for the Reduction of Unclassified Staff for Reasons of Financial Exigency" document adopted by the University Faculty September 15, 1980, or as amended.
2. Planning during non-crisis periods
 - a) Biannual review of the current status and future projections for the University by the President and/or Academic Vice President with the University Committee and others as appropriate.
 - b) The chairperson of the University Committee shall be involved regularly in discussions with the university administration regarding university financial status, especially at time of budget hearings.
 - c) Review and consideration of policies such as early retirement or semi-retirement, shared positions, faculty retraining and faculty reassignment which could help avoid declaration of financial exigency.
3. During a period of financial exigency function as stated in the "Policies and Procedures

for the Reduction of Unclassified Staff for Reasons of Financial Exigency" document adopted by the University Faculty September 15, 1980, or as amended.

FACULTY SENATE PLANNING AND BUDGET COMMITTEE

Composition: 8 members

- 1 Faculty Senate President
- 1 Faculty Senate President-Elect
- 6 Members elected from the Faculty Senate (three-year-term)

Selection: Standard for the six members elected from the Faculty Senate, two to be elected by the Senate each year to serve a three-year-term. Each of the elected members must be from a different Senate division.

Charge: The functions of the Faculty Senate Planning and Budget Committee shall be to:

- 1) identify and define the most appropriate avenues for faculty participation in the university planning and budget processes;
- 2) advise the faculty representatives to a university budget committee (President and President-Elect) on faculty concerns and priorities related to budget policies;
- 3) review all matters relating to university planning, budgets and expenditures, including budget policies and assumptions;
- 4) provide input from the faculty point of view into the strategic planning process of the University, through direct participation in appropriate university-level planning groups or discussions;
- 5) participate in the development of the legislative budget request;
- 6) meet and confer with representatives of the Board of Regents and state agencies as they may request;
- 7) review the revision/reallocation which occurs after the legislature determines the actual budget allocation to the University, including the allocations of salary increase funds held by the Vice President for Academic Affairs.
- 8) provide the Faculty Senate with regular reports on the activities of the committee, including reports regarding developments in the planning and budget preparation process;
- 9) make recommendations to the Faculty Senate and to the administration in matters related to university planning and budgets.

Staff: The work of this committee will be supported by a half-time graduate assistant position in the Faculty Senate budget.

RULES COMMITTEE

Composition: 7 members

- 4 chosen from among 8 faculty divisions and Academic Services.

Vice President of the Senate
President Elect of the Senate (Chair)
1 Student

Selection: Standard

Charge: The Senate Rules Committee:

1. Recommends changes to the Senate rules and constitution to the Senate and updates the rules and constitution to reflect changes passed by the Senate.
2. Recommends changes to the bylaws of the University Faculty and updates the bylaws to reflect any changes made.
3. Recommends to the Senate procedures and policies for the Senate elections, and conducts the elections (Vice President of the Senate).
4. Recommends to the Senate changes to the Senate committee structure and changes in the procedure for appointing faculty, administrators, and staff to these committees, and nominates candidates for the committees to the Senate for its approval. In making nominations the committee is not restricted to nominations from Senate categories or committee preference forms, but should strive to create the strongest and most effective committees. (Vice President of the Senate)
5. Reviews and suggests changes in the faculty grievance procedure and coordinates the implementation of the University Grievance Procedure.
6. Interprets the rules and constitution of the Senate.

SCHOLARSHIP AND STUDENT AID COMMITTEE

Composition: 7

- 5 chosen from the 8 faculty divisions and Academic Services,
- 1 Student
- 1 Director of Financial Aids (non-voting)

Selection: Standard

Charge: The Scholarship and Student Aid Committee is concerned with policies and related procedures for the awarding of institutional financial aid.

1. It reviews the actions of the Student Financial Planning and Assistance Office
2. It establishes procedures for the selection and termination of major scholarships.
3. It acts as an appeals board for students whose scholarships have been terminated.

Reports to the Senate (which are required under the Standard Charge to all Policy Committees) shall include recommendations and actions taken by appropriate administrative persons.

TENURE AND PROMOTION COMMITTEE

Composition: 12 members

- 6 Chairpersons of Tenure and Promotion Committees in the degree-granting colleges
- 1 Chairperson of the Tenure and Promotion Committee for Faculty unaffiliated with a degree-granting college
- 2 Faculty-at-large
- 1 Student (non-voting)
- 2 ex officio: Vice President for Academic Affairs (non-voting); Dean of the Graduate School (non-voting). Ex officio member shall not be present at the final meeting at which votes are taken.

Selection: Chairpersons of Tenure and Promotion committees in the degree-granting colleges and for unaffiliated faculty are chosen according to procedures established in their respective college or area. They are elected to two-year staggered terms. Faculty-at-large are selected according to standard procedures for naming members to Senate committees, except that they shall be from different degree-granting colleges. Faculty-at-Large serve three year terms.

Charge: The functions of the Tenure and Promotion Committee shall be:

1. To implement university-wide policies and procedures for awarding tenure and promotion. This shall include such items as:
 - a. Tenure and Promotion Calendar.
 - b. The format for documentation in support of Tenure and Promotion Review with a view to developing comparable standards throughout the University while recognizing essential college differences.
 - c. Transmittal, reporting, and appeals procedures.
 - d. Consideration of information to be provided by the Administration, when the committee requests it, about patterns of promotions related to time in grade; promotion projections based on current faculty rank ratios and historical precedent; patterns of promotion across comparable universities; study of changing tenure and promotion guidelines of organizations such as AAUP, NCATE, Regents, and the like; and budgetary restrictions.
2. To ensure that there are University procedures for notifying the relevant administrators and those faculty members for whom tenure decisions must be made before reappointment.
3. To review tenure and promotion cases in accordance with procedures defined in Tenure, Promotion and Appeals Procedure and approved by the University faculty on Nov. 29, 1982.
4. To review each year the University guidelines in light of the various colleges' guidelines.
5. To identify to the Faculty Affairs Committee problems in Tenure policies and Tenure and Promotion guidelines.

TRAFFIC COMMITTEE

Composition: 9

Selection: Standard

Charge:

The Traffic Committee is concerned with policies and related procedures regarding traffic flow and parking for the university. It reviews and makes recommendations about traffic regulations, violations and fee schedules, and appeals procedures.

UNIVERSITY CURRICULUM COMMITTEE

Composition: 11 members

9 Faculty members, one from each of the Faculty Senate divisions

1 Student member

1 Representative of the Office of Academic Affairs (ex officio, non-voting)

Selection: Standard

Charge: The University Curriculum Committee:

1. Reviews and makes recommendations on proposals for new undergraduate degrees and programs when those degrees or programs will not be administered by one of the degree-granting colleges, e.g. W. Frank Barton School of Business, Colleges of Education, Engineering, Health Professions and Fine Arts, and Fairmount College of Liberal Arts and Sciences.*
2. Serves as the curriculum committee for programs and other units which are not covered by a curriculum committee in one of the degree-granting colleges.
3. Hears and resolves challenges concerning curriculum proposals offered by one college or unit but affecting other colleges or units and their curriculum issues involving two or more colleges or units. These challenges can be brought to the committee by one of the college curriculum committees, or can be referred to the committee by the Office of Academic Affairs.

*Procedure for approving degree programs not administered by a degree granting college:

1. Draft proposal is circulated to all departments identified as offering courses in the program. Departments should comment on the effect of the proposal on the department and general academic issues related to the proposal after a full review of the proposal by the departmental faculty. Departments should respond within two weeks of receipt of a proposal for review unless special circumstances justify additional time.
2. Proposers of the program review departmental responses and revise proposal as appropriate.
3. The proposal is submitted to the University Curriculum committee for discussion and

recommendation. The committee will notify the Faculty Senate, the colleges, and relevant departments of its proposed recommendations and provide two weeks in which they may respond before final committee action.

4. The University Curriculum Committees recommendations are forwarded to the Provost for transmittal to the President. After receiving the President's approval, the proposal is submitted to the Board of Regents for its consideration.

DEFINITIONS

1. Area: The term area is used for the 9 areas defined under Section I, (b) of the Senate Rules describing composition.

2. Category: The term category is used for the 10 categories defined under Section II of the Senate Rules describing composition.

3. Divisions: The term divisions is used for the 8 faculty divisions described under Section II of the Senate Rules describing composition.

4. Units: The term units is used for Academic Services and Administration, as used under Section II of the Senate Rules describing composition.

2.083 / Faculty Representative on University Governing Bodies

The Faculty Senate represents the faculty in University governance. The President of the Faculty Senate is the primary spokesperson for the faculty in University governance, as the Senate's designated representative. The President of the Senate is a member of the Council of Deans, a faculty representative to the WSU Board of Trustees, and serves on additional governance bodies as determined by consultation between the Senate and the administration. The President-Elect of the Senate sits as a non-voting member of the Council of Deans and other bodies to assure more effective faculty representation.

2.09 / Graduate Academic Affairs

Graduate academic affairs of the University are the general responsibility of the Dean of the Graduate School, the Graduate Council, and the graduate faculty. Membership on the graduate faculty is obtained by nomination from the department or program involved and approval by the Graduate Council.

2.091 / Criteria for Graduate Faculty Membership

Appointment to the graduate faculty is based on the following general criteria:

Full Membership: Regular faculty members ranking above instructor, with substantial interest in

graduate education, and for whom a demonstrable departmental or program need exists may be nominated for full membership. These faculty members are expected to hold the terminal degree, or its equivalent in training and/or experience (with criteria and documentation supplied in cases for which equivalency is claimed), and be judged qualified to bear all designated academic responsibilities of the graduate program(s) in which they serve. It is expected that significant scholarly or artistic or creative achievement is evident in the academic and professional resume presented in support of nominations and renewals for full membership on the graduate faculty.

Associate Membership: Regular faculty ranking above instructor, with substantial interest in graduate education, and for whom a demonstrable departmental or program need exists may be nominated for associate membership. Associate members will be judged qualified, because of academic and/or professional experience, to teach graduate credit courses and serve on, but not chair, thesis and/or dissertation committees. Normally, new faculty who have not had the opportunity to demonstrate scholarly activity will be nominated for the associate member category.

Acting Ad Hoc Membership: Regular faculty or participating faculty in various temporary or part-time circumstances for whom a demonstrable departmental or program need exists may be nominated for acting ad hoc membership. These faculty members shall be judged qualified, because of academic and/or professional experience, to teach a course (or courses) for graduate credit. Such membership may not exceed the term of one year but may be renewed annually by request and review of the department concerned.

2.092 / Graduate Council

The Graduate Council serves as the elected executive body for the graduate faculty in actions on Graduate School academic matters and in an advisory role to the Dean on Graduate School affairs. The Graduate Council also serves as a committee on exceptions. The Graduate Council is composed of the Dean of the Graduate School, the associate and/or assistant dean(s), ten elected faculty representatives, and one student. Faculty representatives are elected from the following divisions: W. Frank Barton School of Business (2), College of Education (2), College of Engineering (1), College of Fine Arts (1), College of Health Professions (1), and Fairmount College of Liberal Arts and Sciences - humanities, natural sciences and mathematics, and social sciences (1) for each division. In addition, the graduate dean may appoint one at-large member to balance the representation of various types of graduate programs and various categories of graduate faculty members.

2.093 / Doctoral Program Subcouncil

The Doctoral Program Subcouncil exists for the general advocacy of doctoral programs. Membership consists of the Graduate Dean, one representative from each doctoral program, and one member elected from the Graduate Council.

2.10 / Student Government Association

The Student Government Association (SGA) is the primary vehicle for student participation in University governance. All students are automatically members of SGA and enfranchised to participate in the elections of association officers and student senators. The executive authority of the association is vested in its executive officers: President, Vice President, and Treasurer. The legislative authority of the association is vested in the Student Senate, including senators elected from each of the seven colleges and senators elected at large. The Student Senate serves as the principal forum for student views on matters of University policy affecting students. An important function of the Student Senate involves official recognition of student organizations and allocations of student fee money for support of student organizations and activities. Among SGA-sponsored activities and programs are Homecoming, Hippodrome, Parents Day, Free University, Student Ombudsperson, Associated Students of Kansas, and University Information. The Student Senate participates with the SGA President in the appointment of student members of the various Faculty Senate committees.

The judicial authority of SGA is vested in a Court called the Supreme Court. The Court is composed of three faculty members appointed by the President of the University and four student members appointed by the President of SGA and confirmed by the Student Senate. One of the faculty members is designated by the President of the University as chairperson. The term of appointment is three years for faculty members and two years for student members. The Court has jurisdiction over cases arising under the Constitution, statutes, and Bylaws of SGA.

2.11/Policy on Students and Employees with AIDS

Policy Statement: It is the policy of The Wichita State University that students and employees who have AIDS, ARC, or positive HIV tests, will be allowed normal classroom attendance and/or performance of regular duty assignments as long as they are physically and psychologically able. For purposes of this policy, the following terms shall be used: acquired immunodeficiency syndrome (AIDS); AIDS-related condition (ARC), and positive human immunodeficiency virus (HIV) antibody tests. This policy covers illness and conditions related to AIDS, ARC, and positive HIV tests. The University will offer educational programs to students and employees to promote knowledge and prevention of AIDS, ARC, and positive HIV tests.

The University Wellness Council, appointed by the Vice President for Student Affairs, shall be responsible for developing and coordinating a comprehensive education program on AIDS, ARC, and positive HIV tests for students and employees.

[Note: The complete policy is available from the Director of Affirmative Action or from the office of Human Resources.]

2.12 Smoking and Alcohol Policies

2.121 / Smoking Regulations

There is no smoking allowed in WSU buildings.

2.122 / Liquor Regulations

The Kansas Board of Regents adopted in February, 1988, the following policy on the consumption of liquor on campuses:

Consumption of alcoholic liquor may be permitted under authorized and appropriately controlled conditions and guidelines to be determined by the administration of each school and set forth in an institutional policy on service of alcoholic liquor. Alcoholic liquor may only be served at luncheons, dinners or receptions which honor individuals and which occur in connection with official University events and/or fundraising activities for University programs. The service of alcoholic liquor at such events must be approved, in advance, by the chief executive officer of the institution and may only be held in those non-classroom areas, and outside grounds immediately adjacent thereto, which are specifically designated for such activities in the institutional policy on service of alcoholic liquor. Each institution shall file and maintain a current copy of its policy on service of alcoholic liquor with the Executive Director on behalf of the Board. Each institutional chief executive officer shall also be prepared to provide information to the Board in relation to the service of alcoholic liquor on campus as requested by the Board or Executive Director. (2-88)

2.123 / WSU Alcohol and Cereal Malt Beverage Policy

Alcoholic beverages may be served by the Alumni Association and/or the Endowment Association in selected areas which are not used for classroom instruction.* The serving of alcohol will be restricted to University development activities.

Morrison Board Room	Wilner Foyer
McKnight Foyer	Cessna Stadium
Ulrich Museum	Heskett Center Foyer
Campus Activities Center	Wiedemann Hall Foyer
Hubbard Hall Foyer	Original Pizza Hut Building

Approval for events in which alcoholic beverages are to be served must be obtained from the University President. No persons under 21 years of age are allowed to consume alcohol at an event in which alcohol is served. Food must be available at all functions in which alcohol is served. Consumption of alcohol is permitted only within the approved area designated for the event.

[Note: The complete policy is available from the Director of Affirmative Action or the Office of Human Resources.]

2.124 / Faculty Substance Abuse Policy

This policy for dealing with faculty members with substance abuse problems is intended to enhance and encourage a cooperative effort between faculty and the university and to serve and protect the interests of both. The policy recognizes that professional assistance can often return an individual to full productivity and is based on the premise that it is the faculty member's right and responsibility to seek professional assistance for a substance abuse problem. This policy was developed by a Faculty Senate ad hoc committee and is administered through the Office of the Director of Affirmative Action at Wichita State University.

SCOPE. A faculty member with a possible substance abuse problem, even in its early stages, is encouraged to seek diagnosis and treatment. The faculty member should be assured that seeking assistance, pursuant to this policy, for an actual or potential substance abuse problem, will not interfere with job status, promotional opportunities or other privileges. A substance abuse problem is defined as one in which a faculty member's use or misuse of alcohol or drugs is reasonably believed to be affecting the faculty member's job performance.

POLICY OVERVIEW. The goal of this policy is to assist individuals in seeking professional help so they may return to full productivity. All faculty members, especially department chairpersons, should work to engender a university-wide enlightened attitude and a realistic recognition of the nature of substance abuse problems.

[Note: The complete policy is available from the Director of Affirmative Action.]

2.13/ Official Hospitality

All state funds for departmental use for "official hospitality" are centralized in an account administered by the Vice President for Academic Affairs. This account provides entertainment and hospitality for official guests of the University. State regulations prohibit the use of official hospitality funds for entertaining members of State Boards or Commissions, State officers or employees, students or prospective students and their parents, except when any of the foregoing are conducted with University members as official hosts or when State officers or employees because of their particular expertise, knowledge, or background attend a function of another State agency. University personnel acting as official hosts should be limited to a number absolutely essential to complement the event.

The Office of the Vice President for Academic Affairs will supply the appropriate forms for requesting expenditures for official hospitality. Such requests should be presented for authorization at least one week prior to the proposed function.

CHAPTER 3 / FACULTY APPOINTMENT, TENURE, PROMOTION, and RETIREMENT POLICIES

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A / APPOINTMENT AND REAPPOINTMENT POLICIES

3.01 / Appointment Notice

Faculty appointments are formalized by an appointment form or notice that states the term of employment, salary, faculty rank, and appointment status. Appointment notices for the next academic year are issued by the President's Office as soon after the legislative session as possible.

3.02 / Term of Appointment

3.021 / Academic Year Appointments

The following guideline on academic year appointments was adopted by the Council of Presidents on February 16, 1978:

Academic year appointments are for a period of approximately nine months beginning just prior to fall registration and extending through spring Commencement. Faculty duties include teaching, advising and counseling, research, scholarly activities, other university duties, and community and public service. Periods when classes are not in session are normally devoted to the above listed non teaching functions or to other specially scheduled activities.

3.022 / Annual Appointments

Some faculty and most administrative personnel receive annual appointments, including vacation and holidays as described in Section 4.

3.023 / Summer Session Appointments

Some members of the faculty are appointed to teach in the Summer Session. Assignment to Summer Session teaching is a matter of college and departmental policy and decision, subject to guidelines established by the director of the Summer Session.

3.024 / Employment Oath

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

I do solemnly swear (or affirm) that 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.

3.025 / Emeritus Appointment

Emeritus status recognizes meritorious service to the university and may be conferred upon a retiring individual who has served The Wichita State University for a minimum of ten continuous years. To be considered in the determination of meritorious service are the person's contributions in the areas of teaching, scholarly activity, service or leadership.

Recommendations for the award of emeritus status must be made by the department, with the concurrence of the appropriate Dean, and forwarded to the University President.

Exceptions to the above criteria may be granted by the University President. (3-89)

3.03 / Faculty Ranks and Titles

The principal titles and ranks granted by the University to academic faculty are those normally bestowed by

institutions of higher education: professor, associate professor, assistant professor, and instructor. Full-time faculty holding less than the minimum credentials for instructor rank are occasionally appointed as assistant instructors. Titles used to designate part-time instructional personnel include lecturer and adjunct/faculty associate. The term visiting is used in conjunction with the basic academic titles for individuals who join the faculty for a short period of time, usually with the intent of returning to a position at another academic institution.

The University has various special professorships that it bestows upon faculty in recognition of distinguished scholarly achievement and distinguished contribution to the University. The special professorships include Regents distinguished professorships, established by the Kansas Board of Regents; Trustees distinguished professorships, funded by the Board of Trustees; University professorships, funded by the University; distinguished professorships, endowed by donors or the Endowment Association; and professorships emeriti, awarded to outstanding retired faculty.

3.04 / Types of Appointments

Faculty appointments are of three basic types: temporary, probationary, and with tenure. Temporary appointments are for a specified period only, and carry no expectation of reappointment. Adjunct/faculty associates and lecturers have temporary appointments for one semester, subject to renewal on the basis of need for instruction. Probationary appointments are those appointments that may, on the basis of continuing satisfactory performance, lead to review for the award of tenure. However, probationary appointments carry no expectation or promise that review for the award of tenure will be undertaken or that tenure will be awarded. Probationary appointments are reviewed on an annual basis, and may or may not be renewed. Probationary appointments will not be continued for more than seven years. Tenured appointments will be annually renewed unless the faculty member is dismissed through proper actions and procedures.

3.05 / Special Conditions of Appointment

Any special conditions of appointment will be included in the appointment form signed by the employee. Special conditions of appointment include but are not limited to: date by which a terminal degree and/or field registry is expected and the consequences of non-attainment, or special conditions for nomination for tenure review consideration (such as an additional degree or field registry). It is the responsibility of the employee to inform the department and dean of accomplishment of the conditions of appointment.

3.051 / Joint Faculty Appointment

A primary academic objective of Wichita State University is the search for and development of new knowledge which will enhance institutional programs and contribute to the University's research responsibilities. Recognizing the contribution of interdisciplinary studies in meeting the objective, the University may offer joint appointments for faculty where appropriate.

The joint appointment may provide greater program flexibility, the enhancement of intellectual stimulation, and broader insights into matters under faculty investigation and research.

3.06 / Notice of Nonreappointment

The Kansas Board of Regents has adopted the following policy regarding timely notice of nonreappointment for faculty members holding probationary appointments.

Notice of nonreappointment should be given in writing in accordance with the following standards; however, such standards shall not be applicable to any administrative assignments:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least 3 months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least 6 months in advance of its termination.
3. At least 12 months before the expiration of an appointment after two or more years in the institution.

These statements shall apply even during periods of declared financial exigency, unless impossible, in which case notice shall be provided as early as possible.

3.07 / Recruitment Policy

The university has established procedures and policies concerning the recruitment of new faculty. These procedures and policies can be obtained from the Affirmative Action Office. All units of the university are responsible for following those procedures and policies. The academic rank conferred at the time of initial appointment should be consistent with the appropriate college guidelines for promotion to that rank.

Negotiations looking to the possible appointment for the following fall of persons who are already faculty members of other institutions, in active service or on leave of absence and not on terminal appointment, should be begun and completed as early as possible in the academic year. It is desirable that, when feasible, the faculty member who has been approached with regard to another position inform the appropriate officers of his institution when such negotiations are in progress. The conclusion of a binding agreement for the faculty member to accept an appointment elsewhere should always be followed by prompt notice to his institution.

3.08 / Policy Concerning Employment of Relatives

Persons may be appointed to classified or unclassified positions without regard to family relationship to other members of faculty or staff. If a person is in a position that requires an evaluation on a personnel decision such as those concerning appointment, retention, promotion, tenure, or salary of a close relative, such condition shall be deemed a conflict of interest, and that person shall not participate in such a decision, and that person shall not participate in any group or body that is considering any such decision.

B / TENURE AND PROMOTION POLICIES

3.09 / Interpretative Statements on Tenure at Wichita State University

Acting under the provisions of the Kansas Board of Regents' policy on tenure and promotion, the university may recommend to the board that tenure or promotion be awarded to faculty members based on demonstrated excellence in scholarship, teaching/librarianship, and community and professional service. The granting of tenure or promotion is at the initiative of the university and is based on sustained achievements demonstrating that the faculty member meets the qualitative standards of the appropriate discipline and the requirements of the university. Tenure or promotion is not acquired simply by meeting assigned duties with a record free of deficiencies.

Tenure or promotion is conferred on the basis of: a) the qualifications of the individual, b) the objectives and needs of the university's academic programs, and c) the resources of the university as these are determined by faculty committees and administrator's reviews at departmental, college, and university levels.

3.10 / Terminations

In cases of termination of tenured faculty not involving termination for cause, the university has the obligation to make every effort to find a suitable position within the institution for the affected faculty member. The suitability of any proposed position shall be by mutual agreement of the faculty member and the receiving department or equivalent unit. Faculty relocated within the university will not automatically, by virtue of their tenure, displace tenured, probationary or temporary faculty within the receiving department or equivalent unit.

3.11 / Nontenurable Positions

Positions at Wichita State University that are not eligible for tenure are those which are part-time, carry the rank of assistant instructor, have less than a 50 percent responsibility for teaching, librarianship, research, scholarship, and/or creative activities, or are designated as temporary.

3.12 / Regents' Tenure Policy

Effective June 1987, the Kansas Board of Regents approved the following amended policy concerning tenure and academic freedom of faculty at regents' institutions, as contained in the Kansas Board of Regents' Policy and Procedures Manual:

- a. After the expiration of a probationary period, teachers or instructors should have permanent or continuous tenure, and their services should be terminated only for adequate cause, except in the case of retirement for age, program or unit discontinuance, or under extraordinary circumstances because of financial exigency.
- b. In the interpretation of the principles contained in Section a of this policy, the following is applicable:
 1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
 2. Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not

exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years; except when the interests of both parties may best be served by mutual agreement at the time of initial employment, institutions may agree to allow for more than four years of probationary service at the employing institution provided the probationary period at that institution does not exceed seven years. Notices should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period. [Editorial note: The last sentence has been modified by the Regents' adoption of revised standards for notice of non-reappointment. See section 3.07.]

3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.

4. Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, shall, if possible, be considered by a faculty committee which will make recommendations to the administration. In all cases where the facts are in dispute, the accused teacher must be informed before the hearing in writing of the charges against him and shall have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He may have with him an adviser of his own choosing who may act as counsel. There shall be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence, the testimony should include that of teacher and other scholars, either from his own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

5. Termination of a continuous appointment because of financial exigency should be demonstrably *bona fide*.

b. Within this general policy, each school may make such operating regulations as it deems necessary, subject to the approval of the board of regents.

c. Lists of individuals recommended by the chief executive officer at a regents' institution for tenure shall be submitted by the chief executive officer of that institution to the board for consideration and action at its April meeting. Any tenure recommendation approved by the board shall be limited to tenure for the recommended individual at the institution consistent with the tenure policies of that institution.

d. The provisions of this policy shall be applicable only to faculty of baccalaureate degree granting institutions.

e. Regents' tenure policy is substantially based on the 1940 Statement on Academic Freedom and Tenure of the American Association of University Professors, which is extensively quoted in section a and b, above.

3.13/ Probationary Period

3.131 / Time Limit

The regents' tenure policy defines the time limit for the probationary period in 3.12.b,2, above.

The following university regulations apply to the probationary period as defined in Kansas Board of Regents policy:

1. At the time of initial appointment, agreement between the appointee and the institution must be reached on

the prior service, if any, to be applied against the probationary period. This agreement shall be contained in the initial letter offering the position and in the initial contract.

2. When a probationary period is interrupted by a leave of absence other than a scholarly leave, such leave will not be counted toward eligibility for tenure. A scholarly leave will count toward tenure unless the faculty member and the university agree in writing to the contrary at the time the leave is granted. If a faculty member takes a part-time administrative or other non-academic appointment during the probationary period, that time is counted toward eligibility for tenure if he/she maintains at least a half-time academic appointment and is not counted if their academic appointment is less than half-time.

3. If a faculty member terminates and subsequently returns to the university, rules for tenure consideration will apply as they do for previous service at other institutions of higher education.

3.132 / Annual Evaluation of Nontenured Faculty

All faculty members holding half-time or more appointments who have not attained tenure will be evaluated at least once a year. Faculty members will have the opportunity to present documentation of performance for the purpose of this evaluation. The evaluation will be recorded on official university forms provided by the office of the vice president for academic affairs to department chairpersons. In addition to reviewing the faculty member's performance during the preceding year, these annual reviews will also contain a section on "progress toward tenure" in which the faculty member's overall performance at WSU will be evaluated in the context of the tenure review which will occur at the end of the probationary period. However, these annual reviews do not constitute a definitive review for tenure. The chairperson will review with the faculty member the results of the evaluation and transmit them to the dean. Copies will be retained by the faculty member, the department, the college dean's office, and the office of the vice president for academic affairs.

In order to ensure as consistent a review process as possible prior to tenure decision, the annual review of probationary members of a department is to be conducted exclusively by the tenured members of the department or the elected tenure committee of the department. The chairperson of the department will be present. Abstentions will not be registered except when a faculty member declares he/she has a conflict of interest concerning a case. The chairperson of the committee of tenured members records the evaluation and the vote of the group. The department chairperson shall provide a separate evaluation and recommendation. The vote count, evaluations, and recommendation will be shared with the person being reviewed, who shall be afforded the opportunity to submit a written rebuttal to the evaluations. In departments in which two or fewer members are tenured, an ad hoc review committee, consisting of tenured faculty members who might be involved in the ultimate tenure decision, shall be appointed by the dean of the appropriate college. Untenured chairpersons shall not participate in their own reviews.

The annual evaluation is an important activity for which faculty members should be well prepared. It is a cumulative record of performance that in the case of probationary faculty shows progress toward consideration for continuous tenure.

3.133 / Early Consideration for Tenure

Within the usual probationary period, a faculty member who demonstrates exceptional merit may be afforded

one opportunity to stand for tenure prior to mandatory review. In such cases, the faculty member, in consultation with the chairperson, shall determine the advisability of early nomination according to the following criteria of eligibility:

1. The faculty member shall hold the rank of assistant professor or above.
2. The faculty member without prior higher education service shall have completed two years of full-time service at Wichita State University before early review may be undertaken at the departmental level.

Should the faculty member decide to stand for early tenure review, the following conditions shall apply:

1. The tenure review shall be conducted under the standard deadlines, policies, and procedures governing tenure considerations at that time.
2. A faculty member who is unsuccessful in the early application for tenure shall have the right to continue on probationary status and stand for mandatory tenure review without prejudice.

3.134/ Initial Appointment with Tenure

In exceptional circumstances an individual may be awarded tenure at the time of initial appointment. Individuals being considered for appointment to an administrative position can be granted tenure at the time of appointment only on the basis of their scholarly and academic credentials. Review for the award of tenure with initial appointment shall be initiated by the tenured faculty of the relevant academic department in accord with college and university guidelines in force at the time.

Department faculty recommendations for award of tenure with initial appointment shall be forwarded for action through the chairperson to the dean and the vice president for academic affairs. In such cases where additional consultation is deemed desirable, the dean or vice president for academic affairs may convene the college or university-level committees to effect an *ad hoc* tenure review.

The vice president for academic affairs shall convey the recommendations to the president who, at his/her discretion, shall submit the case to the board of regents for approval at the April or September meeting. Upon approval by the board, the president shall notify the individual in writing of the award of tenure.

3.14 / Guidelines and Criteria for Tenure and Promotion

Guidelines and criteria related to tenure and promotion are developed by all the constituencies involved in the review process, including the president, the university tenure and promotion committee, the college, and in some instances the departments. The subsections that follow identify the guidelines and criteria that are operative at the university level. Reference is also made to college guidelines and criteria.

3.141 / General Policies for the Awarding of Tenure

The judgments of all faculty committees in tenure decisions are to be based on the academic credentials, qualifications, and merits of the candidate. These judgments will always be made primarily at the departmental

and college levels. Ranking of candidates for tenure is neither necessary nor appropriate.

3.142 / College Guidelines and Criteria

Detailed guidelines and statements of criteria for tenure and promotion have been adopted by all the colleges and academic services, and in some instances at the departmental level. Each statement should include explicit statements of expectation for teaching, librarianship, research, scholarship, or creative activities, and academic and professional service. These statements should define the relative significance of different activities within each area and the nature of documentation which candidates must provide to establish their accomplishments in each area. The statements may specify guidelines for faculty with unusual appointments, consistent with the university guidelines for tenure or promotion contained in section 3.143 below. It is acceptable to establish differential criteria for tenure or promotion for faculty with different assignments, so long as the differential criteria and the nature of the faculty assignments are clearly identified.

The college and academic services guidelines and statements of criteria shall be submitted in the spring for review by the university tenure and promotion committee on a three-year cycle. The purpose of this review is to ensure that the guidelines and statements are consistent with university guidelines and provide an adequate degree of clarity and specificity so that candidates for tenure and promotion will understand the criteria which will be utilized to evaluate their cases.

The college and academic services guidelines and statements of criteria developed for tenure and promotion shall be distributed annually to all untenured faculty at the time of their annual evaluation. The evaluation of individual candidates at the university level should take into account the degree to which the individual has read the guidelines as well as his/her role statement and annual performance criteria identified in the annual evaluation of untenured faculty. If the guidelines in effect at the time of initial appointment differ from those in place at the time a tenure case comes forward for consideration, the current guidelines can be used in place of the earlier guidelines only if both the candidate and the department agree.

3.143 / University Guidelines and Criteria

3.1431/Promotion

1. A terminal degree in a field appropriate to the discipline in which the candidate teaches or conducts research, scholarship, or creative activities is normally required for appointment or promotion to the rank of assistant professor, associate professor or professor. Exceptions to this guideline will require careful documentation based upon an adequate rationale.
2. Under normal circumstances, a faculty member should not expect to be considered for promotion with less than six years in rank.
3. The standards for teaching, librarianship, scholarship, and service for each rank are indicated below. The relative significance of teaching; librarianship; research, scholarship, or creative activities; and service may vary from case to case.

Assistant Professor: Demonstrated adequacy in teaching/librarianship and evidence of potential for

achievement in research, scholarship, or creative activity, and some university service appropriate to the mission of the department and college is normally expected.

Associate Professor: Documented evidence of effective teaching/librarianship, a record of research, scholarship, or creative activities which has earned recognition in professional circles at the regional or national level, and some professional or university service is normally expected.

Professor: Documented evidence of sustained effective teaching/librarianship, a record of substantial accomplishment in research, scholarship, or creative activity which has led to recognition in professional circles at the national level, and demonstrated academic leadership in the form of service to the university and the profession is normally expected.

3.1432/Tenure

All full-time faculty with 50 percent or more responsibility for teaching, librarianship, research, scholarship, and/or creative activities with the rank of instructor or higher must undergo review for tenure during their sixth year of employment at Wichita State University unless their employment at the university is to be terminated at the end of their seventh year of service. Those individuals given credit for prior experience in higher education at the time of initial appoint shall undergo review for tenure according to the policies stated.

Expectations of performance in and the relative importance of teaching; librarianship; research, scholarship, or creative activities; and service will be defined at the time of the initial appointment. Specific performance goals will be established each year during the annual evaluation of untenured faculty. These expectations and goals form the foundation for evaluation for tenure in the context of the tenure criteria established by the faculty of the college, but do not constitute a definitive review for tenure. The terminal degree is preferred for the granting of tenure except in exceptional and well documented cases. The award of tenure normally requires documented evidence of effective teaching/librarianship and a record of research, scholarship, or creative activities which has earned recognition in professional circles at the regional or national level.

3.1433/University Committee Procedures

In the process of reviewing tenure and promotion cases according to its charge, the University Tenure and Promotion Committee applies the respective college guidelines as approved by the college and university tenure and promotion committees. It is important to emphasize that these guidelines are not rigid rules.

3.1434 / Tenure and Promotion Review Process

The tenure and promotion review process is governed by the "Tenure, Promotion, and Appeals Procedures" document, which was adopted by the university faculty, May 1994. The text of this policy follows. Individual units may adopt by vote of the faculty of the college additional procedures, policies, and interpretive statements to govern their internal review of tenure and promotion cases, so long as those procedures, policies, and interpretive statements are consistent with all higher level procedures, policies, and interpretive statements, as determined in the triennial review of policies and procedures conducted by the university committee. These

additional statements should be provided in writing to all candidates for tenure and promotion and to all probationary faculty at the time of their initial appointment and at each annual review.

3.1435 / Presidential Review of Nominees for Tenure or Promotion

The laws of the State of Kansas provide that, subject to the board of regents, the president shall appoint employees and administer the affairs of Wichita State University. In matters of tenure and promotion, the president has delegated the authority to make recommendations to certain faculty committees and administrators. However, the president retains the authority to make the final decision on the tenure and promotion of faculty members, subject to approval by the board of regents.

A person dissatisfied with committee or administrator recommendations concerning his/her tenure or promotion may, after exhausting the procedures and appeals in the tenure and promotion review process, petition the president of Wichita State University for a favorable decision on tenure or promotion.

3.1436 / Policy of Nondiscrimination and Affirmative Action

Wichita State University does not practice nor condone discrimination in tenure and promotion practices.

[Note: The full text of the university's Affirmative Action Policy is available from the Affirmative Action Officer.]

3.15 / Tenure and Promotion Calendar

March	2nd	Friday	Deadline for faculty records manager to notify deans of faculty scheduled for mandatory tenure review with copies to institutional planning and analysis.
April	1st	Friday	Deadline for dean of college to notify faculty scheduled for mandatory tenure review with copies to vice president for academic affairs.
	3rd	Friday	Deadline for faculty applying for promotion and/or early tenure review to notify chair.
	3rd	Friday	Deadline for candidates requesting external review to notify chair and dean.
May	1st	Friday	Deadline for chair to notify dean of faculty applying for tenure and/or promotion.
	3rd	Friday	Deadline for sending initial request for external reviews, if any are to be solicited.
June	1st	Friday	Deadline for dean of college to notify vice president for academic affairs of faculty scheduled for early tenure review and/or promotion.

- 1st Friday Deadline for course data to be mailed to applicants for tenure and/or promotion.
- September** 2nd Friday Deadline for completion of basic documents and secondary dossiers.
- 2nd Friday Deadline for chair to notify eligible faculty tenure and/or promotion files are available for review
- 4th Friday Deadline for inclusion of letters from external reviewers.
- October** 1st Friday Deadlines for departmental reviews and votes on tenure and/or promotion.
- 2nd Friday Deadline for department to notify dean of recommendations.
- 3rd Friday Deadline for dean to notify nominees of the department's recommendation, the chair's independent recommendation, and the candidate's right to appeal a negative decision.
- 4th Friday Deadlines for submission of appeals of or rebuttals to department-level recommendations to the dean.
- November** 2nd Friday Deadline for college committee to transmit recommendations to dean.
- 4th Friday Deadline for dean to notify candidates and department chairs of committee's and dean's independent recommendations and the candidate's right to appeal a negative decision or to rebut an evaluation statement.
- December** 1st Friday Deadline for dean to transmit materials to vice president for academic affairs.
- 2nd Friday Deadline for vice president for academic affairs to transmit materials to university tenure and promotion committee.
- 2nd Friday Deadline for appeal of or rebuttal to college-level recommendations to vice president for academic affairs.
- 2nd Friday Deadline for adding materials to the secondary dossier.
- January** 3rd Friday Deadline for university tenure and promotion committee to report recommendations to vice president for academic affairs and to notify candidates and department chairs of the committee's recommendations and the candidate's right to rebut the committee's evaluation.
- 4th Friday Deadline for submission of rebuttal statements by candidates to the vice president for academic affairs of the university committee's evaluation.

- February** 2nd Friday Deadline for notification of candidates of recommendations to be made to the board of regents by the president.
- 4th Friday Deadlines for appeals, rebuttals, and/or petitions to the president of negative recommendations.
- 4th Friday Deadline for university committee to identify problems in tenure policies and tenure and promotion guidelines for the faculty affairs committee.
- April** 1st Friday Transmittal of Wichita State University recommendations to the board of regents.
- 3rd Friday Decisions by board of regents.

3.16/ Policies and Procedures for Tenure and Promotion

3.161/Outline of the Process of Review for Tenure and Promotion

Any faculty member may nominate himself or herself for review for tenure or promotion. Nominations may also be made by the chairperson. For faculty members with probationary appointments, review for tenure must occur during or before the year prior to the last year of the probationary period. No review for tenure will occur during the last year of a faculty member's probationary period.

The process of review for tenure and promotion involves these steps:

1. Nomination for review.
2. Departmental review of nominees by the departmental committee and by the chairperson.
3. In favorable or appealed cases, college review of department nominations by the college tenure and promotion committee, and by the college dean.
4. In favorable or appealed cases, university review of college nominations by the tenure and promotion committee.
5. In favorable or appealed cases, approval of recommendations by the president of the university.
6. In all favorable cases, approval of recommendations by the board of regents.

Procedures have been established for appeal in the case of an adverse tenure or promotion recommendation at the department and at the college level.

The calendar for the tenure and promotion review process is in the Wichita State University Handbook for Faculty.

3.17/Review for Tenure or Promotion: Procedures

3.171/Nomination for Review for Tenure and Promotion

1. The department chairperson will write to all full-time faculty members of the department to tell them

that nominations of persons to be reviewed that year for tenure or for promotion must be given to the chairperson by a specified date. The chairperson must nominate all faculty whose tenure review is mandatory for that year. All others may be nominated by the chairperson or by the faculty member himself or herself.

2. The department chairperson will send copies of the list resulting from Step 1 to all full-time departmental faculty and specify a second date by which any additional nominations must be provided in writing to the chairperson.
3. The department chairperson will confer individually with all nominated faculty members and provide information about departmental, college, and university criteria for tenure or promotion.
4. Except for those whose review for tenure is mandatory, faculty who have been nominated must inform the department chairperson in writing by a date specified by the department chairperson (which will be no sooner than two days after their conference) of the faculty member's decision to remain in nomination or to withdraw.
5. The final, typed list of those nominated will be sent to the dean and to all members of the department electorate. Each person on the list will be notified in writing by the dean that he or she is officially a candidate for promotion or tenure. In addition, the dean will inform the candidate of the criteria for tenure or promotion and will instruct the candidate to give his/her supporting materials to the department chairperson by a specified date.

3.172/Department Review for Promotion and Tenure ¹

The candidate will present a primary dossier and may prepare a secondary dossier.

Primary Dossier: The primary dossier consists of the basic document, the required cover sheet which records each step of the review process, copies of the annual reviews (and rebuttals if filed) for untenured faculty, the chairperson's non-evaluative role statement, statements of evaluation by the committee and administrator at each level of review and rebuttals (if any are filed), and items added during the review process.

The basic document will follow the standard format recommended by the university tenure and promotion committee and approved by the faculty senate. Deviations from the established format should be clearly explained. The basic document may be no more than 25 pages.

The chairperson will provide a statement of the role of the candidate in the department which is purely descriptive and not evaluative. If the candidate's role involves a weighted distribution of responsibility among the three categories of professional activity, that should be indicated in the role statement.

The chairperson will make copies of the primary dossier available for all voting faculty.

¹ By action of the college faculty and as incorporated in the college handbook, a group of departments may decide to act as a division rather than as a single department. Such a decision must be approved by the dean of the unit and by the provost.

Secondary Dossier: A secondary dossier may be submitted to the chairperson by the candidate. It consists of such additional materials as the candidate wishes to submit. Examples might include, but are not limited to copies of publications or other evidence of scholarship, letters of external reviewers (if any were obtained) and rebuttals (if any were filed), copies of student evaluations or course materials, etc. The candidate may add items to the secondary dossier during the review process (see calendar in section 3.17).

The secondary dossier will not be duplicated but will be available to committee members.

As the review proceeds through the various levels, the primary dossier and the secondary dossier will be in the custody of the administrator at each level. Items may be added to the primary dossier by the administrator as called for in these procedures, but the administrator must give the candidate a copy of the additions and provide the candidate an opportunity to write a rebuttal that will also be included in the primary dossier.

The complete files of all faculty members under review in the department must be available for a reasonable time (at least five working days) to all voting faculty.

Tenure cases will be reviewed at a meeting of the tenured faculty of the department or a committee of tenured faculty chosen by these faculty members. In departments having fewer than three voting tenured faculty members, the college faculty will develop appropriate procedures for the review, subject to the approval of the college dean. Each eligible person except the department chairperson will vote on each case under consideration and will sign the tally sheet. The tally sheet will not identify individual voters with their votes but must account for all eligible voters. If a committee wishes, straw ballots may precede the final ballot. Only the votes on the final ballot are binding and recorded. Abstentions will not be registered except when a faculty member on a committee declares he/she has a conflict of interest concerning a case. A positive recommendation by the committee results when more than 50 percent of those casting ballots other than abstention have voted to recommend tenure. A copy of the tally sheet will be kept in the departmental office for three years.

Promotion cases will be reviewed at a meeting of the departmental faculty who hold rank equal to or higher than that for which the candidate is being considered or of a committee of those with appropriate rank chosen by these faculty members. The limitation of voting to persons of equal or higher rank need not apply to votes at the college or university level. In departments having fewer than three faculty members with appropriate rank, the college faculty will develop appropriate review procedures subject to approval of the college dean. Each eligible person, excluding the department chairperson, will vote on each case under consideration and will sign the tally. The tally will not identify individual voters with their votes but must account for all eligible votes. Straw ballots may precede the final ballot. Abstentions may occur only in cases involving declared conflict of interest. A positive recommendation will result when more than 50 percent of those casting ballots (i.e., other than abstentions) have voted to recommend promotion. Copies of the tally sheets will be kept in the departmental office for three years.

Chairpersons do not participate in their own evaluation or in evaluations of faculty when the chair has a conflict of interest. Such cases automatically go forward without prejudice for review at the next level.

The results of the departmental deliberations and the chairperson's separate recommendation will be sent to the dean by the department chairperson. When the committee's discussion of a candidate is complete, the committee chair will summarize in writing the committee's evaluation of the candidate. The department chairperson will also provide a written evaluation to accompany his/her recommendation for each case. These statements will be included in the primary dossier. The candidate will be provided an opportunity to review these statements and to file a written rebuttal in the primary dossier. In cases where the chairperson's recommendation differs from that of the voting faculty, the case will go forward to the next higher level without prejudice, and that transmittal will not constitute an appeal. The chairperson will also send forward the copies of the primary dossier and the secondary dossier.

The dean will inform each candidate in writing of the department's recommendations, the chairperson's recommendation, the right to appeal, and the procedures for appeal. The dean will also notify the candidate that he/she may request meetings with the department chairperson and/or the chair of the departmental tenure and promotion committee, at the candidate's option, to discuss the decision.

3.173/College Review of Nominees for Tenure or Promotion

The dean will give a copy of the primary dossier of each faculty member favorably recommended for promotion and/or tenure and of all appealed cases to each member of the college committee and will indicate the location of the secondary dossiers. These materials must be available to the committee for at least five working days prior to deliberation.

The committee will meet with the dean to receive information about the schedule of meetings and about administrative matters related to the cases to be reviewed. The dean may also request other meetings with the committee. Each college shall adopt procedures regarding the role of the dean in these other meetings. If the committee discovers that information is lacking in a dossier, it can ask the dean to acquire the information. Consistent with the department procedures, the dean must provide the candidate a copy of the material and allow the candidate to write a rebuttal. The college committee may, at its option, adopt a policy which prohibits a committee member from the same department as a candidate for tenure or promotion from speaking about the case during the committee's deliberations. If such a rule is adopted, it must apply to all cases before the committee. If additional information about the departmental committee's deliberations is desired, the committee may request explanatory information to be submitted in writing from the chair of the departmental committee. This statement will be added to the primary dossier, and the candidate will be provided an opportunity to place a rebuttal in the primary dossier.

The committee will then consider the cases before it, whether regular or appealed. Straw ballots may be taken, but these are neither binding nor recorded. Abstentions will not be registered except when a faculty member on a committee declares he/she has a conflict of interest concerning the case. At a meeting without the dean each case will be discussed and the committee will conduct its final vote. A positive recommendation by the committee will result when more than 50 percent of those casting ballots other than abstention vote to recommend tenure or promotion.

The committee must notify the dean in writing of its final ballot on each case. (Note: The college committee

may meet with the dean as it sees fit but it must hold a discussion on each case and take its final vote in the absence of the dean.)

The results of the college deliberations and the dean's separate recommendations will be sent by the dean to the vice president for academic affairs. When the committee's discussion of a candidate is complete, the committee chair will summarize in writing the committee's evaluation of the candidate. The dean will also provide a written evaluation to accompany his/her recommendation for each case. These statements will be included in the primary dossier. The candidate will be provided an opportunity to review these statements and to file a written rebuttal in the primary dossier. In cases where the college committee's recommendation differs from that of the dean, the case will go forward to the next higher level without prejudice and the transmittal will not constitute an appeal. A positive recommendation requires the affirmative vote of more than 50 percent of those voting. The dean will also send forward the primary dossier and the secondary dossier.

The dean will notify each candidate in writing of the college committee's recommendation, the dean's recommendation, the right to appeal, if any, and the procedures for appeal. The dean will also notify the candidate that he/she may request in writing meetings with the dean and/or the chairperson of the college committee, at the candidate's option, to discuss the recommendation.

3.174/Nomination and Review of Academic Services Faculty

Faculty eligible for tenure or promotion review and not assigned to an academic college or department will be nominated and reviewed for tenure and promotion within their administrative units according to procedures consistent with those used in academic colleges.

3.175/University Review of Nominees for Tenure or Promotion

The vice president for academic affairs will give a copy of the primary dossier of each faculty member favorably recommended for tenure or promotion and of each appealed case to each member of the university committee. In addition, the vice president for academic affairs will indicate the location of the secondary dossiers. The materials must be available to the committee for at least five working days prior to deliberations.

If the committee discovers that information is lacking in a primary dossier, it can ask the vice president for academic affairs to acquire the information, which will be placed in the primary dossier. Consistent with college procedures the vice president for academic affairs must provide the candidate a copy of the material and allow the candidate to write a rebuttal, which will also be placed in the primary dossier.

The committee will then consider the cases before it, whether regular or appealed. The committee may request a written response from the dean on matters of interpretation of evidence, the academic needs of the unit, or its current resources, but the committee will not invite the dean or other outside persons to meet with the committee. Consistent with college procedures, the candidate shall be provided a copy of any additional written material provided to the committee and shall be provided an opportunity to write a rebuttal. Both the statement and the rebuttal will be placed in the primary dossier. Straw ballots may be taken, but these are neither binding nor recorded. Abstentions will not be registered except when a faculty member on a committee declares he/she

has a conflict of interest concerning a case. At a meeting without either the vice president for academic affairs or the dean of the graduate school present, each case will be discussed and the committee will conduct its final vote. A positive recommendation will result when more than 50 percent of those casting ballots other than abstention vote to recommend tenure or promotion.

The committee must notify the vice president for academic affairs in writing of its final ballot on each case. When the committee's discussion of a candidate is complete, the committee chair will summarize in writing the committee's evaluation of the candidate when the evaluation is different from that of the candidate's college committee. This statement will be included in the primary dossier. The candidate will be provided an opportunity to review this statement and to file a written rebuttal in the primary dossier.

The vice president for academic affairs will review each case transmitted by the university committee and meet with the president to determine which cases will be favorably recommended to the board of regents. In any case where the proposed presidential recommendation to the board differs from that of the university committee, the president and vice president for academic affairs will meet with the committee to discuss the reasons for their position.

The vice president for academic affairs will notify the candidate, the candidate's dean, and the chairperson, in writing, of the recommendation to be made to the board of regents. Any person not recommended by the university committee may request meetings with the vice president for academic affairs and/or the chairperson of the university committee, at the candidate's option, to discuss the recommendations. Any person not recommended by the president may request a meeting with the vice president for academic affairs and the president to discuss the recommendations. The candidate may invite a faculty colleague to accompany him/her, in either case.

The president will inform each candidate, in writing, of the action of the Kansas Board of Regents within a week of the April board meeting.

3.176/The Use of External Evaluation

The use of external peer reviews is optional. In deciding whether or not to seek external peer reviews, candidates should assess how they can best make an effective case that they have met college and university criteria for tenure and/or promotion. For those candidates who elect to employ external review, a standard procedure should be followed. The dean's office will assume responsibility for obtaining the reviews in accordance with the procedures described below. The same questions will be asked of all reviewers. In general, the dean may ask reviewers to comment on (1) the originality and creativity displayed in the candidate's research, scholarship, or creative work and (2) the significance of the work and its impact on the field. Reviewers will be specifically instructed not to remark on the promotability or tenurability of candidates. Candidates will receive a copy of the reviews which identifies the reviewer. If they wish to do so, candidates may provide their written rebuttal to the external reviews in the secondary dossiers.

External reviewers should be distinguished scholars in their fields capable of providing an un-biased professional assessment of the quality of the candidate's work.

The process for obtaining external reviews should be started at least two months before the campus review begins. The following process should be followed if external reviews are to be obtained:

1. The candidate will give the departmental chair the names and addresses of five potential peer reviewers, six sets of reprints or copies of work that the candidate believes best represents his/her research, scholarship, or creative work, and six copies of a complete bibliography that clearly delineates the candidate's research, scholarship, or creative work. Any material that the candidate wishes to have returned should be so marked.
2. The department chair will forward to the dean information provided by the candidate along with five additional names and addresses of potential peer reviewers. The department chair may wish to seek the counsel of the faculty in developing this list. For cause, the candidate may challenge to the dean the names selected by the department chair.
3. The dean will draw by lot three reviewers from each list of names supplied. Individual colleges shall develop their own policies regarding pursuit of non-responding or late evaluators; these policies shall be applied consistently whenever external review is sought. If fewer than three responses are obtained within a reasonable time, the dean may send additional requests for reviews to other persons named on the original lists, in rotating order from both lists.
4. The dean will send to each reviewer a letter requesting a professional opinion of the quality of the candidate's work following the guidelines stated above, along with the material supplied by the candidate.
5. Copies of the reviewers' comments will be returned to the department chair and the candidate immediately upon receipt by the dean. The department chair will add the reviews to the candidate's secondary dossier. The chair, in consultation with the candidate, will place in the secondary dossier a brief summary of the reviewers' academic credentials. Candidates are permitted to place in the secondary dossier comments on or rebuttals to the letters provided by reviewers.
6. Reviews can be added to the candidate's secondary dossier up until the time that the college committee begins its deliberations on the candidate.

3.177/Appeal of Decisions Related to Tenure or Promotion

A candidate may make only one appeal during the entire review process. The appeal is made to the next higher level. No hearing is provided, and the appeal must be written. Some typical reasons for appeal are violation of academic freedom, failure to follow procedures concerning time periods or committee operations, inadequate consideration, discrimination, etc.

The committee to which the appeal is made will give full consideration without prejudice to the case in that the committee will review it in the same manner as favorably recommended cases and will apply similar standards.

3.18/No Publication of Names of Tenure and Promotion

Names of faculty being considered for tenure or promotion will not be published. The right of privacy of such faculty members was affirmed by vote of the faculty on March 6, 1978.

3.19/Confidentiality of Proceedings

All deliberations are confidential. However, confidentiality cannot be guaranteed if the case goes to litigation.

3.20/Disposition of Dossiers

The vice president for academic affairs in each case will keep a copy of the primary dossier for three years and return to the candidate the remaining copies of the primary dossier and the secondary dossier.

3.21/Precedence of University procedures

If department and college tenure or promotion procedures differ from those of the university, university procedures take precedent.

3.22/Student Members

Students will not cast a vote regarding the award of tenure or promotion to individual faculty members.

3.23/Definition of Terms

Committee: The tenure review committee at the departmental level will consist of all tenured members of the department or a committee of tenured faculty chosen by those faculty members and reported in writing to the dean. In departments with fewer than three tenured members, the college faculty will develop appropriate procedures for the review subject to the approval of the college dean.

The review committee at the college level is the college tenure and promotion committee. Members of these committees are all tenured, full-time faculty with the rank of assistant professor or higher. The total membership of the committee is an odd number, with a minimum of five members. The majority of the committee are elected by the faculty, according to a representational formula adopted by the college. Members are elected or appointed for either two or three year terms (depending upon the college policies), staggered to maintain continuity. If a replacement is required due to a resignation, the replacement is selected only for the duration of the unexpired term. The committee chairperson is elected by the committee. No person can serve on the committee in a year in which he or she is considered for promotion or for more than two consecutive terms.

The review committee at the university level is the faculty senate tenure and promotion committee, whose general charge is established in the faculty senate rules. No person may serve on the university level review committee in a year in which he or she is considered for tenure or promotion.

Administrator: The administrator at the departmental level is the department chairperson. The dean is the administrator at the college level, and the vice president for academic affairs is the administrator at the university level.

Calendar: The tenure calendar is contained in this Handbook.

Documents: The **basic document** consists of the 25 page statement prepared by the candidate in accordance with the standard format. The **primary dossier** consists of this basic document, a standard cover sheet, a role statement from the department chairperson, the annual reviews for untenured faculty, and such other statements as may be developed during the review process. Candidates must be notified of any items added to the primary dossier and be provided an opportunity to submit a written rebuttal to such items, which will be included in the primary dossier. At each level of review, each committee member has a copy of the primary dossier. The **secondary dossier** consists of such additional materials as the candidate wishes to submit. Examples might include, but are not limited to, copies of publications or other evidence of scholarship, letters of external reviewers (if any were obtained), and copies of student evaluations or course materials, etc. Only one copy of the secondary dossier is maintained.

Mandatory Review Year: The next to the last year of the allowable probationary period is the mandatory review year.

Straw Ballot: A non-binding vote taken for the purpose of monitoring progress toward a final decision is a straw ballot.

Favorable Case: A favorable case occurs at any level of review if either the faculty committee or the administrator makes a positive recommendation concerning the case. Such cases automatically move forward for review at the next level.

Academic Services Faculty: Persons holding unclassified appointments carrying faculty rank who serve units other than degree-granting colleges are academic services faculty.

Probationary Appointment: A probationary appointment is an appointment that may, on the basis of continuing satisfactory performance, lead to review for the award of tenure. However, probationary appointments carry no expectation or promise that review for the award of tenure will be undertaken or that tenure will be awarded. Probationary appointments are reviewed on an annual basis and may or may not be renewed. Probationary appointments may not be continued for more than seven years.

Temporary Appointments: A temporary appointment is for a fixed term. Such appointments carry no rights to the consideration for the award of tenure.

3.24/University Tenure and Promotion Committee:

Composition (12 members)

- 7 Chairpersons of tenure and promotion committees
- 2 Faculty-at-large
- 1 Student (non-voting)
- 2 Ex officio: vice president for academic affairs (non-voting); dean of the graduate school (non-voting).

Selection: Chairpersons of tenure and promotion committees in the degree-granting colleges and for unaffiliated faculty are chosen according to procedures established in Appendix D on Promotion, Tenure and Appeals Procedures. They are elected to two-year staggered terms. Faculty-at-large are selected according to standard procedures for naming members to faculty senate committees, except that they shall be from different degree-granting colleges and shall be full time, tenured faculty members with the rank of associate professor or higher. Faculty-at-large serve three year terms.

Charge: The functions of the tenure and promotion committee shall be:

1. To implement university-wide policies and procedures for awarding tenure and promotion. This shall include such items as:
 - a. Tenure and promotion calendar.
 - b. The format for documentation in support of tenure and promotion review with a view to developing comparable standards throughout the university while recognizing essential college differences.
 - c. Transmittal, reporting, and appeals procedures.
 - d. Consideration of information to be provided by the administration, when the committee requests it, about patterns of promotions related to time in grade; promotion projections based on current faculty rank ratios and historical precedent; patterns of promotion across comparable universities; study of changing tenure and promotion guidelines of organizations such as AAUP, NCATE, Regents, and the like; and budgetary restrictions.
2. To ensure that there are university procedures for notifying the relevant administrators and those faculty members for whom tenure decisions must be made before reappointment.
3. To review tenure and promotion cases in accordance with procedures defined in tenure, promotion and appeals procedure and approved by the University faculty.
4. To review every three years the guidelines for tenure and promotion adopted by the various colleges and units from the perspective of their review of tenure and promotion cases from throughout the university.
5. To identify to the faculty affairs committee problems in tenure policies and tenure and promotion guidelines within thirty days of submitting their final recommendations to the vice president for academic affairs.

3.25 / Cover Sheet for Tenure and Promotion Dossiers

The policy of the University shall be to require that all tenure and promotion documents use a uniform cover sheet style. These cover sheets should be attached to the front of the primary document and should not be considered a part of the 25 pages. Sample cover sheets are available from the college office or from the office of Academic Affairs.

At the departmental and college levels, the candidate should sign after the action at each level indicating that he/she has seen all materials that have been forwarded to the committee for consideration. This signature will not constitute agreement with the action at that level, but will merely indicate that the candidate has seen the materials.

C / Leaving the University

3.26 / Resignations

3.261 / Statement of Resignations

Mobility of faculty members among colleges and universities is rightly recognized as desirable in American higher education. Yet the departure of a faculty member always requires changes within her institution and may entail major adjustments on the part of affected colleagues, the administration, and students. Ordinarily a temporary or permanent successor must be found and appointed to either his position or the position of a colleague who is promoted to replace him/her.

The standards set forth below are recommended to administrators and faculties, in the belief that they are sound and should be generally followed. They are predicated on the assumption that proper provision has been made by employing institutions for timely notice to probationary faculty members and those on term appointments, with respect to their subsequent status. In addition to observing applicable requirements for notice of termination to probationary faculty members, institutions should make provision for notice to all faculty members, not later than March 15 of each year, of their status the following fall, including rank and (unless unavoidable budget procedures beyond the institution forbid) prospective salary.

1. Negotiations looking to the possible appointment for the following fall of persons who are already faculty members of other institutions, in active service or on leave-of-absence and not on terminal appointment, should be begun and completed as early as possible in the academic year. It is desirable that, when feasible, the faculty member who has been approached with regard to another position inform the appropriate officers of this institution when such negotiations are in progress. The conclusion of a binding agreement for the faculty member to accept an appointment elsewhere should always be followed by prompt notice to his institution.
2. A faculty member should not resign in order to accept other employment as of the end of the academic year, later than May 15, or 30 days after receiving notification of the terms of her continued employment the following year, whichever date occurs later. It is recognized, however, that this obligation will be in effect only if institutions generally observe the time factor set forth in the following paragraph for new offers. It is also recognized that emergencies will occur. In such an emergency the faculty member may ask the appropriate officials of her institution to waive this requirement; but he should conform to their decisions.
3. To permit a faculty member to give due consideration and timely notice to her institution in the circumstances defined in paragraph 1 of these standards, an offer of appointment for the following fall at another institution should not be made after May 1.
4. Institutions deprived of the services of faculty members too late in the academic year to permit their replacement by securing the members of other faculties in conformity to these standards, and institutions otherwise prevented from taking timely action to recruit from other faculties, should accept the necessity of making temporary arrangements or obtaining personnel from other sources, including new entrants to the academic profession and faculty personnel who have retired.
5. Except by agreement with his institution, a faculty member should not leave or be solicited to leave a position during an academic year for which he holds an appointment.

3.262 / Resignation Procedures

Resignations should always be submitted in writing to the faculty member's department chairperson or dean. The letter of resignation will be forwarded through the dean to the Vice President for Academic Affairs, who will acknowledge the resignation on behalf of the University. Unless an alternate date is specified, the effective date of a resignation shall be the termination date of the faculty member's appointment, current as of the date of submission of the resignation.

3.27 / Retirement [See Section 4]

3.28 / Resignation/Retirement/Termination Procedures

Prior to final departure from campus, terminating faculty members are expected to make arrangements for determining the final grades of their students and to follow the "Resignation/Retirement/Termination Procedures" described in the following:

1. Faculty Members or Unclassified Professionals must submit a written notice of resignation to their budget officers. Resignations should be submitted by May 1 or within thirty days after appointment notices are mailed.
2. The Budget Officer fills out a Change of Status Form (Form OHR 121 obtainable from Faculty Records) and forwards the form to the Budget Review Officer. (No position may be advertised until this form is completed and Affirmative Action procedures have been followed.)
3. When the Change of Status form is received in Academic Affairs, Academic Affairs (1) will notify the faculty member or unclassified professional of the Resignation/Retirement/Termination Procedures, (2) will notify the appropriate units of the change of status, and (3) will have the Controller's Office complete form A1 and return it to Academic Affairs.
4. The Faculty Member or Unclassified Professional should schedule an exit interview with Academic Affairs. At this meeting the faculty member or unclassified professional needs to do the following:
 - a. Certify that Form A1 is accurate, turn in keys (or follow designated college procedure), Corporate American Express Card, and Telephone Card (PIN number).
 - b. Complete Form A2 for Human Resources. (A separate appointment should be made with Human Resources to discuss benefits, retirement, health care, etc.)
 - c. Complete Exit Interview Form A3. (Responses will be shared with the College Dean and the Department Chair unless the faculty member or unclassified professional requests confidentiality.)

3.29 / Dismissal for Cause

When reason arises to question the fitness of a faculty member who has tenure at The Wichita State or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference.

If mutual consent is not reached on the matter at this point, a committee appointed by the President of the

Faculty Senate will be charged with the function of informally inquiring into the situation to effect an adjustment if possible, and, if not effected, to determine whether in its view formal proceedings to consider dismissal of the faculty member should be instituted. If the committee recommends that such proceedings should be begun, they should be commenced by a communication addressed to the faculty member informing him/her of the informal committee's findings, and informing him/her that if he/she so requests, a formal hearing to determine whether he/she should be removed from his/her faculty position on the grounds stated will be conducted by a faculty committee at a specified time and place. In setting the date of the hearing, at least 20 days time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded. Not less than one week before the date set for the hearing, the faculty member should reply in writing whether he/she wishes a hearing.

The committee of faculty members to conduct the hearing and make a final recommendation to the University President should either be an elected standing committee not previously concerned with the case or a committee established as soon as possible after the letter to the faculty member has been sent. The members of the hearing committee should be chosen on the basis of their objectivity and competence and the regard in which they are held in the academic community. The committee should elect its own chairperson. The published regulations applicable to the conduct of the formal committee's inquiry and to the rights of the faculty member are stated on page 7F of the Board of Regents Policy and Procedures Manual and are repeated as follows: "the accused teacher shall be informed before the hearing in writing of the charges against him and shall have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He may have with him an adviser of his own choosing who may act as counsel. There shall be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence, the testimony should include that of teachers and other scholars, either from his own or from other institutions." The hearing committee should give opportunity to the faculty member or his/her counsel and the representative designated by the President to argue orally before it, and should formulate its recommendation in conference, on the basis of the hearing. The hearing committee should make explicit findings with respect to each of the grounds of removal presented. The faculty member should be notified of the committee's recommendation in writing and should be given a copy of the record of the hearing.

The University President will receive and consider the hearing committee's recommendations. If the decision is to dismiss the faculty member, the President of the University will so inform the faculty member in writing, stating the effective date of the end of the faculty member's employment and any specific arrangements to be made regarding separation salary or other relevant matters

[Note: The Faculty Senate has adopted a new policy regarding Dismissal for Cause. The policy is pending presidential approval and is contained in the Appendix.]

3.30/ Financial Exigency

3.301/Financial Exigency Background

Recent higher education enrollment trends have made educators increasingly aware of the need to anticipate

possible needs for budget and staff reductions (known commonly as retrenchment) by developing orderly procedures for making such reductions. Like governing boards in many other states, the Kansas Board of Regents recognized that advance planning for such contingencies would serve the best interests of everyone in the academic community; it adopted, on September 21, 1979, the following definition of financial exigency for the Regents' system:

Definition: Financial exigency is the formal recognition by a Regents' institution that prior reductions in budget or authorized number of positions have required the elimination of nontenured positions and operating expenditures to such a point that further reductions in these categories would seriously distort the academic programs of the institution; hence, further budget or position reductions would require the nonreappointment of tenured members of the faculty or the failure to meet the standards of notice for nonreappointment of faculty. It is not a requirement of financial exigency that all nontenured positions throughout the University be first eliminated.

Procedure: It shall be the responsibility of the chief executive officer of each Regents' institution, in consultation with appropriate campus groups, to develop a plan for reductions in personnel as necessitated by conditions of financial exigency.

In the event that financial conditions at a Regents institution may warrant the declaration of financial exigency, the chief executive officer shall notify the Board of that fact and shall provide a complete statement of the circumstances that may warrant the declaration of financial exigency. The statement shall also include a review of all reasonable alternatives to financial exigency. If the Board and the chief executive officer concur as to the existence of a financial exigency, it shall be the responsibility of the chief executive officer to so declare.

In response to the Regents' action, the faculty of The Wichita State University adopted a document entitled, "Policies and Procedures for the Reduction of Unclassified Staff for Reasons of Financial Exigency" on September 15, 1980.

3.302 / Policies and Procedures for the Reduction of Unclassified Staff for Reasons of Financial Exigency

Preface: The document, which represents ongoing faculty review in the area of financial exigency, is devised to provide an operational plan if sharply declining enrollments should lead the University President to declare a state of financial exigency at WSU. From the beginning it was agreed that advance study and plans would relieve some of the personal, departmental, and college conflicts which might be expected to occur with the sudden declaration of financial exigency. Effort has been made to consider the welfare of the University and its programs, as well as the most humane treatment possible for faculty members who have served it. The original document was approved by the University Senate on May 4, 1976, after nearly two years of faculty deliberation. The following procedures are to provide a formal process of retrenchment proceedings prior to and during a period of financial exigency.

I. **Committee Structure.** The following committees shall be selected each year for three year rotating terms and elect their own chairpersons:

A. **College Advisory and Appeals Committees for Retrenchment.**

1. Each degree-granting college shall select a committee of its faculty according to the same procedures it uses to select its Tenure and Promotion Committee, or by other similar procedures adopted by the faculty of the college, except that:

- a. The college dean shall not be a member of this committee: and
 - b. An Affirmative Action Agent of the college shall be a non-voting member of the committee.
2. An election shall be held among the Academic Services staff to form a committee of six members by which such staff shall be represented. No more than two members of the committee shall be from the same division of the Academic Services staff. In addition to the elected members, an Affirmative Action Agent will be designated as a non-voting member by the WSU Affirmative Action Office.

B. The University Advisory and Appeals Committee for Retrenchment. The University Retrenchment Committee shall comprise the chairpersons of each College Retrenchment Committee, the University Affirmative Action Officer as a non-voting member, and a representative of the Student Government Association.

- 1. The term "college dean" shall refer to the deans, including associate and assistant deans, of the degree-granting colleges and to the administrator charged by the President with developing the retrenchment program for Academic Services staff.
- 2. Hereafter, the term "college committee", shall refer to this committee as well as those defined in I/A/1.

C. Functions of the College Committees:

- 1. To regularly review the status of the college and its various departments in relation to those aspects relevant to possible financial exigency.
- 2. To participate in preventive planning with the college prior to a declared exigency.
- 3. To review college and departmental plans for retrenchment should a declaration of financial exigency be necessary.
- 4. To serve as an appeals committee as described in section IV/K.

D. Functions of the University Committee:

- 1. To regularly review the status of the university and its component parts in relation to those aspects relevant to possible financial exigency.
- 2. To participate in preventive planning for the university prior to a declared exigency.
- 3. To review university and college plans for retrenchment should a declaration of financial exigency be necessary.
- 4. To serve as an appeals committee as described in section IV/M.

II. Preventive Planning during a non-crisis period.

A. In that faculty involvement is imperative in a declared exigency, it follows that preliminary participation is even more important. Such involvement will serve the dual purpose of uniting the forces of faculty and administration in achieving and maintaining university strength and of minimizing the corrosive effects of declining enrollments. Systematic planning should consider the following approaches:

- 1. Biannual review of the current status and future projections for the University by the President and/or Vice President for Academic Affairs with the University Committee and others as appropriate.
- 2. The chairperson of the University Committee shall be involved regularly in discussions with the university administration regarding university financial status and especially at times of budget hearings.
- 3. Such approaches as the following should be actively reviewed and instituted by administration whenever feasible:
 - a. Considerations of policies for early retirement or semi-retirement status.
 - b. Consideration of further utilization of shared positions.
 - c. Assessment of faculty skills in functional areas as well as areas of specialization to facilitate possible reassignment of faculty members.
 - d. Retraining of faculty for alternative positions.
 - e. Development of additional curricular offerings to expand enrollment without jeopardy to existing programs.
 - f. Any other potential means for avoiding loss of faculty expertise.

[Note: This section reflects the AAUP document on "The Role of Faculty in Budgetary and Salary Matters," (1972).

III. Restrictions and Guidelines on Termination for Reasons of Financial Exigency.

A. Prima Facie Restrictions.

Each of the following restrictions expresses a reasonable expectation about the criteria that will be used to select those persons to be terminated for reasons of financial exigency; but it is possible, even likely, that on occasion these restrictions shall conflict with one another and that on these occasions one or more of them will have to be violated. All parties contributing to programs of retrenchment constructed under Part IV of this document are enjoined to adhere to these restrictions to the fullest extent possible and to deviate from them only to the extent required by the best interests of the university. Any report at any level recommending the termination of any individual in such a way as to violate any of these restrictions must be accompanied by a full explanation of the reasons for such a recommendation.

1. Termination should not be made in any way which would prevent any unit of the university from performing the tasks appointed for it.

2. Any terminations in any given unit which are based on the decreasing demand for the services of that unit should be based on services over no less than a three year period.

3. Terminations within a given department or unit should ordinarily be made according to rank (lecturers and graduate assistants first), followed in order by assistant instructors, instructors, assistant professors, associate professors, professors, and within rank according to years of service at the university at that rank. The appointment of a faculty member with tenure will not be terminated in favor of retaining in that department a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result.

4. Terminations should be made in such a way as to maximize compliance with the university's obligations to affirmative action guidelines.

5. Administrative terminations should be made in the same proportion as faculty terminations.

B. Mandatory Guidelines on Termination of Staff for Reasons of Financial Exigency.

1. If the University, because of financial exigency, terminates appointments, no new state funded positions will be established except in extraordinary circumstances where a serious distortion in the academic program would otherwise result. The appointment of a faculty member with tenure will not be terminated in favor of retaining within the department a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result. The existence of "extraordinary circumstances" shall be determined by the University Retrenchment Committee. The appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure in another unit of that college, if the tenured faculty member can establish with the College Retrenchment Committee that he is at least as qualified for the position as the untenured faculty member.

2. Except in the utmost emergency, which could not have been foreseen, the standards of due notice of non-reappointment stated in the Handbook for Faculty shall not be violated.

3. In all cases of termination of appointment because of financial exigency, the place of the tenured faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and a reasonable time (not to exceed 60 days) in which to accept or decline it.

4. Any tenured faculty member chosen for termination on the grounds that he/she is less competent in performance than someone who otherwise would have been terminated instead, must be terminated according to the procedures for dismissal for cause.

5. If a dean recommends a retrenchment program requiring the elimination of a department or a degree or certificate program, it may not be approved either by a College Retrenchment Committee or by the University Retrenchment Committee unless the elimination of the program has been approved by the faculty of the college in which the department or program is located. Approval of the faculty is defined as a majority of the college faculty casting votes, provided that that number also constitutes a majority of a quorum of the faculty of that college. (This document states the possibility and conditions of a retrenchment committee's being overruled by a dean or by the President. Hence, this wording in no way confers a veto power on the elimination of departments to the faculty.)

IV. Procedures to be followed when a State of Financial Exigency has been Declared by the President of the University.

A. The President shall announce to the deans and the University Retrenchment Committee that he/she has declared a state of financial exigency for the University and the proposed plan for,

1. The number of positions to be eliminated from the central administrative staff of the university,
2. The number of positions to be eliminated from each college, and

3. The calendar for procedures to determine cutbacks.
- B. The University Committee will
1. Review the entire program of retrenchment for the university to see that it conforms with the restrictions and guidelines (Part III),
 2. Consult with the deans concerning the proposed retrenchment program and
 3. File with the President and the deans any changes it recommends in the retrenchment program and the committee's reasons for those changes.
 4. In this contest the term "college" shall refer to the degree-granting colleges and to the divisions making up the Academic Services staff.
- C. After reviewing the university committee recommendations, the President will send to the deans and the university committee a copy of the final university retrenchment program and reasons for any departures from the university committee's recommendations.
- D. The dean of each college, after consultation with the college committee, shall announce to the college
1. The number of positions provisionally to be eliminated from the administrative staff of the college.
 2. The number of faculty positions provisionally to be eliminated from each department within the college.
- E. The chairperson of each department shall consult with the tenured faculty of that department, or a representative committee thereof, according to the procedures used in the making of recommendations for tenure, and shall then provide the dean in writing
1. Any evidence that serious programmatic difficulties would result from the proposed retrenchment in the department or other departments or colleges, and
 2. Recommendations of the department concerning the particular individuals to be terminated, including the reasons for those recommendations.
- F. The dean shall, in consultation with the college retrenchment committee and taking into account the written arguments from department chairpersons,
1. Design a program of retrenchment designating each member of the college to be terminated, containing explicit reasons for the termination of any tenured faculty member, or for any deviation from restrictions in Part III or college restrictions and guidelines.
 2. Inform each department chairperson of:
 - a. The particular individuals designated for termination from that department.
 - b. Any reasons explicitly stated in the college retrenchment program for the selection of those individuals.
 - c. The number of persons designated for termination from other departments and from the administrative staff of the college;
 3. Inform in writing each person designated for termination of his/her status, of any reasons explicitly stated in the college retrenchment program for his/her designation for termination, and of his/her right to appeal as below;
 4. Present the entire program of retrenchment, including chairpersons' recommendations, to the college retrenchment committee.
- G. The college retrenchment committee shall
1. Maintain confidentiality with respect to the names of individuals designated for termination to the extent permitted for the adequate fulfillment of its charge;
 2. Hear any appeals from tenured or probationary staff according to the definitions of charges and procedures given in Part V and
 3. Report its findings to the dean and to the appellant.
- H. The dean shall take appropriate actions on the committee recommendations concerning appeals from IV/B, and report to the committee any modifications he/she wishes to make. He/she shall also report these changes to the appropriate chairpersons and individuals as in IV F/2-3.
- I. The college retrenchment committee shall

1. Review the entire program of retrenchment for the college to see that it conforms to college restrictions and guidelines, if any, and the restrictions and guidelines in Part III of this document,
2. Consult with the dean concerning the proposed retrenchment program, and
3. File with the dean any changes it recommends in the retrenchment program and the committee's reasons for those changes.

J. The dean shall modify the college retrenchment program as he/she deems appropriate in the light of the committee recommendations, and shall

1. Inform the college retrenchment committee of the changes he/she has made, and of his/her reasons for not accepting any committee recommendations that he/she has rejected;
2. Inform each department chairperson of
 - a. The particular individuals from that department designated for termination in the modified retrenchment program from that department,
 - b. Differences between the dean and the College committee concerning individuals to be terminated from that department,
 - c. His/her reasons for rejecting the recommendations in section J/2/b:
3. Inform in writing each individual designated for termination in the modified retrenchment program of his status, of the Dean's reasons if the College Committee does not concur in that designation, and of any right to appeal;
4. The procedures are designated to allow each faculty member only one opportunity to appeal if that appeal results in a negative recommendation by the committee to which he appeals.

K. The college retrenchment committee will

1. Hear appeals from any tenured or probationary staff designated for termination in the modified retrenchment program of any college but not designated for termination in the original retrenchment program of that college
2. Report its findings to the appropriate dean and the faculty member.

L. The Dean shall present a report of the college's retrenchment program to the Vice President for Academic Affairs who shall transmit these reports to the deans of the other colleges, this report to include

1. The modified retrenchment program of the college, together with supporting arguments,
2. Copies of all recommendations from chairpersons, together with supporting arguments,
3. A list of all recommendations from the college retrenchment committee that were not accepted, together with the committee's reasons for those recommendations and the dean's reason for rejecting them.

M. The University Retrenchment Committee shall

1. Hear any appeals, according to the definitions of charges and procedures given in Part V, from any member of the central administrative staff of the University designated for termination by the Vice President for Academic Affairs and
2. Hear any appeals from faculty members who do not have a designated college channel for redressing grievances (only one opportunity for appeal will be possible)
3. Hear appeals from any college based on programmatic impact in that college of decisions made in other colleges
4. Recommend to the Vice President for Academic Affairs appropriate procedures for redress of any appeals it upholds from M/1-2-3.

N. The Vice President for Academic Affairs shall act on the recommendations, if any, from M/4.

O. The Vice President for Academic Affairs shall transmit to the President

1. The complete report on retrenchment from each college
2. His/her recommendation for terminations from the central administrative staff of the university,
3. The recommendations of the University Retrenchment Committee concerning central administrative staff appeals,
4. His/her own responses concerning the recommendations of the University Retrenchment Committee.

P. The President shall in consultation with his/her staff,

1. Construct a program of retrenchment for the University
2. Notify the University Retrenchment Committee of the entire program, and of his/her reasons for any deviations from

recommendations of the University Retrenchment Committee;

3. Notify each dean of
 - a. Any changes he/she has made in the modified retrenchment program presented by the dean, and
 - b. His/her reasons for those changes;
4. Notify each department chairperson of
 - a. The individuals to be terminated from that department, and
 - b. His/her reasons for any terminations not recommended by the College Retrenchment Committee;
 - c. The numbers of individuals to be terminated from other departments of that college,
5. Notify each individual to be terminated under his/her program of termination
6. Notify any individual to be terminated under his/her program who has not had prior opportunity to appeal his/her case of his/her right to appeal according to the procedures in Part V.

Q. The appropriate College Retrenchment Committee (for central administrative staff, the University Retrenchment Committee) shall hear appeals according to definitions of charges and procedures given in Part V, from any tenured or probationary faculty member who is designated for termination in the report of the President and has not had prior opportunity to appeal his/her designation for termination.

R. President shall act on any upheld appeals and notify the appellants.

V. Appeals Procedures.

Sections G, K, M and Q of Part IV of this document describe conditions under which a member of the unclassified staff may appeal a decision to designate him/her for termination. All appeals from probationary and tenured faculty members will go to their College Advisory and Appeals Retrenchment Committee and appeals from central administrators will go to the University Retrenchment Advisory and Appeals Committee. Such a staff member, hereinafter referred to as the appellant, shall file his/her appeal with the chairperson of the committee described in the section under which the appellant is appealing, hereinafter referred to as the Appeals Committee, basing his/her appeal on the charges described in the following:

A. If the appellant alleges that a decision not to reappoint him/her was based significantly on considerations that violate (1) academic freedom or (2) governing policies precluding prejudice with respect to race, sex, religion, national origin, handicap, age, or Vietnam era veteran status, the allegation shall be given preliminary consideration by the Appeals Committee which shall seek to settle the matter by informal methods. The allegation shall be accompanied by a statement that the appellant agrees to the presentation, for the consideration of the committees hearing the appeals, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee or the faculty member so recommends the matter will be heard in the manner set forth in Regulations 5 and 6 of the 1972 AAUP Recommended Institutional Regulations on Academic Freedom and Tenure, except that the appellant is responsible for stating the grounds on which he bases his/her allegations, and the burden of proof shall rest on him/her. If the appellant succeeds in establishing a prima facie case, it is incumbent upon those who made the decision not to reappoint him/her to come forward with evidence in support of their decision.

B. If the appellant alleges that the decision to designate him/her for termination was based on inadequate consideration, the Appeals Committee shall review the faculty member's allegation and shall determine whether the decision was the result of inadequate consideration in terms of the relevant standards of the university. The appeals Committee shall not substitute its judgment on the merits for that of those making the decision. If the Appeals Committee believes that adequate consideration was not given the appellant's qualifications, it will request reconsideration by those who made the decision to designate the appellant for termination, indicating the respects in which it believes the consideration may have been inadequate. The Appeals Committee shall provide copies of its findings both to the appellant and to those who made the decision to designate the appellant for termination.

These procedures are adapted from sections 10 and 2f, respectively, of the 1972 AAUP Recommended Institutional Regulations on Academic Freedom and Tenure of the American Association of University Professors.

[Adopted by the University Senate on 4/28/80 and 5/12/80. Adopted by the General Faculty on 9/15/80.]

CHAPTER 4/FACULTY BENEFITS & RESPONSIBILITIES

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A/FACULTY BENEFITS

4.01/State Contributory Benefit Programs

4.011/State of Kansas Health Insurance Program

The State of Kansas Health Insurance Program is available to faculty employed on a half-time or greater basis. The employee may choose from plans approved by the State of Kansas. The health insurance program is optional, and eligible employees must enroll or waive the health insurance coverage. A brochure describing the plan and its provisions, including hospital, medical-surgical, and major medical benefits, is available from the insurance clerk, Office of Human Resources. All questions should be directed to the Office of Human Resources.

4.012/Insured Death and Disability Benefits

Faculty members who participate in the retirement program are covered by a death and disability insurance plan, which is obtained through the Kansas Public Employees Retirement System. The cost of the insurance is borne wholly by the University.

Wichita State University faculty are covered by disability insurance compensation. All questions regarding this benefit should be referred to the Office of Human Resources.

4.013/Worker's Compensation

All state employees are covered under the Kansas Worker's Compensation Act. Worker's Compensation is an insurance plan that furnishes benefits to employees who are injured in accidents that arise out of and in the course of their employment. Illnesses arising out of and in the course of employment are also covered. Benefits for state employees are paid from a self-insurance fund

established by the State of Kansas as employer. The act provides two types of compensation: compensation for lost earnings and compensation for medical costs. The act also provides compensation for disability and death.

Whenever a faculty or staff member is involved in a job-related accident, the Office of Human Resources should be notified immediately to assure that worker's compensation benefits are made available.

4.014/Retirement Program

Wichita State University retirement program is authorized by the Board of Regents Retirement Resolution, adopted January, 1988.

Eligibility. Subject to the conditions stated below, all unclassified personnel employed half-time (.5 time) or more are eligible and must participate in the retirement program as provided for in KBOR regulations.

In lieu of participating in the program, eligible employees, having accrued retirement benefits under the Kansas Public Employees Retirement System (KPERS), may elect to continue participation in KPERS. Conversely, participants in the Plan, transferred or reclassified to a position that qualifies for participation in KPERS, may elect to continue participating in the program. Only one such election may be made by an employee during an employee's lifetime.

Wichita State University will make contributions for participants and participants will continue to make contributions at the rate specified below until they retire. Participants who retire and are subsequently rehired shall receive additional contributions provided that the employee is in an eligible position and provided the employee meets the requirements of the retirement program and the participating company.

Retirement contributions are approved by the Kansas Legislature and are subject to annual legislative review.

Program contributions by a participant will be deducted from salary payments or, if elected by the participant, will be made on a tax-deferred basis under an agreement for salary reduction executed in accordance with Section 403(b) of the Internal Revenue Code, subject to the Rules and Regulations adopted by the Board and the requirements of the selected investment providers.

Participants who become eligible for the insured disability benefit shall have provided both WSU's and the employee's contributions.

All questions regarding retirement benefits should be directed to the Office of Human Resources.

4.015/KPERS Retirement Program

Some classified administrators and the classified staff are covered by the Kansas Public Employees Retirement System (KPERs). Information about the program is available from the Office of Human Resources.

4.016/Social Security

The University is a participant in the federal social security program. Social security benefits include disability and survivors insurance, Medicare insurance, and retirement benefits. Retirement benefits payable under social security are in addition to the benefits payable under the university's retirement program.

The social security program is supported by payroll taxes paid by an employee on a withholding basis and matched by the employer (State of Kansas). Specific information on social security benefits is available from the Wichita office of the Social Security Administration.

4.017/Payroll Deductions & Check spreading by the State of Kansas

Federal and state income taxes, payment for coverage under the State of Kansas Health Insurance Program, payment of the employee's contribution to the retirement program, and payment of the employee's share of social security taxes are accomplished by direct payroll deduction by the State of Kansas. Deductions for WSU Employees Association programs must be made through a special check deposit arrangement with the WSU Employees Association. Nine-month salary checks may be spread over 12 months by the State of Kansas. Salary spreading may be arranged through the Office of Human Resources.

4.018/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. Normally the employee should speak with the division director or dean about the procedure, or should phone Academic Affairs. 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.

4.02/WSU Employees Association Programs

The WSU Employees Association has been formed to provide certain group insurance programs and services that are not available to faculty and staff through the State of Kansas. All employees of the University and the related corporations, and retired employees, are eligible to become members of the association. Voting members (who elect the association's council) are required to participate in the association's program of direct deposit of payroll checks and to participate in the association's

group term life insurance program. The association's activities are administered through the Office of Human Resources in cooperation with the Controller's Office. The various programs and services available through the association are described below.

4.021/Group Term Life Insurance

Group term life insurance is available through the association. Premium rates are based on age. Also available to group life policyholders is dependent life insurance coverage.

4.022/Accident Insurance

Accidental death and dismemberment insurance is available through the association.

4.023/Cancer Insurance

The association has available a Cancer, Hospital, and Additional Income Policy. Several plan variations are available in both individual and family coverage.

4.024/Payroll Deductions & Check Spreading by the Employees Association

An integral part of the association's activities is provision for payroll deductions and check spreading through the association. Deductions may be authorized through the association for the following purposes:

1. Group term life insurance premiums
2. Accident insurance premiums
3. Cancer insurance premiums
4. United Way contributions
5. Campus Credit Union savings or loan payments
6. University Club dues.

Information regarding check spreading through the WSU Employees' Association is available from the WSU Credit Union.

4.03/Travel Policies and Procedures

4.031/Travel Policy

All travel approved by The Wichita State University is intended to benefit the state in one of the following ways: (1) to assist the University in securing a federal or private grant to enrich its academic and research program, thereby benefiting its students and the state; (2) to enable a member of the faculty to contribute the results of research and scholarship to the critical review of other scholars, thereby ensuring the productive use of the fruits of his/her work; (3) to enable a member

of the faculty to keep abreast of the ongoing work in his/her field by participating with peers in workshops, colloquia, seminars, and other meetings designed to enhance the faculty member's ability as a teacher, scholar, and researcher.

Each college has travel policies that are available upon request.

4.032/Travel Procedures

Requests for travel authorization are initiated at the department level. Department chairpersons are responsible for the regulation of travel for their respective units. Requests for out-of-state travel authorization must be approved by the dean or director, and by the Vice President for Academic Affairs. Travel requests must be submitted to the Controller's Office at least two weeks in advance of the proposed trip.

Travel arrangements must be made through the campus travel agent. To request a travel advance (out-of-state trips only), a person must have travel approved and the request submitted at least 10 days prior to the need for the advance check.

Use of privately owned automobiles for out-of-state travel requires approval by the dean or director. Under state regulations, reimbursement for private car mileage may not be made unless two or more University personnel are traveling together, and then only if a University vehicle is not available. In-state trips may be taken by University automobile or privately owned automobile (if a University car is not available).

4.04/Leave Policies

4.041/Sabbatical Leave

In strictly meritorious cases, a faculty member who has served continuously for six years or longer may be granted a leave of absence with partial pay for a period up to one year.

The Wichita State University's policy on sabbatical leaves is based on the Board of Regents' Policy on Leaves as adopted 12/16/61, and last amended on 6-23-88, and states, in part, that sabbatical leave may be granted under the following conditions:

In strictly meritorious cases, a full-time faculty member on regular appointment at any of the Regents institutions of higher education who has served continuously for a period of six years or longer at one or more of these institutions, may, at the convenience of the institution and upon the recommendation of the president or chancellor of the institution with which connected, be granted not to exceed one such leave of absence for each period of regular employment for the purpose of pursuing advanced study, conducting research studies, or securing appropriate industrial or professional experience; such leave shall not be granted for a period of less than one semester nor for a period of more than one year, with reimbursement being made according to the following

schedule: for nine-months faculty members, up to half pay for an academic year, or up to full pay for one semester; for twelve-months faculty members, up to half pay for eleven months, or up to full pay for five months.

A faculty member applying for sabbatical leave is required to file an official Application for Sabbatical Leave and sign a Sabbatical Leave Agreement by which he or she agrees to return to WSU for a period of at least two years immediately following expiration of the period of leave. In the event of failure to return, the faculty member agrees to refund all sabbatical pay, or, on failure to remain for at least two years, to refund that portion of sabbatical pay which is in proportion to the amount of time not served as required by the agreement.

Sabbatical leave requests should be prepared on official forms which are obtainable in a packet from the Office of Academic Affairs. Leave requests are due in the Deans' offices by October 3 and in the Academic Affairs Office no later than October 17 of the academic year preceding the proposed leave. Leave requests are then referred to the Faculty Support Committee (FSC), a committee whose charge is to review leave proposals in terms of merit, solicit additional information where needed, and make ranked recommendations to the Vice President for Academic Affairs who performs the final evaluation. Each applicant is informed of University action on his/her sabbatical leave request by November 24. Requests approved by the University are submitted to the April meeting of the Board of Regents for Board action.

Procedures and policies established for sabbatical leaves are as follows:

1. The applicant requests and receives from the Office of Academic Affairs a packet which includes the WSU Application for Sabbatical Leave, the Board of Regents' Sabbatical Leave Agreement form, and the WSU Summary of Review form.
2. Each leave application form is completed in sufficient detail to permit review by the FSC and evaluation by the Vice President for Academic Affairs. The application is first submitted to the applicant's chairperson, who transmits the form through his/her dean to the Vice President for Academic Affairs for delivery to the FSC.
3. Recommendations from the chairperson and the dean, detailed on the Summary of Review form, accompany the application when it is transmitted to the Vice President for Academic Affairs. The recommendation must include a statement from the applicant's chairperson or dean concerning provision to be made for the work load of the applicant during his/her absence. The statement should cover the direction of those graduate students for whom the applicant is the thesis or dissertation advisor. It should also indicate whether any additional expense to the University, apart from sabbatical salary, would occur if the leave were granted. Applications involving such additional costs are not ordinarily approved without special justification.
4. If the proposed program of work is contingent upon the applicant's receiving additional financial aid from the University, apart from sabbatical salary, or from external sources, details concerning

such contingency should be included on the Summary of Review form. The sources from which external support is being sought should be identified and the nature of any services required in connection with the receipt of such support should be related to the purpose of the leave.

5. No later than 60 days from the first day of classes in the semester of the faculty member's return from sabbatical leave, he or she is required to submit a Final Report on the sabbatical projects. A form for filing this report will be sent to the faculty member early in the semester of his/her return to campus. The completed Final Report is to be submitted, through the chairperson and dean, to the Vice President for Academic Affairs. It will be referred to the FSC and the President, then transmitted to the Faculty Records Clerk in the Office of Academic Affairs for filing in the permanent records of the University. If appropriate, the Final Report should include a description of specific plans for sharing the results of the sabbatical leave with the recipient's departmental colleagues or other groups on campus.

The Sabbatical Leave policy of the Regents' system, and The Wichita State University in particular, is based on the assumption that such leaves do not occur automatically at stated intervals, but are awarded on merit and are clearly designed to encourage scholarly and professional achievement for the mutual benefit of the faculty member and the University.

The scope of activities that may be undertaken by WSU faculty on sabbatical leaves is quite broad, encompassing not only the traditional purpose of scholarly research, but the more non-traditional purposes of professional development or redevelopment. At WSU, leaves have been granted for advanced study, for specific research projects, for creative projects, for curriculum/instructional development, for residencies to observe the programs and methods of other institutions, for travel related to academic and professional development, for occupational experience designed to enhance professional qualifications, and many other similar purposes. Work toward a graduate degree does not normally qualify as an acceptable program for a sabbatical leave.

Sabbatical leave programs properly serve the interests of the faculty member and the University as a whole. Faculty who have accumulated service with the University benefit from having a period away from normal campus obligations in order to pursue special interests or projects related to their professional lives. The period of renewal offered by such leave also benefits the University, which welcomes back at the conclusion of a successful leave a faculty member with new ideas, enthusiasm, and accomplishments.

The sabbatical leave application process contains some features designed to enhance the probability of successful sabbatical leaves. In the application materials, faculty are asked to demonstrate special aptitude for their proposed projects, indicating previous professional or scholarly work related to the area of activity proposed for the leave. Sufficient documentation must be presented to enable the University to conclude that the goals of the leave probably will be accomplished and that the project cannot be completed without such a leave.

A particular concern of the University is the difficulty of granting leaves to faculty in small

departments. A disproportionate negative effect may be felt by students and colleagues when a faculty member who is the only person with programmatic expertise needed on a regular basis by the department takes a sabbatical or other type of leave. Faculty members in small departments, therefore, need to plan their leaves in advance, and obtain assurance from their department and college that arrangements can be made to cover their responsibilities while absent. As previously indicated, Regents' policy limits the number of sabbatical leaves in any fiscal year to not more than 4 percent of the equivalent full-time faculty with rank of instructor or higher. The University further stipulates that the number of leaves in any fiscal year may not be so great in any department, division, or college, or on the campus as a whole, as to disrupt the continued and regular course offerings, or to affect the quality of education offered to the students. Final approval of the sabbatical leave for a faculty member being reviewed for continuous tenure is contingent upon the awarding of tenure.

Questions regarding the sabbatical leave policies and procedures of the University may be addressed to the Vice President for Academic Affairs.

4.042/Leave Without Pay

A faculty member may be granted a leave of absence without pay when it is judged to be in the best interest of the University. Written application for such leave, together with the endorsements of the appropriate departmental chairperson and/or dean or director, should be submitted to the Vice President for Academic Affairs, at least 30 days before action of the Kansas Board of Regents is expected. The Kansas Board of Regents' policy on such leaves is stated as follows:

A leave without pay for up to one year may be granted when such is judged to be in the best interest of the institution. Approval by the Board of the leave without pay may be granted by routine minute, except when the proposed leave is to be with a private corporation and the intent of the employee to return is uncertain. In such case and in cases of other unusual circumstances, Board approval at a regular meeting shall be required.

Unclassified personnel receiving less than a full-time leave without pay shall continue to be assisted in their participation in the Regents retirement system based on that portion of their reduced salary. During such partial leave of absence without pay, the Regents institution shall pay 75 percent of the single member health insurance premium of such unclassified employee, subject to the policies, rules and regulations of the State Employees Health Insurance Commission.

If appropriate, a faculty member may request, at the time the application is submitted, that the period of the leave not be counted toward tenure. The Vice President for Academic Affairs will determine whether the request is to be granted and whether the leave will count toward tenure. Any extension of a leave without pay for a second year requires the consent of the Board of Regents. Two years is the limit of leaves without pay.

4.043/Sick Leave

All unclassified faculty and staff who are forced to be absent from their duties for reason of personal illness or temporary disability are eligible to receive sick leave pay. The present sick leave policy was adopted by the Board of Regents on May 15, 1975 and last amended in May, 1985. The Board of Regents policy is implemented at Wichita State University by the following administrative guidelines:

4.0431/Accrual of Sick Leave Credit

Unclassified employees will accrue sick leave credit at the rate of one working day for each calendar month of full-time employment, with no limit on the number of days which can be accumulated. Accumulations of sick leave credit for months spent on less than full-time status shall be reduced proportionately. Accumulations for time on sabbatical leave will be proportioned according to the pay status during that period. No sick leave credit will be awarded for periods when personnel are on leave without pay status. Unclassified personnel employed less than half-time, lecturers, and adjunct/faculty associates are not eligible for sick leave.

4.0432/Use of Sick Leave

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. 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. (7-84)

It will be the responsibility of each unclassified employee to report sick leave utilized to his or her departmental office on a monthly basis.

Departmental chairpersons or budget officers will submit a monthly departmental record of sick leave utilized to the Office of Human Resources.

At such time that all accrued sick leave credit has been utilized, and dependent upon the nature and circumstances of the illness, unclassified personnel may be eligible for leave without pay.

4.0433/Retirement Benefit

Each person retiring from the unclassified service of the State of Kansas who has accumulated 100 days or more of sick leave shall receive, at the time of retirement, compensation for his or her accumulated sick leave as follows:

1. Compensation for not more than 30 days, if such person has completed 8 or more years of such

service and has accumulated at least 100 but less than 125 days of sick leave,

2. Compensation for not more than 45 days if such person has completed 15 or more years of such service and has accumulated at least 125 but less than 150 days of sick leave, or

3. Compensation for not more than 60 days if such person has completed 25 or more years of such service and has accumulated 150 days of sick leave or more.

Employee retirement contributions shall be deducted from all compensation for accumulated sick leave paid to each person who retires, and benefit calculations for such person shall include such compensation.

4.044/Annual Leave

Unclassified personnel at Wichita State University employed on a 12 month basis are entitled to annual leave. Annual leave is implemented by the following administrative guidelines:

Full-time unclassified personnel on a 12 month basis earn one calendar month of annual leave without pay not to exceed 22 working days per fiscal year. Leave credit shall be accumulated at the rate of two days for each month of service. (The month of annual leave is not considered a month of service for purposes of crediting annual leave.) Accumulations of annual leave credit for months spent on less than full-time service shall be reduced proportionately. Twelve month unclassified personnel employed less than half-time are not eligible for annual leave. The maximum amount of annual leave which can be accumulated is 38 working days. Accumulations of annual leave credit for time on sabbatical leave will be proportioned according to the pay status during the period. No annual leave credit will be awarded for periods when personnel are on leave-without-pay status.

Annual leave should be arranged in advance with the approval of the employee's administrative superior.

In the event of a termination, accrued annual leave should be taken prior to the end of the appointment period or may be lost. A person will be paid for a maximum of 22 days of accrued annual leave at the time of termination or retirement (7-88). In case of termination prior to completion of an initial 12 month appointment, accrued leave may be taken by the employee or will be compensated regardless of the number of months of service.

Nine-month and ten-month unclassified personnel do not earn annual leave.

4.045/Holidays

The Board of Regents has adopted (4-87) the following policy:

Regents institutions shall observe the following holidays for all unclassified personnel:

New Year's Day
Martin Luther King Day
Memorial Day
Independence Day

Labor Day
Veteran's Day
Thanksgiving Day
Christmas Day

Unclassified and classified personnel shall be entitled to such other special holidays as may be declared by the Governor. If any listed or special holidays fall during a time when classes are in session, such holidays shall not be observed by unclassified personnel. Classified employees required to work on such holidays shall be afforded compensatory time or compensation in accordance with Civil Service rules and regulations.

Employees within the Regents system who accrue annual leave shall be entitled to one additional holiday per year to be taken at their discretion, subject to the advance approval of the individual's administrative superior.

4.05/Resolution of Internal Disputes

4.051/Right of Consultation

A faculty member may invite a colleague to attend a discussion or meeting with her chairperson, dean, or other supervisory administrator at which the faculty member's professional activity or performance will be discussed, and should notify the administrator accordingly.

The invited colleague may act as an advisor or witness, and may participate in the discussion if invited to do so by any of the others present. He or she may take notes, if all parties agree.

The invited colleague is not a representative of the faculty member whom they accompany and is not a legal counsel. His or her role is that of colleague and advisor, with a responsibility to assist in the consultations to produce a satisfactory resolution of the dispute. Responsibility for any decisions or actions taken remains with the parties to the dispute. Any other administrative officer invited to such a meeting or discussion has the same limited responsibilities as an invited faculty colleague, unless he/she has regular, pre-existing administrative responsibilities for the issues being discussed.

When a faculty member invites a colleague to attend such a meeting or discussion, he or she assumes responsibility for any loss of confidentiality that results from that colleague's actions. The presence of an invited colleague does not imply that a written record of the meeting must be kept; it does not preclude any participant from submitting a summary memorandum to others who were present for their authentication.

4.052/Grievance Procedure

In order to attempt to resolve internal disputes within the campus community, Wichita State

University has established a grievance procedure for faculty members and other unclassified personnel. The grievance procedure, when used, gives the employee an opportunity to have his or her grievance considered by a Grievance Review Committee made up of faculty members; the Review Committee then makes recommendations for final action to a vice president of the University. The text of the grievance procedure follows:

Grievance Procedures in Summary Form

1. A faculty member who has a grievance must make a bona fide effort to resolve the matter through University channels. In most instances this should occur within the faculty member's department or office and should involve the Chairperson or immediate Supervisor, and if appropriate, the Dean.
2. If the dispute is not settled, the faculty member must contact the Chairperson of the Rules Committee. If a grievance involves discrimination, the faculty member should notify the Director of Affirmative Action before contacting the Chairperson of the Rules Committee. In discrimination grievances, if contacted first, the Rules Committee Chairperson will direct the faculty member to the Director of Affirmative Action for Unclassified Personnel.
3. The faculty member must file a formal complaint with the Chairperson of the Rules Committee and request that a Convener and a Review Committee be appointed.
4. If the faculty member elects to waive a hearing, the Review Committee will evaluate the evidence and base its findings and recommendations on such material.
5. If the faculty member elects a hearing before the Review Committee, the specific procedures for the hearing are provided in the statement of Policies and Procedures for Processing Grievances at Wichita State University
6. After the hearing, the Review Committee will deliberate and submit its findings and recommendations to the Vice President of the University having jurisdiction over the respondent.
7. Following evaluation of the Review Committee's recommendations, the Vice President will decide the case.
8. Either party to the grievance may appeal this decision to the President.

Policies & Procedures for Processing Grievances for Faculty

I. General Information

A. Internal Disagreements

To resolve internal disputes, to assure careful consideration of personnel actions and complaints, and

to safeguard academic freedom, Wichita State University provides for the review of grievances filed by faculty members of the University. The term "faculty member" refers to a person who, at the time the grievance is filed, is a full time member of the faculty or who holds a fractional time appointment of .5 or more, and who holds the rank of Assistant Instructor, Instructor, Assistant Professor, Associate Professor, or Professor. This grievance procedure cannot be used by classified staff, or by students.

Faculty members should turn to the grievance process only after the normal methods of administrative remedy have been tried. Relief should be sought from at least one level higher in the administrative structure than the immediate supervisor.

WSU assumes that it is possible and desirable to resolve disputes through internal processes. It also assumes that the procedures are not the same as a court trial. If a faculty member appeals to agencies outside the University before the internal grievance procedure has been completed, the President of the University may tell the Rules Committee to stop the review.

B. Exclusions

Complaints based on the following are excluded from this grievance procedure:

Tenure & Promotion	Traffic Fines
Retrenchment	Library Fines
Hiring Decisions	

C. Time Limits

The complaint form must be filed within three months from the date on which the grievance occurred or the date on which it became known. Grievance hearings will not be conducted between May 18 and August 18. Grievances filed during that period will be processed after August 18.

II. Suspension of Faculty Member During the Proceedings

A faculty member may be suspended during a grievance if, in the judgment of the President, immediate harm to the faculty member or to others is threatened by continued service. This suspension occurs without prejudice and, except in extremely unusual circumstances, without loss of compensation until the grievance procedures herein are concluded and the action of the Vice President is taken pursuant to Section VIII L. of this policy.

III. Initial Procedures in Processing a Grievance

Any faculty member who has a grievance must make a bona fide effort to resolve the matter through University channels at the most immediate level. In most instances this should involve the Chairperson or immediate Supervisor, and if appropriate, the Dean. If discrimination is alleged, the

faculty member may initially seek resolution by contacting the Assistant Dean of Faculties rather than the Chairperson, Supervisor or Dean. If the complaint is directed against a faculty member, office, or entity outside the department, the grievant must also make a genuine effort to resolve the matter.

IV. Formal Request for Review--Statement of the Problem

A faculty member who is unable to settle the dispute must obtain a complaint form from the Chairperson of the Rules Committee. In discrimination cases, the faculty member should consult with the Director of Affirmative Action before contacting the Chairperson of the Rules Committee. In discrimination grievances, if contacted first, the Rules Committee Chairperson will direct the faculty member to the Director of Affirmative Action. The Rules Committee must decide whether the faculty member has made a bona fide effort to resolve the problem. The complaint form requires the faculty member to describe the nature of the complaint, state the alleged improper action, and explain the desired redress. This statement will serve as a petition requesting the Rules Committee to call together a Review Committee to review the matter. Submission of a petition does not automatically entail investigation or a detailed consideration of the problem. The Rules Committee will decide within five class days whether the grievance should be processed and a Review Committee formed. A decision not to process the grievance may be appealed to the Faculty Senate President who will decide within three class days of receiving the appeal whether to overrule the decision. If the petition is accepted, the Rules Committee Chairperson shall appoint a Convener and a Review Committee. The Convener will see to it that the other parties to the action, the Dean, and the appropriate Vice President receive a copy of the written statement of the complaint within three class days of its receipt.

V. Conveners

NOTE: The Convener is not a voting member of the Grievance Review Committee. The Convener's role is that of an administrator and executive secretary.

A. Conveners will be drawn from a panel of six faculty members. This panel will be selected by the Agenda Committee of the Senate in consultation with the Chairperson of the Rules Committee and the Vice President for Academic Affairs. Panel members will serve three year staggered terms.

B. The Chair of the Rules Committee will assign a Convener to each grievance within 10 class days after the decision to process the grievance.

C. Responsibilities of the Convener. The Convener will:

1. Send, within three days of receiving it, a copy of the complaint to all parties to the action, to the Dean, and to the appropriate Vice President.
2. Schedule all meetings of the Review Committee.
3. Chair all meetings of the Review Committee.

4. Keep all parties informed.
5. Ensure that fair and proper procedures are followed.
6. File the final report with the appropriate Vice President's office.
7. Act as secretary for all appeals of the grievance.

D. The Vice President for Academic Affairs and the President of the Faculty Senate will arrange annual training sessions for Conveners.

VI. The Review Committee

A. Selecting the Review Committee

1. The Rules Committee will establish and maintain a pool of 30 or more faculty to act as potential Review Committee members. Members of the pool will be selected at random from the eligible faculty in proportion to the numbers in each rank. None of these may be members of the Rules Committee. Persons selected must petition the Vice President for Academic Affairs to be excused from membership in the pool.
2. The pool will be representative of the University's faculty and include members of the federally defined protected classes.
3. Within 10 class days after the Convener is appointed, a Review Committee of five will be chosen from the pool by the Chair of the Rules Committee. In discrimination cases, the Committee will contain representatives of protected classes.
4. Faculty may remove themselves from the case for bias or conflict of interest. In addition, each party to the grievance will have a total of four challenges.
5. If any member of the Review Committee is unable to continue because of illness or for other good and sufficient reasons, a replacement agreeable to both parties will be named by the Chair of the Rules Committee or the Committee may continue to operate with fewer members if agreeable to both parties.
6. Members of the Review Committee pool shall serve three year terms.
7. Pool members will receive annual training in grievance procedures. The Vice President for Academic Affairs and the President of the Faculty Senate will arrange the training sessions.

B. The Review Committee has the following responsibilities:

1. To attend all meetings called by the Convener.
2. To ensure that fair and proper procedures are followed.
3. To consider all pertinent and relevant evidence in the case.
4. To decide whether the allegations have been sustained by the evidence, determine whether a wrong has occurred, and to make recommendations concerning possible relief.

C. In discrimination cases, the Director of Affirmative Action will serve as technical advisor to the Review Committee.

VII. Preliminary Activities

A. The parties to the dispute will submit and exchange prepared written summaries of the major issues in the case at the meeting referred to in paragraph B.

The Convener will meet with the parties to:

1. Clarify, and where possible, simplify the issues.
2. Indicate what must be proved.
3. Establish the facts, if this is possible.
4. Provide for the exchange of documents and other information.
5. Arrange the use of witnesses and advisors.
6. Direct and/or implement such other reasonable actions by the parties as will make the final steps in processing the case fair, effective, and expeditious.
7. Establish a deadline for providing appropriate materials no later than 5 class days before the formal hearing. The Convener will notify either or both parties of specific material/information requested by the Review Committee.

These activities must be completed within 15 class days after the appointment of the Convener.

B. The Convener will call the Review Committee to its first meeting. This meeting will be no later than 10 days after the appointment of the Review Committee. At this meeting the Committee will:

1. Review the procedures and responsibilities of the Review Committee.
2. Schedule its first hearing meeting. The first hearing meeting will be no later than 15 class days after the appointment of the Review Committee.

NOTE: All parties should make every effort to cooperate with the Convener and each other during these preliminary activities. Under unusual or extenuating circumstances the Convener may agree to reasonable extensions of deadlines. However, if there are unjustifiable delays in the proceedings, the Convener may so advise the Review Committee. At its discretion the Review Committee may determine that one or the other party is not cooperating, report this fact to the Rules Committee, and adjourn. If the adjournment is accepted by the Rules Committee, the Convener will declare the proceedings closed and the process at an end.

VIII. Hearing Procedures

A. The Convener shall establish a time for the hearing, taking into account the needs of the parties.

B. The Review Committee will judge what information it needs to decide the case and may request that either or both parties provide such additional information as it deems appropriate. The Review Committee has no powers of subpoena. Attendance at the hearing and the submission of materials are voluntary. Normally the hearing will be closed, but the Review Committee and both parties may

decide that it should be open to the public.

C. The hearing is not a court of law and should not be expected to follow the rules and procedures of a court. However, the course of the hearing should exhibit every effort to ensure a thorough, fair, open, and impartial review.

D. At the Review Committee's discretion, during the course of the hearing the grievant may be invited to amplify the statement of complaint; the other party may be asked to speak in defense; both parties may call witnesses; the Review Committee may question both parties and all witnesses.

E. The parties to the grievance may invite an advisor from the Wichita State University community to be present and give counsel.

F. No transcript of the hearing will be kept, but each committee member may keep notes to assist in preparing a report describing the proceedings, conclusions, and recommendations of the Review Committee. A committee member's notes will be confidential and the work product of the committee member.

G. When the Review Committee is satisfied that all reasonably available pertinent information has been presented, the Convener shall declare the hearing closed.

H. The Review Committee shall deliberate in private in order to review the information presented and arrive at its recommendations.

I. The Review Committee must submit a written report of proceedings, conclusions, and recommendations no later than 10 class days after the close of the hearing. The Convener will send the report to the parties of the dispute, the Dean, and the appropriate Vice President.

NOTE: The report should (1) restate the charges, (2) present the facts, (3) indicate whether a wrong occurred, (4) recommend what should be done.

J. The Review Committee will make its recommendations to the Vice President, who will decide to accept, reject, or modify those recommendations. The existence of the grievance procedure assumes that the faculty recommendations will generally be accepted and will be rejected or modified only for compelling reasons.

K. Either party has the right to make a final statement in writing to be sent to the Vice President receiving the Committee's report. The statement must be submitted no later than five class days after receipt of the Review Committee's recommendations.

L. The Vice President will act on the matter within 10 class days after the deadline of receipt of final statements mentioned in K. Notice of final action shall be sent to the Convener. The Convener will notify both parties, the Dean, and the Review Committee of the action taken by the Vice

President.

M. The written material presented by both parties to the Review Committee and the Review Committee's final report (Sec I. above) will be kept on file by the Vice President for Academic Affairs for 3 years. This material will be held in confidence as personnel related material.

IX. Appeal Procedures

A. Either party to the grievance may appeal the decision of the Vice President.

B. Within 10 class days from the date of the receipt of the Vice President's decision, a letter requesting an appeal must be sent to the President, with a copy to the Review Committee Convener, who will assure that the Dean, the Vice President, Review Committee members, and the other party to the grievance are informed.

C. The letter requesting the appeal must state the basis for seeking the appeal. An appeal must be based on one or more of the following reasons:

1. The decision was not substantiated by the evidence,
2. The decision was erroneous in light of applicable university standards, policies, and/or procedures,
3. The procedures as outlined in this policy and/or as modified by the Review Committee (as allowed by the policy) were not followed, or
4. Actual bias on the part of the Review Committee and/or Vice President.

D. The other parties to the dispute and the Review Committee may submit written comments to the President regarding the appeal no later than 5 class days after receipt of the notice of the appeal.

E. The President shall review the original materials, any statements sent by the parties to the Vice President or the President regarding the grievance, and the Vice President's final action.

F. The President shall notify the Vice President, both parties to the dispute, and the Convener of the Review Committee of his or her final action within 10 class days of receipt of material.

Adopted 4/8/85

Amended 4/13/87/Approved 8/87

4.06/Traffic and Parking Regulations

Traffic and parking on campus are governed by regulations established by the University Traffic Committee and published in a brochure entitled Wichita State University Traffic Regulations. The brochure is issued at the time of vehicle registration. It is the responsibility of the faculty member to be familiar with these regulations.

Vehicle registration may be accomplished and parking permits obtained at Campus Security.

Faculty members are responsible for payment of the applicable fines for violations of traffic and parking regulations.

4.07/Professional Development

Professional development and continuing professional education are essential elements in an institution's quest for academic quality. At Wichita State University, the primary responsibility for professional development rests with the individual. Increasing effectiveness in teaching, research, and service is expected of each member of the faculty.

In an era of limited resources, however, the institution is developing a variety of opportunities for faculty to obtain the resources needed for professional growth. Within the limits of its capabilities, the University provides some funds for travel to professional meetings. Each fall and spring, the University research committee awards small grants to faculty who need some support to initiate or complete a research project.

Various offices throughout the institution offer programs directed at the improvement of instruction such as the University College advising offices and the Testing Center within the Counseling Center. The Counseling Center staff is available to faculty and staff who wish to discuss personal and professional issues. Each year, a number of seminars and dialogue groups are provided in which professional and instructional issues are discussed. The Vice President for Academic Affairs' office can also arrange part-time administrative internships for faculty seeking new perspectives on the institution.

Finally, faculty are advised to take advantage of the many seminars, workshops, and presentations provided often on an informal and ad hoc basis by a number of academic units and interest groups.

4.08/Faculty Awards

Wichita State University through the WSU Board of Trustees has three university-wide awards. The first is for excellence in teaching, the second is for the advancement in teaching, and the third is awarded to a scholar new to WSU. The recipients of the awards are announced at commencement.

B/FACULTY RESPONSIBILITIES

4.09/Statements on the Professional Rights & Responsibilities of Faculty

4.091/Faculty Right to Academic Freedom

The University's position on academic freedom includes the following:

The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of the teacher's academic duties. The faculty member is entitled to freedom

in the classroom in discussing the subject, but the faculty member should be careful not to introduce controversial matter which has no relation to the subject.

The faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. When the faculty member speaks or writes as a citizen, the faculty member should be free from institutional censorship or discipline, but the faculty member's special position in the community imposes special obligations. As a person of learning and an educational officer, the faculty member should remember that the public may judge the profession and the institution by the faculty member's utterances. Hence, the faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that the faculty member is not an institutional spokesperson.

4.092/Rights & Responsibilities of Academic Professionals and Collegiality

Faculty members are at one and the same time employees of the University, members of learned professions, and members of the Faculty of the Wichita State University. Each of these roles carries with it various rights, responsibilities, and privileges. Together, these rights, responsibilities, and privileges define the profession of the university professor as teacher, scholar, and public servant.

As employees of the University, faculty members are subject to policies adopted by the University; policies, procedures, and regulations adopted by the Kansas Board of Regents; and various laws and regulations established by the State of Kansas governing the conduct of its employees.

As members of learned professions, faculty members share with colleagues throughout the nation and the world, including members of the university administration, responsibility for the discovery, dissemination, and preservation of knowledge in their chosen fields. They also enjoy the rights and privileges necessary to the work of scholars and teachers, many of which have been explicitly recognized and sanctioned by the Kansas Board of Regents in its enactments. These include academic freedom, as defined in the American Association of University Professors 1940 Statement of Principles, and its various interpretative statements.

As members of the Faculty of the Wichita State University, faculty members have specific rights and responsibilities with respect to the academic rules, regulations, and programs of the University, University governance, and Faculty governance. These rights and responsibilities are outlined and summarized in this Handbook. These specific provisions reflect standards and expectations recognized by the academic professions throughout the United States.

The principles that govern the resolution of disputes at the Wichita State University are those of collegiality and consultation. Preferably, the consultation is among the parties directly involved in the dispute, and results in a decision which all parties accept. When this fails, for whatever reason, the parties involved may wish to bring in other members of the university community, either informally, by invitation, or formally, by invoking specific rights of appeal provided for in this Handbook.

Collegial relationships among faculty members, and between faculty members and administrative officers of the University, are based on a mutual recognition of, and respect for, the various roles that faculty members and administrators play, and the rights, responsibilities and privileges involved in these roles. For example, faculty members should respect the lawful authority of administrative officers of the University, who exercise supervisory responsibility for the University, on behalf of the Kansas Board of Regents and the State of Kansas. At the same time, administrative officers should respect the scholarly, creative, and professional rights of faculty members, based on their status as members of the learned professions.

When disputes arise over the proper interpretation of faculty rights, responsibilities, and privileges, the expectation is that these disputes will be resolved after consultation between the parties involved, and generally within the framework of established lines of authority. Normally, disputes are resolved in consultation with the chair of the department; failing that, in consultation with the dean of the college; failing that, in consultation with the Vice President for Academic Affairs; and failing that, in consultation with the President of the University. Extraordinary circumstances will dictate appropriate modifications consistent with these expectations.

When disputes cannot be resolved through such informal consultation, this Handbook provides other means of resolving various disputes. These include (but are not limited to): appeal of tenure and promotion recommendations to college or university level committees, or to the President; appeals of curricular and academic policy questions to the faculty of a college, or to the University Faculty; placing an issue before the Faculty Senate; employing the Faculty Grievance Procedure. In each of these cases, the matter in dispute is placed before colleagues and peers for their consideration, judgment, and recommendation. There are few, if any, matters for which the University does not provide some formal means of appeal for review or reconsideration of a decision affecting a faculty member.

4.093/Faculty Ethics Statement

The Faculty Senate adopted the following statement on faculty ethics on November 8, 1982:

I. Faculty members, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end they devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although they may follow subsidiary interests, these interests must never seriously hamper or compromise a faculty member's freedom of inquiry.

II. As teachers, faculty members encourage the free pursuit of learning in their students. They hold before the student the best scholarly standards of their discipline. They demonstrate respect for the student as an individual and adhere to their proper roles as intellectual guides and counselors. They make every reasonable effort to foster honest academic conduct and to assure that they evaluate

students according to their true merits. They respect the confidential nature of the relationship between teacher and student. They avoid any exploitation of students for private advantage and acknowledge significant assistance from them. They protect the student's academic freedom.

III. As colleagues, faculty members have obligations that derive from common membership in the community of scholars. They respect and defend the free inquiry of their associates. In the exchange of criticism and ideas they show due respect for the opinions of others. They acknowledge their academic debts and strive to be objective in their professional judgment of colleagues. They accept their share of faculty responsibilities for the governance of their institution.

IV. As members of their institution, faculty members seek above all to be effective teachers and scholars. Although they observe the stated regulations of the institution, provided these do not contravene academic freedom, they maintain their rights to criticize and seek revision of them. Faculty members determine the amount and character of the work they do outside their institution with due regard to their paramount responsibilities within it. When considering interruption or termination of their service, they recognize the effect of their decision upon the program of the institution and give due notice of their intention.

V. As members of their community, faculty members have the rights and obligations of any citizen. They measure the urgency of these obligations in the light of their responsibilities to their subject, their students, their profession, and their institution. When faculty members speak or act as private persons, they avoid creating the impression that they speak or act for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

4.12/Resolution on Academic Freedom and Campus Disruption

The following resolution on academic freedom and campus disruption was adopted by the Board of Regents on June 19, 1970:

WHEREAS, the Members of the State Board of Regents recognize that academic freedom is a necessary adjunct of higher education in the State of Kansas, and,
WHEREAS, academic freedom includes not only the right of dissent, but also the freedom to pursue academic aims by all segments of our colleges and universities, and,
WHEREAS, small numbers of the student bodies and/or employees of Kansas state colleges and universities are pursuing activities deliberately designed to, and which do, disrupt regularly scheduled activities of said institutions, and,
WHEREAS, disciplinary boards organized to provide student and faculty review of disruptive actions are, at times, harassed and delayed in conducting said reviews, and,
WHEREAS, the interest of citizens and taxpayers of the State and of the majority of students and faculty is detrimentally affected.
NOW, THEREFORE, BE IT RESOLVED, by the State Board of Regents that the chief

administrative officer of each of the state universities and colleges be hereby directed to immediately suspend any employee, faculty member or student of said institution where said student, faculty member or employee is engaging in activities deliberately designed to, and which do, disrupt the normal and ordinary process of education and training offered by said institutions, said suspension to remain in effect pending such procedural steps as may be required under the rules and regulations of the state institutions and the laws of the State of Kansas. The heads of the state institutions shall take such action as is necessary to stop such activities.

BE IT FURTHER RESOLVED, that this action not be considered as limiting any authority of said chief administrative officers in the performance of their duties.

4.10/Political Activity

4.101/Policy on Political Activity

The Board of Regents has adopted (2-85) the following statement of policy on political activity of unclassified personnel at the state universities:

Faculty, administrators and other unclassified personnel are eligible to accept any public or political party position which does not involve any conflict of interest and does not require substantial time away from assigned duties or in other respects infringe upon them. Such eligibility covers membership on a city commission, school board, planning group, and county, state and national party committees and like organizations, by either appointment or election.

The filing of a declaration of intent to become a candidate shall not affect the status or appointment of an unclassified member of a college or university staff; provided, however, such person at all times while a candidate shall properly and fully perform all of his or her assigned duties; provided further, however, that should such person while he or she is a candidate for office fail to perform all of his or her assigned duties, such person shall not receive any salary or benefits from the date of filing for office.

Leave without salary or other benefits will be granted to those elected or appointed to public office requiring full time or lengthy sustained periods away from assigned duties, such as Congress, the State Legislature, and state and county offices or appointments to office falling within this category; effective, as to a person elected or appointed to Congress or the State Legislature, from the date such person takes the Oath of Office or the first day of the Legislative session and continuing until the adjournment of Congress or to a date no sooner than the last adjournment in April or sine die adjournment, whichever occurs first, of each regular and special session of the State Legislature; effective, as to other state and county offices, during the entire time a person serves as such officer. Leave without salary or other benefits shall not be required for any person serving in the State Legislature or for service on any committee during a period when the Legislature is not in regular or special session, provided that such person shall decline to accept all legislative compensation for such service, but such person shall be entitled to mileage and other expense allowances as provided by statute and paid by the Legislature.

In the interest of the fullest participation in public affairs, the same personnel is free to express opinions speaking or writing as an individual in signed advertisements, pamphlets and related material in support of or opposition to parties and causes. There will be the commensurate responsibility of making plain that each person so doing is acting for himself and not in behalf of an institution supported by tax funds drawn from citizens of varying political and economic views.

4.102/Use of Campus Facilities for Political Activity

The Board of Regents has adopted (10-80) the following statement of policy relative to use of campus facilities for political activity:

State facilities shall not be made available for fund raising events for candidates or parties.

Facilities of institutions under the Board of Regents may be made available for the purpose of holding political meetings, provided there is no interference with regularly scheduled functions, there is not otherwise available a reasonable facility in the community, students are permitted to hear the speakers without charge, and sponsors pay in advance the regular fees for use of the facilities.

Political office holders and candidates shall not be introduced or recognized on campus unless they are participating in the campus event which they are attending. The distribution of political handbills shall be prohibited in those areas devoted primarily to instruction or study or at the immediate sites and times of enclosed public events.

Regents' institutions shall have the authority to develop additional policies and guidelines that are not in conflict with this policy. Such policies and guidelines shall be reviewed by the Policy and Procedures Committee and filed with the executive director of the Board.

4.11/Policy on Consulting and Outside Work

The following statement of University policy on consulting and outside work is based on a policy statement adopted by the Kansas Board of Regents in September 1974.

The University expects members of the University community (faculty, staff, and students) employed by the University to give full professional effort to their assignments of teaching, research, and service. It is, therefore, considered inappropriate to engage in gainful employment outside the University that is incompatible with University commitments. Moreover, it is considered inappropriate to transact personal business unrelated to the University from one's University office, or at times when it might interfere with commitments to the University.

For members of the faculty, the University, however, permits and, indeed, encourages a reasonable amount of personal, professional activity outside the faculty member's reasonably construed total professional responsibilities of his/her employment by and for the University, provided such activity: (a) further develops the faculty member in a professional sense or serves the community, state, or

nation in a professional capacity; (b) does not interfere with the faculty member's teaching, research, and service to the University; and (c) is consistent with the objectives of the University. Professional care of patients is not considered personal, professional activity. Regular instructional service to other educational institutions is normally regarded as an inappropriate personal, professional activity.

Within these limits, the University shall control the allowable amount of such outside professional activity.

The faculty member must inform the chief academic officer, through the department chairperson or head and the dean, of all personal, professional activities. For all such activities except those single-occasion activities specified below, the faculty member must report in writing the proposed arrangements and secure approval prior to engaging in the activities. Those activities which involve only a single occasion, are clearly of a scholarly, professional or technical nature, rather than commercial, and in which compensation is not the primary consideration, must be reported annually in writing as prescribed. For all activities concerned, the report should indicate the extent and nature of the activities, the amount of time to be spent in the activities, and the total amount of time spent or expected to be spent on all such outside activities during that current academic year.

In the event that outside personal, professional activities require the use of customarily priceable University materials, facilities, or services, the faculty member is expected to make arrangements for reimbursement.

University policies on conflict of interest must be observed in arranging and conducting outside personal, professional activities.

Additional rules and procedures for personal, professional activity may be established by the several schools and divisions of the University.

4.12/Policy Concerning Consultant Services to Other State Agencies

It is the responsibility of the University, which employs a faculty member on a regular basis, to authorize in advance of actual service a faculty member to serve as a consultant to another state agency. If a WSU faculty member is contacted by another state agency to serve as a consultant and if the faculty member is to be reimbursed for these services, the following steps should be followed.

1. The WSU faculty member through the departmental chairperson must submit a memo to the Vice President for Academic Affairs giving the name of the faculty member, dates of employment, reason for employment, and the rate of compensation.
2. When the matter has been approved by the Vice President for Academic Affairs, the Vice President for Administration and Finance will notify the counterpart at the state agency requesting the services of the WSU faculty member so the requesting state agency can initiate the appropriate paper work to pay the WSU faculty member. (7-88)

4.13/Library Policies

4.131/Loan Policies

General circulating books are loaned for one month, although at the time of initial check-out a faculty member may request loan of a book for the duration of the semester if desired. More limited loan rules apply to periodicals. Other materials are loaned by special arrangement. All books and materials are subject to recall at any time for reserve and after specified periods if requested by another user.

4.132/Fine Policies

Faculty members are responsible for returning loaned books and materials on time. Fines for overdue general circulating books, government documents, and periodicals are assessed at the rate of 25 cents per day for each overdue item, with a five-day grace period for books. On the sixth day a fine of \$1.50 is due. After the fine has reached a maximum of \$10.00, the borrower is charged the purchase price of the items plus a processing fee of \$7.00. If the item is returned within one year any payment over \$10.00 is refunded.

At the beginning of each new semester, those faculty members whose fines total \$3.00 or more, or who have not returned overdue library materials from the previous semester, will receive a list of all outstanding charges. NOTE: The fines schedule is subject to change.

4.133/Fine Appeal Procedures

A faculty member may appeal the assessment of a fine for overdue or lost materials. An appeal should be in writing and filed with the head of circulation. The appeal, along with a written response by the circulation librarian, will be forwarded to the Library Appeals Committee for disposition. The Library Appeals Committee is composed of five members, including one member nominated by the President of the University and confirmed by the Faculty Senate, two tenured faculty members nominated by the Faculty Senate, and two student members named by the Student Government Association. An appealing faculty member is allowed to appear before the Committee to present oral arguments and to respond to questions. Decisions of the Committee are final.

4.134/Reserve Materials

Books and nonprint media required for courses should be placed on reserve to enable large numbers of students to use them. A faculty member's own copies of material may also be placed on reserve. A photocopy of an article in a book or journal may be placed on reserve, but copyright laws limit the library to making only one copy. At the end of each semester, all library materials are removed from reserve, and all personal copies and photocopies are returned to the faculty member. To assure good service, lists of reserve materials should be turned in at the end of each semester. If heavy use is expected for materials located in the Reference Collection, the Reference Department should be

consulted at the beginning of the semester concerning placement on reserve.

4.14/Use of the University's Name

Members of the faculty and administration are encouraged to use the name of the University and to use University stationery for official correspondence. The University as an institution should not appear to be involved in projects with which it has no official association. Members are urged not to use the University name in any announcement, advertisement, publication, or report involving personal or unofficial activity of faculty members, if such use can be construed as implying University endorsement of any product, project, or service.

4.15/Jury Service

Kansas statutes do not exempt teachers from jury duty. The court may excuse from jury duty persons "whose presence elsewhere is required for the public welfare, health or safety." Request for excuse from or postponement of jury duty may be made by telephone to the jury clerk of the Sedgwick County District Court.

4.16/Commencement Policy

The annual Commencement exercise is organized by a Commencement committee with student, faculty, and administrative representation. Members of the faculty are expected to attend Commencement. Academic regalia is worn and may be rented through the University Bookstore.

4.17/Final Exam Scheduling

No final examination, or portion thereof, may be given at any time other than the scheduled time, unless such change is approved by the dean of the college.

4.18/Withholding of Paychecks and Setoff of Amounts Owed

The Board of Regents has adopted (5-82) the following policy concerning the withholding of paychecks and setoff of amount owed by faculty for fines, fees, or penalties.

Each Regents' institution shall be authorized to withhold payroll or other warrants issued by the State to, or setoff amounts owed by, any officer or employee of that institution against salary, other compensation or other amounts payable to such individual for any fine, fee or penalty owed by such officer or employee to the Regents' institution. Such authorization shall be subject to procedures and conditions approved by the Board.

4.19/Faculty Personnel Records

Faculty members fill out the Faculty Personnel Record early in their first period of service in the

University. The record deals with marital status, education and degrees, military service, occupational history, awards, memberships, and offices in professional and learned organizations, etc. A complete transcript of college and university work is also required. Faculty personnel records are maintained in the Office of the Vice President for Academic Affairs.

4.20/Recommendation for Appointment to the Graduate Faculty

Full Membership: Regular faculty ranking above instructor, with substantial interest in graduate education, and for whom a demonstrable departmental or program need exists. Faculty nominated for membership in this category shall be expected to hold the terminal degree or its equivalent in training and/or experience (with criteria and documentation supplied in cases for which equivalency is claimed) and be judged qualified to bear all designated academic responsibilities of the graduate program(s) in which they serve. It is expected that significant scholarly and/or artistic or creative achievement will be evident in the academic and professional resume presented in support of nominations and renewals for membership (full) on the graduate faculty.

Associate Membership: Regular faculty ranking above instructor, with substantial interest in graduate education, and for whom a demonstrable departmental or program need exists. Faculty nominated for membership in this category shall be judged qualified, because of academic and/or professional experience, to teach graduate credit courses and serve on, but not chair, thesis and/or dissertation committees. Normally, new faculty who have not had the opportunity to demonstrate scholarly activity will be nominated for the Associate Member category.

Acting Ad Hoc Membership: Regular faculty or participating faculty in various temporary or part-time circumstances, for whom a demonstrable departmental or program need exists. Faculty nominated in this category shall be judged qualified, because of academic and/or professional experience, to teach a course (or courses) for graduate credit. Such membership may not exceed the term of one year but may be renewed annually by request and review of the department concerned.

Graduate Faculty membership will be reviewed for renewal periodically. Nomination forms are available in the Graduate Office. (Graduate Faculty action 10/30/78)

CHAPTER 5/ACADEMIC POLICIES AFFECTING STUDENTS

- 5.01/Student Rights and Responsibilities
 - 5.011/Statement on the Rights and Freedoms of Students
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5.01/Student Rights and Responsibilities

5.011/Student Bill of Rights: Joint Statement on Rights & Freedoms of Students

Preamble

Citizens in all communities of this country have a guaranteed safeguard for their rights as members of this association; these rights exist because they are held to be the means through which people achieve their greatest fulfillment. A bill of rights exists to prevent encroachment upon this freedom.

This relationship should be no less for the academic community, which seeks to promote similar ideals and associations. Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

To ensure that all students of the academic community of The Wichita State University have access to the opportunities for growth and learning, this enumeration of the safeguards for that freedom is intended. To ensure that this freedom is not betrayed, safeguards are incorporated that protect its permanence and create a responsible attitude in the minds of the students enjoying this liberty.

ARTICLE I

Classroom Freedom

Section 1. Protection of Freedom of Expression. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

Section 2. Protection Against Improper Academic Evaluation. Students are responsible for maintaining standards of academic performance established for courses in which they are enrolled. At the same time, they should have protection against prejudiced or capricious academic evaluation. To provide this protection, the Court of Academic Appeals Committee is empowered to review all cases of academic disputes that arise; subpoena all information and witnesses necessary to render

a decision; and have the final authority in all such cases.

Section 3. Protection Against Improper Disclosure. Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, advisers, and counselors should be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, but only with the knowledge and consent of the student.

ARTICLE II

Student Records

Section 1. Maintenance of Records. To minimize the risk of improper disclosure of student records, academic and disciplinary records shall be separate, and the conditions of access to each shall be set forth in an explicit policy statement. Transcripts of academic records shall contain only information about academic status.

5.012/Statement on Student Responsibility

The following statements on student responsibility are published in the Catalog:

1. To consult their advisers on all matters pertaining to their academic careers, including changes in their programs,
2. To observe all regulations of their college and select courses according to the requirements of that college,
3. To attend all meetings of each class in which they are enrolled (instructors will announce at the beginning of the semester if they consider attendance in computing final grades),
4. To fulfill all requirements for graduation,
5. To be personally responsible for fulfilling all requirements and observing all regulations at Wichita State University,
6. To answer promptly to all written notices from advisers, faculty, deans, and other University officers, and
7. To file an Application for Degree card in the dean's office of the appropriate college at least one semester before the expected date of graduation.

Students should also comply with the principles in the following statement, which was adopted by the Student Senate, the Faculty Senate, and the Administrative Council of the University:

Wichita State University reaffirms the principle of intellectual freedom in scholarly activity for University students, and it recognizes the full citizenship rights of students in inquiry, discussion, and such actions as they may choose to take on public issues.

The rights and freedoms of students involve concomitant responsibilities. Incumbent on all students, as on all citizens, is the responsibility to observe the University's rules of orderly procedures and the laws of the larger community of which the University is a part. In the matter of actions on public issues, to speak one's opinion, to petition, to distribute literature, to peacefully assemble and hold meetings, to use the persuasion of ideas and other actions within the bounds of orderly and lawful procedures are sanctioned by the University. But infringement on the rights of others, acts or threats of violence to persons, destruction of property, disruption or other interference with the normal functioning of the University and its personnel, and other disorderly and unlawful acts will not be countenanced.

Within its sphere of responsibilities the University will afford students proper procedural safeguards to resolve matters in dispute. Those who willfully violate these University standards must expect to face disciplinary action on the part of the institution, which may include reprimand, probation, or suspension, consistent with campus provisions for due process.

5.013/Statement on Academic Honesty

The following statements on academic honesty, including definitions of what constitute violations of classroom standards, are published in the Catalog:

Opportunities for learning at Wichita State University involve the students' rights to express their views and to take reasoned exception to the views of the faculty; to examine all questions felt to be appropriate to a course of study; to be protected from improper disclosure of their views and beliefs; to be examined in a fair and impartial manner; and to be treated with dignity and respect. Students are responsible, however, for learning the content of any course of study outlined by their instructors, regardless of any views or judgments privately held and for demonstrating their attainment in an honest manner.

Students who compromise the integrity of the classroom are subject to disciplinary action on the part of the University. Violations of classroom standards include:

1. Cheating in any form, whether in formal examinations or elsewhere,
2. Plagiarism, using the work of others as one's own without assigning proper credit to the source,
3. Misrepresentation of any work done in the classroom or in preparation for class,
4. Falsification, forgery or alteration of any documents pertaining to academic records,

5. Disruptive behavior in a course of study or abusiveness toward faculty or fellow students.

A standard of honesty, fairly applied to all students, is essential to a learning environment. Students violating such standards must accept the consequences, and penalties are assessed by appropriate classroom instructors or other designated persons. Serious cases may result in discipline at the college or university level and may result in suspension or dismissal. Students accused of abridging a standard of honesty may protect themselves through established academic appeal procedures and are assured of due process and the right of appeal from accusations or penalties felt to be unjust.

5.014/Sexual Harassment of Students: Policy

Wichita State University is committed to a community in which students, faculty, and staff can work in an atmosphere that is free of sexual harassment. Such behavior is costly in human terms and it is prohibited by law and by University policy. The University intends to prevent sexual harassment and to resolve student complaints of sexual harassment according to the procedures contained herein.

Sexual harassment is defined in terms of unwelcome conduct (sexual advances, requests for sexual favors, written or spoken sexual expressions, physical behavior of a sexual nature) under any of the following circumstances:

1. Submission to such conduct is either an implied or expressed condition for instruction, employment, or other campus activity.
2. Submission to or rejection of such conduct is used as a basis for evaluation.
3. Such conduct has the purpose or effect of unreasonably interfering with performance, or creating an intimidating, hostile, or demeaning environment.

Students who suspect that they have been an object of sexual harassment are encouraged to make inquiry, seek advice, and understand University procedure. These services are provided confidentially by the following offices: Student Life and Services, Student Ombudsperson, Counseling Center, and Women's Resource Center. Students may pursue either informal or formal procedures in the interest of resolving a complaint. Prompt initiation of a complaint is essential. In no case will the University pursue formal resolution of a complaint that is filed more than six (6) months after the date of an alleged incident.

Resolution of Student Complaints

Informal Resolution

1. Discuss the complaint with the Vice President for Student Affairs or with his/her designee.
2. If the student so authorizes, the Vice President or designee will ascertain information and discuss the complaint with the persons involved in the interest of resolution.

3. Failing informal resolution, the student may: (a) seek additional advice; (b) drop the complaint; (c) initiate formal resolution.

Formal Resolution

A. Faculty Accused

1. Within six (6) months of an alleged incident the student must file a written complaint with the Office of the Vice President for Academic Affairs. The Dean of Student Life and Services or designee may assist in the preparation of the complaint, and may accompany the student to the Academic Affairs Office.

2. The Vice President for Academic Affairs or designee shall investigate the complaint. If it is determined that the complaint has substance, the Vice President may initiate standard procedures according to section 3.20 of the University Handbook for Faculty, except that all committees referenced therein will be of mixed gender.

B. Staff Accused

1. Within six (6) months of an alleged incident the student must file a written complaint with the Office of the Director of Human Resources. The Dean of Student Life and Services or designee may assist in the preparation of the complaint, and may accompany the student to the Director of Human Resources' Office.

2. The Director of Human Resources or designee shall investigate the complaint. If it is determined that the complaint has substance, the director may initiate procedures for suspension, demotion, or dismissal pursuant to the University Handbook for Classified Staff and Article 10 of the Kansas Department of Administration Personnel Regulations.

C. Student Accused

1. Within six (6) months of an alleged incident the student must file a written complaint with the Office of the Vice President for Student Affairs. The Dean of Student Life and Services or designee may assist in the preparation of the complaint and may accompany the student to the Student Affairs' Office.

2. The Vice President for Student Affairs or designee shall investigate the complaint. If it is determined that the complaint has substance, the Vice President may initiate standard disciplinary procedures according to the University Catalog and Article V of the Student Bill of Rights.

5.02/Admission Policies

5.021/Open Admissions

Kansas law (K.S.A. 72-116) provides that any person who graduates from an accredited Kansas high

school is entitled to admission to the freshman class of any of the institutions under the Kansas Board of Regents upon presentment of the high school transcript. Kansas residents may also qualify for admission with an acceptable GED test score. Out-of-state applicants are eligible for admission if they rank in the upper one-half of their high school graduating class or present acceptable test scores and high school grades. Transfer students from other colleges and universities who have a cumulative grade point average of at least 2.00 are eligible for admission. "Open admission students" (students (1) who have graduated from high school and have not attended high school or college during the past two years or (2) who have not graduated from high school but are at least 21 years of age) are admitted upon application (transcripts or test scores not required) to a nondegree bound status in the Division of Continuing Education. Also eligible for open admission status are persons currently on active military duty or persons holding a baccalaureate or higher degree. The specific rules relating to admissions are more fully described in the Catalog. Applications for exceptions to University admission rules are considered by the Exceptions Committee.

Criteria for admission to the several colleges and programs within colleges are set by the faculties of the colleges. College admission criteria are set out in each college's section of the Catalog and are available from the college office. Application for exceptions to college admission rules are considered by college exceptions committees.

5.022/Transfer and Readmission

Transfer

The Office of Admissions will admit transfer students on the basis of the grade point average earned at an accredited college (or colleges).

All courses will be listed on the WSU transcript. Transfer students must meet the requirements for the specific WSU degree they are seeking. The college and department or program will determine which courses count toward the degree. Courses on the transcript may not necessarily be counted as credit toward a WSU degree.

Readmission

Students who have below a 2.0 GPA, who have not attended college for 5 or more semesters (excluding summers), and who have not been previously dismissed from a college or university, will be admitted on probation. The student will be required to consult with an advisor (from his/her college) during his/her first semester of enrollment (or re-enrollment) at WSU. This policy will apply to degree-bound students only.

5.03/Enrollment Process

5.031/Preregistration and Registration

Members of the faculty participate in the preregistration and registration of students. A brief period is designated in each semester by the University Calendar for the purpose of preregistration for the succeeding semester. A period in the summer provides for opportunity for the preregistration of incoming freshman and transfer students. The registration period for each semester and summer school is set by the University Calendar. Detailed time schedules and instructions relating to the preregistration and registration process are set out in the Schedule of Courses. Most members of the faculty are requested to participate in preregistration and registration. All faculty personnel are expected to be available unless an excuse has been granted by the faculty member's dean or department chairperson.

5.032/Academic Advising

The University seeks to provide sufficient advice and assistance to assure that the student's schedule fulfills his or her personal interests and needs, is consistent with University and college regulations, and advances the student toward his or her educational goals and toward graduation. Each faculty member is responsible for learning about the course offerings and regulations of his or her department and college, as well as the general regulations of the University. An important advising tool, the Handbook for Academic Advisers, is published by University College and is available to any faculty member upon request.

5.04/Class Policies

5.041/Classroom Assignments and Class Time

Classrooms are assigned for each class in accordance with the quota submitted by the department. Although departments may request specific classrooms, the registrar is authorized to make room assignments without consultation. All classes will be held in the rooms scheduled unless permission to change is requested from and granted by the Registrar's Office. Requested class times are changed only upon consultation with the dean and chairpersons. All classes will begin and dismiss promptly as scheduled.

5.042/Class Lists

The Registrar's Office furnishes each department chairperson with duplicate copies of the official class list of students enrolled in each course offered for a given semester. One copy is distributed by the chairperson to the instructor of the course. The first official class list is available on the first day of classes, and the 20th day class list is distributed at the end of the third week. Students whose names are on the class list are officially registered. If a student's name does not appear on the list, he or she should be advised to contact the Registrar's Office immediately. Only students who are officially enrolled are permitted to attend class.

5.043/Instructor Attendance Obligation

An instructor is obligated to meet classes at the scheduled time unless prevented by illness or unavoidable absence from campus. Anticipated absence from class must be reported to the department chairperson or the dean of the college prior to the meeting of the class; unanticipated absences must be reported upon the instructor's return to campus.

5.044/Student Attendance Obligation

Students are expected to attend all classes in which they enroll, and faculty members are expected to monitor attendance. In cases of excessive absences, instructors may report the student's absence to the dean of the student's college. Administrative withdrawal for reasons of excessive absences is discussed in Section 5.053.

5.05/Examination Policies

The following statements on examination policy reflect current general understandings and practices.

5.051/Finality of Grades

The grades assigned by an instructor to any quiz, scheduled examination, or final examination are final. An instructor may correct errors in calculating or recording a grade. Grades may be challenged by students through the academic appeals process.

5.052/Special Examinations and Reexaminations

Special examinations and reexaminations are given only in exceptional circumstances. Special examinations may be necessary to evaluate the achievement of disabled students.

5.053/Make-up Examinations

Students are allowed to make up major examinations, including the final examination, upon establishment of reasons for missing the examination satisfactory to the instructor.

5.054/Final Examinations

Evaluation of student performance in a course should involve a major demonstration of mastery of the course material. This is traditionally accomplished through a final examination, although some instructors adopt alternatives to a final examination, such as a written paper in lieu of a final examination. Final examinations are given according to a schedule prepared by the Registrar's Office and published in the Schedule of Courses. A copy of the final examination schedule, together with a statement of the rules relating to final examinations, is sent to all faculty members several weeks before the final examination period. Final examinations are governed by the following rules:

1. The maximum time allowed for a final examination is as follows: 1-hour course, one hour; 2-hour

recorded for the course. After the period for voluntary withdrawal has passed, students may withdraw with a W only if they petition the dean of their college and the University's Committee on Admissions and Exceptions approves their petition. Withdrawal dates are listed in the Schedule of Courses.

Administrative withdrawal may be initiated by the dean's office of the college in which a student is enrolled, the Controller's Office, the Office of Student Affairs, or other appropriate University offices for the following reasons:

1. The student's class attendance is so poor that in the instructor's opinion full benefit cannot be derived from the course;
2. A University College student fails to be accepted by a baccalaureate college by the time of completion of 60 credit hours;
3. The student fails to complete successfully all prerequisites for those courses in which the student is enrolled;
4. The student violates the provisions of the student's responsibilities statement in the University Catalog;
5. The student does not comply with the terms of a provisional admission;
6. The student has unmet financial obligations to the University.

5.064/Incompletes

The grade "incomplete" (I) is used to give a student an extension of time to complete course work. Incompletes are given at the discretion of the instructor. Credit is postponed, and the course is not included in the student's grade point average until it is completed and a regular letter grade is assigned. An incomplete course must be satisfactorily completed by the end of the next semester in which the student enrolls, summer excluded, or the I reverts automatically to an F. The following conditions govern incompletes:

1. If students do not enroll at The Wichita State University within one calendar year following an incomplete and if their work is not completed within that calendar year, they must enroll in that course as a repeat during their next semester of enrollment, or the grade will be changed to F. If they do enroll in the course again, the I is changed to W, and the grade earned during the repeat semester becomes the grade of record. (If the course is not offered when a student resumes academic work, the student must request that an exception be made by the chairperson of the department offering the course. The department chairperson may authorize a substitute course, postpone action for a semester or authorize a grade of W.)
2. An incomplete on the third enrollment in the same course means that a student may not enroll in the course again (enrollment becomes subject to the regulations concerning the repeating of courses).

5.065/Midterm Grade Reports

3. Grades received in courses taken at another institution may not be used to replace grades in courses taken at WSU.
4. Grades for all attempts at a course will appear on the student's transcript, and a course which has been repeated will be designated as such by placing an R before the grade which was received.
5. Credit for a repeated course will only count once toward meeting degree requirements.
6. This policy will be effective for all students for repeated classes taken beginning with Fall 1994. (10/93)

5.07/Court of Academic Appeals Committee

The Court of Academic Appeals was established in 1967 by vote of the University faculty to assure academic due process for students who feel they have been treated unfairly in the classroom. The court's jurisdiction includes any disputes between students and faculty that cannot be settled within the framework of the student-faculty relationship, including unfairness in grading or in an instructor's charges of plagiarism, cheating, and similar offenses. The Court of Student Academic Appeals is composed of three tenured faculty members and two student members. Decisions of the court are final and carry the power to change a grade.

5.071/Procedures for Academic Appeals

1. Students should make every effort to resolve problems with the instructor before filing an appeal. A student must file an appeal within one semester after the grade is assigned (excluding summer). (The Court reserves the right, in exceptional circumstances, to suspend this rule.)
2. The student should pick up an appeal form in the Office of the Vice President for Student Affairs and Dean of Students, 103 Grace Wilkie Hall. The complainant should meet with the Vice President for Student Affairs to determine: (a) whether opportunities for resolving the problem with the instructor have been exhausted, and (b) whether the problem is resolvable through existing University procedures other than the Court.

The Vice President for Student Affairs and Dean of Students may indicate that a case is inappropriate, but students maintain their right to appeal if they wish to do so.

3. The student should make an appointment with the student Ombudsperson, 201 Campus Activities Center, for assistance in: (a) resolving the case, and/or (b) preparing the appeal.
4. The completed appeal is returned by the student to the Office of the Vice President for Student Affairs and Dean of Students for distribution along with a copy of the Procedures of the Court to the faculty member named in the appeal, and to the department chair and dean. This will be the instructor's dean, not the student's, though they may in some cases, be the same.

5. The faculty member named in the appeal will submit a written statement on the case to the department chair. After reviewing the case, the department chair should form a judgment and/or attempt to resolve the issue without exerting pressure on either the instructor or the student.

The department chair should indicate on the form: (a) a recommendation to sustain the instructor's decision, (b) a recommendation that the appeal be sustained, (c) a statement that the issue cannot be resolved at this level. Space is available on the appeal form for these comments.

6. After the department chair has made a recommendation, the case is referred to the appropriate academic dean. After reading the appeal and the recommendation of the department chair, the dean may clarify issues by discussing the matter with the student and instructor.

The dean should indicate a recommended action and return the appeal form to the Vice President for Student Affairs and Dean of Students, who will submit it to the chair of the Court.

7. The chair of the Court will, after receiving the case, inform the student and the instructor in writing of its receipt and request from each a written statement and any additional information the Court might need. This information must be received by the Court within two weeks. The instructor and the student may visit with the Court chair or write to the Court about questions of procedure.

8. The instructor and student will be notified in writing no less than seven days in advance of the projected date of the hearing along with information pertaining to the exact time and place of the hearing. The Court should establish the time for a hearing only after both the student and faculty member have been contacted and have indicated they can attend the hearing at that time. If the faculty member is not on campus during the semester of the hearing, only the student need be called prior to the establishment of the time of the hearing.

9. These procedures will be followed in an actual hearing:

- a. All hearings are closed.
- b. Members of the Court will be faculty and students who have no connection with either party involved in the appeal.
- c. Hearings will be kept as informal as possible. A taped transcript of the hearing but not the deliberations will be made. These tapes will be maintained for one year. The tapes and all written material will be treated as confidential information.
- d. The instructor and student are expected to appear at the hearing. If the student does not appear for the hearing, the case will not be heard. If the faculty member does not wish to appear, the case will be heard.
- e. The student and faculty member may be represented by counsel from the University community but not by an attorney.
- f. Either party may ask members of the University community (students, faculty, staff) to present testimony relevant to the case.
- g. The instructor and the student will have access to the written statements of each other at least seven days prior to the hearing. These statements will be treated as confidential

material.

- h. Relevant class records are to be made available to the Court upon request.
- i. After opening statements by both parties, each will have the opportunity to question the other during the hearing, subject to academic decorum.
- j. Members of the Court may question both parties to the dispute as well as those persons presenting testimony in the case.
- k. When questioning is finished, both parties, counsel and witnesses, if any, will be excused.
- l. Decisions of the Court are based on a majority vote.
- m. For conducting business, a quorum consists of four members of the Court.

10. The decision and the rationale for the decision are reported in writing to each party and to the officials who reviewed the appeal by the chair of the hearing. Majority and minority opinions may be included. If the Court has suggestions for improving or eliminating the conditions which led to the case, these should be detailed in a separate letter to the faculty member with copies to his/her department chair and dean.

11. If the decision calls for a change of grade, the Office of the Registrar will be so advised; the chair of the Court will authorize the registrar to make the official change. Decisions affecting other offices will result in similar correspondence with those offices.

12. The Court does not rehear cases.

(Current as of March 11, 1985.)

5.08/Student Record Policies

Under Public Law 93-380, the Family Educational Rights and Privacy Act of 1974, students have a right to inspect and review many of their educational records, to challenge their accuracy, and, unless waived, a right of nondisclosure of records information to persons outside the University. The notice of such rights, and a more detailed statement of rights, is published in various University publications and in Section 5.081.

5.081/Open Record Policy

Students are eligible to inspect and review any of their educational records maintained by the University. The University has 45 days to respond to individual requests, though in typical situations this should not be necessary. Students wishing to challenge the accuracy of their records are entitled to a hearing, upon written request, which will be arranged by the dean of the college in which they are enrolled. Students are also entitled to the names of persons from outside the University who request access to their records and the reasons for such requests. Requests from individuals within the University who, in the normal course of their duties do not have a reason for reviewing a student's educational record, will also be recorded. Information in a student's record other than Directory Information will not be released without a student's permission or unless the student has waived his/her right, in writing, in restricted situations. Exceptions to the statements

above are noted in Public Law 93-380, a copy of which is available to students in the Office of the Vice President for Student Affairs.

Implications of Public Law 93-380 for faculty members include the following:

Any materials constituting a student's educational record (e.g., a faculty member's grade book) except notes made for a faculty member's own use, must be made available for inspection (with appropriate safeguard for the privacy of other students).

Unless a student signs a waiver, all letters of recommendation written for a student must be available to the student for inspection.

Faculty members may be unsure as to whether specific material is part of a student's "educational record." Questions relating to applicability of the act should be directed to the Vice President for Student Affairs.

5.082/Confidentiality of Student Records

The Family Educational Rights and Privacy Act of 1974 requires that no one outside the University shall have access to any information from a student's education records without the prior written consent of the student, except to personnel with the University who have a legitimate educational interest, to persons or organizations providing the student financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of the student or other persons. Within the WSU community, only those persons acting in the student's educational interest are allowed access to student education records. These persons include personnel in the Office of Admissions, Registrar's Office, Controller's Office, University Computing Center, Financial Aids Office, Library, Placement and Career Services, Cooperative Education Office, Institutional Planning and Analysis, College offices, and other administrative and academic personnel within the limitation of their need to know.

5.09/Students with Disabilities--Academic Adjustments

Pursuant to the Vocational and Rehabilitation Act of 1973, federal regulations have been adopted mandating that colleges and universities bring persons with disabilities into the mainstream of college and university life. The University is required to make such modifications in its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating on the basis of disability. Areas in which academic adjustments may be necessary are identified below.

Academic Requirements. Changes in the length of time permitted for completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

Other Rules. Elimination of any rules which have the effect of limiting participation of handicapped students, such as rules prohibiting use of tape recorders in classrooms.

Examinations. Alternative methods for evaluating the achievement of students who have a disability that impairs sensory, manual, or speaking skills that will best assure that the results of evaluation represent the student's achievement in the course, rather than reflecting the disability.

The Director of the Resource Center for Independence is the coordinator of the WSU compliance effort. The Resource Center for Independence provides many services and resources and all questions regarding Wichita State University's efforts to assist those with disabilities should be addressed to the Resource Center.

5.10/Posthumous Degrees

The award of a posthumous degree recognizes the academic achievement of the student. Upon the recommendation of the student's major department to award a posthumous degree, the dean of the college will contact the family to ascertain their wishes and then will forward an appropriate recommendation to the Academic Vice President with a copy to the registrar. If the degree to be awarded is a graduate degree, the chair's concurrence with the award must note the approval of the graduate faculty of the department. To be eligible for a posthumous degree and undergraduate student must be within thirty (30) hours of completing the degree. A graduate student must be "near completion" of the degree.

5.11/Other Policies

5.111/Teaching Loads

The standard teaching load normally shall be the equivalent of a 12-hour maximum, with no more than three different preparations.

5.112/Evaluation of Teaching

The Kansas Board of Regents recognizes the need for performance evaluation systems that review, assess and enhance faculty performance. It is essential that evaluation processes incorporate guidelines relevant to the achievement of the traditional academic goals and objectives of teaching, research and professional service, while recognizing the unique nature and diversity of the universities. To this end, it is necessary that guidelines be established and evaluations conducted in a manner that is flexible enough to serve the particular mission, objectives and needs of the Regents universities, their colleges and departments.

The Board recognizes that faculty evaluation should be a participatory, cooperative and continuing process. Given varied faculty responsibilities and specializations among and within disciplines, the evaluation process should provide for faculty participation in the preparation of evaluation guidelines.

Therefore, the process should be as localized as possible in order to adapt criteria and procedures to individual or departmental circumstances.

The faculty evaluation performance procedures should fulfill the following objectives:

1. To recognize teaching as the highest priority of the Regents system, while acknowledging that individual faculty or units may vary in their emphasis on teaching, research and service.
2. To involve faculty in the design and evaluation of objectives and goals of their academic programs and in the identification of the performance expectations central to their professional growth.
3. To assess actual performance and accomplishments in the areas of teaching, research and professional service.
4. To promote the effectiveness of faculty members through an articulation of the types of contributions they might make to the university community that will lead to greater professional rewards.
5. To provide a written record of faculty performance to support such personnel decisions as retention, promotion, tenure, sabbatical leave, merit increases, transfer, reassignment and reemployment.
6. To recognize special talents, capabilities and achievements of faculty members.
7. To develop strategies to link evaluation and its outcomes to assistance and support for growth and development.

In order to implement this Statement of Philosophy on Faculty Evaluation, the Task Force makes three recommendations to the Kanass Board of Regents:

Recommendation One: The Task Force recommends that the Board of Regents adopt the following policy statement on faculty evaluation:

Policy Statement: It is the policy of the Kansas Board of Regents that salary increases for faculty shall be based on the annual evaluation of their performance as it relates to the mission of the institution, college/school and department in accordance with the following guidelines:

1. Faculty evaluation criteria, procedures and instruments shall be developed through faculty participation in each department, college or division and recorded to express the performance expectations of faculty therein. Criteria, procedures and instruments shall be:
 - a. sufficiently flexible to meet the objectives of the unit.
 - b. sensitive to long-term faculty activities and outcomes.
 - c. approved by the chief academic officer of each university.
 - d. compatible with contemporary research and scholarly literature on faculty evaluation.
2. Evaluation instruments should ordinarily include but not be limited to:
 - a. information on the quality of research, the amount of research, the media in which findings are disseminated, and the reception and importance of the research; and
 - b. student ratings, tests or other means of assessing student learning, course syllabi and

other instructional materials.

3. Each Regents university shall make available to faculty a ratings instrument for the student evaluation of teaching performance in all appropriate courses. The instrument must be norm-referenced and corrected for sources of bias as demonstrated in evaluation research.

4. The evaluation of the faculty member's performance and expectations for the future shall be discussed with him/her. Documentation recording the sense of the discussion shall be provided to the faculty member.

a. The faculty member shall be given the opportunity to add comments to the statement as part of the official record before it is considered at the next higher administrative level.

b. Each Regents university shall establish a procedure by which a faculty member who disagrees with the evaluation may request that his/her evaluation be reviewed.

Recommendation Two: The Task Force recommends that each Regents university develop and implement a plan to supplement its annual faculty evaluation system. Each plan should include procedures and strategies for the:

1. training of departmental chairpersons in the administration of faculty evaluation.
2. linkage of the outcomes of faculty evaluation with assistance for renewal and development.
3. training and supervision of graduate teaching assistants.

Recommendation Three: The Task Force recommends that the Board of Regents appoint a systemwide Technical Advisory Committee on Faculty Evaluation, primarily responsible for assisting the Regents institutions in identifying and recommending norm-based student ratings instruments suitable for each institution.

5.113/Required Evaluation of Teaching

Moved that the Faculty Senate supports the right of the chair of a department to require formal evaluation of the instruction offered by a member of the faculty in cases of formal complaint in writing by student or students in that faculty member's class or classes. In case of complaints regarding a chair's teaching, recourse should be had to the dean of that chair's college. Complaints may be brought during the term in which the class or classes were taught or in the next subsequent term. Choice of the means of evaluation and the number of classes in which that evaluation is to be done will be determined by the chair in consultation with that member of the faculty. This procedure is in addition to the other complaint procedures in the Handbook for Faculty. (3-89)

5.114/Student Access to Faculty--Office Hours

All members of the faculty shall file office hours with the dean of the college not later than the beginning of the second week of each semester. The schedule of office hours should be posted at the faculty member's office and should be announced to each class. The office hours should be extensive enough to provide ample opportunity for scheduled and unscheduled conferences with students. Every reasonable effort should be made to maintain the office hours as scheduled and announced.

5.12/Policies Related to Dangerous Weather

5.121/Tornado Warning Policy

In the event of a tornado warning which activates the warning sirens, instructors shall immediately dismiss classes and send students to the nearest shelter. Signs are posted in each building identifying the location of tornado shelter areas.

5.122/Inclement Weather Policy

In the event of inclement weather such as heavy snowfalls, ice storms, or other emergencies, the President of the University may cancel classes. The cancellation of classes is handled through Campus Security. The university will also notify all radio and television stations. If classes are cancelled, the President may choose to have the time made up through the use of additional days.

5.13/Honorary Degree Policy

The Kansas Board of Regents discontinued the policy of Honorary Degrees.

CHAPTER 6 / RESEARCH and SPONSORED PROGRAMS

- 6.01 / Research Administration
- 6.02 / Pre- and Post-Award Services
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- 6.15 / Misconduct in Research

6.01 / Research Administration

The academic development of Wichita State University depends strongly on its ability to attract funding from external agencies, foundations, industries, and individuals to support its research and educational programs, and the professional growth of its faculty and staff. The Vice President for Research and Governmental and Industrial Relations is responsible for the development, management, and support of the University's research and sponsored programs activities. The Office of Research Administration (ORA) is the University agent through which local, state, and federal governmental units and other prospective funding agencies and organizations channel their requests for special assistance under grants and contracts, and through which most proposals for such support are processed by the University. In the development of research and other sponsored program proposals, faculty should use the office in making contacts with appropriate governmental, business, and foundation officials. The office works to stimulate the interests of these agencies in appropriate University programs whenever possible, maintains communication between the faculty, University administration, and prospective funding agencies, provides information about grant programs to faculty, assists faculty in the preparation of proposals and budgets, and maintains project records. Another important function of ORA is to coordinate requests to local entities such as school boards and the aviation industry to insure maximum institutional support and the minimum of duplicative effort. This coordination typically involves a review of the project ideas and proposal by the appropriate dean or director of the unit involved.

ORA administers all grants and contracts prepared and awarded for research, training, or other projects for which there are technical and/or fiscal reporting requirements, restrictions on the specific use of funds, and commitment of University facilities or personnel. Other grant requirements such

as the review of the use of humans as subjects or oversight of animal care, and the retention and audit of financial records, are managed by ORA. Gifts that do not require institutional commitments as noted above for grants and contracts are received and accounted for by the Endowment Association. Examples of such gifts include endowed chairs or professorships, endowed faculty development funds, student support, lectureships, and program series.

To obtain information from faculty and other administrators, the Vice President for Research convenes and chairs the University Research Council, which exists for the general advocacy, support, and development of research and sponsored programs throughout the University community. The Council advises and makes recommendations to the Vice President for Research/Governmental and Industrial Relations on matters of policy that promote and support research, service, and scholarly and creative activity within the University's mission. In addition to the Vice President for Research, the Dean of the Graduate School, and the Director of Research Administration, membership of the Research Council includes members of the graduate faculty representing each college, the doctoral granting departments, the National Institute for Aviation Research, and other units deemed to be important to the growth and development of research and creative activity at WSU. Appointments to the Council are made by the Vice President for Research in consultation with the Academic Vice President and deans of the colleges. Members of the Council are expected to represent their constituents, and to report to them and their dean the activities of the Council.

6.02 / Pre-and Post-Award Services

ORA through established contacts with governmental agencies, private foundations, and professional associations maintains an extensive library of current information on funding sources. Information is provided to faculty members and administrators about (1) current sources of program support, both public and private, (2) project guidelines, (3) existing programs and deadlines, (4) new programs and funding trends, and (5) pending legislation of institutional interest. The office also provides a clearing house of information on faculty interests and University programs, capabilities, and facilities.

Through the publication of the Research Administration newsletter, descriptions and deadlines of upcoming programs supported by the government and other sponsors are published on a monthly basis. Specific information is also transmitted to deans and department chairpersons. Faculty desiring periodic information on particular programs or funding sources should make their general research or other program interests known to ORA.

University research and sponsored program proposals are initiated in most instances by faculty members with specific interests requiring external funding. To facilitate the preparation of such proposals, ORA assists with the development of proposals. Upon request, the office can provide general University information that may be needed in institutional proposals, and editorial services. The office typically reviews proposals for completeness and format, assists with budget preparation

(including coordination of institutional cost-sharing and other commitments), and coordinates University review procedures (including obtaining approval of department chairpersons and college deans, required prior to the submission of all proposals). After proposals are submitted, the office monitors pending proposals, attempts to expedite their review and approval, assists with obtaining reviews and evaluations of rejected proposals from the agency involved, and negotiates research and other sponsored program contracts, grants, or other agreements on behalf of the institution.

Upon approval of a proposal, final negotiations of the grant or contractual agreement are made by the director of ORA in consultation with the principal investigator and department chairperson. After a grant or contract has been accepted by the University, the principal investigator will be provided all documents pertaining to the granting agency's fiscal and management policies that permit the project to begin. While the University assumes certain legal responsibilities for externally funded projects, it is the policy of the University that the principal investigator is fully responsible for conducting the project, including meeting completion deadlines and filing all technical reports. Deans and department chairpersons must be informed of the progress of externally funded projects conducted by their faculty.

To manage a sponsored program effectively, the principal investigator must be cognizant of all applicable policies and procedures and give close attention to those grantor and University regulations pertaining to budgeting, purchasing, personnel, travel, rights of human subjects, safety and security, accounting for cost-sharing, and patents and copyrights. Personnel in ORA will assist the principal investigator in interpreting regulations, establishing a budget, and preparing financial reports. All program expenditures must be authorized by the principal investigator and forwarded to ORA for processing.

6.03 / Federal Anti-Lobbying Law

The University, as a recipient of federal funds, is subject to anti-lobbying rules that restrict contact by mail, telephone, or in person with employees of federal agencies or congressional offices, and with members of Congress. The restrictions prohibit contacts between University and federal employees after proposals requesting federal funds have been submitted by the University, until action has been completed by the federal agency. University personnel may, however, respond to questions from federal employees, and may explain the content of a proposal. Contact ORA or the office of Academic Affairs for further information about contacts with federal representatives.

6.04 / University-Supported Grants

The University supports faculty research, scholarship, and creative activity with resources made available for allocation through the Faculty Support Committee, a committee of the Faculty Senate. This committee is composed of graduate faculty members representing each of the eight faculty divisions and Academic Services, the Vice President for Academic Affairs, and the director of ORA.

Two competitive grant programs are available for tenured and probationary faculty members. The

University Research/Creative Projects Award (URCA) program is intended to assist new probationary faculty in initiating research, and other faculty in re-establishing a productive research agenda. Up to \$4,500 may be granted for a successful proposal. Summer support is possible through the Award for Research/Creative Projects in Summer (ARCS) program, which provides a stipend of \$3,000 to enable faculty to devote full-time for two consecutive summer months to pursue research. Both grant programs are meant to stimulate the development of proposals for external funding in appropriate disciplines. Complete information on these programs, including material to be submitted and deadlines, can be obtained from ORA. Awards are made by the Vice President for Research based on recommendations from the Faculty Support Committee, and are subject to the availability of funds.

All University-supported research projects are administered in accordance with established fiscal procedures and research policies, including those relating to patents, animal care, hazardous materials, and human subjects. The ORA provides necessary management assistance and related services for University grant recipients.

6.05 / Direct and Indirect Costs

All grants and contracts are awarded to and received by Wichita State University. The conduct of sponsored research and other sponsored programs at the University involves both direct and indirect costs. It is the responsibility of the ORA to negotiate with the federal government to obtain approval of the indirect cost rate, which may vary from year to year.

Direct costs usually include the following: the salaries and wages of persons employed on the research or training project; personnel fringe benefits, such as FICA and retirement plan contributions; consumable supplies needed for the project; travel and communication charges for the project; the costs of equipment acquired for specific use in the project; and computer time and necessary supporting services, calculated in accordance with an approved rate schedule for the facility.

Indirect costs are actual costs incurred by the University in the fulfillment of sponsored research contracts and grants. These costs defray the following: depreciation on University-acquired furnishings and scientific equipment; partial recovery of depreciation of building costs; partial recovery of utilities, maintenance and janitorial expenses; partial recovery of administration costs at the department, college and University levels; and costs associated with research support services, property management, technical monitoring, radiation safety and hazardous materials oversight, and institutional review of human and animal experimentation.

Disbursements of indirect cost funds will be based on actual costs recovered during the previous fiscal year. Five percent (5%) of the indirect costs generated by a principal investigator will be allocated to the investigator for use in furthering his/her research program and scholarly/creative activities. Five percent (5%) of the indirect costs generated by persons within a department/unit will be allocated to the department/unit chairperson/director for use in promoting research, scholarly

and/or creative activity among persons in the department/unit; ten percent (10%) of the indirect costs generated by persons in a college division will be allocated to the college dean/division vice president (for divisions without colleges) for use in promoting research, scholarly and/or creative activity among persons within the college/division; the remaining portion of the indirect costs generated will be allocated to central administration to cover costs associated with support of the University's research activities and mission.

6.06 / Cost-Sharing for Sponsored Programs

Governmental agencies, businesses, and foundations seldom support 100 percent of a research grant or training program. Thus, in most cases, proposal budgets will have to include that part of the project which the University intends to support directly. Cost-sharing may range from 5 percent to 50 percent of the total cost, depending upon the agency and type of program. Since institutional cost-sharing can include both cash and in-kind expenditures, the principal investigator should consult with his or her department chairperson and ORA to determine appropriate types and amounts of the University's support.

6.07 / University Ownership

All books and materials purchased with grant or contract funds become the property of the University. These items should be held by the principal investigator during the operation of the project. At the conclusion of a project or if the principal investigator leaves the University, all books and materials purchased with grant and contract funds must be transferred to either the appropriate academic department or the University Library.

Any equipment items purchased or acquired during an externally-funded project must be inventoried as University property. In most cases, the equipment will become the property of WSU at the conclusion of the project, although some grants and contracts may include specific provision for the return of the equipment to the granting agency. If grant or contract-acquired equipment becomes the University property, it is transferred to the inventory of the appropriate academic department and its use will be determined by normal department procedures. If a faculty or staff member leaves the employment of WSU, no equipment may be taken from the campus without prior approval of the Vice President for Administration and Finance.

6.08 / Patent Policy

Any faculty member believing that an invention developed from a research project sponsored by the University should be patented, must report that information in a letter to the director of the ORA who in turn will forward it to the Faculty Support Committee for review and action. The Committee will decide if the University should file a patent application or if the project does not warrant patenting. In the latter case, the invention will be returned to the inventor who is free to file a patent. If that is done, the University will continue to maintain its position that the results of the research should be freely available to the public. The *Board of Regents Handbook* should be consulted for more

information on patent policy.

6.09 / Copyright Procedures

When a product to be copyrighted is the result of full or partial support from a public or private agency through a grant or contract administered by ORA, the principal investigator shall report this intent to the director of ORA. This office is the agent of the University that represents a sponsored project to a granting agency in all cases. It is the legal responsibility of ORA to insure that both the external agency and the person wishing to copyright are fairly represented. ORA can provide information concerning the copyright policies of external agencies, contracts with publishers in which copyrights are involved, and copyrighting in general. Although the publication of journal articles or single chapters in books is exempt from the above reporting procedure, appropriate credit must always be given when state, federal, or private support has been received. The University's copyright policy is available from ORA or the Office of Academic Affairs.

6.10 / Policy on Research Involving Human Subjects

Upon the recommendation of the University Research Publication Committee, (now the Faculty Support Committee [7-88]) the Faculty Senate adopted general policies and procedures for the clearance of research involving human subjects. These policies and procedures are consonant with those of the federal government and include research done by faculty and/or WSU students. The policies and procedures are aimed at safeguarding the rights and welfare of the subject, the investigator, and the University.

In general, "subjects at risk" are involved. This phrase is interpreted to mean "any individual who may be exposed to the possibility of injury, including physical, psychological, or social injury, as a consequence of participation as a subject in any research, development, or related activity which departs from the applications of those accepted methods necessary to meet his/her needs, or which increases the ordinary risks of daily life, including risks inherent in a chosen occupation or field of service."

Responsibility for review of all research involving human subjects has been placed with the Institutional Review Board with secretariat in the ORA. At least nine persons representing varying backgrounds related to the research activities of the University, including at least one person from a non-scientific area such as the law or ethics and one person who is not affiliated with the University, serve on the Board. To discover whether the proposed research requires filing a protocol statement with the Institutional Review Board, the principal investigator should contact the ORA.

Details concerning the format for the protocol statement and other matters pertaining to research involving human subjects, including classes exempt from review, may be obtained from the ORA.

6.11 / Policy on Radiation Sources

The use and disposal of radioactive materials and radiation emitting equipment in activities such as teaching, research, or other services is regulated by federal and state statutes. Control and monitoring of activities involving radioactive materials and radiation emitting equipment as well as disposal of wastes is the responsibility of the Radiation Safety Officer (RSO) in the Environmental Health and Safety Office working under the aegis of the Vice President for Administration and Finance and the Radiation Safety Committee (RSC). All personnel (faculty, staff, students, guests) using such materials must comply with all applicable regulations. Authorization to use such materials is only available from the RSO and the RSC and must be obtained prior to acquiring materials or equipment. Information describing the procedures for obtaining authorization, purchase, use, and disposal of materials and equipment is available from the Environmental Health and Safety Office. RSO access to laboratories and other facilities to perform inspections is a necessary part of compliance with regulations governing purchase, storage, use, and disposal of radioactive materials and radiation emitting equipment.

6.12 / Policy on Hazardous Chemical Materials

The use of hazardous materials in activities including teaching, research, or other services as well as disposal is regulated by federal and state statutes. Control and monitoring of activities involving hazardous materials and disposal of hazardous wastes in all areas of WSU is the responsibility of the Environmental Health and Safety Office (EHSO) working under the aegis of the Vice President for Administration and Finance. All personnel (faculty, staff, students, guests) using such materials must comply with all applicable regulations. Faculty and staff members are responsible for reporting activities involving hazardous and extremely hazardous materials to the EHSO and cooperating with the Office to ensure compliance with applicable regulations. EHSO access to laboratories and other facilities to perform inspections is a necessary part of compliance with regulations governing purchase, storage, use, and disposal of all chemical materials.

6.13 / Policy on Animal Care

The use of vertebrate animal (e.g., mice, rats, gerbils, guinea pigs, rabbits, hamsters, fish, etc.) other than humans in any activity by faculty, staff, or students must be in compliance with the provisions of the Animal Welfare Act and all amendments. The Institutional Animal Care and Use Committee (IACUC) must receive, review, and authorize animal use prior to the start of a project. Information describing animal welfare regulations, the WSU Animal Welfare Assurance document, and the form for submission of an animal use protocol are available from the Office of Environmental Health and Safety.

6.14 / Policy on Biohazards

Biohazardous materials include all agents or processes which pose a risk of immediate or delayed harm to any organism. Project associated hazards include radionuclides, chemical hazards

(controlled substances; health hazards such as carcinogens, teratogens, mutagens, nephrotoxins, neurotoxins, hepatotoxins, and hematopoietic toxins; physical hazards such as flammables, reactives, oxidizers, and corrosives), recombinant DNA, human tissues or fluids, cancer viruses, etiological agents and animals. The guidelines for use of biohazards are intended to complement but not replace guidelines established by the radiation Safety Committee (RSC), the Institutional Animal Care and Use Committee (IACUC), and the Institutional Review Board (IRB). The use of any biohazardous material requires review and authorization by the Institutional Biosafety Committee (IBC). The IBC chair and members are appointed by the Vice President for Academic Affairs (VPAA). Institutional Biosafety Report Forms are available from the Office of Environmental Health and Safety..

6.15 / Misconduct in Research

POLICY STATEMENT: For the purposes of this policy, the definition of "misconduct in research" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data. Standards of scholarly and creative conduct in nonscientific areas will be based on commonly accepted standards of those areas.

PROCEDURE: When a specific allegation is made in good faith or when evidence of possible misconduct in research is discovered, the Affirmative Action Officer shall immediately conduct an inquiry. Written notification of the allegation will be provided to the individual suspected and to the chief administrative officer in charge of research (henceforth referred to as the Research Officer). Information will be gathered to determine whether an allegation or apparent instance of misconduct warrants an investigation. To the maximum extent possible, the privacy of those who in good faith report apparent misconduct will be protected. The inquiry will be conducted in such a way as to provide the affected individual(s) confidential treatment, a prompt and thorough investigation, and an opportunity to comment on all allegations and findings of the inquiry and/or allegations.

An inquiry must be completed within 60 days of its initiation unless circumstances clearly warrant a longer period. A written report shall be prepared by the Affirmative Action Officer that summarizes the evidence reviewed and relevant interviews, and states the conclusions of the inquiry. The individual(s) against whom the allegation was made shall be given a copy of the report of the inquiry. If suspected individual(s) comment(s) on the report, those comments will be made part of the record. If the inquiry takes longer than 60 days to complete, the suspected individual and the Research Officer will be notified in writing and the record of the inquiry shall include documentation of the reasons for exceeding the 60-day period.

If the Affirmative Action Officer's inquiry does not substantiate the allegation, the written report and supporting files will be kept for three years in a secure location designated by the Research Officer and then destroyed. For projects funded by the Department of Health and Human Services (DHHS), copies of the report will be given to authorized DHHS personnel upon their request.

If the Affirmative Action Officer's inquiry does uphold the allegation, the Affirmative Action Officer will submit a written report on the inquiry to the Research Officer for initiation of an investigation. The investigation will commence within 30 days of the completion of the inquiry and will be completed in totality within 120 days of commencement. If federally funded research is involved, a written report will be made to the appropriate federal agency on or before the date the investigation begins. All investigations of DHHS funded research or other federally funded research must comply with pertinent regulations issued by the respective federal agency.

The Research Office in consultation with the President of the Faculty Senate and the Vice President for Academic Affairs (VPAA) will appoint an ad hoc committee of not fewer than three members chosen for their objectivity and competence to conduct an investigation. The investigation shall provide for due process for the suspected individual. The ad hoc committee will be responsible for:

1. examining all documentation relevant to the allegation and conducting interviews with individuals involved in the allegation,
2. securing necessary expertise to carry out the evaluation of the relevant evidence,
3. taking precautions against real or apparent conflicts of interest on the part of those involved,
4. preparing and maintaining the documentation necessary to substantiate the investigation's findings,
5. insuring confidentiality of all proceedings, documentation and records of the investigation unless this confidentiality is waived in writing by the accused, and
6. making a final recommendation to the Research Officer as to validity of the allegation.

RESOLUTION: If the investigation does not substantiate the allegation, no further action will take place and the suspected individual will be notified in writing of the findings. Records from the investigation will be retained in a secure location designated by the Research Officer for three years and then destroyed.

If the investigation supports the allegations, the Research Officer will notify the VPAA who will make a determination as to whether the case should be the basis for dismissal for cause as provided for in the Faculty Handbook, or if other appropriate sanctions will be imposed. Documentation associated with a substantiated investigation will be retained by the University and a summary of the actions of the VPAA will be placed in the individual's personnel record. The University will undertake to protect at all times the professional reputation of individuals accused of scientific misconduct and to protect the positions and reputations of those persons who, in good faith, make allegations.

When DHHS funded research is involved, a final report of the investigation will be sent to the Office of Scientific Integrity. If, at either the inquiry stage, or the investigation stage involving DHHS funded research, the inquiring Affirmative Action Officer or investigating committee believe that there are reasonable indications of possible criminal activity, this will be reported to the VPAA who

will report it to the Office of Scientific Integrity within 24 hours of receipt. Other misconduct investigations concerning federally funded research will be reported as required by the granting agency.

CHAPTER 7/UNIVERSITY SERVICES & MISCELLANEOUS INFORMATION

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A/UNIVERSITY SERVICES

7.01/Library Services

For a complete explanation of services offered by the Ablah Library, see the various pamphlets distributed by the library.

7.011/Computer Searching

For a nominal fee, reference librarians will search machine readable bibliographic data bases to

produce customized bibliographies.

7.012/Faculty Carrels

Carrels are available to faculty engaged in research requiring extensive use of library resources. Carrels are assigned each semester (Fall, Spring, and Summer). Application forms may be obtained at the Circulation Desk.

7.013/Interlibrary Loan

Research materials not available at WSU may be requested through interlibrary loan. Requests must be made on official interlibrary loan request forms, available in the Interlibrary Loan Office or at the Reference Desk.

7.014/Library Purchases

Materials (including books, periodicals, documents, research reports, microforms, films, maps, and recordings) needed for teaching and research may be recommended for purchase at any time. Requests should be forwarded to the librarian serving as department liaison or to the coordinator of collection development.

7.015/Reference Services

Help in finding information and facilitating access to the materials in the collections of the library or the Media Resources Center is available at the Reference Desk.

7.016/Library Hours

Information about library hours can be obtained by calling ext. 3481.

7.02/Media Resources Center

The Media Resources Center (MRC) provides a wide range of instructional and communication support services for WSU faculty. The MRC schedules media equipment and personnel to support instruction and faculty presentations. The staff trains and supports instructors who use four master classrooms. Instructors have access to over 1000 titles in the MRC's film, video, and laser disc collection. The MRC will also locate and obtain titles from other film libraries.

The MRC provides professional photographic services, including studio and location photography and on-campus color and black and white darkroom services. The MRC's graphic production unit designs and produces charts, posters, brochures, and computer presentations.

Television resources include a studio, production van, satellite downlinks, a video conferencing

facility, a campus cable network, and videotape editing facilities. The MRC staff coordinates activities in two interactive television classrooms, broadcasting signals by ITFS microwave and by compressed video on the KANS-A-N system.

7.03/Cable Television

WSU operates WSU-13 Television on the Wichita cable system and on the WINDOWS program service on suburban cable systems. Local programming is supplemented with programming from The Discovery Channel and The Learning Channel. WSU-13/WINDOWS also provides employment opportunities for communication students.

7.04/Computing and Telecommunications

WSU offers an extensive array of computing and telecommunications services. Inquiries regarding both hardware and software should be directed to the Computing and Telecommunications office.

7.05/Campus Activities Center and Bookstore

The Campus Activities Center (CAC) is the community center for Wichita State University. It has several food service areas and a recreation area that includes bowling and billiards, a movie theater, student offices, and meeting rooms. The CAC Bookstore stocks textbooks, trade books, supplies, gifts, and provides a check cashing service. By university policy, textbooks are to be ordered through the CAC Bookstore.

7.06/Campus Credit Union

The Campus Credit Union, a member-owned and -controlled cooperative, offers a complete range of financial services, including loans, savings and checking accounts, IRA accounts, traveler's checks, notary service, payroll deduction, and consumer information.

7.07/Counseling Center

The Wichita State University Counseling Center provides a complete range of psychological services to the University community, including individual psychotherapy, marital counseling, family counseling, and career testing and planning. In addition, the center frequently offers group experiences in such topics as assertiveness training, dealing with divorce, and parenting.

7.08/KMUW Radio

KMUW radio, 89.1 FM, is licensed to The Wichita State University as a noncommercial radio station. KMUW has a dual purpose: to train WSU students in broadcasting and to provide the community with programming that entertains, educates, and informs. The station also promotes and broadcasts WSU events of special interest to the community.

7.09/Reading and Study Skills Center

The Reading and Study Skills Center is an academic support service unit affiliated with University College and the Division of Student Affairs. Courses, labs, and tutoring are offered to all University students in reading, writing, listening, note-taking, math, and other academic areas. Courses require regular tuition and fees; most labs and tutoring are free. Faculty are encouraged to refer students whose general study skills are deficient.

7.10/Heskett Center

The Heskett Center contains 166,000 square feet of usable space and opened in the spring of 1983. It is designed to provide an extensive campus recreation program. The Heskett Center activity areas consist of a weight room, a combatives room, a 25 meter indoor swimming pool with separate diving well, a 200 meter indoor track that surrounds five multipurpose courts, and eight handball/racquetball courts. The outdoor area contains a six-court tennis complex and four large play fields.

Heskett Center fees assessed to WSU students, faculty, staff, spouses, and families entitles the participants to use the facility and services during scheduled hours.

The Campus Recreation Program is located within the Heskett Center. The campus recreation staff is charged with providing a wide variety of recreational and sports programs to meet the needs and interests of WSU students, faculty, and staff. These programs include open recreation, intramurals, sports clubs, aquatics, outdoor recreation, and special programs.

7.11/Ulrich Museum of Art

The Edwin A. Ulrich Museum of Art exhibits selections from the best in art from the U.S. and abroad. In addition, the museum's noteworthy permanent collection now comprises over 6,000 paintings and prints. The outdoor sculpture program includes some 40 works located around the campus. Among the artists represented are Alexander Calder, Barbara Hepworth, Joan Morrow, Louise Nevelson, Theodore Roszak, Ernest Trova, and Henry Moore.

B/MISCELLANEOUS INFORMATION

7.12/Smoking and Alcohol Policies

7.121/Smoking Regulations

Wichita State University prohibits smoking in all campus buildings.

7.122/Liquor Regulations

The Kansas Board of Regents adopted in February, 1988, the following policy on the consumption of liquor on campuses:

Consumption of alcoholic liquor may be permitted under authorized and appropriately controlled conditions and guidelines to be determined by the administration of each school and set forth in an institutional policy on service of alcoholic liquor. Alcoholic liquor may only be served at luncheons, dinners or receptions which honor individuals and which occur in connection with official University events and/or fund raising activities for University programs. The service of alcoholic liquor at such events must be approved, in advance, by the chief executive officer of the institution and may only be held in those non-classroom areas, and outside grounds immediately adjacent thereto, which are specifically designated for such activities in the institutional policy on service of alcoholic liquor. Each institution shall file and maintain a current copy of its policy on service of alcoholic liquor with the Executive Director on behalf of the Board. Each institutional chief executive officer shall also be prepared to provide information to the Board in relation to the service of alcoholic liquor on campus as requested by the Board or Executive Director. (2-88)

7.123/Alcohol and Cereal Malt Beverage Policy

Alcoholic beverages may be served by the Alumni Association and/or the Endowment Association in selected areas which are not used for classroom instruction. The serving of alcohol will be restricted to University development activities.

Approval for events in which alcoholic beverages are to be served must be obtained from the University President. No persons under 21 years of age are allowed to consume alcohol at an event in which alcohol is served. Food must be available at all functions in which alcohol is served. Consumption of alcohol is permitted only within the approved area designated for the event.

Care must be taken by event organizers to assure that alcohol will not be served to persons who appear to be intoxicated. At all events in which alcohol is approved for use, a non-alcoholic beverage must also be available to participants. The distribution or consumption of alcohol on the University campus in any circumstances other than the above is prohibited.

The sale of cereal malt beverages (3.2% beer) to individuals is restricted to licensed spaces in the Campus Activities Center. No persons under 21 years of age are allowed to possess or to consume cereal malt beverages at any event in which cereal malt beverages are served. Cereal malt beverages may be served at campus group events approved by the Vice President for Student Affairs or his designee. Consumption of cereal malt beverages is permitted only within the approved area designated for the event. (3-89)

Care must be taken by event organizers to assure that cereal malt beverages will not be served to persons who appear to be intoxicated. Non-alcoholic beverages must be available at all events in which cereal malt beverages are served. The sale, distribution, or consumption of cereal malt beverages on the University campus in any circumstances other than the above is prohibited.

At all times the marketing, sale, and/or consumption of alcoholic or cereal malt beverages must be in full compliance with State statutes and regulations. Violations of State law and/or University policies on the part of groups or individuals will be handled in accordance with applicable law enforcement or University disciplinary procedures. The Division of Student Affairs will provide information and services regarding alcohol education and abuse prevention programs. (2-88)

7.13/Faculty Substance Abuse Policy

1. **PURPOSE.** This policy for dealing with faculty members with substance abuse problems is intended to enhance and encourage a cooperative effort between faculty and the university and to serve and protect the interests of both. The policy recognizes that professional assistance can often return an individual to full productivity and is based on the premise that it is the faculty member's right and responsibility to seek professional assistance for a substance abuse problem. This policy was developed by a Faculty Senate ad hoc committee and is administered through the Office of the Director of Affirmative Action at Wichita State University.

2. **SCOPE.** A faculty member with a possible substance abuse problem, even in its early stages, is encouraged to seek diagnosis and treatment. The faculty member should be assured that seeking assistance, pursuant to this policy, for an actual or potential substance abuse problem, will not interfere with job status, promotional opportunities or other privileges. A substance abuse problem is defined as one in which a faculty member's use or misuse of alcohol or drugs is reasonably believed to be affecting the faculty member's job performance.

3. **POLICY OVERVIEW.** The goal of this policy is to assist individuals in seeking professional help so they may return to full productivity. All faculty members, especially department chairpersons, should work to engender a university-wide enlightened attitude and a realistic recognition of the nature of substance abuse problems.

4. IMPLEMENTING GUIDANCE

A.Responsibility

1. Responsibility for implementing this policy rests with faculty. Care must be taken to follow procedures so that no faculty member with a substance abuse problem will be penalized for implementing the policy.
2. Supervisors will seek to do everything reasonably possible, consistent with applicable laws and university procedures, to make certain that information revealed by the faculty member receiving professional assistance relating to an actual or potential substance abuse problem will remain confidential.
3. Implementing this policy will not require, or result in, any special treatment, privileges, or exemption from the standard administrative practices applicable to job performance requirements.

B. Action Guidelines. The steps listed below are suggested guidelines only. Department

chairpersons, deans, and other faculty supervisors should not attempt diagnosis, even if they have professional qualifications to judge that a faculty member's work has been affected by a substance abuse problem.

1. Before attempting intervention in a situation involving a faculty member with a substance abuse problem, the concerned supervisor should discuss with his/her supervisor and the Director of Affirmative Action the pertinent rules and requirements concerning protection of rights of the person believed to be suffering from a substance abuse problem. It may also be helpful for the supervisor to consult with a professional in substance abuse treatment without identifying the concerned faculty member before meeting with him or her. The University's Counseling and Testing Center is staffed with professional counselors who may be able to assist supervisors.

2. The supervisor should meet with the faculty member informally and discuss the observed job performance problems. Supervisors should not attempt diagnosis. If the faculty member references a substance abuse problem as a causative factor for the job performance problems, the supervisor should reference this substance abuse policy and encourage the faculty member to seek professional counseling for the problem. In this discussion, a date will be set by which improvement in job performance will be assessed. (A list of professional agencies will be available to supervisors. This list may be obtained by contacting the Director of Affirmative Action.)

3. The supervisor and faculty member may also wish to consider the following as options which may be pursued in connection with or in addition to professional counseling:

(a) A faculty member with accrued sick leave may take sick leave. This option would allow the faculty member to enter an inpatient treatment center and adopt a treatment program.

(b) A faculty member may request, pursuant to applicable University and Board of Regents policies, to be placed on leave of absence without pay.

4. What concerns the University is that the faculty member address the job performance problems presented at the informal meeting. It is the responsibility of the faculty member to follow up the suggested professional counseling, to cooperate with prescribed treatment, and to assume financial responsibility for the costs of the treatment.

5. Between the initial meeting wherein this policy is activated and the date agreed upon in paragraph 4.b.(2), the supervisor will continue to monitor job performance but will in all other respects leave the initiative for further discussions to the faculty member. However, progress reports and continuing dialogue between the supervisor and faculty member are encouraged.

6. If the faculty member's job performance has improved to an acceptable level by the date prescribed by the supervisor, and as agreed to by the faculty member, the member should be so informed and no further action is required or necessary. On the other hand, if the faculty member's job performance remains below acceptable standards, the supervisor and the University will follow

normal procedures with regard to unacceptable job performance, including, but not necessarily limited to, non-reappointment or dismissal.

This policy is supplemental to and subject to all existing University policies, Board of Regents policies, and applicable state and federal laws. (3-89)

7.14/Crime Reporting Policy

REPORT CRIMES TO: University Police Department
 NE Quadrant of Campus
 2000 Gentry
 (316) 689-3450

The University Police Department, is located on the east side of the campus (under the radio antenna tower) and is open 24 hours a day, seven days a week.

University Police have statutory authority on the campus and on campus related property. Thefts, assaults, stolen property, and any other criminal activity occurring on the campus must be reported to the University Police Department as soon as possible.

All emergencies such as fires, injury accidents, or sudden severe illness occurring on campus should be reported to the University Police Department immediately.

The University Police also provide assistance to motorists with stalled vehicles, retrieve keys from locked vehicles, provide transportation, assist in finding lost property.

The campus is patrolled 24 hours a day, seven days a week, by fully trained, uniformed, and commissioned University Police Officers. The goal of the University Police Department is to serve and to protect the University community.

7.15/Official Hospitality

All state funds for departmental use for "official hospitality" are centralized in an account administered by the Vice President for Academic Affairs. This account provides entertainment and hospitality for official guests of the University. State regulations prohibit the use of official hospitality funds for entertaining members of State Boards or Commissions, State officers or employees, students or prospective students and their parents, except when any of the foregoing are conducted with University members as official hosts or when State officers or employees because of their particular expertise, knowledge, or background attend a function of another State agency. University personnel acting as official hosts should be limited to a number absolutely essential to complement the event.

The Office of the Vice President for Academic Affairs will supply the appropriate forms for

requesting expenditures for official hospitality. Such requests should be presented for authorization at least one week prior to the proposed function and all guidelines must be followed for reimbursement.

7.16/The Endowment Association and Management Fees

The Endowment Association levies management fees and pays interest on accounts it maintains. Contact the Endowment Association for information on current fee and interest policy.

POLICY

DRAFT POLICY

DISMISSAL FOR CAUSE

PROCEDURES:

1. Meeting with faculty member in personal conference.
2. Committee apptd by Pres. of FacSen to inquire informally.
3. If committee recommends that formal proceedings should begin, they should begin with communication addressed to faculty member informing faculty of findings and the right of a formal hearing.
4. Hearing date must allow at least 20 days to prepare a defense. Faculty member should be informed of the procedural rights that will be accorded.
5. No less than one week before the date set for the hearing, the faculty member should reply in writing whether faculty wishes a hearing.
6. Members of hearing committee should be chosen on the basis of objectivity and competence. Committee elects own chair. See 7F of BOR Policy Manual for applicable regulations. [Written notice of the charges against him/her.]
7. Committee allows both parties to argue orally and formulates its recommendation on the basis of the hearing.
8. Committee makes explicit findings with respect to the charges. Faculty member and President are informed in writing.
9. If Pres. chooses to dismiss, Pres. notifies faculty in writing and states the effective date of termination and any separation arrangements.

DRAFT POLICY

WICHITA STATE UNIVERSITY

PROCEDURES FOR DISMISSAL FOR CAUSE

I. STATEMENT OF POLICY

It is of the essence of a university that its faculty have committed themselves to a life of the mind. On a personal level, their choice of that life frequently involves a decision to forego careers that are more lucrative. More broadly, history shows that a vigorous life of the mind often exposes the scholar to dangers that could have an inhibiting effect on the pursuit of truth, an inhibition that is highly destructive of an essential pillar of civilization. For these reasons, it is incumbent upon institutions of higher learning jealously to guard their faculty from arbitrary dismissal. Wichita State University sees dismissal of a faculty member for cause, especially one who has earned tenure, as a matter of the utmost gravity. It is essential that the proceedings be conducted both in letter and in spirit in a way that recognizes the seriousness of the penalty and that protects the accused from all that is arbitrary, both for his or her sake and for that of the university community's continuing intellectual freedom. At the same time, there are many other interests that a university must serve and protect, and it is the policy of the University not to shield dereliction or abuse by a faculty member. The result of the procedure must always be a fair hearing of the evidence and a judicious weighing of the competing interests in which substantial weight will be given to the legitimate protection of the Constitutional and academic freedom rights of the faculty. In making this assessment, care must be given not to overvalue other interests, regardless of the temper of the time.

II. GENERAL AND ADMINISTRATIVE

1. These procedures have been developed and agreed to by the President of the University and the Faculty Senate.
2. The Faculty Senate President is responsible for selecting an Informal Review Committee for informal hearings.
3. If the Informal Review Committee recommends a formal hearing, the Faculty Senate Rules Committee will select the Formal Review Committee.
4. The Formal Review Committee is responsible for conducting the formal hearings and is required to function within the procedures described in this document.
5. The Chair of the Formal Review Committee is responsible for ensuring that fair and proper procedures are followed and for submitting the final report to the President of the University.
6. The Formal Review Committee may have the advice of independent legal counsel if it determines that such advice is necessary. However, the role of the Formal Review Committee is not to serve as a court of law, but to use its professional judgment in determining the appropriate disposition of a case within the limits set out in this document.
7. The time limits in this policy may be extended by mutual agreement among the parties and the Formal Review Committee.

DRAFT POLICY

III. INFORMAL REVIEW COMMITTEE

1. The Dismissal for Cause procedure begins with the filing of a written complaint with the President of the Faculty Senate against a faculty member by the Provost or the faculty member's dean. The complaint must contain charges, alleging specific misconduct, against the faculty member. Upon receipt of a complaint, the Faculty Senate President will convene an Informal Review Committee of three faculty members to conduct informal hearings on the complaint. These informal hearings are conducted to mediate a resolution of the problem, or to recommend a formal hearing if no mutually-agreed resolution can be effected and if the alleged improper conduct is sufficiently serious to warrant dismissal from the University.
2. If the Informal Review Committee makes a preliminary finding that the charges, if substantiated, might be sufficient in its opinion to warrant dismissal, it will direct that the matter proceed to a formal hearing. In such case, the committee will inform the Chair of the Senate Rules Committee and will finalize the content of the complaint. Only charges as to which the Informal Review Committee believes there is plausible evidence to support the charge will be included. It is upon the specific charges contained in that document, as it may come to be amended, that the matter will proceed. Any additional charges must be approved by the Informal Review Committee if they are to be heard in formal hearings.
3. A charge may not relate to misconduct that is more than one year old at the time the charges are formalized. Exceptions may be made, however, if a pattern of misconduct may be shown that includes acts that go back further than one year, if the last act in the pattern was committed within the year preceding the formalization of the charges by the Informal Review Committee, or if the misconduct was only discovered within the last year. The Informal Review Committee will determine whether a proposed exception is bona fide.
4. No substantive amendment may later be made to the complaint unless the faculty member is given adequate time, as judged by the Formal Review Committee, to prepare a defense.
5. The complaint will list by name the witnesses that the University may call as to each charge, but one or more witnesses may be added later if the faculty member is given adequate time to prepare, again as judged by the Formal Review Committee.
6. If dismissal is sought against more than one faculty member, a common proceeding, as distinct from individual proceedings, will be decided upon by the Informal Review Committee only if the accused faculty members all agree to it and further agree unanimously among themselves that the hearings are to be open or closed. Once such agreement is given on both points, it may not be rescinded. In the event a common proceeding is decided upon, the Informal Review Committee and the parties will agree upon any special rules that may be needed relating to it. If they cannot agree, a common proceeding will not be held; but if they agree, the agreement is binding on all parties thereafter unless mutually rescinded or modified.
7. The faculty member or members may, at any time no later than three days before the beginning of the formal hearing, file with the Chair of the Senate Rules Committee a written response to the charges.
8. If the University suspends the accused faculty member before final action is taken by the President, the suspension will be without prejudice to the continuation or outcome of the procedure stated here. These

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Rules do not themselves speak to the issue of whether the University has a right to suspend faculty prior to the President's final action.

IV. SELECTING THE FORMAL REVIEW COMMITTEE

1. The Senate Rules Committee, with technical assistance supplied by the University Affirmative Action Officer, will establish a pool of thirty tenured faculty members, randomly selected (although the randomness is modified by the criteria provided for in this Section IV), as potential members of Formal Review Committees. These faculty members also may be members of the existing pool maintained for grievances. No member of the pool selected for service in a given case shall be from the same department as an accused faculty member. Persons selected for service on the Formal Review Committee who allege conflict of interest or who cannot be impartial may petition the Provost to be excused from serving in the particular case. No faculty member will remain a member of the pool for more than three years except to complete a case in progress. The Faculty Senate may establish a system for staggered terms of service in the pool.

2. The pool will be representative of the University faculty, considering rank and college, and will include members of the federally protected classes.

3. After the Informal Review Committee has directed that a matter proceed to formal hearing, the Chair of the Senate Rules Committee in consultation with the members of the Rules Committee will select a person from the pool as the Chair of the Formal Review Committee, and will then select four additional members of the pool to constitute the remainder of the Formal Review Committee. In cases where the charges include a charge of discrimination against a person in a federally protected class (as defined by the Civil Rights Act of 1964, as amended), the committee as finally constituted will, whenever possible, contain at least one person who belongs to the protected class or classes to which the person allegedly discriminated against belongs; and in cases where the accused faculty member belongs to a federally protected class, the committee as finally constituted will, whenever possible, contain at least one person who belongs to the protected class or classes to which the accused faculty member belongs. No person who served on the Informal Review Committee relative to the given case shall then serve on the Formal Review Committee.

4. The parties shall attend the meeting of the Senate Rules Committee at which the selection of the Formal Review Committee is made. At that meeting, a prospective Formal Review Committee will first be chosen, in the manner described in the preceding paragraph. Thereupon, the University and then each accused faculty member in alphabetical order may exercise one challenge to remove a person from the prospective panel. This rotation shall be gone through until each party has had an opportunity to remove four persons. These four challenges can be used without giving a reason [i.e., they are 'peremptory challenges']. It is not required, however, that a party exercise them. There will be unlimited challenges for cause, for which the party making the challenge will, at the time it is made, submit a written statement of justification. The Senate Rules Committee will decide the merit of challenges for cause. If a prospective hearing committee member is removed by challenge, the Chair of the Senate Rules Committee will immediately make a new selection; and if the person who has been removed is the person who was named to serve as Chair, the new selection shall be for the Chair's position. This new selection of someone for the Chair's position may be of someone already selected as one of the four other persons to serve on the committee, in which case the naming of that individual will create an opening that the Chair of the Senate Rules Committee will fill by a

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selection from the pool. If the pool is exhausted by the challenges, the Senate Rules Committee will add temporary members to the pool for the hearing of the one case. If this occurs, each party will have one additional peremptory challenge.

5. If, once the panel has been established, any member of the Formal Review Committee is unable to continue because of good and sufficient reason as judged by the remainder of the Committee, a replacement agreeable to both the faculty member or members and the representative of the administration shall be appointed by the Chair of the Senate Rules Committee.

6. Faculty who serve on an Informal Review Committee or on a Formal Review Committee are exempt from service on either type of committee for the two years immediately following that service. Faculty who serve as Chair of a Formal Review Committee are exempt from service on either type of committee for the five years immediately following that service.

V. RESPONSIBILITIES OF THE FORMAL REVIEW COMMITTEE

1. The Chair of the Formal Review Committee is responsible for ensuring fair and expeditious procedures, for setting the schedule of the hearing, and for chairing the meetings. The Chair is responsible for submitting the final report of the Formal Review Committee to the President of the University and to the parties.

2. Members of the Formal Review Committee are responsible for attending the meetings, for considering all evidence and testimony, and for using their best professional judgment in deciding whether dismissal is warranted by the evidence, whether some other sanction is warranted by the evidence, or whether no sanction or penalty is appropriate.

3. The hearing itself, unless it is an open hearing, and the deliberations following the hearing of evidence and argument will be confidential. Unless ordered by a court to the contrary, all members of the University community have a duty to maintain that confidentiality. The Chair and members of the Formal Review Committee will sign the final report, although one or more concurring or dissenting reports may be attached by panel members.

VI. PROCEDURES PRIOR TO THE HEARING

1. Unless the accused faculty member or members and the Chair of the Formal Review Committee agree to an earlier hearing, twenty-one (21) calendar days must elapse between the final formalization of the charges by the Informal Review Committee and the first hearing day.

2. The Chair shall call the Formal Review Committee to its first meeting not less than one week before the scheduled date of the hearing so that the Formal Review Committee may review its procedures and responsibilities and receive the formal charges. Thereafter, the Formal Review Committee will meet at the call of its chair.

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VII. HEARING PROCEDURES

1. The Chair of the Formal Review Committee will establish the schedule for the hearings. Every effort will be made to complete the hearings in a timely manner as well as to accommodate the needs of the parties.
2. The Formal Review Committee may request the University or any person, including the accused faculty member, to provide information the committee considers relevant and material to its deliberations. The University and any person employed by the University, including the accused, will have a duty to provide that information, if requested, and/or to testify if called by the Committee, unless a privilege against self-incrimination in relation to a possible crime is asserted. Neither the University nor any person employed by it shall retaliate for testimony or information given.
3. The Formal Review Committee may make arrangements for written testimony with the consent of all parties.
4. The University and each accused faculty member may be advised by an individual of his, her or its choosing, who must be an employee of the University, and by legal counsel. The Formal Review Committee may itself have legal counsel that is independent of the University's counsel and of the Regents' legal staff.
5. The Chair shall conduct and control the hearing. To help assure a competent presentation on behalf of the accused, the accused faculty member may have someone who is employed by the University present as an advisor, and this person may present the case for the faculty member, including making statements and questioning witnesses. In order best to maintain an atmosphere of considered judgment by a panel of the accused faculty member's peers, no attorney, other than such advisor if he or she happens to be an attorney, shall be allowed in the hearing room.
6. All hearing of evidence and argument by the Formal Review Committee will be electronically recorded, and the recording will be retained by the University Archives for a period of five years. If, however, the rules of the Board of Regents require a stenographic or other form of record, such a record shall be made in place of a recording, and so retained for five years.
7. The hearings will be closed, subject to the following exceptions: (a) they will be open if the accused faculty member, or the accused faculty members by unanimous agreement, inform the Chair prior to the hearings of his, her or their desire for the hearings to be open; or (b) observers, not to exceed three in number, may be admitted to the hearings if the accused faculty member or members agree to their admission and indicate that they waive any future complaint that they may come to have about any breach of confidentiality the observers may commit. If the hearings are open, members of the media may attend. However, the hearings may not be televised, broadcast, or electronically recorded (other than the official recording referred to in the preceding paragraph), except with the consent of all parties and the Committee.
8. The members of the Formal Review Committee shall deliberate without the presence of any other persons.

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9. The University will have the "burden of proof" as to the charges made in the complaint, and the accused as to any new material asserted by him or her. Because of the gravity of a dismissal for cause, the charges must be proved by "clear and convincing" evidence. [This is a more stringent requirement than is required in most civil cases, where only "the greater weight of the evidence," also known as a "preponderance of the evidence," is needed. At the same time, it is less stringent than the requirement in a criminal case that the charges be proved "beyond a reasonable doubt."] New material raised by an accused faculty member will, however, need to be established only by a "preponderance of the evidence."

10. In the absence of independent proof of the misconduct, the existence of a past charge of misconduct, including misconduct that is alleged to form part of a pattern, will not be considered by the committee unless: (a) it is or has been admitted to by the accused, or (b) a formal finding of guilt was made earlier by an administrator or a faculty committee, in either case after a proceeding that afforded a fair hearing.

11. To warrant dismissal for cause, a charge, if substantiated, must amount to grave misconduct or serious and continuing dereliction of duty. Conviction of a felony by a trial court will also warrant dismissal. Dismissal for such a conviction will not occur, however, until there has been an unfavorable disposition of appeals to higher courts.

12. All parties may call witnesses and introduce evidence. The parties will have access to all written and oral evidence that is introduced and considered. The Formal Review Committee and the parties may question each witness. Each party may offer rebuttal witnesses or statements to any evidence or testimony after it is presented. The Formal Review Committee shall consider the evidence and testimony presented by each side.

13. Although the Formal Review Committee has no power of subpoena, all employees of the University are declared to have a duty to assist the hearing process and to testify if called, provided that a faculty member shall not have a duty to testify about how he or she voted on a personnel matter, including contract non-renewal, tenure or promotion. Because information that is unavailable may have a material bearing, the Formal Review Committee will take the absence of information or of a witness into consideration in arriving at its findings and recommendations, which may include a statement that the Formal Review Committee has, for that reason, not been able to provide a complete and fair hearing.

14. The Formal Review Committee is not limited by the rules of evidence as applied in a court of law, and the Chair of the committee may admit such evidence as he or she (subject to being overruled by the committee as a whole) considers desirable and relevant to hear. The committee shall then give it such weight as it seems to deserve.

15. When each party has presented its evidence and made a final summary of its case, the Formal Review Committee will retire to deliberate. The deliberations will not be recorded.

16. The private notes of a Formal Review Committee member are the committee member's work product and not part of the official record.

17. Members of the Formal Review Committee will, until the committee's written final report is filed with the President, scrupulously avoid discussing the case with any person who is not on the committee, or with other committee members apart from the meeting of the group. The Chair of the committee may, however,

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discuss procedural and evidentiary issues with the parties or their representatives and may keep the University President and the President of the Faculty Senate apprised of the progress, though not of the content, of the hearings.

18. The Formal Review Committee will vote by secret ballot on each of its findings and recommendations.
19. Settlement between the parties may occur at any time.
20. For the Formal Review Committee to conduct its hearings or deliberations, all members of the committee must be present, with the exception that if one member of the committee becomes unable, after the hearings have begun, to attend, the remainder of the committee, consisting then of four members, shall constitute the panel for all further activity. If two or more members of the committee become unable to serve, the hearings shall be suspended and the Senate Rules Committee will initiate the process again with the selection of a new Formal Review Committee. To avoid dropping a member or causing the creation of a new committee, the Chair of the committee may postpone sessions of the committee, for a period not to exceed thirty days, during the period of a committee member's temporary inability to serve.

VIII. PROCEDURES AFTER THE HEARING

1. The Chair of the Formal Review Committee will submit the signed final report of the committee, together with any written concurring and dissenting opinions, to the parties and to the President of the University within ten (10) weekdays, exclusive of holidays, of the conclusion of the hearing. The final report shall:
 - a. State, as to each charge, whether the burden of proof has been met and the charge established.
 - b. State the recommendation of the committee, which may be for dismissal, or for a lesser penalty or penalties, or for vindication; and shall state the grounds supporting it.
 - c. Make any recommendation regarding the process that the Formal Review Committee considers appropriate.
 - d. With regard to each of the foregoing, give the vote on each. So that confidentiality of the voting can be maintained even in cases where there is unanimous agreement by the committee members, at least one vote shall always be reported as being opposed to the finding or recommendation.
 - e. Be signed by all members of the Formal Review Committee, although the signature of any member shall not necessarily signify that member's agreement with the result.
2. The Formal Review Committee will file a separate report, relating to the dismissal-for-cause procedures, with the President of the Faculty Senate and with the Provost. This report should address the effectiveness of the procedures and make recommendations for whatever changes the committee deems appropriate in the procedures or in other matters. This report should be filed within thirty (30) calendar days of the completion of the work of the committee.

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3. Within four (4) calendar days of receipt of the Formal Review Committee's final report, any party may submit a written statement to the President of the University.
4. For a dismissal-for-cause to occur, both the President of the University and a majority of the Formal Review Committee must concur in that action. As to lesser penalties, if any, the President will act in agreement with the recommendations made by the Formal Review Committee unless the President communicates in writing to the President of the Faculty Senate reasons, with supporting explanation, that the President considers "clear and compelling" for not doing so. In formulating the decision, the President may meet with the Formal Review Committee in the presence of all parties to review the Committee's final report.
5. The President of the University will notify the accused faculty member or members of the President's decision, and in the event the faculty member is dismissed, or other penalties or sanctions are imposed, will state in writing the reasons for so doing.
6. If the faculty member is not dismissed, and no other penalty or sanction is imposed, the faculty member will not be subject to retaliation.
7. Once the University President has informed the accused faculty member of the decision, the Chair of the Formal Review Committee shall deliver all files and records of the proceedings to the University Archives, which shall hold them for at least five years. Such material will be considered confidential.

APPENDIX B

SEXUAL HARASSMENT

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WICHITA STATE UNIVERSITY

POLICY PROHIBITING SEXUAL HARASSMENT

INTRODUCTION

It is the policy of Wichita State University to prohibit discrimination against individuals or groups of individuals based on race, sex, religion, national origin, age, and disability in all aspects of University life. To prevent discrimination, the University has established procedures which are outlined in its Affirmative Action Plan. Sexual harassment is a form of prohibited discrimination. Specifically, sexual harassment has been found to be prohibited by Title VII of the Civil Rights Act of 1964 and Title IX of the 1972 Education Amendments.

In addition to being illegal, sexual harassment runs counter to the objectives of this University. When people, whether student, faculty, unclassified professional or classified staff feel coerced, threatened, intimidated, or otherwise pressured by others into granting sexual favors, their academic and work performance is likely to suffer. In addition, such actions violate not only the dignity of the individual, but also the integrity of the University as an institution for learning. Academic freedom flourishes when all are free to pursue ideas in a non-threatening, non-coercive atmosphere of mutual respect. Sexual harassment is thus harmful not only to persons involved, but also to the entire University community.

With the adoption of this policy on sexual harassment, Wichita State University reaffirms its commitment to maintaining an environment free of intimidation, fear, reprisal, and coercion---one in which students, faculty, unclassified professionals and classified staff can develop intellectually, professionally, personally and socially.

RESPONSIBILITIES

1. All members of the University community are responsible for promoting a positive working and learning environment where all persons are free to discuss any problems or questions they may have concerning sexual harassment at the University, without fear of intimidation or retaliation. To that end, the University administration shall widely disseminate this policy and procedures prohibiting sexual harassment so that all members of the University community are fully informed of their rights and responsibilities.
2. University officials are committed to contributing to a positive learning and working environment by acting in a manner which is fair, by attempting to resolve complaints, and by educating members of the university community to eliminate prohibited activities and any acts of

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retaliation.

3. It is the obligation of administrators and supervisors who become aware of harassment in their area of responsibility to take steps to prevent its continuation. Failure to do so is a violation of this policy.

4. Persons experiencing unwelcome, harmful, or offensive behavior are encouraged to communicate directly with the person whose behavior is experienced as harassing. Communicating directly that the behavior is unwelcome, harmful or offensive will often result in the resolution of the complaint prior to resorting to the University's official informal and/or formal complaint procedures.

5. This policy is not intended and will not be implemented in such a way as to censor or punish students, faculty, or staff members for exercise of their First Amendment right to express their individual ideas and viewpoints on any topic. This policy is also not intended and will not be implemented in a way that infringes on academic freedom.

6. University employees are cautioned against entering romantic and/or sexual relationships with any individual where a professional power differential exists even if that relationship is a consensual one. The potential for harassment claims in these situations makes such relationships unwise. Examples of a relevant power differential include: a faculty members involved romantically and/or sexually with a student in his or her class, a classified or unclassified professional supervisor with an employee or student assistant who reports to the supervisor. When a charge of sexual harassment is made, in this context, it may be difficult to show immunity on the grounds that the relationship was consensual.

7. Claims of sexual harassment that are frivolous, vindictive, and without support or merit may constitute a form of sexual harassment.

DEFINITION

Sexual harassment involves behaviors which interfere with an individual's work or the learning environment through unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct which unreasonably interferes with an individual's work performance or educational experience, or creates an intimidating, hostile or offensive working or learning environment.

In determining whether alleged conduct constitutes sexual harassment, it is necessary to look at the entire context and pattern of behavior. The most extreme form of sexual harassment is an attempt to coerce an unwilling person into a sexual relationship by misusing an employment or educational relationship. However, any behavior, whether verbal or physical, constitutes sexual

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harassment if:

* A person is intimidated by the threat, overt or implicit, that any educational or employment decision may be affected by an unwillingness to tolerate or accept sexual attentions (Those decisions may involve grades, recommendations, evaluations and all decisions about the requirements, terms and conditions of employment or learning.)

* A person is required to tolerate or accept sexual attentions as a condition of employment or learning.

* Any educational or employment decision has been affected by a person's refusal to comply with or tolerate inappropriate sexual behavior.

* The behavior creates an environment that a reasonable person of ordinary sensitivity would find intimidating, hostile, or offensive on the basis of sex, and which interferes with a person's ability to work or learn.

* Any reprisals are taken for reporting or objecting to sexual harassment.

PROCEDURES

A. PERSONAL RESPONSIBILITY

1. In general, people should assume responsibility for dealing with the conflicts, misunderstandings, and grievances that arise from their interactions with other people in everyday life. This applies to perceived instances of sexual harassment and to other matters. It is always appropriate to inform a perceived harasser that his/her conduct is objectionable and to seek a mutual accommodation.

2. No one shall abridge a faculty member's right to be accompanied to a meeting or discussion by a colleague of his/her choice. Other than as provided for below, all parties are obligated to protect the confidentiality of the proceedings.

B. COUNSEL AND ADVICE

1. Regardless of an individual's personal responsibility to deal with grievances directly and informally, this is not always practical in cases of perceived sexual harassment. The aggrieved party may fear retaliation from the perceived harasser. Further, the perceived harassment may be of such a nature that engaging in such conduct violates not only reasonable standards of personal conduct, but the standards of professional conduct that the university expects and requires its

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professional employees to observe.

2. An aggrieved party may, therefore, seek counsel and advice from various campus offices, such as the Counseling Center, or from trusted individuals in order to clarify in their own mind the situation they find themselves in, or to explore various means available for redressing their grievance.

3. When seeking counsel and advice, persons should keep in mind that:

a. managerial employees of the university, such as department chairpersons, office supervisors, deans, etc., may be required by law to report even informal complaints of sexual harassment that come to them, and

b. persons who want to pursue informal, off-the-record discussions should visit the Counseling Center, or speak to others in the university who do not have supervisory responsibilities.

c. managerial employees who are required by virtue of their position to report sexual harassment complaints to higher university authorities should so inform potential complainants and advise them where they can go for off-the-record discussions if that is what the potential complainant is seeking.

d. potential complainants should keep it in mind that neither the Affirmative Action Officer nor other university officers are their advocates in developing or pursuing a complaint. While these officers are obligated to enforce university policy, they are also expected to protect the university's interest.

C. INFORMAL PROCEDURE

1. When any member of the university community or applicant for employment or admission believes, in good faith, that he or she may have been sexually harassed by a faculty member, they may bring a complaint to any appropriate member of the university community, including any academic or administrative officer such as a dean, supervisor, the office of student affairs, or department chair. Unless the complainant chooses to withdraw the complaint at the time of initial contact, the person contacted will refer the complaint either to the department chairperson of the faculty member accused in the complaint, or to the Affirmative Action Officer, as the complainant prefers.

a. Persons wishing to make complaints should take note that timely reporting of a complaint will greatly facilitate any subsequent investigation.

2. The chairperson or Affirmative Action Officer will interview the complainant and the accused faculty member, and seek to resolve the issues between them in a manner consistent with university policies and satisfactory to both parties.

3. If a satisfactory resolution is achieved, a factual report of the complaint, the accused

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faculty member's response to it, and the basis of the complaint's resolution, will be prepared by the chairperson or Affirmative Action Officer and signed by both parties. The signature of the parties will signify that they accept the resolution of the complaint as stated in the report and that they agree to abide by its terms.

4. Each party will receive a copy of the report. In addition, the report will be placed in the personnel or student files of both parties and will remain confidential under all circumstances within the university's control. In the absence of similar complaints in the five years following the date of the report, both copies of the report retained by the university will be destroyed.

5. The fact that, within the stated time periods, a faculty member agreed to adverse findings in a complaint of sexual harassment may be used as evidence of a pattern of misconduct in a subsequent inquiry. However, a faculty member shall not be held accountable twice for the same misconduct if he/she had abided by the terms that resolved a previous complaint. Evidence of a pattern of misconduct may be used to justify more severe sanctions or penalties in a subsequent complaint. No claims of a pattern of misconduct will be allowed that are not substantiated by written reports signed by the faculty member, or by the findings of a formal hearing, or by direct testimony.

6. In the case of a student complaint against a faculty member where the faculty member makes counter allegations against the student, and where the inquiry by the department chairperson or Affirmative Action Officer finds merit in the faculty member's counter allegations, the allegation against the student will be referred to the Office of Student Affairs for disposition. In the case of a classified or unclassified professional employee's complaint against a faculty member where the faculty member makes counter allegations against the employee, and where the department chairperson or Affirmative Action Officer finds merit in the faculty member's counter allegations, the allegations against the employee will be referred to the Office of Human Resources for disposition.

D. FORMAL HEARING

1. In the event that informal procedures fail to resolve a complaint, either party may require a formal hearing.

2. Upon receiving a complaint alleging sexual harassment, the chairperson, Affirmative Action Officer, or other person may refer the complaint to the dean of the accused faculty member's college and to the Vice President for Academic Affairs to determine whether the university should seek the faculty member's dismissal for cause. If the Vice President for Academic Affairs determines that this is the appropriate action, the complaint will be referred to the Dismissal For Cause process for disposition. Should the informal hearing provided for in that procedure find that sufficient cause to seek dismissal does not exist, the complaint will be referred back to the informal procedure above for disposition in accordance with this procedure.

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3. When a case is appealed to a formal hearing because one or both parties is unwilling to accept the findings of the informal procedure, the case will be heard by a panel convened under the procedures of the Faculty Grievance process. At the complainant's request, or if the dean of the college so determines, the complaint will be presented and argued at the hearing by the department chairperson, the Affirmative Action Officer, or another designated administrative officer. The complainant must appear as a party to the case, and must give testimony, failing to do this, the case will be dismissed. Both complainant and accused may be assisted during the hearing by a member of the university community of their own choosing.

4. As provided for in the Grievance Procedure, the findings of the hearing panel will be reviewed by the Vice President for Academic Affairs and the President. In order to set aside the findings of fact developed in the hearing or to assess responsibility differently, the Vice President and/or President must show just cause. If additional information or evidence has come to the Vice President or President's attention, the hearing panel must be reconvened to hear it and consider whether a revision of their findings and recommendations are justified.

5. Neither findings of fact, assessments of responsibility, nor sanctions or penalties recommended or imposed after a formal hearing require the approval or agreement of either party involved in the complaint.

6. The final report of the hearing panel, and a record of the final decision by the President regarding the complaint will be provided to each party and placed in the personnel or student files of both parties.

7. The university will protect the confidentiality of the report under all circumstances within its control, except that it may report the filing and resolution of a complaint, and imposition of sanctions or penalties without identifying the parties or their departmental or college affiliations. In the absence of similar complaints in the next five years, both copies of the report retained by the university will be destroyed. The fact that sanctions or penalties were imposed and agreed to will be retained permanently in the personnel record and may be reported to potential employers.

11/23/94