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Section ~~I~~1.~~:~~ Organization

~~I.A~~1.1. Academic Units

Each college, school, department, or academic program that administers a degree-granting program is considered an academic unit. Each college, school, department, or program is responsible for the content and quality of the academic programs under its jurisdiction, no matter where the elements of the program are offered (campuses, learning centers, research centers, international sites). Academic Faculty who are an integral part of an academic program are members of the academic unit responsible for that program, no matter where the faculty member is physically located. Academic responsibility is from the academic faculty through the chair or director, through the cognizant academic dean, and to the provost.

~~I.A~~1.1.1. Designation of Academic Unit

The University has several different academic structures, including the following:

a. A *college* is an organization of schools, departments, special programs, and other units which have broad, common instructional and research interests. The administrative head of a college is the dean.

b. A *school* is a combination of two (2) or more departments, programs, or curricula that functions as an alternative to a department. The administrative head of a school is a director.

c. A *department* is an academic unit with a faculty that performs the regular duties of instruction, research, and service in all matters relating to curricular and educational policies of the unit, subject to the approval of the Faculty Senate. The administrative head of a department is a chair.

d. An *academic program* (interdepartmental) is defined as a program with an individual budget, an administrative officer, and a set of courses leading to a degree. Faculty who participate in the academic program may maintain a departmental affiliation. The administrative head of an academic program is the director. Academic programs are not tenure-granting units.

The procedures for creating, moving, renaming, or eliminating academic units are covered in a Memorandum of Understanding between the provost and Senate found on the Faculty Senate website under Manuals and Policies.

Throughout the manual, the term “chair” is used to refer to department chairs, directors of schools, and directors of programs. Similarly, the term “department” is used to refer to a department, school, or academic program.

~~I.A~~1.1.2. Specific Duties of the Faculty of the Academic Units

To facilitate uniformity of operation, the duties of the faculty of each academic unit are defined as follows:

a. Perform the regular duties of teaching, research, and service of the unit.

b. Serve as the legislative body in all matters relating to curricular and educational policies of the unit, so long as such policies do not conflict with policies approved by the Faculty Senate and/or the Board of Regents. Among its responsibilities are the following:

    i. Recommend to the Faculty Senate:

        1. Standards of admission to the unit,

        2. Curricula and courses to be offered and the number of credit for each course,

        3. Requirements for graduation;

    ii. Consider appropriation requests;

    iii. Consider candidates for appointment to positions within the unit;

    iv. Consider the apportionment of work of the unit;

    v. Consider the policies of the unit.

Ordinarily, these duties are undertaken by departments, schools, or academic programs. If an entire college is concerned, these matters are considered by the members of the college.

~~I.A~~1.1.3. Chairs of Departments and Directors of Schools or Programs

Throughout most of this section, the term chair is used to refer to the chair of a department or director of a school, and the term department is used to refer to a department or school. Procedures for choosing directors of programs are listed at the end of this section. Reference to the provost, campus chancellors, and deans include their designee as appropriate.

Duties

A chair serves as the chief advocate for the department, championing the resource needs of the academic department and ensuring the effective use of current resources. The chair is responsible for working collaboratively with all department members to create a shared vision of the department's future. This includes the creation of strategic plans to guide the department's research direction, future hiring, and development of academic programs.

Subject to the approval of the dean of the college, the chair is responsible for organizing and supervising the courses of instruction offered by the department, assigning, caring for the equipment and facilities assigned to or in the custody of the department, allocating and supervising department funds, conducting annual reviews of faculty and staff, assigning workload according to unit, college, and university policies, and performing other duties assigned by the dean of the college and the provost. The provost provides guidelines on the duties and responsibilities of chairs and directors on the Office of the Provost website.

When an academic department has teaching and/or research programs at sites remote from the location of the headquarters of the department, school, or program, some of the responsibilities rest with or are shared with the campus chancellor or director of the remote station. Such shared

responsibilities include care for equipment and facilities, supervision of funds, and day-to-day supervision of teaching and research activities.

Chairs recommend to the dean appointments, promotions, and salaries for department members and transact official department business with deans, other administrators, and students. The chair also shares information and coordinates recommendations with appropriate campus administrators.

Chairs provide leadership in the formation of department policies and hold meetings with all available members of the faculty on matters of policy. Chairs are responsible for working with faculty to develop and maintain updated bylaws (approved by the dean) that codify the unit mission, administrative structure, and governance rules. Except as limited by applicable general regulations and policies or as otherwise directed by the dean or by the provost, it is the chair's responsibility to implement the policies determined by the department.

Eligibility to Serve as Chair

Faculty in the career track and tenure tracks at the rank of professor or associate professor are eligible to serve as chair. Furthermore, faculty in the career track must have a continuous appointment or a fixed-term contract (see Section ~~I.B~~1.2.3) with a term at least as long as the administrative appointment. If there are fewer than three (3) professors and associate professors in total in the department, assistant professors are also eligible to serve as chair. Eligibility is not limited to faculty presently in the department.

Eligibility to Express

Persons eligible to submit preference forms for chair are career-track and tenure-track faculty of all ranks who have been members of the department for at least one (1) semester, regardless of the location of their assignment. This includes faculty who may be on leave at the time of the search.

Faculty in the following categories are not eligible to submit preference forms for chairs:

a. Faculty in the short-term track,

b. Faculty who have resigned, been terminated, or notified that they will not be reappointed,

c. Faculty with less than a 0.5 FTE appointment in the department,

d. Faculty who have retired or who are retiring at the close of the academic or fiscal year.

Appointment of an Interim Chair

There may be instances where it is necessary to appoint an interim chair. Examples include maintaining leadership in the department during an outside search, restarting a failed search, or the abrupt resignation or removal of the current chair. Each faculty member eligible to submit a preference for chair will be allowed to express their preferences for the interim chair from the candidates nominated for the position. Upon the dean’s recommendation, the provost may appoint an interim chair for up to one (1) year.

Selecting a Chair

The provost appoints chairs upon recommendation of the dean of the associated academic college. Chairs may be reappointed or replaced as follows:

For potential reappointment of a sitting chair, the following process will be followed:

a. The dean will poll all department members eligible to submit a preference (see above) to determine whether they support reappointing the sitting chair. The poll may include room for faculty members to comment on their decision. The dean and provost must keep specific comments confidential.

b. Each poll participant will be allowed at least ten (10) business days to return their poll. The dean will recommend to the provost whether to reappoint the incumbent. The provost makes the final decision concerning reappointment and informs the dean and faculty.

For appointment of a new chair, the following process shall be followed:

a. The dean will meet with the department faculty to discern their preference for selecting a chair from either inside the department or outside the University. After the discussion, the dean decides, following consultation with the provost, whether to select a chair from within the department or to initiate a process for recruiting a chair from outside the University and notifies the department faculty and staff.

b. If the dean elects to select a chair from *inside* the department, then the dean should update the sample preference form available on the Office of the Provost website and provide the form to each faculty member eligible to submit a preference (see above). The preference forms should give faculty members the opportunity to recommend up to three (3) points awarded to their first choice, two (2) points awarded to their second choice, and one (1) point awarded to their third choice. Each person filling out a preference form shall be allowed at least ten (10) business days to consider a decision. Forms are to be collected by the dean. Within twenty (20) business days after the deadline for department faculty to submit their preference forms, the dean shall report a summary of the results to the department faculty and the provost. If the dean chooses to recommend someone other than one (1) of the two (2) faculty receiving the most preference points, then they will provide an explanation of their recommendation to the faculty and to the provost. Each summary reported to the provost must be accompanied by all the departmental preference forms and must be retained in the University files for one (1) year. The dean then provides the chair appointment recommendation to the provost. The provost makes the final decision concerning the appointment and informs the dean and the faculty.

c. If the dean elects to select a chair from *outside* the department, the dean will commence a search within six (6) months. The dean will appoint a search committee consisting of faculty eligible to submit a preference for chair (see above) to review the list of suitable candidates for consideration. The provost may, upon the recommendation of the dean, appoint an interim chair during the search for an outside chair (see above).

Appointment

In all cases, the provost, after consideration of the preferences and consultation with the appropriate administrative officers, will take any one of the following actions: (a) appoint as chair one (1) of the two (2) internal candidates receiving the most preference points; (b) appoint the highest ranked external candidate as chair based on the recommendation of the search committee and dean; (c) appoint an interim chair for up to one (1) year (see above) pending further consideration for a chair; or (d) appoint as chair a person not recommended, from either internal or external candidates, but only after consultation with the department faculty members and with the dean concerned.

Assuming the role of chair significantly changes the work assignment for an internal faculty member, this change in workload balance and its effect on promotion should be formally discussed at the time of appointment with the department and college leadership. If pre-tenured faculty take on a major leadership role, the effect this may have on the tenure process and assessment should be carefully discussed with the appropriate dean. See Section ~~III.D~~3.4.8.

The chair must be .75 FTE or greater in the department.

Term of Office

Usually, chairs are appointed for four (4) year terms and may be reappointed using the process detailed above. Terms normally commence August 16 for those on academic-year appointments and for those on annual appointments in programs with preponderantly academic-year faculty. Terms normally commence July 1 for those on annual appointments in departments with preponderantly annual faculty. When a chair is appointed effective on some other date, the four-year period shall be computed, for subsequent review purposes, from the preceding August 16 for nine (9) months or July 1 for twelve (12) months if the appointment begins prior to January 1 and from the following August 16 or July 1 if it begins on or after January 1.

Request for removal of a Chair

A department may initiate consideration for a change in its leadership upon written request from at least one-fourth (1/4) of its members (but not fewer than two (2) persons) sent directly to the provost. Upon receipt of such request, the provost will arrange for an expression of opinion on such question by all members of the department faculty eligible to submit a preference for chair.

Upon request of the provost, the Faculty Status Committee will appoint an adviser who is not a member of the Faculty Status Committee. The adviser will participate in the exchange of opinion, oral or written, among all parties involved. Immediately after the collection of information and consultation with appropriate administrative officers, the provost will render a decision.

Appointments may be terminated at any time for incompetence, negligence, inability to perform the duties due to illness, or equivalent cause if, in the judgment of the provost, the best interests of the department or the University require such change.

Payment for Services as a Chair

A chair may be paid an additional sum (determined by a formula which considers such variables as student load, faculty numbers, and budget size, including extramural funding) under the

assumption that such persons render additional services. The amount and mechanism of additional compensation is determined by the dean.

Selecting and Appointing Directors of Programs

The process for selecting and appointing program directors will be done on a case-by-case basis.

~~I.B~~1.2. Faculty Structure

All faculty, as teachers *sensu lato,* contribute to the educational mission of the University. The faculty includes academic faculty, extension faculty, and library faculty in both long-term and short-term positions. Historically, additional faculty titles were used and faculty members with these titles retain their faculty status. The statutory duty of the faculty, which may not be delegated, is to recommend to the Board of Regents the candidates for suitable degrees and certificates.

~~I.B~~1.2.1. Definitions

A faculty member's *appointment* (also known as "job profile" or "position") is for internal use within the university. The appointment includes an explicit workload allocation across defined workload categories (Section ~~III.C~~3.3) that broadly define a faculty member's position responsibilities. More detailed expectations for these responsibilities are codified in the college and unit workload policies, and these expectations inform annual reviews and consideration for promotion and tenure.

A faculty member's appointment consists of the *category* (academic, library, extension), *track* (tenure, career, or short-term), *status* (e.g., tenured, retired with merit, visiting, adjunct, or adjoint), *rank* of the faculty member, and the *unit* in which the faculty member is assigned. In the case of career-track and extension faculty, a faculty member's appointment will also include a *sub-track* designation.

A faculty member's *working title* (also known as a *business title*) is how a faculty member's position at WSU is communicated externally, e.g., on WSU web pages, program documents, letterhead, email signatures, etc. For the purposes of external communication and identification, each college must determine appropriate working titles for faculty. If these titles deviate from the recommendations below, then the College working titles need to be approved by the Office of the Provost.

Faculty Categories

All faculty *categories* defined below are afforded equal rights and privileges. The various faculty categories, which are not mutually exclusive, are defined as follows:

Academic Faculty

The academic faculty consists of ranked faculty assigned to degree-granting units or the Honors College.

Academic faculty are responsible for developing, maintaining, and delivering university programs. These faculty have significant responsibilities in some combination of the following areas: (a) research, scholarship, and creative activity; (b) teaching, mentoring,

and student advising; (c) academic and administrative service; (d) clinical or professional practice; and/or (e) community outreach.

Extension Faculty

The extension faculty consists of ranked faculty assigned to Extension, Continuing Education, or Public Service.

Extension faculty are responsible for disseminating science-based knowledge to communities across Washington state and beyond. These faculty have significant responsibilities in some combination of the following areas: (a) community outreach; (b) research, scholarship, and creative activity; (c) teaching, mentoring, and student advising; (d) academic and administrative service and/or (e) clinical or professional practice.

Library Faculty

The library faculty consists of ranked faculty assigned to Libraries.

Library faculty are responsible for developing, maintaining, and teaching library services to the university, communities across Washington State, and beyond**.** Library faculty have significant responsibilities in the following areas: (a) teaching, mentoring, and directly supporting the teaching and research missions of the university; (b) research, scholarship, and creative activity; and/or (c) academic service.

Depending on their appointment and assigned responsibilities, faculty are expected to establish and maintain a record of productivity and achievement specific to their workload.

Faculty Ranks

The *ranks* for academic and extension faculty in the tenure and career tracks include assistant professor, associate professor, and professor. The highest tenure-track rank is regents professor, and the highest career-track rank is laureate professor. The ranks for library faculty include librarian 2, librarian 3, librarian 4, and regents librarian.

Faculty Tracks

The faculty *tracks* include the tenure track, the career track, and the short-term track. In the career track, *sub-tracks* include the clinical sub-track, the extension sub-track, the research sub-track, the scholar sub-track, and the teaching sub-track.

Faculty in all tracks must be assessed in accordance with their assigned workload. Expectations are concordant with the percentage of the faculty member's appointment assigned to each area.

~~I.B~~1.2.2. Tenure Track

Pre-tenure and Tenure Contracts

Tenure-track faculty may hold pre-tenure or tenured contracts.

Pre-tenure contract. The faculty member is on probation during the time prior to consideration for tenure. At the time specified in the offer letter, the University will decide whether to grant tenure.

Tenure contract. Upon attaining tenured status, the faculty member shall continuously hold an appointment with WSU until retirement, resignation, or termination pursuant to the terms of Section ~~III.F~~3.6.

Academic Faculty

Appointments are as an assistant professor, associate professor, professor, or regents professor; tenured or pre-tenure. A tenure-track faculty member's working title is assistant professor, associate professor, professor, or regents professor. Colleges may opt to further identify tenure-track faculty externally as tenured, tenure track, accepting graduate students, research active, etc.

A terminal degree is normally required. Alternative credentials will be approved in consultation with department faculty, by the administrative head and chancellor (if appropriate), and by the provost. A faculty member hired as an assistant professor who arrives without having completed their terminal degree may be given a maximum of one (1) year to finish their degree and a position with a lecturer title until they finish their degree.

Library Faculty

Positions are pre-tenured or tenured with the rank of librarian 2, librarian 3, librarian 4, or regents librarian.

A terminal degree is normally required. Alternative credentials will be approved in consultation with department faculty, by the administrative head and chancellor (if appropriate), and ultimately by the provost. A faculty member hired as a librarian 2 who arrives without having completed their terminal degree may be given a maximum of one (1) year to finish their degree and a position with a lecturer title until they finish their degree.

Extension Faculty

Appointments are as assistant professor, associate professor, professor, or regents professor; tenured or pre-tenure. A tenure-track faculty member's working title is similarly assistant professor, associate professor, professor, or regent professor. Colleges may opt to further identify tenure-track extension faculty externally based on their specific extension roles.

Extension faculty must hold an appropriate terminal or professional degree and/or demonstrate relevant experience and success in their field that is recognized by their discipline and/or college as appropriate for the position. Credentials and/or appropriate experience will be approved in consultation with the department faculty, by the administrative head and chancellor, and ultimately by the provost. A faculty member who arrives without a terminal degree may be given a maximum of one (1) year to finish their degree and a position with a lecturer title until they finish their degree.

~~I.B~~1.2.3. Career Track

Contracts (Fixed-Term, Contingent, Continuous) for Career-Track Faculty

All career-track appointments should align with current Washington Administrative Code Regulations (WAC 250-61-100).

Career-track faculty contracts may be divided into three (3) categories: (a) Fixed term one (1) to five (5) year contracts. Specific end dates are determined by the nature of the assigned task, funds, or

contracts; (b) contingency contract, with end dates, in which contingencies determine continued employment; and (c) continuous contracts.

Fixed-Term Contract Definition

A *fixed-term* contract ends on a specific date. Renewal depends upon mutual agreement, needs of the department, college, or university, renewal of funding or contracts, extension of the assigned tasks, and positive action taken to reappoint the incumbent. The offer of such a position implies no obligation on the part of the University to continue employment beyond the termination date of the fixed-term contract; such decisions lie solely within the University's discretion.

Contingency Contract Definition

For a faculty member with a *contingent* contract, in addition to termination dates, hiring actions for contingency contracts include a statement that continuing employment is contingent upon specific qualifications. If the contingency specifies a date by which some action must be completed and if the specifications are not met, the University has no obligation to the employee beyond the contingency date. Employees are hired in this category with one (1) to three (3) year terms as are employees holding temporary visas who will become eligible for permanent positions upon requisite changes in immigration status.

Continuous Contract Definition

A faculty member with a *continuous* contract holds a contract with no contractual end date. Continuous contracts may be terminated in accordance with Washington state and federal contract law and notification requirements based on the length of employment (as defined in Section ~~III.F~~3.6).

Sub-tracks for Academic or Extension Faculty

Career-track appointments should include a specified sub-track designation in the appointment/job profile (e.g., clinical, extension, research, scholarly, or teaching). Guidance for all sub-tracks and working titles should be listed in the college's promotion and tenure guidelines.

For career-track working titles and external communication, colleges typically choose from three (3) options:

a) Use assistant professor, associate professor, professor, or laureate professor with no mention of tenure-track versus career-track;
b) Use assistant professor, associate professor, professor or laureate professor followed by either "career-track" or "CT" in parentheses – e.g., "associate professor (career track)";
c) Use assistant professor, XXX; associate professor, XXX; professor, XXX; or laureate XXX professor, where XXX represents "clinical," "extension," "research," "scholarly," or "teaching".

The term "sub-track" is intended for internal use at WSU (e.g. at the program, department, school, college, and/or university levels) and ordinarily should not be employed on program, department, school, college, and/or university websites or documents.

Clinical Sub-track

Clinical faculty are those whose primary responsibilities are clinical practice and/or the supervision and clinic-based instruction of professional students, interns, residents, and/or fellows. Many, but not all, will have significant expectations in one or more of the following areas: (a) research, scholarship, or creative activity, (b) teaching, (c) outreach, (d) educational leadership, (e) administration, or (f) academic service. For example, these faculty may also play a role in the pre-clinical/pre-clerkship phases of the professional curriculum and/or perform clinical research. Promotion in this sub-track is based on significant achievement and/or national/international recognition for excellence in clinical practice, teaching, educational leadership, and/or scholarship.

Extension Sub-track

Only individuals reporting to Extension programs in CAHNRS or other colleges may use the extension sub-track. Extension faculty primarily engage in Extension programs that provide science-based information and education to the public, including non-traditional educational environments, published materials intended for public audiences, and the use of train-the-trainer approaches and/or trained volunteers with appropriate oversight for program delivery. These activities typically include engagement with communities and other external partners—both public and private—to address identified needs through services such as evaluations and assessments; survey development, dissemination, and analysis; training; technical assistance; and preparation of reports.

Research and scholarly components may include work conducted in laboratories, fields, forests, and waters, with a scope ranging from basic science to applied, developmental, or translational work, and/or the production of creative works. Concurrent activities may include scholarly publications, peer review and editorial activities, production of educational or informational media (e.g. videos), and development of curricula or educational resources.

Research Sub-track

Faculty in the research sub-track predominantly conduct research, scholarship, or creative activity and may serve as principal or co-principal investigators on grants or contracts administered by the university. Typically, the institution has made a commitment of office and research space. Start-up funds and salary may be provided. However, departments or schools, and colleges, may expect these faculty members to provide all or significant portions of their own salary through extramural funding. The terms for start-up, space, and salary will generally be negotiated during the hiring process, although those terms can be renegotiated by the institution or the faculty member. In general, these faculty will have no significant teaching or service expectations unless those responsibilities are negotiated and commensurate funding support is provided. Promotion in this sub-track is typically based on traditional measures of research or scholarship, i.e., publication, extramural funding, and national or international reputation.

For working titles and external communication, colleges may choose from three(3) options: (a) simply as assistant professor, associate professor, or professor, with no mention of tenure track versus career track, or sub-track; (b) as assistant professor, associate professor, or professor

followed in parentheses by either the designation career track or CT, with no mention of sub-track – e.g. associate professor (career track). The scholar sub-track designation is intended only for internal use (i.e., at the program, department, school, college, and/or university levels) and ordinarily should not be employed on program, department, school, college, and/or university websites or documents.

Scholar Sub-track

Faculty in the scholar sub-track have significant responsibilities in at least two(2) of the following areas: (a) teaching, (b) student advising, (c) research or scholarship, (d) creative activity, (e) outreach, (f) practice, (g) educational leadership, (h) administration, or (i) academic service. Most faculty in this sub-track will have a significant teaching or student advising responsibility. However, carrying a large teaching or advising load and receiving good student ratings is not sufficient for promotion in this sub-track. Applicants for promotion are expected to demonstrate a scholarly approach to teaching, evidence of teaching effectiveness, and achievement or recognition in one or more of the additional areas (e.g., research/scholarship, educational leadership, outreach, etc.).

For working titles and external communication, colleges may choose from two options: (a) simply as assistant professor, associate professor, or professor, with no mention of tenure track versus career track, or sub-track; (b) as assistant professor, associate professor, or professor followed in parentheses by either the designation career track or CT, with no mention of sub-track – e.g. associate professor (career track). The scholar sub-track designation is intended only for internal use (i.e., at the program, department, school, college, and/or university levels) and ordinarily should not be employed on program, department, school, college, and/or university websites or documents.

Teaching Sub-track

Faculty in the teaching sub-track are those whose primary responsibility is teaching, student advising, or both, and who have little or no additional expectations in research, scholarship, creative activity, leadership, or academic service. Faculty with a teaching appointment often have large teaching commitments according to their assignment and contract. In some colleges, teaching may involve teaching in a clinical setting. Promotion criteria will be determined by the department, school, or program, and college, but should include evidence of teaching effectiveness and innovation.

For working titles and external communication, colleges may choose from two options: (a) simply as assistant professor, associate professor, or professor, with no mention of tenure track versus career track, or sub-track; (b) as assistant professor, associate professor, or professor followed in parentheses by either the designation career track or CT, with no mention of sub-track – e.g. associate professor (career track). The teaching sub-track designation is intended only for internal use (i.e., at the program, department, school, college, and/or university levels) and ordinarily should not be employed on program, department, school, college, and/or university websites or documents.

Library Faculty

Positions are as librarian 2.

~~I.B~~1.2.4. Short-Term Track

Short-term faculty may hold one (1) semester up to three (3) year fixed-term or contingent contracts (see Section ~~I.B~~1.2.3). The equivalent of a master's degree or higher is normally required. Alternative credentials will be approved in consultation with department faculty, by the administrative head and chancellor, and ultimately by the provost. Voting rights within a department are determined by the department's bylaws. Eligibility for faculty participation in graduate education is determined by the program's graduate bylaws, the *Graduate Policies and Procedures*, and the vice provost for graduate and professional education.

Short-term appointments are contracts for a specified period, teaching positions to cover unexpected enrollments in courses, visiting faculty appointments, grant-funded positions, summer appointments, adjunct, adjoint, and non-service appointments, appointments to teach courses , exchange faculty appointments, appointments of persons who have not attained permanent visas or citizenship, research associate positions, internships, and positions occurring because of permanent employees' leaves or separations.

The responsibilities and appointments for short-term faculty fall into one of the following designations:

Lecturer

A lecturer position is considered non-permanent or part-time and is typically a short-term teaching contract. A lecturer's primary responsibility is teaching. In some colleges, a lecturer's teaching may involve teaching in a clinical setting. These appointments can be renewed indefinitely at the discretion of the University. If a department, school, or campus consistently uses lecturer positions to cover teaching, they are encouraged to create career-track positions to fill this need.

The lecturer title may also be used for faculty hired as assistant professors who arrive without having completed their terminal degree requirements. Such faculty members are expected to complete the terminal degree during the first year of appointment or be given a terminal appointment for the second year.

Visiting Faculty

Visiting faculty are fixed-term appointees who are faculty members or professionals from another institution who work at WSU for purposes of teaching, collaboration, or research. They are normally expected to return to their own institutions at the expiration of the appointment and are appointed as visiting faculty. Whenever a department plans to employ or host a foreign professor, researcher, or scholar, it is important to contact the Office of International Programs regarding arrangements for the appropriate immigration status. Refer to the HRS website for appropriate titles.

Adjunct and Adjoint Faculty

Adjoint and adjunct faculty are faculty who may hold positions with employers other than WSU and are appointed temporarily to a WSU faculty position. Adjoint and adjunct faculty provide various types of teaching, service, research, scholarship, or creative activity within individual colleges according to established criteria. If a department wishes to distinguish between the two titles, adjoint should be used for positions with a higher emphasis on research, scholarship, or creative

activity. If a department, school, or campus consistently uses adjunct or adjoint positions to cover department needs, they are encouraged to create career-track positions to fill this need.

Affiliate Faculty

Affiliate faculty are comparable to adjunct or adjoint appointments except that the person is already a WSU employee (faculty or administrative professional) and has been invited to serve in a faculty role in a program other than the one paying their salary. They are usually appointed as non-paid affiliate faculty. If the appointment is paid, please contact Human Resource Services for assistance with the appropriate process and title.

Research Associate

Research associates are faculty in short-term appointments who conduct research, obtain grants, and develop and maintain an extramurally funded research program. Positions may include scholarship, creative activity, teaching, administration, outreach, or service. After 3 consecutive years, a research associate with an academic year appointment of >0.4 FTE should be reviewed biennially by the chair or director, dean, and department faculty for potential transfer into a career-track position.

Community Faculty

Community faculty hold positions with employers other than Washington State University (WSU) and are appointed on fixed-term WSU community faculty appointment that is non-salaried. Community faculty are experienced practitioners, usually with professional credentials (e.g., DNP, DO, DVM, MD, PharmD, PhD), licensures, or appropriate experience, who serve as preceptors by providing supervision, instruction, feedback, and/or mentorship to professional students, particularly in clinical or practical settings.

Community faculty are not paid employees of WSU, but they are expected to adhere to university policies regarding conduct and behavior as outlined by the *Faculty Manual* including, but not limited to, *University Policies and Procedures Manual* (UPPM), *Safety Policies and Procedures Manual* (SPPM) (e.g., UPPM 10.60, UPPM 45.30, UPPM 10.65, UPPM 50.31, SPPM 2.24). Community faculty appointments, additional disciplinary processes, annual reviews, and working titles are managed based on written policies established by the respective college or designee (e.g., department chair or program director). Titles for community faculty include instructor, lecturer, assistant professor, associate professor, and professor.

Postdoctoral Research Associate/Fellow

Postdoctoral research associates are persons who have received a doctoral degree (or equivalent) and are engaged in a temporary and defined period of mentored advanced training to enhance the professional skills and research independence needed to pursue their chosen career path. Most research post-docs are funded using extramural funds. Postdoctoral research associates should receive active and ongoing mentoring from one or more designated advisors throughout their post-doctoral period.

Postdoctoral Teaching Associate/Fellow

Postdoctoral teaching associates are persons who have received a doctoral degree (or equivalent) and are engaged in a temporary and defined period of mentored training related to teaching and

pedagogy to allow them to prepare for a career devoted primarily to teaching or a career in which teaching will be a primary responsibility. A teaching postdoctoral associate will be appointed for a two-year term with the possibility of one (1) two-year renewal. Postdoctoral teaching associates should receive active and ongoing mentoring from one or more designated advisors throughout their post-doctoral period.

~~I.B~~1.2.5. Changing Tracks or Sub-Tracks

Moving successful faculty between the short-term track and the career track, or between different sub-tracks, can be advantageous for the faculty member and the University. To consider moving a faculty member between the short-term track and the career track, or from one sub-track to another, approval must first be obtained from the chair and dean, as well as the academic director and campus chancellor, as appropriate.

If a faculty member is currently on a continuous contract, the faculty member can agree to start a position in the new track/sub-track at any time; however, without the agreement of the faculty member, the notification periods from Section ~~III.F~~3.6.1 must be observed. If a faculty member is currently on a contract with a terminal date, the faculty member can agree to start a position in the new track/sub-track at any time; however, the faculty member may also choose to finish the current contract before moving to the new track/sub-track.

If a change in track/sub-track is approved, the offer letter for the new track/sub-track should specify how much of the time served in the previous track/sub-track will be counted as time in rank towards promotion in the new track/sub-track.

Moving faculty between the career track and the tenure track is more complicated because of budgetary differences in how these two (2) tracks are funded. Because of this, prior approval from both the dean and provost is required. The details of the procedure for switching from the career track to the tenure track are available from the Office of the Provost upon request. Before a faculty can be awarded tenure, the normal procedure for deciding if tenure is warranted must be followed.

~~I.B~~1.2.6. Meetings of the Faculty

The president of the University is the chief executive officer of the faculty. The president, or designated representative, presides at meetings of the faculty except those called by the Faculty Status Committee or by the Faculty Senate Steering Committee. The executive secretary of the Faculty Senate shall serve as secretary of the faculty.

The Faculty Senate Steering Committee will have the power to call a meeting of the faculty. Any member of the faculty may petition the Steering Committee of the Faculty Senate to call a meeting. The meeting will be called if the majority of the Steering Committee votes in favor of holding the meeting. A petition signed by a minimum of ten (10) percent of the faculty will require that a meeting be called, regardless of the vote of the Faculty Senate Steering Committee. The Steering Committee shall designate a member of the faculty to chair the meeting(s).

The quorum for meetings of the faculty shall be all qualified persons in attendance at regularly scheduled and announced meetings. Each of these bodies shall be free to make its own rules of procedure, but, unless rules to the contrary are adopted, motions shall pass by majority vote.

~~I.B~~1.2.7. Specific Duties of the Faculty Senate

The purpose of the Faculty Senate is to exercise the legislative powers delegated to it and to make recommendations to the president, to appropriate administrative officials of the University, and through the president, to the Board of Regents on matters affecting the general welfare of Washington State University and its educational, research, and service activities.

Legislative Powers

The Faculty Senate shall serve as the legislative body of the faculty in all matters requiring faculty action or approval of curricular and educational policies of Washington State University, including:

a. Standards of admission

b. Curricula and courses to be offered and the number of credits for each course

c. Standards of scholarship

d. Requirements for graduation

e. The academic calendar

Power of Recommendation

The specific duties of the Senate shall also include, but not be limited to, the formulation of recommendations to the system president and appropriate administrative officials of the University regarding the following:

a. Development and review of plans and policies to strengthen the educational program of the University

b. Review of the budget of the University to assess its general conformity with policies and priorities established or endorsed by the Senate

c. Review of the strategic plan, for the physical and educational development of the University

d. Protection and enhancement of academic freedom of members of the University community

e. Preservation and extension of academic responsibility of members of the University community

f. Promotion of the general welfare of the University community

g. Review of policies concerning the University's relations with its supporting community throughout the state of Washington

h. Review of policies concerning the University's relations with outside agencies

i. Review of rules and procedures of the University concerning the conduct of its members

Faculty Senate Committees

Faculty Senate committees and sub-committees consider issues and make recommendations to the Faculty Senate for action. The duties of the Steering Committee include matters relating to agenda, referral, voting, and elections. The Steering Committee also acts as an emergency advisory council to the president and carries out functions delegated to it by the Senate during the summer. The Faculty Senate Executive Committee consists of the chair, chair-elect, past chair, and executive secretary. The Executive Committee serves as the primary conduit of information between the faculty and the administration. Full committee descriptions can be found on the Faculty Senate website.

Faculty Senate Constitution and Bylaws

The *Faculty Senate Constitution and Bylaws*, available on the Faculty Senate website, provide additional information about the Faculty Senate's composition and function.

~~I.B~~1.2.8. Faculty Status Committee

The Faculty Status Committee is an independent investigative faculty committee that reports and makes recommendations directly to the president. Functions of the Faculty Status Committee are:

a. Reviews, mediates, and/or adjudicates disputes between individual faculty members and between individual faculty members and the administration.

b. Makes recommendations to the Faculty Affairs Committee and to the president concerning policies about faculty affairs that arise out of its conciliatory and judicial functions.

c. Calls special meetings of the faculty or any component thereof, giving reasonable notice, at which time the chair of the Committee shall preside.

d. Reviews any problems within its jurisdiction brought to it by any member of the faculty.

e. Makes periodic reports (at least annually) to the Faculty Senate and to the faculty concerning its operations.

f. The Faculty Status Committee is responsible to the faculty. It has twelve (12) members, consisting of nine (9) tenured faculty and three (3) career-track faculty, each serving for three (3) years. Four (4) members' terms end on August 15, and they are not eligible to succeed themselves immediately. Further information on the Faculty Status Committee is available on the Faculty Senate website.

During the last two (2) weeks of February, the Faculty Status Committee shall form a nominating committee composed of two (2) members of the Faculty Status Committee and three (3) other members of the faculty designated by the Faculty Status Committee. By April 15, the Nominating Committee will submit to the faculty a list of eight (8) nominees consisting of six (6) nominees for the three (3) tenured faculty positions and two (2) career-track faculty for the career-track position. This committee of five (5) shall request nominations from the faculty through the media, such as a WSU internal communications newsletter, and/or other appropriate means at least two (2) weeks prior to the selection of candidates by the nominating committee. If there are vacancies caused by

death or resignation during the previous year, the nominating committee will submit two (2) nominations for each vacancy.

If the committee's membership falls below seven (7) during any one (1) year, a special election will be held to fill vacancies. Nominations at special elections are made in the same way as above. If vacancies occur during the summer, the Faculty Status Committee may appoint members to serve until October 1 of that year.

Election

Election of new members to the Faculty Status Committee shall be by electronic ballot. This ballot is to be delivered to the faculty (academic faculty, extension faculty, and library faculty) by April 15 with terms beginning August 16. The ballot will be divided into two (2) parts to facilitate the election of the correct number of candidates from each track. One section will contain the names of six (6) tenured nominees and shall provide an opportunity to enter the names of up to three (3) eligible write-in candidates. Faculty may vote for up to three (3) nominees or eligible write-in candidates in this category. The other section of the ballot will contain the names of two (2) career-track nominees and provide the opportunity to enter an eligible write-in candidate. In this section, faculty may vote for one (1) nominee or eligible write-in candidate.

Ballot Composition

	Tenure Track	Career Track
Number of nominations	6	2
Number of write-in possibilities	3	1
Number of votes	3	1

Ballots on which more than the appropriate number of candidates in each category are indicated shall not be counted. The three (3) tenured nominees or eligible write-ins in the tenured section and the career-track nominee or eligible write-in career-track section of the ballot receiving the greatest number of votes in their category are elected to three (3) year positions. If a vacancy occurs before the end of a member's regular three-year (3) term, the nominee or eligible candidate from the same category receiving the next greatest number of votes in the election of that vacating member shall be eligible to serve immediately and fills the remainder of the term. If a vacancy occurs before the end of a member's regular three-year (3) term, the nominee or eligible candidate receiving the next greatest number of votes in the election of that vacating member shall be eligible to serve immediately and fills the remainder of the term.

~~I.B~~1.2.9. Other University Committees

In addition to the Faculty Status Committee, there are numerous other committees on which faculty serve. The president's standing committees have been established to provide advice to the president or to the president through a primary administrative officer of the University. The University committees provide advice to various administrative officers or areas of the University. In some cases, recommendations from University committees are forwarded to the Faculty Senate for consideration and action.

Section~~II~~:2. Freedom, Responsibility, and Discipline

~~II.A~~2.1. Academic Freedom and Tenure

Washington State University subscribes to the 1940 Statement of Principles on Academic Freedom and Tenure With 1970 Interpretive Comments of the American Association of University Professors with the 1987-1990 revisions. A copy of the statement is available online at http://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure#B4. The section on academic freedom reads as follows:

"Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they 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 they are not speaking for the institution."

~~II.B~~2.2. Freedom of Expression and Accompanying Responsibilities

~~II.B~~2.2.1. Preamble

Washington State University has a long history of commitment to the principle of academic freedom for faculty and students. Freedom of expression is recognized as one of the essential elements of academic freedom. On a healthy campus, there is respect for the dignity and worth of all members of the campus community and a concern for the rights of others. The following statement describes the position of Washington State University with respect to these freedoms and accompanying responsibilities. It applies to all members of the University community—faculty, administrators, students, and staff.

~~II.B~~2.2.2. Policy

It is the policy of Washington State University to support and promote the rights of all individuals to express their views and opinions for or against actions or ideas in which they have an interest, to associate freely with others, and to assemble peacefully. The faculty has the right to dissent and protest.

The above rights exist in equal measure for each member of the University community. They exist regardless of the professional stature of the individual and regardless of the degree of acceptability among others of views or opinions advocated.

In order that these rights may be exercised by all and that orderly functioning of the University may be assured, certain limitations must be placed upon the manner in which these freedoms are exercised.

Accordingly, Washington State University insists that the free expression of views and opinions, whether by individuals or by groups, be such that the rights of others are not violated. Use of physical means to disrupt the educational processes and functions of the University, including classroom and laboratory activities, services, meetings, or ceremonies conducted by the University, its departments, divisions, or affiliated organizations, would constitute such a violation.

Members of the University community who violate the rights of others will be subject to appropriate disciplinary procedures. Principles of due process will be observed throughout such procedures.

~~II.C~~2.3. Faculty Responsibilities

~~II.C~~2.3.1. Faculty Code of Professional Ethics

Faculty members have obligations that derive from membership in the University community. The following Faculty Code of Professional Ethics states the expected standard of performance:

Faculty members, guided by 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 their freedom of inquiry. Those who have instructional responsibilities are responsible to the University, their departments, schools or programs, and their students to perform in a conscientious and ethical manner all instructional tasks assigned to them.

~~II.C~~2.3.2. Duties

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly standards of their discipline. They demonstrate respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect their true merit. They respect the confidential nature of the relationship between professor and student. They avoid the exploitation of students for their private advantage and acknowledge significant assistance from them. They protect students' academic freedom.

As officers of the University, the faculty members seek, above all, to increase the University's effectiveness. Although they observe the stated regulations of the University, they maintain their right to criticize and seek revision within appropriate means. In consultation with department chairs, they determine the amount and character of the work to be done outside the University with

due regard to their paramount responsibilities within it and the requisites of state and federal law. When considering interrupting or terminating their services, they recognize the effects of their decisions on the programs of the University and give due notice of such intentions.

As members of the community, faculty members have the rights and obligations of all citizens. They measure the urgency of these obligations in the light of responsibilities to students, to the profession, and to the University. When they speak or act as private persons, they make clear that they are not speaking or acting for the University. They model the principles of reasoned and rational discourse which they pursue in the academic community in their speech and actions as private citizens, thereby extending their public service in that realm. As citizens who are part of an institution that depends upon freedom for its health and integrity, the faculty members have particular obligations to promote conditions of free inquiry and to further public understanding of academic freedom.

~~II.C~~2.3.3. Faculty Availability

Consistent with the University's emphasis on undergraduate and graduate education, research, advising, and personal contact between faculty and students, it is both expected and essential that faculty be available for student consultation. This contact allows the students to meet informally with faculty for discussion and advising (professional, career, or academic). It is also the appropriate time to address sensitive matters with individual students.

Today's greater technology offers many modes of prompt and flexible communication/interaction for both faculty and students. These modes include traditional office hours, telephone, email, electronic chats, blogs, on-site meetings, video teleconferencing, and other methods. It is incumbent upon faculty to state clearly what modes of availability they plan to utilize. This information must be available at a minimum through the department office and to students in courses they are teaching and through other means such as posted on office doors, listed in the class syllabus, or on the course web page.

~~II.D~~2.4. Ethics in Public Service Requirements

The Washington State Ethics in Public Service Act, RCW Chapter 42.52, and its implementing regulations, WAC Chapter 292-09, establish a single code of ethics applicable to all state officers and employees. WSU's University Ethics Policy (UPPM 10.65) incorporates state laws and regulations and sets forth additional requirements in the areas of conflict of interest and conflict of commitment. Washington State University faculty members are state employees and are subject to the ethics law and rules, as well as University ethics policies. With very limited exceptions, faculty members are subject to the provisions of the Ethics in Public Service Act and related University policies at all times, including off-hours, weekends, and breaks during the academic year. This includes faculty on academic-year appointments.

Faculty should familiarize themselves with the provisions of the University Ethics Policy (UPPM 10.65), which also requires all University personnel, including faculty, to undergo annual ethics training (available through the HRS training platform). For questions related to ethics requirements, faculty should contact the University's Ethics Compliance Advisor at ethics@wsu.edu.

This chapter provides additional policy and guidance on honoraria and compensation for outside activities, which may be of particular interest to faculty.

II.D.1. Honoraria

State employees are prohibited from receiving honoraria unless specifically authorized by the employer. The University recognizes that allowing faculty to accept appropriate honoraria in connection with involvement in the larger community in order to carry out the University's academic and community outreach mission as a land-grant institution encourages participation in such activities. Accordingly, the University policy on honoraria specifically authorizes faculty to accept honoraria if offered for their participation in community, business, trade, and professional activities related to their University duties. Receipt of honoraria is not permitted in the following circumstances:

a. The person offering the honorarium is seeking or is reasonably expected to seek a contract or a grant from Washington State University, and the employee is in a position to participate in the terms or the award of the contract or grant;

b. The person offering the honorarium is regulated by the employer of the state officer or state employee and the officer or employee is in a position to participate in the regulation; or

c. The person offering the honorarium is seeking or opposing or is reasonably likely to seek or oppose enactment of legislation or adoption of administrative rules or actions or policy changes by Washington State University; and the employee may participate in the enactment or adoption.

Should any question arise regarding the propriety of any given honorarium, the potential recipient should contact their supervisor or the University's Ethics Compliance Advisor at ethics@wsu.edu to obtain guidance as to whether or not the arrangement is proper.

~~II.D~~2.4.2. Compensation for Outside Activities - Contracting

The general rule is that no state employee may accept anything of economic value under any contract or grant outside the employee's official duties. Therefore, under the general rule, a Washington State University employee is prohibited from contracting to do private work. However, this general prohibition does not apply and the state employee can have a beneficial interest in a personal contract or grant if all six (6) conditions listed in the law are met:

a. The contract is bona fide and actually performed.

b. The contract is not within the course of the employee's official duties.

c. The performance of the contract or grant is not prohibited by RCW 42.52.040 regarding assisting another in transactions involving the state, or by applicable law or rules governing outside employment discussed in this section.

d. The contract is neither performed for nor compensated by any person who is regulated by Washington State University or seeks to provide goods or services to Washington State University (same as person from whom the employee would be prohibited by RCW 42.52.150[4] from receiving a gift).

e. The contract is not expressly created or authorized by the employee in their official capacity.

f. The contract would not require unauthorized disclosure of confidential information.

If the contract is with a state agency, then additional requirements apply. Therefore, if a Washington State University employee privately contracts with Washington State University or the State Department of Ecology, for example, then one of the following conditions must be met:

a. There is an open and competitive bidding or selection process in which more than one bid or grant application is received,

b. There is an open and competitive bidding or selection process in which the employee's bid or proposal is the only one received and the employee has been advised by the state Executive Ethics Board that the contract or grant will not be in conflict with the proper discharge of official duties,

c. There is no open and competitive process, but the employee has been advised by the state Ethics Board that the contract or grant will not be in conflict with the proper discharge of official duties,

The contracts or grants described in (a), (b), or (c) must be filed with the Executive Ethics Board within thirty (30) calendar days of execution.

A Washington State University employee is not prohibited from performing duties under an employment contract with a governmental entity.

When the proposed compensated outside activity relates to scholarship, as defined by the faculty member's department, and is within the scope and expectations of the faculty member's employment, the faculty member may seek preapproval to engage in the activity. See University Ethics Policy (UPPM 10.65), Section 6.0, and UPPM 60.44.

In addition, see Section ~~IV.D~~4.4, Policy on Compensated Outside Service by Faculty Members—Consulting, and Section ~~IV.E~~4.5, Extended Professional Activities.

~~II.E~~2.5. Faculty Responsibilities Related to Student Academic Integrity

All members of the University community share responsibility for maintaining and promoting the principles of academic integrity. To guide the execution of this responsibility, the University has set a policy defining academic dishonesty and the process to be followed when a student is alleged to have committed a violation. The policies defining academic dishonesty, as well as the review and sanctioning processes, provide educational opportunities for students to understand that academic integrity violations are not simply against the rules, but against the greater philosophy of higher education. Consult the WSU Center for Community Standards for more guidance. In addition, the responsible academic member (e.g., course instructor or faculty research supervisor), chair, or dean may seek the advice of the dean of the graduate school and vice provost for graduate education, the vice president for research, or the university ombudsman, at any stage of the process described below.

Academic integrity violations include cheating, falsification, fabrication, multiple submission, plagiarism, abuse of academic materials, and complicity in or misconduct in research. Definitions are found in the Standards of Conduct for Students and in WAC 504-26-010. When there is an allegation or evidence of an academic integrity violation, the responsible academic member must conduct a prompt and careful investigation. Physical evidence should be retained and interviews should be conducted with persons who may have knowledge of the events. Students are required by the Student Handbook for Community Standards to cooperate with such investigations and are prohibited from assisting in violations of the academic integrity policies.

Following the investigation, if the responsible academic member believes that a violation has occurred, the responsible academic member should assemble the information supporting the alleged violation (offending work, witness statements, original sources, etc.). and notify the student as soon as possible of the alleged violation. The notice should be in written form (email is permissible) and should include a description of the allegation and provide a time, date and place of a meeting to discuss the situation. This meeting is the chance for the student to respond to the allegations. If the student does not respond to the responsible academic member's initial contact attempt within a reasonable amount of time, one more contact attempt should be made before proceeding with the violation process. Following the meeting (or lack thereof if the responsible academic member is unable to meet with the student), if the responsible academic member continues to believe that a violation occurred by a preponderance of the evidence (i.e., more likely than not), the responsible academic member must provide the student with a written decision including the reason for the responsible academic member's decision and the evidence relied upon, the academic sanctions imposed in accordance with the course policies, a notice of the student's right to appeal within 15 business days to the Academic Integrity Hearing Board, and a statement indicating that the incident will be reported to the Office of Student Conduct. The responsible academic member must then notify the Office of Student Conduct by using the electronic reporting form available at conduct.wsu.edu. The Office of Student Conduct will engage with the responsible academic member and student if an appeal to the Academic Integrity Hearing Board is submitted and provide the student with educational sanctions to assist the student in not violating the academic integrity policies in the future if the Academic Integrity Hearing Board finds that an academic integrity violation occurred.

~~II.F~~2.6. Corrective Action and Disciplinary Process/Procedures

~~II.F~~2.6.1. Purpose

All faculty members are required to adhere to the Faculty Code of Professional Ethics, Section ~~II.C~~2.3.1, and to the Conduct Regulations, Section ~~II.F~~2.6.3. This section enumerates the types of violations that may subject a faculty member to discipline and provides a process that ensures the respondent faculty member's rights, as well as the rights of the university community, are adequately protected.

Specific procedural requirements apply for all matters related to discrimination and sex-based harassment, as defined in UPPM 10.60, the Policy Prohibiting Discrimination and Harassment, and misconduct in research, as defined in UPPM 45.30, Responding to Allegation of Research Misconduct, and as described in the sections below.

~~II.F~~2.6.2. Confidentiality

Faculty corrective action and discipline shall be kept confidential to the fullest extent provided by law, however a record must be placed in the faculty member's official personnel file with HRS. See RCW 42.56.210. Personnel information is shared internally on a strictly need-to-know basis and any corrective action is placed in the faculty member's official file with HRS. Under state law, findings of specific acts of misconduct are public records subject to public disclosure. See RCW 42.56.210. Additionally, records created as part of the formal hearing process, including the charging document, are public documents that are subject to disclosure. See RCW 42.56.040, *et seq*. Similarly, under the Administrative Procedure Act, hearings conducted to impose formal discipline may be open to the public. See WAC 504-04-120.

~~II.F~~2.6.3. Conduct Regulations

Conduct for which faculty members are subject to University corrective action or discipline falls into the following categories:

a. Violation of the policy on Freedom of Expression, Section ~~II.B~~2.2.2.

b. Incompetence or serious or repeated neglect of duty. Unless the act is serious or puts individuals and/or property at risk, employees will not be disciplined for inadequate work performance or neglect of duty unless they have been given written notice of the areas in which the work is considered deficient, and an opportunity to improve their performance.

c. Violation of UPPM 45.30, the policy on Responding to Allegations of Research Misconduct as well as other serious violations of research policies and protocols, including but not limited to:

    i. Fabrication or falsification of data, plagiarism, or other serious deviations from accepted practice in proposing, implementing, or reporting on research.

    ii. Failure to comply with federal, state, or University requirements for protecting researchers, human subjects, and the public during research and for insuring the welfare of laboratory animals.

    iii. Use of research funds, facilities, or staff for unauthorized and/or illegal activities.

d. Violation of UPPM 10.60, the Policy Prohibiting Discrimination and Harassment.

e. Violation of UPPM 60.13, Consensual Romantic or Sexual Relationships Between Faculty, Staff and/or Students.

f. Retaliation against any individual for engaging in protected activity, including but not limited to, filing a good faith complaint of discrimination, harassment, misconduct, workplace violence, or bullying. This includes but is not limited to, creating a hostile work environment or taking adverse employment action against another. Such acts form independent grounds for taking appropriate formal or informal discipline.

g. Forgery, alteration, or misuse of university documents or identification.

h. Falsification of information submitted to any University official or agency, or the offering of an intentionally false statement in any University disciplinary proceeding.

i. Theft of or intentionally damaging or defacing University property, or any personal property located on a WSU campus or location.

j. Violation of UPPM 10.19, the Alcohol and Drug Policy.

k. Violation of WAC 504-31-020, including but not limited to possession or use of firearms, explosives (including fireworks), dangerous chemicals, or other dangerous weapons or instrumentalities on the university campus. This prohibition does not apply to possession of such items for authorized university purposes; possession of such items by authorized law enforcement officers; individuals who have obtained prior written approval from the university chief of police, president, or designee; or lawful possession of firearms by persons other than students in privately owned vehicles while on any university campus.

l. Unlawful acts that directly affect University programs, community members, or property insofar as they materially and substantially interfere with the missions, functions, processes, and goals of the University community or unlawful acts that result in a guilty plea to or conviction of a felony.

m. Illegal entry, attempted entry, or entry in violation of Washington State University rules of university-controlled property.

n. Intentional disruption of the educational processes and functions of the University, including classroom and laboratory activities, offices, services, meetings, or ceremonies. Intentional and unauthorized obstruction or restriction of free movement of persons or vehicles on the campus or other University property. Expressive activities protected by the First Amendment are allowed in all of the University's "Limited public forum areas," which are defined as follows: "At each university campus, the limited public forum areas are all university facilities, with the exception of the interior or immediate vicinity of university facilities used to support university research, academic instruction, or health services." See WAC 504-33-015(4).

o. Violation of UPPM 50.30, the University policy prohibiting Workplace Violence.

p. Violation UPPM 50.31, the University policy on Maintaining a Professional Workplace.

q. Violation of the University Ethics Policy UPPM 10.65.

r. Willful violation of any other published University policy and/or willful violation of a lawful directive given by a supervisor in the course of employment.

Faculty members should be aware of conduct regulations for campus guests and visitors as follows: guests and visitors will observe the rules and regulations of the University while on the campus or other University property. Those who willfully refuse to obey an order of a uniformed campus security officer or other law enforcement officer to desist from conduct prohibited by the University rules and regulations may be ejected from the premises. Refusal to obey such an order

will subject the person to arrest under the provisions of the criminal trespass statutes, in addition to such other sanctions as may be applicable.

Workload policies address changes in workload allocation and reduction in total FTE for less-than-satisfactory work performance (see Section ~~III.C~~3.3). This is a separate process from the formal disciplinary process outlined in Section ~~II.F~~2.6.3 through Section ~~II.F~~2.6.11. If there is a cause to reduce total FTE to less than 50% based on poor performance, a formal disciplinary process must be followed. See also Section ~~III.F~~3.6.5 for inability to meet expectations due to physical and mental health reasons, and Section ~~III.F~~3.6.6 for unsatisfactory performance involving short-term faculty appointments.

~~II.F~~2.6.4. Authority for and Types of Corrective Action and Discipline

Vice President for Research

Allegations of misconduct in research should be reported to the vice president for research. The investigation process and consequences are covered in UPPM 45.30.

Chairs of Departments, Directors of Schools or Programs, and Deans

Department chairs and school or program directors have primary responsibility for developing, supporting, evaluating, and supervising faculty members within the unit. See Section ~~I.A~~1.1.3 and the Provost's Guidelines on the Duties and Responsibilities of Chairs and Directors. The chair or director is responsible for addressing behavior or conduct issues, performance, and conflicts within the unit. Depending on the infraction, the chair or director may choose to address the matter directly or refer the matter to an appropriate administrator. A chair or director can address the issue directly, in consultation with the dean, through a written notice that (1) outlines behavior that may constitute a violation of the conduct code, (2) recommends specific corrective action or training opportunities, and (3) states that future incidents may result in required corrective action or discipline. Such notice should be forwarded to the dean, provost, and HRS, who maintain a confidential file to ensure there is an adequate record of past alleged infractions. A faculty member who disagrees with a notice under this paragraph may submit a rebuttal, which will also be placed in the confidential file. Note that alleged violations of UPPM 10.60 must be reported to CCR, and alleged misconduct in research must be reported to the vice president for research.

Provost

Discipline that may be imposed by the provost pursuant to this policy falls into two(2) categories: informal and formal, as described below.

The sanctions that may be imposed include, but are not limited to, warning, censure, suspension, termination, and in emergency situations, summary suspension.

Informal Discipline

a. Informal Discipline – Minor Sanctions

   i. Warning: Written notice to the faculty member from the provost that they have violated a conduct regulation from Section ~~II.F~~2.6.3, or other regulation or policy, and that continued or additional misconduct may lead to more severe sanctions in the future. Warnings may include directives regarding mandatory training and related measures

and may include a provision that the warning will be rescinded if directives are completed.

ii. Censure: Written reprimand from the provost for having engaged in conduct violating a regulation in Section ~~II.F~~2.6.3 or other regulations or policy. Censures may include directives regarding mandatory training and related measures and may include a warning, as well as a provision that the censure will be rescinded if directives are completed.

b. Informal Discipline – Moderate Sanctions: A warning or censure that includes removal of honors, designations, or similar measures.

Formal Discipline

a. Formal Discipline – Major Sanctions

i. Suspension: Suspension is defined as any one, or a combination of, the following measures: temporary release from or reduction in assigned responsibilities (except for temporary reassignment pending resolution of allegations as set forth in Section ~~II.F~~2.6.6 below); temporary reduction or suspension of pay; denial or postponement of an opportunity for a professional promotion within the University or professional leave from the University. A summary suspension is also possible, as set forth in Section ~~II.F~~2.6.9.

ii. A permanent reduction in pay and/or removal of responsibilities: Removal of responsibilities such as a leadership/administrative position, teaching, access to labs/facilities, loss of institutional support for academic, research, or scholarship activities, permanent reduction in FTE and/or salary.

iii. Termination: Dismissal of the faculty member from the University, whether a tenure-track, career-track, or short-term faculty member. The usual notice procedures for such termination shall not apply in this case and may be set by the sanctioning authority.

b. Summary Suspension: In circumstances where an emergency exists or there is an immediate threat to the public health, safety, or welfare, to University property, or to the safety or welfare of any member of the University community (including the subject faculty member), the faculty member may be suspended immediately, without pay. See Section ~~II.F~~2.6.9 below for further information regarding the procedures for imposing a summary suspension.

~~II.F~~2.6.5. Initiation of Complaint

Any member of the university may file a formal complaint against a faculty member. Formal complaints regarding possible violations of the Faculty Code of Professional Ethics, Section ~~II.C~~2.3.1, and/or the Conduct Regulations, Section ~~II.F~~2.6.3, are addressed in writing to the provost. If the complainant has not utilized another complaint resolution procedure, they are to provide the provost with a statement of reasons for filing their complaint directly with the provost. If the provost determines that the matter should be addressed at a lower level before their

involvement, they shall inform the individual in writing within fifteen (15) business days of the complaint, with advice on resolution options available (e.g., the Ombudsman, the Faculty Status Committee, Compliance & Civil Rights (CCR), Human Resource Services (HRS), Vice President for Research, etc.). The individual may initiate a formal complaint with the provost after utilizing an alternative complaint resolution process, however complaints of conduct implicating UPPM 10.60 must always be referred to CCR for assessment.

Unless the provost has determined that a complaint should be remanded to another complaint resolution process, they shall, within ten (10) business days of receiving the complaint, determine whether the allegations, if proved, state cause to discipline a faculty member. If the provost determines that the charges do not state grounds for discipline, they shall communicate that decision to the complainant in writing.

If the provost determines that the charges, if proven, state grounds for disciplinary action, they shall promptly initiate an investigation or rely on a previously conducted investigation in accordance with Section ~~II.F~~2.6.7 and notify the respondent of the next steps.

At any time after allegations have been made, if the provost believes there are compelling circumstances that warrant reassignment of the faculty member from teaching or other duties pending resolution of the allegations, the provost may, after consultation with the faculty member's chair or director and dean, reassign the faculty member to other duties for a period not to exceed the duration of the disciplinary process and any resulting adjudication. The faculty member's regular salary, benefits, and other privileges continue during the period of reassignment.

~~II.F~~2.6.6. Temporary Reassignment

At any time after allegations have been made, if the provost believes there are compelling circumstances that warrant reassignment of the faculty member from duties pending resolution of the allegations, only the provost may, after consultation with the faculty member, their chair or director and dean, and HRS, reassign the faculty member. Temporary reassignment is not a disciplinary action and is not reflected as such in a faculty member's personnel file. When determining whether temporary reassignment is warranted, the provost's primary concern is protection of students, employees, and the university, balanced with fairness to the faculty member and potential consequences of reassignment. At a minimum, the following factors are considered:

a. Nature and seriousness of allegations: For example, do they involve criminal conduct, Title IX sexual harassment, or similar level of discriminatory harassment; are there significant safety concerns; is there a pattern of behavior or is it escalating over time; number of individuals potentially impacted.

b. Availability and feasibility or less stringent measures that would effectively prevent further harm: For example, clear directive coupled with increased supervision, separation from the complainant; effectiveness of any prior measures taken.

c. Impact on the investigation, including retaliation risk, potential for witness influence or evidence destruction.

If the provost decides to temporarily reassign the faculty member's duties, the provost must ensure the following:

a. The faculty member's regular salary, benefits, and other terms and conditions of employment continue during the period of reassignment (or, for fixed-term appointments, until the end date of the contract, whichever is sooner).

b. The faculty member is informed of any restrictions or workplace management plans for them in writing.

c. If the final decision is "no discipline" in accordance with Section ~~II.F~~2.6.8, the period of reassignment is taken into consideration when evaluating progress towards promotion and/or tenure. For pretenured faculty, this may require extension of the tenure clock for a period of time equal to the period of reassignment.

d. Impacts on the faculty member's research program (if applicable) during temporary assignment and afterwards (if the final decision is "no discipline") are taken into consideration and mitigated when feasible

Without the consent of the faculty member, temporary reassignment of duties may not exceed the duration of the disciplinary process and any resulting adjudication.

~~II.F~~2.6.7. Investigation of Complaint or of Provost Concerns

If the provost determines that the allegations, if proved, state grounds for discipline, they will notify the respondent in writing within twenty (20) business days from the receipt of the allegations. Within ten (10) business days of such notification, the provost will initiate an investigation into the matter, unless a reliable investigation, which includes notice to the respondent and an opportunity to respond, has already been completed. In such cases, the provost, in their sole discretion, may elect to rely on the investigation in lieu of the investigation provided for in this section. In matters involving discrimination and harassment (see UPPM 10.60), the provost must rely on the investigation and recommended findings completed by Compliance and Civil Rights (CCR) in lieu of the investigation provided for in this section (see the CCR Procedural Guidelines for investigation procedures). For matters involving misconduct in research, see UPPM 45.30. If the provost initiates an investigation, the provost shall notify the respondent of the general nature of the allegations, the requirement for cooperation during an investigation, the right to present information on their behalf, and the obligation not to retaliate against those filing the complaint. The provost shall also determine the appropriate composition of the investigative body. This investigative body may include, but is not limited to:

a. Themself

b. Vice provost, associate vice provost, executive vice president, or vice president

c. Dean, department chair, school or program director

d. CCR

e. Human Resource Services

f. Faculty

g. Administrative professional employees with relevant expertise (other than those in the offices listed above)

h. External (non-university employees) consultants/contractors with specialized expertise

Timeline for Investigation

Provost-initiated investigations generally are completed within sixty (60) calendar days of the date initiated; however this timeline may be extended up to one hundred twenty (120) calendar days upon written notice to the complainant and the respondent

The 120-day timeline may be extended only when an unanticipated, compelling reason exists, which includes:

a. Medical or other emergencies;

b. Unanticipated unavailability of key witnesses;

c. New evidence that has a likelihood of changing the outcome of the investigation;

d. Significant procedural irregularities; or

e. Other unanticipated circumstances of a similar nature.

The provost must provide the complainant and respondent with written notice of any extended timeline beyond 120 calendar days, including the reason for the extension. Additionally, the provost must review any continued reassignment of duties with the faculty member, the chair or director, and the dean.

Authority of Investigators and Employee Obligations

Investigative bodies have the authority to gather and review relevant records, including employment and other records, and conduct interviews of the respondent faculty member, complaints, and witnesses. Subject to any conditions of applicable collective bargaining agreements or other legal rights, faculty members and other university employees are required to cooperate with investigations, including providing information and participating in an interview if requested.

~~II.F~~2.6.8. No Discipline

If the complaint involves Title IX Sexual Harassment (UPPM 10.60B), the complainant and respondent must be afforded a formal hearing consistent with the process for formal discipline with major sanctions described in Section ~~II.F~~2.6.11. Otherwise, if after investigation, the provost determines that the alleged conduct either did not occur or did not constitute a violation of the Conduct Regulations, Section ~~II.F~~2.6.3, the provost shall notify the respondent faculty member and the complainant in writing within ten (10) business days of the completion of the investigation. In matters involving discrimination and harassment (UPPM 10.60), the provost must consider the CCR investigation report and recommendations. However, the provost may engage in additional interviews or review to assess credibility as needed. A determination of no violation by the provost

is final, except in matters involving Title IX Sexual Harassment (UPPM 10.60B), which have specific appeal rights as outlined in the CCR Procedural Guidelines.

~~II.F~~2.6.9. Summary Suspension

Summary Suspension is the responsibility of the president. Ordinarily, the disciplinary authority of the University will be invoked only after completion of the procedures established for the review of discipline cases and after the individual has utilized any appeal procedures desired as described in the following sections of the disciplinary regulations. A decision by the provost to place an individual faculty member on leave without pay while the faculty disciplinary process is pending is not considered a summary suspension if the individual is legally prohibited from performing their assigned responsibilities.

However, if at any time the provost becomes aware of information that causes them to believe there is an immediate threat to the public health, safety, or welfare, to University property, or to the safety or welfare of any member of the University community (including the respondent faculty member), the provost shall immediately institute summary suspension procedures. These procedures require the provost to provide the faculty member, either orally or in writing, with notice of charges against them, with an oral or written statement of the evidence that supports the charges, and with an opportunity to respond to the charges. If, after receiving the faculty member's response, the provost believes that the immediate threat remains, they will recommend to the president that the faculty member be summarily suspended. The president shall consider this recommendation, including the summary of the basis therefore and the faculty member's response to the charges, and determine whether to summarily suspend the faculty member. If the faculty member is summarily suspended, salary shall not continue for the duration of the summary suspension. In all such emergency cases, the faculty member is thereafter entitled to all the formal hearing process rights as provided in this section on formal discipline.

A decision to summarily suspend a faculty member shall comply with the requirements of RCW 34.05.479. The order of summary suspension shall be served to the faculty member in person. The notice should indicate that the suspension is for an emergency purpose in accordance with this section. It shall contain a brief statement of reasons to justify the summary suspension. If personal service is not feasible the notice shall be sent by certified mail. If there is to be a restriction on the faculty member's privilege to be present on University property, the faculty member shall be notified of that constraint, and such notice will be simultaneous with the notice of summary suspension.

The provost shall issue a statement of charges within five (5) business days of the imposition of a summary suspension and shall request that the Faculty Status Committee expedite the selection of a hearing committee. The Hearing Committee shall schedule the hearing within the next thirty (30) calendar days. This right to an expedited hearing may be waived by the respondent faculty member.

~~II.F~~2.6.10. Informal Discipline with Minor or Moderate Sanctions

If after investigation the provost determines:

a. The alleged conduct occurred,

b. The conduct violated the Conduct Regulations, Section ~~II.F~~2.6.3,

c. The conduct does not constitute Title IX Sexual Harassment (UPPM 10.60B), and

d. The conduct subjects the faculty member to a warning or censure, which may include mandatory training and related measures and/or penalties described in Section ~~II.F~~2.6.4,

then the provost notifies the respondent faculty member in writing. This notice will be kept confidential to the extent allowed by law and is shared internally on a strictly need-to-know basis. The respondent faculty member is provided the option of accepting or rejecting the informal discipline and must do so within ten (10) business days of receipt of the notice. If the respondent faculty member accepts the imposed discipline, the provost carries out the discipline accordingly and notifies the complainant and the applicable administrators, including the respondent faculty member's chair or director and dean. If the respondent faculty member rejects the imposed discipline, they will have an additional (10) business days to file an appeal with the Faculty Status Committee (FSC). If an appeal is filed with the FSC, the FSC (1) determines its own procedures for reviewing the matter, in a manner consistent with state and federal law, (2) conducts its review as expeditiously as possible, and (3) reports its findings and recommendations to the president or designee and to the respondent faculty member, within one hundred twenty (120) calendar days after the appeal is made. The committee may elect to count only days of the academic year in the one hundred twenty (120) day period if the president or designee's decision can be rendered before the sanction needs to be imposed. Following the faculty member's receipt of the FSC report, they have fifteen (15) calendar days to provide the president or designee with a written response to the report. The president or designee considers both the FSC report and the faculty member's response, if any, in making a final decision and notifies the faculty member of that decision within thirty (30) calendar days after receiving the FSC report.

If the conduct, as alleged, constitutes Title IX Sexual Harassment (UPPM 10.60B), even if the investigation does not find a violation, there is still a formal hearing afforded to the parties as described in Section ~~II.F~~2.6.11, Formal Discipline with Major Sanctions.

~~II.F~~2.6.11. Formal Discipline with Major Sanctions

For matters that constitute UPPM 10.60B Title IX Sexual Harassment, the formal hearing procedure (see Formal Disciplinary Proceedings) described below is initiated within thirty (30) calendar days of receiving the CCR investigation report. Otherwise, if after investigation, the provost concludes that the preponderance of evidence indicates:

a. The alleged conduct occurred,

b. The conduct violated the Conduct Regulations, Section ~~II.F~~2.6.3, and

c. The conduct subjects the faculty member to major sanctions as described in Section ~~II.F~~2.6.4,

then the provost shall notify the affected faculty member in writing. This notice shall remain confidential to the extent allowed by law and is shared internally on a strictly need-to-know basis. The affected faculty member shall be provided the option of accepting or rejecting the imposed discipline and must do so within ten (10) business days of receipt of the notice. If the affected

faculty member accepts the discipline, the provost shall carry out the discipline accordingly, and notify the complainant and the cognizant administrators, including the affected faculty member's chair or director and dean. If the affected faculty member rejects the discipline, the provost shall cause formal disciplinary proceedings to commence.

Formal Disciplinary Proceedings

The formal disciplinary process includes a formal hearing.

Formal hearings are adjudicative procedures under RCW 34.05. The University has developed its procedures to comport with the requirements of the Administrative Procedures Act, to ensure that parties are afforded appropriate due process rights, and to provide protection to the rights of all parties to the dispute while maintaining the collegiality that is the hallmark of the academic community.

The formal hearing procedure includes:

Statement of Charges

The first step in the formal disciplinary process is the issuance of a Statement of Charges that shall include:

a. A reference to those portions of the Faculty Code of Professional Ethics, Section ~~II.C~~2.3.1, Conduct Regulations, Section ~~II.F~~2.6.3, or other particular rules or policies the faculty member is alleged to have violated,

b. A short and plain statement of the factual matters asserted upon which the violations are based,

c. A statement of the contemplated disciplinary action, and

d. For matters involving allegations of Title IX Sexual Harassment (UPPM 10.60B):

    i. A statement that the respondent is presumed not responsible and

    ii. The statement of charges is provided to the complainant and the respondent.

Response to Statement of Charges

A response to the statement of charges provision does not apply to matters involving allegations of Title IX Sexual Harassment (UPPM 10.60*)*. For these matters, the complainant and the respondent may both provide written or oral statements, as provided for in the notice of hearing. Otherwise, the respondent must provide a Response to the Statement of Charges within twenty (20) business days of service thereof. The Response to Statement of Charges shall include:

a. Admissions or denials regarding the factual allegations related to violations of the Faculty Code of Professional Ethics, Section ~~II.C~~2.3.1, Conduct Regulations, Section ~~II.F~~2.6.3, or other particular rules or policies listed in the Statement of Charges, and

b. Any affirmative defenses available to the faculty member.

The respondent may elect to be represented by counsel in these proceedings. If counsel is elected, the provost shall be notified immediately so that all further correspondence can be directed to counsel.

If the respondent fails to respond to the Statement of Charges within the specific period, the respondent is deemed to be in default. The provost can then proceed to impose the discipline recommended in the Statement of Charges.

Hearing Committee

Within five (5) business days of receipt of the Response to Statement of Charges, the provost shall request that the Faculty Status Committee appoint a Hearing Committee from the members of the tenured faculty.

The Hearing Committee shall consist of three (3) tenured faculty members. One (1) alternate tenured faculty member shall also be named. All committee members will attend the hearings. Alternates will only attend the hearings if they replace a Hearing Committee member. The Faculty Status Committee shall select committee members within fifteen (15) business days of receipt of the request. Once the Faculty Status Committee has constituted the Hearing Committee, the provost and the respondent shall each be provided the opportunity to disqualify up to one (1) member without stated cause. The provost/ and the respondent shall also each be allowed such further challenges to the committee's membership, based on articulable cause, at the discretion of the Faculty Status Committee. The Faculty Status Committee may, at its discretion, schedule a hearing for the purpose of considering challenges to the potential committee members and finalizing the selection of the Hearing Committee. If it does not schedule a hearing, all challenges and responses thereto will be provided in writing utilizing the following timelines: Any request to strike a committee member, whether for cause or no cause, shall be provided to the Faculty Status Committee within five (5) business days of the receipt of the committee member's names. The Faculty Status Committee shall rule on all cause challenges within ten (10) business days of the receipt thereof. Once all challenges are resolved, the Faculty Status Committee shall confirm the members of the committee in writing and send the list to the provost and the respondent, or their respective attorneys.

For matters involving Title IX Sexual Harassment (UPPM 10.60B), the Hearing Committee shall exclude faculty who have a bias and/or conflict of interest toward the complainant or the respondent, or towards complainants or respondents generally. All members participating in a hearing must have appropriate training on Title IX regulatory requirements, as provided by Compliance & Civil Rights (CCR).

For any matter, no committee member shall have been involved in the investigation of any matter involved in the Statement of Charges, or the decision to convene a formal hearing regarding those charges. No committee member shall make or receive any *ex parte* contact regarding the subject matter of the formal proceeding from any party thereto, directly or indirectly, outside the scope of the formal hearing, nor shall any party to the hearing make or attempt to make any such contact. See RCW 34.05.455. Communications regarding purely procedural or housekeeping matters related to the proceeding shall not be prohibited by the foregoing. Any attempt at improper contact

with any Hearing Committee member outside the hearing shall be immediately reported to both the remainder of the Hearing Committee and to the other parties.

The Hearing Committee, at that first meeting, shall elect a chair to preside over its hearings. The Hearing Committee shall request the appointment of an Administrative Law Judge from the Washington Office of Administrative Hearings. Rules shall be consistent with this section of the Faculty Manual and with applicable Washington State law.

Hearing Committee members are required to attend the scheduled hearing and must be prepared to adjust their teaching and research schedule to attend hearings. Hearings will not be rescheduled or moved to accommodate Committee member schedules. It is important that those serving on the Hearing Committee understand this potential commitment. To this end, faculty selected to be on hearing committees will receive written confirmation from the Office of the President describing the responsibilities of the committee. Each committee member must sign the document, acknowledging their commitment to the process. A copy of the signed document will be shared with the committee member's chair or director and dean.

Parties will work with the Hearing Committee to set agreeable dates, but Hearing dates are ultimately set by an Administrative Law Judge, and Hearing Committee members are required to attend. This may include hearing dates set during reduced university hours, university breaks, and the summer session between the end of the spring semester and the beginning of the fall semester. The University will work with Committee members to cover class work and other responsibilities during a hearing. Hearing Committee members with nine (9)-month appointments will be remunerated appropriately when necessary.

Notice of Hearing

An Administrative Law Judge will determine a date(s) for the hearing. The Administrative Law Judge may continue the hearing date(s) at the request of either party or as justice requires. If a summary suspension has been ordered, the hearing must be scheduled to begin no later than thirty (30) calendar days from the date the Faculty Status Committee constituted the Hearing Committee, unless the respondent (and complainant in matters involving Title IX Sexual Harassment (UPPM 10.60B)) waives their right to have the hearing begin within this timeframe. In all other cases, the hearing must be scheduled to be no sooner than thirty (30) calendar and no later than ninety (90) calendar days from the date that the Faculty Status Committee constituted the Hearing Committee.

The Notice of Hearing must include all the following:

a. The names and addresses of all persons to whom the notice is sent, and of their respective representatives or attorneys (if any),

b. The name of the matter in which the proceeding is being held (usually the name of the faculty member),

c. The names, titles, and campus mailing addresses of the Hearing Committee members, including a designation of the committee chair,

d. A statement of the time, place, and nature of the proceeding,

e. A statement that the hearing is being held pursuant to the Administrative Procedures Act of the State of Washington, under jurisdiction and powers granted to the University under RCW chapter 28B, and pursuant to the *Faculty Manual*, and

f. A statement that statement that a party who fails to attend or participate in a hearing or other stage of an adjudicative proceeding may be held in default in accordance with the provisions of RCW 34.05, except in matters involving Title IX Sexual Harassment (UPPM 10.60B).

g. For cases related to Title IX Sexual Harassment (UPPM 10.60B), the notice of hearing must be provided to the complainant and the respondent simultaneously and also include:

    i. Date, time, location, participants, and purpose of the hearing

    ii. Applicable grievance procedures and policies

    iii. Specific allegations, including the identities of the parties involved, the alleged conduct, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available

    iv. Notice that the respondent is presumed not responsible for the alleged conduct and that a determination is made at the conclusion of the hearing process

    v. A statement that retaliation is prohibited

    vi. Rights to have an advisor, which may be a support person or attorney, participate in the hearing

    vii. Notice that the hearing will be held in a venue that allows for separate rooms for complainant and respondent or the hearing will be held virtually

    viii. Rights to appear virtually

    ix. Right to review relevant evidence, as provided by CCR and/or the Office of the Provost

    x. Right to present relevant evidence, including the right to call witnesses

    xi. Right to have the matter heard by a trained, impartial decision maker

    xii. The prohibition on false statements provided in UPPM 10.60.

Discovery

The parties shall be allowed to exchange documents and interview witnesses prior to the hearing. The provost shall turn over to the respondent (and the complainant in matters involving Title IX Sexual Harassment (UPPM 10.60)) all investigative materials upon which the decision to issue the Statement of Charges was based. The University will also use its best efforts to secure the cooperation of witnesses and make available such documents as are under its possession and control. All parties shall diligently share information, documents, and other relevant facts to ensure against unfair surprise at the hearing.

Formal discovery is time-consuming and costly and, therefore, is discouraged. The Hearing Committee shall allow formal discovery only upon a showing of necessity and unavailability of information by other means. The Hearing Committee shall review the factors outlined in RCW 34.05.446(3) when determining whether to exercise its discretion to allow discovery. Formal discovery includes requests for answers to interrogatories, requests for production, the taking of depositions, and all other procedures authorized by the Superior Court Civil Rules 26 through 36.

The Hearing Committee may issue subpoenas as authorized under RCW 34.05.446 and shall make such reasonable orders as may be proper to allow all parties a full and fair opportunity to be heard.

Interviews of witnesses shall be done within a reasonable time before the Hearing and shall not extend beyond the minimum time necessary to obtain relevant information. Witnesses may request that both parties provide information before an interview, including the length of the interview, the format, the general nature of questions that will be asked, and the length of time required to conduct the interview. Witnesses have the right to refuse that an interview be recorded. The Office of the Attorney General, WSU Division cannot provide legal representation to faculty witnesses. However, faculty may request an orientation to the hearing process from the Office of the Attorney General.

Pre-hearing Statements

To facilitate an expedient hearing, at least ten (10) business days prior to the date of the hearing both parties shall provide to the hearing committee a pre-hearing statement including:

a. A list of all individuals the party intends to call to present their case in chief,

b. A list of all documents the party intends to present as evidence in their case in chief, and

c. An estimated time for the presentation of their case.

The parties need not identify witnesses or documents intended to be used only for impeachment purposes.

The parties shall also be entitled to file with the Administrative Law Judge such memoranda, position statements, objections to proffered evidence, and other procedural materials as the Judge may, in their discretion, allow.

For matters involving Title IX Sexual Harassment (UPPM 10.60B*)*, the parties may submit an additional statement in response to any new evidence made available through the discovery phase.

Motions

The Administrative Law Judge shall, at appropriate stages of the proceedings, allow all parties the full opportunity to submit and respond to pleadings, motions, objections and offers of settlement. See RCW 34.05.437.

Formal Hearing

The Administrative Law Judge shall cause the hearing to be recorded by the most effective method and shall preserve any exhibits or other materials received during the hearing. For hearings related

to Title IX Sexual Harassment (UPPM 10.60), audio or audiovisual recordings or transcripts of the hearing must be available for the party's inspection and review. The Hearing Committee shall conduct its proceedings with as much dispatch as possible, while recognizing the parties' right to adequate time to present their case. The University conducts faculty disciplinary hearings pursuant to the Washington Administrative Procedure Act, RCW 34.05. That law requires all hearings to be open unless closed 1) under a provision of law expressly authorizing closure or 2) under a protective order entered by the Hearing Committee pursuant to applicable rules. The Hearing Committee and the parties shall refrain from public comments or statements regarding the hearing, its conduct, the evidence presented before it, and any findings, recommendations, and sanctions until final action has been taken on the matter.

The Administrative Law Judge shall first allow the provost to submit those witnesses and documents identified in the Pre-hearing Statement. The Administrative Law Judge shall then allow the respondent (and the complainant in matters involving Title IX Sexual Harassment (UPPM 10.60B)) to submit those witnesses and documents identified in the Pre-hearing Statement. Both parties will be afforded the opportunity for rebuttal. All parties shall have the right to confront and cross-examine all witnesses, except for matters involving Title IX Sexual Harassment (UPPM 10.60B) where specific questioning procedures apply.

The faculty member shall have the right to have a professional colleague present at all stages of the hearing as an academic advisor. In addition, the faculty member is entitled to have counsel present, as is the University. At any party's request or at the initiation of the Hearing Committee, a representative of the responsible educational association shall be permitted to attend even those portions of the hearing that have been closed to the public. The Administrative Law Judge retains the right to determine if any other person may attend or be excluded, including witnesses.

For hearings related to Title IX Sexual Harassment, as defined in UPPM 10.60B**,** each party must be allowed an advisor, which can be a support person or attorney. If a party does not have an advisor, WSU will provide one for the purpose of cross-examination at the hearing without charge to the party. The parties' advisors are permitted to ask cross-examination questions, but the parties themselves. The Administrative Law Judge will determine relevance and permissibility. Where a question is excluded, the Administrative Law Judge will provide the party or advisor with an opportunity to clarify or revise their question. The following evidentiary and decision-making considerations apply:

a. Evidentiary rules are applied per RCW 34.05.452 and WAC 10-08-140.

b. Evidence that is protected under a privilege recognized by Federal or state law is not admissible, unless the person to whom the privilege is owed has voluntarily waived their privileged, including, but not limited to:

    i. Spousal/domestic partner privilege;

    ii. Attorney-client and attorney work product privileges;

    iii. Privileges applicable to members of the clergy and priests;

iv. Privileges applicable to medical providers, mental health therapists, and counsellors;

v. Privileges applicable to sexual assault and domestic violence advocates; and

vi. Other legal privileges identified in RCW 5.60.060.

c. Evidence that was provided to a confidential employee is not admissible, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the confidentiality.

d. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness are not admissible, unless the party or witness provides voluntary, written consent for use of those records in these grievance procedures.

e. Evidence that relates to the complainant's sexual interests or prior sexual conduct is not admissible, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

f. The hearing committee may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.

g. The hearing committee may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible.

h. The hearing committee may not make an inference regarding responsibility solely on a party's role as a respondent or complainant.

The Administrative Law Judge shall have the power, in its discretion, to adjourn the proceeding to enable any party to investigate evidence concerning which a valid claim of surprise is made, or at any point where it feels such adjournment will assist in its deliberations.

Findings, Recommendations and Sanctions

In all formal proceedings, the University bears the burden of proving that the faculty member violated the Faculty Code of Professional Ethics, Section ~~II.C~~2.3.1, Conduct Regulations, Section ~~II.F~~2.6.3, or some other regulation or policy of the University. This burden must be satisfied by a preponderance of evidence.

The Hearing Committee shall make its findings, recommendations, and sanctions within thirty (30) calendar days of the last day of the hearing. For matters involving allegations of Title IX Sexual Harassment, the Hearing Committee may also recommend additional remedies. Remedies may include but are not limited to: ongoing workplace management plan, employee mediation, permanent change to reporting lines, WSU job or area transfer, ongoing from home or telework options, permanent schedule change, or supportive measures as defined in UPPM 10.60. It shall

submit a complete record of the hearing, including any recording or transcription of the hearing and the committee's findings, recommendations, and sanctions, to the president or, in those cases where the president considered a summary suspension and is therefore not eligible to act as a factfinder, to the Board of Regents. All findings and recommendations of the committee shall be based solely on the hearing record. The committee shall, in all cases, issue an order that includes findings and recommendations, together with a statement of the reasons and bases for them. Findings based primarily on witness credibility or demeanor shall be specifically identified. Sanctions may be recommended only based upon a finding of a violation as set forth above. Sanctions shall not be used to restrain faculty members in their exercise of academic freedom or other rights. Academic freedom, however, does not include the right to remain a faculty member while persistently failing or refusing to perform the duties and functions of a faculty member or the right to violate University policies and rules, including those governing freedom of expression.

For matters not involving allegations of Title IX Sexual Harassment (UPPM 10.60B*)*, the Hearing Committee's findings, conclusions, and recommendations are preliminary recommendations in which opinions are expressed and thus shall not be disclosed to the public until action is taken on the matter.

For matters involving allegations of Title IX Sexual Harassment (UPPM 10.60B*)*, the Hearing Committee shall make a written determination available to the complainant and respondent within thirty (30) calendar days of the last day of the hearing. The written determination will include the following:

a. Identification of allegations constituting sex discrimination or sex-based harassment as defined by EP #15B UPPM 10.60B;

b. Description of policies and procedural steps used to evaluate the allegations;

c. Findings of fact supporting the determination;

d. Conclusions relating to whether the respondent committed UPPM 10.60B misconduct;

e. A statement of, and rationale for, the result as to each allegation, including determination regarding responsibility;

f. Any remedies and corrective or disciplinary actions imposed; and

g. Rights to appeal, including the time for appeal and to whom the appeal should be addressed.

All findings of the committee shall be based solely on the hearing record. Findings based primarily on witness credibility or demeanor shall be specifically identified. Sanctions may be recommended only based upon a finding of a violation as set forth above. Sanctions shall not be used to restrain faculty members in their exercise of academic freedom or other rights. Academic freedom, however, does not include the right to remain a faculty member while persistently failing or refusing to perform the duties and functions of a faculty member or the right to violate University policies and rules, including those governing freedom of expression.

Appeals when the allegations do not involve Title IX Sexual Harassment (UPPM 10.60B).

Action by the President

The president shall not hear any appeal in which he has reviewed a request for summary suspension. In such cases, the record of the hearing, including the committee's findings, conclusions, and recommendations, shall be forwarded directly to the Board of Regents and handled as stated in section 11 below. In all other cases, the authority to take action and impose sanctions, if appropriate, lies with the president. Upon receipt of the full and complete record of the proceedings, including the committee's findings, conclusions, and recommendations, the president shall make a determination within twenty (20) business days.

If the president's determination is to uphold the findings, conclusions, and recommendations of the Hearing Committee, the Committee, and the respondent faculty member shall be so notified. If the president objects to or disagrees with any portion of the committee's findings, conclusions and recommendation, they shall indicate those objections or disagreements in writing and provide them to the committee, the provost and to the faculty member. The provost, committee and the faculty member shall have ten (10) business days to respond in writing to the president's objections and disagreements. Thereafter, the president will issue a determination within ten (10) business days. The determination will include findings of fact, conclusions of law, and specification of any sanctions to be imposed. The decision shall also contain an explanation of the basis for the conclusions and sanctions, if any. The president's directive shall become final twenty (20) business days after delivery to the faculty member unless the faculty member files an appeal to the Board of Regents by that date.

The president shall not make or receive any *ex parte* contact regarding the subject matter of the formal proceeding from any party thereto, directly or indirectly, outside the scope of the formal hearing, nor shall any party to the hearing make or attempt to make any such contact. See RCW 34.05.455. Communications regarding purely procedural or housekeeping matters related to the proceeding shall not be prohibited by the foregoing. Any attempt at improper contact with the president outside the hearing shall be immediately reported to all parties.

All reports and recommendations previously withheld from public disclosure as preliminary recommendations are subject to public disclosure, as is the president's determination itself, once the president's determination is issued.

Action by Board of Regents Regarding Summary Suspensions

The president shall not hear any appeal in which he has issued a summary suspension. In such cases, the committee's findings, conclusions, and recommendations shall be forwarded directly to the Board of Regents. The Board of Regents shall convene a meeting as soon as is reasonably practicable after receipt of the hearing record, including the Hearing Committee's findings, conclusions, and recommendations given the Board of Regents' schedule. It shall make a determination within twenty (20) business days of its meeting. If the final determination is to uphold the findings, conclusions and recommendations of the Hearing Committee, the committee and faculty member shall be so notified. If the Board of Regents objects to or disagrees with any portion of the committee's findings, conclusions, and recommendation, it shall indicate those objections or disagreements in writing and provide them to the committee, the provost, and the faculty member. The provost, committee, and faculty member shall have ten (10) business days to

respond in writing to the committee's objections and disagreements. Thereafter, the Board of Regents will convene another meeting as soon as is reasonable after receipt of the responses and will issue a final determination.

The Board of Regents' final determination will include findings of fact, conclusions of law, and specification of any sanctions to be imposed. The decision shall also contain an explanation of the basis for the conclusions and sanctions, if any. The decision of the Board of Regents is the final decision of the University.

Appeal to Board of Regents

If the president decides to impose any sanction upon the faculty member, that faculty member shall have the right to appeal that sanction to the Board of Regents. Such an appeal must be served upon the secretary to the Board of Regents within twenty (20) business days after the faculty member's receipt of the decision. No regent member shall make or receive any *ex parte* contact regarding the subject matter of the formal proceeding from any party thereto, directly or indirectly, outside the scope of the formal hearing, nor shall any party to the hearing make or attempt to make any such contact. See RCW 34.05.455. Communications regarding purely procedural or housekeeping matters related to the proceeding shall not be prohibited by the foregoing. Any attempt at improper contact with any member of the Board of Regents outside the hearing shall be immediately reported to the other regents, to the University president, and to the parties.

The Board of Regents' review shall be based on the record of the hearing, including the Hearing Committee's findings, conclusions, and recommendations to the president, and the president's decision. The Board of Regents shall afford the faculty member and the University the opportunity to present written and/or oral arguments. The Board of Regents will either sustain the decision or return it to the president with specific written objections. This decision shall be reached as soon as practicably possible by the Board of Regents within the normal constraints that arise from the infrequency of their meetings.

Sustaining of the decision by the Board of Regents shall conclude the formal proceeding. If the decision instead is returned, the president may either reconsider the decision or refer the matter back to the Hearing Committee for such further proceedings as it may deem proper. Whichever method is used, a revised final report shall thereafter be prepared for the Board of Regents, addressing its concerns and recommending action by the Board of Regents. The Board of Regents shall thereafter issue the University's final decision on the matter within sixty (60) calendar days of receipt of that revised report.

Appeals when there are allegations of Title IX Sexual Harassment (UPPM 10.60B).

The complainant and the respondent may appeal to the Office of the President for review by the CCR Appeals Committee. For specifics of this process, see the CCR Procedural Guidelines.

Alternate Dispute Resolution

The parties are encouraged to seek an informal resolution of the dispute described in the statement of charges. Nothing in these procedures shall preclude the parties and/or the University from reaching an informal resolution of the dispute via any mutually agreed-on method, including stipulation, agreed settlement, consent order, or through the default of a party. However, the

informal resolution process cannot be used to circumvent the timelines necessary to carry out the formal hearing process. All parties have an interest in prompt resolution of these issues.

All testimony, statements, or other evidence obtained in the informal resolution process, whether obtained from a party to the dispute or a third party, shall be regarded as made in the course of settlement discussions, and shall accordingly be confidential and not disclosed in subsequent discovery in the course of a formal hearing, without the express permission of the person who provided such testimony or evidence or as allowed by law. Further, such material may not be employed in proceedings for collateral or impeachment purposes without such permission or as otherwise allowed by law. However, such information may be subject to disclosure under the Washington Public Records Act and discovery in the course of a formal legal action.

Section ~~III~~:3. Faculty Personnel Policies

Personnel policies and procedures of Washington State University represent the cooperative efforts of the faculty, the administrative officers, and the Board of Regents to develop and maintain a superior faculty.

In matters of admission, employment, housing or services, or in the educational programs or activities it operates, WSU does not discriminate or permit discrimination by any member of its community against any individual on the basis of sex ,sexual orientation, race, color, national or ethnic origin, physical disability, mental disability, sensory disability, use of a trained service animal, age, religion, creed, genetic information, marital status, protected veteran status, honorably discharged veteran, member of the military, and immigration or citizenship status (except as authorized by federal or state law, regulation, or government contract).

WSU policies comply with federal and state civil rights laws and regulations, including, but not limited to: Title IX of the Education Amendments of 1972 (20 USC § 1681), Title IX implementing regulations 34 CFR 106, Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq) and the Pregnancy Discrimination Act, Title I and II of the Americans with Disabilities Act (ADA) of 1990 as amended, the Rehabilitation Act of 1973 (P.L. 93-11) and 45 CFR Part 84, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq), Title IV of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq), Chapter 49.60 RCW, and the Gender Equality in Higher Education (Chapter 28B.110 RCW).

Inquiries about the application of these laws and regulations (including inquiries regarding the application of Title IX and its implementing regulations), as well as reports and complaints of discrimination and harassment, can be made verbally or in writing to WSU's Compliance and Civil Rights, the Department of Education's Office of Civil Rights, or both:

Title IX Coordinator, Deputy Title IX Coordinator, ADA Coordinator

Compliance and Civil Rights

Tel: 509-335-8288

Email: TitleIX.Coordinator@wsu.edu or ccr@wsu.edu or ADA.Coordinator@wsu.edu

Online: Online Reporting/Complaint Form

In-person: French Administration Building Room 220

Address: PO Box 641022
Pullman, WA 99164-1022

U.S. Department of Education

Office of Civil Rights

Online: Online Complaint Form

Lyndon Baines Johnson Department of Education Bldg.

400 Maryland Avenue, SW

Washington, DC 20202-1100

Tel: 800-421-3481

FAX: 202-453-6012; TDD: 800-877-8339

Email: OCR@ed.gov

Local OCR office: https://ocrcas.ed.gov/contact-ocr

Reports about conduct that may constitute discrimination (including sexual harassment under Title IX) can be made verbally or in writing to Compliance and Civil Rights and the university's Title IX Coordinators at the contact information above. Complaints must be submitted in writing (see UPPM 10.60 for process). WSU's prohibition on and relevant procedural guidelines for discrimination, discriminatory harassment, sex discrimination, and sexual harassment, including sexual assault, dating violence, domestic violence, and stalking, are available here:

a. WSU's Policy Prohibiting Discrimination and Harassment, UPPM 10.60
b. CCR's Procedural Guidelines
c. WSU's Standards of Conduct for Students
d. Employee manuals
    i. *Administrative Professional Handbook*
    ii. Civil Service code
    iii. Collective Bargaining Agreements

WSU provides equal access to the Boy Scouts (Scouts America) and other designated youth groups.

~~III.A~~3.1. Policies Supporting a Positive Work and Educational Environment

Washington State University values an environment of inclusion, trust, and respect. As part of the larger community of the University, some of the policies governing faculty are written in other documents, which can be found on the website of the Office of Policies, Records, and Forms. In particular, the following policies from the *University Policies and Procedures Manual* (UPPM) are considered part of this manual.

~~III.A~~3.1.1. Policy Prohibiting Discrimination and Harassment– UPPM 10.60

~~III.A~~3.1.2. Consensual Romantic or Sexual Relationships Between Faculty, Staff, and/or Students – UPPM 60.13

~~III.A~~3.1.3. Workplace Violence – UPPM 50.30

~~III.A~~3.1.4. Maintaining a Professional Workplace – UPPM 50.31

~~III.B~~3.2. Reasonable Accommodation for Employees with Disabilities

The Washington State Law Against Discrimination, RCW 49.60, together with federal law, including section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit discrimination and ensure equal opportunity for persons with disabilities in employment. As part of its program of equal employment opportunity, Washington State University is committed to providing reasonable accommodation for employees with disabilities. WSU complies with these laws as written or amended by this section of the *Faculty Manual* and otherwise through policy and procedure.

Under Washington law, which provides protection beyond those under federal law, disability is defined as “the presence of a sensory, mental, or physical impairment that: (i) Is medically cognizable or diagnosable; or (ii) Exists as a record or history; or (iii) Is perceived to exist whether or not it exists in fact.”

These provisions set forth guidelines for meeting reasonable accommodation requirements of state and federal laws. The reasonable accommodation process is subject to flexibility within governing law and as set forth in the UPPM 60.21. Employees are to consult with Human Resource Services regarding services, accommodation options, and rights in accordance with laws pertaining to disabilities in the Washington State University work setting.

~~III.C~~3.3 Faculty Workload Policy

Workload policies at the university, college, and department level are designed to facilitate equitable workload distributions through the establishment of clear guidelines for the effort assigned to different tasks and commensurate expectations for this work. Through the

establishment of workload policies, faculty can expect greater recognition of their efforts while providing clarity on how effort is tied to their unit mission, how it is distributed within their academic unit, and how impact and productivity are tied to annual review, promotion and tenure, and merit raises. WSU recognizes eight workload categories: teaching, scholarship, service, Extension, clinical practice, Librarianship, administration, and other (see Section ~~III.D~~3.4.5, Criteria for Review of Faculty for definitions and expectations). The allocation of workload may be different for any given faculty member depending on the campus/department/school needs, faculty track, rank, and strengths, and it is likely to change during an individual's career.

The details of workload policy creation, approval and application are governed by university, college, and department policies. Every college must create, maintain, and publish workload policies, and monitor workload requirements. Colleges may elect to require additional policies at the department or school level. Workload must be normalized to a baseline definition of effort to maintain an equitable workload across departments/schools, colleges, and campuses.

The following rights and processes apply to all faculty unless explicitly restricted or when indicated otherwise by the *Faculty Manual* or legal limitations.

a. All faculty have a right to clearly written discipline-appropriate expectations for satisfactory and meritorious performance ratings associated with each assigned workload category.

b. No faculty member should be asked to exceed their assigned total FTE workload without a negotiated adjustment that can be concurrent or provided in the future. Adjustments might include temporary changes in workload allocation, course reduction(s), financial compensation (e.g., stipends), or other suitable mechanisms.

c. For tenure-track faculty, workload allocation for scholarship cannot be reduced below a specified minimum when performance is satisfactory or higher for the previous two years. The minimum percentage will be 40% or as determined by the dean, VCAA when appropriate, and provost to be consistent with college workload policies.

d. Tenure-track faculty have a right to buyout courses using salary and benefits from qualifying grants and contracts provided this is allowable under appointing unit and funding agency policies, and when funding is provided through service buyouts. Career-track faculty can buyout courses if allowed by the chair and dean. Thresholds for course buyouts are determined by college policies in collaboration with VCAAs (where appropriate).

e. Course buyouts and course releases result in a temporary change in the percent teaching effort. Colleges have the option to require that these changes be documented in a faculty member's annual workload allocation. Whether temporary changes are documented or not, annual reviews and promotion and tenure reviews must consider the activities specific to these temporary reassignments rather than holding faculty accountable for work that was not assigned.

f. All faculty have a right to have their workload allocation and total FTE workload reconsidered through a college-level review process with recourse to request additional review by the provost.

g. Colleges (and VCAAs when appropriate) may confer additional workload rights for faculty if approved by the provost.

h. If tenure-track faculty performance is ranked below satisfactory, their workload allocation can be modified, or total FTE can be reduced when approved by the chair, dean, and provost, given the following limitations:

   i. Total %FTE cannot be reduced below 50% without a formal disciplinary process (Section ~~II.F~~2.6).

   ii. The allocation of workload to scholarship and teaching cannot be reduced during the pre-tenure probationary period.

   iii. When expectations for scholarship are below satisfactory performance for two academic years or longer, some portion of workload allocation for scholarship can be shifted to teaching or service to Washington State University, but only if the previous annual reviews included explicit and realistic guidance for how the faculty member should direct their efforts to improve their scholarly performance.

      1. After re-allocation away from scholarship, if performance in any assigned workload category is below satisfactory during the subsequent year, total FTE can be reduced until work performance shows sufficient promise to support a higher FTE.

      2. After re-allocation away from scholarship, if scholarship performance shows sufficient promise to support a higher workload allocation, and section h.v is not a concern, then the scholarship allocation should be increased.

   iv. When expectations for service are below satisfactory performance for two academic years or longer, some portion of the workload allocation for service can be shifted to another workload category (except scholarship), but only if the previous annual reviews included explicit and realistic guidance for how the faculty member should direct their efforts to improve their service performance.

      1. After re-allocation away from service, if performance in any assigned workload category is below satisfactory during the subsequent year, total FTE can be reduced until work performance shows sufficient promise to support a higher FTE.

      2. In most cases, service workload should not be reduced below 5%.

   v. When expectations for teaching are below satisfactory performance for two academic years or longer, the teaching workload allocation can be reduced with a commensurate reduction in total FTE.

      1. Reductions in total FTE are only allowed if the previous annual reviews included explicit and realistic guidance for the faculty member to improve their teaching performance.

2. Reallocation of teaching effort to other workload categories is not allowed in response to poor teaching performance.

vi. Similar adjustments to workload allocation and FTE apply for Clinical Practice workload provided previous annual review recommendations included explicit and realistic guidance for the faculty member to improve their work performance. See college and department policies for additional guidance.

vii. Adjustments to Administrative workload are dependent on college and university needs. The supervising authority can reduce the %FTE allocated to administration provided this effort is reallocated to other workload categories consistent with college and unit policies.

viii. Because tenure-track Extension and Library faculty have different and often diverse missions, chairs/directors and deans (and VCAAs where appropriate) should follow a similar standard of reallocating FTE or reducing total FTE when performance is below satisfactory for two years or longer, but only if the previous annual review recommendations included explicit and realistic guidance for how to improve performance. When appropriate to the faculty member's workload allocation, provisions in sections iii, iv, and v should be applied.

i. If career-track faculty performance is ranked below satisfactory, the workload allocation can be modified, or total FTE can be reduced when approved by the chair and dean, given the following limitations:

i. For faculty on continuous or fixed-term contracts with two or more years remaining, the time periods allowed for improving performance should follow the two-year standard established in section (h) for tenure-track faculty. Shorter timelines may be used when fixed-term contracts end in less than two years.

ii. When performance is below satisfactory, changes in workload allocation or total FTE can only be made if the previous annual review recommendations include explicit and realistic guidance for how to improve performance.

iii. Because the workload category "other" is reserved for scholarly sub-track appointments (see Section ~~III.D~~3.4.5) and because this category can encompass different and often diverse activities and expectations, chairs/directors and deans (and VCAAs where appropriate) should follow a similar standard of reallocating FTE or reducing total FTE if performance is below satisfactory.

~~III.D~~3.4. Employment

Throughout the manual, the term "chair" is used to refer to department chairs, directors of schools, and directors of programs. Similarly, the term "department" is used to refer to a department, school, or program.

~~III.D~~3.4.1. Appointment of Faculty

Only WSU officials holding delegated appointing authority may hire employees and authorize other employment actions. Additional information on appointing authority is available in UPPM 60.10. The WSU Board of Regents delegated to the president full authority to act for the Board of Regents for purposes of employment, appointment, discipline, or termination of any academic employee. The president has delegated appointing authority to executive officers such as the provost, vice provosts, vice presidents, vice-chancellors, and chancellors. The president may delegate appointing authority to other specified administrators as necessary.

Whenever a department plans to employ or host an international professor, researcher, or scholar, the Office of International Programs must be contacted regarding arrangements for the appropriate immigration status.

The University generally prohibits employees from holding positions of academic or professional authority or engaging in other institutional decisions affecting family or household members. In some cases, a written conflict management plan may be entered into when the relationship is promptly disclosed and management is feasible. See UPPM 60.14. No faculty member, chair, dean, or other administrative officer shall vote, make recommendations, or in any other way participate in the decision of any matter which may directly affect the appointment, tenure, promotion, salary, or other status or interest of such person's parent, child, spouse, domestic partner, sibling, in-law, or close relative. However, it is the policy of the University that there shall be no prejudice against a faculty member or candidate for a faculty position whose parent, child, spouse, domestic partner, sibling, in-law, or close relative is employed by, or is a candidate for employment with the University. This policy applies within as well as between departments and colleges of the University.

Terms of Employment

All appointments are made in writing. The letter of appointment specifies the conditions and terms of employment as listed below. The original letter goes to the appointee and a copy is retained for the personnel file, as well as a copy is forwarded to the appropriate administrators. This letter of appointment and the acceptance of the position by the proposed appointee constitute the contract between the employee and the Board of Regents.

Joint Appointments refer to budgeting arrangements. A salary line is budgeted between two different units within WSU or between WSU and a contracted external institution, e.g., a medical center. An individual with a joint appointment will have voting rights and job performance reviews in both units as agreed upon at time of appointment.

The letter of appointment includes, by specific statement, the following items:

a. Title

b. Salary

c. Period of appointment: Appointment periods should be specified as academic-year for appointments from August 16 through May 15, annual for appointments from July 1 through June 30, summer for appointments from May 16 through August 15, summer session for

appointments having instructional duties between May 16 and August 15, or for another specified time period.

d. Percent appointment: Appointments should include the percent of FTE.

e. Track specification: tenure-track as tenured or pre-tenure (with a specified timeline for tenure consideration), career-track with sub-track designation, or short-term track title designation. If a faculty member is hired in a short-term track with contingencies to move to a tenure-track or career-track position, whether time served in the initial track will count towards future action such as tenure and promotion decisions or professional leave should be clearly stated in the offer letter.

f. Workload distribution: Specify the proportion of duties that individual faculty will initially devote to activities such as teaching, research/scholarship/creative activity, outreach, clinical practice, Extension, Librarianship, and service. See Section ~~III.C~~3.3 for more information about workload categories.

g. Any special understandings, promises, or conditions must be included in the letter of appointment.

h. Relocation expenses (household and personal effects)

    i. Payment of relocation expenses for permanent new faculty employees must be approved in advance by the principal administrative officer (generally, the dean of the college involved) and must follow requirements set forth by state regulations.

    ii. Payment of relocation expenses for temporary faculty may be approved if a sponsored project specifically provides funds for these expenses,

    iii. Per diem and personal transportation expenses for relocation are not covered.

    iv. In accordance with University policy UPPM 55.62, if the faculty member resigns or causes their termination within the first term of their appointment (##-months term) or one (1) year of the date of employment, they will be responsible for repaying the University the full amount for the relocation compensation.

    v. The employee is responsible for all costs for relocation that have not been authorized or that exceed the total relocation allowance authorized by the University.

i. Washington State University employs only U.S. citizens and lawfully authorized non-U.S. citizens. All new employees must show employment eligibility verifications as required by the U.S. Immigration and Naturalization Service to comply with the Immigration Reform and Control Act. Documentation must be shown to the faculty member's department office within three (3) business days after duties begin. Failure to do so will result in employment termination.

j. Section ~~IV.F~~4.6: The Washington State University Intellectual Property Policy is a condition of the faculty members employment and provides that certain intellectual properties developed within the scope of the faculty members employment or association, or

developed with substantial use of university facilities, or developed under third party funding agreements are considered to be the property of the University. For any intellectual property in which the University has an interest, the faculty member is hereby agreeing to execute promptly all assignments, waivers and other legal documents necessary to vest in the University or its assignee any and all rights to the intellectual property.

Additional hiring guidelines and sample letters of appointment are available on the Human Resource Services (HRS) website.

The *Faculty Manual* is the official guide to policy and procedure and its provisions should be considered a part of the conditions of employment. It cannot and does not foresee every possible contingency, but it should be consulted and followed where applicable as a means of resolving questions regarding the service of an employee. Future editions of the *Faculty Manual*, however, must apply when current, regardless of provisions in force at the time of original employment. (See Section V, Revision of Preceding Sections).

Part-Time Faculty

Faculty may benefit from a part-time appointment. The University wishes to accommodate these faculty members, if possible, without negatively impacting their program, department, or University function. Thus, appointments for less than fifty percent (50%) time may be offered for all ranks. The workload (e.g., teaching, scholarship, and service) and support provided (e.g., startup money, teaching, and/or research assistance) will be similar to a full-time faculty member, except they may be prorated for the percentage of the appointment. The duties and support for a part-time faculty member should be specified in the offer letter signed by the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost. Part-time faculty members have the same rights and responsibilities as a full-time faculty member except as otherwise provided in the Faculty Manual and are subject to the following rules that are specific to their positions.

Faculty may be initially appointed to a part-time position with the University. To facilitate this process, advertisements for faculty positions may be written to allow applicants to request either full-time or part-time appointments. Those appointed initially to a part-time position have no guarantee that they can subsequently move to a full=time appointment if they wish to do so. Any increases or decreases in the percentage of appointment must be accompanied by a new written agreement signed by the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost that specifies the new percentage of appointment and the duties and support associated with the new position. If a tenured faculty member's part-time appointment is permanently increased in the same department in which they hold tenure, tenure for the increased portion of the appointment must be granted automatically.

Full-time faculty members who wish to change to part-time status may do so subject to the following conditions.

a. Under most circumstances, tenure-track faculty members may not convert to part-time until they have obtained tenure.
b. Tenured faculty or faculty on continuous contracts may request a permanent change to a part-time appointment. This change, if granted, must be agreed to in writing by the faculty

member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost. The written agreement must specify the new percentage appointment and the workload and support associated with the new position. There is no guarantee that such a faculty member can return to full-time status. A return to full-time status requires written agreement of the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost.

c. Faculty may request a temporary change to their part-time status in one-semester increments (6-month increments for 12-month appointees) for up to two (2) years. This change, if granted, must be agreed to in writing by the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost. The written agreement must specify the percentage appointment, duties and support associated with the position, and the time for which the appointment is changed. There is no limit to the number of times that a faculty member can request a change in appointment as long as the faculty member returns to full-time status for at least two (2) years between events.

The standards for promotion and tenure are the same for part-time faculty as for full-time faculty members, except that part-time faculty members may be granted a proportionally longer period in which to meet these standards. For example, a faculty member with a 50% appointment should be given a probationary period of up to twelve (12) years, whereas a faculty member with a 75% appointment should be given a probationary period of up to eight (8) years.

Hiring Plan

The president usually discusses with the Board of Regents the appointment of principal administrative officers prior to the appointment.

Each year the deans and chancellors provide the provost with a hiring plan that includes tenure-track, career-track, and possibly short-term positions. When a position becomes vacant, it is subject to reconsideration.

~~III.D~~3.4.2. Hiring Tenure-Track Faculty

Selection

The initial responsibility for seeking and recommending tenure-track candidates for authorized positions is with chairs, who normally recommend an appointment only after consideration by all available department members and after consultation with the appropriate principal administrative officers concerned. Where appropriate, consultation is to be encouraged with representatives of other units and colleges to which the work proposed in the particular appointment is substantially related.

When a tenure-track position becomes vacant, it is subject to reconsideration. The chair is expected (a) to report the fact promptly to the principal administrative officer concerned, who will ascertain from the provost whether the expected vacancy may be filled and, if so (b) to initiate a search for the most highly qualified available candidate for the approved position unless an exception to open recruitment as specified under UPPM 60.11 is applicable.

When an agreement has been reached regarding the applicant best suited for the position, the recommendation for appointment is submitted with the required supporting information by the principal administrative officer concerned. All understandings, limitations, promises, and the like

pertaining to the proposed employment are to be recorded in writing on the standard form or attached to it. The provost approves all faculty appointments. If approved by the appropriate officers and the provost, the position is offered in writing to the prospective appointee.

Appointment

Tenure-track appointments are divided into two (2) categories: (a) pre-tenure in which the faculty member is on probation prior to before tenure, and (b) tenured in which case the faculty member shall continuously hold appointment with WSU until retirement, resignation, or termination pursuant to the terms of the *Faculty Manual*. Faculty hired with tenure must go through the tenure review process prior to being hired.

~~III.D~~3.4.3. Hiring Career-Track Faculty

Selection

The initial responsibility for seeking and recommending career-track candidates for authorized positions is with chairs, who normally recommend an appointment only after consideration by all available department members and after consultation with the appropriate principal administrative officers concerned. Where appropriate, consultation is to be encouraged with representatives of other units and colleges to which the work proposed in the particular appointment is substantially related.

When a career-track position becomes vacant, it is subject to reconsideration. The chair is expected (a) to report the fact promptly to the principal administrative officer concerned, who will ascertain from the delegated appointing authority (usually the provost, chancellor, or dean) whether the expected vacancy may be filled and, if so (b) to initiate a search for the most highly qualified available candidate for the approved position unless an exception to open recruitment as specified under UPPM 60.11 is applicable.

When an agreement has been reached regarding the applicant best suited for the position, the recommendation for appointment is submitted on the prescribed form and with the required supporting information by the principal administrative officer concerned. All understandings, limitations, promises, and the like pertaining to the proposed employment are to be recorded in writing on the standard form or attached to it. If approved by the appropriate officers and the delegated appointing authority, the position is offered in writing to the prospective appointee.

Appointment

Career-track faculty appointments may be divided into three (3) categories: (a) Fixed one (1) to five (5) year term appointments with specific end dates determined by the nature of the assigned task, funds, or contracts; (b) contingency appointments, with end dates, in which contingencies determine continued employment; and (c) continuous appointments. See Section ~~I.B~~1.2.3 for appointment definitions.

~~III.D~~3.4.4. Establishment of Positions for Short-Term Faculty

Selection

Short-term faculty positions fill a wide range of positions and may be supported from a variety of funding sources. The type of position, funding sources, supervisor, and direct colleagues will

determine who is involved in the selection of the candidate. In all cases, an appropriate delegated appointing authority must approve the position and the candidate.

Appointment

Short-term faculty appointments may be divided into three (3) categories: (a) Fixed one (1) to three (3) year term appointments with specific end dates determined by the nature of the assigned task, funds, or contracts and (b) contingency appointments, with end dates, in which contingencies determine continued employment. See Section I.B.3 for appointment definitions.

~~III.D~~3.4.5. Criteria for Review of Faculty

Washington State University's core missions are reflected by workload categories (see Section ~~III.C~~3.3) that include:

a. Teaching, including mentoring and advising

b. Scholarship, as broadly defined by Boyer*, E.L. (1990), Scholarship reconsidered: Priorities of the professoriate. Carnegie Foundation for the Advancement of Teaching*.

   i. Scholarship of discovery

   ii. Scholarship of integration

   iii. Scholarship of application

   iv. Scholarship of teaching

   v. Scholarship of community-engagement

c. Service, internal and external to the University, including community engagement and other forms of outreach separate from formal appointments in Extension or Libraries, and professional service that supports professional organizations, advisory boards, peer review processes, etc.

d. Clinical practice

e. Extension

f. Librarianship

g. Administration

h. Other

Guiding Principles for Faculty Review

a. CORE PRINCIPLE / VALUE: The university values and seeks excellence in all the traditional missions of our land grant university and recognizes that true excellence is only achieved through the collective contributions of our faculty.

b. WSU is committed to ensuring that all faculty members have access to fair and meaningful opportunities for advancement. The institution recognizes that traditional promotion and tenure guidelines have not always fully accounted for the wide range of contributions that

support the university's mission. Activities such as service, teaching, engagement with underserved communities, and leadership—often essential to the university's mission—have historically received limited recognition in promotion and tenure evaluations. WSU is dedicated to reviewing and refining its policies and practices to ensure that contributions across all areas of academic and professional life are recognized and rewarded fairly.

c. Faculty must be reviewed in accordance with their defined responsibilities/official job description – i.e., according to their designated contributions to our land grant university's missions. No single mission of the university shall have inordinate weight in the review of a faculty member unless that mission is the primary focus for that faculty member. Workload allocations define the allocation of effort with college and departmental policies defining specific expectations relative to %FTE for each workload category.

d. Faculty must be reviewed in true peer review fashion – i.e., internal reviewers must include peers who understand and contribute to the same mission(s) in similar ways. In cases in which a unit or review team does not include true peers, it is essential that the unit solicit additional review from outside the unit, college, and/or university.

e. Measures of scholarship and research productivity should be selected carefully to minimize bias and provide a complete assessment of productivity, quality, and impact. The traditional measures of scholarship and research are often poor and/or biased measures of productivity, quality, and impact for other missions of the university. Over-reliance on these traditional metrics perpetuates bias and incomplete assessment.

f. Reporting and assessment methods should expand beyond traditional scholarship. In addition to the essential work of discovery and creative endeavors (i.e., traditional scholarship), much of the university's work is translational. It represents the scholarship of application, integration, and/or community engagement. Basic science, theory, and current evidence-based practices are often put into practice and tested in teaching, mentoring and advising, outreach and engagement, academic service/leadership, etc. As a result, students, the public, and the university itself benefit. Therefore, faculty members whose designated contributions to our university's missions do not include or go beyond research/discovery must be provided with clear, viable means by which they can report and showcase their achievements. These methods should effectively communicate to reviewers the quantity, quality, role, scholarly basis, and impact of faculty members' work.

g. The institution values the capacity of faculty to integrate their work across the land grant missions. Those faculty members who are engaged in two (2) or more missions of the land grant university can integrate their work across the different workload categories to which they contribute. Faculty who successfully demonstrate this integration embody the ideals of the land grant university, and their efforts should be recognized and rewarded accordingly.

h. Each faculty member's respective contributions to their assigned roles in our collective missions are valued and rewarded – regardless of track. Because of the resource commitment it represents, tenure is one of the most important decisions made by the university and thus merits special consideration. Nonetheless, the university should

otherwise strive to minimize differences between tenure and career tracks that create hierarchical professional and social status.

i. All faculty should have clear expectations and processes for promotion, including the expectation for continuing growth and achievement for any faculty member being considered for promotion to the rank of professor. As stated elsewhere for both tenure and career tracks, attainment of the rank of professor is an indication that an individual has made, and continues to make, progressive contributions to a major area of the individual's work assignment. By way of example, innovation and leadership, commensurate with assigned effort in teaching, scholarship, service, administration, clinical practice, Extension, and Librarianship, are expected from all professors (regardless of track) and from any faculty member aspiring to be promoted to professor.

j. All faculty are expected to contribute to a positive community and culture. Recognizing that academic units, campuses, institutions, and professions operate as a collective, all faculty should contribute in positive ways as mentors, advisors, contributors, and leaders. Faculty should value the professional and personal well-being of their colleagues, including fellow faculty, staff, administrators, and students and work toward an equitable distribution of formal and informal service and leadership.

Operational Principles

a. All faculty should have position descriptions. As appointment dictates evaluation, all faculty (regardless of track and/or sub-track) must have clear position descriptions/role statements that include the faculty member's workload allocation with specific expectations defined by college and unit workload policies. WSU faculty job offers must include a clear description of workload allocation.

b. All faculty should be provided with clear expectations for promotion and tenure. Workload policies define the expectations for satisfactory performance for different workload allocations, while promotion and tenure expectations consider the totality of an individual's growth, coherence and impact. Consequently all academic units must have clear criteria for promotion and tenure and provide these to candidates, colleagues, and all internal and external reviewers. Criteria should be comprehensive but not prescriptive.

c. A faculty member may report an activity and outcome under more than one mission area. Because missions often overlap, faculty should identify a primary area of attribution for any reported activity (usually in accordance with their primary assigned workload categories). However, some activities might be co-listed under more than one category. For example, scholarship often involves significant mentoring and advising, while service might involve teaching – through formal course offerings and/or other diverse settings. Teaching may generate publications and lead to extramural funding.

d. Service to a faculty member's professional organization(s) is valued and recognized. These externally facing service activities and collaborations raise the reputation of the university and/or unit. They also serve the faculty member's work by building collaborative networks, providing successful models, enhancing professional skills, and increasing personal reputation.

e. Communication to external reviewers should reflect all WSU missions. External evaluations play an important role in the T&P process by providing disciplinary expertise and an external perspective. Our communication with external reviewers should center WSU's core values and missions as well as provide context, including the faculty member's defined responsibilities/official job description. When appropriate, WSU should make it clear to the external reviewers the value the university, colleges, and units place on university missions and/or activities that reviewers may not be accustomed to seeing within a promotion or tenure package (e.g. community engaged scholarship, administrative service & leadership, etc.)

Teaching

Teaching at WSU focuses on undergraduate and graduate instruction and is both formal and informal in nature. Teaching activities include, but are not limited to, the following:

a. Instruction, which can be quite varied, including large enrollment lower-division courses, upper-division courses, graduate courses, Honors College courses, seminars, and classroom and distance education courses.

b. Mentoring of individuals, including face-to-face guidance of undergraduate students, graduate students, professional students, and others in such areas as special projects, senior projects, thesis and dissertation research, performances, exhibitions, career goals, and life choices. Guiding professional and student clubs may also involve mentoring. Mentoring for the purpose of scholarship (e.g., postdoctoral research associates) in support of a faculty member's FTE in this workload category is more accurately included under scholarship.

c. Academic advising, including guidance of individual students in setting up appropriate programs of instruction while observing academic requirements. It also includes guiding groups of students such as departmental majors.

d. Assessment of student learning outcomes for program assessment and curricular effectiveness, for which processes and products may be quite varied, including participation in the development of required assessment elements, mapping learning outcomes to curricula, collection and evaluation of learning outcome data, or discussion of assessment data and program-level decision-making. Participation in these activities for UCORE may also qualify.

e. Educational outreach in areas in which a faculty member is expert, including extension, external instructional activities in K-12 schools, other colleges and universities, presentation of public lectures, and lecturing at significant workshops or professional schools.

Evaluation of teaching is a major consideration in annual review and in the tenure and promotion processes. Both the quality and quantity of instructional activities are evaluated. Quantity of instruction will include, but not be limited to, consideration of class sizes, numbers of courses, course levels, whether courses require unusual levels of preparation, and development of new courses. For tenure and promotion, evaluation of the quality of instruction must be based on

multiple forms of assessment, such as peer review, self-assessment, and student feedback, rather than on a single form. Multiple forms of assessment are also desirable in annual reviews. Evaluation of teaching will consider special situations, such as a faculty member undertaking more instructional activity than is normally expected or a faculty member supervising or training teaching assistants in laboratory and clinical settings. Evaluation of teaching will also consider the levels of desirable and actual assistance provided in support of instruction, such as in the form of teaching assistants.

Because teaching is defined to include mentoring students, academic advising, assessment, and educational outreach, when these activities are part of a faculty member's assigned duties, teaching performance should be evaluated based on expectations for these activities on an annual basis, and for promotion and tenure.

Recognition will be given for professional development and creativity in the art of teaching, including submitting grant applications in support of instruction, receiving grant awards or other funds in support of instruction or course design, student awards, publishing pedagogical articles, and incorporating instructional innovations in courses. Similarly, learning more about teaching, including assessment, at conferences and workshops, developing significant new courses, applying methods supported by the current pedagogical literature, assessing the quality of instruction, sharing or collaborating about improvements with WSU colleagues, mentoring other program faculty in course design, teaching or assessment, and disseminating instructional innovations and assessments at conferences and at WSU will be recognized. Faculty will receive recognition for a demonstrated record of connecting teaching practices and course design to program-level goals and learning outcomes, participating in routine activities that monitor program and curricular effectiveness through the assessment of learning outcomes, and a willingness to make adjustments in teaching or course design based on the results of those activities.

There is overlap among scholarship, teaching and service activities. For example, documented activities such as publication of pedagogical papers in peer reviewed journals by a faculty member will be recognized as part of that person's scholarly and creative accomplishments, as well as teaching. Similarly, faculty members who obtain research grants that support and thereby make possible scholarly and creative activities of students at all levels will be recognized for contributing to teaching and learning.

Teaching is expected of all faculties. Its form and composition will vary across the colleges and departments according to instructional needs and to the relative importance of teaching, research and service in particular disciplines. Individual faculty members are expected to document their teaching and instructional practices, and assessment activities in informational materials they provide for annual review and in their teaching portfolios.

Scholarship

Faculty with scholarship workloads are expected to demonstrate original research, scholarship and creative activities that involve efforts to examine, acquire, produce, disseminate, and interpret new and existing ideas, knowledge and artistic expression. The precise nature of scholarship, scholarly activities, research and equivalent professional activities varies significantly across the disciplines; therefore, these terms must be understood in their broadest context.

Research, scholarly and creative activity results in the dissemination of new knowledge and insights through a variety of media. Measures of creative activity will depend upon the discipline and may include, but are not limited to, journal articles; books; monographs; manuals; conference papers; participation in symposia and conferences; reviews; software programs; data bases; patents; bibliographic studies; edited works; maps; reports; involvement in films, videos, audio recordings, live theatre, opera, and radio drama; group and solo exhibitions; commissioned creative work; activities associated with creation and production of performing arts, for example, music, dance, and theater; published and performed plays and music compositions; and public lectures related to the creative research area.

In evaluation of research, scholarship, and creative activity, the quality of the work, not the sheer quantity, is the primary criterion. Because peer-evaluation and interaction are an integral aspect of these activities, evidence of peer responses and review is expected. There are many manifestations of peer evaluation, including, but not limited to, publication in a peer-evaluated media; reviews, adoptions, commentaries, and citations; invitations to present papers, performances and master classes, chair conference sessions, participate in symposia, referee papers, review grant applications, or participate on review panels; editorships of journals; and membership on boards of societies. Faculty members may be recognized for seeking and receiving funding through fellowships, grants, contracts, commissions and awards as appropriate. Expectations regarding funding should be consistent with the costs associated with doing research in a given area and the availability of funding.

Significant leadership in large-scale research efforts (department, college, university) is indicative of career progression. Intellectual property that spurs technology transfer may be viewed as scholarship. Finally, when mentoring and supervision of staff, postdocs, and students is for the primary purpose of producing scholarship in support of a faculty member's FTE in this workload category, then colleges and departments can define some proportion of the effort devoted to this mentorship and supervision as part of the scholarship workload category rather than teaching.

Service

Service is interpreted generally as activities aligned with teaching and scholarship that benefit and contribute to professional, university, and the public. In addition to teaching, scholarship, and other workload categories, faculty duties include a substantive service component that, along with teaching and research, is considered in annual evaluations for salary increases, tenure, and promotion decisions. Shared governance, the basic operating principle of the university, is impossible without faculty service.

The basic elements comprising service include outreach and university, college, department (school, program), professional discipline, and public service.

a. Outreach and public service, which are defined as professional and scholarly activities that benefit communities and industries external to the university, include for example, but are not limited to, activities such as contributions to the welfare of a city, school, or public service group; technology transfer to further economic development, or educational outreach to the general public (technology transfer may also be considered scholarship).

b. University service includes for example, but is not limited to, activities such as serving as member or chair of university level committees and task forces involved in tenure and promotion policies, graduate and undergraduate program policies, general education / UCORE development and assessment, university level recruitment (e.g., deans, chancellors, provosts, president, etc.), organization, production, and support of university events, facilitation of visiting scholars and artists, fostering access and opportunity, and involvement with and support of Faculty Senate.

c. College service includes for example, but is not limited to, activities such as membership or chairing of committees involved with tenure and promotion, curriculum, program and/or UCORE assessment, undergraduate and graduate programs, organization, production, and support of college events, fostering access and opportunity, and college level recruitment.

d. Department service includes for example, but is not limited to, participation or leadership in activities such as recruitment, advising student organizations, mentoring faculty and students, development of tenure and promotion practices and policies, graduate and undergraduate program policy development, curriculum development and policies, and coordinating program and/or UCORE assessment efforts/activities.

e. Professional discipline service includes for example, but is not limited to, activities such as journal and grant reviewing, leadership roles in national or regional professional associations, leadership and contribution to regional and national conferences.

While service is expected and required of all faculty, its form and composition vary significantly across colleges, disciplines, and departments. Each college and unit define the elements and requirements for service according to the traditions and dictates of their areas. The exact composition of the service requirement generally will include some configuration of the above basic elements as defined and specified at the unit level. In addition, service elements and duties will likely vary significantly with rank. For example, service for pre-tenure assistant professors may be limited to departmental and professional discipline service. An associate professor may be expected to assume increased levels of service. Along with departmental and professional discipline service, associate ranked faculty may be expected to serve at the college and university levels to some extent. Service at the professor rank may include substantial elements of university service and college services along with departmental and professional discipline service. This variance is illustrative only, however, and again, though service is required of all faculty, the level and composition of service must derive from needs, traditions, and conditions at college and departmental levels, and according to individual faculty workload allocations.

Extension

Extension includes developing and implementing extension programs that provide science-based information and education to the public through a variety of methods, including non-traditional educational environments, published documents intended for the public, and use of a train-the-trainer approach and/or trained volunteers with oversight for delivery. Co-creation of knowledge is central to extension activities and includes discovery, dissemination, and application of knowledge and professional expertise. These activities may include engagement with communities and other external partners, both public and private, to provide services such as evaluations and

assessments, surveys (development, dissemination, and analysis), training, technical assistance, and reports. Extension also provides applied research opportunities and research assistantships for students on externally funded projects. Applied research may include (but is not limited to) work in laboratories, fields, forests, and waters to conduct research, engage in development or translational work, and/or produce creative works. Toward that end, faculty write articles, books/chapters, monographs, grant proposals, and research reports, participate in peer review (articles, books, monograph, and grant proposals), edit scholarly journals, produce videos, and develop curriculum.

Clinical Practice

Clinical practice includes providing care and clinical services directly to patients or clients, with or without the engagement of trainees. Maintaining clinical practice and/or licensure requires significant ongoing professional development and continuous engagement, and faculty members are often required to maintain licensure to continue their university roles (e.g., a director of a cardiology course for medical students may have the requirement of practicing in their field, regardless of the space to do so within the university). In addition, maintaining clinical acumen is critical to ensuring trainees have the highest quality instructors. As such, some proportion (0 to 100%) of clinical activities conducted outside the bounds of the university may be regarded as part of the faculty member's clinical practice workload.

Administration

Administrative roles, typically with commensurate formal titles (e.g., department chairs, assistant or associate chairs, directors, and deans), have expectations including leadership for academic programs, performing administrative duties, managing budgets and unit governance, mentoring and supporting faculty development, conducting faculty annual reviews, recruiting and retaining faculty, managing the unit's promotion and tenure process, fundraising, alumni relations, community engagement, and strategic planning. Regardless of the title, administrative appointments need to be accompanied with activity descriptions and expectations that are commensurate with the assigned percent workload allocation as defined in the unit bylaws and as approved by the dean.

Librarianship

Library faculty are responsible for developing, maintaining, and teaching library services to the university, communities across Washington State, and beyond. Library faculty have significant responsibilities in the following areas: (1) teaching, mentoring, and directly supporting the teaching and research missions of the university; (2) research, scholarship, and creative activity; and/or (3) academic service. Depending on their appointment and assigned responsibilities, faculty are expected to establish and maintain a record of productivity and achievement specific to their workload.

Other

Section ~~I.B~~1.2.3 defines the career-track scholarly sub-track to include significant responsibilities in at least two(2) of the following areas: (a) teaching, (b) student advising, (c) research or scholarship, (d) creative activity, (e) outreach, (f) practice, (g) educational leadership, (h) administration, or (i) academic service. Aside from teaching and scholarship, rather than partitioning this multitude of potential activities into multiple workload categories, the category

"Other" can be used for documentation of workload allocation. The "Other" category is reserved for career-track faculty within the scholar sub-track.

Specific Criteria for the Faculty Categories

The criteria listed below for the several faculty categories are intended to supplement the General Criteria listed above (Section ~~III.D~~3.4.5) with additional guidelines to evaluate a faculty member for salary increases and for possible advancement in rank. Faculty members are also evaluated according to criteria approved by their college and unit (cf. Section ~~III.D~~3.4.5). In addition, each faculty member is subject to evaluation for their contributions to the effective functioning of the department, or equivalent unit, and for adherence to high ethical and professional standards.

Criteria for Academic Faculty

The general criteria cover a wide range of faculty assignments and apply to faculty located at campuses, research stations, extension centers, and other locations. The differentiation and relative weights among these criteria should reflect the relative workload allocation over time and may vary from unit to unit or even with regard to different faculty members. The approved criteria for the college and department or other unit are developed within the framework of these criteria but are more specific to the function of the individual unit.

The following primary criteria in addition to acceptable professional training are used in evaluating the qualification of a member of the academic faculty for possible advancement in rank and tenure:

a. Teaching effectiveness in credit courses using appropriate modes and techniques.

b. Teaching and leadership effectiveness in workshops, short courses and conferences.

c. Effectiveness in advising and/or supervising students, undergraduate, graduate, and professional students as appropriate.

d. Productivity in research, scholarship, or creative activity; ability to obtain external funding for teaching, research, and service.

e. Service to the institution and to the public.

Criteria for Extension Faculty

Primary criteria for evaluating Extension faculty for possible advancement in rank and tenure follow:

a. Effectiveness in analyzing problems of individuals, groups and communities, and in planning necessary work.

b. Ability to organize and utilize the resources of the people, the University, and government agencies in carrying out programs.

c. Ability to speak and write effectively and to communicate research findings, new applications, problems and ideas to others.

d. Service to the institution and public.

e. Professional development, professional achievement and professional recognition.

Criteria for Library Faculty

The following criteria are used in evaluating the qualifications of a member of the library faculty for possible advancement in rank and tenure:

a. Effectiveness in handling library services for the undergraduate programs, the graduate programs, the research programs, and extension.

b. Efficiency in the performance of library technical operations.

c. Administrative ability and capacity for administrative responsibility.

d. Achievement in research and scholarship.

e. Service to the institution and the public.

f. Professional development, including work toward an advanced degree or courses in appropriate fields.

~~III.D~~3.4.6. Salary Criteria for Faculty

Faculty salaries are negotiated based on education, experience, market value, and merit. Salary averages for permanent faculty are distributed to the deans' offices in the second semester of each year and may be used as benchmarks for determining salaries for faculty.

~~III.D~~3.4.7. Annual Review of Faculty

Tenure-track, career-track, and short-term faculty (see Section ~~I.B~~1.2.4 for community faculty exception) eligible for rehire at the end of their contracts must be included in the formal annual review process; this includes adjunct and adjoint faculty with FTE greater than zero. Faculty planning to leave the university before the next academic year may forgo the annual review.

Faculty performance will be reviewed annually through one of the following three (3) procedures:

a. An abridged review.

b. A comprehensive review.

c. An intensive review.

Annual reviews give faculty the opportunity to highlight, reflect on, and obtain feedback about their accomplishments over the past calendar year and how this work enhances their overall career. Annual reviews are to provide the following information as appropriate:

a. An appraisal of each pre-tenured faculty member's progress toward tenure

b. An appraisal of each faculty member’s progress towards promotion, if the faculty member is eligible for promotion.

c. A rating of each faculty member's annual (or biennial) performance in the context of their cumulative work.

Faculty who have served at Washington State University for less than one (1) year need not be reviewed except for pre-tenure faculty, who must have a record of review from the start of their appointment.

Throughout the following section, the word "chair" is used to represent a department chair, school director, or program director, and the word "department" is used to represent a department, school, or program.

Reviews will be differentiated by tenure status as follows:

a. Pre-tenured faculty usually undergo one intensive review with the remainder of the reviews being comprehensive. An intensive review is normally required during the third full year of appointment. For faculty appointments with pre-tenure periods less than six (6) years, the time of the intensive review will be negotiated at the time of appointment. For faculty appointments with pre-tenure periods less than three (3) years, the intensive review is optional.

b. All other faculty normally undergo comprehensive and abridged reviews in alternate years.

Faculty eligible for promotion are strongly encouraged to request an intensive review, in lieu of a comprehensive or abridged review, every four (4) to six (6) years to help prepare materials for promotion. Notice of the request to undergo an intensive review by the faculty member must be communicated by the due date set by the chair. It is within the authority of the chair or dean to recommend an intensive review, but it is the faculty member's purview to choose between an intensive or comprehensive review.

If a faculty member receives an annual review rating of less than satisfactory, all subsequent annual reviews will be comprehensive or intensive until a rating of satisfactory or better is achieved.

In the years in which a faculty member is due an abridged review, it is the prerogative of the faculty member or the chair, in consultation with the dean, academic director, or other supervisor, to elect a comprehensive review as warranted.

Abridged Review

Purpose and Criteria. Abridged reviews are intended for all faculty, except pre-tenure faculty, who continue to perform at or above expectations. Normally, abridged reviews occur the year following a year in which the faculty member received an annual review rating of satisfactory or above on a comprehensive or intensive review.

Submission. By the due date set by the chair, the faculty member will submit a *curriculum vitae* and update the annual review information system.

Procedure. The abridged review is performed by the chair, except on campuses where the review of career-track and short-term faculty is performed by the academic director in consultation with the chair.

Results. Each abridged review will result in a written report sent by the chair or academic director to the dean and campus VCAA (dependent on the college and WSU campus), and the faculty

member reviewed. The report sent to the faculty member should include an invitation to meet face-to-face with the chair or academic director if the faculty member so desires. Reports will contain an annual review rating of either

a. Meritorious.

b. Satisfactory.

c. Less than satisfactory.

If the annual review rating is "less than satisfactory," the written report must include an explanation for the decision, with explicit and realistic guidance for improvement and all subsequent annual reviews will be comprehensive or intensive until a rating of satisfactory or better is achieved.

Comprehensive Review

Purpose and Criteria. Comprehensive reviews are intended to evaluate the performance of the faculty member and to provide feedback relative to university and department expectations. Each comprehensive review will consider the faculty member's accomplishments and contributions since the last comprehensive or intensive review in the context of their cumulative performance. All faculty will undergo comprehensive reviews either annually or biennially.

Submission. By the due date set by the chair or academic director, each faculty member is expected to provide a *curriculum vitae* that includes information concerning education, instructional performance, research activities and publications, awards, professional experience, service activities, and affiliations, as well as a summary of their activities since the last comprehensive or intensive review. Each faculty member is also required to update their information on the annual review information system.

Procedure. The comprehensive review is performed by the chair except on campuses where the review of career track and short-term faculty is performed by the academic director in consultation with appropriate faculty supervisors at campuses, research and extension centers, or other distant locations.

Results. Each comprehensive review will result in a written report from the chair or academic director to the dean and campus VCAA (dependent on the college and WSU campus), and the faculty member who was reviewed. The report sent to the faculty member should include an invitation to meet face-to-face with the chair if the faculty member so desires. Reports will contain the following:

a. The faculty member's percentage appointment and primary responsibilities.

b. Whether the review is based on an annual or biennial time frame.

c. A summary and written evaluation of the faculty member's performance in each of their areas of responsibility, since the last comprehensive or intensive review, viewed in the context of their cumulative performance.

d. An assessment of the faculty member's progress toward tenure or promotion, when applicable.

e. An annual review rating assigned to the faculty member's performance according to one of the following categories:

   i. Especially meritorious performance.

   ii. Strong performance beyond satisfactory.

   iii. Satisfactory.

   iv. Some improvement needed.

   v. Substantial improvement needed.

f. An annual review rating, as described above (i-v), for each assigned workload category.

g. Note that an overall annual review rating of "Especially meritorious performance" is only applicable when every workload category has a ranking of "Satisfactory" or higher, and at least one (1) workload category is ranked "Especially meritorious performance."

If an annual review rating of "some improvement needed" or "substantial improvement needed" is assigned, then the report will include explicit and realistic guidance to help the faculty member achieve a "satisfactory" or above annual review rating at the next review, which must be comprehensive or intensive. The list should clearly identify areas in which performance is deemed deficient and make specific recommendations for improvement.

Optionally, the report may also contain:

a. An evaluation of the faculty member's progress toward previously set goals and expectations, as approved by the chair.

b. A list of goals and expectations to be evaluated at the next comprehensive review.

c. Additional comments, if any, from the faculty member's immediate supervisor.

For pre-tenured faculty, a rating of "substantial improvement needed" may lead to non-reappointment, as described in Section ~~III.F~~3.6.2. In this event, the faculty member may, within thirty (30) calendar days after notification of non-reappointment, petition the Faculty Status Committee to review the decision upon grounds of inadequate consideration, violation of academic freedom, or substantial procedural irregularity.

Faculty on three (3)- to five (5)-year appointments may have their appointments reduced to one (1) year if a rating of "substantial improvement needed" is assigned.

Intensive Review

Purpose and Criteria. The intensive review is a two-part review that includes a comprehensive review and a career progress review. The comprehensive review is the same as for a comprehensive review. The career progress review evaluates the progress of the candidate towards promotion and/or tenure, provides feedback relative to university and department expectations, identifies relevant deficiencies, and offers recommendations that may assist the candidate in determining future work. Pre-tenured faculty are normally required to undergo one

intensive review (typically in the third year), and all faculty who are eligible for promotion are strongly encouraged to request an intensive review every four (4) to six (6) years.

Procedures. The intensive review contains two (2) parts, each with its own rating.

The comprehensive portion of the intensive review is performed by the chair or academic director in consultation with appropriate faculty supervisors at campuses, research and extension centers, or other distant locations, and matches the procedure for the comprehensive review outlined above.

The career progress portion of the intensive review is coordinated by the chair and normally requires participation from all faculty and administrators eligible to perform promotion and tenure evaluations for the candidate. For pre-tenured faculty, the intensive review procedures will match those for final tenure consideration, except that external professional evaluations are not required. For all other faculty, the career progress portion of the review can be limited to the department level.

Submission. By the due date set by the chair or academic director, each candidate is expected to provide a *curriculum vitae* that includes information concerning education, instructional performance, research activities and publications, awards, professional experience, service activities, and affiliations, as well as copies of select publications and a teaching portfolio. They may submit, in addition, a context statement, a research statement, and descriptions of their external and institutional service activities. Each faculty member is also required to update their information on the annual review information system.

Results. Each intensive review will result in two (2) reports: a comprehensive review report and a career progress report. The chair will also meet with the candidate face-to-face to discuss both reports.

The comprehensive review report is sent by the chair or academic director to the dean and campus VCAA (dependent on the college and WSU campus), and to the faculty member who is being reviewed. The rating given in the comprehensive review report will serve as the annual review rating anywhere an annual review rating is used.

The career progress report is prepared by the chair and should reflect the views of the faculty eligible to vote on the candidate's promotion and/or tenure. The report should highlight the candidate's strengths and weaknesses, include recommendations for improvement, and the likelihood of promotion and/or tenure. The candidate should be advised according to the following categories:

a. Well prepared. The candidate is encouraged to seek promotion and/or tenure at the next opportunity.

b. Satisfactory. The candidate appears to be building an appropriate profile but has not yet achieved the standards expected for promotion and/or tenure.

c. Improvement needed. The candidate should review the criteria for promotion and/or tenure and the career progress report carefully and seek advice from other faculty in the university and their discipline.

d. Unsatisfactory. The candidate is not on track for promotion and/or tenure.

The chair should meet with the candidate to discuss the review and provide a copy of the career progress report, which includes a summary of strengths, weaknesses, and, for less-than-satisfactory ratings, includes explicit and realistic guidance for improving performance.

For pre-tenured faculty, the career progress report will be sent to the dean and campus VCAA (dependent on the college and WSU campus) and follow the same procedures as that for the final tenure review, except that external professional evaluations are not required. A determination that the progress toward tenure is unsatisfactory could lead to non-reappointment, as described in Section ~~III.F~~3.6 of the *Faculty Manual*. In this event, the faculty member may petition the Faculty Status Committee within thirty (30) calendar days after notification of non-reappointment to review the decision with allegations of either inadequate consideration, violation of academic freedom, or substantial procedural irregularity.

Faculty Responses to Annual Review Evaluations

After receiving the annual review report, the chair shall provide the faculty member a minimum of ten (10) business days to sign the report, indicating that they have had the opportunity to read the report and to discuss it with the chair and/or appropriate faculty supervisors at campuses, research and extension centers, or other distant locations. A faculty member's dissent regarding the contents of the report may be appended to the signed report. When a dissent is appended, the faculty member must receive a written acknowledgment within fifteen (15) business days that the statement has been reviewed by the chair's supervisor will forward to the provost the annual review, the faculty member's response to that review, and the supervisor's acknowledgement to the faculty member. After receiving this information, the provost has an additional fifteen (15) business days to provide a written acknowledgement to the faculty member and chair's supervisor that they have reviewed all the statements.

Information sent to the Provost's Office

The collection of annual review forms for each college or department will be forwarded to the provost, along with a roster of all faculty required to undergo an annual review, indicating whether the review was intensive, comprehensive, or abridged, and the ratings assigned.

Merit-Based Salary Increases

If a merit-based raise is available, it will be based on the two (2) most recent annual review reports, with two (2) exceptions:

a. For recently appointed faculty members who do not yet have two (2) annual review reports, the merit portion of their salary increase will be based on the available reports.

b. If more than two (2) years have passed since a merit increase was available, the raise will be based on the annual review reports since the last merit increase was available.

Ordinarily, salary increases for both annual and academic-year employees will take effect on the same date.

~~III.D~~3.4.8 Faculty Dossier for Promotion and Tenure

As part of the promotion and tenure process, each candidate will create a dossier for consideration by external reviewers, internal recommenders, and administrators. This section consists of recommendations for preparing the dossier.

Statement of Context

Faculty can include a Statement of Context. This statement may include expectations placed on a faculty member by circumstances extant at research stations or campuses, the requirement of joint-appointments, or other special circumstances. The Statement of Context can be up to two pages in length.

Curriculum Vitae (CV)

The current CV submitted as part of a promotion or tenure dossier should include the following:

a. A description of the candidate's research and scholarly or creative activities, including a statement of the nature and significance of research, scholarship, or creative activities, including involvement of graduate students, undergraduate students, and postdoctoral fellows, impact of research on teaching, extension or service functions, and academic history, degrees, and dates.
b. A list of grand and contract support, including identification of principal investigators, granting agencies, periods, and funding of all awards. Unfunded proposals may be listed if accompanied by the reviewers' comments (in any case, the number of unfunded proposals may be indicated).
c. A complete list of publications with full citations, including abstracts, articles, book chapters, papers in conference proceedings, patents, and reviews; or creative activities including original scores, exhibits, performances, and works of art. In most disciplines, the distinction between refereed work and non-refereed work should be indicated.
d. A list of consultancies, sabbatical leaves, and international collaborations, if applicable.
e. A list of invited and contributed presentations at national or international conferences and symposia, including dates, titles, and/or identifications of groups addressed.
f. Other supporting information, such as the number of citations of key publications (include period covered the citations) or copies of reviews of exhibits or performances.
g. A description of service to the department, college, and university, and other institutions or firms.
h. A description of service to professional groups or associations.
i. A description of service to county or state governments, communities, or other societal groups.
j. A description of honors and awards, including teaching, research, or public service awards.
k. Other evidence of recognition, such as lectureships.

Statements and Portfolios of Accomplishments

WSU recognizes eight (8) workload categories; teaching, scholarship, service, Extension, clinical practice, Librarianship, administration, and other (see Section ~~III.D~~3.4.5, Criteria for Review of Faculty for definitions and expectations). Faculty are expected to prepare a brief statement or portfolio of accomplishments for each category of their appointment as part of their dossier for

third-year, tenure, and promotion reviews. The teaching portfolio has specific guidelines outlined in the annual guidance memo from the Office of the Provost. The statements or portfolios in any other areas may be submitted either as standalone documents (not to exceed two (2) pages per category) or as part of a single, unified statement (not to exceed eight (8) pages). The statement should both documents key achievements and provide relevant context that helps reviewers understand the scope and conditions of a faculty member's work. This may include expectations associated with research stations or regional campuses, joint or split appointments, significant service or outreach commitments (including work with student groups), and broader circumstances such as the impacts of COVID-19 pandemic or efforts related to access and opportunity.

Faculty are encouraged to organize their dossier into clearly designated portfolios according to their appointment. The teaching portfolio should present information and measurable outcomes that showcase a faculty member's philosophy, professional growth, and achievements in teaching. The scholarship statement or portfolio should highlight accomplishments in research, creative activity, and other scholarly contributions, while also noting any contextual factors that have influenced productivity or direction. The service statement or portfolio should clearly describe contributions to the department, college, university, and profession, with attention to roles, responsibilities, and impact. The Extension or outreach statement or portfolio should highlight engagement with communities beyond the university, including extension work, partnerships, public scholarship, and other forms of applied or community-based activity. The Librarianship statement or portfolio should highlight achievements related to developing, maintaining, and teaching library services at WSU and communities across Washington State. Faculty with clinical practice, administrative, or other responsibilities in their appointments should clearly illustrate those contributions.

For more detailed information on constructing supporting materials for promotion and tenure, see the Provost's Guidelines for Promotion and Tenure, published annually (typically in spring) and posted on the provost's website. The format and uses of the portfolio will naturally vary depending on the workload category, department, and discipline. The outline provided in the Provost's Guidelines is meant to be an adaptable template, which can be modified for individual units or even individual faculty members.

Supporting Materials

Supporting materials should be submitted electronically as directed by the Office of the Provost. Digital Object Identifiers (DOIs) can be supplied with the CV for published works that are available electronically. If electronic versions or pictures are not available, supporting material may include books, slides, tapes, and other evidence (e.g., photographs, videotapes) of the candidate's teaching, research, scholarly, creative, and service activities. Such material should be assembled in an archive box and labeled with the candidate's name, department, and college, and added to the candidate's dossier at the beginning of the review process. Any materials that are submitted as part of a candidate's supporting documentation may become part of WSU's permanent record and may not be returned to the candidates. We strongly urge candidates to submit copies rather than originals.

~~III.D~~3.4.9. Process for Tenure and Advancement in Rank

The criteria for promotion are based on the General Criteria for Faculty Review listed in Section ~~III.D~~3.4.5. Criteria for promotion and tenure are to be articulated and supplemented by criteria developed at the department, school, and/or college level to emphasize goals and objectives. Evaluation of performance for promotion and tenure should consider changes in workload allocation during the relevant review period.

The instructions and Forms on Promotion and Tenure are distributed by the Office of the Provost in the spring, and the process will continue through the following academic year.

The initial dossier, prepared by the candidate, should include a context statement, curriculum vitae, and material relevant to their workload, such as teaching, research, or service portfolios and supporting materials (see Section ~~III.D~~3.4.8).

Appropriate references are solicited by the chair of the department or director of the school and added to the dossier. At least four (4) *external* letters are required for tenure and tenure-track promotion considerations. At least four (4) review letters are also required for career-track promotions and may be from either internal or external reviewers. See the Guidelines from the Office of the Provost for additional information.

The chair should also add the annual reviews for the period since hire (for tenure or promotion to associate professor) or the last promotion (for promotion to professor) to the dossier for internal consideration.

All faculty in the department who are in the same track as the candidate and at or above the rank sought (tenured faculty for tenure considerations) are expected to review the candidate's dossier and fill out the recommendation forms provided by the Office of the Provost. Departments bylaws should specify whether additional tracks or sub-tracks at or above the rank sought also participate in making recommendations. At least five (5) persons who are thoroughly familiar with the attainments of the candidate must participate in filling out the recommendation form(s). When there are fewer than five (5) faculty in the department eligible to submit recommendations, the eligible recommenders will propose additional faculty to include in the process to the principal administrative officers. The Office of the Provost will determine which of these persons will complete the recommendation form.

The candidate's dossier, including the chair's recommendation, the faculty recommendation forms, available review letters, and the materials provided by the candidate, must be forwarded from the chair to the dean and, depending on the campus, the VCAA, on the schedule determined by the Office of the Provost. The candidate for promotion or tenure will be provided a minimum of five (5) business days to review the dossier (excluding the review letters) from the department and may attach up to two (2) additional pages of information to be reviewed by the Office of the Dean and the Office of the Chancellor, if appropriate, prior to the dean making their recommendation and forwarding the updated dossier to the Office of the Provost.

In consultation with the chair and the relevant college committees on promotion and tenure, the dean will decide which promotion cases are to be forwarded to the Office of the Provost and will notify each candidate of the decision in writing within ten (10) business days. All tenure cases must

be forwarded to the Office of the Provost. The candidate for promotion or tenure will be provided with a minimum of five (5) business days to review the additions to the dossier mad by the Office of the Dean (excluding the review letters) and attach up to two (2) additional pages of information to be considered by the Office of the Provost prior to a final recommendation being made. At this time, a candidate for promotion can choose whether to have their dossier forwarded to the provost, regardless of the dean's recommendation.

The promotion packet is due in the Office of the Provost by the date specified in the provost's instructions for Promotion and Tenure. Final decision are normally made by the middle of the spring semester, and letters notifying faculty of the decision are sent immediately thereafter. Promotion or tenure becomes effective July 1 for annual appointments and August 16 for academic-year appointments.

Promotion to Associate Professor or Professor

Only under extraordinary circumstances will a person be considered for promotion to the next rank prior to the end of their fifth (5) year of service in rank, with the promotion, if granted, awarded at the end of the sixth (6) year. Faculty may also remain at their current rank and be reappointed to subsequent terms at that rank after their sixth (6) year of service, provided satisfactory performance continues. Satisfaction of minimum criteria at the department level is not sufficient to ensure promotion. Some successful faculty members may need more than six (6) years of service at any given rank to achieve the credentials necessary for promotion to the next rank.

For pre-tenured faculty, an evaluation to associate professor is frequently carried out at the same time as the tenure consideration. In all other instances, candidacy for promotion to associate professor or professor may be initiated by the faculty member, one or more department professors, or the chair.

Attainment of the rank of associate professor shows that a faculty member has demonstrated a record of achievement and growth, showing evolution and innovation in areas of the faculty member's workload assignment. Documented evidence of the quality and quantity of the accomplishments of the candidate is needed.

Promotion to the rank of professor is an indication that, in the opinion of colleagues, an individual has made, and continues to make, outstanding contributions to a major area of the individual's work assignment. Candidates for promotion to professor must show clear and convincing evidence of consistently high attainment in the criteria appropriate to their work assignment and to the mission of their departments, including increased service to the institution, professional organizations, and/or society. Documented evidence that the quality and quantity of the accomplishments of the candidate are at a significantly higher level than that expected of an associate professor is required. National, and preferably international, prominence must be demonstrated through some form of recognized achievement reviewed by appropriate professionals for promotion to professor.

Promotion to Regents Professor or Regents Librarian

Faculty with the rank of Regents Professor or regents librarian are tenured faculty who have reached the highest levels of achievement in their discipline and who are thoughtful and committed in all areas in their workload, including teaching and service to Washington State University. The title of "regents" is used in honor of the dedicated efforts made by the members of the WSU Board of Regents, but this title should not be construed to mean there is a privileged relationship between regents professors and the Board of Regents.

Promotion to regents requires service to the university at the rank of professor or librarian 4 for at least seven (7) years. Each college may nominate up to two (2) eligible faculty as candidates each year. The nomination process for promotion to regents is initiated by a chair or dean, and nominees are evaluated by a review committee following processes outlined by the provost. Faculty recommendations from the department are not necessary for this nomination. Those who are not selected for promotion may be nominated again.

The regents rank can be held by no more than thirty-five (35) active Washington State University faculty members (0.5 FTE or higher) at any one time, with no more than three (3) newly promoted in any given year. Those awarded the regents rank receive a 10% base salary increase. They are reviewed every five (5) years (based on the calendar year of initial appointment) following a process outlined by the provost for either continuation or appointment to professor rank with the working title "past regents professor." Faculty with regents rank effective before January 1st, 2026, will begin their five-year review period with the 2026 calendar year.

Continuation of the regents rank at the time of a five-year review depends on continued excellence in performance. If the rank is continued, there is no further salary increase associated with this decision. If the rank is changed to professor or librarian 4, the faculty member retains the 10% base salary increase awarded with the original appointment as regents professor or regents librarian. Use of the working title past regents professor or regents librarian is discretionary and can be used while employed and during retirement. The number of past regents faculty does not count towards the cap on the number of active regents faculty. When the regents rank is not renewed, the individual is not eligible for promotion to regents professor or regents librarian a second time. The rank regents (or title past regents) and salary increase associated with promotion to regents may be revoked if a faculty member is subject to disciplinary action with major sanctions (Section ~~II.F~~2.6.11).

Promotion to Laureate Professor or Laureate Librarian

Faculty with the rank of laureate professor and laureate librarian are career-track faculty who perform at a very high level in all domains within their workload (which may include teaching, scholarship and creative activity, service, clinical work, and/or outreach). The title of "laureate" is used to designate the highest faculty rank in the career-track.

Promotion to laureate requires service to the university at the rank of career-track professor or librarian 4 for at least seven (7) years. Each college may nominate up to two (2) eligible faculty as candidates each year. Career-track professors from any sub-track are eligible for promotion to laureate professor. The nomination process for promotion to Laureate Professor is initiated by a chair or dean, and the nominees are evaluated by a review committee following a process

determined by the provost. Those who are not selected for promotion to Laureate Professor may be nominated again.

The laureate rank is held by no more than twenty-five (25) active Washington State University faculty members (0.5 FTE or higher) at any one time, with no more than three (3) newly promoted in any given year. Those awarded the laureate rank receive a 10% base salary increase. The awarding or continuation of the rank does not alter the duration of pre-existing or subsequent employment contracts. Those awarded laureate rank are reviewed every five (5) years (based on the calendar year of initial appointment) following a process outlined by the provost for either continuation or the appointment to professor or librarian 4 rank with the discretionary working title "past laureate professor" or "past laureate librarian."

Continuation of the laureate rank at the time of a five-year review depends on continued excellence in performance. If the rank is continued, there is no further salary increase associated with this decision. If the rank is changed to professor or librarian 4, the faculty member retains the 10% base salary increase awarded with the original appointment as laureate professor. Use of the working title past laureate professor or past laureate librarian is discretionary and can be used while employed and during retirement. The number of past laureate faculty does not count towards the cap on the number of active laureate faculty. When the laureate rank is not renewed, the individual is not eligible for promotion to the laureate rank a second time. The laureate rank (or title past laureate) and salary increase associated with promotion to the laureate rank may be revoked if a faculty member is subject to disciplinary action with major sanctions (Section ~~II.F~~2.6.11).

Tenure

The final tenure review for faculty members initially appointed full-time at the level of assistant professor or equivalent shall normally occur no later than the sixth (6) year of appointment. All tenure review cases for faculty without tenure must be submitted by year six (6) unless there is an approved extension. The final tenure review may occur earlier in especially meritorious cases at the request of the appropriate dean and campus VCAA (dependent on the college and WSU campus) and with the consent of the provost, chair, and faculty member. Tenure consideration for faculty members initially appointed full-time at the level of associate professor or professor, or other comparable ranks, ordinarily will be considered for tenure no later than during the third year of service or during the first year of service, respectively, at WSU. The timing of tenure consideration is a negotiable condition of employment. Tenure review shall result in either the granting of tenure to become effective at the beginning of the academic year following the year in which tenure consideration is conducted or the denial of tenure and the offering of a one (1) year terminal appointment. The decision to deny tenure must be communicated to the faculty member by no later than May 15 of the review year.

Part-Time Tenure-Track Faculty

Tenured and tenure-track faculty members may sometimes benefit from a part-time appointment. The University wishes to accommodate these faculty members, if possible, without negatively impacting their program, department, or University function. Thus, tenure-track and tenured appointments for not less than fifty percent (50%) time may be offered for all ranks. The duties (e.g., teaching, research, and service expectations) and support provided (e.g., startup money, teaching, and/or research assistance) will be the same as for a full-time faculty member, except

they may be prorated for the percentage of the appointment. The duties and support for a part-time faculty member should be specified in the offer letter signed by the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost. Part-time faculty members have the same rights and responsibilities as full-time faculty members except as otherwise provided in the *Faculty Manual* and are subject to the following rules that are specific to their positions.

Tenured and tenure-track faculty members may be initially appointed to a part-time position with the University. To facilitate this process, advertisements for faculty positions may be written to allow applicants to request either full-time or part-time appointments. Those appointed initially to a part-time position have no guarantee that they can subsequently move to a full-time appointment if they wish to do so. Any increases or decreases in the percentage of appointment must be accompanied by a new written agreement signed by the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost that specifies the new percentage of appointment and the duties and support associated with the new position. If a tenured faculty member's part-time appointment is permanently increased in the same department in which they hold tenure, tenure for the increased portion of the appointment must be granted automatically.

Full-time faculty members who wish to change to part-time status may do so subject to the following conditions.

a. Under most circumstances, tenure-track faculty members may not convert to part-time until they have obtained tenure.

b. Tenured faculty members may request a permanent change to a part-time appointment. This change, if granted, must be agreed to in writing by the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus) and provost. The written agreement must specify the new percentage appointment and the duties and support associated with the new position. Tenure will be reduced to the percentage of the part-time appointment. There is no guarantee that such a faculty member can return to full-time status. A return to full-time status requires the written agreement of the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost.

c. Tenured faculty members may request a temporary change to part-time status in one-semester increments (6-month increments for 12-month appointees) for up to two (2) years. This change, if granted, must be agreed to in writing by the faculty member, chair, dean, campus VCAA (dependent on college and WSU campus), and provost. The written agreement must specify the percentage appointment, the duties and support associated with the position, and the time for which the appointment is changed. There is no limit to the number of times that a faculty member can request a change in appointment as long as the faculty member returns to full-time status for at least two (2) years between events.

The standards for tenure and promotion are the same for part-time faculty as for full-time faculty members except that part-time faculty members may be granted a proportionally longer period in which to meet these standards. For example, a faculty member with a 50% appointment should be given a probationary period of up to 12 years, whereas a faculty member with a 75% appointment should be given a probationary period of up to 8 years.

Tenure Clock Extensions

The tenure period is negotiated at the time of hire; however, under certain circumstances, an extension of the tenure period and/or the intensive (i.e., 3rd year) review may be granted under certain circumstances as described below.

a. Faculty members on the tenure track may request a one-time term extension for extraordinary circumstances, such as an unanticipated lack of available resources, serious illness, family emergency, and/or elder or dependent care when the faculty member is a caregiver. In addition, faculty who assume a significant leadership role may request an extension of the tenure clock; however, in this instance, the role that the leadership position will play in the tenure assessment should be clearly articulated by the dean of the appropriate college and conveyed to the Office of the Provost. Requests for an extension should be in writing in the form of a memo signed by both the petitioning faculty member and the department chair, school director, or program director.

All such requests will be granted at the discretion of the appropriate dean with the approval of the provost. Approved extensions will be one (1) year in duration for full-time faculty with part-time faculty receiving an extension commensurate with appointment level.

b. Full-time faculty members on the tenure track who become a parent of a child or multiples by birth, adoption, or fostering (i.e., 12 months of foster care, but not necessarily contiguous) will automatically be granted a one (1) year extension of the tenure clock when the faculty member is a caregiver. For each subsequent child, a faculty member may request an additional extension for a maximum of two (2) separate extensions of the tenure period. When both parents are members of the faculty and share equally in caregiving responsibilities, each parent will be granted a one (1) year extension. Extension periods cannot be combined (e.g., one (1) child with a single three (3) year extension).

Faculty may elect to opt out of the automatic extension of the tenure period granted for childbirth, adoption, or fostering. It is recommended that the faculty should notify the appropriate dean, director, or department chair of the birth, adoption, or fostering via memo, preferably six (6) months prior to the arrival of the child. Faculty electing to take advantage of the one (1) year extension are also required to take parental leave and apply for family medical leave (see Section ~~III.E~~3.5.8), which is counted towards the one (1) year extension. The dean should notify the Office of the Provost immediately so the proper records for the promotion case are maintained.

An extension for the tenure candidacy period or postponement of the intensive review will be available regardless of the number of weeks of annual leave taken by the faculty member. The standards for tenure and promotion remain the same for faculty who have been granted a tenure clock extension and/or an intensive review deferral. Even though a faculty member may be given a longer period of time in which to meet these standards, the faculty member should be held to the same performance standards as a faculty member who has not received an extension. However, when the chair, director, or dean requests materials for consideration of promotion and/or tenure by external reviewers, it should be made clear that the length of time between milestones should not be taken into consideration.

General

The decision to offer a tenure-track with a position rests with the dean of the college. This decision must be made when the job description is developed.

Tenure is granted only for academic rank or professional status within departments or school. Department chairs, school directors, program directors, deans, academic directors, and other administrative officers do not acquire tenure in administrative positions. To qualify for tenure, the faculty member is expected to observe all policies applying to faculty in Section II: Freedom, Responsibility, and Discipline. Except in extraordinary circumstances, such as financial exigencies or elimination of function, these tenure provisions apply.

The acquisition of tenure requires action by the president of the University by delegation of authority from the Board of Regents. Tenure, once granted, is retained by the faculty member until they retire or cease to be an employee of the University.

When a former faculty member who had tenure is reemployed in a comparable position within two (2) years, tenure may be given immediately, though the usual procedures must be followed. Departments may consider prior academic appointments elsewhere in the tenure process; however, all pre-tenure assistant professors will be allowed up to six (6) years prior to tenure consideration.

If a tenured person takes a different faculty position within the institution on a permanent basis, the receiving department must assume the tenure obligation accompanying the transfer. In the special case of the formation of a new unit, the prior tenure of each faculty member will be transferred to the new unit.

A faculty member whose appointment is budgeted on a continuing basis in more than one (1) unit may be granted tenure, provided that the positions are permanent and if tenure is granted in all units simultaneously. Such tenure implies no obligation for one (1) unit to increase the employment of the person beyond the budgeted portion if duties should cease to exist in another unit. This policy applies to a person holding a joint appointment in instructional units as well as to a person with duties divided between teaching and non-teaching responsibilities in a position having faculty status.

In special circumstances involving a joint appointee, one (1) unit may request permission to assume an additional portion or all the tenure responsibility for the faculty member, and in this case the other unit or units accept no responsibility for continuation of the position.

If the duties of a non-tenured faculty member change to result in a shift between units in the budgeted appointment on a continuing basis, the date of eligibility for tenure consideration remains based on the original appointment to the faculty.

A person who is appointed to a temporary position, whether part-time or full-time, is not eligible for tenure. If a person in a sort-term or career-track is subsequently moved to a tenure-track position, past service may be counted toward eligibility for tenure.

Denial of Tenure

Tenure must be granted or denied. Granting of tenure becomes effective on August 16 for academic-year appointees and on July 1 for annual appointees. Upon denial of tenure, notification of non-reappointment will be given at least twelve months in advance of the appointment termination.

Notification of the granting or denial of tenure shall be given in writing to the faculty member by the provost within three (3) business days after a decision has been made. While notification of the final tenure decision will be communicated by the provost, the dean, campus VCAA (dependent on college and WSU campus) or relevant area administrator will provide more detailed analysis.

If the Faculty member resigns within ninety (90) calendar days after notification of denial of tenure, no reference will appear in their personnel file that tenure was denied or that a recommendation to deny tenure was made. The effective date of such resignation shall be the date upon which the appointment would have been terminated if tenure had been denied, or earlier, if mutually agreed to by both parties.

A faculty member who has been denied tenure may, within thirty (30) calendar days after notification of non-reappointment by the provost, petition the Faculty Status Committee to review the decision, based upon an allegation of inadequate consideration, an allegation of violation of academic freedom, or an allegation of substantial procedural irregularity that had the effect of prejudicing the faculty member's application for tenure. If a review by the Faculty Status Committee is requested, the committee shall determine its own procedures for hearing the matter, in a manner consistent with federal and state law, shall conduct its review as expeditiously as possible, and shall report its findings to the president, or designee, and to the faculty member requesting review within the next ninety (90) calendar days after the request is made. The committee may elect to count only days of the academic year in the ninety (90) day period. The president shall notify the faculty member requesting the review of their decision within thirty (30) calendar days after receiving the report of findings. The president is under no obligation to accept findings by the committee as binding.

A tenured person whose position has been eliminated also has the right of appeal to the Faculty Status Committee.

~~III.D~~3.4.10. Salary

The objective of the Faculty Salary Policy is to guide the distribution of faculty salary increases, based on a commitment to equity, evaluation of professional growth, and meritorious performance as determined in the annual review process. Within available means, salaries are to be comparable with those paid for similar service at peer institutions.

For purposes of faculty salaries, equity is the principle that people with the same job should be compensated similarly, taking into consideration variables such as academic rank, experience, field, and merit.

To qualify for salary increases and promotion, a faculty member is expected to observe all policies applying to faculty covered in the Faculty Manual Freedom, Responsibility, and Discipline, Section II.

Allocation

When funds become available for faculty salary increases, they shall be allocated in the following manner: unless provided otherwise by law or an alternative allocation is agreed upon (see below), salary-increase monies shall be allocated thirty percent (30%) to professional development, thirty percent (30%) to superior merit, and forty percent (40%) to equity. The professional development portion reflects professional growth and service to the University. Each faculty member will receive an equal amount of the professional development portion unless their annual reviews are below satisfactory (see Section ~~III.D~~3.4.7). The superior merit portion, a performance-based salary adjustment, reflects the degree of superior merit above a satisfactory rating on annual reviews (see Section ~~III.D~~3.4.7). The remaining portion will be allocated based on salary equity considerations.

Promotional Adjustment

When a faculty member is promoted, their salary will be increased by no less than ten percent (10%) of their annual salary, starting with the effective date of the promotion. This adjustment will be made regardless of the level of funding for salary increases and will be in addition to any other merit, equity, marketplace, or cost-of-living adjustments made to the faculty member's salary. For most state-funded positions, eight percent (8%) is provided by the university and the other two percent (2%) is the responsibility of the department.

Alternative Allocation

Should the president believe in any particular year, that allocation of salary funds in accordance with the above Section ~~III.D~~3.4.10, is not in the best interests of the University, they shall seek the advice of the faculty through the Faculty Senate on an alternative salary allocation proposal. When the president seeks such advice, the matter shall be privileged before the Faculty Senate and a response shall be forthcoming within fourteen (14) business days.

Summer Salary

Payment for summer employment will be at an agreed figure, which in no case may exceed a monthly rate of one-ninth of the previous academic-year salary. Normally, total employment is limited to two (2) months. Requests for a third month of summer salary must be recommended by the chair and dean and approved by the provost.

~~III.D~~3.4.11. Benefits

Insurance

The University makes available group medical/dental insurance, salary continuation insurance (long-term disability), life insurance, and other benefits. Eligibility for these programs is determined by the State of Washington Public Employee's Benefits Board (PEBB). Generally, full-time and half-time faculty, who are anticipating to be employed for an academic year, or equivalent thereof, are eligible for the PEBB benefit package. Other eligibility criteria may be applicable, including stacking concurrent employment with more than one Washington State higher education institution. Industrial insurance (worker's compensation) covers all employees. Additional information can be found on the WSU HRS website.

Retirement

Participation in a retirement plan is available to any faculty member who is employed at least half time for one (1) semester, or equivalent period.

The WSU Retirement Plan has been established by the Board of Regents under authority provided by the laws of the state of Washington for the purpose of providing retirement incomes and related benefits to eligible faculty and employees. It is a defined contribution 403b plan.

Beginning July 2011, The Teachers Retirement System Plan 3 is another retirement plan in which new hires are able to participate. This 401a plan is a hybrid defined contribution/defined benefit plan.

Washington State University also offers faculty voluntary retirement plans to which employees may make additional non-matched retirement contribution up to the IRS maximum limits.

For details on the retirement plans, see the Benefits link on the WSU HRS website.

Institutional Liability Insurance

The University carries a form of liability insurance that covers the liability of each individual faculty member acting within the scope of their duties while representing Washington State University, except for actions involving their individual automotive vehicles, limited libel, slander, false arrest, and malicious prosecution, and for actions one against another. This statement is for information purposes; the policy provisions apply in each case. (Consult the Risk Management section in Business Affairs for policy provisions).

Unemployment Compensation

Under applicable state laws and Department of Employment Security regulations, short-term faculty who are expected to be rehired for consecutive years are not eligible for unemployment benefits during summer months. Visit the Washington State Employment Security Department website for additional information.

~~III.D~~3.4.12. Faculty Furlough and/or Temporary Salary Reduction in a Time of Budgetary Crisis

The goal of the process described below is to provide an option by which crisis-precipitated budgetary burdens might be more equitably and justly shared by all WSU faculty. The process requires that certain requirements be met, that any proposal by the university administration must be approved by the Senate Steering Committee and a vote of the Faculty Senate, and that any agreed upon faculty furloughs and/or salary reductions will be temporary. This process is separate from, and is not intended to modify or supplant, the policies and procedures related to financial exigency and program discontinuation in Section ~~III.F~~3.6.

a. This process can only be initiated in the event of an extraordinary emergency (short of a declaration of exigency) that results in or from a reduction in state funding and/or tuition revenue. Further, the emergency must lead to a significant university-wide net budget reduction of >5% for a fiscal year. Under these conditions, the university may propose temporary faculty furloughs and/or faculty salary reductions.

b. The university's proposed furlough/salary reduction plan must be approved by majority votes of both the Faculty Senate Steering Committee and WSU Faculty Senate before it can be implemented.

c. Temporary faculty furloughs and reductions in FTE may be imposed for up to one (1) fiscal year. After the Senate approved furlough and/or temporary salary reduction period ends, full salary shall be restored automatically - unless participating faculty members voluntarily elect to continue the reduction, university exigency is declared, or another process is proposed and approved by the Faculty Senate Steering Committee and WSU Faculty Senate (see restrictions below).

d. The university's specific one (1) year proposal for faculty salary reductions and/or furloughs must be presented in writing to the Senate Steering Committee and WSU Faculty Senate prior to a Senate vote. See additional requirements for the proposal below. The Steering Committee and/or Faculty Senate may opt to negotiate with the university administration for additional changes and/or specific stipulations before moving the proposal to a vote.

e. Faculty furloughs and/or salary reductions can be renewed once by a majority vote of the Faculty Senate for a maximum of 2 consecutive fiscal years, total. However, renewal requires that a second proposal be submitted and approved by majority votes of the Senate Steering Committee and WSU Faculty Senate using the same process outlined here. The university administration may propose, and the Faculty Senate may approve no more than 3 years of faculty furloughs and/or salary reductions in any 6 consecutive years.

f. The university's proposal must reflect a progressive approach: Any proposed faculty salary reductions should be scaled to protect faculty with lower annual salaries while expecting greater contributions from faculty earning high annual salaries. Therefore, the university's temporary furlough/ faculty salary reduction proposal to the Faculty Senate must specifically include:

    i. A minimum annual salary below which no furloughs or salary reductions shall be imposed under the plan.

    ii. Graduated marginal rate brackets through which furloughs and/or salary reductions are to be applied. The plan must reflect a progressive (i.e. non-regressive) approach analogous to IRS income tax brackets – e.g. These are examples ONLY.

        1. 0% reduction for those earning less than $70K annually

        2. 2.5% reduction for earnings of $70-100K annually

        3. 5% reduction for earnings of $100-150K annually

        4. 7.5% reduction for earnings of $150-200K annually

        5. 10% reduction for earning of $200-300K annually

        6. 15% reduction for earnings of > $300K annually

iii. Any furloughs or salary reductions expected of faculty must also be applied to WSU administrators and their support staff, as well as WSU athletics personnel. However, this policy does not prevent the WSU President from imposing furloughs or salary reductions on Cabinet members, other senior administrators, or non-faculty employees (consistent with applicable policies and procedures) independent of this process and Faculty Senate approval.

g. The WSU administration's proposal to the Faculty Senate for temporary faculty furloughs and/or salary reductions must also include the following:

   i. a complete presentation (documentation) of what the university has already done to address the budgetary crisis,

   ii. any additional plans for the coming fiscal year to help address the crisis,

   iii. an estimate of monies to be recovered via proposed salary reductions and/or furloughs,

   iv. a plan by which geographic cost-of-living differences will be addressed,

   v. a process by which employees facing special circumstances (e.g., single income families, those with expenses related to support/care of family members such as children, elderly parents, and/or disabled or handicapped dependents) might apply for a full or partial exemption,

   vi. a program analogous to WSU's shared leave program by which faculty and staff might voluntarily donate additional furlough days or salary to other WSU employees.

h. If the budget crisis seems likely to continue, the university administration should also present a long-term plan.

i. Recovered funds will be returned to the college - except in situations where CAMPUS pays salary, then funds are returned to the campus.

j. Transparency is required: each college/campus is expected to clearly communicate to its faculty how much money is saved through the salary reduction/furlough process and where/how recovered funds are being utilized. The university administration is further required to report back to the Faculty Senate (no later than March 1 of the affected fiscal year) with specific information on how the recovered salary funds are being used.

k. Further details:

   i. Faculty salary reductions must be restricted to the portion of salary paid from state funds or tuition revenue only. Faculty salary paid on grants and other extramural sources is not eligible for reduction, except when corresponding salary reductions are required under grant regulations or contracts. These restrictions regarding source of salary funding do not apply to WSU administrators, WSU Athletics personnel, or other WSU administrative personnel who may be paid from other non-state sources. In other words, these WSU employees are expected to share

equitably and according to the same formula as WSU faculty members regardless of the source of their funding.

ii. For faculty receiving state-based salary or stipends for "additional responsibilities" (ADR funds), the salary reduction calculations shall include their ADR funds – i.e. total state salary and/or stipend funding. These faculty members may opt to take all or part of the reduction from their ADR funding.

iii. For faculty on 9 month or partial appointments, any salary reduction should be calculated from their base pay. Summer salary for additional (optional) teaching shall not be considered for reduction.

iv. For faculty who are promoted in the same year as a scheduled furlough/salary reduction, any promotion associated salary increase shall be awarded. A Faculty Senate-approved, crisis-precipitated salary reduction will be applied to the new, higher salary. Full post-promotion salary will be restored at the end of the fiscal year (unless crisis-precipitated faculty salary reduction is extended by another vote of the Faculty Senate).

v. If cost cutting measures are more effective than anticipated and result in a budget surplus, such surplus funds will be distributed to the academic areas (campus/college) in proportion to the funds generated by faculty furloughs or salary reductions in that area.

vi. Temporary faculty furloughs and reductions in FTE will have associated reductions in faculty and WSU contributions to retirement plans, which has set as a percentage of salary. The furloughs and identified reductions in FTE, however, will not impact eligibility for the Public Employee Benefit Board benefit package.

l. Compliance with legal requirements: As with all WSU policies, this policy will be implemented in a manner that complies with applicable state and federal law.

~~III.E~~3.5. Leave of Absence and Vacation (Annual Leave)

~~III.E~~3.5.1. Annual Leave

The vacation (annual leave) provision in the terms of employment is intended to provide opportunity for periodic leisure and relaxation, free from official duties. Vacation time, therefore, is not regarded as a leave of absence. No state employee may use leave before it is earned. Faculty must request leave prior to taking it through their immediate supervisors. Generally, leave will be allowed unless a serious lapse in the project will occur or unless classes cannot be covered by alternate personnel.

In accordance with UPPM 60.56-Faculty and Administrative Professional Personnel Leave, Faculty on annual appointment earn annual leave at the rate of 16.67 hours per month, based on full-time equivalent of completed service. Unused annual leave is cumulative to a maximum of 352 hours (forty-four (44) working days). A faculty member moving from an annual to an academic year appointment has one (1) year to use any accrued annual leave. Leave is scheduled with the

approval of the unit administrator. Permanent annual faculty cannot be paid for annual leave unless they separate from the University; see UPPM 55.49. Annual leave cannot be taken before it is earned and must be reported within Workday. See also UPPM 60.63.

Normally, faculty who are not in a permanent annual appointment cannot be paid for accrued annual leave and cannot transfer accrued annual leave to an appointment with a different funding source, without written approval from the chair or director and dean.

~~III.E~~3.5.2. Leave Payoff for Short-Term Faculty

Normally, short-term faculty cannot be paid for accrued annual leave and cannot transfer accrued annual leave to an appointment with a different funding source without approval from their chair or director and dean.

~~III.E~~3.5.3. Academic-Year Faculty

Faculty members on academic-year appointments do not earn annual leave and are free to seek other employment in the summer, to do consulting work, or to study. Summer employment by the University of persons on an academic-year basis is not precluded, but no obligation exists to provide such employment.

~~III.E~~3.5.4. Holidays

The University establishes a schedule for each year that includes ten (10) holidays. The schedule is available from Human Resource Services and is published in the *WSU Insider*.

The Faculty Senate establishes the academic calendar including the holidays that fall within the two (2) academic semesters and the summer session.

Faculty on annual appointment are eligible for a one (1) day personal holiday to be used on a fiscal year basis and only in a one (1) day block.

All faculty are eligible for all University holidays that occur during their period of appointment. Half-time or greater annual appointees on at least four (4)-month appointments are eligible for the personal holiday. In accordance with University policy UPPM 60.56, all faculty must be in pay status the work day prior to the holiday in order to receive pay for the holiday.

~~III.E~~3.5.5. Absence

Absence of faculty members from official duty is subject to such limitations as the administrative officer in charge may determine.

~~III.E~~3.5.6. Sick Leave

Faculty on full-time, annual appointments earn sick leave at the rate of eight (8) hours per month of completed service.

Faculty on part-time, annual appointments earn sick leave based on their percentage of full-time employment; e.g., half-time employees earn four (4) hours per month of completed service.

Faculty on academic-year appointments earn sick leave at the rate of one (1) working day (eight (8) hours) per month of completed service for a total of nine (9) working days per year. Academic faculty accrue four (4) hours of sick leave for the months of May and August, which when combined with the rest of the academic year add up to nine (9) working days of sick leave per year. One (1) additional working day of sick leave is earned for each completed month of full-time summer employment.

a. Faculty must earn sick leave before it can be taken.

b. Faculty report sick leave usage on the Absence Calendar in Workday.

c. For more information, see UPPM 60.56.

~~III.E~~3.5.7. Work-Related Illness or Injury

Benefits for work-related illness, accident, or injury are provided in accordance with the state of Washington's Workers' Compensation Act. Any job-related accident or injury are to be reported to the immediate supervisor for evaluation and possible investigation. Supervisors must report major accidents immediately. Incident Reports are to be completed within 24 hours. See Safety Policy and Procedures Manual 2.24 for more information.

~~III.E~~3.5.8. Family Medical Leave Act and Medical Leave

The University complies fully with the Federal Family Medical Leave Act and Washington State Medical Leave laws. Faculty shall be entitled to leave under the terms of such policies as may be adopted by Human Resource Services (HRS) from time to time to implement the provisions of these laws. Faculty are to request a leave of absence (LOA) if they have or are caring for a family member who has a serious health condition requiring more than three (3) days absence, or a chronic condition that requires ongoing treatment or ongoing intermittent leave.

a. Under a designated FMLA event, qualified faculty members may use any combination of accrued leave (annual or sick) or leave without pay. Benefits remain in effect during FMLA, and a faculty member may use leave accruals to cover the premiums; otherwise, they will be billed for premiums due, or premiums will be collected upon their return to work.

b. Family Medical Leave Act (FMLA) allows eligible employees a total of twelve (12) weeks or four hundred and eighty (480) hours of job-protected leave during a rolling twelve (12) month period. The 480 hours is for full-time faculty and is prorated if not full-time). An eligible employee is an employee who has worked for the state for at least twelve months and at least one thousand two hundred fifty (1,250) hours during the previous twelve-month period.

c. Washington Paid Family and Medical Leave (WPFML) provides eligible employees with up to 12 weeks of paid time off during serious health conditions preventing the employee from working, caring for a family member or new child, or for certain military-related events. Employees can receive up to 90% of their average weekly earnings, with a maximum benefit of $1,024 per week. To be eligible for PFML, workers must have worked at least 820 hours in Washington State during the previous twelve-month period.

d. Disability Leave: Faculty who are medically unable to perform their job duties on a full-time basis may be eligible for up to four (4) months of Disability Leave. Disability Leave may only be taken on a full-time basis. The total months of such disability leave include the twelve work weeks provided under FMLA, if eligible. Continuation of Employer-Paid Benefits. Faculty may use a combination of sick leave, annual leave, personal holiday and leave without pay. If Disability Leave is not occurring at the same time as FMLA, faculty must use a minimum of eight (8) hours of accrued paid leave on the first working date of the month to maintain benefits.

    i. If the Disability Leave is taken due to pregnancy or childbirth, an employee may move in and out of pay status within the month.

    ii. If the Disability Leave is not related to pregnancy or childbirth an employee may not move in an out of paid status, with the exception of using the 8 hours of leave per month to maintain benefits.

~~III.E~~3.5.9. Military Leave

The regulations concerning leave for training duty and for active military service are as provided by state law:

According to RCW 38.40.060, every officer and employee of the state of Washington or of any county, city, or other political subdivision thereof, who is a member of the Washington national guard or of the army, navy, air force, coast guard, or marine corps reserve of the United States, or of any organized reserve or armed forces of the United States, shall be entitled to and shall be granted military leave of absence from such employment for a period not exceeding twenty-one (21) working days each year beginning October 1st and ending the following September 30th . Such leave shall be granted in order that the person may take part in active training duty in such manner and at such time as he may be ordered to active training duty. Such military leave of absence shall be in addition to any vacation or sick leave to which the officer or employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay. During the period of military leave, the officer or employee shall receive from the state, or the county, city, or other political subdivision, their normal pay. (1957 c 236 1)

Military leave does not have to be taken as a single block of time. If a member is called into active duty and would like to maintain their employee benefits while on military leave, they may spread the 21 days of leave out to ensure eight (8) hours of leave per month to maintain benefits.

According to RCW 73.16.033, any person who is a resident of this state and who voluntarily or upon demand vacates a position of employment to determine their physical fitness to enter, or who actually does enter upon active duty or training in the Washington national guard, the armed forces of the United States, or the United States public health service, shall, provided he meets the requirements of RCW 73.16.035, be reemployed forthwith. The employer need not reemploy such persons if circumstances have so changed as to make it impossible, unreasonable, or against the public interest for him to do so. This section shall not apply to a temporary position.

If such a person is still qualified to perform the duties of their former position, they shall be restored to that position or to a position of like seniority, status, and pay. If they are not so qualified

as a result of disability sustained during their service, or during the determination of their fitness for service, but is nevertheless qualified to perform the duties of another position under the control of the same employer, they shall be reemployed in such other position: Such position shall provide like seniority, status, and pay, or the nearest approximation thereto consistent with the circumstances of the case (1953 c 212 2). See also UPPM 60.56.

~~III.E~~3.5.10. Leave for Jury Duty

Faculty members are entitled to leave for jury duty. Those not entitled to exemption by state statute shall serve with neither gain nor loss in compensation. The jury fee to which they are entitled shall not be deducted from their University salary.

~~III.E~~3.5.11. Leave for Testimony at Trials and Hearings

University employees, as all citizens, have a duty to provide accurate information to adjudicatory bodies. The purpose of this policy is, to the extent proper and permissible, to alleviate the burdens of subpoenaed testimony and to permit expert testimony to be provided through arrangements made directly between faculty and litigants. Where faculty are subpoenaed because of facts gained within the course of University duties, arrangements for providing expertise to litigants should be reviewed to assure the University's interests are protected.

Voluntary Expert Testimony.

Voluntary expert testimony is governed by the Policy on Compensated Outside Service by Faculty Members.

Subpoenaed Expert Testimony.

In the course of their professional duties, a faculty member may develop facts based upon their specialized expertise. Such knowledge may cause him or her to become subject to a subpoena for testimony that is essentially expert in nature. In such cases, they may request permission from their immediate supervisor to testify as a voluntary expert witness and negotiate an arrangement and fee for such testimony.

Normally, the faculty member's request to testify under such an arrangement will be granted unless the testimony:

a. might involve the University in the litigation as a party;

b. is likely to damage the reputation of the University; or

c. is so closely connected to duties specifically directed by the University that it would be improper to permit testimony in a private capacity.

If the faculty member is not granted permission to testify as a voluntary expert, they shall testify as part of their University duties and be reimbursed through the established process for actual expenses incurred. The University has the right to determine proper fees for testimony rendered on University time, and the fees shall accrue to the University. If permission to testify under a negotiated arrangement is granted, such activity is treated as voluntary expert testimony and is governed by the Policy on Compensated Outside Service by Faculty Members. Faculty,

supervisors, and department chairpersons should consult the Office of the Attorney General when faculty are served with subpoenas relating to performance of University duties.

Nonexpert Testimony Pursuant to Subpoena.

A faculty member appearing as a nonexpert witness pursuant to an effective subpoena shall serve with neither gain nor loss in compensation; therefore, any statutory witness fee paid for such testimony shall be returned to the University. See also UPPM 60.56.

~~III.E~~3.5.12. Military Leave and Civil Duty for Faculty

Faculty are eligible for civil duty, military training or leave as provided by state law.

~~III.E~~3.5.13. Leave without Pay

For important service to the state or to the United States, leave of absence without pay ordinarily will be granted to faculty members. Leave without pay for other reasons, such as graduate or professional study or acceptance of foundation grants, exchange professorships, and consulting appointments, may be granted. A faculty member applying for a grant, professorship, or appointment must secure the approval of the immediate administrative officer, and dean and VCAA (dependent on college and campus as defined in Section III C) prior to submitting the application. Leave, if granted, normally will be for a period not exceeding one (1) year. Faculty members on leave-without-pay status do not earn annual or sick leave.

If a faculty member chooses to strike against the University or otherwise not perform assigned responsibilities, including the intentional refusal to comply with any statutory, regulatory, or other legal prerequisites to the faculty member's performance of their assigned responsibilities, they shall inform the immediate administrative superior of such intention at least twenty-four (24) hours in advance of action. Going on strike and/or otherwise willfully failing to perform regular duties shall be considered an automatic request by a faculty member for leave without pay. Such a request will normally be granted for the period during which the faculty member is not on duty. When the faculty member fails to perform assigned responsibilities, without providing notification of intent to strike, the principal administrative officer, after consultation with the immediate administrative officer, will determine whether that person is on strike or otherwise not performing assigned responsibilities. These provisions shall not prejudice the right of the University to initiate disciplinary action in accordance with the regulations provided. See also UPPM 60.56.

Leave without pay (LWOP) for faculty must be requested by memorandum to the immediate supervisor, chair, and dean or principal administrative officer. Final approval for LWOP is given by the provost. Reasons for the leave and the beginning and ending dates must be included in the request. If an extension is necessary, a second request should be submitted. The request should include a statement of intent to return to Washington State University for a like period of time. The period of leave cannot exceed the period of current appointment.

~~III.E~~3.5.14. Professional Leave

Professional leave may be granted to faculty members in recognition of meritorious service and/or scholarly achievement in teaching, research, and creative activity. Applications for professional leaves will be considered only from faculty members on permanent appointment (academic or

annual) who have completed at least five (5) years of active service for Washington State University at the time the leave is to be effective. The amount of prior service on temporary appointment at Washington State University applicable to professional leave will be determined by the provost. Leave requests must be submitted through the department chair or immediate administrative officer, followed by the dean and VCAA (dependent on college and WSU campus) prior to the provost.

Faculty members on professional leave are relieved from teaching, research, administrative, and committee functions for the leave period so that full time may be devoted to the purpose for which the leave is granted. Given the importance of promotion and tenure cases, faculty on professional leave should be notified about and participate in priority matters including review and voting for promotion and tenure cases, elections, and hires, as requested. Professional leaves are to be used for specified projects to further professional study or development and must be of advantage to the University in terms of improved instruction, research, or public service. Leaves may not be granted to faculty members when a major purpose of such leave is the enhancement of the faculty member's private business. Neither are leaves granted to faculty members whose primary purpose is working toward an advanced degree. Under unusual circumstances, professional leave may be awarded for a meritorious project that may incidentally lead to attainment of a degree; in such cases, leave is awarded on the basis of the proposed project itself without reference to the acquisition of the advanced degree.

A faculty member is expected not to engage in other employment during the period of professional leave for which University salary is paid. The sum of the professional leave salary and any salary provided by grants and stipends cannot exceed the University salary for the leave period. Reimbursements for travel and related expenses (including cost-of-living adjustments) for grantees and dependents are not considered salary items.

Professional leave may be granted for periods up to two (2) semesters or twelve (12) months for faculty on academic or annual appointments, respectively. Faculty on academic appointments may receive one hundred percent (l00%) of base salary for leaves of one (1) semester or seventy-five percent (75%) of base salary for leaves of two (2) semesters. Faculty on annual appointments may receive one hundred percent (100%) of base salary for leaves of six (6) months or seventy-five percent (75%) of base salary for leaves of twelve (12) months. Faculty on academic appointment who are granted paid leaves of more than one (1) semester, but less than two (2) semesters will be paid at a monthly rate which is the average of 4.5 months at one hundred percent (100%) and any additional months at fifty percent (50%). Faculty on annual appointments who are granted paid leaves of more than six (6) months, but less than twelve (12) months will be paid at a monthly rate which is the average of six (6) months at one hundred percent.

Professional leave cannot be granted where the ongoing program of instruction, research, or extension will be jeopardized, and leaves cannot result in an additional dollar cost to the University. Administrative supervisors must certify that leaves will not affect the unit programs or result in additional costs.

Faculty members receiving professional leaves in a fiscal year can postpone them to a subsequent fiscal year only at the University's request or because of the unexpected temporary unavailability of laboratory, library, consultant, or other resources required by leave projects. Otherwise, if faculty

members wish to delay leaves into the next fiscal year, new applications must be submitted to be considered with others received at the later time.

A faculty member receiving professional leave must agree to return to active duty as a member of the faculty for a period at least equal to the length of the leave. Faculty members must submit a written report of their activities during the leave through their chair or appropriate immediate administrator to their dean and VCAA (dependent on college and WSU campus with a copy forwarded to the provost by the appropriate budget authority (dean or VCAA). These reports are due on the following April 1 for those who return from leave on or approximately January 1 and on the following November 1 for those who return from leave on approximately August 16.

Application guidelines for professional leave are available from the Office of the Provost. Completed applications are considered by the provost. In some cases, the provost refers leave applications to the Faculty Status Committee for its recommendation. Final approval is given by the provost.

~~III.E~~3.5.15. Retraining Leave

Retraining leave may be granted to faculty members in recognition of previous meritorious service and for previous scholarly achievement in teaching, research, or service. The purpose of retraining leave is to provide opportunities for tenured faculty to prepare themselves for beginning new educational programs, or for continuing existing ones, within specific areas of the University that are experiencing, or expect to experience in the future, declining enrollments. Subject programs may be assigned to a department or unit in which a faculty member is currently a part or may be assigned otherwise. In any event, the department or unit must clearly demonstrate a need for added personnel having specific qualifications.

Procedures for applying for retraining leave are available in the Office of the Provost. A faculty member is eligible for retraining leave provided they expect to serve Washington State University for at least five (5) years following the leave and before retirement. Completed applications are considered by the provost who subsequently approves or disapproves the application. A person accepting retraining leave is obligated to enter into a written and signed agreement with Washington State University stipulating that they shall return to University employment following completion of the leave for a period at least as long as the leave period.

Leave may be granted for up to two (2) semesters or one (1) year, respectively, for academic or annual year appointees. Salary policies and rates are the same as those for professional leave except that, when retraining is a condition of continued employment, remuneration shall be at one hundred percent (100%) of base salary.

~~III.E~~3.5.16. Professional/Retraining Leave for Short-Term Faculty

Short-term faculty are not eligible for professional or retraining leave. However, time spent in temporary positions may (upon approval of the appropriate administrative officers and the provost) be credited toward leave if the employee acquires a permanent position.

~~III.E~~3.5.17. Leave with Pay

Leave with pay for the purpose of official duties or service on behalf of the University may be authorized by the principal administrative officer in charge or, in the case of principal administrative officers, by the provost. After two (2) years of completed service, a faculty member may request ten (10) working days of special leave with pay. This must be approved by the provost prior to leave. Further requests may be made after each additional two (2) years of completed service. See also UPPM 60.56.

~~III.E~~3.5.18. Emergency Leave

Emergency leave is intended to apply only in the case of death in the family or of a household member or comparable emergency.

Family member, for the purpose of Emergency Leave, is defined as employee's parent, spouse, child, grandparent, grandchild, sister, brother, stepbrother, stepsister, brother-in-law, sister-in-law, mother-in-law, father-in-law, son-in-law, daughter-in-law, stepchild, stepparent, and child in custody of and residing in the home of the employee.

Household members are defined as persons who reside in the same home who have reciprocal duties to and do provide financial and/or emotional support for one another. This term shall include, but is not limited to, foster children and legal wards. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.

A comparable emergency is defined as a severe or life-threatening illness or injury to a domestic partner, family, or household member when not otherwise eligible for coverage under FML or other medical leave provisions of the University.

Such leave, with pay, may be granted to a faculty member by the dean and VCAA (dependent on college and WSU campus as defined in Section ~~III.D~~3.4) or other principal administrative officer in charge, provided the regular duties of the person concerned are assumed by other staff members without additional expense to the University. Up to five (5) working days of leave shall be granted for each emergency and may be extended to ten (10) working days with authorization of the provost or their designee. See also UPPM 60.56.

~~III.E~~3.5.19. Suspended Operations

In the case of natural or national emergency, when the president of the University or designee declares suspended operations, temporary faculty who are not required to work will use annual leave or leave without pay. See UPPM 60.40.

~~III.E~~3.5.20. Leave of Absence in Relation to Continuing Employment and to Tenure

Grant of leave of absence to an employee for any purpose does not constitute or imply, on the part of the University, any greater obligation to resume or continue such employment than had the employee not been granted leave, nor does grant of leave of absence involve any additional tenure obligation on the part of the University. However, especially meritorious service to the state or nation will be taken into consideration.

When applicable, faculty members on professional leave, military leave, leave for jury duty, leave for testimony at trials and hearings, and leave with pay, earn annual and sick leave. Faculty members on leave without pay do not earn annual or sick leave. Whether time spent on leave without pay is included in time in rank applicable toward tenure should be determined when leave is approved. Washington State rules require faculty to submit leave reports to Human Resource Services on a monthly basis.

~~III.F~~3.6. Termination of Employment

A faculty member's employment at the University may be terminated in any of the following ways:

~~III.F~~3.6.1. Resignation

A member of the faculty with teaching responsibilities is expected to complete the academic year unless the appointment is for a shorter term. Any member of the faculty with teaching responsibilities who has decided to terminate services with the University is expected to notify their dean in writing at the earliest possible opportunity, but no later than March 15. A faculty member without teaching responsibilities is expected to give at least two (2) months' notice, and principal administrative officers are expected to give at least four (4) months' notice. The faculty member may properly request a waiver of this notice requirement in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

Unless otherwise mutually agreed, a faculty member who terminates service without giving due notice or who fails to complete an academic year or other term for which they may have been employed, except under extraordinary circumstances, is regarded as having broken the terms of the contract of employment with the University.

Breach of contract may place the University in a position of hardship in meeting its responsibilities to its students and services to the state. Such action is regarded also as a breach of professional ethics. A complete account of any irregular resignation may be written into the permanent record of the person concerned.

Resignations should be submitted as early as possible and must be submitted in writing at least sixty (60) calendar days prior to the separation date. Fixed-term faculty may properly request a waiver of the notice requirement in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

~~III.F~~3.6.2. Non-reappointment

Terminal Appointments (Fixed-Term) and Contingent Appointments.

For a faculty member with an appointment carrying a terminal date, the appointment automatically ends on the specified terminal date, unless positive action is taken to reappoint that faculty member. If a contract will not be renewed, it is strongly recommended that the faculty member's administrative head communicate directly with the faculty member as early as possible and provide written notification of non-reappointment.

Continuous Appointments.

For a faculty member with an appointment with no contractual end date, employment may be discontinued consistent with their contract in accordance with Washington state and federal contract law and this section, including the notification requirements described below. Contract discontinuation is not "for cause", and reasons for the decision need not be provided; however, reasons may include but are not limited to budgetary constraints, changes in enrollment, organizational restructuring, and the failure to meet performance expectations. A faculty member whose contract will be discontinued will be advised in writing by the administrative appointing authority (i.e., dean or chancellor) as soon as possible after the decision to discontinue the appointment has been made. This notification will be given to the faculty member in accordance with the Advance Notice Table

Advance Notice Table		
Type of Appointment	Year of Employment	Minimum Advance Notice in Calendar Months
Annual (twelve-month)	1	3
Annual (twelve-month)	2	6
Annual (twelve-month)	3 or more	12
Academic (nine-month)	1	3*
Academic (nine-month)	2	6*
Academic (nine-month)	3 or more	9*

*Excluding three (3) summer months

~~III.F~~3.6.3. Under Extraordinary Circumstances

Termination of a tenured appointment or any other appointment before the end of the appointment period may be based on financial exigency, or the discontinuance of a program or department of instruction, research, or service.

Loss of Funding

Faculty on fixed-term positions not supported by core funds, for which there is a loss of funding, must be given at least sixty (60) days' written notice prior to termination. The chair will seek approval from the dean, the chancellor as appropriate, and the Office of the Provost before notifying the employee.

Financial Exigency

A financial exigency exists when the president or designee, after consultation with the principal administrative officers and with the Faculty Senate Steering Committee, Faculty Senate Budget Committee, and Faculty Affairs Committee, has determined and declared that a budgetary crisis, legislative mandate, and/or other causes constitute the exigency, and that determination has the concurrence of the Board of Regents. The president will recommend one or more groups of faculty

members to review proposed terminations and/or program discontinuation, and the Faculty Senate Steering Committee and Faculty Affairs Committee will approve the appointments to the committee. Criteria for judgments determining where termination of appointments may occur will be developed and distributed to the faculty. The criteria will include considerations of institutional needs and educational policy, as well as faculty status and length of service.

Discontinuation of a Program

If the University determines that a budget reduction, financial exigency, reallocation of resources, realignment of academic priorities, or other comparable extraordinary circumstance should be met in whole or in part, by discontinuing a program with the result that faculty positions are eliminated, the provost shall simultaneously provide a written notice of the proposed action to the Faculty Senate Steering Committee, the Faculty Affairs Committee, and the dean and faculty of the affected program.

The notice shall state the rationale for the proposed action in light of long-range institutional considerations and include the documentation used by the provost in deciding to propose the action. Types of documentation may include any of the following: reports from periodic reviews of the program; accreditation reviews of the program; performance data gathered and maintained by the program, department, school, college, or campus; and any other information that reflects on the program and/or long-range institutional considerations.

The notice shall inform recipients of the procedures in the *Faculty Manual* for responding to the proposed action. The notice and relevant documentation may be provided in hard copy or electronically.

Faculty who are in the affected program shall have fifteen (15) business days from the date the notice is sent to submit a written response, individually or collectively. The response shall include additional documentation, if any, relied upon by the faculty. Faculty responses and relevant documents shall be submitted in writing, either hard copy or electronically, to the provost, and shall be due in the Provost's Office at 5:00 p.m. PST on the 15th business day and shall be copied to the Faculty Senate Steering Committee and the Faculty Affairs Committee.

The Faculty Senate Steering Committee shall schedule a meeting of the Faculty Senate at which affected program faculty will be provided an opportunity to present their response. An opportunity will also be provided at the meeting for discussion of the proposed action by Faculty Senate members and other interested parties. The Faculty Senate Steering Committee may limit the speaking time at the meeting for each individual in order to allow all who wish an opportunity to speak. The meeting shall occur within sixteen to twenty (16 to 20) business days from the date the notice is sent by the provost.

Following the meeting, the Faculty Affairs Committee and the Faculty Senate Steering Committee, and/or their designees, shall have eight (8) business days to submit written comments to the provost. The provost shall consider these comments before making a final decision on discontinuation of the program(s) in question.

Placement in Another Unit

Before an appointment is terminated because of discontinuance of a program of instruction, research, or service, the institution will make reasonable efforts to transfer the affected faculty member to a suitable position for which they are qualified. If relevant qualifications are equal, priority will be given to tenured faculty according to higher rank. Terms of the new position will be negotiated with the faculty member.

The University's obligation under this section shall not cease until the end of the faculty member's notice period, unless a reasonable offer of employment was made and rejected.

Reappointment After Termination

If an appointment is terminated before the end of the period of appointment because of financial exigency or because of discontinuance of a department or program of instruction, research or service, the released faculty member's appointed position will not be filled by a replacement in the same area of expertise prior to the end of a terminal contract or within a period of three (3) years, whichever is less, unless the released faculty member is offered suitable reappointment and thirty (30) calendar days to accept or decline reappointment.

Notice Period

Termination may be effective for all faculty, including those on academic-year appointments, on any day of the calendar year. Tenured faculty members holding annual (twelve-month) appointments shall be entitled to receive at least twelve calendar months' notice in advance of termination for reasons of financial exigency or discontinuance of a department or program of instruction, research or service. Tenured faculty members holding academic-year (nine-month) appointments shall be entitled to at least nine (9) calendar months' notice in advance of termination for reasons of financial exigency or discontinuance of a department or program of instruction, research or service, provided that the three (3) summer months, not part of the usual academic year (May 16 to August 15 under the current academic calendar) shall not be included when computing notice requirements. Faculty on continuous contract shall be entitled to minimum advance notice of termination of services for reasons of financial exigency or discontinuance of a department or program of instruction, research, or service in accordance with the Advance Notice Table in Section ~~III.F~~3.6.2. Faculty on a fixed-term contract, who face a termination of appointment prior to the terminal date of their contract, will be given notices in accordance with the Advance Notice Table in Section ~~III.F~~3.6.2., up to the current contract termination date. If a decision to discontinue a program is rendered during the summer months and a verbal expectation of employment has been given to a fixed-term faculty member, notice will delivered in writing as far in advance as possible that employment will not be available for the coming academic year.

When less than the required notice is given prior to termination, the faculty member shall be entitled to receive at the time of termination one-twelfth (1/12) of their current annual salary, on an annual appointment, or the faculty on an academic year appointment shall be entitled to one-ninth (1/9) their current annual salary for each month less the required notice. The University may, at its option, make regular monthly severance pay payments from the date of termination until the expiration of the appropriate notice period, commencing the date notice of termination is given,

unless there is an agreed settlement on or before the termination date of the total amount of severance pay to be paid to the faculty member.

In the event that a faculty member who has received notice of termination for reasons of financial exigency or discontinuance of a department or program of instruction, research or service secures new employment prior to the effective date of the termination, they shall provide the University with immediate notice, including the effective date of new employment. In these cases, the University shall waive the requirements for resignation notice that would otherwise apply.

Appeal Procedures

a. Each faculty member notified of termination for reason of program discontinuance or financial exigency shall have the right to appeal to the Faculty Status Committee (FSC) regarding whether the financial exigency or program discontinuance is bona fide or the faculty member was properly identified as a member of the eliminated program; and the university's efforts to place the faculty member in another suitable position for which they are qualified. An appeal regarding the determination of exigency or program discontinuance, or identification of a faculty member within a program must be filed within thirty (30) calendar days of the date on the faculty member's notice of termination. An appeal regarding efforts to place the faculty member in a suitable position must be filed within thirty (30) calendar days of the final decision on placing the faculty member in a suitable position. Grounds for all appeals include substantial procedural irregularity, inadequate consideration, and/or violation of the faculty member's academic freedom.

b. If an appeal is filed with the Faculty Status Committee, the committee shall determine its own procedures for reviewing the matter, in a manner consistent with state and federal law, shall conduct its review as expeditiously as possible, and shall report its findings and recommendations to the president, or designee, and to the faculty member appealing, within one hundred twenty (120) calendar days after the appeal is made. The committee may elect to count only days of the academic year in the one hundred twenty (120) day period as long as the president's decision can be rendered before the termination date of the faculty member. Following the faculty member's receipt of the FSC report they shall have fifteen (15) business days to provide the president with a written response to the report. The president shall consider both the FSC report and the faculty member's response, if any, in making a final decision and shall notify the faculty member of that decision within thirty (30) calendar days after receiving the FSC report. See the table below.

Faculty Status Committee Investigation	120 calendar days
Faculty Member's Written Response	15 business days
President's Final Decision	30 calendar days

~~III.F~~3.6.4. For Cause: Violation of the Faculty Code of Professional Ethics or Faculty Conduct Subject to University Discipline

See Section ~~II.F~~2.6.

~~III.F~~3.6.5. For Cause: Physical and Mental Health Reasons

A faculty member may be suspended or have their appointment terminated when physical or mental conditions prevent the faculty member from performing the essential functions of their position. Normally, solutions to such matters would be resolved through efforts of chairs and deans, appropriate central administrators, and the University Ombudsman. When these efforts do not result in a satisfactory solution, the procedures described below shall be followed. In all matters related to this issue, the University's policies on accommodation of persons with disabilities and all applicable laws shall be followed; to the extent those provisions may be inconsistent with the procedures set forth in this section, the provisions of this section shall be modified to conform with those other strictures. Human Resource Services should be consulted on issues related to the disabilities laws.

The informal and formal procedures, if needed, shall parallel the procedures for disciplinary cases, except as follows. A Statement of Inability to Perform Essential Job Functions Due to Physical and Mental Health Reasons would replace the Statement of Charges. The Statement of Inability to Perform Essential Job Functions Due to Physical and Mental Health Reasons would be in the context of quality of performance due to physical and mental health reasons rather than violations, or if the latter, only incidentally so. Any suspension or termination would be for physical or mental health reasons.

If a formal hearing procedure is necessary, a Hearing Panel will be chosen by the Faculty Status Committee and will be comprised of three (3) members, at least two(2) of whom will be members of the faculty or University Health and Wellness Services chosen with regard to the mental health problems at hand. The charge of the hearing panel is to determine that a physical or mental health problem underlies inadequate performance. The panel may or may not further identify the specific health problem.

The ultimate disposition may be suspension or termination. Such disposition shall not preclude the opportunity for a faculty member to receive salary continuation as provided by the University's insurance program. In cases of suspension there may arise a need for reconsideration if physical and mental evidence warrant. Reconsideration would be made at the request of the faculty member or immediate supervisor no more frequently than once each year and granted at the discretion of the same (if feasible) hearing panel.

In a given health situation, it may be that the need for the special procedure above may not be identified until after various stages of disciplinary procedures have been followed; in that case, in the discretion of the Faculty Status Committee (during informal procedures) or of the Hearing Committee (during formal procedures), the procedures of this hearing panel may be adopted. At any stage of the procedures whatsoever, the faculty member may ask that the special physical and mental health procedures be considered for adoption.

In all cases in which a Termination for Cause due to Physical and Mental Health may be pursued, the faculty member should be referred to the Human Resource Services Benefits unit to be informed of Retirement because of Health Condition, and possible benefits associated therewith.

~~III.F~~3.6.6. For Cause: Unsatisfactory Performance

Faculty on fixed-term positions compensated by extramural grant funding may be terminated if their performance is deemed unsatisfactory by the principal investigator. The principal investigator can start the process by filling out the Notice of Unsatisfactory Performance – Temporary Research Faculty template and following the instructions on the HRS website. Subsequent termination templates with instructions are also available through HRS. Short-term faculty have access to advice from the Office of Compliance and Civil Rights, the University Ombudsman, and the Faculty Status Committee.

The ultimate disposition may be suspension or termination. Such disposition shall not preclude the opportunity for a faculty member to receive salary continuation as provided by the University's insurance program. In cases of suspension there may arise a need for reconsideration if physical and mental evidence warrant. Reconsideration would be made at the request of the faculty member or immediate supervisor no more frequently than once each year and granted at the discretion of the same (if feasible) hearing panel.

In a given health situation, it may be that the need for the special procedure above may not be identified until after various stages of disciplinary procedures have been followed; in that case, in the discretion of the Faculty Status Committee (during informal procedures) or of the Hearing Committee (during formal procedures), the procedures of this hearing panel may be adopted. At any stage of the procedures whatsoever, the faculty member may ask that the special physical and mental health procedures (see Section ~~III.F~~3.6.5) be considered for adoption.

~~III.G~~3.7. Retirement

~~III.G~~3.7.1. Retirement Age

There is no mandatory retirement age for Washington State University faculty. Eligibility for a monetary benefit from the faculty member's retirement plan is determined by the rules of the plan the individual is participating at the time of the separation from employment.

Retiring prior to one's federally defined full retirement age will reduce Social Security benefits.

Eligibility for medical, dental and or life insurance after retirement is determined by the Health Care Authority rules. A Medical Expense Plan benefit may be available to non-teaching, non-research faculty who accrue sick leave.

Faculty members hired prior to July 2011, who are at least age 62, with at least 10 years of service, may be eligible for a Supplemental Retirement Plan benefit at the time of retirement.

Notification of retirement should be provided within the same time frame identified in the Resignation section. Information is available on the WSU HRS website under the Benefits tab.

~~III.G~~3.7.2. Retirement Because of Health Condition

In the event an employee may no longer be able to perform the duties of their position due to a serious health condition, they may be eligible for Retirement. If this were to occur prior to the individual reaching age 62, and if they had at least 10 years of service, they may be eligible for a

Supplemental Retirement Plan benefit, and other insurance options. If an individual pursued retirement because of health condition, they will follow the processes identified in the WSU Retirement Plan and/or it Guidelines and Directives, perhaps in lieu of the termination for cause due to Physical and Mental Health Reasons.

The faculty member should be referred to the Human Resource Services Benefits unit to discuss this option.

~~III.G~~3.7.3. Phased Retirement System

Washington State University Phased Retirement Plan is a program designed to give participants in the WSU Retirement Plan an opportunity for pre-retirement reduction of full-time service while gradually phasing into retirement over a period of years. Phased retirement is intended to support the University's excellence. It permits the University to retain the services and contributions of senior faculty and administrative professional staff while enabling participants to continue to remain in their profession and to build additional financial security for the future. The Phased Retirement Plan provides an opportunity for individual career flexibility and forms an important part of the long-range personnel resource management of the University. The Plan also assists in diversifying the University's work force by releasing positions and funds that can contribute to renewing its personnel resources. The WSU Retirement Plan Phased Retirement Plan is a voluntary and mutually agreed upon arrangement between the University and the participant.

The Phased Retirement Guidelines, which include eligibility criteria for participation is available on the Human Resource Services website under the Retirement Information in the Benefits tab. link.

~~III.G~~3.7.4. Short-term Faculty

Short-term faculty who have been reappointed beyond their original appointment and who intend to retire should address a letter to their immediate supervisor and to the Human Resources Benefit Unit if the employee has paid into a retirement system through the University. Notice of retirement at the end of the current appointment should be submitted as early as possible. A minimum of sixty (60) calendar days' notice is appropriate.

~~III.H~~3.8. Appointments Available to Faculty Upon Retirement

~~III.H~~3.8.1. Eligibility

In recognition of service to Washington State University, upon retirement, faculty may be awarded "retired with merit" status and retain access to specified university resources. The awarding of this status will be represented by the faculty member adding emeritx, emerita, or emeritus to their title.

To be eligible, faculty must have held a career-track or tenure-track position at Washington State University for a period of at least five (5) years prior to leaving the University. Furthermore, they must be at least sixty (60) years old or have completed at least twenty-five (25) years of service to the University.

Upon retirement, in consultation with the dean and VCAA, the chair or school or program director will approve the faculty request for retired with merit status and the faculty member's choice of title. The unit will process the title and status requested through the University's personnel

management system, which will automatically notify the Office of the Provost and Human Resource Services (HRS).

~~III.H~~3.8.2. Notification

A letter of recognition will be sent by the provost to each faculty awarded an emeritx, emerita, or emeritus addition to their title and the status it represents.

~~III.H~~3.8.3. Privileges

Emeritx, emerita, or emeritus faculty are encouraged to remain an important part of the University. Department chairs, school directors, program directors, and academic directors are encouraged to assist retired faculty in maintaining a continuing relationship with the department, school, campus, college, and university as is feasible and mutually acceptable. Note, however, that "The Ethics in Public Service Act (RCW 42.52) provides that state employees cannot use state resources for personal benefit or their state positions to obtain special privileges."

Emeritx, emerita, or emeritus faculty shall have continued campus courtesies including the options to

a. use library and recreational facilities

b. receive publications sent to active faculty and members of the Alumni Association

c. participate in contract, grant, and other scholarly endeavors in an unpaid capacity

d. negotiate with department chairs, school directors, program directors, or academic directors for office space, laboratory space, and computer (retain internet, e-mail, and other cloud services available to faculty at large) and facility access as available

e. participate in academic convocations, commencements and other academic endeavors; and

f. request that their names be retained in the *Washington State University Catalog* until their death.

Emeritx, emerita, or emeritus faculty may have other privileges accorded to them that are defined elsewhere in the *Faculty Manual* or in other university, college, campus, or department documents (e.g. bylaws for individual colleges or graduate programs). However, those privileges do not include voting privileges for tenure and promotion, hiring, or election of Faculty Senate representatives.

~~III.H~~3.8.4. Management of Space and Other Resources

Emeritx, emerita, or emeritus faculty may negotiate with department chairs, school directors, program directors, or academic directors for the use of institutional resources. The appropriate chair or director shall be responsible for overseeing the activities of retired faculty granted access to institutional resources and be responsible for executing all faculty or PI activities outlined in the appropriate sections of the UPPM and SPPM including, but not limited to, UPPM 50.20, Access to University Facilities, and relevant Chapters within SPPM Section 4, Laboratory Safety, including SPPM 4.12, and Section 5, Chemical Hazardous Materials Safety. The chair or director will

communicate and coordinate with the faculty member to ensure compliance with all relevant University lab safety and health policies and procedures and related federal, state, and local laws.

Chairs, school directors, program directors, and academic directors will review emeritx, emerita, and emeritus faculty access to institutional resources and privileges at the beginning of each biennium or more frequently, as needed to make modifications based upon the mutual benefit to the University and the faculty member. Renewal of access to institutional resources, such as space, is not guaranteed.

~~III.H~~3.8.5. Rehiring of Retired Faculty

Prior to offering a paid position to a retiree, the request must be approved by an HRS Benefits Director.

Section ~~IV~~:4. University Policies Affecting Faculty

~~IV.A~~4.1. Procedures and Records

~~IV.A~~4.1 1. Payroll Procedures

Employees are responsible for completing and maintaining an updated W-4 form in Workday to ensure federal taxes are withheld properly and in accordance with legal requirements. Information and requirements regarding federal and state tax withholding are set forth in UPPM 55.10 (Withholding Federal and State Income Taxes).

Employees complete a payment election in Workday to have their paycheck deposited directly into their bank account. For more information about direct deposit and payment elections, see UPPM 55.50 (Direct Pay Deposit).

Information and eligibility requirements for lump sum payments of accrued annual leave for faculty who retire, resign, or terminate their employment are set forth in UPPM 55.49 (Payment Upon Separation of Employment).

~~IV.A~~4.1 2. Personnel Records

A permanent cumulative personnel record is maintained for each member of the faculty. Material submitted by deans and chairs, pertinent correspondence, and other information also become part of the cumulative record. Anonymous communications relating to faculty members are not made a part of the personnel files.

~~IV.B~~4.2. Policies on Waiver of Tuition and Fees for Permanent Employees

The objective of this policy is to allow half-time and full-time permanent employees of Washington State University to take advantage of educational opportunities for both professional and personal fulfillment and development. This policy is consistent with chapter 82, laws of 1979 of the state of Washington (RCW 28B.15.558).

~~IV.B~~4.2.1. Eligibility and Enrollment Restrictions

Eligibility

a. Faculty, on permanent, half-time to full-time, nine (9) or twelve-month appointments are eligible.

b. Faculty on temporary, full-time, nine (9) or twelve-month, USDA/Agriculture Research and ROTC appointments are eligible.

c. Employees who are not eligible for the tuition and fee waiver are faculty on adjunct appointment; retired faculty, undergraduate and graduate assistants, associates, or others holding positions with student status.

Limitations

a. Up to six (6) credits in any one (1) semester or four (4) credits in the summer session (including audited course work and courses offered at any of the Washington State University campuses) may be taken by eligible employees under the provisions of this tuition waiver.

b. Eligible employees desiring to take more than six (6) credits in a semester or four (4) credits in the summer will pay regular tuition and fees for all credits.

c. Tuition-exempt employees will be admitted to classes when space and facilities are available; i.e., in cases requiring limitations of class size, tuition-exempt employees will have lowest priority.

d. Tuition-exempt employees will have the responsibility for paying a non-refundable five ($5.00) dollar registration fee, plus any special course fees laboratory, late registration, and so forth.

e. Tuition-exempt employees are not eligible for student benefits under this program.

~~IV.B~~4.2.2. Implementation of the Program

The tuition waiver applies to all courses except internships and courses numbered 499, 600, 700, 702, 800 and tutorials, private lessons or practicums; Extended Degree Program or flexible enrollment courses; those designated as supplemental or self-sustaining, whether or not the course work is job-oriented.

Procedures

a. Authorization for the employee to take classes must be given by the immediate supervisor and/or the head of the department or unit. The appropriate personnel officer from Human Resource Services (French Administration 139) must determine the employee's eligibility to take classes and sign the authorization form.

b. At the discretion of the employer, an employee authorized to take a class that is job-related may or may not be required to make up the time.

c. When a full-time employee is authorized to take a class that is not job-related, the supervisor should arrange, in a cooperative effort, for the employee to make up work missed during the employee's absence to attend class.

d. The employee should provide a copy of their class schedule to the supervisor so arrangements can be made to maintain the employee's work responsibilities while they are attending class.

~~IV.C~~4.3. Policy on Pursuit of Advanced Degrees at Washington State University

In special circumstances faculty members may pursue programs of study leading to advanced degrees at Washington State University. Requests to do so are considered on a case-by-case basis by the dean of the graduate school and vice provost for graduate education and the Graduate Studies Committee. Approval is subject to all rules and regulations of the Graduate School and requires the concurrence of the Graduate Studies Committee. Review of applications will include consideration of factors such as

a. Abstention from service on the Washington State University Faculty Senate, Graduate Studies Committee, and Research and Arts Committee,

b. Avoidance of situations which may constitute a conflict of interest,

c. Impact upon the unit in which a faculty member is appointed,

d. Preparation in advance of admission of a general program of study with a stated timeline and,

e. Abstention from pursuit of degrees in units which are administratively related to the faculty member's unit.

~~IV.D~~4.4. Policy on Compensated Outside Service by Faculty Members—Consulting

~~IV.D~~4.4.1. General

Washington State University encourages worthwhile professional outside services by faculty.

Full-time faculty members are compensated for full-time service to the University in instruction, research, public service, extension, or combinations of these responsibilities. The University expects that each full-time faculty member will assume a proper share of the functions and responsibilities of the department, college, or other equivalent administrative unit, and the University.

University employees, as consultants, can be valuable resources to government, industry, and public and private organizations. The University encourages consulting that does not interfere with the employee's performance of University duties and when no conflict of interest exists. Under

certain circumstances and within certain limits, a faculty member may receive compensation for outside professional service work beyond the scope of prescribed duties.

Fixed-term faculty have the same constraints as permanent faculty in respect to earning extra compensation. See the UPPM 60.44.

~~IV.D~~4.4.2. Guidelines

The following guidelines are intended to provide for certain employees to engage in a limited amount of outside work for pay and to protect the integrity of the employee-public university work relationship.

Consulting

Consulting, which must be consistent with the University's mission and enhance the faculty member's professional development, includes consulting, advising, research, demonstrating, or teaching for others in areas of professional competence for which the faculty member is employed by Washington State University. Not included is appearance on the program of a scientific or scholarly meeting attended mainly by professional peers or outside profit-making business activities engaged in for personal monetary gain. Some such activities are covered in Section ~~IV.E~~4.5 Extended Professional Activities.

Non-Interference with Professional Duties

Outside work must not interfere with a faculty member's normal official University duties, including those non-classroom responsibilities expected of all faculty members.

Remuneration

Compensation for outside work includes salaries, fees, honoraria and gifts beyond actual expenses. No compensation may be accepted by faculty members for tutoring students in courses they teach.

Solicitation

Attempts to arrange outside work must be consistent with state law (RCW 42.52 especially 42.52.120 and .160) and University policy.

Limit and Approval

The University values faculty-student exchanges and high quality of performance of duties. Therefore, without special consent of the dean or other comparable unit administrator, and of the provost, on recommendation of the unit chair or director, full-time faculty are allowed to spend the equivalent of one (1) day per week in outside work for each week worked equivalent to the entire year of employment. All outside work must be disclosed promptly and reported annually by the faculty member to the unit chair or director or comparable unit administrator. Such work by a unit chair or director, or dean, must be reported to the provost. These provisions do not apply to full-time faculty on nine (9)-month appointments outside periods of obligated service.

Part-time faculty members may be self-employed or may accept additional employment outside the University as long as the employment inside of and outside of the university do not exceed a full-time position.

The department chair, or other comparable unit administrator, must determine in each specific case whether outside professionally related service activities by an employee are interfering with official University duties. If, contrary to expectation, such activities prove in the judgment of the department chair or comparable unit administrator to interfere with prescribed standard University duties and obligations, the faculty member must either seek an acceptable revision of outside work activities or apply for a partial or full leave of absence. A faculty member deemed not to be meeting University obligations will be dealt with as provided in the Faculty Manual.

a. Use of Facilities. University facilities (equipment, materials, space, or clerical service) may not be used in connection with compensated outside professionally related service work.

b. Responsibility. The University assumes no responsibility for the competence or performance of a faculty member who engages in outside work for compensation. No such responsibility may be implied in any advertising or contractual documents. University stationery may be used only for official University business.

~~IV.E~~4.5. Extended Professional Activities

~~IV.E~~4.5.1. General

The policies and procedures of WSU should allow the expertise of University faculty and staff to be available to society without interfering with University programs or academic freedom, and without leading to conflict of interest.

A University employee's commercial involvements may at times go beyond ordinary relationships arising from normal duties, professional affiliations, and consulting agreements and thus may not be covered by University policies on extra compensation, patents, and copyrights. These extended involvements also raise the possibility of conflicts of interest, constraints on the free exchange of information, or excessive diversion from the employee's primary responsibilities to the University. The following policy and procedures for disclosure and approval of extended professional activities apply to extended involvement and permit supervisors flexibility for dealing with unusual situations.

As used in this section, the word supervisor means department chair, school director, program director, or academic director, and dean for faculty who are not administrators; dean for chairs or directors; the provost for deans and vice provosts; the president for vice presidents and the provost; and the unit head (chair, dean, director, vice president, provost, or president) for staff. Supervisors bear responsibility for approval of activities under this section. However, as part of the approval process, supervisors should review their actions with the provost.

~~IV.E~~4.5.2. General Provisions

Activities for which approval shall be obtained under this policy include the following:

a. Ownership of substantial equity in a commercial enterprise that carries on activities closely related to the employee's area of University work,

b. Holding a line management position in such a commercial enterprise,

c. Participation in the day-to-day operations of such a commercial enterprise,

d. Assumption of an important continuing role in the scientific or technical aspects of such a commercial enterprise,

e. Transfer, for personal gain, to a commercial enterprise of non-patented technology or potentially marketable information developed in University research programs.

In case (e), approval from the Intellectual Property Committee as well as the supervisors is required.

Activities for which approval need not be obtained under this policy include the following:

a. Minor holding of stocks,

b. Uncompensated service on boards of directors and, in some instances, compensated service on company boards when this service does not conflict with the employee's University obligations,

c. Ownership of or equity in a corporation used solely for the employee's consulting as reported under the policy on extra compensation.

The supervisor may determine that outside activities of certain temporary or part-time employees do not conflict with the University position and therefore exempt them from the requirements of this section.

Requests for approval of such commercial involvements must disclose

a. Nature of the relationship with the commercial entity,

b. Short- and long-term commitment of time and effort,

c. Financial aspects, including extent of compensation, equity, indirect or potential economic value,

d. Expected benefits to the commercial entity

e. Expected benefits to the employee and to the University

Supervisors should consider the following factors for acceptability of such requests:

a. The relationship should benefit the employee and the University

b. The relationship should not interfere with the employee's primary obligations to the University, nor should it detract from the integrity of the University; in particular, there should be no conflict of interest as defined in RCW 42.52

c. The employee's total time commitment during periods of obligated service, averaged over the term, to commercial involvements and outside work of all kinds should not exceed one (1) day a week

d. There must be no anticipated distortion of academic programs or direction of students, the protection of whose intellectual property should receive special attention

e. There must be free access to the results of all research conducted at the University

f. With rare exceptions, holding a line management position or participating in day-to-day operations in a commercial entity should not be approved for full-time employees; employees may engage in such activities if their appointments to the University are at an appropriate level less than full time

g. If the applicant for approval is a department chair, school director, program director, or academic director the request should be consistent with unit goals, which the supervisor should determine by consulting representative members of the unit

The information disclosed by the employee and a record of the supervisor's action on the employee's request shall be transmitted to the provost and placed in the employee's file where it will be protected from public disclosure to the extent permitted by law. Moreover, the supervisor shall not disclose financial aspects of the request except to their own supervisors.

~~IV.E~~4.5.3. Appeals

Negative decisions by the supervisors may be appealed to the provost. When this occurs, the provost shall establish a suitable review process in consultation with the Faculty Status Committee. The appeal shall be filed within fifteen (15) business days of the decision and the provost shall reply within forty-five (45) calendar days after receiving the appeal.

~~IV.E~~4.5.4. Evaluation

a. By November 1, each employee who in the preceding year has had commercial involvements in areas related to their University responsibilities approved under the provisions of this section shall submit a summary of those activities to the approving supervisor(s) with a copy to the provost. Review may result in revision of activities based on apparent or emerging conflicts with University policy.

b. Before the end of each fall semester, the deans, directors, and vice presidents shall review employee commercial involvements, as treated in this section and reported under l, and prepare an evaluative report for the president.

c. The summaries and reports required in items a) and b) may be combined with those prescribed for outside consulting. See also UPPM 60.44.

~~IV.F~~4.6. Intellectual Property

~~IV.F~~4.6.1. Introduction

a. Intellectual property is the inherent value produced by human creativity and invention, protected by law from unauthorized exploitation by others, and includes patents, copyrights, trademarks, plant variety protection certificates, and other proprietary information.

b. The University's patent and copyright policies are intended to encourage a healthy atmosphere conducive to research and development through a system of rewards and incentives for the creation of intellectual property while at the same time giving proper

consideration to the responsibilities that the University has as a public land-grant university.

c. The strength of the University lies in its employees. The University's policies can provide invaluable assistance in bringing employee ideas to development and fruition within a framework of mutual trust and collegiality.

d. These policies are intended to spell out the responsibilities of the University and its employees and establish a framework for ethical conduct. While employees are encouraged to consider the potential market value of their inventions, they shall not be held liable for failing to recognize a potentially patentable invention. Nothing in this policy shall be construed as abridging a faculty member's academic freedom in the classroom.

e. Employees of Washington State University may create copyrightable works, patentable, and otherwise protectable discoveries. In some cases, it is desirable in the public interest to seek University intellectual property protection for these works and discoveries. Commercialization through licensing the use of the property provides an opportunity for both income to the inventor and support for further University research and scholarship.

f. This Intellectual Property Policy applies to all University employees. For the purposes of this Intellectual Property Policy, "employee" shall be defined as any person receiving compensation for service, or any person volunteering services for the benefit of the University. Employees shall include, but not be limited to, faculty, administrative and professional personnel, classified staff, research fellows, staff assistants, and all other student employees. "Faculty" shall be defined as permanent and temporary teaching, research, service, extension, library, or graduate teaching and research assistants, visiting scientists, and postdoctoral researchers. The uncompensated activities of students in furtherance of their education shall not be considered service that benefits the University within the meaning of this policy unless an agreement exists to the contrary.

g. All employees accept the terms of these policies as conditions of employment or gratis association. Employees shall agree to execute an assignment of their future patentable works and discoveries to the University. These policies may be modified by the administration with approval from the Board of Regents after consulting with faculty and staff of the University.

~~IV.F~~4.6.2. Applicable Laws

a. Federal law governs the creation of intellectual property. The United States Constitution, Article III, Section 8, gives to Congress, in order to promote the progress of science and the useful arts, "the power to grant, for limited periods of time, to authors and inventors, the exclusive right to their respective writings and discoveries." The Copyright Act, in Title 17 of the United States Code, sets out the requirements by which an author of literary, artistic, and similar works may obtain copyright protection, and provides that in the case of a "work made for hire," the employer is the author for copyright purposes, 17 U.S.C. § 201(b). The Patent Act, in Title 35 of the United States Code, sets out the requirements by which

inventors of new and useful processes, machines, manufactures, or compositions of matter may obtain patent protection.

b. The Washington State Ethics Law (Ethics Law), RCW 42.52, and the rules promulgated pursuant to the law, restrict the use of state resources for private purposes, and state employees are individually responsible for complying with this law. For Ethics Law purposes as it relates to this policy, state employees are defined as all faculty, staff, and students employed by the University. The Ethics Law provides that "No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in their official custody, for the private benefit or gain of the officer, employee, or another," RCW 42.52.160. However, the Ethics Law allows state officers and employees to receive "honoraria" if "authorized by the agency where they serve." Honoraria is defined in the Ethics Law to mean "money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role," RCW 42.52.010(11).

c. Consistent with the Ethics Law, this policy authorizes University employees, under defined circumstances, to retain ownership to certain intellectual property created with University resources. Additionally, this policy authorizes University employees to receive royalty payments from commercialization of certain University-owned intellectual property that they created.

~~IV.F~~4.6.3. Intellectual Property Committee

a. The Intellectual Property Committee serves as an advisory committee to the vice president for research on all University intellectual property (i.e., patent, copyright, trademark, and proprietary information), especially with regard to University policy on these matters. All members of the committee shall hold confidential all matters coming before the committee regarding specific intellectual property.

b. The composition and tenure of the Intellectual Property Committee shall be

   i. Six (6) faculty with three (3)-year terms, one (1) of whom will be appointed chair. The Faculty Senate may suggest faculty members to be considered by the president.

   ii. Two (2) deans or associate deans of the colleges for three (3)-year terms.

   iii. One (1) member of the administrative and professional personnel or staff, with a three (3)-year term.

   iv. The director of the Office of Research – Innovation & Entrepreneurship who serves as secretary to the committee, and the director of the Office of Research Support and Operations. Both directors act as ex officio members to the committee.

   v. The vice president for research, who serves as an ex officio member of the committee.

c. The quorum required for voting at a committee meeting must be no fewer than five (5) voting members; three(3) of whom must be faculty.

~~IV.F~~4.6.4. Office of Research – Innovation & Entrepreneurship

The Office of Research – Innovation & Entrepreneurship serves the University and its employees by promoting the transfer of technologies, encouraging the disclosure of intellectual property, conducting preliminary reviews of commercial potential of invention disclosures, and determining copyright and patent protection and licensing of intellectual property, Office of Research – Innovation & Entrepreneurship manages invention disclosures, patenting , license agreements, marketing efforts, federal reporting, and royalty income. The professional staff includes the director, program administrative manager, and technology licensing associate(s).

~~IV.G~~4.7. Patent Policy

An invention may be a design, process, code, biological material, or device that shows novelty, usefulness, and non-obviousness. A patent is a contract between the inventor and the government to allow the inventor exclusive rights to make, sell, or use the invention for a definite period of time (generally 20 years from the filing date). Plant Variety Protection, international Plant Variety Rights, and international patents are other forms of invention protection. Transfer of biological material, software source code, or proprietary information may be protected through confidentiality agreements. For further information about patents, refer to the U.S. Patents and Trademarks Office.

~~IV.G~~4.7.1. Scope of Policy

This policy applies to potentially patentable discoveries and proprietary information which are developed using Washington State University equipment, supplies, facilities, employee time, or proprietary information, or which relate directly to the University's business, research, or development. The University will be assigned ownership in patents and other tangible research property developed by its employees as a result of their University research or employment. The policy and the patentable discoveries are administered by the University through its Office of Research – Innovation & Entrepreneurship. The University does not claim rights in inventions for which no equipment, supplies, facilities or proprietary information was used and which was developed entirely on the employee's own time.

~~IV.G~~4.7.2. Sponsored Research

a. Where the invention has been developed through research sponsored by a grant or contract with the federal government (or its agencies), it must be reported to the agency and the agency joins the University to determine distribution of the rights in the invention, to determine if patent prosecution should be sought, and how the patent should be administered or disposed of in the public interest. The WSU Office of Grant and Research Development (OGRD) is responsible for the submission and acceptance of sponsored projects to the University. For further information, refer to the OGRD's website.

b. Where private industry or foundations have sponsored research, licensing of patents or other intellectual property shall be negotiated between the sponsor and the University, or the University's designee where appropriate. The University will strive to protect the financial interests of all and ensure that the University retains the traditions of self-governance and academic freedom. The University, on behalf of its constituent colleges,

schools, or departments, will not accept grants or enter into agreements for the support of instruction or research that confer upon an external party the power to censor, unduly delay, or exercise effective veto power over either the content of instruction or the publication of research. Publication of research findings may temporarily be delayed in order to protect patent rights or permit the research sponsor to review the proposed publication for the sole purpose of identifying proprietary information furnished by or belonging to the sponsor.

c. The University normally retains ownership of property developed under sponsorship agreements and will negotiate rights to license the property. The proprietary rights of the University and of the University's employees shall be subject to the agreement between the sponsor and the University or its designee. Agreements with outside sponsors shall be approved by the vice president for research or their designees.

~~IV.G~~4.7.3. Disclosure of Potentially Patentable Discoveries

a. Prior to employment by the University and for the protection of the employee's interests at the time of employment, each new employee shall disclose to Office of Research – Innovation & Entrepreneurship all inventions previously developed or being developed by the employee for the purpose of establishing their ownership rights to developments made.

b. While employed at the University, employees shall disclose patentable inventions and discoveries to Office of Research – Innovation & Entrepreneurship for review. The director of Office of Research – Innovation & Entrepreneurship will provide assistance in filling out forms for disclosure. Invention Disclosure forms may be found on the Office of Research – Innovation & Entrepreneurship website.

~~IV.G~~4.7.4. Patent Ownership

a. The University or its assignee shall own the rights to all patentable property and other tangible research and scholarship developed as a result of University employment, or when the equipment, supplies, facilities, employee time or proprietary information of the University are used. After the employee terminates their Washington State University employment and is re-employed elsewhere, the University or its assignee retains ownership of subsequent inventions where the invention is a direct outgrowth of the University's business or University research and development.

b. Under the federal patent and trademark legislation of 1980 (35 U.S.C. § 200 et seq.), the University has the right of first refusal to title in inventions made in the performance of federal grants and contracts. The University or its assignee will assert title to and attempt to license inventions made with federal government funds so that the Congressional purpose of fostering the development of industry in the United States will be furthered.

c. For any patentable inventions and other discoveries in which the University, its assignee, or a sponsor has an interest, the employee shall execute promptly all assignments, waivers, and other legal documents necessary to vest in the University, its assignee, or the sponsor any and all rights to the invention, including assignment of any patents or patent applications.

~~IV.G~~4.7.5. Intellectual Property Inventorship and/or Ownership Appeals

This section applies to WSU faculty researchers and should be construed to be consistent with the University Policies on Intellectual Property (IP), Technology Transfer, and Commercialization (UPPM 35.55). Note that UPPM 35.55 applies to employees, graduate and undergraduate students participating in WSU research, and others who contribute to the creation of intellectual property and/or dispute the inventorship and/or ownership of intellectual property arising from WSU research.

NOTE: All notices, documents and appeals for the internal dispute resolution process outlined below must be submitted to the director of the Office of Research – Innovation & Entrepreneurship who will then deliver those to the appropriate unit/entity.

When inventorship and/or ownership is questioned, the Office of Research – Innovation & Entrepreneurship will determine whether the IP is owned by the University, by the employee, jointly by two (2) or more inventors, jointly by the University and the employee, by a third party or by an outside sponsor. If the Office of Research – Innovation & Entrepreneurship determines that a third party has an ownership interest in the IP and that University also has an interest in the IP, the Office of Research – Innovation & Entrepreneurship shall notify that third party and negotiate percentages of respective inventorship and/ or ownership. In such instances, if the Office of Research – Innovation & Entrepreneurship deems it to be in the best interests of the University to release its rights to the invention, the Office of Research – Innovation & Entrepreneurship may do so.

When a dispute regarding IP inventorship and/or ownership arises among the WSU faculty researchers, employees, graduate and undergraduate students or others participating in WSU research, the procedure below will be used to resolve the dispute. This procedure also applies to disputes regarding copyright and plant varietal disputes.

The researchers or others involved in the dispute are encouraged to try and resolve the dispute among themselves prior to pursuing the procedure outlined below. If the dispute is resolved, the matter reverts to Office of Research – Innovation & Entrepreneurship for IP protection and commercialization as appropriate ("standard processing"). If the dispute is not resolved, it moves forward with the procedure outlined below.

Determination by Office of Research – Innovation & Entrepreneurship

a. To initiate this process, at least one(1) party to the dispute must deliver, in writing, a request for dispute resolution to the director of the Office of Research

b. The director of the Office of Research – Innovation & Entrepreneurship will review the basis of the dispute, which may include, without limitation, interviews, evidence obtained and other available information and make a determination. The Office of Research – Innovation & Entrepreneurship will then prepare a written report, which includes a proposed resolution and/or recommendations and a determination, and present that report to the vice president overseeing commercialization activities.

c. The director of the Office of Research – Innovation & Entrepreneurship shall complete their review and determination of the dispute, or request additional time, within sixty (60) calendar days of a dispute being returned to Office of Research – Innovation &

Entrepreneurship from the dean(s). If the director of the Office of Research – Innovation & Entrepreneurship asks for additional time, the director must make a determination within fifty (50) additional calendar days, absent good cause for additional extensions. The vice president for research (VPR) has the authority to grant extensions. Extensions should be for a limited time to facilitate prompt dispute resolution.

d. Within five (5) business days after receiving the report from Office of Research

e. If the disputing parties accept the director of the Office of Research – Innovation & Entrepreneurship's determination, the matter reverts to Office of Research – Innovation & Entrepreneurship for standard processing. If they do not accept the director of the Office of Research – Innovation & Entrepreneurship's determination, one (1) or more of the parties may send a timely appeal to the director as provided below. When an appeal is received, the dispute shall then proceed to the appeal procedure outlined below.

f. If the dispute is not appealed in a timely manner, the matter reverts to the Office of Research – Innovation & Entrepreneurship for standard processing.

Process for Appeal of Office of Research – Innovation & Entrepreneurship Determination

a. The disputing parties shall have forty-five (45) calendar days from the date the Office of Research mailed notice of the Office of Research – Innovation & Entrepreneurship determination to deliver a request for appeal to the director of the Office of Research – Innovation & Entrepreneurship. The director shall send the appeal to the Intellectual Property committee (IPC). The appeal shall be heard by the IPC within twenty (20) business days of the notice of the appeal.

b. The IPC shall make a determination based on the hearings/interviews, evidence obtained and other available information within forty-five (45) calendar days after the first IPC hearing of the appeal unless extensions are approved for good cause by the VPR.

c. The IPC may appoint an ad hoc sub-committee to gather evidence and make an initial recommendation. That recommendation must be made within ninety (90) calendar days. The sub-committee shall have an odd-number of members and the members must be selected as follows:

    i. One (1) member of the IPC from, or related to, the college/non-academic unit from where the dispute arose, nominated by majority vote of the IPC; if no member of the IPC is from the affected college(s) or nonacademic unit, the dean or head of the affected college or non-academic unit will appoint an individual from that college or non-academic unit.

    ii. One (1) member of the IPC to be selected from a college or non-academic unit distinct from the college/unit where the dispute originates, nominated by majority vote of the IPC.

    iii. Two (2) faculty members nominated by the VPR, one (1) from the affected or related to the college/unit and one (1) from a college or unit distinct from the affected college/ unit.

iv. Associate dean for research of at least one (1) of the affected colleges.

v. One (1) representative from a non-academic unit nominated by the VPR.

vi. The Director of Office of Research – Innovation & Entrepreneurship and Office of Research – Innovation & Entrepreneurship staff members may not be appointed to the sub-committee but may provide consultation and expertise upon the sub-committee's request. The sub-committee will analyze the information available, gather additional evidence as needed, and prepare a summary of its recommendation to the IPC.

d. The IPC will review the summary report and provide a Decision of Record to the VPR within twenty (20) business days of the sub-committee's report to the IPC. The Decision of Record shall include findings of fact and a determination of the dispute.

e. The disputing parties will be notified of the Decision of Record within five (5) business days of its determination by the VPR. If the disputing parties accept the Decision of Record, the matter reverts to the Office of Research

i. Substantial deviation from procedure;

ii. Erroneous interpretation of policy;

iii. Decision not supported by evidence that is substantial; or

iv. Decision is arbitrary and capricious.

f. The VPR shall review the record and issue the final decision ("Final Agency Decision") within five (5) business days of receiving the appeal. Alternatively, the VPR can request additional information from the IPC be provided to the VPR within forty-five (45) calendar days and after review of that additional information enter a decision within five (5) business days after the receipt of the additional information which then becomes the Final Agency Decision.

g. Following the exhaustion of this internal appeal process, the disputing parties will have recourse to settle inventorship and/or ownership by binding arbitration administered by the American Arbitration Association (AAA) under AAA Patent Arbitration Rules or by binding arbitration administered by an equivalent entity mutually agreed upon by all parties. The disputing party shall file the claim with any Washington office of the AAA within forty-five (45) calendar days of the VPR 's Final Agency Decision and provide a copy of filing the claim to the Office of the VPR within the same time. Each party shall bear its own costs of the arbitration unless otherwise ordered by the arbitrator. The arbitrator 's decision will be final and binding ("Final Binding Decision"). Following the Final Binding Decision, the matter reverts to Office of Research – Innovation & Entrepreneurship for standard processing.

Assignment responsibilities

After the determination by Office of Research – Innovation & Entrepreneurship and exhaustion of the employee's right of internal and external appeal, any employee with an inventorship and/or

ownership interest in the IP shall execute all necessary documents including assignment following standard processing per Section ~~IV.G~~4.7.5

In the event an appeal results in ownership by the employee, the University shall formally release all claims to the employee's invention.

~~IV.G~~4.7.6. Publication and Disclosure to Third Parties

a. Once an invention is identified as potentially patentable, premature publication, public use, or disclosure of an invention can jeopardize the rights of the employee, or the university or its assignee to secure patent protection - particularly patent protection in other countries. In close consultation with the employee inventor and for the benefit of employee inventor, University, and possible licensee, there shall be no publicity or disclosure concerning the invention until patent applications have been filed. The Office of Research – Innovation & Entrepreneurship shall act in a timely fashion in such cases so as to not unreasonably delay employee publications. All publicity, public reports, interviews, news releases, speeches, public disclosures, or public demonstrations of the invention subsequent to the filing of the application shall have prior clearance in writing from the University or its assignee.

b. This section shall not be applicable to sponsorship agreements that impose different obligations on disclosure.

~~IV.G~~4.7.7. Management of Patents

Patent protection, prosecution and commercialization through licensing are complex and expensive endeavors requiring active participation by the inventors and the University over a period of twenty (20) years after patent filing. For inventions that were enabled through sponsored research, the federal, state, or private sponsoring agency must be notified and allowed the right to patent the invention. If there was no enabling sponsored research, or the sponsor or the University declines to pursue the invention, then the invention rights will be returned to the inventor.

~~IV.G~~4.7.8. Division of Patent Royalties

a. All monetary proceeds from the commercialization of University-owned inventions are the property of the University or its assignee. The University or its designee will collect and distribute royalties, fees, equity interests, or dividends to inventors and the University in accordance with the procedures established by the University.

b. The University or its designee will deduct the costs of obtaining and maintaining legal protection, for each invention, to arrive at “adjusted income” unless other arrangements, agreed to by all parties that share in the income, are made by the relevant campuses, research unit or program in advance of the expense and agreed to with the Office of Research – Innovation & Entrepreneurship. Such arrangements may include contracted marketing, licensing and business development. In such cases, any agreed upon expenses will be deducted to arrive at adjusted income.

c. The Office of Research – Innovation & Entrepreneurship will deduct twenty percent (20%) from adjusted income and the remainder will be “net income.” This deduction is directed

toward covering the expenses (excluding direct patent expenses) for administering the Office of Research – Innovation & Entrepreneurship and provides initial funds for patent prosecution for other inventions without obvious commercial partners.

d. Net income will be distributed according to the following schedule.

   i. For cumulative net income up to $10,000, 100% of the net income will be distributed to the inventor/contributor.

   ii. For cumulative net income over $10,000, 50% of the net income will be distributed to the inventor/contributor and 50% of the net income will be distributed to the University.

   iii. The University's portion of the share in Section ~~IV.G~~4.7.8 (d.ii) will be distributed as follows:

      1. 30% to the University

      2. 20% to the college and department (or relevant campuses, research unit, or program when appropriate) to be equally split between the two (2).

   iv. See WSU UPPM 35.55 for more details.

e. With consideration to other University priorities and policies, the University or its designee will distribute one-third (1/3) of its share to the Office of the Vice President for Research to be invested in further research and technology efforts for the University, one-third (1/3) of its share to be managed and maintained by the Office of Research – Innovation & Entrepreneurship as an "enforcement fund" to be used for legal claims against University intellectual property, and the remaining one-third (1/3) of its share to be used by the Office of Research – Innovation & Entrepreneurship towards a "commercialization fund" to be reinvested in commercialization activities and projects.

f. The Office of Research – Innovation & Entrepreneurship enforcement fund allocation will be deducted only when necessary to maintain a $150,000 balance for all inventions under this section; the distribution to the Office of Research – Innovation & Entrepreneurship Enforcement Fund will cease while the Fund maintains a $150,000 balance and the University share will then be distributed equally to the vice president for Research and the Office of Research – Innovation & Entrepreneurship Commercialization Fund. Any enforcement expenses incurred above $150,000 would be shared by all parties that share in the income, in the proportion of their share of income, for that specific invention and will be deducted as legal expense in step a.1 of Section ~~IV.G~~4.7.8. Any net proceeds, after expenses, earned as a result of enforcement will be used to first replenish the enforcement fund. Any net proceeds remaining after replenishing the Enforcement Fund will be added to adjusted income.

   i. An advisory body comprising a representative from each of the inventor/creator/breeder groups contributing to the Office of Research – Innovation & Entrepreneurship enforcement fund and other appropriate faculty and administrators will make recommendations on the use of the Office of Research –

Innovation & Entrepreneurship enforcement fund to the president via the Office of Research – Innovation & Entrepreneurship. The president may then make recommendations to the Board of Regents who have the final authority to initiate a legal action on behalf of WSU.

g. In the event of multiple inventors, the inventors will agree among themselves as to the distribution of the income accruing to the inventors; distribution of the inventors' share shall be made only upon receipt of a signed agreement among the inventors.

h. The University or its designee may negotiate, but shall not be obligated to negotiate, for equity interests in lieu of or in addition to royalty and/or monetary consideration as a part of an agreement relating to inventions or Copyrighted Works. Any equity interests acquired pursuant to this section shall be held and managed by the Washington State University's designee. Neither the Washington State University nor its designee acts as a fiduciary for any person concerning equity nor other consideration received under the terms of this regulation. Upon liquidation, the proceeds from the equity interests held by the University designee will be distributed according to the schedule in Section ~~IV.G~~4.7.8.

i. Distribution of any research fees and royalties generated from unpatented biological materials, materials transferred through material transfer agreements, testing agreements, research tools licenses and other similar agreements as well as distribution of income from patentable biological materials will follow the schedule used in Section ~~IV.G~~4.7.8.

~~IV.G~~4.7.9. Plant Varieties Publicly Released Through the CAHNRS Office of Research

a. The research and development, patent or plant variety protection, and public release of plant varieties requires the cooperation of the plant breeder(s), funding agency (USDA), Variety Release Committees, CAHNRS Office of Research (COR), Washington State Crop Improvement Association (WSCIA) or similar commodity groups, and the OC. The distribution of research fees and royalties will follow schedules in sections 9.b) and 9.c) below.

b. Varieties protected by PVP (seed propagated crops and potato)

    i. In the case of contracted marketing, licensing and business development, all monies remaining after contractor expense will be distributed to WSU.

    ii. The University or its designee will then deduct the costs of obtaining and maintaining legal protection, for each plant variety to arrive at "adjusted income".

    iii. Ten percent (10%) of the adjusted income capped at twenty thousand ($20,000) per fiscal year per PVP-protected variety, will be retained by the Office of Research – Innovation & Entrepreneurship as an "enforcement fund for all PVP-protected Crops" to be used for legal claims against University intellectual property related to PVP-protected crops to arrive at "net income". The Office of Research – Innovation & Entrepreneurship Enforcement Fund allocation will be deducted only when necessary to maintain a one hundred fifty thousand ($150,000) balance for all PVP-

protected crops; ten percent (10%) of the adjusted income distribution to the Office of Research – Innovation & Entrepreneurship Enforcement Fund will cease while the Fund maintains a one hundred fifty thousand ($150,000) balance and the adjusted income will then be equal to the net income. Any enforcement expenses incurred above one hundred fifty thousand ($150,000) would be shared by all parties that share in the income, in the proportion of their share of income, for that specific PVP-protected variety. Any net proceeds, after expenses, earned as a result of enforcement will be used to first replenish the Enforcement Fund. Any net proceeds remaining after replenishing the Enforcement Fund will be added to adjusted income.

iv. An advisory body comprising a representative from each of the inventor/creator/breeder groups contributing to the Office of Research – Innovation & Entrepreneurship Enforcement Fund and other appropriate faculty and administrators will make recommendations on the use of the Office of Research – Innovation & Entrepreneurship Enforcement Fund to the president via the Office of Research – Innovation & Entrepreneurship. The president may then make recommendations to the Board of Regents who have the final authority to initiate a legal action on behalf of WSU.

v. Seventy percent (70%) of the net income will be distributed to the COR for enhancement of PVP-protected variety programs in consultation with the breeders that generated the income for this category.

vi. The remaining thirty percent (30%) of the net income will be distributed:

1. 10% to the Office of Research – Innovation & Entrepreneurship
2. 10% to WSU-COR
3. 10% to plant breeder(s)/contributors(s)

c. Varieties protected by patents (vegetatively propagated crops other than potato)

i. In the case of contracted marketing, licensing and business development, all monies remaining after contractor expense will be distributed to WSU.

ii. The University or its designee will then deduct the costs of obtaining and maintaining legal protection, for each plant variety to arrive at “adjusted income”.

iii. Ten percent (10%) of the adjusted income, capped at twenty thousand ($20,000) per fiscal year per patented variety, will be retained by the Office of Research – Innovation & Entrepreneurship as an “enforcement fund for all patented crops” to be used for legal claims against University intellectual property related to patented crops to arrive at “net income”. The Office of Research – Innovation & Entrepreneurship enforcement fund allocation will be deducted only when necessary to maintain a one hundred fifty thousand ($150,000) balance for all patented crops; ten percent (10%) of the adjusted income distribution to the Office of Research – Innovation & Entrepreneurship enforcement fund will cease while the

fund maintains a one hundred fifty thousand ($150,000) balance and the adjusted income will then be equal to the net income. Any enforcement expenses incurred above one hundred fifty thousand ($150,000) would be shared by all parties that share in the income, in the proportion of their share of the income, for that specific patented variety. Any net proceeds, after expenses, earned as a result of enforcement will be used to first replenish the Enforcement Fund. Any net proceeds remaining after replenishing the Enforcement Fund will be added to adjusted income.

iv. An advisory body comprising a representative from each of the inventor/creator/breeder groups contributing to the Office of Research – Innovation & Entrepreneurship enforcement fund and other appropriate faculty and administrators will make recommendations on the use of the Office of Research – Innovation & Entrepreneurship enforcement fund to the president via the Office of Research – Innovation & Entrepreneurship. The president may then make recommendations to the Board of Regents who have the final authority to initiate a legal action on behalf of WSU.

v. Fifty percent (50%) of the net income will be distributed to the COR for enhancement of patented variety programs in consultation with the breeders that generated the income for this category,

vi. The remaining fifty percent (50%) of the net income will be distributed as follows:

1. 10% to the Office of Research – Innovation & Entrepreneurship
2. 10% to WSU-COR
3. 30% to plant breeder(s)/contributors(s)

d. Additional considerations

i. In the event of multiple breeders/contributors, for varieties protected by patents or PVP, the inventors will agree among themselves with guidance and approval from the CAHNRS Office of Research as to the distribution of the royalties accruing to the breeders/contributors.

ii. General guidelines for distribution of (i) royalties from essentially derived varieties and (ii) utilization of advanced lines or clones from one breeding group for further advancement by another breeding group, are available from the COR or Office of Research – Innovation & Entrepreneurship.

iii. In the event that multiple breeders/contributors cannot reach an agreement on distribution, the distribution will be resolved by the Office of Research – Innovation & Entrepreneurship as described in Section IV F (Intellectual Property) section of the Faculty Manual.

iv. Varieties for seed propagated crops that are not PVP protected shall follow the same distribution as those that are PVP protected, as in Section ~~IV.G~~4.7.9 (b).

v. Varieties for vegetatively propagated crops (other than potato) that are not patent protected shall follow the same distribution as those that are patent protected, as in Section ~~IV.G~~4.7.9 (c).

~~IV.H~~4.8. Copyright Policy

The United States government grants copyright to the author or creator of original works of authorship. Copyrights for works created after January 1, 1978, are granted for the term of the author's life and an additional seventy (70) years. In the case of a work made for hire, the term of the copyright is ninety-five (95) years from the year of first publication or one hundred twenty (120) years from the year of creation, whichever expires first. The copyright allows the author or persons assigned rights for the author to rightfully withhold others from copying or using the works without permission. A copyright is automatically secured when the work is created or "fixed" in a tangible medium. No publication or registration or other action in the Copyright Office is required; however, it is required that a copyright be registered before a lawsuit is brought. Refer to the U.S. Copyright Office for further information.

~~IV.H~~4.8.1. Copyright Policy Objectives

The University encourages the publication of scholarly works as an inherent part of its educational mission. In this connection, it acknowledges the right of faculty, staff, and students to prepare and publish, through individual initiative, architectural designs, photographs and slides, illustrations, computer software, multimedia presentations, sound recordings, video productions, telecasts, music, grant proposals, scholarly publications, and other material. The following statement of University policy on ownership of copyrightable material is provided to clarify the respective rights and responsibilities of individuals and the University in this important area. OC will administer the policy.

~~IV.H~~4.8.2. Copyright Ownership

University Ownership of Copyrighted Works

a. Work Made for Hire. Except as otherwise provided in the Employee Ownership of Copyrighted Works section of this Policy, Section ~~IV.H~~4.8.2 (b) of this manual or as otherwise provided in WSU policy, the University shall own all copyrightable works that were created as a "work made for hire." "Work made for hire," as defined by the Copyright Act, includes (1) works prepared by University employees within the employee's scope of employment, or (2) works not created within the employee's scope of employment but that are specially commissioned by the University pursuant to a written agreement that is signed by both the University and the employee.

b. Sponsored Agreements. The University shall have the right to perform its obligations with respect to copyrightable works, data, prototypes, and other intellectual property under any contract, grant, or other arrangement with third parties, including sponsored research agreements, license agreements, and the like. When a work is created in a sponsored program, employees shall assign all rights to the University unless otherwise required by the sponsored agreement necessary to facilitate obligations under grants and contracts.

c. The employee shall own copyrightable works unrelated to the employee's University employment responsibilities that are developed on an employee's own time and without University support or use of University facilities.

Employee Ownership of Copyrighted Works

a. The University shall not assert ownership in the following works created by employees within the employee's scope of employment, including, but not limited to, the following (i) scholarly material, (ii) educational material (e.g., textbooks), (iii) artworks, (iv) musical compositions, (v) sound recordings, (vi) dramatic and nondramatic literary works, and (vii) creative works fixed in a film, video, or other media, unless

    i. substantial kinds or amounts of University resources, as defined below, were used to create the works;

    ii. the works are created pursuant to a written agreement between the employee and the University; or

    iii. the works are created pursuant to the terms of a third-party sponsored agreement, contract, or grant to the university.

b. Substantial University Resource Use Resulting in University Ownership. The University shall assert an ownership interest for works identified in the previous paragraph to which the University contributes substantial kinds or amounts of resources. Each department or unit of the University is required to propose for the approval of the provost or their designee, a description of what department specific resources should not constitute substantial kinds or amounts of University resources, which may or may not include computers and software routinely distributed to faculty in the department to perform the faculty's duties to the University. Forms are available on the WSU Office of Research – Innovation & Entrepreneurship website. Unless the provost has approved such departmental exceptions, substantial kinds or amounts of resources shall mean the use of staff or clerical time other than peer review; provision of university funding specifically for or in support of the development of the work; and provision of equipment, facilities, and supplies, beyond that which is usually provided for meeting employment obligation. Substantial kinds or amounts of resources shall not include professional leave provided to faculty.

c. Use of equipment, facilities, and supplies that are usually provided for faculty to meet employment obligations typically include but are not necessarily limited to office space, a computer, and peripherals, including a printer and software and resources that may be unit specific. Note: When a service center is open to use by the public through a facility use agreement or contract, the faculty's use of the service center on the same terms and conditions available to the public is not considered a significant resource.

Student Writings.

Students employed by the University in any capacity are covered by the terms of this policy. In addition, where a student receives financial aid or remuneration under a sponsored research, training, or fellowship program, their rights in copyrightable material are limited by the terms of the

University agreement with the sponsoring agency. The University has no ownership rights in copyrightable material developed by students who are not employees.

Patentable Works

Some works, particularly certain types of computer programs, may qualify for patent as well as copyright protection. An author, upon recognizing that one of their works is of this kind, is responsible for disclosing it to the Office of Research – Innovation & Entrepreneurship for a determination of (i) ownership and (ii) whether the University wishes to seek patent protection should ownership be vested in the University. Office of Research – Innovation & Entrepreneurship, following the procedures set out in the University's patent policy, will make these determinations. If ownership of such a work is vested in the University under the patent policy, but the University decides not to protect the work, ownership and disposition of the work is then determined in accordance with this Policy. If Faculty wish to appeal the Office of Research – Innovation & Entrepreneurship's or its staff's decisions, the procedure set out in Section ~~IV.G~~4.7.5 of the Patent Policy shall be followed.

~~IV.H~~4.8.3. Administration of the Copyright Policy

a. Disclosure. Material subject to copyright and owned by the University under the circumstances set forth in the Copyright Policy, Section ~~IV.H~~4.8 should be promptly disclosed to the Office of Research – Innovation & Entrepreneurship.

b. Determination of Ownership in Unclear Cases. Such determinations will be made by the Office of Research – Innovation & Entrepreneurship and will follow the guidelines set out in Section ~~IV.H~~4.8.2. Either the University or the author may initiate this review.

c. Distribution of Royalties. See the Division of Copyright Royalties, Section ~~IV.H~~4.8.5.

d. General Advice and Assistance. Contact the Washington State University, Office of Research – Innovation & Entrepreneurship, WSU Research and Technology Park, Pullman, WA 99164-1802, telephone (509) 335-5526.

~~IV.H~~4.8.4. Management of Copyrights

a. The University will retain ownership of its copyright interests for development by the OC or other University publishing units or colleges, e.g., Office of Publications and Printing, Educational Telecommunications and Technology, Information Technology, or the Extended Degree Program. The University may select a managing agent and execute any necessary assignments to the managing agent.

b. Copyright registration is simple. Software commercialization through sale or licensing may be complex and expensive requiring active participation by the authors and the University.

~~IV.H~~4.8.5. Division of Copyright Royalties

a. The University or its designee, the Office of Research – Innovation & Entrepreneurship, will deduct the costs of obtaining and maintaining legal protection for each copyrighted work to arrive at "adjusted income."

b. The University or its designee, the Office of Research – Innovation & Entrepreneurship, will deduct twenty percent (20%) from adjusted income. This deduction is directed toward covering the expenses for administering the Office of Research – Innovation & Entrepreneurship.

c. The University or its designee, the Office of Research – Innovation & Entrepreneurship, will reimburse the appropriate University unit, including the Office of Research – Innovation & Entrepreneurship, for expenses advanced in developing and distributing the copyrighted work, e.g., distance learning courseware. The remaining income is the net income.

d. Net Income for each copyrighted work will be distributed to authors and/or creators and/or contributors as identified in Patent Policy, Division of Patent Royalties, Section ~~IV.G~~4.7.8.

    i. In the event of multiple authors, the authors will agree among themselves as to the distribution of the income accruing to the authors; distribution of the authors' share shall be made only upon receipt of a signed agreement between the authors.

    ii. The University or its designee may negotiate, but shall not be obligated to negotiate, for equity interests in lieu of or in addition to royalty and/or monetary consideration as a part of an agreement relating to Inventions or Copyrightable Works. Any equity interests acquired pursuant to this section shall be assigned to the Washington Research Foundation or a designee of the University for management. Neither the Washington Research Foundation nor the University or its designee acts as a fiduciary for any person concerning equity or other consideration received under the terms of this regulation.

~~IV.H~~4.8.6. Division of Copyright Royalties on University Owned Copyrights Managed by another University Unit (University Publishing Units or Colleges)

The University unit manages collection and distribution of all net monetary proceeds from commercialization of University-owned copyrighted works managed by a University unit other than the Office of Research – Innovation & Entrepreneurship. When practicable and consistent with any related agreements, the University unit may collect and distribute royalties, fees, proceeds from equity interests, or dividends to authors and the University in accordance with the royalty distribution guidelines agreed to by the parties. Distribution of the University share of the net income from commercialization will be as outlined in Section ~~IV.H~~4.8.5, unless other contractual arrangements are agreed to by all parties, including the managing unit or college, who are eligible to share in the income from the copyrighted works.

~~IV.H~~4.8.7. Division of Copyright Royalties on University-Owned Copyrights Managed by an Agent Other than the Office of Research – Innovation & Entrepreneurship and Another University Unit

The University manages and distributes all net monetary proceeds from commercialization of University- owned copyrighted works managed by an agent other than the Office of Research – Innovation & Entrepreneurship or another University unit, including University Publications. When practicable and consistent with any related agreements, the University or its managing agent may

collect and distribute royalties, fees, proceeds from equity interests, or dividends to authors and University in accordance with the royalty distribution guidelines agreed to by the parties. If University has contracted that the works are to be managed by a third-party as provided in Section ~~IV.H~~4.8.4 (a), that managing agent shall be entitled to deduct its contracted fee from those proceeds prior to the University receiving its share of the monetary proceeds. Distribution of the University share of the net income from commercialization will be as outlined in Section ~~IV.H~~4.8.5 (a), unless other contractual arrangements are agreed to by all parties, including the managing unit or college, who are eligible to share in the income from the copyrighted works.

~~IV.I~~4.9. Use of Faculty Authored, Edited, or Prepared Scholarly Material

Faculty members are expected to educate students using the best available scholarly materials. The sole basis for selecting required materials for student purchase must be to promote the educational goals of the particular course or course of study. Selection must not be based on, or result in, personal benefit or special privileges for faculty. See University Ethics Policy (UPPM 10.65), sections 3.1, 3.2, 3.3, 3.9, and 4.0.

~~IV.I~~4.9.1. Policy

A WSU faculty member may require students to use textbooks or other material authored, edited, or otherwise created by the faculty member; however, with limited exceptions (set forth below), the faculty member is prohibited from receiving any financial gain or benefit, directly or indirectly, from sales to WSU students. This policy is consistent with requirements under the Washington State Ethics in Public Service Act, RCW 42.52.

This policy applies whether the material is self-published or published by a recognized publishing house.

~~IV.I~~4.9.2. Exceptions

The above prohibition does not apply in the following circumstances:

a. No Control or Influence: A faculty member may receive royalties from required purchases by WSU students when:

    i. The faculty member does not teach or otherwise participate in the course for which the materials are required, and

    ii. The faculty member has no direct or indirect control or influence over the selection of the course materials, regardless of whether the selection is for a course the faculty member is teaching.

    iii. If the faculty member participates in an advisory group or otherwise advises on materials for courses taught by other faculty, they must recuse themselves from participation if they could receive royalties from material being considered or recommended. See also University Ethics Policy, Section 4.0 (Conflict of Interest).

b. Waiver or Relinquishment of Royalties and Other Payments: Faculty members may comply with this policy by tracking the portion of any royalties subject to this policy and:

i. Waiving all royalties from sales to WSU students for courses within the faculty member's control or influence;

ii. Directing the publishing house to remit any royalties to a University gift account not under the faculty member's control or influence; or

iii. If the faculty member receives any royalties subject to this policy, immediately remitting the full amount to a University gift account not under the faculty member's control.

For this exception to apply, the faculty member must disclose the activity on their annual report of consulting and extended professional activities in accordance with UPPM 60.44. The disclosure must be accompanied by evidence of compliance, such as a statement from the publishing house that no royalties were remitted or a receipt of deposit to a University gift account. Faculty members are encouraged to obtain preapproval of all compensated scholarship activities in accordance with section 6.0 of the University Ethics Policy (UPPM 10.65).

~~IV.I~~4.9.3. Advertising and Promotion of Faculty Authored, Edited, or Prepared Scholarly Material

University resources may not be used for commercial purposes or for financial gain. See University Ethics Policy, section 3.1; WAC 504-35-050(1). Faculty may not include advertisements for authored textbooks or other materials on email signature blocks, including links to commercial publishers, if the faculty member or others may receive royalties or other compensation from the sale of the materials. Similar prohibitions apply to advertisements and promotions using other University resources, such as websites.

~~IV.J~~4.10. Trademarks

University trademarks include the names, designs, logos, and colors for "Washington State University", "WSU", "Cougars", "Go Cougs", "Ask Dr. Universe", and others. Permission of the University is required before use of these trademarks. Commercial use requires licensing and payment of royalties. Royalty income from licensing of University and athletic trademarks is administered by the Washington State University Foundation. The trademarks officer may be contacted through the Trademark Licensing Office.

From time-to-time other University trademarks are registered for software, plant varieties, or devices in conjunction with their patent or copyright protection. These trademarks may generate royalties through commercialization. Net royalty income received by the University or its designee shall be distributed according to the schedule used for Patents, Section ~~IV.G~~4.7.8, or for Plant Varieties, Section ~~IV.G~~4.7.9, as appropriate. In the event that a University trademark is registered and in use in commerce and any intellectual property in conjunction with a patent and/or plant variety protection has expired, any net royalty income received by the University or its designee attributed to the trademark shall be distributed according to the schedule used for Patents, Section ~~IV.G~~4.7.8, or for Plant Varieties, Section ~~IV.G~~4.7.9, as appropriate.

~~IV.K~~4.11. Faculty Involvement and Residual Rights in Films, Videotapes, and Other Instructional Media

Washington State University may transmit or reproduce by television, radio, or other means, for local or general distribution, news and general information programs prepared by Washington State University on which faculty members have appeared. The negotiation of a contractual agreement between the responsible faculty member(s) and the University is handled through the provost.

Nothing in this policy shall be construed as abridging a faculty member's academic freedom in the classroom.

~~IV.L~~4.12. University Policies and Procedures

Many additional policies and procedures which may affect faculty are included in the *University Policy and Procedures Manual* (UPPM) which is available online. Among the policies covered in detail in that manual are the following.

~~IV.L~~4.12.1. Use of Name and Logo

The name Washington State University and its logo are the exclusive property of the institution and consequently, should not be used in support of claims or advertisements by any outside organization without permission of the president. Research grants from commercial concerns are given in accordance with a memorandum of understanding which states that the name of the University or any of its departments shall not be used in connection with advertising except by permission.

Faculty members publish a considerable number of reports in the form of bulletins, circulars, scientific articles, monographs, and books, some of which are copyrighted and others which are not. Material from such recognized publications is, of course, quotable, and proper recognition should be given both to the individual author and to the publishing institution of quotations.

University stationery may be used only for official University business. No report or statement relating to private consulting or other services may use the name of Washington State University or be attributed to it. The use of official titles for personal gain or publicity is not appropriate procedure. See UPPM 60.44.

~~IV.L~~4.12.2. Project Funds from Outside Sources

The University encourages individual investigators, departments, and other units to seek financial support for research and other scholarly and creative activities from sources outside the funds ordinarily available to the Board of Regents. Numerous organizations, governmental units, and other agencies offer support for research programs. Demonstrated ability and recognized professional standing of an individual or group constitute the most important means of attracting financial assistance.

Policies and procedures relative to projects supported by outside agencies have been established. A copy of these policies is included in the UPPM. All proposals for research, academic, scholarly,

creative, instructional, extension, and service activities require approval of the chair of the department (or director of the school or program), the dean of the college, and the vice president for research, to whom the authority has been delegated for giving final University approval to all such proposals. Aid in the preparation of proposals to external agencies is available through the Office of Grant and Research Development. Before an application is forwarded to an external agency, this office is responsible to ensure approval of all concerned units.

Acceptance of any grant, gift, or contract resulting from such proposals must be approved and confirmed in writing by the vice president for finance and administration, and copies of all pertinent documents must be deposited with this officer and the dean concerned.

~~IV.L~~4.12.3. Faculty and Staff Travel

Authorized travel by University employees is subject to state regulations and to such budgetary and travel regulations as are established by the University, as well as by certain units thereof. Expense of travel not within the scope of these regulations will not be reimbursed from University funds nor from any funds administered by it. For purposes of these regulations, in-state travel includes only travel within the state of Washington.

Travel authorization forms should be submitted to the principal administrative officer via channels established by the respective units for the contemplated travel by all employees, UPPM 95.01.

~~IV.L~~4.12.4. Applicant Travel

It is often important that potential faculty members be invited to the campus for interviews. A recommendation for each such visit is to be submitted to the principal administrative officer on the Personal Professional Service Request form. Following approval of this recommendation, the invitation to come to the campus should be sent by the chair or director, or dean concerned. It should include a statement that travel expenses will be reimbursed at a rate not to exceed round-trip, coach airfare. See UPPM 95.01.

~~IV.L~~4.12.5. Equipment

All equipment purchased by or given to the University or to one of its departments is the property of Washington State University and not the property of a department or other unit. Priority in the use of a piece of equipment ordinarily is held by the department that purchased it out of its department funds. No individual has any proprietary interest in the property of the University, nor are University buildings available for the permanent or continuing storage of employee personal property not used in official operations. Property continuously stored in University buildings is presumed to be state property. Department chairs, school directors, program directors, academic directors, and principal administrative officers are responsible for maintaining inventories of equipment and are the custodians of the property assigned to their respective units. University equipment may not be borrowed by or loaned to an individual for private use. The controller is authorized to rent certain items of equipment at times not needed in University operations.

~~IV.L~~4.12.6. Purchasing

All purchases by any unit of the University must be arranged through the Division of Purchasing prior to acquisition of the merchandise or equipment by the University or by one of its employees.

Forms as furnished by the purchasing manager must be used to place purchase orders. Purchasing procedures are prescribed by state law and regulation and must be observed by all units of the University. The acquisition or custody of property not covered by normal purchasing procedure should be reported to the vice president of business affairs.

~~IV.L~~4.12.7. Cash Received by Employees outside Controller's Office

Except for those departments traditionally considered as vendor departments, no department can sell goods or services to students, employees, other departments, or the general public without obtaining specific authority from the assistant vice president for finance and administration. The procedures for handling cash sales must be coordinated with the controller. Washington State University receipts and invoices or other receipts or invoice documents approved by the controller must be used by all departments to record payments or charges immediately upon receipt. All payments made to employees handling accounts and sales of produce, poultry, trees, and other property of the University, or for which the University is responsible, are to be deposited intact within a week with the Office of the Controller. Cash, checks, or other payments totaling one hundred dollars ($100) or more are to be deposited daily. The department must be responsible for providing adequate safeguards for cash.

(Departments may take charge sales only when authorized by the Office of the Controller).

~~IV.L~~4.12.8. Approval of Contracts and Memoranda of Agreements

The vice president for finance and administration, or designee, the assistant vice president for finance and administration, is the contracting officer for the University. Each agreement or arrangement that any unit of the University or any employee wishes to enter into which, if made, would commit the University to any obligation, financial or otherwise, must formally documented in a contract or memorandum of agreement. These contracts or memoranda of agreement must be approved and signed by the assistant vice president for finance and administration. Persons wishing to negotiate such an agreement should, with the approval of their dean or director, discuss it in principle with the assistant vice president for finance and administration in advance or at least in the early stages of negotiation. A sufficient number of copies of each proposed contract or memorandum of agreement should be routed to the assistant vice president for finance and administration to permit the retention of one(1) copy in the permanent contract files, UPPM 70.21.

~~IV.L~~4.12.9. Bonding of Employees

Every member of the faculty and staff is bonded in the amount of one hundred thousand ($100,000) as an employee of the state of Washington. It is not consistent with University policy for any employee to handle funds for any other organization as a part of their duties as a University employee.

Section ~~V~~5.~~:~~ Revision of Preceding Sections

Revision of the preceding sections of this *Faculty Manual* may be proposed by any unit of the University or by any member or group of members of the faculty. All proposals are to be submitted in writing to the executive secretary of the Faculty Senate. The executive secretary will forward

proposals to the Faculty Affairs Committee for review and to the Steering Committee to determine if review by additional committees is warranted. All feedback should be sent to the Faculty Affairs Committee. The Faculty Affairs Committee will review the proposed changes and all additional recommendations and will prepare a recommendation to be considered by the Steering Committee. The Senate Steering Committee will provide the president with a copy of any recommendations they are forwarding for action by the Faculty Senate. Once approved by the Faculty Senate, the Board of Regents, or its delegated authority, is responsible for final approval of revisions or changes to the *Faculty Manual*. The executive secretary of the Faculty Senate will be responsible for informing the University community of approved changes to the *Faculty Manual* and for adding these changes to the published revisions of the *Faculty Manual* at appropriate intervals.